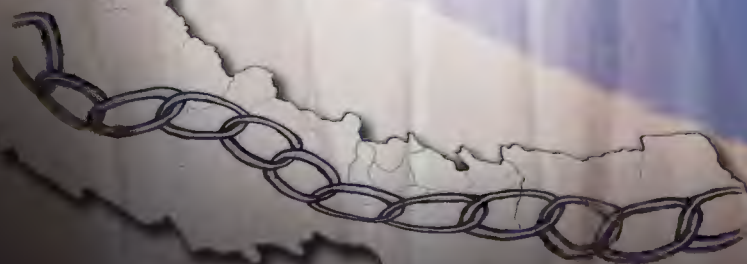


Nepal

HUMAN RIGHTS YEARBOOK 2015



Mutual Understanding in Constitution Making

Human Rights Yearbook 2015

(ENGLISH EDITION)

(This Report Covers the Period - January to December 2014)

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Informal Sector Service Centre (INSEC)

Founded in 1988, INSEC is actively involved human rights and social justice. INSEC runs its regular programs through one regional office in each of five development regions. For the studying and monitoring of the incidents of human rights violation, it has deployed a district representative each in all 75 districts.

INSEC General Assembly
held on May 6, 2012
elected a new Executive Board
for three years

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Human Rights Documentation and Dissemination Program

This Program, involved in monitoring, study, investigation and documentation of incidents of human rights violations and abuses, publicises the report based on field study. Publications, including central and regional level quarterly situation reports, bi-monthly magazines Prachi and Informal and annual publication Nepal Human Rights Yearbook are prepared by this Program. The department also runs a human rights news portal, www.inseconline.org. The Program takes initiative for immediate support to the victims, issues urgent appeals, maintains coordination with the national and international human rights institutions and stakeholders.

Human Rights Education Program

Through this program, INSEC disseminates human rights education in coordination of local human rights organisations. To create awareness in the rural areas through literacy awareness program, this department conducts human rights trainings, group mobilization, and interaction and discussion with the stakeholders. Books and training materials are also published by this Program.

Human Rights Campaign and Advocacy Program

The main responsibility of this Program is to exert pressure on the government to formulate policies, rules in compliance with international human rights and humanitarian laws and identify the rights of the marginalised communities. Review of law, human rights treaty monitoring and human rights campaign are also conducted through this Program.

Human Rights Education Radio Program

The main objective of this Program is to ensure public access to human rights information through Local FM stations. Current relevant human rights issues are disseminated through this Program on weekly basis. Different programs are conducted at local level by establishing coordination with Radio Listeners' Club. Additionally, activities related to raising of awareness of human rights issues among the children and activities related to their personality development are conducted through the child clubs formed in different government schools in the initiation of INSEC.

Management Program

All the administrative and financial management of INSEC fall under this Program. This Program has been undertaking capacity building programs for the employees under the human resource management. This Program has the responsibility to carry out institutional planning, monitoring and evaluation. Under the activities of information management, it has a library and internet technology sections. Publications like Annual Report and INSEC Aviyan are prepared by this Program. For the management of information under the organization, library and information technology units are established within this program.

Need of the Hour - Development of Humanitarian Culture

INSEC decided to choose Fagun 7 (February 19) as the release date of the Nepal Human Rights Yearbook as this is the day to commemorate the contributions of people who paved the way for democracy for common people. Human rights and democracy are complimentary. One becomes meaningless in the absence of another. Our aim is human rights and the process towards that direction is democracy.

Several recommendations were made following the Universal Periodic Review (UPR) of Nepal conducted in the UN Human Rights Council on January 25, 2011. Three major among them were - constitution making, transitional justice and rampant impunity in Nepal. The human rights situation of the country now revolves around these issues. Nearly seven years have passed dealing with these issues since CA elections 2008 but the prime task of completing the peace process, which began with the culmination of people's uprising, remains incomplete. To understand it in specific political term, through the uprising, the people had sought unhindered opportunity to enjoy their rights.

The transitional period in Nepal would have reached a logical conclusion by now if the tasks carried out regarding these issues were reckoned with. The desire to rule the people with iron hand motivates to take the path of authoritarianism - this is a conclusion reflected by history. For the rulers vying to consolidate power through authoritarianism, the easiest way is to invoke the advocacy of ethnicity, religion or chauvinism. Most of the mass killings have been triggered under these pretexts. Equal opportunities for all communities, affirmative action for marginalized communities and rule of law- these are the basic elements Nepali people wish to be encompassed in the constitution. Political parties should not stick on their party stand rather they should push their differences aside, and work in unison to promulgate the constitution. In a democratic society, it is vital to understand that not all the demands, and ideologies, of a single entity can be fulfilled. This is the verisimilitude that the political parties should know.

Impunity has become the greatest challenge in Nepal. This issue attracted great attention even during Nepal's Universal Periodic Review at the UN Human Rights Council. Non-implementation of decisions of the Supreme Court and government reluctance to abide by the National Human Rights Commission (NHRC)'s recommendations to bring the perpetrators of grave human rights violations to justice has left the international community wondering.

The political parties' inability to accept people's general concerns as their common agenda, lack of national consensus on implementation of the past agreements and the parties' indulgence in their factional interests rather than having the will, courage and capacity to honesty serve the people are the obstacles to constitution making. These are the reasons holding back the resolution of Nepal's peace process.

The issue of investigation of human rights violations occurred during the insurgency and prosecution of the perpetrators is a joint commitment mentioned in Nepal's Interim Constitution. The Supreme Court had ordered the government on January 2, 2014 to amend

some of the provisions of the Ordinance on Commission on Investigation of the Disappeared Persons and Truth and Reconciliation Commission concluding that those provisions were not on par with the human rights principles. However, the Legislature-Parliament went ahead with endorsing a Bill which now has been enacted. Acts like this one help institutionalize impunity.

The facts and figures of Nepal Human Rights Yearbook clearly show how and to which extent women in Nepal are facing violence. There are laws to control these crimes, authorities to arrest those criminals, and agencies to deliver justice. Nepali society is moving towards insensitivity. A generation grew up listening to the sounds of gunshots and saw the pictures of pools of blood. They grew up in the periphery of violence. They learned that violence is the only solution to all kinds of problems. The society learned ways of violence to resolve domestic issues. The alarming picture of domestic violence is revealed by the Yearbook. It would be difficult to get rid of such problems until we develop humanitarian culture for common people. The cultural and social fundamentalism cannot be surpassed without making the curricula, ways of study and learning along with making the media accountable.

The Sustainable Development Goal Program of the UN will come into force after 2015. It would not be sufficient for the Government of Nepal to only talk about people's rights while implementing that Human Development Program. It should be able to forward a tangible step towards preparing a line of citizens who are able and aware to realize their rights.

Nepal Human Rights Yearbook is not only an institutional report. It is a reflection of INSEC's direct relation with the people across the country. Whether it is the Rajbanshi community of Jhapa or freed Kamaiyas of Bardiya, whether Chepang women of Makwanpur or the Banjhang people reeling under the perennial food shortages or the conflict victims of Nawalparasi; this Yearbook is a common platform of words to relieve their pain. People of all the districts have their meaningful contribution to the release of Yearbook. Relevant changes in the structure of Yearbook have been made by internalizing the suggestions received during the preview of the Yearbook held in the districts.

Hoping for similar constructive comments and concerns from all sectors in future as well.

Hearty Greetings.

Subodh Raj Pyakurel
Chairperson

Acronyms and Abbreviations

AHRC	: Asian Human Rights Commission
AHW	: Assistant Health Worker
AIG	: Additional Inspector General
ANNISU-R	: All Nepal National Independent Students Union (Revolutionary)
APF	: Armed Police Force
APO	: Area Police Office
ASI	: Assistant Sub-Inspector
BASE	: Backward Education Society
BPKIHS	: BP Koirala Institute of Health Sciences
BWS	: Battered Women Syndrome
CAT	: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment
CDO	: Chief District Officer
CEDAW	: Convention on the Elimination of All Forms of Discrimination against Women
CERD	: International Covenant on the Elimination of All Forms of Racial Discrimination
CIAA	: Commission for the Investigation of Abuse of Authority
CMW	: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CoIDP	: Commission on Investigation of Disappeared People
CPA	: Comprehensive Peace Agreement
CPN-M	: Communist Party of Nepal-Maoist
CPRD	: Convention on the Rights of Person with Disabilities
CRC	: Convention on the Rights of the Child
CSOs	: Civil Society Organization
CWIN	: Child Workers in Nepal Concern Centre
DAO	: District Administration Office
DEO	: District Education Office
DIG	: Deputy Inspector General
DPHO	: District Public Health Office
DPO	: District Police Office
DR	: District Representative
DSP	: Deputy Superintendent of Police
FAO	: Food and Agriculture Organization
FIR	: First Information Report
FNJ	: Federation of Nepali Journalists
FSU	: Free Students Union
FWLD	: Forum for Women, Law and Development
HLPC	: High Level Probe Commission
HMG	: His Majesty's Government
HRC	: Human Rights Committee
ICCPR	: International Covenant on Civil and Political Rights

ICERD	: International Convention on Elimination of All Forms of Racial Discrimination
ICESCR	: International Covenant on Social, Economic and Cultural Rights
ICJ	: International Commission for Justice
IGP	: Inspector General of Police
ILO	: International Labor Organization
INSEC	: Informal Sector Service Centre
IOM	: Internal Organization of Migration
JITCO	: Japan International Training Cooperation Organization
LPC	: Local Peace Committee
MDG	: Millennium Development Goal
MPC	: Metropolitan Police Circle
MRG	: Maoist Retaliatory Group
NA	: Nepal Army
NBA	: Nepal Bar Association
NC	: Nepali Congress
NFC	: Nepal Food Corporation
NHRC	: National Human Rights Commission
NSU	: Nepal Students Union
NWC	: National Women Commission
NWPP	: Nepal Workers and Peasants Party
PAF	: Poverty Alleviation Fund
PIL	: Public Interest Litigation
PwD	: Person with Disability
RJA	: Revolutionary Journalist Association
SAARC	: South Asian Association for Regional Cooperation
TIA	: Tribhuvan International Airport
TMDP	: Tarai Madhesh Democratic Party
TRC	: Truth and Reconciliation Commission
TU	: Tribhuwan University
UCPN-M	: Unified Communist Party of Nepal (Maoist)
UDHR	: Universal Declaration of Human Rights
UML	: Unified Marxist Leninist
UN	: United Nations
UNESCO	: United Nations Education, Scientific and Cultural Organization
UNGA	: United Nations General Assembly
UNICEF	: United Nations Children's Fund
UPR	: Universal Periodic Review
VAW	: Violence Against Women
VDC	: Village Development Committee
WCSC	: Women and Children Service Center
WFP	: World Food Program
WHO	: World Health Organization
WHRDs	: Women Human Rights Defenders
WOREC	: Women Rehabilitation Centre

**Situation of
Human Rights in 2014:**
Mutual Understanding in
Constitution Making

Chapter

1

1. Background

The year 2014 started with a hope of taking on-going peace process to the logical conclusion. The election of the Constituent Assembly (CA) held at the end of 2013 not only provided opportunity to form the government of people's representatives but also an opportunity to end the transitional period. However, the optimism withered towards the end of the year with the political parties failing to deliver on their commitments.

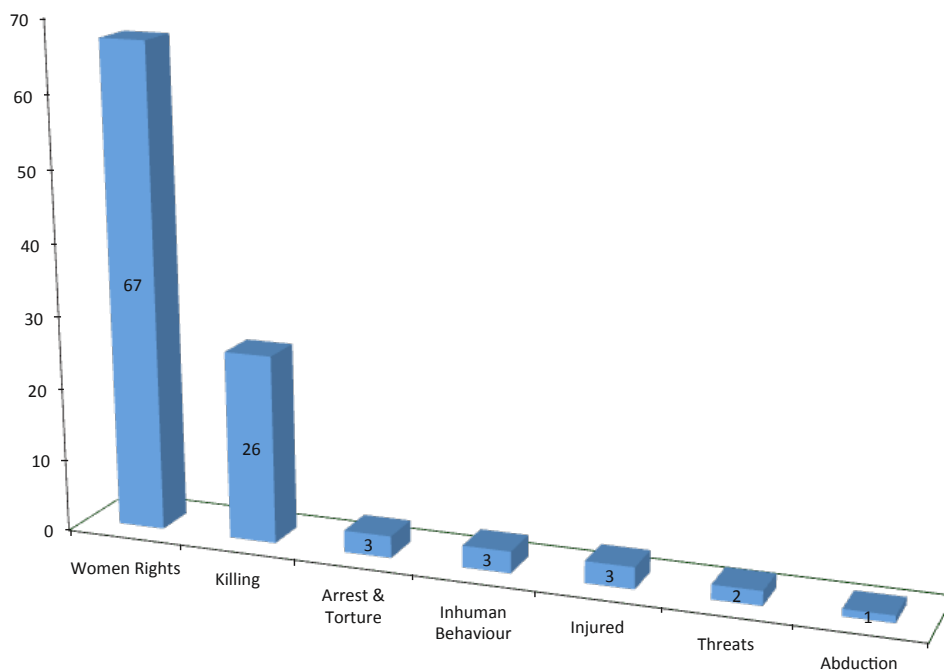
Informal Sector Service Center (INSEC) has been publishing Nepal Human Rights Yearbook since 1992. INSEC District Representatives have been monitoring the incidents of human rights violations, abuses and violence against deprived communities in all 75 districts of the country and making necessary interventions. Similarly, they have been exerting pressure to provide justice to victims and to take action against perpetrators. The field activities are carried out simultaneously with monitoring, verifi-

cation and documentation of such important incidents. Nepal Human Rights Yearbook is a brief report based on documentation of the incidents of 2014.

INSEC documented 5,382 victims in different incidents of human rights violations and abuses. In 2013, there were 5,435 victims. This year saw an increase in the victims of violence against women. Most of them were victims of rape, domestic violence, killing by family members, dowry violence, including killing, inhuman behavior on the allegation of practicing witchcraft. Unlike in previous years, there were no clashes among the cadres of sister organizations of the political parties. A total of 63 women and 246 men were victimized by state actors. Likewise, non-state actors were responsible for victimizing 4,685 women, 411 men and four third gender people. In 2013, 640 persons were victimized by the state actors while 4,795 were victimized by the non-state actors.

The Yearbook has been analysing the role of three organs of the state - Legislature,

Figure 1: No. of Victims Above 60 years of Age (2014)



Executive and Judiciary - for the protection and promotion of human rights. The Universal Declaration of Human Rights 1948 and various international treaties to which Nepal is the state party are the indicators for monitoring and analysing the human rights situation.

Appointment of commissioners at the National Human Rights Commission and 4th National Human Rights Action Plan for protection and promotion of human rights are the achievements of the year. Promulgation of the Commission on Investigation of Disappeared Persons and Truth and Reconciliation Commission Act could be taken as one of the achievements of the government but some provisions of the Act, which are against the principles of human rights, raised suspicion over whether the attempt to make such instruments would give expected outcome or not.

It was found that the state has failed to achieve its objective in terms of right to education, health and food in line with the state investment. The government's inaction continued in the year as well on the issues of rights of the senior citizens, migrant workers

and people with disabilities. Health professionals were not found as per the appointment in most of the health facilities. Most of the prisons across the country were found overcrowded well beyond their capacity during the monitoring of prisons by INSEC District Representatives.

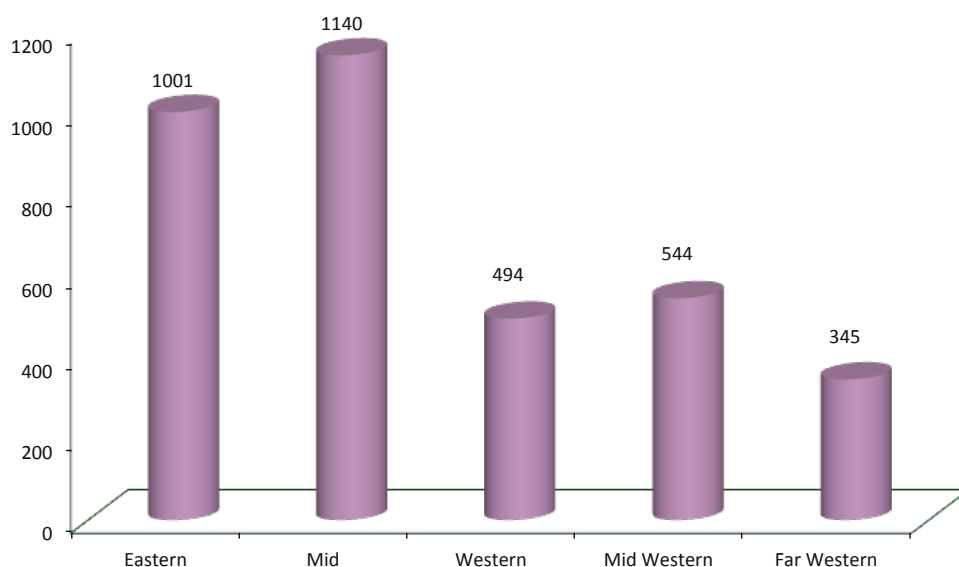
This Chapter will briefly analyse the human rights situation of the country in 2014 based on the monitoring and documentation carried out by INSEC.

2. Management of Transitional Period

It has been eight years since the armed conflict of the country formally ended. After signing of the Comprehensive Peace Agreement (CPA), the main challenge before the state was to bring the then rebel CPN-M in the mainstream of democratic politics. However, the government failed to properly manage the transitional period. The conflict victims are yet to get justice and the political parties are yet to give logical conclusion to the transitional period.

Since the signing of the CPA, there was the tendency of analysing transitional justice from a narrow perspective and taking

Figure 2: No. of Female Victims (2014)



the small economic support provided by the state as Justice and reparation. The plan of taking action against perpetrators involved in serious human rights violations committed during the period of armed conflict, providing reparation and some support to conflict victims for their livelihoods remained unfulfilled. The issue was mentioned in National Human Rights Action Plan but very few of the recommendations made by concerned stakeholders were found encompassed while finalizing this Action Plan. The Action plan did not realize the fact that the main objective of transitional justice is restoring sustainable peace in the country.

As the state failed to address the issues of grave human rights violations committed during the period of armed insurgency, the victims of armed conflict became frustrated and started resorting to their own method to seek justice. The state failed to address the demand of Nanda Prasad Adhikari and his wife Ganga Maya Adhikari to take action against Maoist cadres who killed their son in June 2004. Their son Krishna Prasad Adhikari was killed by Maoist cadres while

he was in Chitwan to see his grandmother. Nanda Prasad Adhikari died on September 22 while staging fast-onto death at Bir Hospital 333 days after he began the fast. However, the state seemed insensitive to their demands even after the death of Nanda Prasad Adhikari. Dead body of Nanda Prasad remained at Tribhuvan University Teaching Hospital until the end of the year.

Whether it is the killing of Krishna Prasad Adhikari by the Maoists or the killing of four teenaged Maoist girls by the Army after arresting them in Badtandi of Rajahar VDC-8 and shooting them dead in the Badtari community forest on May 8, 2004, both are crimes in terms of international humanitarian law. No action has been initiated to bring perpetrators of such crimes to justice.

3. Executive

While assuming top post of the Executive on February 10, newly elected Prime Minister Sushil Koirala expressed commitment for moving ahead through consensus to end the transitional period within a year by promulgating new constitution and com-

Table 1: No. of Victims by Region (2014)

Types of Events	Eastern	Mid	Western	Mid Western	Far Western	Total
Abduction	12	17	2	2	5	38
Arrest & Torture	8	7	5	38	7	65
Beatings	35	29	5	41	23	133
Child Rights	290	268	184	129	69	940
Death in Detention	1	1				2
Death in Jail	1				3	4
Economic, Social and Cultural Rights	3	1	4			8
Inhuman Behaviour	9	3	1	7	1	21
Injured	20	30	23	26	3	102
Killing	107	115	41	27	18	308
Racial Discrimination	28	14	13	14	19	88
Right to Assembly	35	41	16			92
Threats	19	14	11	13		57
Women Rights	1001	1140	494	544	345	3524
Total	1569	1680	799	841	493	5382

pleting other remaining related tasks. Ruling parties Nepali Congress and CPN-UML forged consensus on March 18 to prepare initial draft of new constitution within six months and promulgate it from the CA after another six months. Similarly, they also expressed commitment to hold election of local bodies within six months to strengthen foundation of democracy at the local level but none of the aforementioned commitment materialized until the end of the year.

The CA adopted the decisions taken by the earlier CA, which could be attributed as a major milestone in the process of drafting constitution. The government's effort to hold talks with all the political parties, which are out of the CA, Madhesh-based political parties and other fringe parties for incorporating their concerns in the new constitution is a positive step.

As an important component of transitional justice, the Legislature-Parliament passed the bill to form Truth and Reconciliation Commission. National and international communities criticised the Act saying that it proposed to provide amnesty to perpetrators rather than punishing them and delivering

justice to victims. The verdict of the Supreme Court on January 2 ruled against providing amnesty to persons involved in grave human rights violations and that the bill should be in line with the international principles of human rights.

4. Legislature

The Legislature opened the possibility of providing justice to the victims of armed conflict after promulgating the Truth and Reconciliation Act but the Act was mired in controversy. Stating that some provisions of the Act were against the international standard of human rights, communities including the United Nations requested the government to amend such provisions. Conflict victims also raised suspicion over the commissions, which were being set up even ignoring the order of the Supreme Court.

Clause 5.2.3 of the Comprehensive Peace Agreement (CPA) signed between the then insurgent CPN-M and the Government of Nepal, eight years ago provides that: Both parties agree to make public, within 60 days after the signing of the Peace Accord the real names, surnames and addresses of

Table 2: No. of Victims by Region (2013)

Types of Events	Eastern	Mid	Western	Mid Western	Far Western	Total
Abduction	18	22	12	21	4	77
Arrest & Torture	28	22	65	47	9	171
Beatings	131	182	112	210	39	674
Child Rights	228	221	188	87	75	799
Death in Detention	1		2	1		4
Death in Jail		2		1	1	4
Economic, Social and Cultural Rights	16	2	9	9	3	39
Inhuman Behaviour	23	4	7	4	2	40
Injured	34	132	88	86	55	395
Killing	128	104	41	34	24	331
Landless and Squatters Problem				6		6
Racial Discrimination	8	39	9	26	19	101
Right to Assembly	81	159	35	38	13	326
Threats	26	25	19	43	7	120
Women Rights	534	900	344	355	215	2348
Total	1256	1814	931	968	466	5435

the people disappeared by them and of those killed during the war and provide information thereof to the family members, as well. Likewise, Clause 5.2.5 of the same Accord reads that: Both parties agree to constitute, with mutual understanding, a high level truth and reconciliation commission for finding out the truth about those who committed the gross violation of human rights and were involved in the crime against humanity in the course of armed conflict and for creating an environment of reconciliation in the society. Furthermore, Clause 5.2.7 holds that: Both parties guarantee to withdraw accusations, claims, complaints and sub judice cases made or filed against various persons on political grounds and immediately make public the status of detainees and release them at once. However, this Accord was also not observed as in the case of other agreements and commitments made in various periods of time.

The government presented an Ordinance on the Investigation of Disappeared Persons, Truth and Reconciliation Commission at the parliament in the same previous form, ignoring the Supreme Court call to amend the same. The Court on February 2, 2014 had directed the government to form

two separate Commissions on Investigation of Disappeared Persons; and Truth and Reconciliation as well as to amend Sections 23, 25 and 29 of the Ordinance to forbid amnesty in heinous crimes.

Practice of obstructing the proceedings of the Legislature-Parliament continued even in 2014. As people have to directly bear the expenses of the Legislature-Parliament their concern regarding the obstruction is natural. Opposition political parties UCPN-M, RPP Nepal and some Madhesh-based political parties obstructed the parliament protesting the government. The parliament remained obstructed for nearly three and half months during the year.

Federation of Nepalese Journalists (FNJ) and Nepal Bar Association (NBA) raised serious reservations on some provisions of the Bill on Contempt of Court tabled by the government at the Legislature-Parliament. They alleged that several points of Sections 4, 5 and 8 amount to violation of civil rights and press freedom.

The stakeholders were of the view that the Bill was moved with an intention to proscribe any remarks on a judge. According to the Bill, a judge may instantly order for

Figure 3: No. of Female Victims



action on contempt of court against the concerned person in cases when s/he takes suo moto cognizance of contempt of court from act, action or activity of anyone in the Bench; s/he is convinced upon his/her attention being drawn towards contempt of court from act, action or activity of anyone in the Bench.

The Bill is contested as Section 4 deems Contempt of Court "to cast undue influence in the proceedings of a sub-judice case in court or its decision, to publish misleading and false statements that would erode the public trust towards judiciary and would disillusion the public on judicial acts or to express similar views".

Amidst vehement protest, it was decided that the controversial Bill shall be sent for discussion among the public. For the first time in the history of parliament, vox populi is to be garnered from the public and stakeholders over a proposed law. Speaker Subash Nembang suggested and convinced the government that instead of withdrawing the Bill enacted for ending the lawlessness on contempt of court, the Bill should be better revised through suggestions from the public.

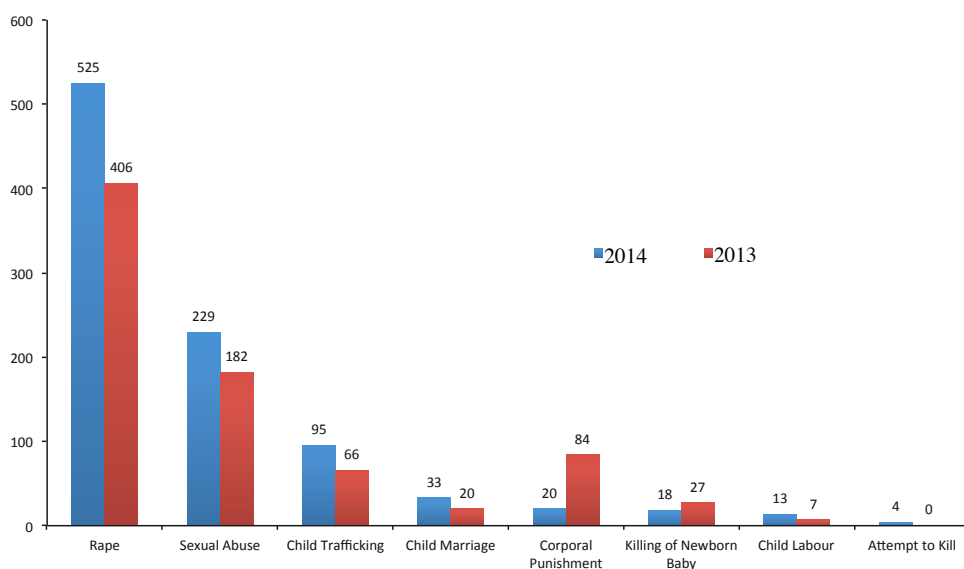
The Legislature-Parliament unani-

mously passed a motion to consider the Bill on Witchcraft (Crime and Punishment), 2014. It also unanimously approved another motion to refer the Local Self Governance (First Amendment) Bill, 2014 to the concerned Committee for clause-wise discussion, tabled by Deputy Prime Minister and Minister of Federal Affairs and Local Development Prakash Man Singh.

In a move to end gender discrimination, when the government registered a Bill at the Parliament granting equal property rights to married or unmarried daughters on par with sons, it raised public eye. Claiming that the provisions of Muluki Ain are discriminatory against women, the government registered the Bill to amend those disputed provisions on the second week of June, 2014. In case the Bill is passed in its present form, it would entitle even the daughters married prior to this amendment to seek equal share of property on ancestral assets on par with their brothers.

In the proposed amendment a jail term of five years has been proposed for husbands guilty of marital rape. The wife who claims forceful transgressions shall be given

Figure 4: No. of Child Victims



protection by the government till the case is disposed, as provisioned in the amendment.

The Bill also provides a 10 year jail term for rape or gang rape of a pregnant or incapacitated woman. Moreover, in the prevailing Nepali laws, husbands are allowed bigamy on certain grounds. The men have been taking advantage of such concessions while the women are becoming victims. However, in the proposed amendment, bigamy is totally proscribed till a wife is legally together.

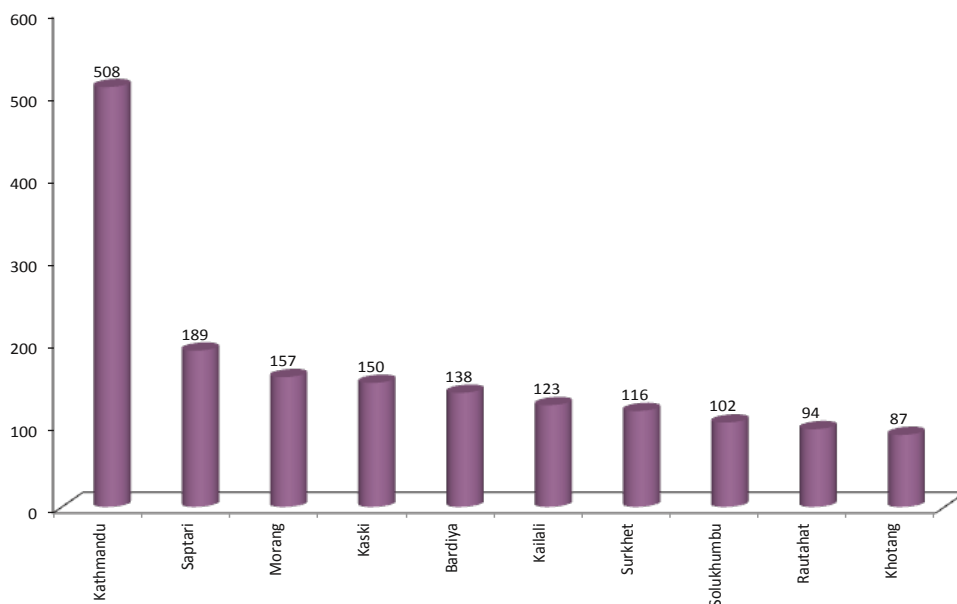
5. Judiciary

The government fulfilled the vacant posts of Justices at the Supreme and Appellate Courts. Some of the Justices of Appellate Court, who were considered very capable during their performance review, were deprived from opportunity to join the Supreme Court as the government failed to appoint justices at the Appellate and Supreme Court on time. The Judicial Council and the Prime Minister were criticised for not appointing some experienced temporary Justices of the

Supreme Court to the post of Permanent Justice. Prompt Justice, Justice for All is the slogan of Second Strategic Plan of Judiciary. It has also been stated that one of the indicators of speedier justice is to prioritize the cases of caste discrimination and untouchability, cases involving a person above 75 years as a party, case for christening a baby in which a woman is a plaintiff, case seeking confirmation of a relationship in which a woman is a plaintiff, case involving a widow as the plaintiff, case of human trafficking, case for maintenance/alimony, case in which senior citizens are only the litigants, rape case, domestic violence case and case involving a foreign citizen, and shall have to be decided within a year. INSEC district representatives have been monitoring the rulings of the district and appellate courts on the basis of this strategy.

During the monitoring it was found that some courts implemented the decision, while some were not taking decision soon despite not having pressure of cases. During the monitoring of case load of the courts in

Figure 5: No. of Female Victims in 2014 (Top 10 Districts)



December 2015, it was found that in some courts there is work load of 600 cases per Judge while in other courts it was less than 100. It was found that there is a work load of more than 600 cases per Judge in Chitwan District Court. After the monitoring it was realized that the Supreme Court Administration should pay the attention towards the fact that it will not be possible to decide cases very fast if there is heavy load of cases.

The District Court Lalitpur asked the government to provide Rs 500,000 as compensation to a girl, who was raped by her own father. The court made the ruling after analysing the physical, mental and psycho-social status of the victim. Similarly, the court also ordered to make regular health check-up and to provide free-education to her. There is no doubt that the verdict will help to hold the state more responsible. However, regardless of the decision made by the Court, people will not feel justice if the court verdicts are not implemented effectively. The government has the responsibility to enforce the decisions made by the Court but during the monitoring it was found that the government has been unable to do so. There is a trend that the Court itself has to be active for

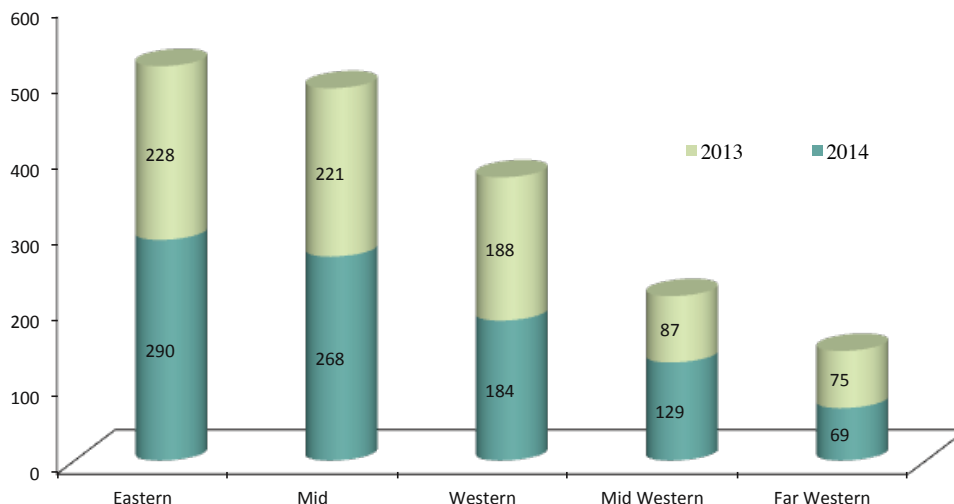
implementing its verdict. (Please see Chapter 2 : Judiciary.)

6. International Obligation

Nepal will be reviewed in the second cycle of Universal Periodic Review (UPR) in November 2015. Similarly, stakeholders like different persons and organizations will also submit their report within March 23, 2015. Different Non-Governmental Organizations are in the process of preparing NGO report to be submitted for the UPR. INSEC, the secretariat of Nepal NGO Coalition for UPR (NNC-UPR), a coalition of nearly 250 NGOs, is preparing the report. INSEC has completed regional consultations in five development regions of the country for preparing the report. Based on the findings of these regional consultations, INSEC also completed national consultation for holding dialogue on the issues raised at the regional level and incorporated them in the report.

This year's report mainly raises the concerns like obstruction in promulgating the new constitution, controlling corrupting and other issues like environment, concerns of women and children and conflict transformation. The report also includes implemen-

Figure 6: No. of Child Victims



tation status of the commitments made by the government during first UPR. The report also raises the issues like failure to address the demands of conflict victims, Commission on Investigation of Disappeared Persons and Truth and Reconciliation Commission Act, dispute for the appointment in these commissions, endorsement of regressive constitutional provision related to citizenship among others.

The government expressed commitment to submit different reports reflecting the ground reality of the country. Speaking during the National Consultation of NGOs organized by INSEC, Joint Secretary at the Office of the Prime Minister and Council of Ministers Ramesh Dhakal informed that the government will prepare the report in coordination with NGOs and NHRC. The government should endorse various treaties and agreements to improve the human rights situation of the country. Human rights communities have been exerting pressure on the government to ratify some important treaties related to human rights.

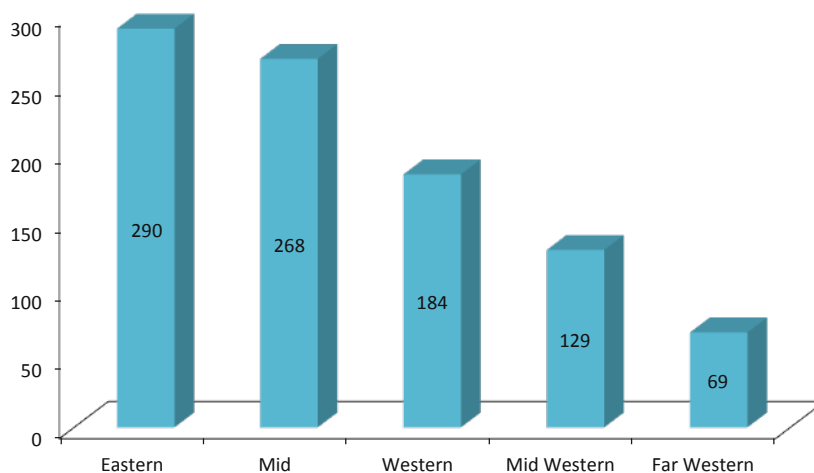
7. Implementation of 4th National Human Rights Action Plan

The government has implemented the 4th National Human Rights Action

Plan (2014/15- 2018/19). The Action Plan has prioritized 18 important issues, including the right to health. The government held consultation at local level and collected suggestions for the implementation of Action Plan. The cabinet meeting of July 16 endorsed the action plan. The government has been preparing and implementing National Human Rights Action Plan since FY 2004/05 to develop the culture of human rights and protect and promote human rights. The previous National Human Rights Action Plan prepared by incorporating the provisions of Universal Declaration of Human Rights, international treaties, to which Nepal is a state party, and existing laws of the country, could not be implemented effectively.

The Action Plan not only incorporates all aspects of human rights but also makes more effort to address the transitional period. The Action Plan has also provisioned for impartial investigation of incidents related to armed conflict and reparation to victims, formation of Commission for Investigation on Disappeared Persons and Truth and Reconciliation Commission among others. The Action Plan includes the provision of management of landmine and explosive remnants of war, mainstreaming of conflict- ing parties and promoting rights of people

Figure7: No. of Child Victims by Region (2014)



for security and development. It has the provision of managing post-conflict situation. It also includes reconciliation, rehabilitation, return of the seized properties and providing reparation to the victims among others. The Action Plan also includes the provisions of prison reform, reduction of the incidents of violence against women and ending the culture of impunity among others. There is no doubt that the Action Plan will have a positive impact on improving human rights situation of the country if it is effectively enforced, learning from the failures of such Action Plan formed in the past. If evaluation is done in the district, regional and national level about the achievements and weaknesses of the Action Plan, it will provide realistic information for its effective implementation.

8. Availability of Food

As per the information provided by the Ministry of Agriculture during a program in Birgunj on the third week of December, Nepal is in 49th position among the 78th Countries in terms of food security. Mountain districts of Far-Western region are in the risk of food insecurity. According to

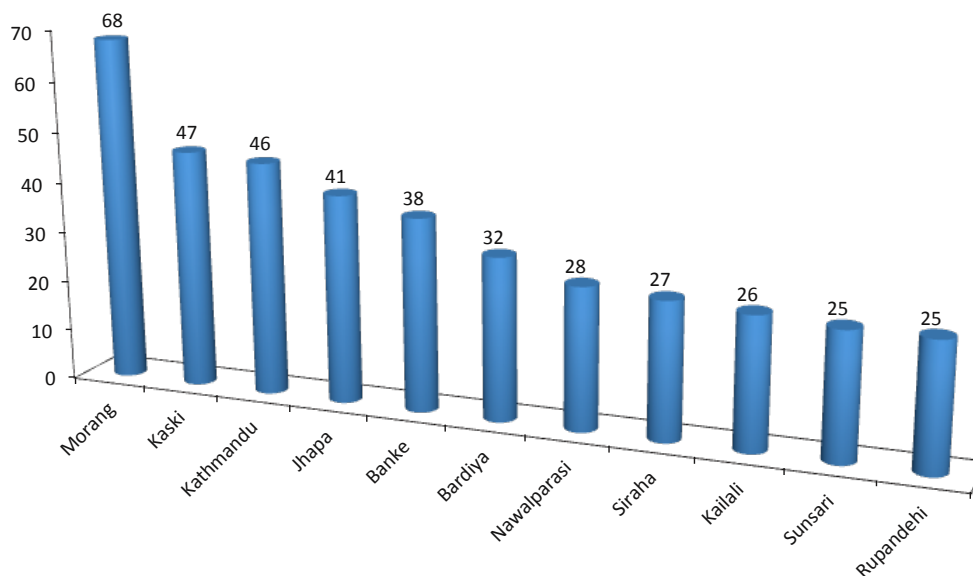
Table 3: No. of Journalist Facing Threat and Beating (2014)

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	1	7	8	1	15	16
Threats		6	6		12	12
Total	1	13	14	1	27	28

statistics 40 per cent Nepali people have not been able to take minimum calorie. 44.9 per cent people of the same region and 44.3 per cent people of Mid-Western region have not been able to take minimum calorie. Bajhang falls in 72nd position among 75 districts of the country.

In this context INSEC conducted a study in Bajhang district about food security. As per the study the number of people having food sufficiency for three months is 33.68 per cent, while the number of people having food sufficiency for six months is 41.32 per cent. Similarly, the number of people with food sufficiency for nine months stands at 14.71, while the number of people with food sufficient for a whole year stands at 6.28 per

Figure 8: No. of Child Victims in 2014 (Top 10 Districts)



cent. The finding of the study clarifies the food sufficiency status of the district.

Change in traditional food habit of the people is another cause of food scarcity. People are more attracted towards paddy and wheat, which needs regular irrigation and the people do not like the food grains like millet and buckwheat, which could be grown in the district easily. If proper attention is given towards geographical situation, agricultural area, irrigation in line with the population and the Nepal Food Corporation operating more food depots in rural VDCs, local people will be free from food scarcity.

9. Right to Reproductive Health of Chepang Women

A survey conducted by Partnership for Maternal Newborn and Child Health with World Health Organization, World Bank and John Hopkins University concluded that from 1990 to 2013, the maternal mortality rate dropped from 790 to 190 per 100,000 live births. However, the progress did not include the most marginalized indigenous community of the country. Chepang community, who reside in Makawanpur district very near from Kathmandu, is not included in any of the development indicators. The capital also failed to realize their problems. INSEC conducted a micro-research about situation of reproductive rights of Chepang women and the study revealed that the development programs, which are being operated targeting Chepang Women for the last three decades, needs to be reviewed.

The study also revealed that these programs targeted for the development of the community for a long time has not got intended achievements as they were formulated without identifying the real needs of the community. There are hardly any women above 50 in the community due to lack of education, prevalence of child marriage and lack of access to health facilities. The community could not be mainstreamed before

implementing integrated plan for the development of health education and skill development programs for Chepang community.

10. Rehabilitation of Freed Kamaiyas in Bardiya District

Although international treaties and national laws prohibited the bonded labor system, Kamaiya system continued in Nepal for a long time as a bonded labor system. The government announced liberation of Kamaiya system on July 17, 2000 after announcing exemption of their remaining debts following strong protest by Kamaiyas and support of civil society and political parties. The international communities also expressed their solidarity towards Kamaiya movement.

Of the total Kamaiyas, who are eligible for getting identity cards, 883 people of Bardiya district are yet to receive identity cards even after their identity cards are ready. The Land Revenue Office informed that they could not get the identity cards as they had renounced their bonded life of Kamaiyas before the government announced abolition of Kamaiya system. There is a provision in the directive for providing identity cards to freed Kamaiyas that only the committee

Table 4: No. of Child Victims (2014)

Types of Events	By Non-State		
	Female	Male	Total
Attempt to Kill	1	3	4
Child Labour	9	4	13
Child Marriage	33		33
Child Trafficking	58	37	95
Corporal Punishment	5	15	20
Deprived From Various Opportunities	2		2
Discrimination in Education		1	1
Killing of Newborn Baby	15	3	18
Rape	525		525
Sexual Abuse	216	13	229
Total	864	76	940

headed by Chairperson of the District Development Committee can take the final decision on whether to provide identity cards to them or not. As the local bodies remain without elected representatives for over one and half decade, the provision could not come into force, so, either the government should amend the provision of the directive or hold the election of the local bodies to take decision to this effect.

The freed Kamaiyas are facing various problems as they do not have sustainable source of livelihoods. The problems could be resolved by adopting group farming measures and engaging those freed Kamaiyas who have received vocational trainings in some livelihoods option after providing them loan without interest for a short term and in a low interest rate for a long term.

11. Education in mother tongue in Rajbanshi Community

There are 12 indigenous communities in Jhapa district but school education in mother tongue is being conducted only in Rajbanshi community. It proves that the government policy in mother tongue education is not effective. The government authorities did not have exact statistics on how

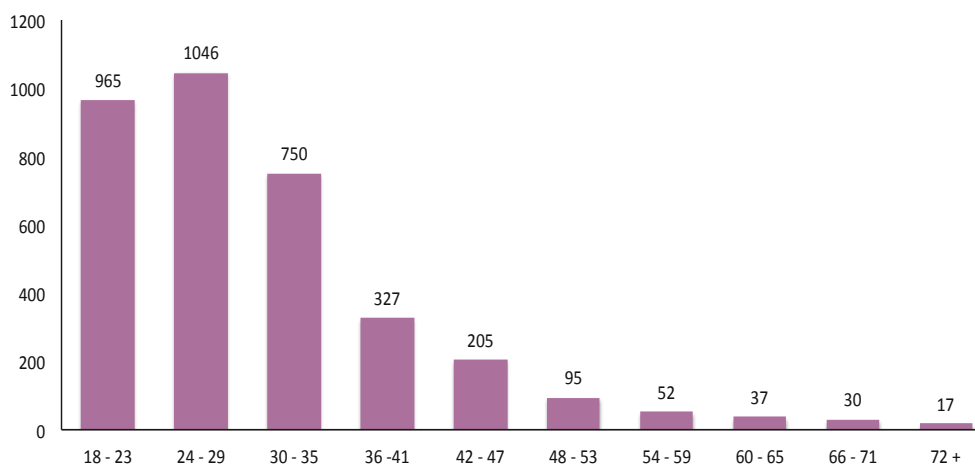
many students have been receiving education in mother tongue in how many schools.

Apart from forming curriculum in mother tongue, the government did not make investment in other aspects like its implementation and monitoring. Appointment of teachers as per the need and promulgating necessary policies for the education in mother tongue are major problems in this regard. The conclusion of a mini research conducted about Rajbanshi Communities by INSEC concluded that the state failed to form necessary policies for education in mother tongue and allocate necessary budget and infrastructure for the same.

It has been difficult to teach students in their own languages due to lack of sufficient support from the government. According to the assistant DEO of Jhapa district Yubaraj Pandey, the government's policies and programs for mother tongue education remains ineffective due to lack of proper investment of the government. If the government allocates certain amount of the budget for the development of the language of Rajbanshi living in Jhapa, Morang and Sunsari, the mother tongue education of this community can be effective and result-oriented.

The schools are using teaching mate-

Figure 9: No. of Female Victims by Age-Group (2014)



rials published by Curriculum Development Center. The text books published in Sanothimi, Bhaktapur by Ministry for Education, Sports and Culture are used for education in Rajbanshi language. The experts of the concerned languages were also consulted while designing curriculum. The textbooks of Rajbanshi language are not adequately available in the district. There are no grammar books and dictionary of the Rajbanshi language in the district. There is no braille script and sign language for Children with Disability.

This shows that there is still a long way to go for the success of program on mother tongue education. Though the government policy and constitution has guaranteed the education in mother tongue, the stakeholders found that the implementation level is not satisfactory. Little increase in the number of student admission despite the launch of mother tongue education program shows the shortcomings of the project.

12. Reparation to Conflict Victims in Nawalparasi District

INSEC conducted a study on the situation of conflict victims in Nawalparasi district. The study revealed that properties of 49 people were captured during the period of conflict, which was later returned to their owner. A total of 283 people filed applications at the District Administration Office claiming damage of their properties ranging from Rs 30,000 to 3.5 million but none of them have received any relief. According to the DAO, although they have recommended their claim for compensation but the Ministry of Peace and Reconstruction is yet to allocate money for the same. The DAO further says that 15 people who filed application claiming that they were held in arbitrary detention received Rs 25,000. But, as they had directly received the money from the Ministry of Peace and Reconciliation, the DAO does not have exact data on such relief distribution.

INSEC documentation shows that during the conflict period, 215 people were killed in Nawalparasi, 16 were disappeared and six were disabled. According to DAO record, 219 were killed, 16 were disappeared and 60 were injured and disabled. The families of 217 deceased have received relief. Of the 60 reported injured and disabled, 40 received relief ranging from Rs 20,000 to Rs 150,000 depending on the extent of their injuries and disability while 20 are yet to get any relief due to lack of adequate evidence. Likewise, there are 283 records of damage of property and 48 conflict-induced internally displacement. The DAO informed that eight persons have been receiving Rs 7,000 as monthly disability allowance since July this year. Earlier they used to get Rs. 6,200 as a disability allowance. The DAO also informed that six conflict victims- orphaned or needy children- under the age of 18 have been receiving Rs 5,000 monthly. It further says 72 young conflict victims have been receiving scholarship of Rs 10,000, Rs 12,000, Rs 14,000 and Rs 16,000 at primary, secondary and higher secondary school respectively. Likewise, 48 widows have received Rs 25,000 from the DAO.

Table 5: No. of Female Victims (2014)

Types of Events	By State		By Non-State	
	Female	Total	Female	Total
Abortion			3	3
Domestic Violence			2496	2496
For Practicing Witchcraft			89	89
Forced Prostitution			2	2
Polygamy			337	337
Pre & Post Partum Service	2	2		
Rape			238	238
Rape Attempt			139	139
Sexual Abuse			93	93
Women Trafficking			125	125
Total	2	2	3522	3522

13. Right to Dignified Life

Seven people were killed by the state while 301 people killed by non-state actors in 2014. Five persons were killed by the state and 326 people were killed from non-state actors in 2013. National and international communities expressed concern over the death of two persons in Mahottari district and one person in Kathmandu in police action. Family members claimed that these killings were extra-judicial killings. (See District-wise information for detailed information about these incidents)

Mohammed Serajul Mansuri, 25, of Badiya Banchouri VDC-2 of Mahottari District was killed during a police action on February 6. Police informed that he was killed in cross-fire after he opened fire at a patrolling police force. The family members identified his dead body on February 13 and received the death body. Stating that his brother was murdered after being arrested, Isarafil Mansuri, 35, filed a complaint at the District Police Office on February 13 against Chief of the District Police Office, SP Ram Prasad Shrestha and three other police officers. The victim's relatives informed that they posted the complaint through post office after the police refused to file their complaint. District Police Office registered the incident under accidental homicide without registering the complaint. Stating that the District Police Office denied registering their case, the victims filed petition at the Appellate Court on March 20. The joint bench of Judges of the Supreme Court Purushottam Bhandari and Meghnath Bhattarai ordered the District Police Office to investigate the death of Serajul Noori Ansari, who was allegedly killed in a cross-fire.

Likewise, the family members of Dinesh Adhikari aka Chari claimed the he was killed after arrest in Kathmandu.

14. Right to Health

During the monitoring of Health Services provided by District Public Health

Offices in all 75 districts of the country, INSEC found that there was no appointment of gynaecologist in most of the districts. During the visit, there were no doctors as per posting even in accessible districts of Tarai. Like in Sarlahi, there are 25 posts of doctors in the district hospital but there was only one doctor working. There was no gynaecologist as per the posting in Sarlahi district. Similarly, of the 13 posts of staff nurse, five were vacant. The government has introduced Maternal Security Program with the objective of reducing maternal mortality rate but the implementation side of the program is yet to be strengthened. Many women of rural areas have been dying untimely due to lack of pre and post natal services. It is surprising that there are less than 20 per cent doctors in some Tarai districts like Sarlahi, Mahottari, Sunsari and Saptari among others. The study of INSEC concluded that the government should analyse the reasons of having appointment of doctors vacant and should deploy doctors as per posting.

As per the statistics of Department of Health, 16 people died due to diarrhoea last fiscal year. Similarly, 1,085,704 were affected in a diarrhoea outbreak from Mid-April this fiscal year. The statistics further said that 75 people died due to the disease. It seems that the government should make more efforts to provide clean drinking water and conduct awareness raising campaigns. The provision of distributing medicines free of cost through the health facilities did not seem effective. Although, the government announced that it will provide 70 types of medicine free of cost through district hospitals, 40 types of medicines through primary health center and 32 types of medicines through sub-health Post, during the monitoring of INSEC in Arghakhanchi District Hospital, only 15 types of medicines were found being distributed.

15. Domestic Violence

Police arrested the husband of a woman, who went to the Police Post to complain

about her husband who regularly battered her. On the second day of his arrest, police made reconcile and the husband was released on the same day. On the third day, husband murdered his wife. In this incident of Kaski, if the police had conducted background check of the victim and also monitored the activities of the perpetrator, the incident could have been avoided and one life could have been saved. The police realized that it is their duty to make reconciliation between them and did not bother to find about root cause of the problem.

One girl committed suicide in Bardiya district after brutal beatings by her father left her mother seriously injured and hospitalized. The girl hanged herself to death with her shawl near her house. These two incidents are representative cases, which present horrible picture of domestic violence in Nepal. The incidents of domestic violence are increasing in Nepal as the incidents of domestic violence, which could attract attempted homicide, are being handled through reconciliation. Serious incidents of violence against women were recorded by INSEC District Representatives during the year as compared to previous years. Nine women were murdered in dowry related incidents during the year. Perpetrators of murder in the

case related with dowry did not come under the legal scrutiny.

Gita Devi Raut, 20, of Meghnath Gorhanna VDC-7 in Mahottari district was murdered on October 12. Immediately after the incident, her in-laws tried to burn the dead body of the victim in nearby Ratu River. Her Neighbours and people from her maternal home informed police about the incident and police took the dead body into control while they were burning it. The dead body was sent for post mortem. Police arrested her father-in-law Kheharu Raut, 45, sister-in-law Punam Kumari, 19, and Punam's husband Bishweshwor Raut, 22, on October 19. However, they were released on general date as per the order of District Court on November 6. The victim's father Bhumi Raut filed an FIR at the Police Post on October 14 claiming that her in-laws murdered her in connection with dowry related issue. Gita was married with Kherau's son on May 30, 2013 as per Hindu ritual. The victim's husband is in Punjab of India for foreign employment. The case is yet to be decided by the end of the year.

91 women were killed in 2014 from their own families. 108 women were killed by their families in 2013. 238 women were raped during the year. 89 people were victimized in the name of practising witchcraft, 93 persons faced sexual abuse and 139 women became the victim of attempt to rape.

INSEC District Representatives of 75 districts monitored the Women and Children Service Centres of District Police Office. INSEC documented that most of the incidents registered at the Children Office were settled through reconciliation. Police informed that they have to prioritize for reconciliation in most of the cases as per Domestic Violence (Crime and Punishment) Act. Taking advantage of the provision of the Act, the trend of making reconciliation even in serious cases of domestic violence as per the section of the Domestic Violence (Crime and Punishment) Act was observed.

Table 6: No. of Rape Victims in 2014 (Top 10 Districts)

Women		Girls	
District	Victims	District	Victims
Kathmandu	18	Kathmandu	34
Bardiya	11	Morang	27
Kaski	10	Kaski	23
KavrePalanchowk	10	Banke	17
Makwanpur	10	Bardiya	17
Baglung	8	Nawalparasi	17
Illam	7	Sunsari	17
Sindhuli	7	Makwanpur	16
Sunsari	7	Chitwan	15
Chitwan	6	KavrePalanchowk	15

Sumitra Sunuwar, 40, of Tripurakot VDC-6 in Dolpa district was severely beaten by her husband Tek Bahadur Sunar, 46, on March 17 for not abiding by his order. The victim, who received deep injuries in thigh and head, underwent treatment at a health clinic in Tripurakot. Based on the complaint filed at the Tripurakot police post, the police brought both the sides in the police post and mediated reconciliation between both the sides. The Police did not feel necessary to book the offender as per existing law of the country.

Some incidents of complainants turning hostile, victims getting out of contact from Police Post after filing complaint among others were reported during the period. As there is no access to safe house for violence-affected women, the victims were forced to make reconciliation. Although safe houses were created in 17 districts of the country, women of other parts of the country are yet to benefit from the service. The government has the provision of keeping women at the safe house upto 35 days and there is no plan where they will go after they leave the safe house; so they are forced to compromise with the perpetrators.

INSEC through Nepal Human Rights Yearbook and other reports has been demanding for amendments in the Domestic Violence (Crime and Punishment) Act as the law is impractical and cannot address the issue of domestic violence. The incidents of domestic violence, which may fall under the category of attempt to murder charges, are being resolved through reconciliation. Although, it is said that the Government of Nepal with active support from National Women's Commission has drafted the process of amending the Domestic Violence (Crime and Punishment) Act and criminalize it, the government is yet to start discussion regarding the new Act with stakeholders. It is expected that the move will contribute to reduce domestic violence.

16. Child Rights

Children, who are considered as future of the country, are insecure in the present. Child labour, child trafficking and sexual violence are some of the issues related to child rights. Similarly, statistics show that Nepali children's rights are being denied as they are deprived from health and education related opportunities. INSEC District representatives monitored the government-run primary schools in different parts of the country. Most of the school buildings are not child-friendly and did not have appropriate toilet for the girls. District Education Offices informed that there are very few disabled-friendly schools. *The guardians said that it was normal for the teachers to remain absent in the schools.*

Some of the schools, even though without any students, still have the teachers' postings. District Education Office, Kathmandu says that in at least 20 schools, there are no students. In almost all districts, the students faced shortage of text books at the beginning of the every academic year and in some districts, the shortage continues throughout the year.

There has been an increase in the number of child victims of trafficking, abduction and sexual violence. Child as young as 2-year-old girl was documented as a victim in such incident. In many incidents of sexual violence, even the perpetrators were minors.

The family of a 2-year-old girl filed a complaint against a 13-year-old boy at Belbari Area Police Office accusing the boy of raping the girl when she was alone at home on May 24. Medical checkup of the girl was conducted at Koshi Zonal Hospital, Biratnagar on May 26. The accused was detained on the day of complaint. He was released on general date on June 9.

A 6-year-old girl was raped by her 14-year-old relative as there was no one was at home on June 8. He was arrested by Belbari Area Police Office. Medical checkup of

the girl was conducted at BP Koirala Institute of Health Sciences in Dharan on June 8. District Court released the boy on general date on June 30.

An 8-year-old girl working as a domestic helper in the house of Uttam Basnet, 31, and wife Durga Rai, both APF Inspectors posted at Eastern Division Headquarters was rescued by the initiation of Child Rights Awareness Group (CRAG) on November 25 and handed over to her parents. Members of the CRAG had found her in the house of inspector with bruises over her body after she did not come to her school, Pakali High School for three days. The group lodged a complaint at Area Police Office, Pakali on November 24. The complaint stated that the girl was tortured by the accused and his wife on many occasions. The victim told the INSEC representative that she was assaulted by the accused on various occasions. The CRAG was initiated by INSEC. The girl was handed over to her mother Sharmila in the presence of District Child Welfare Committee coordinator Ramesh Tamrakar, Women and Children Office's Child Protection Officer Purna Maya Rai and the media persons, Inspector Bishnubar Singh said. The case was settled with an agreement to bear treatment by paying Rs 7,000 to the mother for the girl's treatment and stationery. Besides this, the trend of children becoming the victims of violence has not abated.

17. All Forms of Racial Discrimination

It has already been three years since the government promulgated Castebased Discrimination and Untouchability (Offence and Punishment) Act, 2068 (2011) but the implementation side of the Act is not effective. As per the Act, any person involved in such offense might face jail from three months up to three years or fine from Rs 1,000 to Rs 25,000 or both. Similarly, the Act has the provision of providing compensation up to Rs 100,000 to the victims. However, during the monitoring of INSEC

District Representatives, it was noticed that action was not taken to the maximum extent. Most of the incidents were settled in the village or at the police office through reconciliation. Similarly, action was taken in some cases as per Public Offence Act rather than as per appropriate legal provision. Racial discrimination exists even in the law enforcing agencies.

Police Personnel Yuvaraj Ghimire, 30, of Biratnagar Sub-metropolis-19 who was working in Temporary Police Post Danda-bazar filed a complaint at the District Police Post Dhankuta on June 13 claiming that he was discriminated on the basis of his caste. In his petition, he mentioned that in-charge of the post Navaraj Karki discriminated him for being so-called lower caste person and did not allow him to prepare meal. He further claimed that Karki did not allow him to take food in a separate place and did not allow him to go to kitchen for second serving and take additional food with others. He demanded action against them. After receiving the complaint, the District Police Office formed a three-member committee headed by Inspector of Area Police Office Rajarani Surendra Prakash Shrestha to investigate the incident and submit report to the office. SP Ishwori Prasad Chapagain of District Police Office informed that they have sent the report of the investigation committee to Koshi Zonal Police Office Dharan for necessary action. After the incident, both the alleged victim and perpetrator are called back to District Police Office. SP Pradip Kumar Shrestha informed that he did not have any information about any action taken into the case by the end of the year.

INSEC documented 88 victims of of caste-based discrimination by the end of the year while last year, there were 101 victims of caste-based discrimination.

18. Conclusion

Although, all the political parties have expressed their commitment to pro-

mulgate new constitution in their election manifestos, they have failed to reach a consensus on contentious issues of the new constitution. Political parties have prioritized the issue of human rights in their manifestos but they remained passive for its implementation. Failure on the part of political parties for accepting the decision of the CA created political deadlock in the country and it also put the issue of drafting new constitution into shadow. The CA failed to assure Nepali people that the constitution drafting process is moving ahead effectively. The extreme nature of expressing dissatisfaction has raised suspicion on how it could resolve a problem. People expressed their genuine interest for new constitution through their active participation in the CA election but the political parties failed to meet people's aspiration. Nepali people, who were expecting that the country will move towards positive direction with the new constitution, were kept in illusion. The main responsibility of the political parties is to draft the democratic constitution at the earliest. For this, there should be development of mutual understanding between them.

The efforts put by the government for rehabilitation of the freed Kamaiyas and Haliyas were found unsuccessful. The projects are not result-oriented because there has been no assessment of the need of the stakeholders and their participation.

Government has expressed its commitments to meet its obligation to protect, promote and fulfil human rights by implementing the Human Rights Action Plan. Monitoring of the Plan's implementation aspects from civil society is equally important.

Both government and civil society should take initiation for this.

19. Recommendations

1. For members of the CA, who are drafting new constitution

- a. Promulgate the new constitution while promoting mutual understanding

2. For Government of Nepal

- a. Immediately ratify the Rome Statute of the International Criminal Court
- b. Ratify Optional Protocol of the Convention against Torture.
- c. Ratify the Optional Protocol of the International Covenant on Civil and Political Rights and Convention on the Rights of the Child.
- d. Ratify International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- e. Amend the laws related with domestic violence and put it under criminal cases. Similarly, form law to discourage suicide and take legal action against those, who force or abet to commit suicide.
- f. Implement the recommendations given to Nepal during the Universal Periodic Review of Nepal.

3. For Civil Society

As the efforts of the state to establish Rule of Law could never be sufficient, play important role to sensitize general people about their duty.

Bijay Raj Gautam
Executive Director



Reflection of Human Rights 2014

Compiled by: Bimal Chandra Sharma

Seized Home as Party Office



The CPN-Maoist party has converted the home of Shankar Man Shrestha and Bhola Man Shrestha to party office. The CPA provision to return the captured properties during insurgency has not been implemented.

Photo: Chettu Sherpa, Sankhuwasabha

Usurped Childhood



A 7th grader 12-year-old boy of Khotang, working as a labor work at a road construction site in Diktel Municipality, Khotang.

Photo: DM Chamling Rai, Khotang

Abuse of Power



Bishnu Prasad Dahal, 22, of Triyuga Municipality-15 and driver of a light vehicle said that he was severely beaten and injured in an assault by a team of six men led by Subidar Major Narayan Chaudhary without any provocation. Dahal who had come to visit Kalika Bhagwati Temple with his friends was assaulted by the team by covering his face with his own jacket. Along with the victim, his friends Ramesh Acharya, 24, of Diktel Municipality-3, Som Prasad Acharya, 21, Jeevan Acharya and Sanjeev Rai, 21, of Chyasmitaar VDC-6 were injured in the incident. The victim did not file any complaint.

Photo: DM Chamling, Khotang

A Closure for the Family Members



The remains of five youths—Sanjeev Karna, 24, of Janakpur Municipality-10, Durgesh Laav, 23, Jitendra Jha, 20, of Janakpur Municipality-4, Pramod Narayan Mandal, 19, of Kurtha VDC-1 and Shailendra Yadav, 18, of Duhabi VDC-7 of Janakpur who were killed after arrest by the police were handed over to the respective families on July 23. The youths remained missing since their arrest on October 8, 2003 until the forensic test of the remains recovered in the bank of Kamala river were tested. The grave was exhumed in the initiation of NHRC.

Photo: Binod Kumar Rabidas, Dhanusha

Retaliatory Firing or Extra-Judicial Killing ?



*J*akaullaha Nadaf, 28, of Ramgopal VDC-I was killed in Halkhori VDC-2, Mahottari in crossfire on January 2, 2014, SP Ram Gopal Shrestha said. Although the postmortem of the dead body was conducted in the district hospital on the same day, the family members only accepted the dead body on January 5, 2014. According to SP Shrestha, Nadaf was killed in retaliatory firing after he shot at the police. Police recovered a pistol, a sixer and three rounds of bullets in the site. Father of the deceased claimed that he was killed after arrest by the police. District Police Office, Mahottari has documented this case as an accidental homicide with registration number 130.

Photo: Ishwari Kaphle, Mahottari

Family in Shock



Jaya Narayan Patel, 42, of Nayaka tole in Hariharpur VDC-7 died on the spot after being shot in the chest by APF team while Sah Mohammad, 28, of Hariharpur VDC-5 was shot in the back. APF DSP Arjun Sapkota's right hand was broken and Constable Sitaram Thapa, sustained eye injuries by the stones pelted by the demonstrators. Mohammad received treatment in Tribhuvan University Teaching Hospital, Kathmandu for his bullet injuries. APF team fired at the crowd after the people demanding for road maintenance began pelting stones at the police and torched police vehicle around 1 pm. The demonstrators had set ablaze two vehicles having number plates- Na 1 Jha 720 and Na 1 Ga 588.

Photo: Laxmi Sah Sonar, Bara

Life Sacrificed Awaiting Justice



Nanda Prasad Adhikari, 56, of Phujel VDC-7 in Gorkha passed away on September 22 while being on a fast-unto-death demanding justice for his murdered son Krishna Prasad Adhikari. He was on hunger strike along with his wife Ganga Maya since October 24, 2013 after the government failed to fulfill its earlier agreements. He breathed his last at Bir Hospital. The couple's younger son Krishna, then 18-years-old, was killed in June 2004 after abduction by the then rebel Maoists from Bakulaha Chok, Ratnanagar Municipality in Chitwan where he had gone to meet his grandparents. Adhikari couple was demanding justice and severe action against the perpetrators. Dead body of Nanda Prasad was lying in the Tribhuvan University Teaching Hospital morgue until the end of the year.

Photo: Bimal Chandra Sharma, Kathmandu



A Tool for Imperfect Justice



Police use force to evict the conflict victims who were staging sit-in program demanding the amendment of Bill on Investigation on Disappeared People and Truth and Reconciliation Commission. The victims were demanding for the formation of Commission as per the international standards.

Photo: Bimal Chandra Sharma, Kathamandu

Poor Left to Fend for Themselves



The kidney patients stage a relay hunger strike with various demands, including free dialysis facilities

Photo: Bibek Dhungana, Kathmandu

Attack on Journalists



Som Tamang, 28, of Ramche VDC-9, and district chairperson of Federation of Nepali Journalists (FNJ), Rasuwa and FNJ joint secretary Malphurpa Tamang, 29, of Ramche VDC-4 were thrashed by UCPN-M cadres while covering the party's district convention in Majhgaun of Laharepauwa VDC on April 28, 2014. They were attacked by UCPN-M cadres Dhan Bahadur Glan, 27, of Dhaibung VDC-6, Ajaya Tamang, 24, of same VDC-7, Pasangkami Tamang, 28, of Syaphru VDC-3, Kanchha Tamang, 22, of Yarsa VDC-8, Sambhu Tamang, 28, of same VDC-6. Malphurba's father Kajisyangwa Tamang lodged a complaint against the accused at the Kalikasthan police station on April 29 and at District Police Office on April 30. The offenders remained at large until the end of the year.

Photo: Bibek Dhungana, Kathmandu

Legacy of Armed Conflict



Sachin Baram, 12, and Gyan Bahadur Baram, 11, of Majhthar, Swanra VDC-6 in Gorkha got injured in an explosion on March 10. According to Ramesh Thapa, the DSP at District Police Office, the incident occurred when the boys were playing with the explosive device. They sustained hand and face injuries. The victims were referred to Bir Hospital, Kathmandu after minor treatment at District Hospital, Gorkha.

Photo: Bimal Chandra Sharma, Kathmandu

Pet Preferred over Human



An 8-year-old Laxmi BK of Palpa District currently working as a domestic helper in the house of Rajan Rasaili at Siddarthanagar Municipality-7 was beaten up by landlord Rajan Rasaili and his wife Shibu Rai on August 23, 2014 on charge of killing the family pet- a parrot. The accused were taken into police custody after being reported by the neighbors. Rajya Laxmi Gupta, the District Children Officer registered a complaint at the Court. District Court Judge Chandra Mani Gyawali released them on a bail amount of Rs 100,000 each on September 16.

Photo: Amrit Giri, Rupandehi

Gruesome Dowry Violence



A 7-month pregnant, Rihana Sekh, Dhaphali, 25, of Miyapurwa in Laxmanpur VDC-8, Banke district was set on fire by her husband and in-laws on March 17 for not bringing dowries. She suffered severe burns on lower parts of her body. The incident came to light when the victim's family members appealed to INSEC Mid-Western Regional Office, Nepalgunj on May 4 seeking support for her treatment and for justice. Rihana was transferred to Bir Hospital in Kathmandu on May 5 in the initiation of INSEC, Fatima Foundation and SAATHI along with others. The accused were absconding until the end of the year. Rihana is currently living at her maternal house in Hiriminiya since she was discharged on June 18.

Photo: Bimal Chandra Sharma, Kathmandu

Ostracized and Abandoned



An elderly woman, expelled from the house by her son and daughter-in-law after she got leprosy. Currently, she is living in a hut built on the land belonging to her brother.

Photo: Man Bahadur Chaudhary, Bardiya

Attack on Human Rights Defender



INSEC District representative and FNJ Kalikot chairperson, Kali Bahadur Malla was attacked with a sharp weapon by hoteliers over his reporting against gambling in the hotel. The police arrested the accused Tika Shahi and Sunita Shahi and were later released after submitting Rs 10,000 each as bail amount. The victim underwent a medical checkup at Kalikot Hospital.

Photo: Pabitra Kumar Shahi, Kalikot

Chapter 2



2.1 State and Human Rights

Judiciary

1. Background

Judiciary, which forms the last line of defense for human rights and rule of law, witnessed some upheavals in 2014. Positions of judges in Supreme Court and Appellate Courts, which had been vacant for long, were finally fulfilled by appointing judges therein, raising the possibility of clearing the backlog of cases. The then Chief Justice (CJ) Khila Raj Regmi, who remained controversial in the preceding year, resigned from his office, after the formation of a new elected government in 2014 paving the way for appointment of senior Justice and then officiating CJ, Damodar Sharma as the new CJ on April 11. Towards the yearend, Ram Kumar Prasad Sah was sworn in as the new CJ on October 11. Some verdicts coming from different levels of Judiciary presented it as a vanguard of human rights while some other verdicts and court actions attracted criticism.

After the elections in November 2013, there was an uncertainty surrounding the future step of the then CJ Khila Raj Regmi who assumed the role of chairperson of Interim Election Council. Deciding against returning to the Court as CJ, Regmi resigned from the post thereby clearing several possible complications in the process¹. Though he excelled in giving the nation a political settlement by successfully holding the Constituent Assembly 2013 election as per the responsibility shared by the political parties, he failed to appoint permanent and temporary judges at the Supreme Court and judges at the Appellate Courts in time, thereby denying the opportunity to several qualified and diligent judges of Appellate Courts from making way into the apex court. Some judges who gained experience as temporary justices were not made

permanent aggravating the problems of Supreme Court for another year in a controversial episode.

The inception of night bench is one of the notable positive events witnessed in the Judiciary in 2014. Supreme Court decided to run night bench to ensure speedy disposal of cases where caseload is high. The Supreme Court has announced that the night court started in Kathmandu District Court with effect from December 22 as per the decision of November 13 to enable people's easier access to justice. In order to run courts for extra hours besides the regular service, Rule 3 (a) of the District Court Rules, 1995 was amended.

2. Third Strategic Plan of Judiciary (2014-2019)

The Third Strategic Plan of Judiciary which was inaugurated with a slogan of 'Speedy Justice, Justice for All', has set the vision of Judiciary of Nepal as protecting rule of law, civil rights and liberties and ensuring justice for all through the establishment of an independent, competent and effective justice system. The Plan has also set the goal of Judiciary of Nepal as dispensing justice in a fair and impartial manner on the basis of recognized principles of constitution, law and justice.

The Plan has apportioned its strategies for speeding up the function of justice delivery as: to provide for disposal of cases and making of verdicts within the stipulated time frame, to emphasize clearance of backlog cases, to run verdict enforcement as a campaign and to make effective the supervision and inspection functions.

It also has been stated that one of the indicators of speedier justice is to prioritize the cases of caste discrimination and

1. Regmi not to return to Supreme Court, <http://www.ekantipur.com/2014/02/11/top-story/regmi-not-to-return-to-supreme-court/385188.html>, Accessed on 15.12.2014

untouchability, cases involving a person above 75 years as a party, case for christening a baby in which a woman is a plaintiff, case seeking confirmation of a relationship in which a woman is a plaintiff, case involving a widow as the plaintiff, case of human trafficking, case for maintenance/alimony, case in which senior citizens are only the litigants, rape case, domestic violence case and case involving a foreign citizen, and shall have to be decided within a year.

Likewise, the Strategic Plan also includes some information on the Second Plan Period (2009-2014) which reads that in comparison to the target set in the Strategic Plan for disposal of cases, the District Courts, Appellate Courts and Supreme Court registered a progress of 84.52%, 88.3% and 58.2% respectively. In the Plan period, 3141 cases were settled through mediation. 38 District Courts and seven Appellate Courts have no cases older than two year. Only 68.37% of the budget projected for implementation of First Strategic Plan and 49.67% of the budget projected for execution of Second Strategic Plans was disbursed. A significant portion of the budget thus appropriated is also expended on regular expenses such as salaries and allowances.

The Third Strategic Plan of Judiciary underscores the delay in justice delivery and complex procedures as the challenge for effective case management and also mentions that even while performing the entire tasks and processes on time, as per the existing procedures, a case absorbs 546 days on average until it is decided.

In response to various complaints regarding the difficulties in obtaining court date and information on scheduled date for hearing, the Third Strategic Plan of Judi-

ciary states that provisions of online court date, online serving of court notices and status of case to be known through SMS, have been initiated. Further more, arrangement of interpreters for users of sign language, and those not understanding Nepali language, granting easy access to persons with disabilities in the new court buildings to be erected, a separate rest room for parties and witnesses for whom confidentiality is to be maintained, security for parties and witnesses who are in safety threat, meeting the needs of women and children, a secured room for arrestees, a room for holding consultations with the parties and erecting buildings with the required amenities, etc. are the major reform measures initiated in the Third Strategic Plan of Judiciary.

3. Continuous Hearing and Fast Track Court

Supreme Court of Nepal has issued a directive order in the name of Government of Nepal on January 12, 2010 for composing a separate Fast Track Court for hearing and deciding criminal cases in which woman is a victim, especially the victim of domestic violence²; and on July 31, 2013 the Court issued another directive order in the name of Government³ of Nepal to mandatorily conduct continuous hearing of criminal cases of grave nature, viz. rape, domestic violence, human trafficking and transportation, as provided in the District Court Rules. These orders of the Court have paved the way for granting justice to victims of criminal cases of grave nature by establishing a Fast Track Court and resorting to continuous hearing on a compulsory basis.

Until now, nearly 50 District Courts have enforced the legal provisions of *in-*

2. Advocate Jyoti Poudel et.al. Vs. Government of Nepal, Writ No. 0663/266, Date of Decision, January 12, 2010, Yearbook 2014

3. Uma Tamang et. al. Vs. Government of Nepal

camera hearing on cases of rape, human trafficking and transportation and holding of continuous hearing in cases of rape, domestic violence, human trafficking and transportation⁴. In order to enforce these provisions in the entire courts, the Central Judicial Sector Coordination Committee on January 5, 2014 issued a circular to this effect to the entire District Courts. Finance Minister Ram Sharan Mahat, while presenting the annual budget of FY 2014/15 in Parliament, announced that speedy justice service shall be commenced in courts of all levels for providing justice to the victim and discouraging violence against women⁵.

4. Problems in Verdicts Enforcement

Lack of effective enforcement of verdicts has been a matter of grave concern. The Reports of Supreme Court show that colossal amount of fines and imprisonment is yet to be recovered from the convicts. The duty of courts is to decide a dispute while the job of implementing the decision rests with the government. It has become commonplace for Nepali people to revert again to courts seeking enforcement of its verdict. Considering the very same plight, the Supreme Court has constituted a Judgment Enforcement Directorate itself.

This year also saw the Court floating a plan to deprive the convicts who are still evading fines and/or imprisonment from

obtaining any of the State services. For this, the Supreme Court announced that it has uploaded nearly 65,000 verdicts that are still unenforced, in special software. In line with this provision, the Central Judicial Sector Coordination Committee, under the Supreme Court has notified that the record at this software shall be tallied while the unspent convicts seek any of the State provided services such as obtaining citizenship, passport, license, sale and transfer of ownership of land, payment of power and water tariff, etc⁶.

Moreover, the Court formed special task force in 16 districts and started recovering jail terms and fines from the convicts who were yet to observe court verdicts. During the three months from October 18, 2014, 2800 convicts landed in jail. Fines amounting to Rs. 80.5 million and prison terms totaling 1,069 years were recovered from these defaulters. Pursuant to the Judgment Enforcement Directorate of Supreme Court, from July to December of the current fiscal year, fines of Rs. 680,430,000 and prison terms of 15,800 years have been recovered from the courts nationwide.

As per some Nepali laws, the victims are entitled to compensation from the offenders. The General Code provides for compensation from the offender to a raped woman to be realized by the court⁷.

4. Not all of the District Courts have implemented the provision of continuous hearing, pursuant to Rule 23(c) of the District Court Rules, 1995. As a pilot program, the Makwanpur District Court, at its own initiation, enforced continuous hearing system for cases under Rule 23(c) in the FY 2012/13. In another writ petition, involving Uma Tamang Vs. Government of Nepal, decided by the Supreme Court on 2070.04.16 (31.07.2013), it ordered for mandatory continuous hearing in criminal cases of grave nature, viz. rape, domestic violence and human trade and trafficking. Post the Supreme Court ruling, efforts are on to implement the provision. However, it should be the Supreme Court again that has to play a catalyst role as regards the clear process and procedures to this end.

5. <http://www.inseconline.org/index.php?type=news&id=46017&lang=np>

6. Doshi thaharlai karbahi: Adalat, http://www.bbc.co.uk/nepali/news/2014/07/140724_court_prepared_list

7. Section 10 of the Chapter on Rape, General Code lays down that: If a person is held to have committed rape with a woman, the court shall make an order to provide appropriate compensation to the victim from the offender upon considering the physical or mental loss she has suffered. In the course of determining such compensation, the gravity of offence and pain suffered by the dependent minors, if any, shall also be taken into account if such victim is already dead.

Compensation was provided in the Code by substituting the erstwhile provision of repatriating half of the property of offender to the victim, so that the victim would be relieved of the hassles of obtaining her share of property from the convict. However, it is still hard for the victim to obtain such compensation.

Pursuant to a study of 2013 jointly undertaken by International Commission of Jurists (ICJ) and the National Women's Commission, out of the 72 court verdicts that ordered for compensation, only victims of two cases succeeded in obtaining real compensation. As per the same report, the reasons behind lack of realization of compensation are ignorance of victim about the verdict, threats by the offenders, complex procedure of recovering compensation, and minimal efforts by the victim to gain compensation. As the courts seldom send notices to victims for receiving compensation, the victims are largely unaware of the court judgments⁸.

As the courts treat the matter in a technical manner, even when some victims approach for receiving compensation, they sometimes fall victim to complicated court practices. When a person is acquitted after languishing in prison for years, neither the State provides compensation for the time spent in incarceration, nor there is a provision in laws on the same. A convict sentenced to jail cannot walk free until the imposed jail term expires, but the victim also has to be deprived of compensation as the courts often rule that the offender is technically in prison and is yet to be freed to pay the compensation amount determined⁹.

5. Episode of Judges Appointment

One of the hotly debated issues in this year as regards the Judiciary has been

the appointment of permanent judges in Supreme Court. The issue of political clout that clouded the appointment of Appellate Court Judges the previous year resurfaced in the appointment of permanent judges in Supreme Court as well. The senior-most judge of Supreme Court then and the current Chief Justice Ram Kumar Prasad Sah also expressed his note of dissent in writing on the appointment.

It has been a publicized fact that political influence influences the appointment of judges in courts. The former Chief Justice Biswanath Upadhyaya on several occasions had disclosed that during the party-less Panchayat era, judges of Supreme Court used to be nominated through king's order, the desire and instruction of the royal palace. Post-Panchayat regime, though some political interference occurred, the tradition of appointing the senior-most judge of Supreme Court as the next Chief Justice was not tampered with. However, in recent times, especially after 2007, political influence has become institutionalized. In the name political agreements and consensus, the appointments are made at the Judiciary as well as other important bodies, on the basis of party quota, which is now an established phenomenon. For a country like Nepal that has recently emerged from years of armed conflict and political turmoil and reeling under poverty, unemployment and corruption, this is an unwanted predicament. The appointments made in the Judiciary in the name of party quota will ultimately affect the independence of judiciary and erode public faith on the same. However, the responsible state agencies seem oblivious of this scenario.

The Declaration issued on November 19, 2014 at the sidelines of Second Na-

8. A Study conducted by International Commission of Jurists (ICJ) and National Women's Commission in 2013.

9. Sarboccha kai laparabhi le nyaya gumayeki piddit ko katha, <http://www.m.setopati.com/news/9345>

tional Conference of Judges¹⁰ stressed on a provision that a person for being considered to an appointment at a superior court shall first have to complete tenure at an inferior court. Further more, the discussion papers submitted at the Conference also highlighted the expediency that a system that would disqualify those people who exert patronage from power centers other than the Judiciary from judicial appointments is firmly put in place. All these developments suggest that even the judges have concluded that the Judiciary is not free from malpractices.

The media was rife with statements and articles deeming some of the proposed names for appointment as permanent judges in Supreme Court as unfit owing to their past verdicts and controversial attitudes among other reasons. However, the answers given by the disputed incumbents at the parliamentary hearings were not plausible enough, the members of Hearing Committees themselves revealing that the incumbents requested them to let them pass by and the quarrel seen at the Committee and Judicial Council in this matter also remained notable.

In this premise, the Judicial Council and its members who recommended the eight judges for appointment as permanent judges in Supreme Court too drew widespread controversy. The then Chief Justice and Head of Judicial Council Damodar Prasad Sharma, the then senior-most Judge and current Chief Justice Ram Kumar Sah also came in spotlight. The members of Judicial Council representing by the Nepal Bar Association Upendra Keshari Neupane and Khem Narayan Dhungana also

remained in news for their professional and political influence. The self-defeating composition of Judicial Council also courted questions¹¹.

The basis of any successful judicial framework and judiciary is the public trust towards judiciary. Government or political meddling and lack of trust towards the judges will only weaken the existence of very judiciary, and in the long run is detrimental to a competent and efficient democracy.

6. Judicial Council Courts Controversy

As the Judicial Council, tasked with the responsibility of disciplining errant and incompetent judges, was being criticized for its inefficiency for year, saw the lashing on itself, its members and structure like never before. The judges recommended for action and those not shortlisted for Chief Judges of Appellate Courts got direct appointment to the permanent judges of the Supreme Court. When two judges escaped inquiry following their resignation and discharge of service in a case, the third judge embroiled in the very same case was deemed fit for appointment as a permanent judge of Supreme Court¹².

Judicial Council launched its investigation into the two judges of Appellate Court, Mahendranagar, viz. Ramesh Prasad Rajbhandari and Nar Bahadur Shahi who acquitted the defendants convicted of rape by the District Court. Both the judges made their way to judiciary through the controversial selection process of previous year. When the verdict was publicized by newspapers reminding public of their political affiliation, it is a grim aspect for judiciary¹³.

10. <http://www.supremecourt.gov.np/download/conference>

11. Bhattarai, Tikaram, Shanka ko ghera ma nyaya parishad, <http://www.nagariknews.com/opinion/story/17296.html#>

12. Judiciary, Nepal Year Book, 2013, INSEC, p. 47

13. Bhagbanda ma niyukta bhayeka thiye balatkari lai safai dine nyayadhish, <http://www.ekantipur.com/np/2071/9/3/full-story/400479.html>

The note of dissent recorded by Member of Judicial Council Ram Kumar Prasad Sah was as follows:

The Council needs to be sensitive on the grievances faced by the clients due to long-standing vacancies of judges at the apex court. Pursuant to the constitutional provision, there shall be 15 permanent judges at the Supreme Court and additional judges as required. Due to vacancies of these posts for a prolonged period, the caseload has increased unprecedentedly causing agony to the clients, legal counsels and general public. Hence, there is a need to fulfill the entire vacant posts of judges at once and as soon as possible. As the Council is not fulfilling the entire permanent and temporary posts of judges at once, rather in a piecemeal basis, I cannot concur with the partial fulfillment process, as that would leave the problem as it is. Moreover, there is no factual reason for fulfilling the entire permanent posts by leaving two seats vacant, and fulfilling only the rest. I disagree at the Council's decision not to fulfill the vacancies in entirety. Further more, the level of performance, job efficiency and knowledge of subject matter in Deepak Raj Joshi, Chief Judge recommended for Supreme Court appointment, is of mediocre level, he used to release inmates without looking at the case file while inspecting prisons, even when cautioned by the apex court, he repeated the same act and due to other reasons also, he lacks the qualification for being a judge at the Supreme Court. Similarly, the disposition of Chief Judge Gobinda Kumar Upadhyaya is quarrelsome, he used to behave against the decorum of his office many a times, while in Dipayal, the locals tried to smear him black due to his conduct towards a woman staffer, in which he escaped public ire by seeking apology and making a confessional deed. In this context, his image is not clean enough and due to other reasons also, he is not admissible as a Supreme Court Judge. As such, I express my different opinion reflecting my dissent against his appointment.

The meeting of Members of Judicial Council who are on par with State Ministers in rank, with political leaders is contrary to the code of conduct as in the case of judges. Notwithstanding, the visit of a Judicial Council member to the head office of a political party, and meeting with its responsible leader of the party and a conscientious Minister of Government could not become a matter of concern.

7. Bill on Contempt of Court

Immediately after the appointment of eight permanent judges to the Supreme Court, Minister of Law Narahari Acharya submitted a Bill on Contempt of Court at the Parliament on behalf of government. The government registered the Bill at parliament with a view to make justice delivery fair, impartial and effective, to raise public

faith in judiciary and to curb activities that would defy the decorum of courts.

Federation of Nepali Journalists and Nepal Bar Association denounced the law suspecting its misuse. Hong Kong based international human rights organization, Asian Human Rights Commission voiced its concern that the Bill would breach individual liberty enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR)¹⁴. The AHRC opined that the liability to preserve the repute and public trust of judiciary in any democratic court process shall rest not with an individual, but with the court itself.

When remarks poured in against the Bill from various quarters, Speaker Subash Nembang stated that prior to its adoption, vox populi shall be collected for its modifi-

14. Nepal: Contempt of Court Bill is too restrictive: <http://www.humanrights.asia/news/forwarded-news/AHRC-FAT-019-2014?searchterm=contempt+of+court>

The Sections mainly contested by the media personnel fearing violation of freedom of expression are:

4. Contempt of Court to be deemed: In case anyone commits or causes to commit or incites the commitment of following acts, it would be deemed as a contempt of court:
 - b. To cast undue influence in the proceedings of a sub judice case in court or its decision, to publish misleading and false statements that would erode the public trust towards judiciary and would disillusion the public on judicial acts or to express similar views shall be deemed as a contempt of court.
 - d. To label misleading or humiliating charge or blame focusing a decision or order made by the court or judge or any other act.
8. A deed may be framed and action taken: (1) Notwithstanding whatever is provided in Section 7, a judge may instantly order for action on contempt of court against the concerned person in the following circumstances:
 - a. In case a judge takes suo moto cognizance of contempt of court from act, action or activity of anyone in the Bench.
 - b. In case a judge is convinced upon his attention being drawn towards contempt of court from act, action or activity of anyone in the Bench.
 - c. In case a judge takes cognizance of contempt of court from the statement of document enclosed in the case file.

cation. Though it is essential to frame a law on contempt of court, serious discussions are needed for checking violation of freedom of press and expression and hence he told on September 8, 2014 that vox populi is to be garnered over a proposed law, the first time in the history of parliament¹⁵.

A case on contempt of court was filed against Kantipur daily for allegedly defaming the court through its articles and news in the judge appointment process. It was suspected that the charge of contempt of court was slapped on the daily in retribution due to its reporting on the recommendation for appointment to the parliamentary hearing and background of judges recommended as permanent justices as well¹⁶.

8. Case Log and Court Manpower

Even the judges themselves concede that the scarcity of manpower has delayed

the working of courts. The manpower of courts 10 years back is still in the same strength and ratio. However, the filing of cases has increased manifold, leading to this predicament. As per the news published in a daily, in 2003, when there were 4,356 staffs at the courts nationwide, the cases registered were 48,604 in number. Now, in the past 10 years as cases have swelled by 20%, staffs are added only by 9% (412).

Among the 358 judges working countrywide, each judge entertains over 450 cases per year. In other countries, this ratio falls at 300 cases per year per judge. In Germany, this ratio is 271, in France 341, in Hungary 241 and Ukraine 213¹⁷. The courts also have no power to internally manage the staff and have to wait clearance from the Judicial Service Commission. The number of cases filed in the fiscal year of 2013/14 was 98,952 while the number of

15. <http://www.ekantipur.com/2014/07/08/opinion/contempt-of-whom/391882.html>

16. Dahal, Binita, The Law and the Media, The Nepali Times, <http://nepalitimes.com/article/nation/supreme-court-kantipur-contempt-of-court-case,1685>

17. Nyayadhisharuko karyabojh barseni badhdo, <http://nagariknews.com/politics/law-custody/story/25839/25839.html>, Accessed on 12.12.2014.

judges was 209, thereby making a proportion of 474 cases per year per judge¹⁸.

Meanwhile, Judge Tek Narayan Kunwar of Lalitpur District Court pointed out that as there are 86 public holidays in a year and 418 days are spent while deciding a case as per the procedural laws, the courts have to face charges of delayed justice¹⁹. In several cases, the courts themselves are taking initiatives in resolving cases through mediation.

The indicators of annual report of Supreme Court suggest that the least number of cases decided in a decade was in 2014. The total entry of cases at the Court by the fiscal year of 2069/70 (2013/14) was 20,811. Out of them only 4360 cases have been finally settled which comprises only 20.95% of the total cases filed in the Court till that year. In the preceding fiscal year, 6300 of 19053 cases were decided which stood at 23.27% of the total cases registered.

Nawalparasi District Court has strength of two judges. At the end of the year, the number of undecided cases in the Court was 618 civil and 316 criminal cases. No case older than two years are pending at the Court. It forms an average of 470 cases per judge per year. From among the 17 cases of rape, only one is disposed, while 16 are awaiting verdict. This is an example how the huge caseload and non-implementation of directive on continuous hearing affected the victims.

9. Clean Judiciary

People lament that justice has become very expensive in Nepal. Judges on several occasions have accepted that corruption lurks in various levels of judi-

ary. A Committee formed by the Supreme Court also reached to the same conclusion. The arrears of courts amounting to Rs. 80 million also came to public news. As per news reports, by the fiscal year of 2013/14, the courts nationwide have accumulated arrears of Rs. 84,218,018 out of which Rs. 11,611,000 is the amount paid on advances to its staff which is yet to be cleared²⁰. Rs. 7,234,000 is the actual sum misappropriated as per the news citing Report of the Auditor General.

Acknowledging this truth, a scheme for establishing an effective mechanism at the three tiers of judiciary, viz. Supreme Court, Appellate Courts and District Courts, has been envisaged in the 5 year Strategic Plan that came into effect from July 17, 2014, so as to curb irregularities therein.

In this premise, Article 7 of the UN Convention on Corruption, 2002, to which Nepal also is a party, lays down that:

Each State Party shall also consider adopting appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to prescribe criteria concerning candidature for and election to public office. Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties. Each State Party shall, in accordance with the fundamental princi-

18. Annual Report of Supreme Court, 2012/13

19. Ucha mabi ma nyayadhis haru, <http://www.ekantipur.com/np/2070/11/23/full-story/385268.html#sthash.JjElkYIK.dpuf>

20. Adalat ma 8 karod beruju, <http://nagariknews.com/politics/law-custody/story/17032>

ples of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.

10. Mediation Policy

Rule 13 (d, 2) of the Supreme Court Rules, 1992 have provided for a Mediation Committee with the following composition: a judge nominated by the CJ as chairperson, Supreme Court Registrar as member, Supreme Court Bar Association President as member and Cases and Writ Division's joint registrar as member-secretary.

The Committee is entrusted to enlist the mediators, include names in such roster, removing names therefrom, monitoring and supervision of mediation functions performed by the subordinate courts. From the 216 cases filed at the Supreme Court, Mediation Centre till this fiscal year, 23 cases were settled through mediation. 60 cases are in the process of resolution and the remaining 133 cases have reverted to the Court for decision as mediation efforts failed. Thus from the cases referred for mediation, 156 cases were dealt with.

11. Legal Aid/Representation

Article 24(10) of the Interim Constitution of Nepal, 2007 has for the first time guaranteed the right to obtain free legal aid as provided in the law for the incapacitated parties. In a majority of cases, the parties themselves manage for legal counsels that represent/defend their respective sides. However, as per the principle of rule of law, as it is expedient to provide justice to all on equal footing, in order to ensure legal representation of the parties that are unable

to appoint legal counsels on their own or who are incapacitated to protect their legal rights and interests due to social or financial hardships, free legal aid counsels have been arranged for in 1958 vide a decision of full court, Supreme Court so that such parties may avail of free legal aid and legal representation on their behalf.

Free legal aid is provided at the request of concerned parties or at the opinion of Bench. In continuance of this provision, free legal aid is being provided by appointing two lawyers at the Supreme Court and one each in the Appellate Courts and District Courts. Free legal aid has been provided by these counsels in 475 cases at the Supreme Court, 680 cases at the Appellate Courts and 2,275 cases at the District Courts, thus totaling 3,430 cases within this fiscal year.

Similarly, as per the Legal Aid Act, 1997, free legal aid may be afforded to the incapable parties who cannot protect their legal rights and interests owing to their social or financial status with an annual income below a prescribed mark, at the recommendation of concerned Legal Aid Committee. For this cause, a Central Legal Aid Committee in the chairpersonship of Law and Justice Minister, Appellate Legal Aid Committees in the chairpersonship of concerned Joint Government Attorney and District Legal Aid Committees in the chairpersonship of concerned District Government Attorney, have been constituted. The Committees provide free legal aid services to the deserving persons through the legal counsels enlisted in a roster. Besides, Nepal Bar Association, Legal Aid Project and various NGOs also have been offering free legal aid to the incapable and incapacitated parties of a case²¹.

21. Annual Report of the Supreme Court, 2012, p. 70

Probe on the Judge who jailed the witnesses themselves

- by Ghanshyam Khadka
Kathmandu (13.06.2014)

The Judicial Council is poised to draw papers of the case where Hari Prasad Sharma Pangeni Upadhyaya, the Judge of Mugu District Court, ordered to jail the witnesses themselves.

As per the Council, anomalies appeared prima facie as instead of protecting the witnesses, the Judge ordered to imprison them. Hence, the case documents need to be studied.

Contrary to the universally recognized principles of criminal justice system and jurisprudence, Pangeni ordered to send the government witnesses to judicial custody by seeking bail amount on 2071.02.21 (04.06.2014).

As per the order, the witnesses to case, viz. Police Constables Balam Giri, Hari Prasad Joshi and Police Head Constable Shital Bhandari were required to deposit a bail amount of Rs. 115,000 per person, while a local man Dhanaraj Bhumi was directly sent to prison.

Office of the Attorney General held that order as a deviation of criminal law and is about to lodge an appeal.

A complaint was filed against Dipak Budha, Bache Rokaya, Rajan Rokaya, Rai Rokaya and Singha Rokaya for allegedly murdering 18-year-old Mohan Kumar Shahi. The Government Attorney filed the case on the basis of investigation report with its opinion sent by the police. Pangeni ordered the witnesses to testify before the Court. The laws have provided for protection of witness privacy, allowance for visiting court and providing security also if needed.

However, the Bench of Pangeni, quite opposite to the statutory provisions, has made a shocking order to penalize the witnesses instead. When the news went viral, the Council decided to draw the required documents for probe.

The defendants are charged of murdering Shahi for robbing a sum of Rs. 540,000 which he was carrying for paying wages of the local Gulma Irrigation Project. His father Laxman Kumar filed a First Information Report (FIR) seeking action against the culprits on whose basis the District Government Attorney Office, Mugu filed a case of robbery and murder against the accused.

12. Some Notable Verdicts of the Year

12.1 Order for Modification of Bill for Establishing Mechanism for Transitional Justice

The Supreme Court held that the various provisions of Bill on Truth and Reconciliation and Investigation of Disappeared Persons as against human rights and ordered for its modification on January 2, 2014.

This verdict has cited several quotes adoption of established norms and values of criminal law in dealing with offenders of human rights violations, which has effectively guided the Government on various issues of human rights.

The Supreme Court has paved the way for making State responsible by observing that only on the basis that Nepal is not a party to the Convention on Disappearance or its Declaration, the country cannot afford to overlook provisions countering disappearances in person. When Nepal is yet to take steps in criminalizing forced disappearances, as the Court voiced the matter, the Government is also expected to feel some pressure.

Similarly in this verdict, the Court has cautioned the Government that torture and disappearances in person are criminal offences purely and until these crimes are investigated severally and taken to the ul-

timate point of justice, they shall continually remain as crimes and thus pressured the Government for criminalizing these unacceptable acts. Besides, the Court taking a human rights protection stand, has observed that it is one thing to be involved in a conflict related incident by being convinced of the theoretical reason to struggle. However, there can be no leeway to approve the criminal and unwanted activities in the pretext of bringing about change through struggle and to suppress or resolve the same.

The Court in this context, ordered the government to revise the Ordinance²² by obtaining assistance from an expert team comprising of conflict experts, victims or their representative organizations, experts of human rights laws and stakeholders so as to provide and determine the basic criteria relating to pardon and other matters. Despite this order, the government failed to honour any of these orders but instead filed a Bill of similar nature at the parliament some time later which was also endorsed. This raised a question on the commitment of government towards human rights and it also showed that the government took a casual stand towards the Court.

12.2 Interpretation of Powers of the Attorney General

A murder case was initiated following the filing of First Information Report

(FIR) by the widow of journalist Dekendra Raj Thapa, slain on August 11, 2004 in Dailekh district. As the then Attorney General and Prime Minister Baburam Bhattarai directed to halt the police investigation, a writ petition seeking certiorari and mandamus in this case was filed, being a matter of public concern, claiming that the acts of respondents have violated the norms, values and provisions of Interim Constitution of Nepal, 2007 and the State Cases Act, 1992 and also have raised question mark on the notion of independent judiciary; and that the act would further propagate impunity in the country thereby making a mockery of rule of law.

Deciding on the writ petition²³, the Supreme Court not only interpreted the powers of Attorney General²⁴ but also held that the conflict era cases may be dealt with the regular criminal laws when the transitional justice mechanisms have not been established.

Chairperson Prachanda of Unified Nepal Communist Party (Maoist) termed this verdict as posing hindrance to the peace process²⁵ while the pro Maoist conflict victims denounced this verdict and demanded that the conflict era cases should be dealt with by the proposed Truth and Reconciliation Commission itself²⁶. Post this verdict, the Dailekh District Court received a go

22. <http://www.supremecourt.gov.np/download/069-WS-0057-0058.pdf>

23. <http://www.supremecourt.gov.np/download/069-WO-0740.pdf>

24. While delivering the responsibility of prosecuting and defending State criminal cases, the Attorney General is not permitted to use his or her constitutional and statutory powers in an arbitrary manner. While exercising the constitutional power to decide on whether to prosecute or not in a State case, Attorney General and the subordinate Government Attorneys shall have to be directed by the principles of rule of law, protection of human rights, surety of justice for the victim as well as established norms and values of justice. While deciding on prosecution in a State case, he or she shall have to come to a conclusion by being directed from the tenets of rule of law, relying on the facts and evidence derived from a fair and independent inquiry. It cannot be construed that the constitutional and statutory liability as well as professional immunity in prosecuting State cases is an unlimited and arbitrary power of Attorney General in itself.

25. SC Verdict on TRC could derail peace process: Dahal, <http://www.ekantipur.com/2014/04/04/top-story/sc-verdict-on-trc-could-derail-peace-process-dahal/387773.html>

26. Disappeared fighters' kin condemn SC verdict, <http://www.ekantipur.com/2014/04/07/business/disappeared-fighters-kin-condemn-sc-verdict/387880.html>

Subject-wise Classification of some Cases and Writs filed at the Courts									
S. No.	Case	Supreme Court		Appellate Courts		District Courts		Entire Courts	
		Filed Cases		Filed Cases		Filed Cases		Filed Cases	
01	Contempt of Court	204	1.3	238	0.98	408	0.4	880	0.61
02	Rape	463	2.95	837	3.07	1470	1.45	2770	0.61
03	Battery	74	0.47	327	1.20	1662	1.64	2063	1.43
04	Libel	31	0.2	136	0.5	1515	1.49	1682	1.16
05	Human Trade and Trafficking	197	1.26	222	0.81	292	0.29	711	0.49
06	Familial	1457	9.29	2849	10.45	30769	30.33	35075	24.29
07	Foreign Employment	106	0.68	13	0.05	1	0.0	120	0.08
08	Corruption	480	3.06	1	0.0	2	0.0	843	0.33
09	Abduction and Hostage Taking	104	0.66	416	1.53	396	0.39	916	0.63
10	Domestic Violence	0	0.0	15	0.06	183	0.18	198	0.06
11	Torture Damages	0	0.0	28	0.1	58	0.06	86	0.06
12	Homicide/ Manslaughter	1949	12.42	2383	9.25	4391	4.33	9023	6.25

ahead to try and decide the murder case of journalist Thapa.

12.3 Citizenship May be Transferred by Either Parent

The issue of citizenship has remained as a sensitive matter for decades in both social and political spheres of Nepal. One of the debates on citizenship relates to the question on whose name the offspring may obtain citizenship. Though the Interim Constitution of Nepal, 2007 provides that citizenship may be attained in the name of father or mother, distribution of citizenship from the mother's name could not become effortless due to a myriad of reasons. Though in Nepal, there is an established tradition to accept the verdicts and precedents of Supreme Court as a law in itself, victims are forced to frequent the Court by repeatedly building on those precedents.

Deciding on a writ petition on March 24, 2014, the apex court held that in the event of either parent being a Nepali citizen, such an offspring may well obtain

Nepali citizenship certificate.

The writ petition in this case read that: We, the petitioners have been residing permanently in Chalnakhel VDC, Ward No. 8, Kathmandu district being born therein. We are the offspring of Madhav Nagarkoti and Dhana Nagarkoti. The petitioners Bhola Nagarkoti and Shanti Nagarkoti are born on January 31, 1992 and February 21, 1993 respectively. Our father has been missing since 2050 Bhadra (September, 1993) and there is no information on his whereabouts till date. Our single mother Dhana Nagarkoti brought us up. We the petitioners are wishful of making an identity by acquiring citizenship from our mother's name. Desirous of duly obtaining citizenship certificate, as we approached the District Administration Office, Kathmandu on December 27, 2012) accompanied by a recommendation that our father is indeed missing, the Chief District Officer retorted that no citizenship certificate may be provided in the absence of father, and ordered in our application to perform necessary act

upon inquiring the concerned parties. Still, the process did not go ahead. Right to citizenship has been enshrined in the Interim Constitution of Nepal, 2007 as well as in the international treaties and conventions. At our birth, as our mother was a citizen of Nepal, we are entitled to receive citizenship by descent even by the constitutional and statutory provisions. Hence, we pray that an order of mandamus or any other similar, needful order be issued in the name of respondents causing them to issue us, the victim petitioners, citizenship certificates by descent, in the mother's name.

As there was no whereabouts of the status of their father Madhav who has gone missing since September, 1993, they have attempted to obtain citizenship from the name of their mother²⁷.

The Court observed in its verdict that: Article 8 (2b) of the Interim Constitution of Nepal, 2007 has prescribed *father or mother* rather than *father and mother*. The said article places *or* and not *and* after the term *father*. If it were *father and mother* instead, one would have not been able to gain Nepali citizenship certificate in this situation. However, as the Constitution has explicitly provided for *father or mother*, it is deemed that in the event any one between the father and mother is a Nepali citizen, such an offspring may well obtain Nepali citizenship certificate. This being the case, the respondents seem to have misconstrued and misinterpreted the express provision of Constitution by denying the petitioners of Nepali citizenship certificate.

The Court concluded that: In a similar writ petition (Writ No. 067-WO-0703) involving Petitioner Sabina Damai vs. Ministry of Home Affairs et.al. (Ne. Ka. Pa. 2068, Issue 2, Decision No. 8557, p. 247)

a mandamus has been issued by the Court in the name of District Administration Office, Kathmandu for providing a daughter born in Nepal from a Nepali citizen mother, citizenship of Nepal as per the laws. In this case too, as the father is missing and out of contact till date, and as it is shown from the photocopy of citizenship enclosed in case file that is authenticating that the mother of petitioners is a Nepali citizen and since it has also been corroborated that the petitioners are the offspring of a Nepali citizen Dhana Nagarkoti, a mandamus is hereby issued in the name of respondent District Administration Office, Kathmandu for providing Nepali citizenship certificate to the petitioners from their mother's name as per the laws.

This decision bears significance not only in the sense that it has enabled offspring to gain citizenship by descent from the mother's name relying on the constitutional provision, this judgment also provides some guidelines on the citizenship issue hotly debated for the upcoming new constitution. In the draft of new constitution, the term *mother and father* has been stated and if the constitution is issued with the same provision, even by that ruling, citizenship cannot be awarded from the name of *mother or father*. Though citizenship by descent could be acquired in past from the name of father, going by the forthcoming constitution, even the Nepali men shall not be able to confer citizenship to their offspring as it provides for term *mother and father*. This would create a state of negative equality and will lead to a surge of victims.

Article 9 (2) of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW), 1979 lays down that: The State Parties shall grant

27. <http://nagariknews.com/main-story/story/31241.html#sthash.WEblpSp6.dpuf>

Details of Cases, Writs, Petitions and Reports, their Disposal and Remainders							
S. No.	Court	Liability	New Filings	Total Entry	Number of Disposals	Percentage of Disposal	Remainder
01	Supreme Court	12714	8097	20811	4360	20.95	8161
02	Appellate Courts-16	11382	28722	40104	24854	61.98	15286
03	District Courts-75	40350	62133	102483	56819	55.44	45664
04	Other Courts and Tribunals	1379	1399	2778	882	31.75	1896
Grand Total		65825	100351	166176	86919	52.31	79257

equal rights to women on par with men as regards nationality of children. Hence, this judgment has fulfilled the international standards and has lent impetus to the demand for revision in the draft of new Statute, as regards to citizenship.

12.4 Reversal of District Case Judgment

Out of the verdicts of Appellate Courts, the decision on rape case of Puja Bohora drew limelight due to several reasons. When the news of victim seeking justice since long was covered significantly in media, the District Court convicted the defendants.

When this verdict was set aside by the Appellate Court, Mahendranagar, various comments were made on the judgment and the Court itself. The backgrounds of the so called victim Puja Bohora and the judges, who pronounced the decision, were also probed. When the media reported the judge duo as close to political parties, comments were made afresh on the judges appointed last year. Post their appointment, some judges visited the office of a political party to meet political leaders and when the then CJ was acquainted of the matter, he is said to have taken it very lightly. That issue resurfaced in the wake of this decision.

Generally, in cases like rape, the vic-

tim is trusted. Though the police and courts should adopt sensitivity in these cases, they cannot hold a bias in advance. Decision has to be taken as showed by the evidence. However, if the documents framed during investigation look spurious, observation shall have to be made accordingly.

While disposing a rape case on December 1, 2013 the Supreme Court has held that²⁸: In a crime as serious as the rape, the question of whether the offence is established through independent proof or not shall be instrumental and the hostile statements rendered by the complainant or other witnesses does not hold evidential value. The same verdict reads that the statements made by the victim of crime or complainant at the scene of event, immediately before or after the occurrence of an incident shall have to be admitted as proof pursuant to Section 10 (1) (a) and (b) of the Evidence Act, 1974.

The judgment goes on to explain that the statements made by the victim of crime or complainant at the scene of event, immediately before or after the occurrence of an incident shall qualify as evidence, but the statements made after many months or years cannot be construed as proof. As the victim and complainant have given their testimonies at the Court after 31 months

and 6 months of occurrence of incident and not instantly, those versions cannot stand as evidence for or against any party.

12.5 Case of Krishna Prasad Adhikari

Some former Maoist cadres mentioned in the confirmatory First Information Report (FIR) were taken into custody following pressure piled by the hunger strike observed by Nanda Prasad Adhikari and Ganga Maya Adhikari of Phujel, Gorkha seeking action against their son's alleged murderers. The Chitwan District Court has been releasing the cadres arrested from various places after lengthy police investigation citing lack of evidence. However, the order of Chitwan District Court for releasing two Maoist cadres Chhabilal Poudel and Bhimsen Poudel on bail amounts of Rs. 20,000 and Rs. 27,000 respectively attracted public eye, quoting that the order was not congruent to the procedures of criminal law. Section 118 of the Chapter on Court Proceedings, General Code has restricted release of accused of murder case on bail²⁹.

The Supreme Court had also issued an order to force feed Nanda Prasad Adhikari and Ganga Maya Adhikari, if need be, for saving their lives. However, that order was not complied with. It is a matter of shame for a State and its judicial system that a citizen has to sacrifice his or her life demanding justice for the slain son. The State organs, especially the Court, could not take *suo moto* measures to address the demand of a dying person, which is rather regrettable.

12.6 Decision for Food Sovereignty

The Supreme Court, on January 8, 2014 issued an interim order where it

proscribed the Government on importing genetically modified seeds. A writ petition were filed when news broke that some companies are trying to import genetically modified seeds from the US-based chemical and agro-bio company Monsanto and other institutions³⁰.

The genetically modified seeds fail to yield seeds forcing farmers to buy seeds every year from the companies in an exorbitant price. These profit motivated companies hold the users of these seeds in ransom through different ways. When the Constitution itself has guaranteed food sovereignty, if the seeds of these companies are to be available in the market, the conventional seeds and food breeds shall disappear, the peasants shall land in a vicious circle of expensive agro inputs that would lead to a situation never imagined by the Constitution.

In this sense, as Nepal remains as an agro intensive country and majority of farmers are dependent on family farming, the order of Court is welcoming. However, till the year end, the interim order is being given continuity.

Even in the Government's Policies and Programs presented by the President on June 29, 2014, stress has been given on organic fertilizer and organic farming³¹.

Seeds Act, 1988 and Seeds Rules, 2012 have provided for import of hybrid seeds that would not cast adverse impact on environment and public health. However, research is not conclusive on the impact of genetically modified seeds on public health.

12.7 Regarding Contempt of Court

Coinciding with the registry of Bill on Contempt of Court and the result-

29. Section 118 of the Chapter on Court Proceedings, General Code

30. Supreme Court says no to GM seeds, <http://www.ekantipur.com/2014/01/08/top-story/supreme-court-says-no-to-gm-seeds/383606.html>

31. 16th Point of Annual Policies and Programs of Government of Nepal, FY 2014/15

Relative Workload of Supreme Court in the Past Decade and Performance Scenario					
Fiscal Year	Liability	New Filing	Total	Disposals	Remainders
2059/60 (2002/03)	11674	7490	24423	6483	17940
2060/61 (2003/04)	17940	6630	24570	6796	17774
2061/62 (2004/05)	17774	6066	23840	7494	16346
2062/63 (2005/06)	16346	6031	22377	8181	14196
2063/64 (2006/07)	14196	5599	19795	6319	13476
2064/65 (2007/08)	13476	5088	18564	5608	12956
2065/66 (2008/09)	12956	5005	17961	6985	10976
2066/67 (2009/10)	10976	6355	17354	7765	9589
2067/68 (2010/11)	9589	8303	17892	7470	10422
2068/69 (2011/12)	10422	8361	19053	6339	12714
2069/70 (2012/13)	12714	8097	20811	4360	16551

ing coverage, the Supreme Court decided a case of contempt of court filed in 2006 against Kishor Shrestha, editor of Jana Aas-tha weekly. A case of contempt of court was lodged against the weekly over its publication of a letter allegedly sent by a woman claiming exploitation by the then Chief Justice.

While deciding the case, the Court observed that the courts shall have to be always liberal towards the press, and admitted that its role shall be crucial in a democracy. The Court noted that to be tolerant towards the press personnel also shall be fitting to the Court's prestige and that it is retaining its leniency and pardonability. Further more, the Court hoped that the defendants in the days to come shall not resort to violate the decorum of Court and the public trust therein by repeating such type of acts; and that the Court likes to believe that it would not be forced to take action on contempt of court in future.

The verdict also underscored that in order for the Court to perform its independent and fearless role, it requires the public faith and trust and also cited some of the past judgments on contempt of court

for determining the conditions tantamount to contempt of court.

12.8 Prohibition of Strike in Essential Services

The Government has prescribed several sectors as essential sectors and banned closure of services therein due to any reason. However, those rules are rarely implemented. It is ironical that rules are framed but the Government is unable to enforce the same. Still, the Supreme Court has, time and again, issued orders on the basis of said statutes against the closure of such services when they are indeed interrupted.

In this course, the Supreme Court, acting on a writ petition, issued an interim order not to shut down an agency as sensitive as a hospital as the government of Nepal has proscribed strikes on hospitals and health centers through Notice 2, Clause 12 of Nepal Gazette of November 15, 2013 on the basis of a provision included in Section 3(1) of the Essential Services Functioning Act, 1957 which specifies that the Government may prohibit strikes in any essential service for public good by publishing a notice in the Nepal Gazette.

Excerpts of the verdict of case of contempt of court (Case No. 063-AP-0020) by the report of Administration Section, Supreme Court vs. Kishor Shrestha, the editor of Jana Aastha weekly, et al. is as follows:

In order for the Court to perform its independent and fearless role, it requires the public faith and trust. As a matter of fact, the respect, trust and belief towards the Court are important not only for the court but are compulsory for its independent and fearless role in justice delivery, peace and national development and economic prosperity, needed for the masses. For this, the good conduct and performance of obligation of court itself is necessary as well as for the welfare of nation and public as well as stability for a judicious society.

Meanwhile, in another contempt of court case involving petitioner Murari Prasad Sharma Vs. respondent Pushpa Kamal Dahal (Decision No. 8530, Ne. Ka. Pa. 2067, Issue 12, p. 9) also, the Court has read that: In a democratic set up, the critical comments publish the loopholes of court and also inspire it rectify the same, such comments cannot be held as totally avoidable to the court. Criticisms made by someone with a view to strengthening democracy and securing people's rights through the judiciary shall have to be accepted by the court in a positive vein as held by the Supreme Court in that decision. Hence, there can be no discord on the matter that the freedom of press is also indispensable to the permanency and dynamism of democracy.

In the contempt of court case involving Santosh Bhattarai vs. Kanakmani Dikshit et al. (Decision No. 7839, Ne.Ka.Pa. 2064, Issue 4, p. 506) the Court observed that: The Legislature has not enacted any laws as regards contempt of court, till date. What qualifies for contempt of court is a matter to be decided by the court as per its circumstance. Pursuant to the recognized principles, the Supreme Court has drawn the attention of all towards the following acts that have to be deemed as contempt of court:

- Willful non-compliance of a court's order or verdict.
- Willful breach or non-compliance of an oath taken before the court.
- To create distrust against the court by spreading rumors through writing, speech or any other publication, in other words, act of scandalizing.
- Interference in the court's function through writing, speech or any other act or publication.
- Obstruction in justice administration through writing, speech or any other act or publication.
- Interference in independent and impartial justice delivery by commenting on a case sub judice at the court.
- Obstruction of parties and witnesses to a case, and the court staff.
- Any other acts that would bring courts into controversy. Besides these conducts, several other acts as per the circumstances may also cause contempt of court.

Source: <http://www.supremecourt.gov.np/cp/assets/downloads/62950.pdf>

The Court always have accorded high priority to right to life and Articles 16, 20 and 22 of the Interim Constitution of Nepal, 2007 also have ensured enjoyment of essential healthcare services as an inherent right of each person, as stated in the verdict.

The Court also reminded that in the past it resumed service by issuing in-

terim order against the strikes called in TU Teaching Hospital, Bir Hospital and BP Koirala Cancer Hospital.

12.9 Status Quoist Decision on Polygamy

A writ petition filed for the revocation of Sections 9, 9 (a) and 10 of the Chapter on Marriages, General Code, seeking not only polygamy as punishable but also

voidable, was quashed by the Supreme Court. The Court reasoned that Section 10 of the Chapter on Marriages has accepted polygamy as a punishable offence and has tried to discourage it and the Court cannot enter into the legislative intent where the law also provides for punishment.

Deciding on a writ petition filed against pro-polygamy provisions of the General Code, joint bench of the Supreme Court on September 11, 2008 had issued a directive order to improve the provisions related to conditions for polygamy. The petition was filed claiming that Number 9 (1), 2, 3, 4, 5 and 6 of the Chapter on Marriage in the General Code³² were against the spirit of gender equality.

The core function of Supreme Court is to scrutinize the supreme legislation from the perspective of relevance, contemporariness, international norms and practice. Even in case of India, except for the Muslim Law, if a person commits second marriage while the previous wife is alive or not legally divorced, then the second marriage shall be *ipso facto* void. Delhi High Court in a landmark judgment of 2013 has held that even by the Muslim law, second marriage may be done only when the first wife

is sick or infertile, and on her permission³³. The Human Rights Committee in 2000 has noted that³⁴ polygamy violates the dignity of woman and as it comprises of an unacceptable discrimination against woman, this practice should be put to an end.

Thus, on one hand the law penalizes polygamy but is silent on the legal status of subsequent marriages. Even when one gets maximum penalty in polygamy, the second woman shall remain as the legitimate wife with full property rights to be shared from the first wife. Hence, the punishment has failed to act as a deterrent against polygamy. Further more, if a complaint is not filed within three months of knowledge of polygamous marriage, then prosecution cannot be carried on.

12.10 Criteria for Judges Appointment Quashed

The Supreme Court, on June 18, 2014 quashed the Judges Criteria framed and adopted by the Judicial Council for appointment of judges. A writ was filed on October, 2013 claiming that when the eligibility for becoming a judge is itself outlined in the Interim Constitution, the criteria enacted in a unilateral and opaque

32. Section 9 of the Chapter on Marriages has laid down that: No male shall, except in the following circumstances, marry another female or keep a woman as an additional wife during the life-time of his wife or where the conjugal relation with his first wife is not dissolved under the law:

- If his wife has any contagious venereal disease which has become incurable.
- If his wife has become incurably insane.
- If it is certified by the medical board recognized by the Government of Nepal that no offspring has been born because of his wife.
- If his wife becomes crippled, with being unable to make movement.
- If his wife becomes blind of both eyes.
- If his wife takes partition share from him pursuant to No. 10 of the Chapter on Partition and lives apart.

Likewise, Section 10 penalizes polygamy in the following manner: If any person concludes another marriage or keeps wife in contravention of the matters contained in Number 9 and Number 9A of this Chapter, such person shall be liable to imprisonment for a term from One year to Three years and to a fine of Five Thousand Rupees to Twenty Five thousand rupees. If a woman knowingly concludes such marriage or becomes wife, that woman shall also be accordingly subject to the punishment.

33. http://khabarsouthasia.com/en_GB/articles/apwi/articles/features/2013/01/17feature-01

34. Human Rights Committee, General Comment 28, Equality of Rights between men and women (Article 3), UN Doc. CCPR/C/21/Rev.1/Add.10(2000)

manner and as such it should be set aside. After this ruling, the Government should also include legal counsels for appointment as District Court judges and has to devise an Act in this connection. Eight judges to Supreme Court, including the two judges who scrapped the criteria, were appointed as permanent judges of Supreme Court, through the same standards. Likewise, 80 judges at the Appellate Courts, 90 judges at the District Court were appointed in 2013 from the same criteria.

The criteria had incorporated, inter alia, a provision that member of a political party and a candidate from a party for any of the State offices shall not be considered for appointment as a judge. With the annulment of these criteria, prospects have increased that a political personality may openly be appointed as a judge.

12.11 Directive to Recognize Battered Woman Syndrome in Domestic Violence

While deciding on a murder case, the Supreme Court declared that while analyzing background of an event, the Battered Woman Syndrome (BWS) may also be admitted as a proof. In a case of murder, Radhika Shrestha of Bouddha was accused of setting alight her husband Sagar and killing him. The verdict noted that the husband was murdered because of the Battered Woman Syndrome developed in the defendant wife due to prolonged frustration and bitter relationship with the spouse³⁵.

The Court opined in this case that the concept of BWS and the circumstances for its application have to be observed. Taking BWS as a psychological state of mind, the Court held that the event occurred because the woman was repeatedly subject to severe domestic violence and this state of mind has to be taken as evidence behind the

incident. Moreover, the verdict has noted that in such type of cases the victim or deceased himself prepares the groundwork for crime due to his mental and physical conduct. The judgment also notes that proper provisions have to be made for partially or wholly relieving the defendant of punishment based on the examination of BWS, its test report and the opinion of an expert and to admit the same as a proof for this cause.

The ruling also instructed to draw the attention of the Office of Prime Minister and Council of Ministers and the Parliament Secretariat for arranging the needful laws and infrastructure by studying the matter. The verdict is rooted on the definition of a battered woman offered by LE Walker who explains that a battered woman or wife is one who is subject to incessant and exclusive physical or mental abuse for doing a particular task by a man who is in a close relationship with her.

The Supreme Court, in this type of cases in past, has invoked Section 188 of the Chapter on Court Proceedings to lessen the penalty of defendant. However, this is the first time the Court has adopted the principle of BWS. This shall grant relief to the victims of domestic crime in special circumstances and also help the laws to be made compatible with times.

There is no doubt that such provisions might be misused. While drafting the law with this precedent in mind, a question as why an individual who had a number of alternatives to the battered women including filing a case of domestic violence, seeking divorce or staying apart along with property rights or she may quietly move out and seek alimony from the offending husband, chose to kill her batterer instead will certainly arise. However, no one can say how a repeatedly battered dejected victim

35. Yatana dine patiko hatya ma sajay gahataiyo, <http://www.ekantipur.com/np/2071/9/26/full-story/401823.html>.

would react to the situation so it would be imperative to draft the law in such a way to ensure justice to wronged woman and stop false claims.

12.12 Opposition to the TRC Act by Conflict Victims

The victims of armed conflict filed a writ petition in Supreme Court on June 3 demanding amendment to the recently promulgated TRC and CED Act. A total of 234 victims, including Suman Adhikari, son of Muktinath Adhikari, Manjima Dhakal, daughter of Rajendra Prasad Dhakal, and Sabitri Shrestha, sister of Ujjan Kumar Shrestha, filed a writ petition seeking amendment to some section and sub-section to ensure that justice is done to the victims. The victims maintained that they were not against the process of forming the commissions but that certain clauses and sub-clauses contradict the precedents set by the Supreme Court and international laws.

The petitioners demanded that the act should deny amnesty to persons involved in serious crimes and make victims' consent for amnesty mandatory in all cases. They also demanded a provision allowing the commissions to directly recommend the Attorney General to file cases against the perpetrators of conflict era crimes. The petitioners sought amendment to clauses 13, 22, 24, 25, 26, 27 and 29 of the act, saying they contradict with the Interim Constitution and International laws. The case remained pending until the end of the year.

The provisions of the TRC Act like authorizing the Commissions to reconcile the perpetrator and victim if any of them files an application seeking reconciliation and that the Commissions have discretionary powers to recommend amnesty to perpetrators, if deemed reasonable has given it the name as Amnesty Act. It was really an impudence on part of the government

to go ahead with the TRC bill with just a few correction and in blatant defiance of the Supreme Court's January 2 verdict. This showed that the decisions of Supreme Court can be easily flouted by the government if it wishes so which is not a good signal on the effectiveness of judiciary.

12.13 Punishment for Changing Statement

Kapilbastu District Court sentenced a woman of Kapilbastu Municipality to jail for one month and slapped her fine of Rs 3,000 for changing her statement at the court. She had filed a complaint against her husband at the police station on February 28, 2014 accusing him of raping their 7-year-old girl. During the recording of the statement at the Court on September 5, she said that she had falsely accused her husband in the crimes to avenge the daily physical torture he meted out on her. The accused father was acquitted.

There have been media reports on increasing trend of filing false charges of rape just to exact personal or familial revenge, sometimes to charge huge sums of money, sometimes to grab an undeserving opportunity from the male hands and even yet other times under the pressure of family or elders. Even the consensual sex is later claimed as rape, incriminating the male partner. Such false charges not only use up the precious time and resources of institutions like court, police and hospital, they cause unnecessary delay for the genuine victims. The police and the office of the government attorney should be careful not to fall in such sham cases.

By holding tough stance, the court can play a role in discouraging filing of such false cases. It is true that in many courts across the country, people file cases on petty issues or just to harass others. This only consumes the resources and yields nothing

ing. Similarly, at many a times, it has been noted that people are filing Public Interest Litigation on petty issues or filing a PIL to gain 15 minutes of fame. By abusing an exemplary provision PIL, these people might even discredit the genuine plights. The Supreme Court, on December 20, 2012 had issued a verdict that its administration and other relevant agencies should not register a Public Interest Litigation (PIL) if a similar one is already sub judice. The Court directive also added that any PIL brought with a malafide intent would be scrapped and the petitioner blacklisted for a limited period of time from filing further petitions.

13. Monitoring of the Past

The Supreme Court of Nepal has time and again taken extremely significant, human rights friendly decisions. Right of a daughter on parental property, issue of marital rape and equal rights to third gender people are some of them. The ruling on Truth and Reconciliation Act and the directive passed to the Attorney General in the murder case of Dekendra Thapa may also be put in the same category.

Still, it is a grim reality that many of the court's decision are effective only in paper³⁶. As there are several challenges in realizing a court's decision, people are at loss. There is such a plight that even when the decision is in one's favor, he or she has to still frequent the courts to have it implemented.

The living example of such tendency is the verdict on murder of Ujjan Shrestha of Okhaldhunga. The Supreme Court itself convicted Balkrishna Dhungel, a former Member of Parliament (MP) from Okhaldhunga of murder, by setting aside the verdict of Appellate Court (which ac-

quitted him) and upholding the conviction of District Court. However, shielded by a political party, he is still moving scot free. It is regrettable that the police see him as a fugitive even when the police chief and he share the same stage. Further more, his name being included in the list of proportional candidates in the second election to Constituent Assembly and the Election Commission not raising the issue by itself, came as surprise. This is just an example of a high profile case.

In pursuance to the principle of separation of power, any organ of the State should not affect the other two organs. Still, there seem some hindrances towards judicial freedom amidst protests of non-execution of court verdicts and lack of incentives for employees at the courts. The job of courts is to make judgments. Implementation part rests with the government, its mechanisms and parliament to some extent. If the rulings of courts are not enforced, it leads to decay of trust among the public towards the judiciary.

The directives and verdicts of courts passed on various cases, writ petitions, etc. are not easily implemented. In a democratic regime, if the State mechanisms hesitate in enforcing the court orders and judgments, then it would infer that the Judiciary has become as an arm of the executive rather than a parallel and powerful structure on par with the Executive and Legislature.

14. Conclusion

It was natural that Judiciary drew huge public attention as it passed through a turbulent time in 2014. Each organ of State houses some shortcomings but everyone should strive to international standards while rectifying those shortcomings. This

36. SC's PIL verdict remains unimplemented, <http://www.ekantipur.com/the-kathmandu-post/2014/08/11/nation/scs-pil-verdict-remains-unimplemented/266035.html>

year too posed some questions regarding Judiciary. The silver lining is that the State is still in transitional period and Constitution-making process is on. Hence, this has given a chance for introspection of the shortcomings of the judicial systems and its organs and to ensure their non-repetition in forthcoming Constitution, and also to review the laws accordingly.

As the judges are also prone to humanistic weaknesses, one should not despair that some verdicts of Supreme Court are not human rights-friendly. However, the current situation, where the Court has to issue various verdicts, directives and orders for enactment, revision and review of laws and even those issued are not obliged with; may be equaled to contempt of court. The Law Minister submitted Truth and Reconciliation Commission Bill before

the Parliament without heeding to the Court's order against which the provision of Contempt of Court Bill may well apply. Similarly, it would be unfortunate if some certain persons or traits sabotage the foundation of Judiciary which rests on public trust. The Fourth National Action Plan on Human Rights framed by the State stresses the implementation of recommendations of National Human Rights Commission and the courts. The pertinent problem of Judiciary-the non-execution of court verdicts-has reached alarming levels which is also acknowledged by the government. If this situation looms, one day the judiciary might just be relegated to a toothless tiger. The institution one day will be of little consequence to people if justice is limited to paper with beautiful and high-worded verdict.



Chapter 2



2.2 State and Human Rights

Executive

1. Background

The 2013 election to the Constituent Assembly (CA) paved the way for formation of representative government in January 2014, 19 months after the former PM Baburam Bhattarai resigned. The Interim Election Council headed by the then sitting Chief Justice of the Supreme Court, Khila Raj Regmi successfully conducted the 2013 CA election and handed over the responsibility to the elected government. With the representative government in place, chairperson of the Interim Election Council, who was also heading the top post of the Judiciary, stepped down from the post of Chief Justice. His resignation ended the debate of whether a person should head both organs of the state i.e. Executive and Judiciary or not.

While assuming top post of the Executive on February 10, newly elected Prime Minister Sushil Koirala expressed commitment for moving ahead through consensus to end the transitional phase within a year by completing remaining tasks of new constitution-drafting process and promulgating the new constitution¹. Ruling parties Nepali Congress and CPN-UML forged consensus on March 18 to prepare an initial draft of new constitution within six months and promulgate it from the CA after another six months.

After election, the political parties said that they will hold the election of local bodies by Mid- June but they failed to promulgate necessary laws for the election. The CA assumed the ownership of the decisions taken by the previous CA. It took long time almost a year for the appointment of 26 members of the CA as the political parties divided the seats among then loyalists rather than appointing experts as per the spirit of the Interim Constitution. The Supreme Court ruled the political parties should not appoint persons who had

lost the election and who were in the list of proportional representation system and also make the appointment inclusive. However the government did not fully abide by the verdict of the Supreme Court. The government is yet to make appointment of two lawmakers to give full shape to the CA.

The Common Program of the Government has mentioned that efforts shall be made to find consensus for promulgating new constitution, strengthening democracy and national interest by holding discussion with the political parties present at the CA and outside. However, the government's effort is not fruitful in addressing the issues raised by political parties not present in the CA. The government's effort to find consensus for new constitution with political parties outside the CA and Madheshi parties and the groups raising the issues of identity fell short as these groups reject the existence of CA which has posed challenge to the drafting of new constitution and raised suspicion over timely promulgation of new constitution.

As an important aspect of transitional justice, the Legislature-Parliament passed the bill for formation of Truth and Reconciliation Commission despite criticism from national and international communities saying the bill is set to provide amnesty to perpetrators rather than punishing them and providing justice to victims. The verdict of the Supreme Court on January 2 ruled not to provide amnesty to persons involved in grave human rights violations and the bill should be in line with the international principles of human rights. Victims of armed conflict are still awaiting justice as the issues of transitional justice remain to be addressed. The state failed to act proactively to provide justice to Nanda Prasad Adhikari and Ganga Maya Adhikari, who held fast-onto-death demanding action against the perpetrators involved in murder

1. <http://www.ekantipur.com/np/2070/12/4/full-story/385896.html> accessed on January 6, 2015

of their son. The state remained apathetic to their demands even after Nanda Prasad passed away while staging fast-onto-death.

The trend of impunity continued as the human rights situation of the country did not improve for a long time. The National Human Rights Commission (NHRC) remained without office bearers for a long time. It remained almost defunct for a long period as the government failed to appoint its commissioners.

It is well known that weak implementation of law is the major obstacle for controlling violence against women but the state failed to pay attention for effective implementation of existing laws and make timely amendment in existing laws. However, victims of domestic violence became active to seek legal remedy against such violence, which could be the outcome of laws related to domestic violence and campaigns for violence against women. Although there is some improvement in terms of civil and political rights of people, the state failed to fulfill its responsibility regarding Economic, Social and Cultural rights of people. There was no improvement in the situation of right to education, health and food this year as well. Health professionals were absent in health institutions as per their posting, which became one of the major challenges for providing health services in remote parts of the country. During the prison monitoring conducted by INSEC district representatives, it was found that detainees and inmates have been spending miserable life in prisons due to overcrowding. This chapter tries to briefly address the issues mentioned above:

1.1 Differences on Drafting Constitution

Although main attention of the political parties was to draft the new constitution, there was not much progress in this regard. Political parties kept themselves busy venting frustration against each other

rather than concentrating on drafting the new constitution. Factionalism continued within political parties, stalling the positive move towards drafting of the constitution. The uncertain political discourse after the dissolution of the first CA raised suspicion about the sovereignty of people but the meeting of the second CA started on January 22 as per the CA election mandate. CA. The first meeting of the second CA expressed commitment to promulgate new constitution within a year. All political parties of the CA expressed commitment not to repeat the past mistake but they did not abide by their commitment.

The government decided to organize political conference on September 16 as per the demand of Mohan Baidya led CPN-M in a bid to address views of political parties, who are not representing the CA, in the new constitution but it could not convene as the CPN-M boycotted it. The party remained adamant on its demand of dissolving the CA, issuing the new constitution through round-table conference and forming all-party government and refused to sit for talks if major political parties are not positive in these issues. The parliament remained obstructed for two and half months due to the demand of UCPN-M to form high level political committee outside the CA. The parliament resumed operation after political parties agreed to form such committee under the leadership of UCPN-M chair Prachanda. He took the responsibility of chief of the political committee for drafting new constitution, while he also led the alliance of 23 political parties, which remained firm to its demand for identity-based federalism and form of governance among others. He received criticism as being double faced. The Constitutional Political Dialogue Committee got the mandate of resolving disputed issues of the constitution but it failed to resolve these issues as the committee did not use the mandate

of resolving these issues through majority vote.

2. Issues Related to General Public

2.1 Situation of Health

Although the government policies and programs and Interim Constitution of Nepal 2007 recognized Right to Health as a fundamental right, people of remote areas are deprived of basic health care. During the monitoring of INSEC District Representatives health facilities of the remote areas were found lacking medicine and necessary health professionals.² For example, there were only two doctors in Mahakali Zonal Hospital against the posting of 19 doctors by the end of the year. The government announced that it will provide 40 medicines free of cost through Primary Health Centers yet general people complained that they did not get the medicines as announced by the government.³ On the other hand, the government informed that it made the provision of distributing 25 free medicines from sub-health posts, 32 from health posts and 40 types of medicines from primary health center and district hospital. However, in many health facilities, health professionals returned patients only after providing counseling service. The Far Western region was hit hard by lack of measles and tuberculosis vaccines towards the end of the year.⁴

A study conducted by Kantipur Daily found that some persons, who did not even get basic training of health services, have been running the health facilities. During the same study, it was found that they have been giving different medicines for one disease and office helpers have been involved in minor surgeries.⁵ The National

Free Health Service Programme Implementation Guidelines, 2065 (2008) mentions that 40 types of medicine will be distributed from primary health center, 35 types of medicine will be distributed from health posts and 25 types of medicine will be distributed from sub-health posts but most of the medicines reached to such health facilities only a few days before expiry date.

According to the Office of the Auditor General, there is rampant distribution of date expired medicines in the health facilities. Four million date expired tablets were supplied to health facilities of 10 districts including Dolakha, Kavre and Nawalparasi. The investigation of Health Service Department by Commission of Investigation of Abuse of Authority (CIAA) found that a large number of Misoprostol, which is used for controlling bleeding during the period of delivery, was stored in the department for vested interest of staffs regarding commission. The report of the Auditor General also mentioned that there is no consistency between purchase and supply of medicines.⁶ Although Health Minister Khagraj Adhikari said that the government will take action if date-expired medicines was found in health institution, there was no news of action being taken against single health personnel by the end of the year.⁷

Residential doctors of Bir Hospital organized strike in all health services except emergency service at Bir Hospital for over two weeks in early 2014. Hundreds of patients suffered due to the insensitivity of the doctors and the government. The services of Tribhuvan University Teaching Hospital, which is considered a hospital of poor, remained disrupted due to the strikes called

2. <http://www.inseconline.org/index.php?type=news&id=45700&lang=np>, accessed on January 6, 2015

3. <http://setopati.com/samaj/22169/>, accessed on January 9, 2015

4. <http://www.ekantipur.com/np/2071/5/15/full-story/394947.html>, accessed on January 6, 2015

5. <http://www.ekantipur.com/np/2071/5/15/full-story/394947.html>, accessed on January 6, 2015

6. <http://www.ekantipur.com/np/2071/5/15/full-story/394947.html>, accessed on January 6, 2015

7. <http://www.ekantipur.com/np/2071/5/15/full-story/394947.html>, accessed on January 6, 2015

by the doctors in solidarity of fast-onto-death organized by professor of the IOM, Dr. Govinda KC.⁸ Poor people suffered a lot from the strikes at government hospitals as there are many well-equipped hospitals in Kathmandu valley for rich people. The trend of political leaders and high level authorities going abroad for general treatment and putting financial burden on the state continued this year as well. Similarly, the tendency of attacking health institutions accusing the doctors and hospital of negligence continued this year as well. However, the government failed to pay any attention to investigate the claims of negligence of doctors and to hold them more professionally accountable.

2.2 Right to Food

Like previous years, remote hilly districts of Nepal reeled under the food crisis. Although the government seemed very active to distribute imported rice to people of remote areas in the name of food security, it remained indifferent to expand agricultural techniques and modern seeds. Scarcity of chemical fertilizer was reported almost for the whole year. Farmers faced scarcity of DAP and urea fertilizers essential for planting rice. There were media reports about sub-standard fertilizer being sold in the market. The government announced that it will make the country hunger-free by 2025 but arable lands are turning barren every year. The government failed to control cultivable land being divided in small plot. Landslide, excessive rain and low rain resulted in low production of food. The government failed to run programs for promoting local food. The tendency of considering only rice as food continued in rural areas. The government's effort to controlling inflation remained ineffective and the

government also failed to control distribution of sub-standard food.

2.3 Problem of Landless Squatters

Of the total 26,600,000 population of the country, 451,000 are landless while 287,000 are landless farmers, 671,000 are marginalized farmers, 648,000 are small farmers, 151,000 are freed Kamaiyas (freed agrarian bonded laborers), 100,000 Haliyas (bonded laborers) and 65,000 Haruwas and Charuwas. According to the report of High Level Land Reform Commission 2011, there is a need of 407 hectares of land for resolving the problem of landless people. As an attempt to resolve the problem, the government had already formed 12 landless problem resolution commissions and these commissions identified 223,145 landless persons and distributed 45,839 bighas (1 hectare=1.47 bigha) of land to 71,512 people.

The commission formed in 2011 collected 395,456 applications in 25 districts and verified 51,633 families as landless and distributed identity cards to 89,213 families. The government formed such commission this year as well and collected applications from landless people at district offices across the country. It is believed that the tendency of changing the officials as the government changes and shelving the task completed by earlier commission again will not resolve the problem.

2.4 Fourth National Human Rights Action Plan

The government has been preparing and implementing National Human Rights Action Plan from 2004/05 for developing the culture of human rights and protection and promotion of human rights. The National Action Plan prepared incorporating

8. http://www.bbc.co.uk/nepali/news/story/2010/01/100105_bir_strike.shtml, accessed on January 11, 2015

the provisions of Universal Declaration of Human Rights, international treaties to which Nepal is a state party and existing laws of the country could not be effectively implemented for three times. The government formed the Action Plan for the period of 2014 to 2019 for the fourth time amending the Strategic Plan of Human Rights. The Action Plan not only incorporated all aspects of human rights but also put more effort on addressing the transition. The Action Plan has also provisions for impartial investigation of incidents related to armed conflict and providing reparation to victims, formation of Commission on Investigation of Disappeared Persons and Truth and Reconciliation Commission among others. Similarly, the Action Plan included a provision of management of landmines and explosive remnants of war, mainstreaming of conflicting parties and promoting right of people for security and development. It has the provision of managing post-conflict situation. Similarly, it also includes reconciliation, rehabilitation, return of the seized properties and providing reparation to the victims, among others.

The cabinet meeting of July 16 approved the Action Plan for implementation. The Action Plan includes 18 subject matters, including education and health. Issuing a statement, joint spokesperson of the Office of the Prime Minister and Council of Ministers informed that the Action Plan would be helpful for the protection and promotion of rights of the people in line with the provisions of international human rights instruments to which Nepal is a start party, Interim Constitution of Nepal and other existing laws of the country.⁹ Human Rights Unit of the Office of the Prime Minister and Council of Ministers prepared the Action Plan.

2.5 Government's Failure to Manage Disaster

Hundreds of people died and thousands became displaced due to flood and landslides in different parts of the country this year. A landslide of Jure area of Sindhupalchok district claimed 156 lives on August 2. The heavy rainfall of July this year killed over 105 people in different parts of the country, including Banke, Bardiya, Dang, Surkhet and Salyan; 136 people went missing and over 20,000 families were affected. Studies of over 40,000 students halted for a long time after the flood damaged over three dozen schools across the country. Most of the victims were from Mid and Far-Western regions. Flood-hit districts of Mahottari, Siraha and Saptari where there are many dalit people and are poor in terms of social and economic status did not have any other option but to depend on the government or other aid agencies for their livelihoods. Although many agencies provided immediate relief to the victims, they suffered a lot as the resource was not mobilized on time in a coordinated manner. Failure of the government mechanism was mainly responsible for such situation. The government has been operating National Emergency Operation Center with the objective of mobilizing all agencies, including security forces to respond disaster and also put all Chief District Officers on high alert for disseminating the information of flood. The District Disaster Management Committee headed by Chief District Officers and involving all actors involved in disaster response played laudable role to provide relief items to flood victims.

The Interim Constitution of Nepal and various policies and directives of the government have ensured participation of all actors in the disaster management. Na-

9. <http://www.inseconline.org/index.php?type=news&cid=44053&lang=np>, accessed on January 9, 2015

tional Strategy for Disaster Risk Management in Nepal 2008 adopted the principle of gender and social inclusion. The strategy mentioned that the issues of marginalized groups like dalits, women, people with disabilities, elderly people and children should be addressed by prioritized activities. Activity 5 and 6 of the Hugo Framework of Action 2005-2015 aims to develop the ownership of communities and stakeholders for disaster risk reduction. Failure on the part of government to effectively respond the disaster risk management has violated the rights ensured by Article 25 (1) of the Universal Declaration of Human Rights and Article 11 (1) and (2) of the International Convention on Economic, Social and Cultural Rights.

2.6 Poor Condition of Prisons

There were news reports of detainees beyond the capacity in almost all prisons across the country. During the monitoring of prison by INSEC district representatives, it was found that the detainees are spending miserable life in the prison due to overcrowding. Some detainees told INSEC that they were compelled to sleep on a rotational basis as they did not have sufficient space for sleeping. There were some news reports of clash in prison due to high number of detainees than the capacity.¹⁰ The NHRC also commented that prisons of Nepal are like torture centers and that the situation of inmates is pathetic.¹¹ It has decided to visit 73 prisons and monitor the situation of detainees and inmates. During the monitoring of Kaski district prison, it was found that 520 people are staying in the prison which has the capacity of only 60 people. And that they did not have sufficient space to sleep and were compelled to

spend night on the volley-ball ground, road and kitchen.¹² They were sometimes, compelled to spend whole night standing in the prison during the rainy season. The physical condition of 74 prisons of 72 districts of the country was found to be very poor. During the monitoring of INSEC in all 74 prisons, it was found that 15,495 people are staying in these prisons, which has the capacity of just 7,310.¹³ Almost all prisons have problems of few toilets, drinking water, sewerage and electricity among others. Although the Second Amendment (2064) of the Prison Act aims to convert prisons into reform centers and adopts the principle of community prison and open prison, the government has failed to prepare physical infrastructure and necessary directive for its implementation.

2.7 Women's Rights

Of the 2,348 women, who became victim in 2014, 108 women were killed. The government observed 2010 as the year of Violence against Women (VAW) and organized various programs raising awareness against VAW. The government also adopted the policy of zero tolerance towards incidents of VAW. The government has established Women and Children Service Center in all District Police Offices and has initiated various efforts for ending VAW. Article 13 of the Interim Constitution of Nepal 2007 also ensures right to equality and non-discrimination on the basis of gender and Article 20 mentions about Right of the Women, including reproductive rights and ending all forms of VAW including physical and psychological violence. Section 2 of Domestic Violence (Crime and Punishment) Act 2009 defines domestic violence, physical torture, mental torture,

10. <http://www.inseconline.org/index.php?type=news&cid=44053&clang=np> accessed on January 16, 2015

11. http://nhrcnepal.org/nhrc_new/doc/newsletter/1447190832PR-Human%20Rights%20Monitoring%20four%20districts-eng-20Nov2014.pdf

12. <http://www.inseconline.org/index.php?type=news&cid=44053&clang=np> accessed on January 16, 2015

13. <http://www.inseconline.org/index.php?type=news&cid=44053&clang=np> accessed on January 16, 2015

sexual torture, economic torture and the Act advocates for ending these violence. A person committing domestic violence may face penalty from Rs 3,000 to 25,000 or six months of detention or both. During the monitoring of INSEC, it was found that, of the total number of cases of domestic violence filed at the police stations across the country, nearly 98 per cent were settled through reconciliation between both sides and the perpetrators were let off. There was no record of monitoring of women's condition after reconciliation. The practice of mediating for reconciliation was conducted in all police posts across the country as per the provision of the Domestic Violence (Crime and Punishment) Act. The government has made the provision of Safe House in 17 districts to shelter the women suffering from serious nature of violence but there is dilemma among the government offices on what to do to those women after keeping them in the safe house for 35 days. There is a provision of keeping them in such shelters for only 35 days. The government became active in some incidents but the problem remains same as the government is not serious enough to find the root cause of the problem. There is no doubt that appropriate reform in the curriculum and conducting awareness raising programs could help to mitigate the VAW incidents.

2.8 Human Trafficking

Statistics show that nearly 12,000 women and children are being trafficked from Nepal every year. As per a report published by the NHRC, nearly 12,000 children below the 18 years of age were trafficked from Nepal since 2006. Although various organizations and government agencies are working together against trafficking, perpetrators are not getting punished as provisioned in the law. The gov-

ernment has established eight rehabilitation centers to rescue and shelter trafficked girls. There are 740 women in the centers at the moment.

As per Human Trafficking Assessment Tool Report for Nepal 2013, human trafficking is the third most profitable illegal trade after drug peddling and illegal arms supply. The report further said that 75 to 80 per cent of the trafficked people worldwide are being trafficked for sexual exploitation. Globally, 27 million young people and 13 million children are the victims of trafficking. INSEC recorded 66 incidents of child trafficking in 2014. Nepal has promulgated the Human Trafficking and Transportation (Control) Act, 2064 (2007) with the objective of controlling the act of human trafficking and to provide protection and rehabilitation to the victims of trafficking. The Ministry of Women, Children and Social Welfare is making necessary preparations to review and make necessary amendments in the Act. However the Ministry is yet to start consultation with human rights communities and other stakeholders to this effect. According to the study report published by the NHRC on September 16 about Trafficked Women and Children, there was 60 per cent rise in the incidents of trafficking during the year 2012/13. According to the report, nearly 29,000 women and children were either victims of trafficking or attempted trafficking during the period. However the number was 11,500 in 2011.¹⁴

2.9 Issues of Migrant Workers

The state failed to take initiative to ensure the rights of migrant workers during this year as well. Although remittance is contributing a lot to the national economy, this sector remained out of priority area of

14. [http://www.nhrcnepal.org/nhrc_new/doc/newsletter/Report%20of%20Trafficking%20in%20Persons%20\(Especially%20on%20Women%20and%20Children\)%20National%20Report%202012-2013-En.pdf](http://www.nhrcnepal.org/nhrc_new/doc/newsletter/Report%20of%20Trafficking%20in%20Persons%20(Especially%20on%20Women%20and%20Children)%20National%20Report%202012-2013-En.pdf), accessed on January 27, 2015

the government. Nepali migrant workers are facing various problems due to weak monitoring of the foreign employment sector, irregularities and corruption prevalent in the sector and monopoly of the agents. Similarly, lack of effective implementation of existing laws, lack of awareness, lack of timely amendment of the existing laws, regulations and policies and delay for ratifying the treaty and conventions also contributed to the problems for Nepali foreign job seekers. Nearly 1,500 Nepali youths are travelling to third countries every day for employment opportunities. Foreign job is a good alternative for unemployed youths but the state has failed to ensure their minimum human rights. Some news reports mentioned that some villages were left without youths after many left for foreign job. The remittance sent by migrant workers is not used in productive sector. The government's plan of constructing hydropower project from the share of migrant workers was just limited to the speech of policy-makers.

2.10 Rights of People with Disabilities

The Government of Nepal signed the United Nations Convention on the Rights of Persons with Disabilities and hinted that it is committed to protection of the rights of people with disabilities (PwD). However persons and institutions involved in this sector complained that the physical structures of the state are not friendly for PwD and there is no proportional representation of PwD. They organized protest programs demanding their representation among the 26 members of the CA nominated by the government. Although the government authorities assured to address their demand but PwDs were not incorporated in the list of appointed members. The government informed that it has revised the mechanism for ending discrimination against people

with disabilities, uplifting their status and protecting and promoting their rights. The government said that it also formed effective mechanism from central to local level but such mechanisms are yet to function effectively. Some achievements of the mechanism are constructing PwD-friendly road, office building, providing identity cards to PwD and 50 per cent discount for them in public transport among others. However stakeholders informed that even the new infrastructures constructed during the period of SAARC Summit in November 2014 are not PwD friendly.

2.11 Rising Road Accidents and Irresponsible Government

Nearly hundred people lost their lives during the period of Mid-November to Mid-January. Poor road condition, overcrowded vehicles, poor traffic management, irregularities in the distribution of driver license, drunk driving and battered vehicles are some of the reasons for adding up to the number of road accidents. As per the statistics of Police Headquarter, nearly 300 people lost their lives in road accidents during Dashain and Tihar (Mid-September and Mid-October), two major festivals in Nepali. The accidents are increasing and on an average, 10 people are dying in such accidents. Police considers, negligence of drivers as main reason of the accident, while drivers and transport entrepreneurs held government policies responsible for it. There is hegemony of transport entrepreneurs in the road sector. They do not hesitate to mention that they are the government of road sector at their own.¹⁵ Although the government claims that it is enforcing existing Act to minimize road accidents, the road accidents are not subsiding. The Ministry of Physical Planning and Works informed that old vehicles, syndicate system of transport entrepreneurs,

15. <http://www.insec.org.np/pics/publication/1415184080.pdf> page 2

lack of effective implementation of existing laws and weak monitoring system are responsible for increasing road accidents. According to statistics, nearly 2,000 people are dying every year due to road accidents.¹⁶

2.12 Rights of the Senior Citizens

Although the Interim Constitution of Nepal 2007, Senior Citizens Act, 2063 (2006), Senior Citizens Regulation, 2065 (2008) and National Human Rights Action Plan of the Government of Nepal have mentioned about social protection of senior citizens, these constitutional and legal provisions are yet to be effectively enforced. The Senior Citizens Act, 2063 (2006) mentioned that the state should provide some facilities to them. Similarly, the Supreme Court issued a mandamus in 2010 to the Government of Nepal to make necessary provisions of providing 50 per cent discount to senior citizens in public vehicles but the order is yet to be enforced. The Senior Citizens Act, 2063 (2006) has the provision of providing social security allowance to all senior citizens of 70 years of age and above, all people of Karnali region with 60 years of age and above and all dalits of 60 years and above. Considering the economic and social status of senior citizens, the Senior Citizens Act, 2063 (2006) made the provision of providing 50 per cent discount on treatment cost of senior citizens to improve their lifestyle but senior citizens are denied the facility entitled by the Act. Supreme Court issued a directive order in the name of Government of Nepal on June 6, 2012 to provide 50 per cent discount on treatment cost of senior citizens but senior citizens do not have information about Rs 4,000 as an allowance they are entitled for their treatment. Senior citizens have been organizing sit-in protest program in Minbhawan area of Kathmandu for more than two years de-

manding for implementation of the order of the Supreme Court but the state seems reluctant to fulfill their demand.

3. Issue of Transitional Justice

Transitional period in Nepal is prolonging as the provisions of Comprehensive Peace Agreement (CPA) are yet to be fulfilled even seven years after signing of the agreement. The point 5.2.5 of the CPA states that both sides agree to form Truth and Reconciliation Commission (TRC) for investigating the truth of persons involved in grave human rights violations and violating international humanitarian law during the period of armed insurgency and create conducive environment for reconciliation in the society but the TRC is yet to be formed. Legislature-Parliament passed a bill for forming such a mechanism but there is no possibility of victims getting justice even if the Act is implemented as it has the provision of granting amnesty to perpetrators.

Dispite the provisions of CPA and Interim Constitution and Supreme Court verdict on the side of forming separate commission for finding the whereabouts of disappeared persons and truth and reconciliation commission, the Act does not mention sufficiently about disappearance. The Act also has the provision that if the commission finds it appropriate to grant amnesty to the perpetrator it can recommend for the same with sufficient evidence. This provision has been criticized by the human rights community saying it will promote impunity. International laws have mentioned that it is the duty of the state to investigate crimes committed during the period of armed conflict, arrest the perpetrators and provide appropriate punishment and provide compensation of loss and reparation to the victims.

16. <http://www.newsofnepal.com/new/editorial/2014/10/73620>, accessed on January 19, 2015

The Act also provides the right of reconciling both the sides without the consent of the victims. The state cannot force the victims to agree for reconciliation. The Act does not guarantee action for persons involved in the crimes against humanity and grave human rights violations. It has a provision of granting amnesty to the perpetrators involved in grave violation of human rights and force for reconciliation. The victims of armed conflict have been resorting to their own method for seeking justice as the state has failed to address the issues of grave human rights violations committed during the period of armed insurgency.

The state failed to address the demand of Nanda Prasad Adhikari and his wife Ganga Maya Adhikari to take action against Maoist cadres who killed their son in June 2004. Their son Krishna Prasad Adhikari was killed by Maoist cadres in Chitwan when he went there to see his grandmother. Nanda Prasad Adhikari died staging undergoing fast-onto-death at Bir Hospital 333 days after he started the fast. Dead body of Nanda Prasad remains at the morgue of Tribhuvan University Teaching Hospital until the end of the year. Nanda Prasad's wife Ganga Maya broke her fast-onto-death at the request of human rights activists and was on liquid diet but their demand for justice is yet to be addressed. Ganga Maya also stated that she will not take any solid food until the demand of action against her son's killers is taken.¹⁷

The enactment of law for formation of Truth and Reconciliation Commission on May 11, 2014 paved the way for forming instruments of transitional justice but some provisions of the Act raised suspicion about the future of the peace process. Human rights communities realized that the law may obstruct the path of justice as the

bill was passed despite utter dissatisfaction of victims, protest of human rights communities and civil society and objection of international communities including the United Nations.¹⁸

The provision of amnesty mentioned in the Section 26 of the Act is one of such controversial provisions, which mentions that the TRC may recommend for granting amnesty to the perpetrators. Although rape was considered a 'grave crime' and provision was made not to give pardon in such incidents, similar provision was not made for other grave human rights violations, which may give impunity to perpetrators. With the suspicion that the perpetrators may get pardon, international communities also expressed serious reservation over the provision of the Act. Although rape is considered a serious offense in the Act, the provision may not be meaningful as there is a 35-day statutory limitation for filing a complaint on rape. A statement issued by the High Commissioner of the United Nations Office of the High Commissioner for Human Rights (OHCHR) Navi Pillay mentioned that their serious attention was drawn to the effort of providing amnesty to the persons involved in grave human rights violations.

Earlier, the bill registered at the Legislature-Parliament for the formation of Truth and Reconciliation Commission and Commission on Investigation of Disappeared People could not be discussed due to unwillingness of the Maoists to enact the law. The ordinance recommended by the caretaker government of Dr. Baburam Bhattarai and issued by the President on March 14, 2013 was blocked by the mandamus order of the Supreme Court. Acting upon a writ petition filed against the Ordinance, full bench of the Supreme Court comprising of justices Kalyan Shrestha,

17. <http://www.inseconline.org/index.php?type=news&dlang=np&cid=47258>

18. <http://www.inseconline.org/index.php?type=news&dlang=np&cid=47659>

Girish Chandra Lal and Sushila Karki raised question over the provision of amnesty and issued a mandamus on January 2 instructing the government against implementing the ordinance. It ordered the Government to form a new law stating that the acts of abduction, torture, disappearance and rape, which fall within grave human rights violations as per international humanitarian law, could not be pardoned.¹⁹ The Court asked the government to formulate national laws to criminalize such offences. However, human rights communities and conflict victims expressed their grave concern as the Act has the provision of amnesty to the persons involved in grave human rights violations. Conflict victims filed a writ petition at the Supreme Court on June 3 claiming that some provisions of the Act are against the mandamus order issued by the Supreme Court on January 2 and the petition is under review at the Supreme Court by the end of the year. At a time when the petition is subjudice at the Supreme Court, the Government formed a 5-member committee to recommend names of personnel of the TRC. The committee issued a public notice seeking applications for the appointment of officials at the Commission but the process was not completed by the end of the year.

3.1 Impunity

As per the CPA signed by the then rebel CPN-M and the government on November 21, 2006, all incidents of killing and abduction committed by either side will be considered as criminal incident committed before the starting of armed insurgency and after signing the CPA will be dealt with as per the criminal laws of the country. However the government's decision to withdraw many cases of crimes committed after CPA in the pretext of political cases proves that

the government is promoting impunity. Like previous governments, the incumbent government also did not take any action to check impunity. The government also neglected the call of NHRC and other international organizations to bring all persons involved in grave human rights violations during the period of armed insurgency under judicial review. The sad trend of impunity continued this year as well.

3.2 Torture and Other Cruel Inhuman Behavior

Torture is the worst form of human rights violations. The right against torture could not be suspended even when the country was in war or state of emergency. The Interim Constitution of Nepal prohibited torture but the victims failed to get appropriate treatment and justice. The act of inflicting torture is being promoted due to some weaknesses of the Torture Compensation Act, 2053 (1996). The tendency of torturing the detainees to extract confession is widely practiced in Nepal. The victims of remote areas cannot easily reach the Court to file case demanding compensation in the case of torture as the statutory limit for filing the case is 35 days. This Act has a provision of taking departmental action against government official who torture detainees but it's the government who has to pay compensation to the victim up to Rs 100,000. The provision of state paying compensation on torture case is the major drawback of the Act and it provides impunity to the perpetrator and does not discourage to commit such act.

Nepal Conflict Report published by United Nations Office of the High Commissioner for Human Rights reported 2,500 cases of torture during the period of armed conflict.²⁰ As there is no law in Ne-

19. <http://setopati.com/raajneeti/7160/>

20. http://www.ohchr.org/Documents/Countries/NP/OHCHR_Nepal_Conflict_Report2012.pdf page 124-144

pal to treat torture as a criminal offense, the case of torture committed in Nepal could be tried at the international court as per universal jurisdiction. The UN Convention against Torture has the provision which can be invoked to initiate action in cases of torture committed in Nepal. Colonel Kumar Lama of Nepal Army, who was accused of torturing two detainees in the barrack of Nepal Army in Gorusinghe of Kapilvastu district during the period of armed insurgency, was arrested in the United Kingdom and released on bail. He has been defending himself in the court in UK after his release. As per documentation of INSEC, 95 people (90 men and five women) became victims of torture in 2011, while 66 people (65 men and one woman) became victims in 2012. Although the number of victims decreased in the year 2012 as compared to 2011, it increased by two fold in the year 2013. 171 people became victims of torture in 2013.²¹ Of the 75 districts of the country, the incident of torture has been reported in 48 districts. The report of United Nations Committee against on Torture monitoring the implementation status of the CAT, published after the study of six years stated that torture was institutionalized in Nepal. The report mentioned that perpetrators are motivated to commit such incident as the law enforcing agencies are passive to address the complaints related to torture. The report mentioned that there is a tendency of keeping duplicate detention record in Nepal Police and keep detainees in illegal detention without presenting them to the case handling authorities within 24 hours of their arrest. The report further says that Nepal Police has the tendency of not registering the cases related to torture.

3.3 Dialogue with Armed Groups

The government has formed a sub-committee to hold dialogue with armed groups. The government formed the sub-committee headed by the CA member Anand Prasad Dhungana of Nepali Congress with an objective of holding talks with different political parties and groups for getting their support to the constitution-drafting process. The sub-committee informed that 14 armed groups agreed to handover their weapons and join the peaceful politics after holding talks with the committee.²² The sub-committee held dialogue with the armed groups in three different places to incorporate their issues in the new constitution.

The committee started dialogue process with the armed groups from Eastern Ilam District and concluded the dialogue from Western town of Nepalgunj. The armed groups demanded release of their cadres arrested in the past, revoking the cases filed against them, while the sub-committee requested them to hand-over weapons they possess to the government and support the process of drafting new constitution.²³ However two armed groups, which conducted their activities in Mid-Tarai, Jay Krishna Goit group and Jwala Singh group did not come for the talks and did not comment on the government's call for dialogue with armed groups.

The meeting of the Political Dialogue and Consensus Committee headed by UCPN-M leader Dr Baburam Bhattarai formed a 9-member sub-committee headed by CA member Purna Bahadur Khadka to study the agreements reached with more than 100 groups after signing of the CPA and incorporate the main issues of these

21. <http://www.insec.org.np/index.php?type=press&cid=637&clang=np>

22. http://www.bbc.co.uk/nepali/news/2014/08/140825_talks_armed_group

23. http://www.bbc.co.uk/nepali/news/2014/08/140825_talks_armed_group

agreements in the new constitution. The government signed 27 agreements with different armed groups of Tarai and hilly regions and with different groups, 61 issues related to the new constitution. A member of the sub-committee Rukmini Chaudhary informed that the sub-committee decided to submit 61 issues related with constitution to the committee for discussion and also recommended the government to address some issues which are not related to constitution rather related to the government. The sub-committee also decided against incorporating 27 agreements with armed groups in its report as the agreements are repeated and already addressed in 61 issues related to constitution.

4. National Human Rights Institutions

4.1 National Human Rights Commission

The government appointed new commissioners at the NHRC one year after the erstwhile commissioners' office term expired. The NHRC failed to initiate action against the incidents of Human Rights violations as it remained without officials for a long time. The implementation status of recommendations made by the NHRC is very weak. The NHRC mentioned that it recommended for providing compensation to the victims of human rights violations but except in few cases, they did not receive compensation. Similarly, it informed that the government and the political parties are not fully committed towards human rights as action was not taken against perpetrators except in few cases. It received 240 cases of human rights violations in 2014²⁴ on the issues of torture, misbehavior, violation of women's rights, judicial administration, violations of child rights, illegal detention, murder, threat, right to property, economic, social and cultural rights, rights of persons with disabilities, racial discrimination and

right of migrant workers. Implementation status of the recommendations made by the NHRC remained poor this year as well. In 2013, it exhumed remains of five youths who were arrested from Janakpur during the period of armed insurgency and buried at the bank of Kamala River after shooting them dead. The NHRC identified the victims and handed over the remains to the family members. It identified the names of perpetrators and recommended for action against them.

4.2 National Women Commission

The National Women Commission (NWC) is working to meet its objective of mainstreaming women in the national development process after protecting and promoting their rights. The NWC has been recommending the government to make necessary national policies and programs and also to amend existing laws for the protection and promotion of women's rights. Similarly, the NWC has been monitoring the implementation status of various international treaties and conventions to which Nepal is a state party and recommending the government for necessary action. The NWC has also been monitoring and investigating the incidents of violence against women and taking necessary actions.

The NWC received 296 cases of domestic violence and 160 cases of women's rights violations in 2014. The NWC supports in finding consensus between both sides, recommend for necessary action to the concerned authorities and provide legal support and psycho-social counseling to the victims.²⁵

4.3 National Dalit Commission

The National Dalit Commission (NDC) has been working for the rights of dalit people after identifying social,

24. <http://nepalpati.com/news/2973/NHRC-Yearly-Report-Submits-to-President>, accessed on January 27, 2015

25. See opinion of the National Women Commission published in this Yearbook

economic, political, educational and cultural issues. Caste-based Discrimination and Untouchability (Offence and Punishment) Act, 2068 (2011) has criminalized discrimination on the ground of caste and has made the provision of punishment for persons committing such crime but the discrimination based on caste persists in the society. Although there is a provision of filing such complaints at the NDC, a very few cases were reported. It has been forwarding such complaints to the concerned authorities for legal process and also following up in such cases.

5. Conclusion

In conclusion, the Executive has failed to play an effective role for the protection and promotion of human rights. The government failed to address basic needs of the people. The issues of health, education and employment were sidelined. Government and political parties failed to pay attention to the issue of holding local election even if the local bodies have remained vacant for more than 18 years. The right of the victims to get justice were sidelined in the pretext of transitional period. The victims should feel justice for sustainable peace but their access to justice was denied during these years. The government

failed to address the issues of impunity, insecurity, inflation, black marketing and bureaucratic delays among others.

6. Recommendations

- Form Commission on Investigation of Disappeared People and Truth and Reconciliation Commission as per the international standards
- Announce the date of local elections at the earliest and hold election on the schedule date
- Take immediate measures to control inflation, black marketing and unnecessary bureaucratic delays
- Provide compensation and reparation to conflict victims
- Initiate efforts to have health professionals to make them stay at the health facilities as per their appointment. The government should provide medicines, which it said will be provided free of cost easily from all health facilities.
- Guarantee the Right to food of the people suffering from food crisis
- Take necessary measures to address the problems of freed *Kamaiyas* (agrarian bonded laborers), *Kamlaharis* (child laborers), landless people and *Haliyas* (bonded land tillers).



Chapter 2



2.3 State and Human Rights

Legislature

1. Background

The 2013 elections to Constituent Assembly (CA) gave people their representatives who would be delivering the new constitution. There was a lingering void of people's representatives for nearly 21 months when the first CA was dissolved on May 28, 2012. Post 2013 elections to CA on November last year, CA and Legislature-Parliament could be formed. The CA formed this way elected a Prime Minister by majority.

Though, the CA reached a consensus on the substantive parts of Constitution-drafting, the disputed issues of the previous CA could not see real agreement. Legislature-Parliament could not become effective as considerable time was spent on technical matters such as draft of Rules, formation of Parliamentary Committees and selection of their Chairpersons. Issues of human rights also featured in Legislature-Parliament. No animosity was seen among the political parties for government formation as in the past. As always, matters of public interest and concern figured out in the Legislature-Parliament.

Considerable time was wasted wrangling as who would summon the first meeting of CA. The political parties engaged in heated discussions on the re-election of President and Vice President. This issue reached the Supreme Court which quashed the petition holding that it was a matter of the jurisdiction of CA and Legislature-Parliament. These posts, which are to be automatically vacated upon promulgation of new Constitution, attracted tussle among the political parties seeking their share which demonstrated that the power-centric parties are still straying from their mandate. The political parties and their leaders centered on power rather than the

real business of statute framing; their activities were denounced.

The decision to own the provisions agreed upon in the dissolved CA was positive. The parties were divisive on whether to prioritize elections to local bodies or not. The opposition continued the policy of House disruption. The conduct of parliamentarians was sometimes derogatory to the Legislature-Parliament.

This write-up features discussion on human rights activities from the first meeting of CA and Legislature-Parliament in January 2014 to the end of 2014 covering the major events and functions of CA and Legislature-Parliament. It also attempts to briefly review the Bills introduced in the Legislature-Parliament directly related to human rights and human rights related points of other Bills.

2. Activities of Parliamentary Committees

The Parliamentary Committees (PCs) play an instrumental role in making the government accountable to the people through parliament. This year 14 PCs were constituted in the Legislature-Parliament. Media reported that these Committees were performing their respective duties. The dispute on jurisdiction of the PCs also came to the fore. It is expected that PCs play an effective role in monitoring, supervising and advising the activities as well as decisions of government and constitutional organs. The Chief Commissioner of Commission for the Investigation of Abuse of Authority (CIAA) refused to attend a meeting of PC which led to exchange of words between the CIAA and PC. The PCs not only drew attention of concerned stakeholder agencies on corruption, good governance and inflation but also made

recommendations on several issues. A PC directed to frame a 15-year-Development Master Plan for the financial development of Karnali Zone and to start its implementation within two months. The Development Committee of Parliament instructed the government to frame a 7-year mid-term and 15-year long-term Master Plan for developing local economy and address the problems of transportation, food crisis, tourism and unemployment. A Special Parliamentary Committee was formed to probe the shooting of a person by Armed Police Force when people of Simraungadh agitated seeking development. The Special Parliamentary Committee for Probing the Simraungadh Event gathered information from the incident site, agitating parties, human rights activists, representatives of political parties, the victim family, eye witnesses, officials of security agencies and legal counsels on the overall situation of the incident. However, its report is yet to be made public.

2.1 Parliamentary Hearing Committee

The major hearings concluded by the Parliamentary Hearing Special Committee (PHSC) this year were related to the appointment of permanent judges of Supreme Court and the office bearers of National Human Rights Commission (NHRC). For the first time in the history of parliamentary hearing, the hearing of permanent judges of Supreme Court was passed by a vote. The voting procedure has to be adopted for the first time when the hearing of judges recommended for appointment by the Judicial Council became controversial. Though a novel practice, parliamentary hearing is not

well managed in Nepal. The two organs of State, viz. Executive and Legislature are directly accountable to the people while the third organ Judiciary is not under people's direct control. This organ should have been kept relatively unchecked so as to maintain its independence and fairness. However, the provision of parliamentary hearing was introduced for assuring the role of people's representatives even during appointment at the apex court¹. It is also alleged that the practice of parliamentary hearing is only a formality as even if the PHSC discards a candidate, the government may well appoint him or her. The PHSC contributed in fulfilling the vacancies in NHRC by adopting the names of its chairperson and four members. When the meeting of October 17, 2014 endorsed the recommendation of Constitutional Council, the offices of chairperson and members could be fulfilled which were lying vacant for the past 14 months. The Committee conducted hearing of complaints against the proposed chairperson and members on October 15, 2014.

However, endorsement of recommendation of Constitutional Council was not effortless. The parliamentarians in the meeting of Committee protested the recommendation as signifying absence of inclusive norms and values and having vested political interests. More than 2/3 of the members of parliament proposed to return the decision of Constitutional Council as it did not include the participation of Madhesi, ethnicity and minority communities among the office bearers of Commission. Those parliamentarians included Sushil Kumar Shrestha, Gopal Dahit, Mahendra Yadav, Meghraj Nepali Nishad, Manju Ku-

1. <http://www.nagariknews.com/opinion/story/13304#sthash.7rSxSsjk.dpuf>

mari Chaudhary, Jayanta Chand, Shivaji Yadav, Hridayram Thani, Lokmani Dhakal, Laxman Lal Karna, Ram Kumar Bhattarai, Prabhu Saj and Amar Singh Pun.

Committee chairperson Kul Bahadur Gurung repeatedly urged to make a unanimous decision. However, as the protest of MPs continued, the dispute was resolved by agreeing to draw the attention of Constitutional Council. The Constitutional Council had recommended the names² on September 21, 2014 when the Commission was void of office bearers for a long time.

Committee endorsed former Chief Justice Anup Raj Sharma as the chairperson and of Prakash Osti, Mohana Ansari, Govinda Poudel and Sudip Pathak as the members of the Commission.

2.2 Social Justice and Human Rights Committee

Social Justice and Human Rights Committee (SJHRC) under the Legislature-Parliament formed a Sub-Committee to study and research human rights scenario. The SJHRC formed two Sub-Committees on Peace and Reconstruction and Social Justice with a view to advance its functions in a specialized and efficient manner.

The Committee also formed a 'Task Force for Foreign Employment Study, Observation and Investigation' to submit report after studying the plight of women workers in the refuge of Nepali Embassy in Kuwait. It was a commendable act to constitute a Task Force to obtain information and prepare a report on the current status of Nepali workers in Kuwait and elsewhere. It is now expedient to understand the exact situation of Nepali migrant workers and to

frame policy decision for improving their human rights conditions.

The Committee formed another Task Force to hold on-site study regarding the prisons and human rights status of inmates nationwide and to furnish a report along with suggestions within three weeks.

The Prison Study, Observation and Inspection Task Force took information from the inmates on their condition. Task Force observed that overcrowding in the prisons across the country means that they are more of a torture center than reform homes.

3. Committees of Constituent Assembly

The Parliamentary Committees did not become effective even after nine months of CA election and seven months of its first meeting. The prime duty of PCs is to proceed with their functions even when there is no full meeting of parliament, to probe the entire government activities minutely and to suggest the correct course³. Once a draft of Constitution is framed, the Civil Dialogue and Inputs Collection Committee shall collect public opinion from far and wide. After making amendments as per the suggestions, the Committee shall finalize the draft and revert it to the Drafting Committee.

Though the earlier CA is said to have finished 80% of its work, no significant breakthrough was made on the major contentious issues. The meeting of Constitutional, Political Dialogue and Consensus Committee (CPDCC) agreed to ban corruption convicts from filing candidacy for their life, besides disqualifying the convicts of offences involving moral turpitude and

2. <http://radionepal.gov.no/radionepal/news/post/post-169>

3. See more at: <http://nagariknews.com/politics/constitutional-body/story/21575.html#sthash.0NRuNaNs.dpuf>

grievous crimes. A Sub-Committee under the CPDCC also made recommendations on Fundamental Rights and Directive Principles of State, form of Legislative Organ and granting constitutional status to Women and Dalit Commissions.

4. Constitutional, Political Dialogue and Consensus Committee and its Sub-Committee

The government formed a Dialogue Committee under the chair of Nepali Congress MP Ananda Prasad Dhungana for forging consultations with various parties and groups, with a view to expedite Constitution drafting. The Committee announced that after negotiations, 14 armed groups agreed to surrender their arms nationwide⁴. The Primary Dialogue Sub-Committee held talks in three venues with them to include the powers that are out of the process of Constitution drafting. The Sub-Committee announced that it held talks and forged agreement with 14 groups starting from Ilam and concluding in Nepalgunj.

5. Issues of Public Concern in Parliament

Efforts were made in zero hour and other time slots to make the government accountable. This year saw the Legislature-Parliament trying to make the government responsible in matters of freed Kamaiyas (bonded labors), extrajudicial killings and formation of transitional justice mechanisms.

Gagan Thapa of Nepali Congress and Biraj Bista of RPP (Nepal) filed motion to end strikes and shut downs forever. Surendra Pandey of CPN-UML filed motion on immediate execution of social secu-

rity plan, Rameshwar Phunyal of the same party on converting the public schools into technical schools and Keshav Badal also of the same party filed motion on ending of food crisis.

Likewise, Nabindra Raj Joshi of Nepali Congress filed an urgent motion of public significance on providing sustenance allowance to the unemployed youth, Bharat Mohan Adhikari of CPN-UML on foreign employment, Yubaraj Gyawali on the Indo-Nepal border problems and Ananda Pokhrel submitted such motion on removing energy crisis. MPs of the ruling parties themselves registered eight Attention motions⁵.

MP Santa Kumar Chaudhary, speaking at a meeting of Legislature-Parliament on November 6, 2014, filed a motion on rehabilitation of freed Kamaiyas. MP Chaudhary complained that they are yet to enjoy their basic rights even after 14 years of liberation. He submitted a motion of public significance asking the government to provide for livable lands, free education, health and employment to one member of each freed Kamaiya family.

Arjun Narsingh KC of Nepali Congress drew the attention of government, citing its indifference, to fulfill the demands of Adhikari couple of Phujel, Gorkha who were on fast-unto-death seeking action against their son's killers. He sensitized the government through the Speaker for taking immediate initiative to end their fast and to address their demands. Home Minister Bamdev Gautam replied that measures were taken to arrest the culprits. Nanda Prasad Adhikari died while in fast, protesting the inaction of government in

4. http://www.bbc.co.uk/nepali/news/2014/08/140825_talks_armed_group

5. Annapurna Post, 31.03.2014, p. 2

apprehending the murderers. In the Legislature-Parliament meeting of October 16, 2014, Minister Narahari Acharya informed that as the son Noor Prasad Adhikari did not come into contact, the dead body of his father Nanda Prasad could not be cremated. Conceding that wife of Nanda Prasad, Ganga Maya Adhikari was still on fast-unto-death seeking justice, Minister Acharya told that Nanda Prasad died as the couple continued their fast against repeated requests to end it. Acharya notified the Parliament that the government is taking death of Nanda Prasad seriously and is confident that situation for withdrawal of fast shall emerge soon.

6. Citizenship in Mother's Name

Due to the controversies in federalism, form of governance, election and judicial system, the Statute drafting process nearly came to standstill. However, these political issues sidelined the right to obtain citizenship from the mother's name. The Constitutional Records Study and Conclusion Committee (CRSCC) kept this issue as a sorted out matter and referred it to the Drafting Committee. The draft of proposed Constitution provides that in order to obtain citizenship by descent, one's father and mother both have to be Nepali citizens. This provision was criticized for leading to a situation where thousands of Nepali citizens shall be rendered Stateless. When the Supreme Court itself has issued an order for granting citizenship to the offspring in the name of father or mother, upon retaining the provision of *father and mother* for citizenship, it would be in contravention to that order (See Chapter on Judiciary). In this context, Article 8(2) of the Interim Constitution of Nepal, 2007 lays down that: *At the commencement of this Constitution,*

the following persons who have their permanent domicile in Nepal shall be deemed to be the citizens of Nepal by descent: (a) any person who has acquired citizenship by descent prior to the commencement of this Constitution; (b) any person whose father or mother was a citizen of Nepal at his or her birth.

Article 5 of the Universal Declaration of Human Rights (UDHR), 1948 provides for right to citizenship to each individual and guarantees that no one shall be deprived of the right to citizenship. Similarly, Article 24 of the International Covenant on Civil and Political Rights (ICCPR), 1966 has ensured the right to citizenship for every child. Article 9 (2) of the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), 1979 has endowed women with rights equal to men as regards the nationality. Likewise, Article 7 of the Convention on the Rights of Child, 1989 provides for right to citizenship upon birth of a child. Nepal has become a party to those international instruments without any reservation. Section 9 of the Treaty Act, 1990 provides that the treaties ratified by Nepal shall apply in full force as the national laws of Nepal. The international treaties shall apply till the extent of any inconsistency.

At this premise, it is worth discussing some judgments of Supreme Court of Nepal. Sabina Damai of Dolakha filed an application at the District Administration Office (DAO), Dolakha seeking citizenship from her mother's name as the mother was a Nepali citizen. After DAO declined to grant her citizenship, she submitted a writ petition at the Supreme Court seeking enforcement of right conferred by Article 8 (2) (a) of the Constitution. The Court issued an order on February 27, 2011 to issue

her citizenship certificate in the name of her mother. Moreover, the Court also ordered Ministry of Home Affairs to instruct the entire DAOs to grant citizenship certificates to the applicants who seek citizenship from their mothers' names. Article 116 (1) and (2) of the Interim Constitution of Nepal, 2007 lays down that everyone shall have to abide by the verdicts of courts and Supreme Court in relation to cases. As the Court itself is a vanguard of Constitution, it cannot go against the provisions of same.

It would be worthwhile to discuss the previous Constitutions of Nepal in this context. Constitution of Nepal, 1963, enacted upon the advent of Panchayati regime on military backing, declaring that the multiparty politics is ill-suited to Nepal, provided birth, descent, domicile and marriage as the bases for attaining citizenship. The year 1963 was fixed as base year and citizenship by birth was approved. The 1990 Constitution made descent, domicile and marriage as the bases for attaining nationality. The 2001 Bill on Citizenship was quashed by the Supreme Court. When the framers of Interim Constitution of Nepal, 2007 themselves are effortful in enacting a new Constitution, they are now embroiled in a dispute on *father and mother* or *father or mother* against the provisions of 2007 Constitution. MPs, chosen with people and having final word, should answer to the question arising whether the provision of Interim Constitution allowing citizenship by descent in the name of mother or father was wrong.

7. House Disruption Policy and the Opposition

UCPN-M, RPP-Nepal and the Madhesi parties disrupted the proceedings of Legislature-Parliament, strongly con-

demning the ruling NC and CPN-UML alliance. The wrong precedent of obstructing the parliament for pressuring to fulfill one's demands also recurred in the current Legislature-Parliament. The MPs of opposition parties fiercely raised the issues of the government's performance, deserting the earlier agreements, ignoring the demands of opposition and misappropriating billions of rupees of public fund on executive orders and demanded immediate halt on the same. They obstructed the parliament demanding that government table the details of funds transfer at the House. When an understanding was reached among the major political parties for enforcing the past agreements then only the meeting of parliament resumed that was disrupted since May 29, 2014. An agreement was reached for making a Political Committee from among the Nepali Congress, UML and the main opposition UCPN-M, the Finance Minister to answer the parliament on funds transfer, a District level Monitoring Committee to be formed on the transferred budget and a parliamentary committee to be formed for investigating the alleged rigging in November 19, 2013 polls.

The opposition again blocked the parliament in September citing lack of enforcement of May agreement. The Legislature-Parliament disturbed for 1.5 months this time resumed after a 5-point agreement between the ruling parties and UCPN-M. However, this agreement opened the Pandora's Box for many subsequent disputes. This agreement exemplified immaturity and myopic vision.

The opposition plays a crucial role in parliamentary system. The nature of current opposition is that it had declared armed struggle against the parliamentary system and despite itself being in the parliament,

it calls other parties as 'parliamentary parties'. The power of opposition makes the parliament dynamic and the government accountable. The sole objective of disrupting parliament under the pretext of non-compliance of 4-point agreement was to forge another agreement, which was also achieved. The opposition not only bent the ruling parties in consenting to probe the alleged rigging of elections by which they gained power, but also forced them to surrender the post of Coordinator of High Level Political Mechanism to the UNCPM Chairperson as well.

8. A Review on the Bills Tabled in and Endorsed by the Legislature-Parliament ***Bill on Contempt of Court***

FNJ and NBA raised serious reservations on some provisions of the Bill on Contempt of Court tabled by the government at the Legislature-Parliament. They alleged that several points of Sections 4, 5 and 8 amount to violation of civil rights and press freedom.

The Sections mainly contested by the media personnel fearing violation of freedom of expression are:

4. Contempt of Court to be deemed: In case anyone commits or causes to commit or incites the commitment of following acts, it would be deemed as a contempt of court:
 - b. To cast undue influence in the proceedings of a sub-judice case in court or its decision, to publish misleading and false statements that would erode the public trust towards judiciary and would disillusion the public on judicial acts or to express similar views shall be deemed as a contempt of court.
 - d. To label misleading or humiliating charge or blame focusing a decision or order made by the court or judge or any other act⁶.
8. A deed may be framed and action taken: (1) Notwithstanding whatever is provided in Section 7, a judge may instantly order for action on contempt of court against the concerned person in the following circumstances:

In case a judge takes suo moto cognizance of contempt of court from act, action or activity of anyone in the Bench.

In case a judge is convinced upon his attention being drawn towards contempt of court from act, action or activity of anyone in the Bench.

In case a judge takes cognizance of contempt of court from the statement of document enclosed in the case file.

The stakeholders were of the view that the Bill was moved with an intention to proscribe any remarks on a judge.

Amidst vehement protest, it was decided that the controversial Bill shall be sent for discussion among the public. For the first time in the history of parliament, vox populi is to be garnered from the public and stakeholders over a proposed law. Speaker Subash Nembang suggested and convinced the government that instead of withdrawing the Bill enacted for ending the lawlessness on contempt of court, the Bill should be better revised through suggestions from the public. Accordingly, Law Minister Narahari Acharya tabled a motion for disseminating the Bill to garner vox populi. When the motion was passed by the House, Speaker announced the same.⁷

6. <http://nagariknews.com/politics/story/21747.html#sthash.e1HomXwT.dpuf>

7. <http://nagariknews.com/main-story/story/24415.html>

8.2 Submission of Bill on Witchcraft

The Legislature-Parliament unanimously passed a motion to consider the Bill on Witchcraft (Crime and Punishment), 2014. It also unanimously approved another motion to refer the Local Self Governance (First Amendment) Bill, 2014 to the concerned Committee for clause-wise discussion, tabled by Deputy Prime Minister and Minister of Federal Affairs and Local Development Prakash Man Singh.

If this Bill is passed, the name of this law shall be Witchcraft (Crime and Punishment) Act. Some MPs opposed the name itself while others suggested adding wizards also in its name. It is reasonable to change this name as it would imply recognition to witchcraft.

A majority of victims on witchcraft charges are women. Moreover, helpless, poor, dalit, ethnic and single women are more prone to persecution on witchcraft accusations. Crimes such as feeding excreta and lynching are also related to this malpractice. In absence of laws, except for murder, actions against the perpetrators are taken under the Public Offences Act and a victim-offender compromise is secured on the local level. Once persecuted in society on charges of witchcraft, it has a deep bearing on the family of victims that no restitution or punishment would alleviate the suffering.

In case the Act is endorsed in the present form, it may be believed that it shall have a deterrent effect on the perpetrators of witchcraft charges. The Bill proposes for a jail term of 1 to 10 years and fine of Rs 10,000 to 100,000 for the culprits.

However, this Bill has a significant lapse in that it has done nothing to address the sufferings of men who are similarly charged and persecuted for wizardry

charges. Not only women, but also a significant number of men are also charged and persecuted for their alleged practice of black magic. This proposed law fails to take the concerns of men in consideration. Hence, despite wide media coverage on men also being accused of wizardry, with many of them killed or displaced from their residence, the Bill fails to address as well as protect the male victims of sorcery charges.

Likewise, Law Minister Narahari Acharya tabled a Bill for Amending Some Nepal Laws for Maintaining Gender Equality and Ending Gender Based Violence.

8.3 Bill on Eliminating Torture and Inhumane Activities

The government tabled a Bill at the parliament criminalizing torture and sentencing the torturer to a jail term of five years. It covers torture and other inhumane treatment meted out during crime investigation and inquisition. Deputy PM and Home Minister Bamdev Gautam registered this Bill on Eliminating Torture and Inhumane Activities at the Parliament Secretariat on November 21, 2014. If passed, it would replace the existing Torture Compensation Act, 1996. It would enable the victims of torture to win compensation and the perpetrators as well as inciters of torture and inhumane treatment shall be subjected to punishment.

8.4 Criminal and Civil Codes

Ministry of Law, Justice, Constituent Assembly and Parliamentary Affairs registered five Bills at the Parliament Secretariat on October 16, 2014, viz. Criminal Code, Criminal Procedure Code, Criminal Offences (Sentencing and Enforcement) Bill, Civil Code and Civil Procedure

Code. If passed, these Bills shall replace the 160-year-old Muluki Ain (General Code), now in use. The Code has uplifted the statutory adult age from 16 to 18 as per the CRC definition. Likewise, life imprisonment has been hiked to 30 years while imprisonment for life has been proposed for perpetrators of heinous crimes.

9. Bills Passed by the Legislature Parliament

The Removal of Hurdles Order, Ordinance on Elections and some other Ordinances issued by the Interim Government were passed by a majority by the Legislature-Parliament on February 2, 2014. It also endorsed the Extradition Ordinance, Organized Crime Ordinance, Health Services (4th Amendment) Ordinance and Civil Services (3rd Amendment) Ordinance.

In a move to end gender discrimination, when the government registered a Bill at the Parliament granting equal property rights to married or unmarried daughters on par with sons, it raised public eye. Claiming that the provisions of Muluki Ain are discriminatory against women, the government registered the Bill to amend those disputed provisions on the second week of June, 2014. In case the Bill is passed in its present form, it would entitle even the daughters married prior to this amendment to seek equal share of property on ancestral assets on par with their brothers⁸.

In the proposed amendment a jail term of five years has been proposed for husbands guilty of marital rape. The wife who claims forceful transgressions shall be given protection by the government till

the case is disposed, as provisioned in the amendment.

The Bill also provides a 10 year jail term for rape or gang rape of a pregnant or incapacitated woman. Moreover, in the prevailing Nepali laws, husbands are allowed bigamy on certain grounds. The men have been taking advantage of such concessions while the women are becoming victims. However, in the proposed amendment, bigamy is totally proscribed till a wife is legally together.

9.1 Act on the Commission on Investigation of Disappeared Persons, Truth and Reconciliation, 2014

Clause 5.2.3 of the Comprehensive Peace Agreement (CPA) signed between the then insurgent CPN-M and the Government of Nepal, eight years ago provides that: Both parties agree to make public, within 60 days after the signing of the Peace Accord the real names, surnames and addresses of the people disappeared by them and of those killed during the war and provide information thereof to the family members, as well. Likewise, Clause 5.2.5 of the same Accord reads that: Both parties agree to constitute, with mutual understanding, a high level truth and reconciliation commission for finding out the truth about those who committed the gross violation of human rights and were involved in the crime against humanity in the course of armed conflict and for creating an environment of reconciliation in the society. Furthermore, Clause 5.2.7 holds that: Both parties guarantee to withdraw accusations, claims, complaints and sub judice cases made or filed against various persons on po-

8. http://www.bbc.co.uk/nepali/news/2014/07/140701_right-to_property.shtml & <http://www.onlinekhabar.com/2014/01/160848/#sthash.5H#WZWC5.dpuf>

litical grounds and immediately make public the status of detainees and release them at once. However, this Accord was also not observed as in the case of other agreements and commitments made in various periods of time.

The government presented an Ordinance on the Investigation of Disappeared Persons, Truth and Reconciliation Commission at the parliament in the same, previous form, ignoring the Supreme Court call to amend the same. The order of Court on February 2, 2014 had directed the government to form two separate Commissions on Investigation of Disappeared Persons; and Truth and Reconciliation as well as to amend Sections 23, 25 and 29 of the Ordinance to forbid amnesty in heinous crimes.

The Act passed this year paved the way for forming Transitional Justice Commissions. However, national and international human rights organizations have decried the Act and sought its amendment. The Office of UN High Commissioner on Human Rights issued a press statement and requested the government to revise the Act for forming a Truth and Reconciliation Commission⁹.

The Act envisions formation of a special court to try and hear the entire cases of Maoist conflict- era incidents. The cases sub-judice in regular courts shall also shift to the domain of Truth and Reconciliation Commission.

When the government accepted the amendment motions put forth by the major three parties and other MPs, the Act was endorsed by majority. The ruling party MPs

who were inclined to bring to book the perpetrators of human rights violations, were however disappointed by the amnesty-oriented provisions. Ruling NC MP Gagan Thapa, while withdrawing his amendment proposal, said that he could not agree with the provision of amnesty by the Commission even in cases of human rights violations. He expressed commitment to fight for justice even in future adding that he was compelled to 'surrender' to the whip issued by his party. UML MPs, including Ganga Lal Tuladhar, Krishna Bhakta Pokharel and Chudamani Jungalee stood for addressing the order of Supreme Court for not compromising the universal norms of human rights, international instruments to which Nepal is a party and not to place the amnesty provision under the discretion of Commission.

Earlier, responding to the Bill framed by the then PM Baburam Bhattarai, the SC had ordered the government to redraft the Bill by revising the amnesty provision for perpetrators of human rights violations.

Section 3 of this Act empowers the Commission only to probe the serious incidents of human rights violation. The definition in Section 2 (j) of the Act is in itself paradoxical and erroneous. Upon observing the terms used therein, it seems to address only acts committed against the unarmed citizens or communities during the armed conflict. However, it has not encompassed the human rights violations meted out as mentioned in Common Article 3 of the Geneva Convention.

9. UN High Commission Urges Government to Amend TRC Act, <http://www.inseconline.org/index.php?type=news&cid=14268&lang=en>

The definition of perpetrator in Section 2(2) absolves organization, association or group. Hence, when an organization or association assumes responsibility of any crime, then the individual perpetrators evade judicial process.

Observing the reconciliation measures in the existing Act, they seem against the theoretical concept of reconciliation. Its provision of reconciliation even in grievous crimes is not compatible with the standards of international law and interests of victims. Moreover, it has not made the consent of victim mandatory for effectuating reconciliation.

The Act is silent on offering interim relief to the victims. The bases for restitution facilities and concessions are inadequate. It has deemed reparation not as a right of victim but as his or her privilege.

As the types of crimes not qualified for amnesty are not specifically prescribed, amnesty may well be granted even to the perpetrators of grave human rights violations and international humanitarian laws, contrary to the SC order and international laws. Hence, the SC has again ordered to rectify the lapses. (*For more information see the Chapter on Judiciary*).

9.2 Sexual Harassment in the Workplace (Control) Act, 2014

A Bill on Sexual Harassment in the Workplace was registered at the Parliament on July 4, 2014 and passed on November 9, 2014. The Act provides a jail term of 3 to 6 months and a fine of up to Rs. 50,000 in case anyone commits sexual violence or attempts for the same in a workplace.

Pursuant to the Act, sexual violence shall include, among others, watching a

woman colleague with a wrong intention, to talk in a manner that would erode her morale and to touch her sensitive body parts. It also provides for departmental action against the offender as per the laws and to offer psychological counseling for the victims of sexual abuse.

Additionally, sufficient safeguards should be ensured against its misuse. Genuine complaints should also be screened from the fake ones to make this Act crucial in making safer workplaces for women.

10. Conduct of MPs

Sanjay Kumar Sah, the Senior Central Vice-President of Sadbhavana Party and MP from Dhanusha constituency-4 was arrested on charges of masterminding a bomb blast in the Ramananda Chok of Janakpur that claimed five lives two years ago. The CA Secretariat suspended him from the post of MP, denying him participation in any meetings of the CA, Legislature-Parliament and any of its subordinate committees. Central Investigation Bureau (CIB) of Nepal Police announced that he was arrested for his role in the blast that took place on April 30, 2012.

11. Low Attendance

The MPs seem to compete with each other in dozing off once zero hour and regular proceedings began. From the LCD monitors, places around the meeting hall and at the Information Centre, the MPs giving rest to their eyes could be visibly seen. When the scene of MPs taking nap was shown in monitors, some of them would turn attentive. As per a study of research organization Martin Chautari, the average attendance of MPs in meetings

was 76% compared to 62% of the previous year¹⁰. These scenarios imply that the voters shall be informed and conscious in the forthcoming elections.

12. Conclusion

As method and process were replaced by decision of some top leaders, the CA and Legislature-Parliament could not be that much effective. Some of the issues

raised in parliament neither drew importance nor were they addressed. The political parties, which have themselves surpassed the deadline for promulgation of Constitution, have no other option than to enact a new Constitution through a revised operations calendar. It is also expedient that the entire Bills relating to human rights shall have to be passed in line with the international standards.



Chapter

3

3.1 Study Report Rajbanshi Community and Education in Mother Tongue of **Jhapa District**

If you talk to a man in a language he understands, that goes to his head. If you talk to him in his language, that goes to his heart.

- Nelson Mandela

1. Background

The aforementioned quotation of Mandela signifies importance of the mother tongue. The first language of a person which is used for communication is their mother tongue. All people feel comfortable to receive education in their mother tongue rather than other languages. Another beauty of education in mother tongue is that it attracts the pupil towards their own language, script and cultural aspects. Therefore, the importance of mother tongue is incomparable.

According to a study of United Nations, about 5,300 languages of the world are threatened. In Nepali context, the census report of 2011 shows that there are 126 ethnic groups and 123 languages. The ethnic and linguistic diversity is distinctive of Nepali society. According to the Ethnologue, an organization which studies Ethnology, there are a total of 23 countries with over 100 spoken languages in the world in which Nepal ranks 20th position.

The frequent regime changes and political instability resulted in negligence towards national languages in Nepal. The state began focusing on its national languages only after the first People's Movement of 1990. For the first time in Nepali history, the Constitution of the Kingdom of Nepal guaranteed primary education in mother tongue. In the same way, Article 17(a) of the Interim Constitution of Nepal, 2007 states that each community has a right to receive primary education in their mother tongue.

Article 13.1 of the United Nations Declaration of the Right of Indigenous People encompasses that indigenous peo-

ples have the right to revive, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

Similarly, the Sub-articles 1, 2, 3 and 4 of Article 13 of the International Covenant on Economic, Social and Cultural Rights adopted by the United Nations also have the same provision. Although the Interim Constitution, 2007 has ensured the right to language under its fundamental rights, the state's initiatives and implementation status is weak.

Although the Government of Nepal has brought the Multilingual Education Program Implementation Guidelines 2010, it has not been implemented effectively. The Government of Nepal has planned to implement multilingual education system in 7,500 schools by 2015. However, the policies of the Government of Nepal are not effective. This program has only been implemented in 24 so far.

The Government of Nepal has expressed commitment for providing primary-level education to all children in their own mother tongue but its implementation part is too weak. In this situation, this study has reviewed the current mother tongue education situation of Rajbanshi community in Jhapa district of the Eastern Development Region.

2. Objective of Study

- To monitor the current situation of the primary education system of Rajbanshi community in Jhapa district
- To inform concerned stakeholders about the current situation of primary education of Jhapa district
- To find out the perception of the education experts, government agencies, ethnic groups, political parties, teachers

and students including other stakeholders regarding the current education system of Rajbanshi community.

3. Rationale of the Study

Many national and international laws say that every human being has the right to equal and free life, he/she has the right to participate in economic and social activities and to take education in mother tongue. However, some minority and indigenous ethnic communities are marginalized in terms of political, social, economic and educational aspects.

Their religion, culture, language, and script are vanishing due to lack of law, proper implementation of government's policies and programs and increasing modernization. It is not a good sign that historical heritages of the ethnic groups, which should be protected, are vanishing. To preserve the cultural heritages of different ethnic groups, the right to religion has been incorporated as a fundamental right in the Interim Constitution of Nepal 2007.

This study tries to answer question of how the children from Rajanshi community are getting primary education. This study was carried out in Jhapa district to find out the problems and challenges of Rajbanshi children while getting primary education and to relay these problems and challenges to the concerned stakeholders in order to know about their policies and problems to mitigate these problems and challenges.

This study attempts to inform about the current political, economic, social and educational situation in Jhapa district, including the challenges and problems of children of Rajbanshi community to the concerned stakeholders. It is expected that this study will inform about the current situation of education to the politicians, education experts, authors, guardians, mem-

bers of different ethnic groups and those who are interested in conducting a study of indigenous, minorities and marginalized community.

4. Methodology

Interaction and interview with the district level government agencies, ethnic groups, non-government organizations, language experts, teachers, political parties and other stakeholders were some of the methodologies of this study. This study is also based on the content analysis of different books, newspapers and other publications available in Nepal.

5. Rajbanshi Community: A brief Introduction

According to the census report 2011, the total population of Jhapa district is 8,012,650. The total population of Rajbanshi in Jhapa is 73,382. The total school enrolment rate of the district is 95%, but there is no exact data available of the school enrolment rate of Rajbanshi children.

Along with Rajbanshi, many other ethnic groups live in Jhapa district. Rajbanshi is one of ethnic sub-groups of Koch ethnic groups. The Koch ethnic group has many other sub-groups such as Gangai, Koche, Meche etc. Other ethnic groups of the district include Tajpuriya, Gangani, Santhal, Musalman, Tharu, Meche, Jhangad, Kisan, Praja, Majhi, Munda, Rai, Limbu, Sunuwar, Newar, Kahar, Magar, Tamang, Bhujel, Kumal, Kulung, Dom, Khatwe, Musahar, Yadav, Thami, Sarbariya, Kayastha, Chamar, Bhote, Shrepa, Kusunda and Lomi among others.

It is stated that the Rajbanshi settlements are also found in west of Jhapa including Jalpaigudhi, Kochbihar of India, Bhutan, Assam, South Dinapur to the Koshi River in the East, an area like that of historical Lichhchibi, Malla, Kirat period

or 22 principalities and 24 principalities. The expanded areas of Rajbanshi are divided into four areas, i.e. Yonipith, Garbhapith, Kampith and Ratnapith. Out of these four states, the eastern part of Koshi is denoted as Ratnapith. Nowadays, Rajbanshi ethnic groups are living in Jhapa, Morang and Sunsari districts. The Rajbanshi people like to live concentrated in the same village. Known as hard working and disciplined, this community's main occupation is agriculture.

Rajbanshis are found in almost all parts of this district, but the middle and southern parts of the district have their highest concentration of Rajbanshi. Especially, this community is found in Bhadrapur, Pathariya, Anarmani, Pathamari, Gherawari, Mechinagar Municipality, Gauriganj, Ghailadubba, Baigundhara, Rajgadh, Khajurgachhi, Kohawara of Jhapa.

According to the census report, 2011, the total population of Rajbanshi is 122,214 which is 0.46 per cent of the total population.

The language spoken by Rabanshi is similar to Bengali and Assamese and they have Mongoloid features. They are nature worshipers and believe in shamans. They have different clans like Banga, Khata and Makra. Youths of this community are now working to some extent in government and non-government services and some of them are abroad for foreign employment. Basically farmers, the Rajbanshis belong to lower and middle economic classes.

6. Schools Teaching in Rajbanshi Language

The current education system of any country plays a crucial role in its national development. Producing good and skillful citizens is the main foundation of the

future of any country. Effective education policy creates a golden future of the nation. The conservative and impractical education cannot contribute to the national development. Thus, education should not be judged based on the economic profit and loss of the country. The curriculum and textbook of any country should be related to its different ethnic groups. In the same way, there are five schools that have mother tongue education for Rajbanshi community.

Hari Mishra, the school supervisor of District Education Office (DEO) in Jhapa district said that it has been difficult to teach students in their own languages due to lack of sufficient support from the government. He said that the government's policy seems like a trial. Educational Training Center is providing annual training to the teachers, who are involved in teaching in Rajbanshi language. Gehanath Bhattarai of the center informed that the training will be facilitated by the Rajbanshi language academics and other experts. According to the assistant DEO of Jhapa district Yubaraj Pandey, the government's policies and programs for mother tongue education remains ineffective due to the lack of proper investment of the government.

The schools that provide mother tongue education in Rajbanshi language in Jhapa district are as follows:

A. Mahananda Primary School, Mechinagar Municipality

Head teacher Sita Gautam informed that this school is providing Rajbanshi language education with the initiation of the school management committee on the recommendation of the DEO by bringing some textbooks from Janak Education Material Centre. She informed that the annual budget of this school is Rs 2 million.

B. Amgachhi Primary School, Korebari VDC

Principal Bishnu Rajbanshi said that this primary school is being conducted with the help of NLPI and SIL, and the DEO provides Rs 10,000 for the multilingual education program. He said that the annual budget of this school is Rs 5 million.

C. Ambari Primary School, Pathariya VDC

Principal Rashamlal Mali informed that the mother tongue education is being run in this school with the help of DEO that provides Rs 10,000 to the school in a year. Mali informed that the annual budget of this school is NRs 1.2 million.

D. Ram Janaki Lower Secondary School, Mahabhara VDC

School supervisor Hari Mishra informed that this school has mother tongue education system which is conducted with the help of multilingual education program of the DEO.

E. Rastriya Ekata Primary School, Haldibari VDC

Principal Dwarika Subedi informed that earlier this school was providing education to its students in their mother tongue with support from Government. It is now providing the mother tongue education under the Multilingual Education Program of DEO. Subedi said that the total budget of this school is Rs 2,060,212.

According to Pukar Rajbanshi, chairperson of Rajbanshi Society Development Committee of Jhapa district, the mother tongue education could not be developed as expected due to the lack of proper attention of government to Rajbanshi language. He said that if the government allocates certain amount of the budget to for the development of the Rajbanshi

language, the mother tongue education of this community can be effective and result-oriented.

Pawan Rajbanshi, an academic from Rajbanshi community and a media person in Jhapa district said that Rajbanshi Society Development Committee, which is one of the wings of UCPN-M affiliated Kochila Mukti Morcha, was established for the economic, social and cultural development of Rajbanshi community.

7. Curricula and Textbook

It was found during the study that the schools are using teaching materials published by Curriculum Development Center and that the experts of the concerned languages were also consulted while designing curriculum. Panilal Rajbanshi, one of the language experts of Jhapa district said that the textbooks of Rajbanshi language are not adequately available in the district.

There are no grammar books and dictionary of the Rajbanshi language in the district. There is no braille script and sign language for children with disabilities, said Panilal.

Negligence of the concerned stakeholders, including the DEO creates problems in the mother tongue education, said Pukar Rajbanshi, chairperson of Rajbanshi Society Development Committee.

8. Human Resources

Four skilled teachers are working for mother tongue education in the district at present. The mother tongue education is running in five schools-Mahananda Primary School, Mechinagar, Amgachhi Primary School, Kerabari, Ambari Primary School, Pathariya, Ram Janaki Lower Secondary School, Panchgachhi and Rastriya Ekata Primary School, Haldibari. It was found that all teachers who are teaching those

Number of Students Studying Mother Tongue Education in Primary Level						
S.N.	Name of School	Address	Girls	Boys	Total	Trained Teacher
1	Mahananda Primary School	Mechinagar municipality	37	43	80	1
2	Amgachhi Primary School	Korobari	61	55	116	5
3	Ambari Primary School	Pathariya	51	60	111	7
4	RamJanaki Lower Secondary School	Panchgachhi	69	51	120	3
5	Rastriya Ekata Primary School	Haldibari	59	71	130	1

schools have received training.

According to the deputy District Education Officer, Yubaraj Pandey, his office is providing 10 day-training to all Rajbanshi language teachers in the district every year.

A total of 32 and 35 Rajbanshi language teachers were trained during fiscal year 2012/13 and 2013/14 respectively. The training provided instructions to the teachers on how to teach the students at primary level, how to attract students' attention in the cases, distinction between Nepali and Rajbanshi languages and words and so on, said Gehanath Bhattarai, a representative of the Training Center.

Although the Government of Nepal prepares the textbooks and curricula of Rajbanshi language, they are not supplied on time. It was found that the Government of Nepal began teaching Rajbanshi language in some primary schools, the implementation part remains too weak. However, it was found that the Rajbanshi language teachers are more trained than others.

9. Implementation Status of Education in Mother Tongue

According to the Jhapa District Development Committee, the district is a home to many ethnic indigenous nationalities such as Rai, Limbu, Tamang, Magar, Gurung, Bhujel, Rajbanshi, Dhmal,

Satar, Bantar, Chaudhary and Jirel. But not all languages of ethnic groups are included in school level curriculum and textbooks. Only Rajbanshi language has been included in textbooks and curriculum in some schools. It shows that the situation of mother tongue education in Jhapa district is not encouraging.

10. Statements of the Representatives of Political Parties and other Organizations

Hari Rajbanshi, who become a CA member under the proportional system, informed that the state's investment should be increased to develop the mother tongue education in the schools. He said that free mother tongue education should be provided to all indigenous nationalities.

Similarly, the former chairperson of the Nepal Teacher Union, Jhapa, Netra Pathak said that the government's programs and policies on mother tongue education remain ineffective in the country. The chairperson of Nepal Teachers Union in Jhapa, Tej Prasad Chaulagain opined that the mother tongue education policy is not well implemented. According to him, lack of students, parent's awareness, textbooks and trained teachers are the things that make this education policy unsuccessful. Chaulagain stresses that the state has to bring awareness program, update textbooks as per the need of the students, increase state's in-

vestment and produce trained teachers. No students were successful in mother tongue education of Rajbanshi, Limbu, Santhal, Kisan etc.

According to the CPN-UML Jhapa chairperson Dipak Karki, the mother tongue education of Rajbanshi and other ethnic groups becomes effective if state increases its investment with effective policies and programs. He said that the mother tongue education could not reach to the targeted community due to the lack of clear policy, adequate investment and lack of people's awareness.

District chairperson of Federal Limbuwan Party Dhan Bahadur Pandhak said that the Government of Nepal cannot bring effective policies and programs for the development of Rajbanshi, Koche, Meche, Tajpuriya, Dhimal and other ethnic communities. He opined that to uplift the Rajbanshis, state should allocate enough fund for their linguistic, cultural and educational development. But the mother tongue education has been limited up to the primary level.

Similarly, Dipak Rajbanshi, one of the students of Tribhuvan University who conducted his study in Rajbanshi language for Masters' in Sociology shared that there is no historical documents of Rajbanshi community. He added that such information may be deciphered from the historical documents of indigenous community languages of Western Bengal in India. And that most of the time, it is verbal transfer of the information from senior citizens of the community. Although Gorakhapatra daily, one of the national dailies of Nepal mentioned about Kamrupi script and 57 alphabets of the Rajbanshis, the script is of Koch rulers and that very few people know about it.

According to the Amgachhi Primary School Principal Bishnu Prasad Rajbanshi, Rajbanshi language is being effectively used as teaching language in this school. He shared that every year about 30 students from Rajbanshi community come to the school to receive mother tongue education in the school. SLPI, Katmandu and SIL International, the organizations that are working to preserve the national languages in Nepal are assisting for the scholarship and dress of the Rajbanshi students.

Dharmendra Rajbanshi, one of the parents of Rajbanshi student, lauded the government policies on mother tongue education. According to him, it is the government responsibility to promote and protect the language and culture of ethnic communities but it has not been carried out effectively. As Rajbanshi language is one of the distinct languages of Eastern Nepal, the Government of Nepal as well as the private sector should focus on the mother tongue education.

11. Conclusion

It was found that a total of 12 indigenous languages are spoken in Jhapa district but only a few have been used as teaching/learning language. It shows that the government policy is not effective for the expansion of mother tongue education in Nepal. The government agencies do not have the accurate data of schools that have mother tongue education.

Although the government agencies develop textbook and curricula for the mother tongue education they do not have effective policies and programs to implement those policies. Failure to create adequate quotas for teachers and produce skillful teachers are some of the weaknesses of the government for the development of

mother tongue education in Nepal. It was found that the government does not have proper foundations and budget management for the development of mother tongue education.

12. Recommendations

The government should adopt clear and long term policies for the development of mother tongue education. A permanent monitoring mechanism should be established to hold regular monitoring of the current situation of mother tongue education. It is urgent to develop the scripts, dictionaries, grammar and other textbooks of all indigenous languages.

There is also a necessity of teaching/learning materials for the sign language and braille script. It is indispensable to develop skillful manpower for the promotion of mother tongue education. Those who have been involved in mother tongue education teaching should be included in the decision making level. Therefore, the state should play a crucial role in providing basic education through the mother tongue.



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6. Interview with Yubaraj Pandey, Deputy District Education Officer
7. Interview with Pukar Rajbanshi, the Chairperson of Rajbanshi Society Development Committee, Jhapa District
8. Interview with Paban Rajbanshi, former expert and senior media person of Rajbanshi language
9. Interview with Panilal Rajbansh, Language expert of Rajbanshi Language
10. District Development committee, Jhapa
11. Nine Big Human Rights Treaties
12. District Education Office
13. Child Act, 1991

3.2 Study Report
Reproductive Rights of Women in
Chepang Community of
Makwanpur District

Chapter

3

1. Background

Health is an integral part of quality human life. A sound health is necessary for physical and mental well-being of human. Human health is taken as an indicator of human development while women health is given priority in gender development indicator. The negative perspective prevailing in society has directly affected the health of women. The health situation of indigenous women who were suppressed since centuries due to their weak economic condition is alarming.

The health service is one's inherent right rather than recompense. The Part III, Article 20 (2) of the Interim Constitution of Nepal, 2007 has ensured health and reproductive rights of a woman as a fundamental right. Likewise, some aspects of the women's right to reproductive health¹ have been included in the 3-year interim plan.

In 1993, the Vienna Conference on International Human Rights conference held in Vienna had pledged to protect women rights not only in court, prison and in other public life but in their own home demanding to protect women from domestic and sexual violence while upholding their privacy. These attempts helped to advocate the issues of women's reproductive rights and in 1994, the joint UN conference on population and development issue in Cairo, for the first time in history, established the right to reproductive health as a human right². The Conference was able to draw the attention of the world with a conclusion that it is necessary to empower women for the protection of their right to reproductive health.

The Fourth International Women Conference held in Beijing in 1995 identified women and women health as one of the 12 important sectors while preparing the Conference manifesto and Action Plan. The right to women's reproductive health is not only about bearing children but also about other several rights affecting reproductive health. In November 7, 2014, a 12-point declaration was issued in SAARC conference to stop child marriage. The future will show the effectiveness of the declaration.³

The reproductive rights of any woman includes individual freedom from the danger to their life due to pregnancy, right to receive health services without any discrimination, right to privacy, right to freedom of expression, right to information and education, right to decide marriage, right to have children or not, right to health care and security and right to access to comfortable and scientific technology.

A survey conducted by Partnership for Maternal Newborn and Child Health with World Health Organization, World Bank and John Hopkins University concluded that from 1990 to 2013, the maternal mortality rate dropped from 790 to 190 per 100,000 live births in Nepal. Similarly, the infant mortality rate is 42 deaths per 1000 live births down in 1990 from 142. The infant mortality rate has met the goal set in MDG but the MDG of reducing maternal mortality rate has not been met.⁴

In this context, this study was conducted on the rights of Chepang women to reproductive health of Makwanpur District.

1. Interim Constitution of Nepal, 2063

2. Human Rights Collection, INHURED International, Dr Gopal Krishna Siwakoti

3. Kathmandu call for action to the end child marriage in South Asia [http://reproductiverights.org/sites/crr.civicaactions.net/files/documents/SA%20End%20Child%20Marriage%20Brochure_20Nov14\(final\)-2%20\(1\).pdf](http://reproductiverights.org/sites/crr.civicaactions.net/files/documents/SA%20End%20Child%20Marriage%20Brochure_20Nov14(final)-2%20(1).pdf)

4. Progress in mother-child health in Nepal

2. A brief Introduction of Chepang Community

There are many myths, traditional beliefs and popular stories on the origin of Chepang community. On the basis of his in-depth study and available materials, first Nepali anthropologist Dor Bahadur Bista has stated that Chepangs are of Mongolid race and close to Rais of the Eastern Nepal⁵. Apart from having dark complexion, they are similar to Kirant Rai because of the similarities of physical features and language. The second concept of their origin is based on myth saying that Chepangs are the successors of "Lav" and Kusundas are the offspring of "Kush"⁶. Lav and Kush were the sons of Ram and Sita in the epic Ramayan. According to Dr. Ganesh Man Gurung, in Chepang language, "Che" means a dog and "Pang" means an arrow⁷. He further argues that the word Chepang is used because they used dogs while going for hunting and fetching food.

Despite the myths about their origin, there is little doubt that the Chepangs settled in Nepal as early inhabitants. On their ancestral history and migration, it is believed that their place of origin is Pukunthali of Dolakha district. During the process of settling, they spread to Mahabharat range of Makwanpur, Chitwan, Gorkha and Dhading districts. The Chepangs were called Praja after the then king Birendra visited the Chepang settlements in 1977. After that, the Praja Development Committee was formed with the objective of uplifting Chepang community⁸. After the

political changes in 1990, their name was reverted to Chepang.

According to the 2011 census, there are 68,399 Chepangs in Nepal out of which 34,620 are men and 33,779 women.⁹ The government is providing scholarship and uniform to Chepang students according to Chepang Development Program. There are no separate health facilities provided to Chepang community by the government.

The women especially from rural area and indigenous communities are not getting enough reproductive health services, so the mortality rate of women in these communities is high. Chepang is one of such communities.

3. The Objectives of Study

Makwanpur is a district with a majority of indigenous peoples. The endangered Chepangs are settled in remote hilly parts of the district. The people from this community are economically, socially, culturally and politically far behind the average population. They have not been able to join developmental mainstream. As a result they are unaware of their fundamental rights. The problems related to reproductive health are increasing among Chepang women also because of the child marriage. The tradition of age-gap between man and wife, polygamy, and bearing several children are rampant in this community. This study is conducted in order to study and analyze about the issues in women's reproductive health.

5. People of Nepal, Dor Bahadur Bista, Pg1, Ratna Pustak Bhandar, 1996

6. The Chepangs: Question for Survival (Society, Culture and Economy) pp. 11-13, Janjati and Dalit Study Center (2009) Kathmandu

7. Tryndyuk, Iryna Isn't it too early to drop out of school? <http://munin.uit.no/bitstream/handle/10037/5227/thesis.pdf?sequence=2>

8. The Chepang community's Experience in Nepal. Nepal: SVN&NCA: SNV Netherlands Development Organization & Nepal Chepang Association (2008) Let the people lead. Lessons for working effectively with excluded groups p. 9

9. Bishta, Patap. "Odarma Eklai Baschhan" <http://hataru.blogspot.com/2013/06/blog-post.html>

This study will also explore the situation of right to reproductive health of Chepang women. The main objective of this study is to give a clear picture to the concerned stakeholders about the right to health situation of women of an endangered indigenous community.

4. Rational of Study

More than 19,000 Chepangs are living in Makwanpur district. They are settled in eight remote VDCs viz. Khairang, Kakada, Dadakharka, Raksirang, Manahari, Sarikhet, Bharta and Kalikatar. They normally live in remote and hilly parts, usually on the origin of the river and on the edge of the jungle. The Chepangs, who are nature worshipers, have very weak economic condition. They survive by consuming tubers for nine months of the year. The food security of Chepang community of Makwanpur district is very poor. Not even 1% of Chepang are able to live off their land for a year. Health and hygiene is directly related to their poverty. Extreme poverty means they wear clothes until in tatters. In such a situation, getting nutritious food is beyond their reach. The tubers and other wild roots and fruits are the only food that they have to rely on. In some cases, they survive on nettle and river fish.

In one hand, there is scarcity of food and on the other, they give birth to several children. The issue of child marriage is deeply rooted in their community. It is hard for Chepang women to go for a regular health checkup. Many pregnant Chepang women lose their life due to the lack of education, poverty, superstition and lack of basic knowledge on reproductive health.

The Interim Constitution of Nepal guarantees women's right to reproductive health as a fundamental right. Similarly, Nepal has ratified several treaties which

recognize right to reproductive health in relation to women rights; however, due to the traditional thinking, superstition and culture, the Chepang women are denied this right.

5. Methodology

Meetings and discussions were held with Chepang families, representatives from government, political parties, women rights activists and organizations active in Chepang rights in order to identify Chepang women's reproductive health issues and ways to reduce them. Publications including news, books and reports on this issue and act, laws, books, articles and reports on right to health and other materials are used as references.

6. Limitation of the Study

This study is basically related to health and reproductive issues of Chepang women in Makwanpur district. The study is focused on the Chepangs of Makwanpur District, the data, examples and statements of stakeholder are only collected from Makwanpur district. This study does not look into the health and reproductive health issue of women of other communities or districts.

7. Chepang Women of Makwanpur District and Their Health

7.1 Economic and Social Condition

The Chepangs are living in remote parts of the district, where there are only primary schools. To get higher level of education the children have to travel five to seven hours on foot which is almost impossible. The majority of Chepangs cannot afford to leave their homes for areas nearby the schools because of their economic condition. The school going children are very few because of the distance and the respon-

sibility of taking care of younger siblings. The girls cannot continue their education for a long time because they get married young.

An effort to build a hostel for them was also planned to ensure they have easy access to school. Construction of the eight-room hostel began seven years ago but it is yet to be completed. The stakeholders said that the work could not complete due to lack of budget. Rs 750,000 has been allocated in two installments for the hostel building. According to District Education Office, out of 71,347 students of school going age, 3224 students are not attending school. Most of the children missing out the schools are Chepangs and Bankariyas. The students do not go to the school due to poverty, lack of education and scarcity of food, said deputy District Education Officer Khima Nanda Bhusal.

Of total population of Nepal, 0.23% are Chepangs. Among them 40% are in Chitwan, 29% in Makwanpur, 20% in Dhading and 5% are in Gorkha. A study shows that 90% Chepangs are living below the poverty line. Surviving as hunters and gatherers, the Chepang women, who are new mothers, are compelled to support themselves with wild tubers foraged in the jungle. They do not have any source for income generation. They cannot even survive off the production of their land. "The situation of Chepang is very miserable especially the women," said Khop Narayan Shrestha, the director of MDI, an NGO working for the Chepangs adding that they were working on income-generation activities involving Chepang community".¹⁰

According to Nepal Chepang Federation, only 1% Chepang women were literate in 2009. In such a situation, it is very hard for them to be health conscious so the state needs to bear more responsibility. Krishna Bahadur Chepang of Raksing VDC said that the community is lagging behind due to poverty and lack of education. Giving birth at a young age, looking like 30 in the teenage and dying before reaching 40 is seemingly the fate of Chepang women.

7.2 Reason for Adverse Health Situation

7.2.1 Child Marriage

According to a recent study on reproductive health of Chepang women conducted by District Public Health Office, Makwanpur, in Bharta VDC, 86% of the children are married between the age of 12 and 15. Most of the girls start giving birth at the age of 13¹¹. The District's Public Health Office conducted its study of 90 houses in nine wards of Bharta VDC on 2014. The trend is similar among Chepangs of Raksirang, Kakada, Khairang, Dadakharka and Sarikhet VDCs. Recently, 15 underaged couple got married in Khairang VDC¹². Former Khairang VDC chairperson Raj Kumar Malla says that despite counseling against child marriage, they do it any way but in secret, adding that they do not realize the consequences of child marriage because they are uneducated.

Chepang do not have intra-clan marriage¹³. They marry Chepangs of different clans. The Chepang have 22 clans. "Son used to get married earlier because they get extra person to do household work and they can send the son to other places for work

10. Based on interview with Khop Narayan Shrestha, Nepal director of AMID, on December 10.

11. Bishta, Patap. Rokiyena Balbiaha. http://sarlahiexpressnews.blogspot.com/2014/12/blog-post_17.html

12. Bishta, Patap. "Chepang Samudayama Barseni Ek Saya Badhi Balbibaha". http://nepalkuwait.com/koselinews/kuwait/news.php?news_id=10472

13. Bishta, Patap. "Chepang Samudaya ma Barseni 100 badhi balbaika"., http://nepalkuwait.com/koselinews/kuwait/news.php?news_id=10472

and also the parents prefer to marry off their daughters near their place," said Aita Ram Chepang, 66, of Dhanirang Bharta VDC-6.

The girls are deprived of education due to their early marriage. There is a tradition to get married when the children are in 4th or 5th standard and once they get married, they drop out of the school, said Dipendra Jha, Athare Secondary School Principal of Bharta VDC.

The community is unaware of legal consequences of marriage before 18 years of age.¹⁴ The government and NGOs have not launched awareness program against child marriage in areas targeting the Chepangs but their activities are limited to urban and surrounding areas." Secretary Mahesh of Chepang Federation said that "the NGO and government must make the Chepang area as their priority area".

There are more than 100 child marriages every year in Chepang community of Makwanpur District, however, no one complains in police. "There are no complaints filed against child marriage. That is why no one has been charged yet", said SI Deepak Thapa of DPO Makwanpur. He further said that the action would be taken if someone files a complaint.

Legal marital age for man and woman is 18 years with parental approval and 20 without it.¹⁵ General Code has a provision that if a person involved or found guilty of marrying off at the age of 10 or less, he/she will get up to three years sentence and Rs 5,000 penalty. Even the priest, match maker will get sentence and penalty. Advocate Ishwor Dhakal said that the accused of child marriage could not be brought under legal boundary because no one complains.

Setimaya Chepang of Damrang in Kakada VDC-7 is just 17-years-old. This is her age of going to the school. But she already has two young sons and two daughters. She is six months pregnant now and looks nearly the double her age, pale and has difficulty to move around due to weakness. Seti Maya was married off four years ago at the age of 13 with Shiva Man Chepang, 15. She gave birth in 10 months of her marriage. Her 11-month old son is suffering from malnutrition. The son and her toddler daughter suckle at the same time. Her husband spends most of the time searching for wild tubers in the jungle. Maze and millet produced in their land, prepared after slash and burn, is not enough to support their family for even two months. They have to rely on wild tubers most time of the year. None of their children go to school. Seti Maya says coyly, "I had to go to the husband's house after my parents married me off. One has many children if they are married young".

There are many other examples of child marriage due to the lack of awareness and education. The parents do not have any knowledge of ills of child marriage. It is found that many elope in their teens. Brisha Maya Chepang of Kankada VDC-1 is just 15 years of age and she is already a mother of two. She eloped with a 14-year-old boy after her parents fixed her marriage with a boy she did not like.

Ram Maya Chepang, 15, of Danda Gaun, Bharta VDC-6 had an arranged marriage with Ram Krishna Chepang, 16, on November 17. The marriage was attended by even teachers and local political leaders¹⁶. Suntali Chepang, 14, of Dhanirang, Bharta VDC-6 and Eek Raj Chepang, 15,

14. Ibid

15. Muluki Ain, 2020

16. Bishta, Patap. <http://www.ekantipur.com/np/2070/12/10/full-story/386193.html>

also got married around the same time. There were more than five marriages in four days since the beginning of wedding season on November 17. Last year 24 couples got married. This year there might be more such marriages than last year, said Secretary Mahesh Chepang of Chepang Federation. Marriages in Chepang community are traditionally conducted for four months between November 17 and March 14.

Bharta VDC has a huge problem of child marriage, said Niroj Ghimire, Officer at the Public Health Office. He added that lack of awareness, poverty and superstition have shaped the acts of Chepangs. He further said that the government and NGOs must work jointly on programs to raise awareness against child marriage and on reproductive health. There are 421 houses in this VDC which can be reached by walking five hours from Manhari bazar of Hetaunda-Narayanghat road.

The ill practice of child marriage could not be discouraged because even the supposedly learned and aware people of the community participate in such wedding celebrations and apparently see nothing wrong. Sociology lecturer Birendra Sah says that child marriage is a social problem and all bodies of society must be active to end child marriage.

7.2.3 Lack of Access to Health Service

Assistant Health Worker Janak Adhikari of Manhari health center said that the situation of Chepang women and children is miserable because the Chepang Development Program did not invest in sectors such as gender equality, reproductive health, hygiene, and women's health. The health workers do not work in health posts even for three months a year because of its re-

moteness. The Chepangs are compelled to rely on witch doctors for treatment.

Adhikari says that there is misconception regarding family planning among Chepangs. These communities do not know about government provision of post-natal allowance of Rs 1,000 if they give birth in a hospital. There is no record of any Chepang woman receiving post-natal allowance, health worker, Bhola Chaulagain of Hetaunda Hospital informs.

The women from Chepang community are having serious health issues regarding reproductive organs as they get married in early age¹⁷. The number of women having their reproductive health affected is increasing, says Ak Maya Thing, a health worker at the health post in Kherang VDC adding that almost 60% of the women in this community are suffering from uterine prolapse.

It is obvious that these women are suffering from such health problems because of their ignorance of reproductive health. The men, especially the ones who are wage earners do not want to go for family planning as they believe family planning will cause back pain, affecting their ability to work. The women are mentally prepared for family planning as compared to male in this community but the men are not supportive of it. The study team came across a woman with 14 children.

Ram Maya Chepang of Rupachuri, Manhari VDC-2, who is pregnant with her 10th child, does not even know where to go for family planning. Yasoda Bhandari, senior nurse at District Public Health Office says that more than 1,500 women from Chepang community are suffering from reproductive health related issues.¹⁸ There is no data of mortality rate of Chepang wom-

17. Based on the interview with Aak Maya Thin of Khairang health post on December 9

18. Based on the interview with Yasoda Bhandari, a senior nurse at District Public Health Office, Makwanpur on December 9

en due to reproductive health related issues.

According to the report prepared by the Public Health Office of Makwanpur on study of reproductive health of Chepang women, 94% of pregnant women in Chepang community of Bharta VDC have home births which is generally risky¹⁹. The study found that pregnant women on labor are treated by witch doctors. Of the respondents of the DPHO-commissioned study, 86% were not aware that the government pays them Rs 1,000 for giving birth in the hospital. 9% women said that they did not go to the health post because they cannot afford the payment and 5% said that they would have gone to health posts if they knew about allowance. The study also found that 93% of pregnant women do not use post-natal tools and do not get nutritious food. The study showed that 49% of women were depended on wild tubers during post-natal period due to the lack of food grains²⁰. Most of them have two children in 18 months, and 95% of them do not use contraceptives.

A Chepang woman becomes mother without seeing health posts and many of them even die without seeing it. The stakeholders do not pay attention to such serious issue. Dr Hari Bahadur Khadka of Hetauda Hospital said that child marriage, misconception on contraceptives, ignorance about reproductive health issues, unwanted pregnancy, lack of knowledge on health and hygiene and food insecurity has exacerbated the situation of Chepang women and children. Life expectancy of Chepang women is only 45. According to data made public by an organization, Health Care Nepal, there are very few Chepang women over 50 years of age in the villages. They die of various

health complication by the age of 40 to 42, a health worker based in Chepang area, Janak Adhikari says.

Nepal Chepang Association chairperson and CA member Govinda Chepang says that though the government has been conducting Chepang Development Program due to the interest of planners rather than the people and is, here by rendering the activities of that Program ineffective.

Mahesh Kumar Chepang, secretary of Chepang Federation of Makwanpur said that only 5% of Chepang women go to health posts for health checkup and remaining 95% of them depend upon witch-doctors and many die untimely. Suntali Chepang, 19, of Raksirang VDC said that the Chepang women are unaware of health and hygiene issues. Those who have some knowledge cannot implement because of unsupportive role of their husbands.

Recalling a past incident, Ram Bahadur Chepang of Chainpur health post said that a mother of six children was nearly expelled from the house by her husband after she tried to implant Norplant. Nowadays, women are becoming receptive towards contraceptives including those from Kalikatar VDC. According to local health post of Kalikatar, eight to nine Chepang women are coming for contraceptives, every week. The health post said that more than 50% of the patients coming to there are Chepangs. The health post in-charge Ram Ayodha Prasad Sah said that at first the Chepang women used to feel uncomfortable coming to health posts, but now they come to get the health services. They are seeking family planning after having two children.

19. Study report, District Public Health Office, Makwanpur

20. Ibid.

The Chepang males are still not positive about family planning. A 26-year-old Chepang woman, a mother of two, told the study team that she came alone to the health centre as her husband does not want to use temporary family planning tools.

8. Conclusion

The government has been implementing Chepang Development Program for the last 35 years, however, there is little impact of this program. This shows that the program was implemented as per the planners' interest rather than the needs of Chepang community.

Various programs are being implemented by the government and NGOs for Chepangs, however, there is lack of coordination among the development actors. There are duplication in the programs, resulting in waste of time and resources. Among 59 indigenous nationalities of Nepal, Chepang are in 57th position and their main problem is livelihoods, which is related to every other aspect of their lives. Transforming a traditional lifestyle relying on agriculture and jungle is not easy. New generation of Chepangs should be acquainted with modern lifestyle and means of livelihoods. They may face problem as they do not have citizenship certificates and hereby cannot obtain land ownership certificate for their family land they possess for decades.

Practice of child marriage is still strong in Chepang society. The community is not keen on learning about reproductive health and health problems due to poverty and lack of education. Shyness and tradi-

tional beliefs have restricted them from caring about sexual health. The misconception of family planning is deep-rooted in this society. The women are unaware of reproductive health as being their right. There are superstitious beliefs and ill practices in this community due to lack of awareness.

9. Recommendations

1. Conduct extensive study to make government Chepang Development Program practical.
2. Include experts of Chepang language and representatives of Chepang community to prepare effective programs.
3. Set up mobile teams to promote reproductive health awareness.
4. Operate family planning camp near their settlements.
5. Provide primary and non-formal education in Chepang language.
6. Provide nutrition allowance to Chepang women for a year after she gives birth but limit the incentive only to two children.
7. Resolve the problem of citizenship as soon as possible. NGO help can be sought for distribution.
8. Take legal action against the accused of domestic violence and provide state relief and security to the victims.
9. Health posts should be easily accessible to the community.
10. Recruit women health volunteers from among Chepang community in such areas. Recruit Chepang health workers if possible.
11. Establish coordination among government agencies and NGOs.



3.3 Study Report
Conflict Victims and Status of
Reparation in
Nawalparasi District

Chapter

3

1. Background

The then CPN-Maoist launched armed conflict on February 13, 1996 even before the expiration of the deadline it had given to the government to fulfill its 40-point demands. The decade-long armed conflict, which claimed 13,276¹ lives, caused great physical and human loss incurring long-term and short-term impact in all sectors.

Like the whole country, Nawalparasi also suffered from the armed insurgency. People faced terror of killings, abduction and physical damage at the hands of the state, rebels, and the Maoists Retaliatory Group (MRG). Of the 16 districts of Western region, Gorkha was at the top in terms of loss of lives and properties followed by Nawalparasi. 217 people killed and 13 remained disappeared from the district. There were 48 families displaced and 48 were left disabled. There were 283 incidents of damage of property.²

Over a dozen of police stations, VDC buildings and schools were damaged in bomb explosion and arson. The MRG killed nine Maoist cadres at Parsawal of Amaraut VDC-4.³ On April 15, 2005, 12 people, including a 14-year-old boy were killed when the Maoists launched an attack targeting the members of the MRG.⁴ Four Maoists were killed at Buddhastup of Ramgram Municipality-7 19 people including security persons, Maoists and civilians were killed in a cross fire between the security forces and rebels at Ramapur of Sunwal VDC-4 on February 9, 2006.⁵ The MRG abducted Ram Kisun Harijan, 45, of Bargadawa in Somani VDC-7, chopped

his fingers, grilled them and forced him eat those pieces before shooting him dead and dumping his body in an Indian canal. His body was never recovered.⁶

A team of then Royal Nepal Army arrested four teenager Maoist girls from Badtandi of Rajahar VDC-8 and shot them dead in the Badtari community forest on May 8, 2004. A joint fact finding report of INSEC, Nepal Bar Association and Federation of Nepalese Journalists said that the girls were raped and killed before being buried.

Baburam Khanal, the then district chairperson of pro-Maoist Peasants Association was arrested in a remote hilly Dedgaon VDC-3 on May 7, 2004 and tortured whole night at the camp created at Dedgaon Secondary School in the same VDC and shot dead at Botetari of Bharatipur VDC on May 8, 2004.⁷ ANNISU-R cadres Janaki Ranabhat, Tika Ranabhat of Pragatinagar VDC-3, Dharmaraj Parajuli of Rachang VDC-9 along with one more cadre were arrested at Ratanpur VDC-8 on January 13, 1999 by a team of Area Police Office. Their whereabouts remain unknown.⁸

Two peasants of Amdanda in Ruchang VDC-6 carrying muskets heading to chase away porcupines from the field met an Army patrolling team. They were taken back to their home by the soldiers and shot dead.⁹

Likewise, army's team also killed three civilians including a teacher Shukraraj Chwai who were kept at the Maoists' labor camp after abduction when the army team met them carrying food for the Maoists.¹⁰

1. Victim's Profile, 2008, INSEC.

2. Local Peace Committee/ District Administration Office, Nawalparasi

3. INSEC, Nepal Human Rights Yearbook 2003 (Nepali Edition), pg. 308

4. INSEC, Nepal Human Rights Yearbook 2006 (Nepali Edition), pg. 424

5. INSEC, Nepal Human Rights Yearbook 2007 (Nepali Edition), pg. 389

6. INSEC, Nepal Human Rights Yearbook 2005 (Nepali Edition), pg. 425

7. INSEC, Nepal Human Rights Yearbook 2005 (Nepali Edition), pg. 443

8. Nepal Human Rights Yearbook 1998 and A Profile of Where are they Part III 2012_

9. INSEC, Nepal Human Rights Yearbook 2005 (Nepali Edition), pg. 443

10. INSEC, Nepal Human Rights Yearbook 2004 (Nepali Edition), pg. 379

The above mentioned incidents are just a few representative cases that occurred in the district during the period of conflict. But, many people of the district, including Maoists and security personnel were killed in different incidents outside the district. Among different types of conflict victims including dead, disappeared, injured, disabled, displaced, arrested, tortured, abducted or property lost, only the families of dead and disappeared persons received relief. The injured and disabled people received relief of Rs 40,000 to 150,000 depending on the gravity of their situation. Most of the victims received relief while some did not due to lack of evidence. Only few displaced persons received relief while none of the persons who lost their property received any relief.¹¹

2. Objectives and Rationale of the Study

The present study attempts to analyze relief for the conflict victims, efforts of the state in reparation and implementation status of commitments expressed for conflict victims. It also aims to collect information about those who were denied relief by the state and to support them getting reparation. The study was conducted with the objective of learning the impact of the conflict, state of conflict victims, justice and reparation to the victims and possible local efforts to establish peace.

3. Methodology

The information for this study were collected from different sources like review of documentation of human rights violations and abuse during the period of conflict, Nepal Human Rights Yearbooks, fact finding reports of serious incidents of human rights violation, data from District Administration Office (DAO), local peace committee (LPC) and interviews with conflict victims. Similarly, policies of the state

regarding conflict victims, provisions of Comprehensive Peace Agreement (CPA), several published articles, comments and relevant books and websites were also reviewed for the study.

4. Limitations of the Study

This study is limited to conflict victims of the period between February 13, 1999 to November 21, 2006 including those killed by the state, rebels and MRG, killed in cross fire, injured, disabled and damaged private and public property. Although, all incidents of loss of life and property incurred during the conflict period could not be incorporated, the study presents the data of the loss. This study also incorporates the incidents occurred after signing of the CPA. The policy regarding the conflict victims, relief provided to the victims, status of reparation, initiations taken by the stakeholders, demands of conflict victims and the government response to them have also been included in the study. Similarly, it also includes national and international laws regarding conflict victims and implementation of these instruments. The study is limited to the conflict victims and the status of reparation only in Nawalparasi.

5. Situation of Conflict Victims in the District

Of the 237 conflict victims of the district, 215 were killed, 13 were disappeared and six got permanently disability.¹²

According to DAO record, 219 were killed, 16 were disappeared and 60 were injured and disabled. The families of 217 deceased have received relief. Of the 60 reported injured and disabled, 40 received relief ranging from Rs 20,000 to Rs 150,000 depending on the extent of their injuries and disability while 20 are yet to get any relief due to lack of adequate evidence.¹³

11. Local Peace Committee/District Administration Office, Nawalparasi

12. Victim's Profile, INSEC

13. Local Peace Committee/ Ministry of Peace and Reconstruction

Likewise, there are 283 records of damage of property and 48 conflict-induced internal displacement. The DAO informed that eight persons have been receiving Rs 7,000 as monthly disability allowance since July this year. Earlier they used to get Rs. 6,200 as the disability allowance. The DAO also informed that six conflict victims- orphaned or needy children- under the age of 18 have been receiving Rs 5,000 monthly. It further says 72 young conflict victims have been annually receiving scholarship, at primary, secondary and higher secondary school a payment Rs 10,000, Rs 12,000, Rs 14,000 and Rs 16,000 respectively.¹⁴ Likewise, 48 widows have received Rs 25,000 from the DAO.¹⁵

Similarly, the DAO says that 15 people who filed application claiming that they were held in arbitrary detention received Rs 25,000. But, as they had directly received the money from the Ministry of Peace and Reconciliation, the DAO does not have exact data on such relief distribution. Properties of 49 people were captured during the period of conflict, all returned later to their owner. A total of 283 people filed applications at the District Administration Office claiming damage of their properties ranging from Rs 30,000 to 3.5 million but none of them have received any relief.¹⁶ According to the DAO, although they have recommended for compensation but the Ministry of Peace and Reconstruction is yet to allocate money for damage of properties.

6. State Policy on Reparation

Point no. 5.1.8. of the CPA says that both sides agree to keep records and return immediately the government, public and private buildings, land and other property seized, locked up or forbidden for use during the armed conflict. Likewise, point no.

5.2.2 says that both sides agree to make public the status of people under their respective custodies and release them within 15 days. Point no. 5.2.3 of the same document mentions both sides agree to make public within 60 days of the signing of the agreement the correct and full names and addresses of the people who 'disappeared' or were killed during the conflict and convey such details to the family members. In 5.2.4, it is said that both sides agree to constitute a National Peace and Rehabilitation Commission and carry out works through it for the normalization of difficult situation that arose as a result of armed conflict, maintain peace in the society and run relief and rehabilitation activities for the victims of conflict and those displaced.

In point no. 5.2.8, it said that both sides express commitment to allow, without any political prejudice, the people displaced during the armed conflict to return voluntarily to their respective places of ancestral or former residence, to reconstruct the infrastructure destroyed as a result of the conflict and to honorably rehabilitate and reintegrate displaced people into the society.¹⁷ However, most of the provisions could not be achieved even after years of signing of the CPA. Point 7.1.3 of the CPA says that both the sides of the conflict also ensure the right of the victims of conflict and torture and the right of the families of the disappeared persons to obtain relief.

According to Article 22 (4) of the Interim Constitution of Nepal 2007, the helpless, orphan, mentally retarded, conflict victim, displaced, vulnerable and street children shall have the right to get special facilities from the State for their well-as-certain future. Article 33 obliges the state to ensure progressive political, economic and social transformations in the country;

14. District Education Office, Nawalparasi

15. District Administration Office, Nawalparasi

16. Local Peace Committee/District Administration Office, Nawalparasi

17. Comprehensive Peace Agreement, 2007

to make provisions for appropriate relief, recognition and rehabilitation to the family members of those who have died in the course of armed conflicts and those who, being injured in this course, have become disabled and infirm, to provide relief to the families of the victims who were subjected to disappearance during the course of armed conflict based on the report of the inquiry commission constituted in relation to such persons, to launch a special program in order to rehabilitate the displaced persons, provide relief in the case of private and public properties destructed, and reconstruct the infrastructures devastated, during the course of armed conflict and to constitute a high level truth and reconciliation commission to investigate the facts about involved in gross violations of human rights crimes against humanity during the course armed conflict, and to create an environment of reconciliation in the society.

Article 34 (14) mentions that the State shall pursue a policy of making a special provision, based on positive discrimination, for the different groups, including victims of conflict.¹⁸ It is also said that the victims of conflict and their families from the period of February 13, 1996 to November 21, 2006 would be provided relief as per the provisions of Interim Constitution of Nepal 2007, CPA 2006 and other agreements held between the government, political parties and the then CPN-M.¹⁹

Point no. 3.2 (c) of the Mandate of LPC lays out the condition that four people who are conflict victims from different sides should be selected as members.²⁰

The State Cases Act 2049 and Regulations 2051²¹ are very useful for the victims of those killed or disappeared in the conflict or in ensuring legal action against

the perpetrators after filing complaint at the nearby Area Police Office or District Police Office.

7. International Standard on Reparation

A state party to major international human rights treaties has an obligation to provide effective remedy whenever the rights of the people recognized in the treaties are violated. Article 2 (2) of International Covenant on Civil and Political Rights says that where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant. Article 3 (1) of the same Covenant asks the state to ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity. Article 3 (2) of the same Covenant ensures that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy.

Human Rights Committee has expressed that torture (Article 7), extra-judicial and arbitrary killings (Article 6) and Enforced disappearance (Article 9) should be investigated under the crimes against humanity charge of the Rome Statute. Nepal, which is a party to the Geneva Convention 1949 and its Optional Protocol 1977, has

18 Interim Constion of Nepal, 2007

19. Directives on Civil Relief, Compensation and Financial Support 2009 (First Amendment 2011) , Relief and Rehabilitation Unit, Ministry of Peace and Reconstruction, Government of Nepal

20. Conditions for the Mandate of Local Peace Committee 2008

21. The State Cases Act 1992 and Regulations 2002

accepted the obligation of controlling war crimes and cannot provide amnesty in such cases.²²

UN Human Rights Commission has unanimously passed a special resolution against impunity saying any peace agreement mediated by the UN should not include amnesty in the incidents of genocide, crimes against humanity, war crimes and grave human rights violations. The report of the Special Rapporteur Pablo De Gerriñ, submitted to the UN HRC, says that guarantee of truth, justice, reparation and non-recurrence are complementary to each other, not only on the basis of principles but also the experience.²³

8. Process of Reparation and Its Shortcomings

The state policy has it that the family of killed and disappeared people would get one million rupees but so far they just received 30 per cent of the promised amount. The conflict victims claim that the money provided in installment cannot be put into proper use saying they would prefer for a single installment. None of the 283 victims, who lost their property or tortured during the conflict, have received any relief. Among the displaced families, 49 returned but three families of Bargadawa, Somani VDC-3 who had gone to India have not returned.

Some of the victims have been denied relief because they were missed out in the list prepared by the Task Force. One among them is Dhirgha Bahadur Tandon who lost one hand in the conflict and is living a disabled life. However, he is yet to receive any relief from the state. State policy seems obstacle for providing justice to such victims as the government list missed the

names of victims at the first place. Some of the weaknesses of the process are formation of task force by LPC, task force recommending the names without proper investigation to find out the victims and not recommending the names of the people whom the task force had not met. Distribution of relief in small installments has not been beneficial for the victims. Although it seems that performance of the LPC is not very satisfactory but the committee has been conducting awareness programs, peace and reconciliation program, felicitation of the victims and formation of VDC and municipality-level LPC from the Rs 500,000 budget allocated by the Ministry of Peace and Reconstruction. The LPC members complained that they cannot work as per their discretion as the activities are monitored by the DAO.

9. Statements of Stakeholders on Conflict and Reparation

Former LPC coordinator, Subhash Giri said that the CPA and the Interim Constitution have not been implemented in their spirit. He said that people who were injured, disabled, abducted or arrested during the period of conflict have received Rs 325,000, Rs 300,000 and Rs 100,000 as listed and recommended by the Government task force but nearly 300 people, who lost their properties, have not received any relief or compensation. Following the complaints of the victims in this regard, the LPC has now decided to forward their applications to the DAO.

Adalat Rajbhar, treasurer of Conflict Victims Society, complains that the victims are yet to be identified. He further says that the conflict victims should be granted cards identifying their status and the information of conflict victims should be collected from the VDC level.

22. Nepalma Sankramankali Nyaya ra Kshmadan: Kehi Nyayik Prashna (Transitional Justice and Amnesty in Nepal: Some Judicial Issues), Tejman Shrestha, Prachi Sanchetana Bi-monthly Pg. 13, Vol. 28, June/July 2014, INSEC.

23. Nepalma Sankramankali Nyaya ra Kshmadan: Kehi Nyayik Prashna (Transitional Justice and Amnesty in Nepal: Some Judicial Issues), Tejman Shrestha, Prachi Sanchetana Bi-monthly Pg. 13, Vol. 28, June/July 2014, INSEC.

Lekhnath Poudel, the district coordinator of Conflict Victims Reconciliation Committee, says that the state has not played an effective role in bringing the perpetrators of human rights violation and abuse behind bar. Providing the relief amount in installment cannot be put as investment because the small amounts would just be spent on daily needs.

10. Some of the Reasons for not Resolving the Problems of Conflict Victims

- Failure on the part of the state to fulfill its obligation, for being a state party to various international treaties, of providing effective remedy to its citizens in the incidents of violations of their rights.
- Lack of accountability of the state and the political parties for implementation of different agreements including the CPA
- Delay in the formation of the TRC and Commission on the Investigation of Disappeared Persons and failure to form separate commissions.
- Insensitivity of the state and the political parties to ensure action against the perpetrators of grave human rights violations and abuses and provide reparation to the victims.
- Failure on the part of the state to form short and long term policies for providing justice to conflict victims and protecting their rights. This means failure of the state to form a role of the guardian.

11. Conclusion

The state agencies are yet to update the statistics of the loss of lives and properties occurred in the district during the period of armed conflict. The state distributed relief only to the families of killed and disappeared and those who were injured or disabled as per recommendations of LPC and DAO. None of the victims, whose property was damaged, has yet got the relief. The conflict involving the state, the Maoists and

the MRG in the district resulted in loss and damage of civilian lives and their properties. People faced various forms of human rights violations like killing of the individuals, disappearance, abduction, intimidation, beatings, arbitrary arrest, torture, injury, capture of property, forced donation among others during the period. However, the state has not been able to content the people. Their expectation of transformation of the country as a peaceful one and enabling environment for reconciliation has so far remained unfulfilled. The prolonged peace process has waned the hope of a new and peaceful beginning. The conflict victims have not got a sense of justice because of the disregard for the CPA signed by government and CPN-M.

12. Suggestions

Peace process in the country can come to its conclusion if the state is able to address the issues of conflict victims by bringing forth the pro-victim policies and programs. The transitional justice mechanisms should be established without any delay to ensure justice to the conflict victims. The state and the political parties should be serious about taking action against the perpetrators of serious human rights violations and abuses and to ensure a sense of justice and reparation to the conflict victims. There should be uniformity in distribution of relief to the victims and the relief should be provided in single installment. The state should provide free education, free health services and employment opportunities to the conflict victims. In sum, the state should manage the transitional period for the victims with guarantee for truth, justice and reparation while remaining within the boundary of international human rights and humanitarian law. As the state obligations are derived from International treaties, international customary laws and national laws, it is necessary for the state to abide by those obligations.

Chapter

3

3.4 Study Report
Situation of Free Kamaiyas in
Bardiya District

1. Background

The slavery system in different forms, endorsed by state, was a fact in Nepal for centuries. The slavery practice came to a legal end in Nepal following the declaration by the then Rana Prime Minister Chandra Shamsher in 1925 (BS 1977). After that, holding slaves was legally prohibited and there were punishment for defying that prohibition but that was not effectively implemented. With the establishment of democracy, the people especially from Tharu community were compelled to enter into the life of bonded labors to support their family and after being unable to pay back the loan from landlords.¹

In Tharu language, a person earning or working outside the house such as in field or canals is *Kamaiya*. The person leading the household or its guardian is called “Garduya” or farmer. All others working under his supervision is known to be as *Kamaiyas* (*agrarian bonded laborers*). Gradually, this turned into a tradition. The word ‘Kamaiya’ meaning to be “living by hard labor” assumed the meaning similar to that of a serf. ‘Kamaiya’ now is widely understood as being a member of Tharu community.

A study conducted by Informal Sector Service Center (INSEC) showed that 93.2% of Kamaiyas are Tharus.² Other study provided by Nepal National Labor Academy showed that 99% Kamaiyas of Bardiya and Kailali, 84.2% in Dang and 91.9% in Banke were from Tharu community. Except for a few Tharu landlords, over 90% of the Kamaiyas were held by people getting lands by the state as award and non-

Tharu landlords settled especially after the eradication of Malaria in Tarai. A research carried out by Christian McDough in Dang district mentioned that in 1912, most of the tax-paying landlords were Tharus. By the end of 1960s, the majority of landlords were non-Tharus. By then, almost 80% of Tharus had become land tenants. Among them, majority did not have any land in their possession.

As a result of various agitations by Kamaiyas for their liberation, the then HMG’s Ministry of Labor and Social Welfare in 1986 took an estimation of the Kamaiyas and concluded that the bonded laborers were a reality in the community.³ However, no step was initiated for their freedom and rehabilitation. Part III, Article 20 (1) of the Constitution of the Kingdom of Nepal 1990 guaranteed the right against exploitation as a fundamental right saying that trafficking of human being, slavery, serfdom or forced labor in any form is prohibited. Any contravention of this provision shall be punishable by law.

An NGO, Backward Society Education (BASE) is working for the upliftment of Kamaiyas since 1991. Informal Sector Service Center (INSEC) has been conducting awareness program since 1994. The program with the objectives of “motivating themselves for their own freedom” was conducted among the Kamaiyas.⁴

Many attempts were made during this period, especially in the western Tarai including Dang, Banke, Bardiya, Kailali and Kanchanpur, where majority of Nepal’s Tharus reside, to end the prevalence

1. Shrestha Dinesh Prasad. Lamo Yatra : Ek Sangalo (Ardha Shatabdidekhi Kamaiya Muktiyurwako Sangharshaharuko: District Profile, pg 2 (Long Journey : A Compilation (Half a century of struggles until liberation))
2. Nepalko Kamaiya Mukti Aviyanma INSECko Yogdanko Dui Dashak (Two decade of INSEC contribution in Kamaiya Liberation Struggle in Nepal). INSEC. pg. 215
3. Nepalko Kamaiya Mukti Aviyanma INSECko Yogdanko Dui Dashak (Two decade of INSEC contribution in Kamaiya Liberation Struggle in Nepal). INSEC. pg. 213
4. Study report on economic and social condition of Kamaiyas. Ministry of Labor, Pg 12

of Kamaiya practice asserting it as a form of bonded labor and to uplift the lives of Kamaiyas.

In the past, people from Tharu community were held as slaves by the landlords in the name of Kamaiya practice. The Government of Nepal announced liberation of Kamaiya in July 17, 2000 but the State failed to rehabilitate freed Kamaiyas. This study deals with historical background of Kamaiya practice and status of the economic, social and cultural rights of former Kamaiyas after declaration of liberation.

2. Objectives of the Study

- To gather information regarding the laws and policies related with freed Kamaiyas and their practical implementation by the state.
- To make public political, social, economic and cultural situation of freed Kamaiyas before and after their freedom and to support their mainstreaming in every level and sector of the state
- To gather information regarding implementation status of commitments expressed by the State.

3. The Rationale of the Study

Article 4 of the Universal Declaration of Human Rights 1948 guarantees that no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. Part I, Article 8 (1) of the ICCPR holds that no one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

ICESCR and its Optional Protocol ensure fair wages and equal remuneration for work of equal value without distinction of any kind, in particular to women, being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work and paid holidays and right to be free from slavery.

The international treaties and national laws prohibit bonded labor system in Nepal but it existed as a Kamaiya practice for a long period of time. The government was compelled to announce liberation of Kamaiyas along with exemption of their debts in July 17, 2000 after the agitation by the Kamaiyas, coordination with civil society and political parties and tremendous pressure from the international communities. With the announcement, Kamaiyas became free, however, there was no change in their daily life due to the government apathy to provide just rehabilitation to them. Their life got harder and were compelled to enter servitude as Kamaiya, sending their daughters as domestic help in the landlord's home and continue the free labor and be tenants of the landlords to survive. Even now Kamaiya practice exists in some form. The government is working in contravention of its own policy on Kamaiya rehabilitation. This clearly shows that the government is unable to fulfill its obligation and freed Kamaiyas are denied their rights.

3.1 Beginning of the Kamaiya Practice

The East India Company in 1860 returned some parts of western Tarai region of Dang district, East of Rapti River to Nepal as an award for its support to Indian Mutiny 1857 which came to be known as *Naya Muluk* or new region. Especially after the eradication of malaria during 1950's, the people of higher caste from western hilly regions, who were close to the ruling class in terms of caste, language and culture, settled in this area. The large section of Tharu community were usurped of the ownership of their traditional land due to their lack of awareness, fraudulent loan practices, corruption, lack of legal access and discrimination from the government officials.

Before the Rana regime was established by Jung Bahadur Rana, the Tharu

people had the profession of agriculture on the basis of paying tax to the state. When the Prime Minister Jung Bahadur Rana got the right to collect tax from Dang, Banke, Bardiya, Kailali, Kanchanpur and the VDCs of Latikoili and Uttarganga of Surkhet (known as new country), he started “Birta” (Granted and tax free land) and “Mauja” (Union of village and land granted to an individual) practice. Tharus became tenants in their own land, sharing part of their produce to the landlords. This practice kept getting strengthened and the land reform movement of 2021 evicted Tharus from their land and land was legally registered in landlords’ name. The provision of “Dharmabhakari” (crop storage) introduced around that time made them sink deeper in debt. The landlord or owners used to have contract with a Kamaiya family in a very cheap rate for labour on Maghe Sankranti (Maghi) festival once in a year to do all the house work and farm work. Once a person became Kamaiya for a year, he would somehow be forced to borrow from the landlord, which he could not pay back. Though, a Kamaiya could leave after paying back the debt, a day after Maghi but such days rarely came due to the burden of huge debt and interest. Some Tharus, who could not sustain themselves on their own land, also agreed to work as Kamaiya.⁵

3.2 Kamaiya Freedom Struggles in Bardiya District

The historical events and incidents confirm that the Tharus launched agitation several times for self-emancipation. The Kamaiyas from Bardiya district continued struggling for 70 years demanding for the improvement of their life style. Late Rad-

ha Krishna Tharu started an underground peaceful agitation during the rule of Rana Prime Minister Juddha Shamsheer in 1944 in order to provide land and houses for the landless Kamaiyas of Bardiya district. The activities as collection of signatures, secret meetings of squatters and preparing applications demanding the land used to be conducted in the jungles by the then Kamaiya squatters also called “Raiti” or commoners. As a result of agitation, in 1947/48 another Rana Prime Minister Padma Shamsheer sent a fact finding team led by Sharada Shamsheer and Bijay Shamsheer to Bardiya for fact finding along with a land survey team. This team assembled the “Raitis” and landlords at Dharmabhakari Maidan of the district headquarter Gulariya. They listened to the problems of Raitis and landless squatters. After that, they delivered their decision and distributed 13,000 bighas (1 hectare=1.5 approx bigha) of lands among the kamaiyas before returning to Kathmandu.

As soon as the team went back, the landlords started snatching back the land from the Kamaiyas. After that, Radha Krishna Tharu and his associates Saraju Prasad Tharu and Dilipat Bikram Tharu came to Kathmandu to lodge a complaint against the landlords in 1949. After the complaint, the then Prime Minister Mohan Shamsheer sent another survey team led by Basudev Pyakurel to the district for investigation. This team added another 12,000 bighas to earlier-distributed 13,000 bighas of land and registered it in the name of Raitis. In this way a total of 25,000 bighas land was registered in the name of Raiti. Nepali Congress that had launched a revolution against the Rana regime in 1950 had mentioned in its revolutionary manifesto

5. Nepalko Kamaiya Mukti Aviyanma INSECko Yogdanko Dui Dashak (Two decade of INSEC contribution in Kamaiya Liberation Struggle in Nepal). INSEC. pg. 2

that “Land to them who ploughs it” which attracted the Kamaiyas to join the revolution for the sake of right.⁶

3.3 Belawa Killing

After the end of Rana Regime and establishment of democracy on February 18, 1951, the Kamaiyas of Rajapur area rebelled in the premises of landlord Bidur Narsingh Rana at Belawa village of Manpuratapara VDC-9 on April 28, 1951, proposing two-third of the produce for the field workers and one third for the landowners. This agitation was brutally suppressed by the then police administration and the landlords. Bidur Narsingh Rana himself fired at the agitators. Six Kamaiyas lost their lives in the incident.

Those killed in the incident were identified as Chapu Tharu of Khairichandapur, Laxmi Prasad Tharu of Koilipur, Pati Ram Tharu of Dayarampur, Dibuwa Tharu of Gulara, Pepawa Tharu and Koile Tharu of Belawa.

The Tharus getting injured in the same incident were Dadre Tharu, Setu Tharu, Laxmi Tharu, Bishnu Tharu, Lalmani Tharu, Lakher Tharu of Belawa, Parwari Tharu of Khalla Jayapur, Lalu Tharu of Kolahi, Badku Tharu of Muraiya, Bhange Tharu of Badalpur and Bechan Tharu and Jageru Tharu of Jayapur.

3.4 Land Reform of 1964

When the Land Reform Act was enforced in 1964 during the tenure of king Mahendra, most of the Kamaiyas, living as tillers, were deprived from getting big portion of land and they could not even register the land that they had been earning due to the connivance of landlord and officers. Very few managed to register themselves as the land owners.

3.5 Thumani Killing

In 1979, three families of Khusiram Tharu of Belbhar of Dhadhawar VDC-8, Baridya, Jit Bahadur Tharu and Nanda Lal Tharu tried to leave the bondage. When they were leaving the land of the landlords demolishing their huts in Thumani of Deudhkala VDC-3, the landlords obstructed their efforts. The landlords shot dead Mohan Tharu of Phachkahawa in Dhadawar VDC-8 when he tried to assist the dissenting families.

3.6 Dalla Agitation

In 1981, Bal Krishna Tharu of Rajapur area of Manpuratapara and communist activist Keshar Giri of Rajwara area Suryapatuwa VDC settled temporarily at Dalla Phant of Suryapatuwa VDC demanding the land in the name of squatters. The administration forcefully evicted them from the place and took action against them under Forest Act.

3.7 Jungali Tharu Campaign

After one year of Dalla Agitation, in 1983, more than 1,000 Kamaiyas settled temporarily on the land on the road side in Dhodhari VDC-3. The move was led by Junglee Tharu for land ownership. Junglee Tharu later contested election of the then National Panchayat in 1984. He lost the election by few votes. More than 9,124 families were able to get their land because of this campaign. In 1985, 1,000 persons of 9,124 families got the land from five kaththas to one bigha of government land in different areas of Baniyabhar. The land was distributed by Forest Act Enforcement Commission and Regional Settlement Office, Nepalgunj as per the directive of the then king Birendra.

6. Nepalko Kamaiya Mukti Aviyanma INSECko Yogdanko Dui Dashak (Two decade of INSEC contribution in Kamaiya Liberation Struggle in Nepal). INSEC. pg. 215

4. Free Kamaiyas Movement

National organizations including INSEC with the support of various international organizations of Kailali district assembled the Kamaiyas in Geta VDC of Kailali on the occasion of International Labor Day in May 2000. This helped to give momentum to Tharu movement. The Kamaiyas protested in front of the District Administration Office on June 16, 2000 with various slogans demanding the labor wages and compensation from the landlords. Harihar Gautam, a landlord of Khairichandanpur VDC freed two Kamaiyas (Chaluwa Tharu and Bhagiram Tharu) by exempting their debts even before the government announced liberation of Kamaiyas. Similarly, another landlord Bhim Bahadur Khadka of the same VDC had also freed his Kamaiyas at the same time. In order to pressure the government, 47 Kamaiyas, including 12 female and 35 male left for Singhadurbar, Kathmandu on July 17, 2000. Supporting the move of picketing Singha Durbar, the Kamaiyas organized a protest rally in Gulariya on July 17, 2000. The government was forced to announce Kamaiyas as free with loan exemption.

4.1 Situation after Kamaiyas Liberration

The Kamaiyas were elated after the government's announcement of their liberation. They left small huts, constructed in the land of their landlords, with their belongings despite of monsoon season with a dream of new life as freed people. But the decision made by the government in hurry without any planning made their life more difficult. The government did not make any immediate transitional camp arrangement for the freed Kamaiyas before permanently settling them down. This resulted in a cha-

os among the Kamaiyas. The government failed to set up any temporary arrangement for the Kamaiyas. The police administration even evicted them from government land where they had made huts temporarily.

4.2 Failure to Address Kamlari's Issues

Kamlari practice is related to the Kamaiya practice. The government's failure to rehabilitate freed Kamaiyas has not only given continuity to Kamaiya practice in new form but also created a constrained environment for the children of freed Kamaiyas, squatters or poor Tharus forcing them to work as "Kamlari" in the house of high ranking officer or landlord who promise them education and other opportunities in exchange of their labor.

According to the survey of the Freed Kamlari Development Forum, the organization of the freed Kamlaris, there are more than 12,000 Kamlaris in the districts of Bardiya, Dang, Banke, Kailali and Kanchanpur. Among these districts, 2,100 Kamlaris are in Bardiya district only. The Government of Nepal has proclaimed Kamlari as freed on June 17, 2013 after their movement demanding freedom.⁷ The government has enacted laws prohibiting Kamlari, however, due to its apathy towards conducting free Kamlari campaign, lack in proper management in their rehabilitation and ineffective management has affected the efforts to end Kamlari practice.

5. Present Situation of Freed Kamaiyas

5.1 Rehabilitation Attempt

According to a survey conducted by the Office of Land Reform from 1995 to 2000, there are 7,015 Kamaiyas and supplementary survey in 2002 added 9,247 more Kamaiyas totaling 16,262 freed Kamaiya

7. Progress report bulletin of Freed Kamlaris Development Forum, Dang, 2012/, pg 33

families. The total number of Kamaiyas left to be rehabilitated is 11,875, including 4,225 identified in first survey and 7,650 identified in second survey.

Among those who are eligible for identity cards, 883 are yet to receive, according to the Land Reform Office. The reason behind this is learnt to be the fact that they had left their landlords before the declaration of emancipation of the Kamaiyas. The Directive has a provision that only the committee chaired by the District Development Committee chairperson can give a final decision whether to distribute those remaining cards or not. There is no option to resolve this but to wait for local elections or cabinet decision because the position of District Development Committee is vacant as the chairperson is chosen from among the elected local representatives.

Land Reform Office, Bardiya distributed 1855-18.21 bighas (approx. 1262 hectares) of land to 9689 freed Kamaiyas between 2000 and 2013/14 and 11-2-10.50 bighas (approx. 7.6 hectares) to 229 freed Kamaiyas in 2014/15. The government has 2186 Kamaiyas left to be rehabilitated of which it aimed to rehabilitate 900 in 2014/15 of which only 417 could be rehabilitated half through the year. Now, 1769 are still left to be rehabilitated.

The government has pledged to distribute 35 cubic feet of timber to build house. However, a total of 2,309 Kamaiyas including 1,755 Kamaiyas with red card and 554 with blue card were provided only 2.86 cubic feet of timber. Among 5,280 Kamaiyas with red ID card, 4,749 received full amount of Rs 10,000 each and remaining 531 received Rs 8,000 each. Similarly, 7,895 Kamaiyas with blue ID card received Rs 10,000 each and 20 Kamaiyas with the rate of 8,000 each. Land Reform Officer Narhari Tiwari informed that a total of 531 with

red ID card and 20 with blue ID card have not received the second installment because they have not come to claim it, adding any one of them would be provided the second installment if they come to claim it.

The government had made public and had committed to provide five kaththas (20 kaththas = 1 bigha) of land in rural area, one to two kaththas in urban area, two kaththas on road side for their rehabilitation along with 35 cubic feet of timber and Rs 10,000 and vocational training to the freed Kamaiyas following the declaration of liberation. It has targeted to reinstate the Kamaiyas by the end of 2000, however, it has been 14 years and the government still has to fulfill its commitment. The government initiated rehabilitation process as per Land Purchase Procedures 2011 in January 2011 saying there were not enough public land to be distributed among the freed the Kamaiyas.

According to the work Action Plan, a six member management committee, with the CDO as its coordinator, Land Reform Office chief as its secretary and Local Development Officer and representatives of Land Survey Office and from among freed Kamaiyas, began its work. As per the plan of reinstating 900 Kamaiyas, the committee purchased 58 bigha 11 kaththa (39.5 hectares) of land spending Rs 134,250,000 (Rs 150,000 per person) and distributed it among 895 freed Kamaiyas. Likewise, with the aim of rehabilitating 900 in 2014/15, the committee has spent Rs 62,550,000 to buy the land and distributed it among 417 by the end of 2014. Rs 73,050,000 million has been allocated to purchase land for 487 freed Kamaiyas and the work on land transaction is going on. Land Reform Office added that remaining 1,286 freed Kamaiyas would be getting land as per the government's plan and policy next year.

5.2 Education to the Children of Freed Kamaiyas

The Interim Constitution of Nepal 2007 guaranteed education upto primary level in mother language as a fundamental right but it is not implemented in practice. There are no data on how many freed Kamaiya children are in which school. None of the schools established in freed Kamaiya villages has a provision to teach them in Tharu language. There are 10 primary level schools with 2024 students, including 1087 girls and 937 boys but there is no provision to teach them in Tharu language. These schools- Freed Kamaiya Primary School at Takiya of Bagnaha VDC-6, Langahawa Hamar Kabila Primary School in Baniyabhar VDC-1, Muktakamaiya Bikas Primary School at Shantipur, Deudhkala VDC-3, Bijay Primary School and Majdoor Primary School in Dhadhawa VDC-8, Sangambasti of Gulariya Municipality-2, Muktakamaiya Primary School Shaktinagar Primary School and Shivashakti Primary School in Kalika VDC-4 and Saraswati Padma Primary School in Chhediya Sangharshanagar in Rajapur VDC-4 are all established in places, where there is more concentration of freed Kamaiyas.

Only few rehabilitated children of freed Kamaiyas scattered in different VDCs of the district attend nearby schools for study. There is no problem for Kamaiya children to get primary level education but they face problem after primary level due to lack of lower secondary schools in the village, poor economic condition of the family and different charges imposed by the school.

5.3 Vocational Training

The government provided various vocational training programs for freed Kamaiyas from the beginning to rehabilitate them, however, there is no continuity

in this program. The land they received is enough only for them, to build a house. It is not enough to continue the agricultural work. The one who received training could not invest their learning as the training is not compatible with their lives. The government has already given more than 36 kinds of training to the freed Kamaiyas. Meanwhile, 183 men were provided training in electrical wiring without considering the probable demand for that skill, rendering that training ineffective. In local places, the government and ILO have provided various vocational trainings to 4,013 people, including 1,292 female and 2,721 male freed Kamaiyas in Bardiya district. Among them, a very few have utilized the training. There are data that shows freed Kamaiyas receiving various training, however, the concerned stakeholders have neither monitored nor verified about its impact.

It is necessary to know the need and interest of freed Kamaiyas and their families before conducting any training to them. It is important to create a favorable environment acknowledging their interests in group or community to start some individual or collective business and government must implement the policy of investment so as to give continuity to this effort.

7. Conclusion

The government did not take the issue of rehabilitation of Kamaiyas seriously. The process of rehabilitation was ineffective because the program was conducted in piece meals. 883 Kamaiyas, whose ID cards are ready, have not received them in absence of local government. Even the rehabilitated freed Kamaiyas are compelled to live a miserable life because of uncertainty over their shelter, employment, vocational and income generating work. The children of freed Kamaiyas are compelled to take up work as bonded labors and Kamalaris in villages and

cities due to the lack of poverty and proper education.

8. Recommendations

1. Directive for distributing ID cards needs to be amended as there has been no local election.
2. Government and NGOs' activities are needed to end dual possession of land, including clear provision on Land Reform Act.
4. Forming a policy of giving job to trained freed Kamaiyas in government's construction work on a priority basis.
5. Supporting collective agriculture measures.
6. Involving freed Kamaiyas, who have received vocational training, in businesses providing them short-term loan without interest and long-term loan on a minimum interest rate



Chapter

3

3.5 Study Report
Availability of Food and Right to Food in
Bajhang District

1. Introduction

Article 22 to 27 of Universal Declaration of Human Rights, 1948 guarantee Economic, Social and Cultural Rights. These provisions stress that a state party has the obligation to fulfill its citizens' rights to work, qualitative, nutrition and food as per their physical need. Civil and Political Rights are meaningless if the right to housing, food and security is not guaranteed¹. According to Census report 2011, 7 million people in Nepal are suffering from hunger and malnutrition.

The reports of World Food Program (WFP) along with others say that more than 23 districts of country are food insecure. Article 11 of International Covenant on Economic, Social and Cultural Rights 1966, to which Nepal is a state party, and its General Comment number 12 have the provisions for qualitative livelihood including food, clothing and housing. Nepal has to implement these rights, being a state party to this Convention.

World Health Organization (WHO) says that every person should get three meals a day and Food and Agriculture Organization (FAO) says that anyone having an intake of less than 1,800 calories is considered as hungry. However, in remote districts like Bajhang where every year 8 to 10 children die due to malnutrition, access to nutritious food can be a distant dream. Bajhang is in 73rd position among 75 districts in the poverty index prepared by Central Bureau of Statistics. A research showed that 41 per cent of Nepali children under the age of 5 years are stunted, 29 per cent are underweight and 11 per cent are wasted². As per USAID report, Bajhang along

with 42 other districts of Nepal face food crisis³. This study is an attempt to present the current situation of Right to Food of Bajhang district.

2. Significance of the Study

Nepal is a state party to International Covenant on Economic, Social and Cultural Rights ratified by UN in 1966. Part III and IV of the Interim Constitution of Nepal 2007 have incorporated the rights of this Covenant but the implementation of these rights remains very poor. Article 18 (3) and Article 36 of the Interim Constitution of Nepal, 2007 have guaranteed food sovereignty as a fundamental right. Likewise, Article 35 (10) of Part IV of the Interim Constitution has guaranteed food security and economic security.

World Food Conference held in Rome in 1974, emphasized on universal and national production/availability to tackle hunger which is widely considered to have developed the concept of food security in 1970s. Later on, distribution of and access to resources of production were emphasized to tackle hunger. In 1991, the study conducted in Khalandi of Orissa and Puruliya of West Bengal, India and its findings was published by Nobel laureate Amartya Sen. The study showed that famine or mass hunger in modern age is not the result of food shortage but because of its substandard distribution system or ineffective government policies.

3. Rationale of the Study

- To get information about the situation of Right to Food in Bajhang district

1. International Convention on Economic, Social and Cultural Rights, 1966

2. Integrating the Right to Adequate Food and Good Governance, http://www.fao.org/fileadmin/templates/righttofood/documents/project_b/Nepal-GCPGLO324NOR-ConceptNote.pdf

3. Country Specific Information: Nepal, <http://www.usaid.gov/sites/default/files/documents/1866/Nepal%20CSI%20FY%202014.pdf>

- To relay the message that food sovereignty is a fundamental right of the people and to encourage them to enjoy their right
- To get information about food sovereignty and to draw the attention of concerned people

4. Methodology

Information about situation of food for the study has been gathered from local people of Chainpur, Jayprithvi Municipality-4, the headquarter of Bajhang, Deulekha VDC-2, Syadi VDC-6, Sunkuda VDC-1, Rayal VDC-3. Likewise, the information about situation of food is compiled after meeting Badi community living in areas near district headquarters. There were individual and group meetings and discussions with political parties, human rights activists and journalists.

5. Limitation of the Study

There is no uniformity about the causes of food scarcity in different sectors. Due to the limitation of means and resources, the discussion is confined to the people of Bajhang district headquarters and few surrounding VDCs only.

6. Standards for Guarantee of Right to Food

There are universal standards to measure the situation of Right to Food. According to that, the people should get enough food and the state should properly manage its easy availability. Producing enough food grain is not enough but it should be distributed justly so that the people will not have to reel from food shortages. The principles such as availability of food, easy access to it, stable distribution and food sufficiency are set as standards to ensure Right to Food.

7. National and International Commitments Pertaining to Right to Food

As per the National Census 2011, the population of Nepal is 26.5 million⁴. Economic Surveys say that 23.8 per cent of the population is living below poverty line, 19 per cent of people have less than two hectares of land and 60 per cent of farmers do not have sufficient production to support the family for 12 months. By this, we can say that the situation of food and poverty is a matter of great concern.

Interim Constitution of Nepal 2007 has a provision of right to employment and social security where it is mentioned that every citizen has Right to Food Sovereignty as prescribed in law. Article 11 (1) of International Covenant on Economic, Social and Cultural Rights, to which Nepal is a state party, says that the States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

Article 11 (2) recognizes the fundamental right of everyone to be free from hunger and states the State Parties shall take, individually and through international co-operation, the measures including specific programs. Likewise, this Article includes the provisions to improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources and to ensure an equitable distribution of world food supplies in relation to need, while considering

4. Report of Central Bureau of Statistics, 2011

the problems of both food-importing and food-exporting countries.

General Comment number 12, issued by the Committee on Economic, Social and Cultural Rights elaborating Article 11 of the ICESCR in 1999, states that Right to Food will be implemented only when if men, women and children always have economic and physical access to adequate food or resources to buy food with basic human dignity.

Nepal has not yet ratified Optional Protocol of the ICESCR. Beside this Covenant, Article 25 (1) of Universal Declaration on Human Rights, 1948 accepts that everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Nepal is a State Party to the core Conventions, including Convention on Elimination of All forms of Discrimination against Women (CEDAW), Convention on the Rights of the Child (CRC), International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and Convention on the Rights of Person with Disabilities (CRPD) which legally oblige Nepal to implement some provisions of Economic, Human Rights Conventions (Study Report), respect, protect and fulfill Social and Cultural Rights of the people living in its territory⁵. State should distribute food to the people for their livelihoods who were denied access to food due

to unavoidable situation until they achieve the situation to produce the food oneself⁶.

Government of Nepal has launched a campaign to reduce the hunger level to zero by the year 2025. Prime Minister Sushil Koirala assured in a program organized on December 20, 2014 to draft an Action Plan encompassing Right to Food and Development goals. Nepal is third country in the world and first in South Asia to adopt this UN campaign. Nepal has always been in front while expressing pledge to uphold human rights but future will show whether that is actually fulfilled.

The 69th session of ESCAP in April 2013 endorsed Zero Hunger Campaign to eradicate hunger from the world. As far as the commitments are concerned, an international study shows that the policies adopted by Nepal to reduce hunger and management of nutrition are better than that of several developing countries. The Hunger and Nutrition Commitment Index 2014 published by Institute of Development Studies, UK Aid and Irish Aid ranked Nepal in 6th position among 45 developing countries. In reality, 40.5 per cent of children in Nepal have problem of stunting, 10.9 per cent are wasted and 28.8 per cent are underweight⁷. The number of such children was 60 per cent a decade ago.

8. Situation of Production and Usage of Food Grains in Bajhang

There is one municipality and 42 VDCs in Bajhang District and has a population of 195,159. Here agriculture is the major source of livelihood of the people. A total of 39,227 metric tons of food grains was produced in Bajhang last year whereas

5. Kunwar, Teknarayan. Manavadhikar Sambandhi Thula Mahasandhika Kehi Prabhdhanharuko Karyanwayan Awastha (Adhyayan Pratibedan), pg 60, INSEC, 2071

6. Obligations to Respect, Protect and Fulfill the Right to Adequate Food In <http://www.fao.org/docrep/005/Y4430E/y4430e05.htm>

7. Hunger and Commitment Index, <http://www.hancindex.org/countries/nepal/>

S.N.	Geography	VDCs	Total
1	High Mountains	Kanda, Melbisauni, Datola, Bhamchour, Daulichaur, Gadayal, Syadi, Dahabagar, Lekgau, Masta, Rilu, Sainpasela and Surma	13
2	High Hills	Dangaji, Kalukheti, Koiralakot, Majhigau, Patadewal, Pauwagadi, Pipalkot, Byasi, Dhamena, Parakatne, Sunikot, Sunkuda, Bhatekhola, Deulekh, Deulikot, Kandel, Kailas, Kaphalseri, Kotedewal and Maulali	20
3	Hills	Chainpur, Luyanta, Rithapata, Suweda, Banjh, Bhairabnath, Chaudhari, Hemantawada, Malumela, Matela, Rayal, Khiratadi, Kotbhairav and Lamatola	14

the demand is 53,592 metric tons creating a deficit of 9,850 metric ton⁸.

The situation of food availability in Bajhang District is clear as 33.68 per cent of people produce food grain sufficient for themselves for three months, 41.32 per cent for six months, 14.71 per cent have enough food grains for nine months and 6.28 per cent have for 12 months⁹.

It means around 93 per cent of the population is not in position to have adequate food produced for themselves, let alone meeting the standard set by the WHO.

Land usage has not increased in the last three years while the production of major crops has decreased. Production of rice went down by around 2,000 metric tons and wheat by 3,800 metric tons. Moreover production of barley, millet and buckwheat decreased by more than half. The stakeholders drew attention to following points in this context:

- Loss of production due to the flooding of Rivers including Seti, Kalgad, Bahuli, Mori and several seasonal brooks which sweep away fertile land every year
- Decreasing cultivation of the mountain food grains including millet, buckwheat, maze, and barley
- No updated data on marginalized, poor

and landless communities of the district

- No access to alternative job opportunities for freed haliyas and khaliyas, landless people and failure to engage them in productive work
- Lack of knowledge, resource and capital at the local level to produce vegetables and food grains
- No timely supply of quality fertilizer, seeds and food grains to meet the demands
- Unequal distribution system
- Lack of irrigation facilities
- Absence of the system of collection, storage and marketing of agricultural products and food grains
- Change in traditional food habit which stigmatizes use of native grains and exalts rice and wheat not easy to grow in the district's terrain as they need good irrigation unlike local grains

The condition of road in Bajhang is very poor. There is only 108 km of black-topped road and 90 km of dirt road. Black-topped road can be used throughout the year while the dirt road is seasonal. Because of lack of road, the people depend on horses, mules and porters for supply of goods in the VDCs. Government and its other bodies whose duty is to make the district independent in food production and alternatively

8. Plan of Action of 2013/14 published by DDC, Bajhang

9. District – Bajhang <http://www.riberasolutions.com/testtest/Districts/13>

Cultivated land and the condition of production in Bajhang¹: Details of agricultural production Area (Hectare.), Production (Metric Ton) and Productivity (Metric Ton per Hectare)										
S.N.	Crops	FY 2011/12			FY 2012/13			FY 2013/14		
		Area	Production	Productivity	Area	Product	Productivity	Area	Product	Productivity
1	Rice	7005	19123/65	2/73	7006	19689	2/81	7006	17165	2/45
2	Wheat	10980	17029	1/55	10982	17571	1/6	10982	13178	1/2
3	Maize	3650	4621	1/26	3652	4675	1/28	3652	3652	1
4	Barley	4500	2025	0/45	4501	2070	0/45	4501	2025	0/45
5	Millet	2285	2056	0/45	2286	2057	0/9	2286	1942	0/85
6	Buckwheat	7	3/6	0/5	7	0/6	0/51	7	4/2	0/6
7	Green	600	180	0/3	600	180	0/3	600	180	0/3

ensure easy supply of food grains. But, the condition of road clearly shows that Right to Food of the Bajhang people is not upheld. Tradesmen transport food grains on mules and horses, automatically adding up cost, higher in comparison to vehicle transport, on the food grains which affects the people with weak purchasing power.

9. People's Access to Food Depot

There is one food depot in the district headquarters run by Nepal Food Corporation (NFC) and one depot in Bisauna Bazar of Sainapabela VDC run by the contractor. There is no other depot in other VDCs. The price of rice sold by the NFC is higher than the market price. Due to this, 83 quintals of rice is getting wasted as it lay stocked in the depots in headquarters due to low demand.

Last year, 200 quintals of rice was sold each month when the price was three rupees less than the market price whereas now the price is five rupees higher than market price, resulting in low demand and dumping of 83 quintals of rice. People from remote VDCs are demanding increase in

NFC food depots in other VDCs of district to get rice in low price. Due to some archaic laws and procedures implemented by the State, people can buy only the set quota fixed by NFC even if there is plenty of stock in the depot. Food which is being distributed in districts is generally stored for upto six months. The food grains distributed in the district is reported to be of medium quality.

10. Food Shortage and Temporary Migration

Shortage of food grains throughout the year has forced the people of this district go to the different cities in India looking for work. Locals say that the families, who are unable to support themselves with their own production for more than three months, go to Delhi, Mumbai, Punjab and other places in India to work. The locals add that the trend is still going strong.

11. Poverty Alleviation Fund Activities and Possibilities in the District

Poverty Alleviation Fund foresees a lot of possibilities of socio-economic development in this district. There is a possibil-

VDC-wise Situation of Food Problems in Bajhang District VDC-wise		
Situation of highest level food insecurity (3 VDC)	Situation of medium level food insecurity (28 VDC)	Situation of low level food insecurity (16 VDC)
Gadaraya, Kailash and Mashta	Dahabagar, Kada, Bhamchaur, Sainapasela, Lekgau, Maulali, Melbisauna, Datola, Rilu, Dhamena, Sunikot, Kadel, Byasi, Kotdewal, Surma, Daulichaur, Parakatne, Dangaji, Kaphalseri, Deulikot, Pipalkot, Syadi, Deulekh, Sunkuda, Bajh, Khiratadi, Rayal and Bhairavnath	Chainpur, Rithapata, Subeda, Hemantwada, Luyata, Pauwagadi, Lamatola, Majhigau, Kalukheti, Patadewal, Matela, Malumela, Chaudhari, Koiralakot, Kotbhairav and Bhatekhola

ity of seasonal and non-seasonal vegetable farming in most of the district and animal husbandry in southern parts due to the large forest area. The bank of Seti River is highly fertile and has easy access to water so the land can be used for income generation. The Seti River water can also be used to irrigate the land farther thus increasing production and valuable medicinal herbs can be produced in large quantity.

The terrain is good for production of orange and tangerine and with proper storage facilities, the farmers can have good return. Likewise, there are good possibilities in cash crops like ginger and also beekeeping. Better physical facilities like improved water plants, micro-hydro projects, rural road, dairies, chilling centers, collection centers, schools, health posts, suspension bridges, drinking water and small irrigation projects will increase income of the farmers. If activities are undertaken to realize these possibilities, there will be sound improvement in socio-economic condition of the poor communities of the district¹⁰.

Reviewing results of the food security system of Nepal from 2008 to 2011 in Bajhang, 16 VDCs have low level of food

insecurity, 28 VDCs have medium level of food insecurity and three VDCs have high level of food insecurity¹¹. Along with that, there was a shortage of 23 per cent of required food grains in 2013 whereas it was 16 per cent in 2014, the office of District Food Corporation, Bajhang said. If the shortage is filled in this ratio then Bajhang will be a food secure district by 2016.

Several programs are being implemented by Right to Food Network (RTF) for 110,465 very poor people including 2,848 haliyas and 191 Badi people who were mostly deprived from Right to Food in Bajhang district¹². A loose network has been formed on March 2, 2012 comprising of the individuals and organizations working in the field of food security and protection and promotion of human rights advocating for guaranteed right to life by ensuring Right to Food, for the structural development and to help to ensure Right to Food in Bajhang district.

12. Conclusion

Most of the people in Bajhang district do not have easy access and availability of food. It is evidenced in a research that

10. Poverty Alleviation Fund, Annual Report, Bajhang E/Y 2014/2015

11. Result of Food Security System of Nepal 2008-2011

12. National Census, 2011

the production of three VDCs are sufficient for three months only. The people of these VDCs are surviving by doing odd jobs in India for rest of the nine months. There is a lack of access to NFC depot due to lack of transportation facility.

NFC is selling rice that is more expensive than the market price leading to decrease in demand and increasing the chance that it would get moulded and spoilt in the depot. People said that low quality of rice and wheat were distributed in the Food for Work scheme. But, there is an increasing perception of considering rice as the only food grain and stigmatizing the consumption of native grains as millet, barley and buckwheat. There is decreasing interest in production of traditional grains and even if they are cultivated, few people are consuming them.



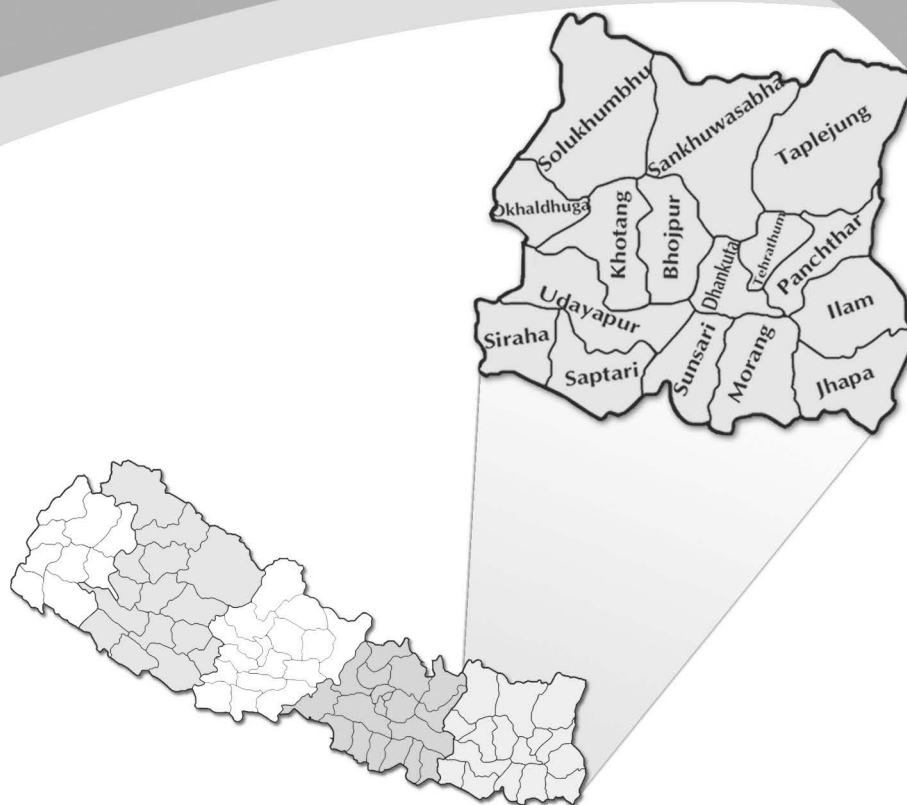
13. Recommendation

- Campaign should be launched to promote local grains, including millet, buckwheat and barley educating them about their qualities.
- State should manage skill, capacity and equipment for modern farming to increase food production.
- Ensure co-ordinated efforts among the government offices directly related to agriculture such as offices of agriculture, irrigation, small-farmer and land reform to help farmers get better informed about traditional and alternative crops.
- Form policies to engage young people, with special target on those heading for seasonal migration, in the agricultural production, its sale and distribution.
- Implement the plan of commercialization of local fruits.
- Invest on the fruit processing and storage facilities.

Facts on
Human Rights Violations
and Abuses in 2014

Annex

1



Human Rights Situation of **Eastern Region**

The Eastern Development Region has 16 districts. The region is comprised of Solukhumbhu, Sankhuwasaba and Taplejung in mountainous region, Okhaldhunga, Bhojpur, Khotang, Terhathum, Ilam, Dhankuta, Udaypur, and Panchthar in hilly region and Siraha, Saptari, Sunsari, Morang, and Jhapa from Tarai region.

Number of victims of human rights violation in the development region increased in comparison to previous year. In 2012, INSEC recorded a total of 750 human rights violation cases while in 2013 it was 1,256. In 2014, the number increased to 1,499. The districts with highest number of increase are Saptari and Solukhumbu. Saptari had recorded 172 victims in 2013 while the number was 261 in 2014 while Solukhumbu recorded an increase from 48 to 115 victims. Morang and Terhathum were top in decreased number of victims i.e. 137 from 291 and 39 from 64 respectively.

The women rights violation has significantly increased in the region. All those districts with an increase in number of human rights violation are because of an increase in the number of victimized women.

In 2012, there were 162 victims of women rights violations while in 2013, 534 were the victims of women rights violence and in 2014, the number was 1001.

Almost a double rise in the victims of women rights violation has been documented. This increase can be attributed to increase in the number of domestic violence. With the introduction of Act against Domestic Violence in 2009, the women have been emboldened enough to come out of the homes and report the violence and hence the gradual increase in the registered victims. There has also been an increase in the documentation of abuse of women in the name of practicing witchcraft. It can also be said that due to the increased awareness, court intervention in and preparation and passage of law criminalizing such abuse has contributed to the increase in reporting.

Documented number of domestic violence was 733 in 2014; 133 cases of victims of polygamy were recorded while 25 were the victims in witchcraft allegation. Of the 25 victims of witchcraft allegations, Tarai districts are leading (22) with 12 victims in Saptari followed by seven in Siraha.

Fig 1: Human Rights Violation in Eastern Region

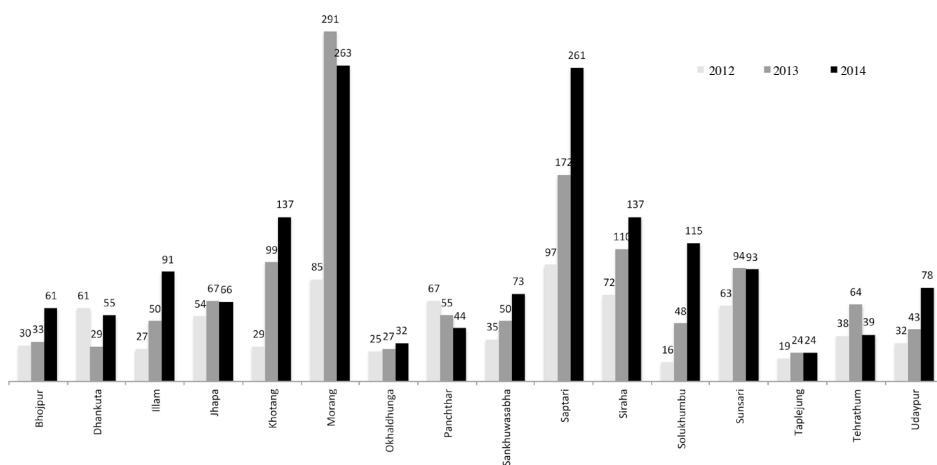
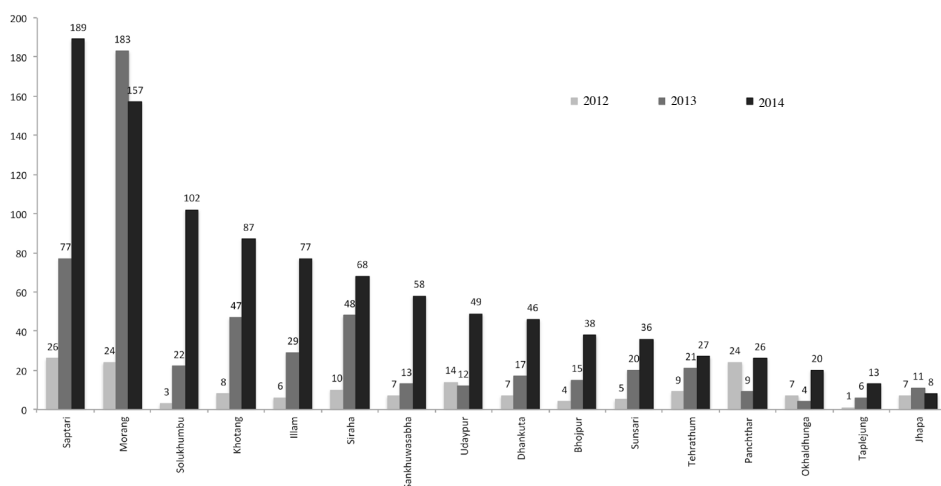


Fig 2: Women's Rights Violation in Eastern Region



INSEC documented 53 victims of rape, 43 victims of attempt to rape and 16 victims of sexual abuse. There were 17 women victims of trafficking or attempt to trafficking. In 2013, there were 303 victims of domestic violence, 88 of polygamy, 68 rape victims, and 41 victims of attempt to rape and 15 victims abused on charge practicing witchcraft.

Increased number of child victims in the region has been documented in 2014. A total of 290 children were the victims of child rights violation, of which 152 were raped and 70 victims of sexual abuse. There were 30 victims of child trafficking, including 14 girls and 16 boys, 10 child brides and nine victims of corporal punishment documented by INSEC in 2014.

Total capacity of the district prisons is 2,684 (national capacity on December 31, 2014: 14,127), an increase from 1,794 in 2013. The prison occupancy in 2014 is 4,602 (National occupancy on December 31, 2014: 27,201) including i.e. 4,559 male (National total: 25,428) and 43 female (Na-

tional total: 17). In 2013, the prison population of the region at the end of the year was 3,672. There are female inmates only in three district prisons viz. Ilam (30), Bhojpur (2) and Saptari (11). There are 18 boys and 13 girls living with either of their parents. Most of the dependent children are in Jhapa (four boys and 8 girls) followed by Ilam (five boys and one girl).

Overcrowding has always been a problem in the prisons across the country. In the Eastern Region, except for Sunsari district, all the other district prisons are overcrowded. Most overcrowded was Taplejung Prison which is accommodating 153 inmates when it actually has a capacity to hold only 25 which is 512% over its capacity. The prison in Sunsari has the capacity of 1,400 inmates but had 1361 while Saptari, Siraha and Khotang had over capacity below 100.

Some of the problems documented in the region needing attention of the stakeholders include violence against women and inhuman behavior.



1.1 Jhapa



Headquarters :	Chandragadhi
Area in Sq. Km :	1,606
No. of Households :	184,552
No. of Population :	812,650
Male :	385,096
Female :	427,554
No. of PwD :	15,376
No. of VDC(s)/Municipality(ies) :	47/3
Male Literacy :	294,306
Female Literacy :	277,356
Religion Hindu (%) :	79.88
Buddhism (%) :	4.84
Islam (%) :	3.2
Kirat (%) :	8.32
Christianity (%) :	1.94
Prakriti (%) :	1.44
Undefined (%) :	0.03
Average Household Size :	4.40

INSEC documentation shows that there is no noticeable difference in human rights situation of Jhapa district in 2014 from last year. In 2013, there were 67 victims of human rights violation while there are 66 victims in 2014. Last year, nine people were victims at the hand of state actor whereas in 2014 there were four victims. The incidents on women violence has decreased this year however, the incident on child rights violation has increased.

JAIL AND DETAINEES

The 'B' grade District Prison has the capacity to accommodate 275 inmates. A

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest & Torture		2	2			
Beatings	1		1	1	1	2
Child Rights				40	1	41
Injured		1	1		1	1
Killing				5	3	8
Threats				1	1	2
Women Rights				8		8
Total	1	3	4	55	7	62

total of 666 including 293 convicted and 373 detained inmates were held there at the end of the year. There are four minor boys and eight girls living as dependents.

Inmates of the prison complained that they are facing difficulties due to lack of space. According to the prison guard Sunil Basel, the prison building is very old and almost three times more inmates are kept in the jail. The lack of tap water and toilets has added to their difficulties. According to jailer Dipendra Khatri, the initiation to construct the new building is halted due to lack of enough fund.

RIGHT TO PROMPT AND FAIR TRIAL

All three positions of District Court judge was occupied at the end of the year. There were 647 civil and 604 criminal cases pending. There are 15 criminal cases and six civil cases older than two years pending. One judge is responsible for an average of 424 cases in the court.

CHILD RIGHTS

Education Status

There are 172 primary schools, 89 lower secondary schools and 46 secondary schools in the district. The district has positions for 3030 teachers but 3,546 were employed in the year 2014. According to District Education Office (DEO) 9,675 boys and 10,195 girls of school going age

Types of Events	By Non-State		
	Female	Male	Total
Child Trafficking	5		5
Corporal Punishment		1	1
Killing of Newborn Baby	1		1
Rape	14		14
Sexual Abuse	20		20
Total	40	1	41

enrolled in the school and there are no disabled-friendly schools in the district. According to the DEO, 20 primary schools, 12 lower secondary schools and seven schools have good facility of toilets. A total of 71 schools are not child-friendly. The total budget of district education office is Rs 371,526,153.

Rape, Attempt to Rape and Sexual Abuses

This year, the rape incidents increased as compared to the last year. In 2013, 27 girls were victimized while in 2014, a total of 41, including a boy were victimized. 14 girls were the rape victims and 20 were the victims of sexual abuses. Similarly, five girls were victims of attempted child trafficking. Most of the accused were under 10 years of age. In Jhapa district, girls under 14 years of age are victimized of rape and attempted rape.

A 15-year-old boy of Charpane VDC-3 was arrested by police on January 16 with the charge of raping a 4-year-old girl in her home. The victim underwent a health checkup at Mechi Zonal Hospital, Bhadrapur. The victim's family had lodged a complaint against an accused on January 17 at area police office. The accused was sent to a rehabilitation center in Biratnagar after a court order on February 9.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

INSEC documented eight cases of women rights violation including four cases

of rape, one case of women trafficking, two cases of domestic Violence and one case of attempted rape in 2014.

Manju Gahat Raj, 23, of Kankai Municipality-7 was killed by her husband Umanath Gahatraj, 27 on the night of July 9 for not consenting to physical relationship. The victim's family lodged a complaint against the accused at Area Police Office, Birtamod on July 10. The postmortem of the body was conducted at Mechi Zonal Hospital on July 10. The accused was arrested by the police on July 10 on suspicion of murdering his wife. The accused was remanded in custody by a court order on August 4.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	2	2
Rape	4	4
Rape Attempt	1	1
Women Trafficking	1	1
Total	8	8

Sarita Kumal, 32, of Majhkot VDC-8 Jalaudi was assaulted by locals Jyoti Mal-la, Raj Kumari Kumal and Ram Bahadur Kumal on July 2 alleging her of being a witch. The accused had been abusing the victim for the last six months alleging her of being a witch. Kumal underwent medical treatment at local pharmacy. The victim did not lodge any complaint regarding the incident.


HEALTH SERVICE STATUS

There are one district hospital, 30 health posts and 20 sub-health posts in the district. According to District Public Health Office, out of 25 positions of doctors in the hospital, five remained vacant. There are eight positions for gynecology specialist however three remained vacant at the end of the year. The district has 83 positions of Assistant Health Workers of which five remained vacant. The district has

total of 320 positions for the health staffs of which 39 positions remained vacant. The annual health budget of the district is Rs 201,857,000 for public health and Rs 38,000,000 for medical expenses.



1.2 Ilam



Headquarters : Ilam

Area in Sq. Km : 1,703

No. of Households : 64,502

No. of Population : 2,90,254

Male : 1,41,126

Female : 1,49,128

No. of PwD : 7,636

No. of VDC(s)/Municipality(ies) : 48/1

Male Literacy : 113,048

Female Literacy : 103,498

Religion Hindu (%) : 44.49

Buddhism (%) : 15.29

Islam (%) : 0.08

Kirat (%) : 35.61

Christianity (%) : 2.5

Prakriti (%) : 1.34

Jain (%) : 0.02

Shikha (%) : .001

Undefined (%) : 0.668

Average Household Size : 4.50

INSEC documentation shows that human rights violation incidents in Ilam district has increased in 2014 in comparison to the previous year. In the year 2013, 46 women and two men were the victims of human rights violations and abuses whereas in 2014 there are 91 victims.

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	11		11
Killing	2		2
Racial Discrimination		1	1
Women Rights	77		77
Total	90	1	91

No incident of human rights violation by the state actor is documented this year. One man and 90 women were subjected to human rights violations and abuses by the non-state actors this year. Among them 77 were victims of women rights violation, two women were killed, 11 children were victim of rape, sexual violence and trafficking. In 2013, 29 women and 17 children were the victims.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 125 inmates at a time. A total of 333 including 267 convicted and 66 detained inmates were held there at the end of the year. Among them 30 were women, five were minor boys and one minor girl living as dependents. This prison building was constructed in the 2012. On January 28, 2014 a clash among the inmates occurred at night which left six inmates injured. After the news of abuses inside the prison became public, security agencies had a meeting on March 16 and decided to transfer the prison leaders, junior leader and prison guards to another prison.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

There is one position for a judge in district court and it was occupied. There are 100 civil and 96 criminal cases pending at the end of the year. In Ilam District Court, there no cases which are more than two years old.

District Court convicted a person of raping a 7-years-old girl and sentenced 20 years in prison on September 3. The

accused was a family member of the victim. The court, convicting him as per no. 1 and 2 under the Chapter on Rape of General Code imprisoned him for 10 years convicting him of raping the girl as per no. 3 (1) of the same law. He was slapped additional 10 years for incestuous rape. The court also ordered to make him pay Rs 25000 to the victim as compensation. The mother of the victim filed a complaint on June 7 stating that the 25-year-old relative raped her daughter on May 28. The police arrested the accused on June 8. The health checkup of the victim was done at District Hospital on June 7.

Appellate Court

There are five positions for the judges in the Appellate court among which one was vacant. There are 91 civil cases and 146 criminal cases pending at the end of the year. There are five cases which are more than two years old pending. One judge is responsible for an average of 60 cases.

CHILD RIGHTS

According to District Education Office (DEO), 27,665 girls and 14,578 boys of school-going age children are admitted to school. According to DEO, there are 291 primary schools, 65 lower secondary schools and 52 secondary schools. The office also stated that all the schools have toilet facilities but do not have child-friendly buildings. Out of the total positions of 2,339 teachers, 53 positions are vacant at the end of the year. A scholarship of Rs 1,293,000 was provided for the 3,156 dalit students.

Rape, Attempt to Rape and Sexual Abuses

INSEC documented decrease in child rights violations this year in comparison to last year. According to INSEC documentation 17 children were victimized in 2013 while 11 girls were victimized. This year the girl victims in cases of rape and sexual abuse are between the ages of two and half years and 17. A

Types of Events	By Non-State	
	Female	Total
Child Trafficking	1	1
Rape	9	9
Sexual Abuse	1	1
Total	11	11

12-year-old intellectually disabled girl was among the victims of rape. The raped accused are between the ages of 14 years to 84 years. In two rape cases, the accused were the close relatives of the victims.

The mother of a two and half years old victim filed a complaint at District Police Office on July 14 stating that a 14-year-old relative raped her daughter on July 10. The incident occurred when the mother left her sleeping child at home to go to the jungle to collect grass. The accused was arrested on July 14. Medical checkup and treatment of the victim was conducted at District Hospital on July 14. District Court directed on August 12 to send the accused to his mother.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

In comparison to last year there has been a significant increase in incidents of women rights violation. In 2013, 29 women were victims of violence and abuses whereas this year 77 women have been victimized. Among them, 59 women were victims of domestic violence, seven of rape, nine women were victims of polygamy and 2 were victim of trafficking. All the seven accused of rape are arrested and court cases have been filed against them. The rape victims are aged between 18 and 51 years. One woman was killed by her own husband.

Januka Rai, 26, of Maipikhari VDC-3 was beaten by her husband Biren Rai, 30, on June 16. A small argument had led to the domestic violence and Januka was hit on her chest. According to the police, Januka died on the way to the District Hospital. According to the court staff Arjun Shrestha, the District Court sentenced

Types of Events	By Non-State	
	Female	Total
Domestic Violence	59	59
Polygamy	9	9
Rape	7	7
Women Trafficking	2	2
Total	77	77

him to imprisonment for life along with confiscation of the entire property. According to DSP Anupam Shumsher JBR of Ilam District Police Office, Both Januka and Biren were former Maoist combatants and were leading a civilian life after retirement. They have a 6-year-old son and a 9-month-old daughter.

CASTE-BASED DISCRIMINATION

There was no reported case of caste-based discrimination in 2013 but this year one case was documented. Ashish Sundas, 15, of Soyang VDC-4 was verbally abused by Dhiren Subba, 44, and Durga Limbu, 35, on July 12 when he entered their house calling him a son of Dalit and was told to get out of the house. Ashish's mother Tara Kumari Sundas filed a complaint at Ilam District Police Office against the Limbu couple on July 20 for caste-based discrimination. They were arrested by the police on July 24 and were released on bail amount of Rs 5,000 each on August 6.

HEALTH SERVICE STATUS

There are one hospital, 18 health posts and 26 sub-health posts in Ilam district. Among the six positions of doctors in Ilam hospital, two positions remained vacant. The two positions of gynecology specialist are filled. Among eight positions of staff nurse, one is vacant whereas among the 80 positions of Assistant Health Worker, 18 positions are vacant. Among the 46 positions for Axillary Nurse, nine positions remained vacant. The district has overall 228 positions for all health institutes in which 44 positions remained vacant at the end of 2014.



1.3 Panchthar



Headquarters :	Phidim
Area in Sq. Km :	1,241
No. of Households :	41,196
No. of Population :	1,91,817
Male :	90,186
Female :	1,01,631
No. of PwD :	5,049
No. of VDC(s)/Municipality(ies) :	41/0
Male Literacy :	68,057
Female Literacy :	64,155
Religion Hindu (%) :	34.31
Buddhism (%) :	11.67
Islam (%) :	0.03
Kirat (%) :	52.03
Christianity (%) :	1.58
Prakriti (%) :	0.13
Bon (%) :	0.02
Undefined (%) :	0.163
Average Household Size :	4.66

According to INSEC documentation, there is a slight improvement in human rights situation of Panchthar district in the year 2014. In 2013, 55 people were victimized in the incidents of human rights violation as compared to 44 including four victims from state-actors in 2014. In 2014, three male and 37 female were victimized by non-state actors as compared to 35 victims in 2013. INSEC documented nine women who were victims of women rights violation in 2013 while 26 women were victimized this year.

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction					1	1
Beatings	1	3	4			
Child Rights				8		8
Inhuman Behaviour					1	1
Killing				3	1	4
Women Rights				26		26
Total	1	3	4	37	3	40

JAIL AND DETAINEES

The 'E' graded District Prison, constructed in 1973, has the capacity to hold 25 inmates at a time. A total of 153 including 98 convicted and 55 detained inmates were held there at the end of the year. There are one boy and one girl dependents in the jail. There are two concrete prison buildings in the district.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has position for one judge at the end of 2014. There were 106 civil and 114 criminal cases pending at the end of 2014. There were three criminal cases older than two years pending.

CHILD RIGHTS

Education Status

There are 291 primary schools, 65 lower secondary schools and 54 secondary schools. Of the total positions of 2,339 teachers, 53 positions remained vacant at the end of the year. District Education Office (DEO) said 27,665 boys and 14,578 girls of school going age enrolled in the school. DEO has provided scholarships to 3,156 dalit students.

Rape, Attempt to Rape and Sexual Abuses

INSEC documented a slight decrease in child rights violations as compared to last year. In 2013, INSEC documented 18 cases of child rights violation whereas

this year it is eight. The girls who were sexually abused were aged between 6 and 17 this year. Five girls became the victim of rape.

Bir Bahadur Nepali, 17, of Ranig-aon VDC-7 was arrested by the police on January 15 on charge of raping a 17-year-old girl after a complaint against him was lodged by the victim's family on January 15 at District Police Office. The victim underwent a health checkup at District Hospital of Panchthar on January 16. By the court order on February 5, the accused was remanded in District Court Office, Phidim. On, February 27, District Court judge issued a verdict to send him to reform center in Biratnagar as he was a minor.

Types of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	1	1
Rape	5	5
Sexual Abuse	2	2
Total	8	8

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

The incident of women rights violation has increased this year as compared to the previous year. In 2013, a total of nine women were victimized of violence as compared to 26 victims this year. This includes three cases of rape, 10 cases of polygamy, four cases of rape and five cases of domestic violence. Three women were killed in domestic violence in 2014 whereas two were the victims of women trafficking. Apart from these, there were five incidents of attempted rape and sexual violence. The accused involved in five cases of women rights violations remained at large until the end of the year. According to INSEC documentation action was taken in one case. One woman with physical disability became a victim of rape this year.

A complaint against Man Bahadur Rai, 53, of Phidim Municipality-1 was

Types of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
Polygamy	10	10
Rape	3	3
Rape Attempt	4	4
Sexual Abuse	2	2
Women Trafficking	2	2
Total	26	26

lodged by the family of 42-year-old physically disabled women on December 24 at District Police Office accusing him of raping her on December 20. The victim underwent health checkup at District Hospital, Panchthar on December 24. The accused was arrested by the police on December 24. The accused was in custody until the end of this year.

The family of Kamala Adhikari, 32, of Nagi VDC-6 lodged a complaint of murder against her husband Dilli Adhikari, 35, father-in-law Chinta Mani Adhikari, 72, mother-in-law Tulsa Adhikari, 62, and sister-in-law Chandra Kala Kuikel at District Police Office on February 1. The victim went missing on October 18 and her decomposed body was recovered on January 30 from the jungle of Amarpur VDC-1. The body was identified on the basis of the clothes on it. The postmortem of the body was conducted at District Hospital, Panchthar on March 3. Police arrested Dilli on February 9 and his parents on February 16. The accused were remanded in custody in District Prison on March 3 by a court order.

HEALTH SERVICE STATUS

There are one district hospital, 20 health posts and 20 sub-health posts in the district. According to District Public Health Office, all of five positions of doctors in the hospital were occupied. There is no position for gynecology specialist. The district has 63 positions of Assistant Health Workers out of which 22 are vacant.

The district has 163 positions for the health workers however 41 positions remained vacant. The annual health budget of the district is Rs 125,184,700 for public health and Rs 2,500,000 for medical expenses.



1.4 Taplejung



Headquarters :	Phunling
Area in Sq. Km :	3,646
No. of Households :	26,509
No. of Population :	127,461
Male :	60,552
Female :	66,909
No. of PwD :	3,730
No. of VDC(s)/Municipality(ies) :	50/0
Male Literacy :	44,414
Female Literacy :	40,423
Religion Hindu (%) :	35.9
Buddhism (%) :	20.52
Kirat (%) :	41.37
Christianity (%) :	1.47
Prakriti (%) :	0.02
Bon (%) :	0.48
Undefined (%) :	0.24
Average Household Size :	4.80

INSEC documented no remarkable changes in human rights situation of Taplejung district in 2014. In 2013, a total of 24 people were victimized in the incidents of human rights violation while in 2014, there were 24 victims. Among these incidents, there were four cases of attempt-

Types of Events	By Non-State		
	Female	Male	Total
Abduction	1		1
Child Rights	4		4
Injured		1	1
Killing	4	1	5
Women Rights	13		13
Total	22	2	24

ed rape and three cases of sexual abuses on girls. Last year one man was victimized by state actors whereas there are no incidents of violations by state actors this year.

JAIL AND DETAINEES

The 'E' grade District Prison, built in 1952 has the capacity to accommodate 25 inmates. A total of 98 including 60 convicted and 38 detained inmates were held there at the end of the year. The building is very old and due to overcrowding, inmates face crunch of space to sleep, dine and long queue to use toilets.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge and was occupied the end of the year. There were 151 civil and 189 criminal cases pending. There are 12 criminal and 12 civil cases pending that are older than two years. One judge is responsible for 364 cases on average in the court.

CHILD RIGHTS

Education Status

There are 220 primary schools, 66 lower secondary schools and 27 secondary schools. Out of the total positions of 1256 teachers, 16 positions were vacant at the end of the year. According to District Education Office (DEO) 19,254 boys and 21,545 girls of school going age were enrolled in the school. The DEO said that there are no disabled-friendly schools in the district. All the schools have toilet facilities 50% of the schools are disabled-friendly. DEO has

provided scholarship to 1,901 dalit boys and 2,194 dalit girls. The annual budget of the district is Rs 139,835,000.

Rape, Attempt to Rape and Sexual Abuses

The incident of child rights violation has negligibly decreased this year as compared to last year. In 2013, INSEC documented a total of 19 cases of child rights violation, which included one boy and 18 girls. In 2014, four girls were victimized. The victim girls of sexual abuses were aged between 6 and 17.

Types of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	1	1
Sexual Abuse	3	3
Total	4	4

The family of a 6-year-old girl lodged a complaint at District Police Office on March 21 accusing Sagar Phembo, 35, of Lelep VDC-2 of attempting to rape her on March 16 after taking the victim to a den. The victim underwent health checkup at District Hospital on March 21. The accused was remanded in custody by the court on April 19.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

INSEC has documented 13 victims of violence against women in the district this year including four cases of attempted rape and five cases of polygamy. All accused remained at large until the end of the year. In 2013, a total of six victims were documented by INSEC. One woman was killed in a domestic violence.

Sancha Kumari Limbu, 36, of Liwang VDC-8 was severely injured when she was hit with a metal weapon by her father-in-law Harka Bahadur Limbu, 63 on November 26. The injured succumbed to death on the way to the hospital. The accused was arrested on the same day. The

Types of Events	By Non-State	
	Female	Total
Domestic Violence	4	4
Polygamy	5	5
Rape Attempt	4	4
Total	13	13


victim's son Nabin Limbu, 17, registered a complaint against his grandfather at District Police Office on November 27. The accused was remanded in custody by a court order on December 18.

HEALTH SERVICE STATUS

There are one district hospital, 12 health posts and 39 sub-health posts in the district. According to District Public Health Office, there are four positions of doctors in the district. There is no position for gynecology specialist. There are five positions for staff nurse out of which one was vacant. The district has 61 positions of Assistant Health Workers out of which 26 remained vacant. Among the positions of 24 auxiliary nurses, three remained vacant. The district has total of 116 positions for health workers out of which 39 positions were vacant at the end of the year.



1.5 Morang



- Headquarters : Biratnagar
- Area in Sq. Km : 1,855
- No. of Households : 213,997
- No. of Population : 965,370
 - Male : 466,712
 - Female : 498,658
- No. of PwD : 17,053
- No. of VDC(s)/Municipality(ies) : 65/1
 - Male Literacy : 341,584
 - Female Literacy : 297,623
- Religion Hindu (%) : 80.27
- Buddhism (%) : 4.13
- Islam (%) : 4.74
- kirat (%) : 6.55
- Christianity (%) : 1.64
- Prakriti (%) : 2.25
- Jain (%) : 0.1
- Shikha (%) : 0.002
- Bon (%) : 0.01
- Bahai (%) : 0.02
- Undefined (%) : 0.28
- Average Household Size : 4.52

INSEC documentation shows slight improvement of human rights situation in 2014 in comparison to 2013. A total of 17 people were victimized by state in different incidents of human rights violation in 2013 whereas the number of victims were 20 this year. Last year, 274 people were victimized by non-state actor. This decreased to 243 this year. Last year, four people's right to assembly and association was violated,

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction				3	3
Beatings				1	1
Child Rights			49	19	68
Death in Detention	1	1			
Inhuman Behaviour				2	2
Injured			1		1
Killing			6	4	10
Right to Assembly	19	19			
Threats				1	1
Women Rights			157		157
Total	20	20	213	30	243

this year 19 people faced similar situation. The incidents of child rights violation also increased this year. According to the documentation, 46 children were victim last year, while this year 68 children's rights were violated. A total of 183 women became victims in 2013 and this number increased to 157 this year.

JAIL AND DETAINEES

The 'B' grade District Prison has the capacity for 250 inmates. However, a total of 707 inmates including 457 convicted and 250 detainees were residing in the jail at the end of the year including two dependents. The district jail building was built in 1988. An inmate, Mahendra Mahato, 54, of Harinagara VDC-8 of Sunsari district died on September 11, 2013 while undergoing treatment to BPKIHS (BP Koirala Institute of Health Science).

The inmates were facing crunch of sleeping space due to the overcrowding. Similarly, there were 14 toilets for over 700 inmates along with three motor taps and six hand pumps. The jail administration managed generator for the inmates during the load shedding. The compound of the jail is in dilapidated condition. According to Jailor Durga Datta Paudel the Govern-

ment of Nepal is providing certain amount of money for the patients in the jail but it is very difficult to manage within the fund allocated for mentally ill inmates as they are also being transferred from other districts.

RIGHT TO PROMPT AND FAIR TRIAL

All of five District Court judges were working at the end of the year. A total of 1,020 criminal cases and 1,103 remained pending at the end of the year. Similarly, there are 21 criminal and nine civil cases older than two years remained pending. Based on the complaints of the court, one judge is responsible for 450 cases in the court.

All the nine positions of the Appellate Court were filled at the end of the year. A total of 532 criminal and 409 civil cases remained pending in Appellate Court at the end of the year. In the same way, three criminal cases older than two years remained pending at the end of the year. Based on the complaint, one judge is responsible for 100 cases in the Appellate Court.

CHILD RIGHTS

Out of the 19,656 school going children, 9,460 girls and 8,881 boys got admission in the school in the district. According to the District Education Office (DEO), Morang, there are 292 primary, 105 lower secondary and 161 secondary schools. Out of the 4,028 positions for teachers, a total of 832 quotas remained vacant at the end of the year. A total of 300 schools are disabled-friendly and all schools have a facility of toilets for students. DEO informed that a total of 32,492 students from dalit community received scholarship in this year. If further said that the annual District Education Office budget is Rs 1,687,712,164. Of the total budget, Rs 10613500 is the administrative cost.

Types of Events	By Non-State		
	Female	Male	Total
Child Trafficking	8	16	24
Corporal Punishment	2	1	3
Killing of Newborn Baby	1		1
Rape	27		27
Sexual Abuse	11	2	13
Total	49	19	68

INSEC documentation shows that the incidents of child rights violation increased this year in comparison to last year. In 2013, 46 children were victimized while in 2014, this number increased to 68 including 19 boys. Out the 68 children, 24 were victims of attempted trafficking and 27 girls were victims of rape. Rape of girls including 2 and half year old girl, was documented. Some accused of rape were acquitted from the court in the district.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

The incidents of violence against women decreased in 2014. INSEC documented 183 incidents of violence against women in 2013 whereas the number was 157 this year. Two women were victimized on the allegation of witchcraft this year and six women were victims of rape and six were victims of attempt to rape. A total of seven women were victims of trafficking. Some incidents of killings by family members, calling off of marriage for not giving dowry were also documented in 2014.

Rape, Attempt to Rape and Sexual Abuses

In 2014, 118 women filed com-

plaints of domestic violence at Women and Children Service Center (WCSC) of District Police Office. Out of them, a total of 35 cases were expulsion from home, 11 cases were of depriving of food, 19 cases were of not registering marriage and citizenship certificates and 15 cases were of minor disputes. According to the WCSC, out of them, 111 cases were settled whereas seven cases were preceded for legal proceedings.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	128	128
For Practicing Witchcraft	2	2
Polygamy	7	7
Rape	6	6
Rape Attempt	6	6
Sexual Abuse	1	1
Women Trafficking	7	7
Total	157	157

HEALTH SERVICE STATUS

There are two hospitals, 34 health posts and 26 sub-health posts in the district. Four out of seven positions for doctor remained vacant. Out of seven positions for staff nurses, two remained were vacant at the end of the year. Two out of 104 positions for ANM remained vacant. According to the Public District Health Office, out of the 347 positions for health workers in the district, 43 positions remained vacant. The total budget of the District Health Office is Rs 1,200,312,000, out of that, Rs 1,021,000,719 was for Administrative cost and Rs 13,830,000 for medical expenses.



1.6 Sunsari



Headquarters :	Inaruwa
Area in Sq. Km :	1,257
No. of Households :	162,407
No. of Population :	763,487
Male :	371,229
Female :	392,258
No. of PwD :	10,409
No. of VDC(s)/Municipality(ies) :	49/3
Male Literacy :	265,461
Female Literacy :	224,529
Religion Hindu (%) :	73.28
Buddhism (%) :	4.12
Islam (%) :	11.54
Kirat (%) :	6.88
Christianity (%) :	1.49
Prakriti (%) :	1.94
Jain (%) :	0.05
Shikha (%) :	0.003
Undefined (%) :	0.398
Average Household Size :	4.70

According to INSEC documentation, the situation of human rights was similar in the district in 2014 as in 2013 as the number of victims went down from 94 to 93. In 2013, there were 28 victims in the incidents of human rights violation from state actor whereas this year, the number of victims is 15. Ten people were denied their right to assembly. The child rights violation increased three fold from last year. In Sunsari, 17 children were the victims of viola-

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				1		1
Arrest & Torture		2	2			
Beatings	1	1	2		3	3
Child Rights				21	4	25
Injured				1		1
Killing				4	2	6
Racial Discrimination				1	3	4
Right to Assembly		10	10			
Threats		1	1		2	2
Women Rights				36		36
Total	1	14	15	64	14	78

tion. INSEC documented three cases of corporal punishment against children. Last year, 20 women were victims of violation against women whereas 36 women were victims this year.

JAIL AND DETAINEES

The District Prison at Jhumka, built in 2010, has no grade and has the capacity to hold 1,004 inmates. A total of 1,361 including 958 convicted and 403 detained inmates were held there at the end of the year. There are no women and children in the prison.. The building comprising of 39 rooms has good facility of toilet and drinking water. There is a primary health facility for the inmates. Cottage industry to make chairs of bamboo is operating. More than 300 inmates are economically benefited by the industry.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has positions for six judges at the end of 2014. There were 1,147 civil and 1,015 criminal cases pending. There are 136 cases including 74 criminal cases and 62 civil cases older than two years pending. There were 450 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 371 primary schools, 106 lower secondary schools and 140 secondary schools in the district. According to District Education Office (DEO), all the positions of 2,668 teachers were filled at the end of the year. According to the DEO, a total of 73,824 boys and 71,765 girls of school-going age enrolled in school. The DEO has provided scholarships to 20,996 dalit students. Annual budget allocated to the DEO is Rs 1,180,000,000.

Rape, Attempt to Rape and Sexual Abuses

The child rights violation has increased three times more as compared to last year. In 2013, INSEC documented eight cases of child rights violation whereas 25 children were victims this year of which 17 girls were the victims of rape and two of sexual abuses. The victims were between the ages of 4 and 17. Three boys were the victims of corporal punishment in school.

A 58-year-old man was arrested by Area Police Office on April 4 on charge of raping his 17-year-old daughter on March 29. The incident came to light when the victim shared with her friend that she was being abused by her father for the last three years. The victim's mother had lodged a complaint to the Khanar police station on April 4. She underwent a health checkup at BP Koirala Institute of Health Sciences on April 4. He was remanded in Jhumka Prison by the District Court order since April 28. In October 12, he was acquitted by a District Court order.

An 8-year-old girl working as a domestic helper in the house of Uttam Basnet, 31, and wife Durga Rai, both APF Inspectors posted at Eastern Division Headquarters was rescued by the initiation of Child Rights Awareness Group on November 25 and handed over to her parents. Members of the CRAG had found her in the house

Types of Events	By Non-State		
	Female	Male	Total
Child Labour	1		1
Child Marriage	1		1
Corporal Punishment		3	3
Killing of Newborn Baby		1	1
Rape	17		17
Sexual Abuse	2		2
Total	21	4	25

of inspector with bruises over her body after she did not come to her school, Pakali High School for three days. The group lodged a complaint at Area Police Office, Pakali on November 24. The complaint stated that the girl was tortured by the accused and his wife on many occasions. The victim told the INSEC representative that she was assaulted by the accused on various occasions. The CRAG was initiated by INSEC. The girl was handed over to her mother Sharmila in the presence of District Child Welfare Committee coordinator Ramesh Tamrakar, Women and Children Office's Child Protection Officer Purna Maya Rai and the media persons, Inspector Bishnubar Singh said. The case was settled with an agreement to bear treatment by paying Rs 7,000 to the mother for the girl's treatment and stationery.

Police arrested a 14-year-old boy on January 25 on charge of raping a 6-year-old girl on January 22. The girl's grandfather filed a complaint on January 24 saying that the girl was raped when she was alone at home. Police filed a case of rape at the District Court on January 26 and on the same day was sent to the reform center in Biratnagar. Convicting him of the crime, he was awarded sentenced of 2 and half years. Currently, he is in reform center, Biratnagar.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

According to the WCSC, this year 72 women lodged complaint at Women

Types of Events	By Non-State	
	Female	Total
Domestic Violence	21	21
For Practicing Witchcraft	1	1
Polygamy	3	3
Rape	7	7
Rape Attempt	2	2
Women Trafficking	2	2
Total	36	36

and Children Service Centre (WCSC) against domestic violence of which 20 cases of assault and expulsion from the house, 25 of deprivation of food, 10 of not registering for marriage and citizenship certificate, 11 of polygamy and six cases of minor dispute were registered in the office. Among these incidents, 56 cases were settled in agreement and 16 cases were forwarded for legal proceedings.

Last year INSEC had documented 20 similar incidents. This year there were 36 incidents documented of which 21 women were the victims of domestic violence, seven were victims of rape, one of allegation of being witch and two of trafficking.

A 43-year-old victim lodged a complaint at Area Police Office of Itahari on February 25 against Sunil Gurung, 27, of Khanar VDC-3 accusing him of raping her on the night of February 24. The victim underwent a health checkup at Community Hospital of Itahari on February 25. The police arrested the accused on the same day, based on the complaint lodged by the victim. He was remanded in District Prison on March 21. District Court on September 23 sentenced him to five years in prison with a compensation of Rs 50,000 to the victim.

A complaint against Jarwan Kumar Meheta, 20, of Madhyaharsahi VDC-5 and trainee of APF was lodged by an 18-year-old girl at Area Police Office of Harinagar on October 5, accusing him of raping her. The Area Police Office refused to register the case. The victim then lodged a com-

plaint at Women and Children Office on October 16. The police also refused to register the case initiated by Women and Children office. The Human Right Network of the district filed the case again at District Police Office of Sunsari on October 31. The DPO registered the case at District Court of Sunsari on November 7. The accused deserted the training and absconded, according to DPO, Sunsari. The accused is at large till the end of the year.

ALLEGATION OF WITCHCRAFT

Area Police Office, Itahari arrested Jeevan Chaudhary, 25, Bauki CHaudhary, 35 and a 14-year-old boy on June 29 on charge of assaulting Parbati Chaudhary, 50, of Hansoposa VDC-3 alleging her of being a witch. The victim who was suffering from fits was alleged of being a witch by Jeevan Chaudhary, 35. The police rescued and admitted the victim in local Community Health Center for her head injury as she was being beaten by the locals. The District Administration Office released Jeevan Chaudhary on bail amount of Rs 25,000 and Bauki Chaudhary on 15,000 on date.

CASTE-BASED DISCRIMINATION

Last year there were no incidents on caste-based discrimination however, this year a total of four victims of caste-based discrimination were documented.

Bhul Kaji BK, 40, lodged a complaint at Area Police Office on June 31 against Bhagwati Bhandari, 50 for discriminating him over untouchability after summoning him to help in her son's wedding. The Area Police Office arrested the accused on June 22 and the case was settled at Area Police Office.


HEALTH SERVICE STATUS

There are one district hospital, 24 health posts and 23 sub-health posts in the district. According to District Public

Health Office, of the eight positions of doctors in the hospital, six posts remained vacant this year. The district has 282 positions for health workers of which 28 posts remained vacant at the end of the year. The annual health budget of the district is Rs 72,422,000 for public health.



1.7
Dhankuta



Headquarters : Dhankuta

Area in Sq. Km : 891

No. of Households : 37,637

No. of Population : 163,412

Male : 76,515

Female : 86,897

No. of PwD : 4,881

No. of VDC(s)/Municipality(ies) : 35/1

Male Literacy : 58,271

Female Literacy : 55,439

Religion Hindu (%) : 49.17

Buddhism (%) : 12.59

Islam (%) : 0.1

Kirat (%) : 34.94

Christianity (%) : 1.78

Prakriti (%) : 0.12

Jain (%) : 0.01

Shikha (%) : 0.001

Undefined (%) : 0.291

Average Household Size : 4.34

The situation of human rights is discouraging in the district this year. IN-SEC documentation shows that the number of victims has gone up from 29 in 2013 to 55 in 2014. One victim was victimized by the hand of state actors this year like in

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Child Rights			6		6
Killing			1		1
Racial Discrimination				1	1
Threats	1	1			
Women Rights			46		46
Total	1	1	53	1	54

2013. In 2013, three children were the victims of child rights violation whereas this year the number increased to six. The victims of women rights violation has tripled this year. There were 17 women with their rights violated in 2013 whereas this year the number increased to 46.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 25 inmates. A total of 59 including 32 convicted and 27 detained inmates were held there at the end of the year. The District Prison does not have its own building. The inmates were kept in the same old building. According to prison guard Milan Khadka, the inmates are compelled to live in difficulty due to the lack of sleeping space. According to jailer Bishwanath Dahal, the female prison was built two years ago which has given a respite.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge and remained at the office. There were 111 civil and 146 criminal cases pending. There are no criminal or civil cases older than two years pending. One judge is responsible for 150 cases on average in the court. The district has one Appellate Court with five judges. All positions were occupied. There are 98 civil and 180 criminal cases pending. On average a judge is responsible for 50 cases in the Appellate court.

CHILD RIGHTS

Education Status

There are 232 primary schools, 39 lower secondary schools and 41 secondary schools. According to the District Education Office (DEO), all of the total positions of 1,540 teachers were full. According to the DEO, 18,485 boys and 20,356 girls of school going age are enrolled in the school this year. The annual budget of the DEO is Rs. 6,777,396 and Rs 7,672,600 is an administrative cost. The DEO provided scholarships to 1,805 dalit boys and 1,822 dalit girls.

Rape, Attempt to Rape and Sexual Abuses

The victims of child rights violation increased this year as compared to last year. In 2013, three children were the victims whereas this year the number of victims of rape and sexual abuses increased to six.

Types of Events	By Non-State	
	Female	Total
Rape	5	5
Sexual Abuse	1	1
Total	6	6

A 7-year-old girl was raped by a 16-year-old boy of Hile, Dhankuta Municipality-1 on October 24. The victim's mother lodged a complaint at District Police Office on October 26. The complaint stated that the girl was raped by the boy while she was playing. She underwent health checkup at District Hospital on October 26. The police registered the case of rape at District Court on October 27. The accused was remanded in custody by the District Court on December 6.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

INSEC documented 46 victims of women rights violation including two cas-

Types of Events	By Non-State	
	Female	Total
Domestic Violence	36	36
For Practicing Witchcraft	1	1
Polygamy	7	7
Rape	2	2
Total	46	46

es of rape, one case on allegation of being witch, seven of polygamy and remaining the cases are of domestic violence. Domestic violence resulted in the death of one woman at the hands of her husband in an assault.

ALLEGATION OF WITCHCRAFT

Man Maya Gurung, 38, of Batkharka, Danda VDC-1 was assaulted by her family members on January 7 who alleged her of being a witch. She lodged a complaint against her brothers-in-law Dhan Bahadur Gurung, 48, Gopi Lal Gurung, 46, their wives Padami Maya Gurung, 50, Purna Maya Gurung, 48 and Chhatra Bhadr Gurung, 41, at District Police Office on January 22. She was held responsible for the death her of 22-year-old nephew and a buffalo 'by casting spells'. According to DSP Rameswar Karki, the case was settled with an agreement at the DPO on January 27 with the commitment of not repeating such incident in the future, . The victim's husband, however, complained that the perpetrators had pressured them to agree for settlement.

CASTE-BASED DISCRIMINATION

Last year there were no incidents of caste-based discrimination however this year there is one incident documented by INSEC. Constable Yuv Raj Pariyar, 30, of Biratnagar Municipality-19, Morang and posted at the temporary police post of Danda Bazar lodged a complaint at District Police Office on June 13 complaining


of caste-based discrimination. He said that his superior ASI Nawaraj Karki, in-charge of the police post discriminated him by not allowing him to prepare food and making him separately. The District Police Office formed a 3-member investigation committee with Inspector Surendra Prakash Shrestha of Area Police Office, Rajarani as coordinator on June 15. The committee prepared the investigation report and sent it to Koshi Zonal Police Office. Both the victim and accused were transferred to District Police Office after the incident. According to SP Pradeep Kumar Shrestha, there was no information about whether any action was taken against the accused.

HEALTH SERVICE STATUS

There are one district hospital, 24 health posts and 11 sub-health posts in the district. According to the District Public Health Office, out of the five positions of doctors in the hospital of Dhankuta, four posts remained vacant this year. All six positions each for staff nurse and lab assistant remained vacant. The district has 182 positions of Assistant Health Workers out of which 36 positions remained vacant.



1.8 Tehrathum



Headquarters :	Myaglung
Area in Sq. Km :	679
No. of Households :	22,094
No. of Population :	101,577
Male :	47,151
Female :	54,426
No. of PwD :	2,626
No. of VDC(s)/Municipality(ies) :	32/0
Male Literacy :	36,469
Female Literacy :	34,523
Religion Hindu (%) :	52.17
Buddhism (%) :	12.53
Islam (%) :	0.03
Kirat (%) :	33.93
Christianity (%) :	1.02
Prakriti (%) :	0.15
Undefined (%) :	0.161
Average Household Size :	4.60

INSEC documentation shows that there is a slight improvement in human rights situation in 2014 as compared to last year. INSEC reported a total of 64 victims of human rights violation in 2013 including 10 from the state actors. This year, only 39 victims were documented. State was involved in violation of right of one person. Last year, INSEC documented a total of 21 incidents of violence against women in 2013 while this year, the victims of violence against women increased to 27.

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings	1	1			
Child Rights			5		5
Killing			3	2	5
Threats				1	1
Women Rights			27		27
Total	1	1	35	3	38

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity for 35 inmates. However, a total of 55 convicted and 17 detainees were residing there at the end of the year including one dependent. This prison building was constructed in 1950 which is in the dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

There is one quota for judge in the District Court. A total of 28 civil cases and 42 criminal cases remained pending at the end of the year.

CHILD RIGHTS

There are 153 primary, 38 lower secondary and 18 secondary schools in the district. This year 1,104 boys and 1,203 girls are enrolled in the school. The District Education Office informed that 25,394 children remained out of the schools. Out of the 1,074 positions for teachers in the district, eight remained vacant. It informed that a total of 157 schools have toilet facilities. The DEO provided scholarship to 1,622 boys and 1,834 girls of dalit community in 2014.

Types of Events	By Non-State	
	Female	Total
Rape	3	3
Sexual Abuse	2	2
Total	5	5

Rape, Attempt to Rape and Sexual Abuses

The number of victims of rape, attempt to rape and sexual abuses is almost similar to last year. INSEC documentation shows that all of the victims of the documented five cases of rape and sexual abuses were girls. All accused of the incidents of rape and sexual abuses were brought to legal action.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 13 women lodged complaints of domestic violence at Women and Children Service Center (WCSC) of District Police Office in 2014. Out of them, five cases were of expulsion from home, four cases were of depriving of food, two cases were of polygamy and two of minor disputes. According to the WCSC, five cases were settled and eight cases were preceded for legal action.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	16	16
Polygamy	4	4
Rape	4	4
Rape Attempt	2	2
Sexual Abuse	1	1
Total	27	27

It was found that the incidents of violence against women increased this year in comparison to 2013. A total of 21 women were victimized in the incidents of violence against women in 2013. The number of the incidents of violence against women increased to 27 in 2014. 16 women were victims of domestic violence, four women were victims of rape, two were victims of attempted rape and one was sexually abused. The victims of rape and attempted rape were threatened with sharp weapons in all cases. Two women were killed by their husbands after domestic disputes.

Man Bahadur Limbu, 59, of Dangapa VDC-5 was arrested by police on October 15 on charge of killing his wife Dhanmaya Teyung by attacking her with axe. The accused was arrested by police on the same day. The incident occurred after the minor disputes between husband and wife. The locals informed the police when the victim died at the incident site. A post-mortem of the dead body was performed at District Hospital. The accused was remanded in custody following the District Court's order on October, 16.


Dal Bahadur Kami, 42, of Myanglung Municipality-6 was arrested by police on November 2 on charge of beheading his sister-in-law Bimala BK Sarki of Myanglung Municipality-6 on October 31. The accused was absconding following the incident. The neighbors of the victims just came to know about the incidents on November 2 and informed to the police. The accused was remanded in custody since November 10.

HEALTH SERVICE STATUS

There are one district hospital, nine health posts and 20 sub-health posts in the district. There are a total of four positions for doctors in the district. However, six doctors including the contracted doctors are working in the district. There is no gynecology specialist in the hospital. Out of the total 45 positions for AHWs, nine remained vacant. Out of 35 positions for ANM, five were vacant. The District Health Office informed that there were 129 positions for health workers in the district of which 23 positions remained vacant at the end of the year.



1.9 Bhojpur



Headquarters :	Bhojpur
Area in Sq. Km :	1,507
No. of Households :	39,419
No. of Population :	182,459
Male :	86,053
Female :	96,406
No. of PwD :	4,618
No. of VDC(s)/Municipality(ies) :	62/1
Male Literacy :	62,924
Female Literacy :	56,000
Religion Hindu (%) :	53.33
Buddhism (%) :	14.17
Islam (%) :	0.01
Kirat (%) :	31.51
Christianity (%) :	0.54
Prakriti (%) :	0.18
Shikha (%) :	0.001
Undefined (%) :	0.246
Average Household Size :	4.63

According to the INSEC documentation, the incident on human rights violation increased in the district in 2014. In 2013, there were 33 people victimized in the incidents of human rights violation including 20 female and 13 male while in 2014 there were 61 victims victimized by non-state actor including 54 female and seven male. There were no incidents of human rights violation by state actor, which was same last year. Three children were the victims of violence against children in 2013, whereas 16 children were victims this year including one boy.

Types of Events	By Non-State		
	Female	Male	Total
Beatings		1	1
Child Rights	15	1	16
Killing	1	3	4
Racial Discrimination		2	2
Women Rights	38		38
Total	54	7	61

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 25 inmates at a time. A total of 86 including 62 convicted and 26 detained inmates were held there at the end of the year. The prison administration said that overcrowding of inmates in the prison is creating various difficulties for them. The prison has more three times inmates than its capacity. The inmates have to wait for an hour in queue to go to toilet. The inmates complained that they are facing difficulties due to lack of sleeping space. They are compelled to sleep inside the tent. According to jailer Hari Krishna Dahal, the physical infrastructure of the building is very poor.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge and was filled until the end of 2014. There were 36 civil and 63 criminal cases pending. There were three criminal cases and one civil case older than two years pending. One judge is responsible for more than 100 cases on average in the court.

CHILD RIGHTS

Education Status

There are 274 primary schools, 60 lower secondary schools and 42 secondary schools. None of the 1780 positions for teachers were vacant at the end of the year, according to District Education Office (DEO). According to the DEO, a total of 13,815 boys and 13,439 girls of school going age enrolled in school this year. All the

schools have a facility of toilets, according to DEO. Similarly, there are two disabled-friendly schools in the district.

Rape, Attempt to Rape and Sexual Abuses

As per INSEC documentation, there was an increase in an incident of child rights violation. The girl victims of rape are aged between 5 and 17 while the accused aged up to 67 years of age, according to the INSEC documentation. INSEC documented one case in which a father was involved in the crime. In 2013, three girls were the victims. In 2014, Four cases of killing of newborn babies and two cases of sexual abuses were documented.

Types of Events	By Non-State		
	Female	Male	Total
Killing of Newborn Baby	3	1	4
Rape	10		10
Sexual Abuse	2		2
Total	15	1	16

Two boys, aged 13 and 11 of He-laucha VDC-5 were arrested by police from their house on March 13 on charge of raping an 11-year-old girl on March 8. The victim underwent a health checkup at District Health Office on March 9. The victim's family lodged a complaint at District Police Office on March 13. The accused were released on bail amount of Rs 59,000 each on March 30.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 44 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which six cases of assault and expulsion from the house, 12 of deprivation of food, four of not making marriage and citizenship certificate, one of polygamy and 21 cases of minor dispute were registered in

Types of Events	By Non-State	
	Female	Total
Domestic Violence	30	30
Polygamy	4	4
Rape	2	2
Rape Attempt	1	1
Sexual Abuse	1	1
Total	38	38

the office. Among these incidents, 42 cases were settled in agreement and two cases were forwarded for legal proceedings, according to the WCSC.

The victims of violence against women have doubled this year. In 2013, there were 15 victims of violence against women whereas the number has increased to 38 of which 30 women were the victims of domestic violence, two were of rape, four of polygamy and one woman was murdered in assault by her husband.

Kalpna Rai, 42, of Chhinamakhu VDC-1 was beaten to death allegedly by the husband Yadav Chandra Rai on March 11. The complaint against the accused was lodged by the victim's family at DPO on March 11. The neighbor said that the perpetrator used to abuse Kalpna physically and mentally in inebriated state in the past. The accused was remanded in custody by a District COURT order on March 30.

HEALTH SERVICE STATUS

There are one district hospital, and 40 sub-health posts in the district. According to District Public Health Office, though there are two positions for doctors in the hospital, three were working at the end of the year. There is no position for gynecology specialist. The district has 88 positions of Assistant Health Workers of which 15 remained vacant. There are 83 positions for auxiliary nurse of which four remained vacant. District Public Health Office said that out of 314 positions in various health organizations, 52 remained vacant..



1.10 Sankhuwasabha



Headquarters :	Khandbari
Area in Sq. Km :	3,480
No. of Households :	34,624
No. of Population :	158,742
Male :	75,225
Female :	83,518
No. of PwD :	4,054
No. of VDC(s)/Municipality(ies) :	33/1
Male Literacy :	54,233
Female Literacy :	49,347
Religion Hindu (%) :	42.73
Buddhism (%) :	15.28
Islam (%) :	0.03
Kirat (%) :	28.75
Christianity (%) :	1.47
Prakriti (%) :	0.11
Jain (%) :	0.04
Undefined (%) :	0.254
Average Household Size :	4.58

The incidents of human rights violation increased in 2014. In 2013, the number of victims of human rights violation was 50 while 73 people were the victims in 2014. A woman was victimized by state actor in 2013. 15 children were victimized in 2013 and eight children were victimized this year. The women rights violations trebled from the number of previous year. 13 women were victimized in 2013. IN-SEC documented 58 incidents of violence against women in this year.

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	8		8
Economic, Social and Cultural Rights		1	1
Killing	3	3	6
Women Rights	58		58
Total	69	4	73

JAIL AND DETAINEES

The 'D' grade District Prison, built in 1985, has the capacity for 25 inmates. However, 144 inmates including 88 convicted and 26 detainees are residing in the jail. One dependent is also staying in the prison.

RIGHT TO PROMPT AND FAIR TRAIL

There is one position for judge in the District Court. 65 civil and 64 criminal cases remained pending at the end of the year. One criminal and two civil cases more than two years remained pending at the end of the year.

CHILD RIGHTS

There are a total of 258 primary schools, 62 lower secondary schools and 41 secondary schools in the district. Out of 49,260 children of school-going age, 3,341 children including 1,685 boys and 1,656 girls got admitted to the school this academic year. All of the 1,640 positions for the teachers remained fulfilled. No school in the district has toilets or disabled-friendly facilities. The annual budget of the District Education Office is Rs 690,791,572. The DEO informed that it spent Rs 21,084,000 for scholarships to 5,460 dalit students in the district.

Rape, Attempt to Rape and Sexual Abuses

According to INSEC documentation, the incidents of child rights violation decreased this year in comparison with

previous year. In 2013, a total of 15 children were victimized. However, only eight victims of child rights violation were documented in 2014. A total of six accused of child rights violation were remanded in the custody for investigation and one accused is still absconding.

Types of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Deprived From Various Opportunities	1	1
Rape	5	5
Sexual Abuse	1	1
Total	8	8

A 13-year-old boy of Sampang VDC-6 was arrested by Area Police Office of Chainpur on January 2 on charge of raping a 5-year-old girl on January 1. On January 3, the police registered the complaint against him at District Court. The victim underwent a medical checkup at Chainpur Primary Hospital on January 1 after the victim's party lodged a complaint on same day. He was remanded in custody by a court order on January 29

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 58 women lodged complaints of domestic violence at Women and Children Service Center (WCSC) in 2014. Out of them, 12 cases were of rape, 10 were of polygamy, 28 were of beating, one was the allegation of witchcraft, two were of not registering birth and citizenship certificates, three cases were of depriving of food, one was of not providing partition of property. According to the WCSC, the accused of 16 cases were taken to court for legal proceedings whereas others did not come in contact with the police.

INSEC documented 12 victims of violence against women in 2013 but victims of violence against women increased to 58

Types of Events	By Non-State	
	Female	Total
Domestic Violence	42	42
For Practicing Witchcraft	1	1
Polygamy	7	7
Rape	2	2
Rape Attempt	3	3
Sexual Abuse	2	2
Women Trafficking	1	1
Total	58	58


in 2014. Of the total incidents of violence against women, 42 were domestic violence. In the same way, two women were victims of rape, seven were of polygamy and one was of witchcraft.

HEALTH SERVICE STATUS

There are one district hospital, 23 health posts and 13 sub-health posts in the district. All of the five positions of doctors in the district were occupied at the end of the year. In the same way, one of the six positions of gynecology specialist was vacant. Six of 80 positions of AHWs were vacant. Similarly, the total positions of ANM are 68 of which six were vacant. According to the District Public Health Office, of the 175 workers in the district, 37 positions remained pending. The total of District Health Office budget is Rs 1,007,899,000. The District Health Office did not provide the information of the total expenses of the office.



1.11 Saptari



Headquarters : Rajbiraj

Area in Sq. Km : 1,363

No. of Households : 121,098

No. of Population : 639,284

Male : 313,846

Female : 325,438

No. of PwD : 8,044

No. of VDC(s)/Municipality(ies) : 114/1

Male Literacy : 196,705

Female Literacy : 134,449

Religion Hindu (%) : 85.73

Buddhism (%) : 4.68

Islam (%) : 8.92

Kirat (%) : 0.06

Christianity (%) : 0.05

Prakriti (%) : 0.01

Jain (%) : 0.03

Undefined (%) : 0.521

Average Household Size : 5.28

INSEC documentation shows that the human rights violation in Saptari increased in 2014. A total of 261 people were victimized in 2014. The incidents of human rights violation committed by state were fewer than the previous year. INSEC documented 13 people including six males being the victims at the hand of state actors this year. Similarly, 248 people including 21 males were victimized by non-state actor. This year, 189 were victims of women rights violation.

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				2	1	3
Arrest & Torture	1		1			
Beatings	1	3	4		2	2
Child Rights				21	1	22
Economic, Social and Cultural Rights				1		1
Inhuman Behaviour					3	3
Injured				1	1	2
Killing				12	12	24
Racial Discrimination				1		1
Right to Assembly	5	1	6			
Threats		2	2		1	1
Women Rights				189		189
Total	7	6	13	227	21	248

A total of 172 people were victimized in 2013. Of them, 36 people including four women were victimized by state and 136 people including 30 males were victimized by non-state in 2013. INSEC documented a total of 11 victims of killing last year while this year the number of victims was 12. Three men were the victims of inhuman behavior this year.

JAIL AND DETAINEES

The 'D' grade District Prison, built in 1954 has the capacity to accommodate 125 inmates. However, 249 inmates including 104 detainees and 145 convicts were held there at the end of the year. There are 11 female inmates in the jail. The jailor is also responsible for administrative work. A position for a health assistant remained vacant until the end of the year. According to the prison administration, sometimes they face economic difficulties due to extra burden to treat the inmates injured in clash. There is no compound wall around the prison area. The inmates are facing problems of lack of sleeping space and are suffering from diseases. Due to the wrong date written in the

Appellate Court decision and prison slip, Ananda Kumar Yadav of Itaharwa VDC-7, Siraha was imprisoned in jail until June 4 though he should have been released on May 4. The Appellate Court had counted his term from May 4, 2008 instead of March 5, 2009. However, he was released a month later than the stipulated date after the prison administration corrected the error as per the decision under Appellate Court Regulation on May 3.

RIGHT TO PROMPT AND FAIR TRIAL

There are two courts in Saptari district i.e. District and Appellate Court. There are nine positions for district judges. A total of 237 civil cases and 878 criminal cases remained pending until December 31. A total of 161 civil cases and 62 criminal cases older than two years remained pending at the end of the year. One judge is responsible for about 350 cases in the district court. Although the total position of Appellate Court judges is 12, two of them were vacant at the end of the year. In Appellate Court, 1,191 civil cases and 886 criminal cases remained pending at the end of the year. Similarly, 36 civil cases and 30 criminal cases older than two years remained pending at the end of the year. One judge is responsible for an average of 215 cases in the court.

ABDUCTION

INSEC documented abduction of three persons including a woman in the district this year. In one incident, the victim accused Samyukta Janatantrik Mukti Morcha's district chairperson Devram Yadav aka Anil Yadav being involved in his abduction. Yadav was in custody until the end of the year for investigation.

CHILD RIGHTS

There are 259 primary schools, 102 lower secondary and 43 secondary schools

in the district. A total of 105,282 children including 55,972 boys and 49,310 girls were admitted in the school this academic year. Sixty of the 2,530 positions for teachers in Saptari district remained vacant. There are 347 schools with toilet facilities and 215 schools are disabled-friendly. According to the District Education Office (DEO), 61 schools were child-friendly. In 2014, the DEO allocated Rs 2,850,411 for 7,126 dalit boys and Rs 4,508,400 for 11,271 dalit girls.

Rape, Attempt to Rape and Sexual Abuses

INSEC documented 28 incidents of child rights violation in 2013 while this year, there were fewer victims. One boy and 21 girls were victimized in Saptari this year. Seven girls were the victims of rape and sexual abuse.

Types of Events	By Non-State		
	Female	Male	Total
Child Marriage	2		2
Corporal Punishment		1	1
Rape	14		14
Sexual Abuse	5		5
Total	21	1	22

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

In 2014, 80 women lodged complaint at Women and Children Service Center (WCSC). Out of those complaints, five were of expulsion from home, 31 were of depriving of food, five were of not registering marriage and birth certificate, five were of polygamy and 34 were of minor disputes. Of the filed cases, 46 cases were settled and two cases were processed for legal action. Remaining 32 did not turn up to follow up on their complaints.



Types of Events	By Non-State	
	Female	Total
Abortion	1	1
Domestic Violence	149	149
For Practicing Witchcraft	12	12
Polygamy	14	14
Rape	5	5
Rape Attempt	5	5
Sexual Abuse	2	2
Women Trafficking	1	1
Total	189	189

According to INSEC documentation, 77 women were victims of violence against women in 2013 while in 2014 the incidents of violence against women doubled to 189. This year, 149 women were the victims of domestic violence whereas 12 women were victims of rape, attempted rape and sexual abuses. INSEC documented 12 cases of allegations of witchcraft. Rest of the incidents was concluded in compromise with a payment of fine. In one incident, District Court released the accused on bail of Rs 17,000.

HEALTH SERVICE STATUS

There are one district hospital, one zonal hospital, four primary health centers, 30 health posts and 81 sub-health posts in Saptari. All of the seven positions for doctors in the district hospital remained vacant. In case of zonal hospital, only four of total 17 positions for doctors were occupied. There is no gynecology specialist either in district or zonal hospital. One of 230 positions for AHW was vacant. District Health Office informed that there are a total of 460 positions for health workers in the district out of which 56 were vacant.

1.12 Siraha



Headquarters :	Siraha
Area in Sq. Km :	1,188
No. of Households :	117,962
No. of Population :	637,328
Male :	310,101
Female :	327,227
No. of PwD :	6,665
No. of VDC(s)/Municipality(ies) :	106/2
Male Literacy :	177,708
Female Literacy :	123,100
Religion Hindu (%) :	90.19
Buddhism (%) :	1.73
Islam (%) :	7.46
Kirat (%) :	0.07
Christianity (%) :	0.06
Prakriti (%) :	0.12
Shikha (%) :	0.001
Undefined (%) :	0.364
Average Household Size :	5.40

INSEC documentation shows that the human rights violation incidents in Siraha district has increased in 2014 in comparison to the previous year. In the year 2013, 110 people were the victims of human rights violations and abuses among which four were victimized by the state actors whereas in 2014 there are 137 victims among which one is victimized by the state party. This year most of the cases registered are in relation to violence against women. Last year, 48 women were victims of vio-

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction				1	1
Beatings				2	2
Child Rights			26	1	27
Injured			6	6	12
Killing			9	5	14
Racial Discrimination			9	1	10
Threats	1	1		2	2
Women Rights			68		68
Total	1	1	118	18	136

lence against women and abuses and this year 68 women in Siraha have been subjected to violence and abuse. Last year, 11 girls were victims of violence and this year 27 child including one boy are victimized. Two children were victims of inhumane treatment. There were 14 people killed by non-state actors among which nine were women. Last year, there were 13 homicides.

KILLED IN EXPLOSION

Ram Kumar Mahato of Govindpur VDC-7 died on the way while being taken for treatment for his injuries sustained in a bomb explosion on July 27. Lalita Devi Mahato, 25, of same place had brought the 'strange object' home after finding it at the field near her home. It went off when everyone in the family starting tampering with it seeing a 'strange object. Lalita Devi, Shree Dev Mahato, 40, Bishnu Dev Mahato, 35, Jiban Kumar Mahato, 15, Punam Kumari Yadav, 13, Banita Kumari Mahato, 12, Sabita Kumari Mahato, 8, and Nirmala Devi Mahato, 24, were injured in the incident. The injured were treated at BPKIHS, Dharan after receiving primary treatment at Friends Model Hospital and Saptarishi Hospital. DSP Gyanendra Prasad Phuyal of the Area Police Office said that the device might have originated during the conflict period.

JAIL AND DETAINEES

The 'D' grade District Prison, built in 1972, has the capacity to hold 150 inmates at a time. A total of 268 including 75 convicted and 193 detained inmates were held there at the end of the year. There is one dependent boy.

RIGHT TO PROMPT AND FAIR TRIAL

There are five positions for Judges in Siraha District Court. There are 1385 civil cases and 417 criminal cases pending at the end of the year. There are 98 civil cases and 22 criminal cases older than two years pending. It is seen that every judge has 385 cases to be decided.

CHILD RIGHTS

There are 304 primary schools, 53 lower secondary schools and 34 secondary schools in this district. According to District Education Office (DEO), the total positions of 1,736 teachers are occupied, in addition to 439 teachers who were recruited under relief quota. All the schools have toilet facilities and 45 schools are disabled-friendly. According to DEO, their annual budget is Rs 62,864,747 in which the administrative budget is Rs.44,864,747. It is found that the other data were not updated by the DEO.

Types of Events	By Non-State		
	Female	Male	Total
Child Marriage	2		2
Rape	13		13
Sexual Abuse	11	1	12
Total	26	1	27

Rape, Attempt to Rape and Sexual Abuses

INSEC documentation shows that 24 children including three boys were victimized in 2013. However, in 2014, 27 children including one boy were the victims. The record shows 25 children were victims of rape and sexual violence. The victims

were between the age of 7 and 17. It is also reported that perpetrators in eight cases are absconding.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

INSEC documented 48 women as being the victims of violence against women, discrimination and harassment in Siraha on 2013. In 2014, the number of victims has increased to 68. The record shows that 39 women were victims of domestic violence, seven of witchcraft allegation, and nine were victims of rape, attempted rape and sexual harassment. In the cases of witchcraft allegation some of the accused were released on bail whereas some were absconding until the end of the year.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	39	39
For Practicing Witchcraft	7	7
Polygamy	12	12
Rape	2	2
Rape Attempt	5	5
Sexual Abuse	2	2
Women Trafficking	1	1
Total	68	68

HEALTH SERVICE STATUS

There are two hospitals, four primary health centers, 33 health posts and 71 sub-health posts. Among the seven positions of doctors in Siraha hospital, two positions were vacant along with a position of gynecology specialist. Among the eight positions of staff nurse, two are vacant whereas among the 255 positions of Assistant Health Worker, 42 positions were vacant. Among the 161 positions for auxiliary nurse, 41 positions are vacant. According to the District Public Health Office, the district has overall 481 positions for all health facilities among which 98 positions were vacant. The DPHO stated that their annual budget is Rs 232,311,202.



1.13 Udaypur



Headquarters :	Gaighat
Area in Sq. Km :	2,063
No. of Households :	66,557
No. of Population :	317,532
Male :	149,712
Female :	167,820
No. of PwD :	7,781
No. of VDC(s)/Municipality(ies) :	44/1
Male Literacy :	106,591
Female Literacy :	97,535
Religion Hindu (%) :	72.57
Buddhism (%) :	12.12
Islam (%) :	0.68
kirat (%) :	9.89
Christianity (%) :	2.39
Prakriti (%) :	2.11
Bon (%) :	0.01
Undefined (%) :	0.238
Average Household Size :	4.77

According to INSEC documentation, Human Rights situation in Udaypur district has not improved in 2014. The number of victims has gone up from 53 to 78. In 2013, there were 53 people victimized in the incidents of human rights violation including 13 by state actor. This year, 78 people became victims including one by state actor. More women were victimized this year as compared to last year. 12 women were victims of women rights violations in 2013 and 49 victims were documented by INSEC in 2014. Last year, 11 girls were the victims of child rights violation and this number has increased to 17 this year including one boy.

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction			1		1
Beatings	1	1		3	3
Child Rights			16	1	17
Inhuman Behaviour				2	2
Killing			3		3
Threats				2	2
Women Rights			49		49
Total	1	1	69	8	77

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 50 inmates. A total of 128 including 76 convicted and 52 detained inmates were held there at the end of the year. There are two dependents in the prison. The prison building was built in 1980 which is not well maintained. There was a clash among the inmates on November 20 that left 11 inmates injured. All injured were treated at District Hospital on same day. The clash started over a dispute on a prison leader exploiting inmates and extorting money from them.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has positions for two judges and both were occupied at the end of 2014. There were 204 civil and 206 criminal cases pending. There are five criminal cases and four civil cases older than two years pending. There were more than 200 cases on average that one judge was responsible for in the court.

CHILD RIGHTS

Education Status

There are 230 primary schools, 118 lower secondary schools and 69 secondary schools. All of the total 2,116 positions of teacher were occupied, the DEO said. It said that 37,256 boys and 41,094 girls of school going age enrolled in the schools this year. The DEO provided scholarships

Types of Events	By Non-State		
	Female	Male	Total
Rape	10		10
Sexual Abuse	6	1	7
Total	16	1	17

to 80,917 dalit students. The annual budget of the DEO is Rs 435,767,586.

Rape, Attempt to Rape and Sexual Abuses

In Udaypur District, 11 girls were the victims of child rights violation in 2013 whereas this year 17 children including one boy were the victims. The children who were victims of rape and sexual abuses, were between the ages of 7 and 16.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 80 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 51 cases of assault and expulsion from the house, 42 of deprivation of food, one of not making marriage and citizenship certificate, seven of polygamy and 30 cases of minor dispute were registered in the office. According to the WCSC, among these incidents, 69 cases were settled in agreement and three cases were forwarded for legal proceedings.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	32	32
For Practicing Witchcraft	1	1
Polygamy	7	7
Rape	5	5
Rape Attempt	3	3
Sexual Abuse	1	1
Total	49	49

In this district, 12 women were victims of violence against women and abuses in 2013. The number of victims quadrupled this year with 49 victims. There are 32 victims in domestic violence, five who is victim of rape and four cases of attempted rape and sexual abuses. According to the documentation, in case of attempted to rape, the


District Court released the accused on bail amount of Rs 35,000.

HEALTH SERVICE STATUS

There are two district hospitals, 20 health posts and 24 sub-health posts in the district. According to the data provided by the District Public Health Office, six of the 18 positions of doctors in the hospital were vacant at the end of the year. Out of 15 staff nurses, six were vacant. There are 67 positions for auxiliary nurses and three remained vacant. The district has 232 positions of Assistant Health Workers of which 35 remained vacant. The annual health budget of the district is Rs 97,786,000 for public health and Rs. 3,143,000 for medical expenses.



1.14 Khotang



Headquarters : Diktal

Area in Sq. Km : 1,591

No. of Households : 42,664

No. of Population : 206,312

Male : 97,092

Female : 109,220

No. of PwD : 1,158

No. of VDC(s)/Municipality(ies) : 76/0

Male Literacy : 70,358

Female Literacy : 63,783

Religion Hindu (%) : 58.78

Buddhism (%) : 7.33

Islam (%) : 0.02

Kirat (%) : 31.38

Christianity (%) : 2.09

Prakriti (%) : 0.06

Bahai (%) : 0.01

Undefined (%) : 0.32

Average Household Size : 4.83

INSEC documented more number of victims of human rights violation in the district in 2014 in comparison to 2013. A total of 99 people including five victimized by state actors were documented in 2013 while 137 victims including seven people victimized by state were documented in 2014. Most of the victims were women whose rights were violated. Last year, INSEC documented nine victims of child rights violation but a total of 20 children including two boys were victimized this year. Five people were victims of caste-based discrimination. A total of ten people were killed in 2014 while in 2013, the number of people killed was 11 including one killed while being in police custody.

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction			1		1
Beatings	6	6		2	2
Child Rights			18	2	20
Death in Jail	1	1			
Economic, Social and Cultural Rights			1		1
Injured			1		1
Killing			5	5	10
Racial Discrimination			2	3	5
Threats			1	2	3
Women Rights			87		87
Total	7	7	116	14	130

JAIL AND DETAINEES

The 'E' grade District Prison, built in 2012, has the capacity to accommodate 99 inmates. However, 126 inmates including 57 detainees and 68 convicted were held in the jail at the end of the year. Out of them, one is dependent. According to jailor Chitrakhar Acharya, though this jail is newly built, the substandard work by the builders means that the building has already developed cracks, and the inmates were facing problems of few toilets, shortage of drink-

ing water and sleeping space due to the overcrowding.

RIGHT TO PROMPT AND FAIR TRIAL

There is one position for judge in the District Court. The district has a total of 130 criminal cases and a total of 280 civil cases pending at the end of the year. One civil case and one criminal case older than two years remained pending.

CHILD RIGHTS

The district has a total of 312 primary schools, 91 lower secondary schools and 58 secondary schools. The total number of students in these schools is 77,653. Out of them 40,414 are boys and 37,239 are girls. Out of 1,502 positions for teachers, 593 were vacant but according to District Education Office (DEO), 2,095 teachers were at work in the district. Only three schools are disabled-friendly and 405 schools have toilet facilities. The total budget of the DEO is Rs 21,353,171 out of which Rs 6,213,000 is allocated as administrative cost. A total of 1,216 boys and 283 girls from dalit community have received scholarship in 2014.

Types of Events	By Non-State		
	Female	Male	Total
Child Marriage	4		4
Corporal Punishment		1	1
Discrimination in Education		1	1
Killing of Newborn Baby	2		2
Rape	10		10
Sexual Abuse	2		2
Total	18	2	20

Rape, Attempt to Rape and Sexual Abuses

INSEC documented nine child victims of sexual abuses in 2013. This number increased to 20 in 2014. Four girls were victims of child marriage and 10 children were victims of rape.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 81 women lodged complaints of domestic violence at Women and Children Service Center (WCSC) of District Police Office in 2014. Out of them, a total of 41 incidents were of expulsion from home, seven were of not registering the marriage and citizenship certificates, seven were of polygamy, 19 were of minor disputes and 12 of other abuses. According to the WCSC, 16 incidents were referred to the court for legal proceedings and 65 incidents were settled in police office. In 2013, 47 women were victimized whereas in 2014, 87 women were victimized. A total of 57 women were victims of domestic violence and 10 were victims of rape, attempt to rape and other sexual abuses.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	57	57
Polygamy	20	20
Rape	2	2
Rape Attempt	4	4
Sexual Abuse	4	4
Total	87	87

CASTE-BASED DISCRIMINATION

Three dalit students of Simpani Higher Secondary School of Simpani VDC-8 were expelled from their rented room for being dalits. Although they sought help from many organizations, they did not file any complaint in police office resulting in no action against the perpetrators.

HEALTH SERVICE STATUS

There are one district hospital, 24 health posts and 49 sub-health posts in the district. There are three positions for doctors in the District Hospital of which one remained vacant at the end of the year. One of the six positions for staff nurse was vacant. Only 40 of the 146 positions for

AHWs were taken. This district has combined 283 positions for health workers in all health centers but only 63 health workers were at work. The annual budget of the District Health Office is Rs 64,439,000. Out of the total budget, the District Health Office allocated Rs 4,162,000 for administrative cost and Rs 2,400,000 for medical cost.



1.15 Okhaldhunga



Headquarters :	Okhaldhunga
Area in Sq. Km :	1,074
No. of Households :	32,502
No. of Population :	147,984
Male :	68,687
Female :	79,297
No. of PwD :	3,490
No. of VDC(s)/Municipality(ies) :	56/0
Male Literacy :	47,534
Female Literacy :	42,556
Religion Hindu (%) :	70.76
Buddhism (%) :	17.69
Islam (%) :	0.02
Kirat (%) :	10.24
Christianity (%) :	0.92
Prakriti (%) :	0.06
Jain (%) :	0.01
Undefined (%) :	0.301
Average Household Size :	4.56

The situation of human rights in Okhaldhunga district in 2014 was similar to last year. In 2013, a total of 27 people were the victims of human rights

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest & Torture	3	3			
Child Rights			2		2
Inhuman Behaviour				1	1
Killing				2	2
Racial Discrimination			2	2	4
Women Rights			20		20
Total	3	3	24	5	29

violation including two by the state actor whereas this year, 32 people were the victims including three incidents from the state actor and 20 victims of violence against women. There was a slight improvement in child rights situation. Last year, six children were the victim of child rights violation in the district where as the number has gone down to two this year. INSEC documented four cases subjected to caste-based discrimination in which four were the victims and two were killed.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 25 inmates at a time. A total of 50 including 42 convicted and eight detained inmates were held there at the end of the year. The prison building was constructed 26 years ago which is now in poor condition. The inmates say they have to sleep in turn due to space crunch and there are only two toilets. The single position for the health worker in the prison is vacant.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge and was occupied in 2014. There were 65 civil and 64 criminal cases pending. There are two criminal cases and one civil case older than two years pending. There were 132 cases per judge on average in the court.

CHILD RIGHTS

Education Status

According to the District Education Office (DEO), there are 359 primary schools, 125 lower secondary schools and 74 secondary schools. Of the total positions of 1,526 teachers, all are working till the end of the year. According to the DEO, 20,761 boys and 22,459 girls of school-going age enrolled in school. The annual budget of the DEO is Rs 128,984,163. The DEO has provided scholarships to 2,495 dalit boys and 2,482 dalit girls.

Types of Events	By Non-State	
	Female	Total
Rape	2	2
Total	2	2

Rape, Attempt to Rape and Sexual Abuses

INSEC documented six victims of child rights violation in 2013 whereas this year, rape of two girls aged 10 and 13 was documented.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Last year four women were the victims of violation of women whereas there were 20 women victimized this year which includes 17 incidents on domestic violence and two incidents of attempted rape.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	17	17
Polygamy	1	1
Rape Attempt	2	2
Total	20	20

CASTE-BASED DISCRIMINATION

This year, there were two incidents of caste-based discrimination in which four people were victims. The complaint was lodged and legal proceeding was initiated however the case was resolved after agreement.

HEALTH SERVICE STATUS

There are two district hospitals, 22 health posts and 35 sub-health posts in the district. According to the District Public Health Office, of the four positions of doctors in the hospital, one post remained vacant this year. Out of seven positions of staff nurse, three remained vacant. Out of 81 positions for auxiliary nurse, 13 were vacant. There are 1242 positions in various health organizations, 59 of them remained vacant. The District Education Office did not provide the annual budget data.



1.16 Solukhumbu



Headquarters :	Salleri
Area in Sq. Km :	3,312
No. of Households :	23,785
No. of Population :	105,886
Male :	51,200
Female :	54,686
No. of PwD :	2,609
No. of VDC(s)/Municipality(ies) :	34/0
Male Literacy :	35,445
Female Literacy :	29,197
Religion Hindu (%) :	40.21
Buddhism (%) :	27.15
Islam (%) :	0.01
Kirat (%) :	30.16
Christianity (%) :	2.21
Prakriti (%) :	0.06
Undefined (%) :	0.186
Average Household Size :	4.45

According to INSEC documentation, the incidents of human rights violation in the district increased almost double in 2014 in comparison to 2013. In 2013, a total of 48 people including five males were victimized from different incidents of human rights violation. However, the number increased to 115 including three males in this year. The incidents committed by state were not documented in 2014. The incidents of violence against women also increased this year. A total of 22 women were victimized in 2013 but this number increased to 102 in this year. Regarding the child rights violation, a total of 10 girls were victimized in this year. However, a total of six including one boy was victimized in 2013.

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	10		10
Killing		3	3
Women Rights	102		102
Total	112	3	115

JAIL AND DETAINEES

The 'E' grade District Prison built in 2003 has the capacity for 25 inmates. However, a total of 76 inmates including 61 convicted and 15 detainees are residing in the jail. Out of them, one is defendant in the jail. According to jailor Bashudeb Shrestha, the prison has the facilities of regular health checkups and other income generating facilities for women inmates.

CHILD RIGHTS

There are 167 primary schools, 58 lower secondary schools and 23 secondary schools in the district. A total of 13,828 boys and 14,711 girls are studying in these schools. District Education Office informed that four of 1,259 positions for teachers were vacant in this district. The office said that a total of 1,214 boys and 1,400 girls from dalit community received scholarship this year.

Types of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	1	1
Rape	8	8
Sexual Abuse	1	1
Total	10	10

Rape, Attempt to Rape and Sexual Abuses

INSEC documented six cases of rape, attempt to rape and sexual abuses in 2013. This year, nine girls were victimized in the incidents of rape and sexual abuses and the victims were between the age of 4 and 15 years.. In two cases of rape of two 10-year-old girls, the Court sentenced imprisonment for 10 years with Rs 100,000 as compensation to the victims. One accused was acquitted from the court.

The mother of a 14-year old girl filed an FIR at District Police Office to police on April 14 accusing her husband Rinji Shrepa of raping the girl on April 13 in the victim's cow shed at around 11.00 pm. Sherpa, the stepfather of the girl was arrested by District Police Office on April 14. The victim's health checkup was held at District Hospital in Phaplu on April 14. The accused was remanded in custody for investigation on the same day. However, he was acquitted by District Court Justice Dipak Kumar Kharel on July 6.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 113 women lodged complaints of domestic violence at Women and Children Service Center (WCSC) in 2014. According to Khagendra Badhadur Khad-

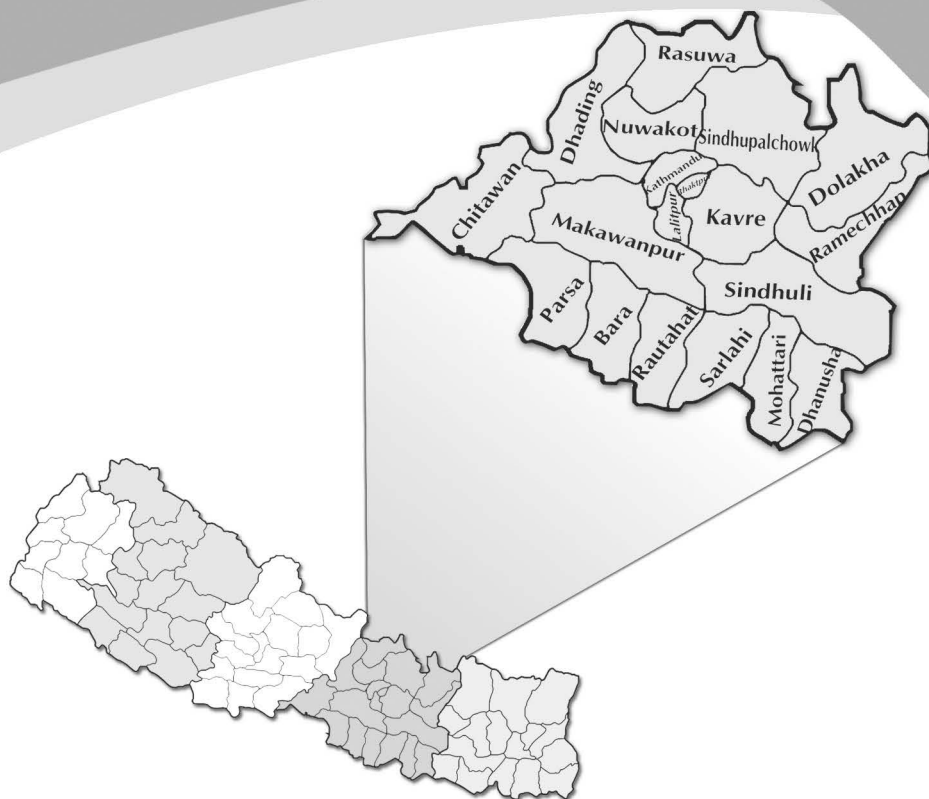
ka, Inspector at District Police Office, out of the complaints, 104 cases were of beating, three of intimidation, three of polygamy and three were of mental torture. He said that the cases of beating were settled and other cases were in the process of legal action. The reporting of domestic violence increased than the last year. INSEC documented 22 cases of violence against women in 2013. In 2014, 96 women were victims of domestic violence and three were victims of rape and attempted rape.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	96	96
Polygamy	3	3
Rape	2	2
Rape Attempt	1	1
Total	102	102

HEALTH SERVICE STATUS

There are a total of 18 health posts and 14 sub-health posts in the district. There are five positions for doctors in the district hospital out of which one position remained vacant. There is one position for gynecology specialist and six positions for staff nurses, all of those were occupied. Out of 56 positions for AHWs, 12 positions remained vacant. Out of the 56 positions for ANM, 10 positions were vacant. The District Public Health Office informed that of 130 positions for health workers in the district, 25 positions remained vacant at the end of the year. Annual budget of District Public Health Office is Rs 82,639,000 of which Rs 40,375,000 is for administrative cost.





Human Rights Situation of **Mid Region**

The Development region has 19 districts comprising of Chitwan, Sarlahi, Nuwakot, Rasuwa, Makwanpur, Rautahat, Mahottari, Bhaktapur, Parsa, Sindhupalchok, Kavre, Sindhuli, Ramechhap, Dolakha, Bara, Kathmandu, Dhanusha, Dhadhing and Lalitpur.

INSEC documented a decrease in the victims of human rights in the region. INSEC recorded an overall increase of incidents of human rights in all districts but there were decrease in at least eight districts. Most the districts with lesser number of victims are the one with lesser number of victims of violence against women.

State was involved in violation of people's rights to assembly in which 29 people were arrested. Two persons were abducted and five persons were killed by unidentified groups in separate incidents. There are some districts where the number of victims went up significantly, including Nuwakot - from eight last year to 45 this year and Bhaktapur from nine to 34.

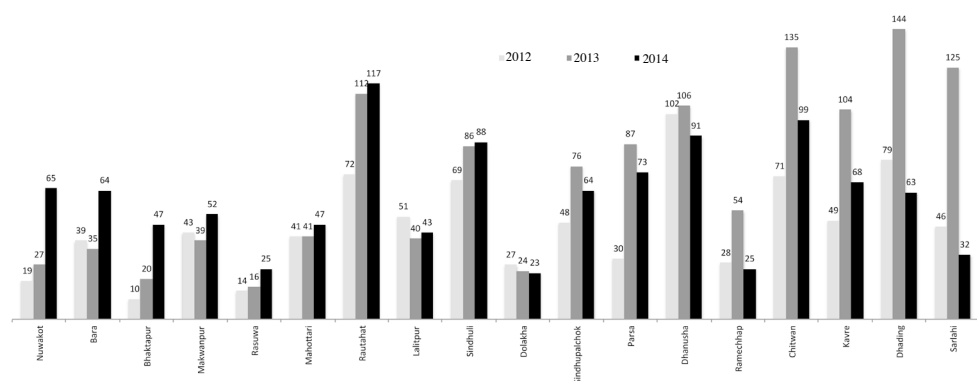
In Kathmandu there were 275 victims of human rights violations in 2012, 533 in 2013 and 594 in 2014. One person

was killed by the police in Kathmandu who the police claimed was firing at them. However, the human rights community claimed that he was killed in fake encounter. Kathmandu also has increased number of victims of violence against women that is 354 to 504. The districts with the number of victims going down are Sarlahi from 55 to 17 and Chitwan 92 to 64.

Most of the documented cases of women rights violation were domestic violence (805), and sexual violence including rape (94), attempt to rape (44) and sexual abuse (17). Most of the victims of domestic violence are from Kathmandu (451). The district has 34 victims of women's rights violation in 2012, 354 in 2013 and 508 in 2014. The increase in number of victims is due to increased documentation of victims of domestic violence.

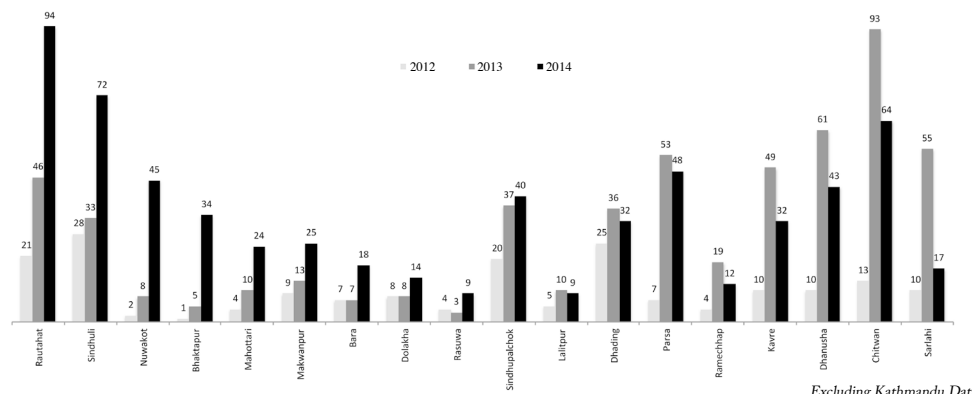
Given the district being the capital and the largest city, it is only natural that Kathmandu would register higher number of victims. There are 39 women abused on charge of being witch in 12 districts (five Tarai districts and seven hilly districts). Most women abused on this charge are

Fig 1: Human Rights Violation in Mid Region



Excluding Kathmandu Data

Fig 2: Women's Rights Violation in Mid Region



from Dhanusha (6) followed by (4) each in Mahottari, Sarlahi, Rautahat, Parsa, Kavre and Sindhupalchok. This shows that the abuse of women in the name of being a witch is spread across the region. There were 36 women victims of trafficking or attempted trafficking while 103 documented cases of polygamy. In 2013, most of the victims of women rights violation were of domestic violation (645), sexual violence including rape (69), rape attempt (19) and sexual abuse (5).

There were a total of 268 child victims of which 174 were the victims of rape and 63 of sexual abuse in the region. Four child brides were recorded and 14 were the victims of trafficking or attempt to trafficking. This is a slight increase in the victims of rights violations from last year in which 219 children were victimized. Most of them were from Kathmandu District which includes 46 victims of which rape (34) and sexual abuse (10). Though, child marriage is rampant across the country, most of the reported cases are the ones where the family is against the young girls eloping. Rasuwa

had a steadily decline in the number of child rights violations from 2012 to 2014. Rather than concluding that the district was getting more child-friendly, limitations due to remote terrain and availability and use of resources should also be taken into account.

In Mid-region, total capacity of different jails is 4,138 and at the end of the year, 7,729 inmates, including 7,110 male and 619 female were imprisoned. There are two prisons in Kathmandu while Dhanusha and Bara do not have any prison. Sarlahi has no inmate and Bhaktapur has the child reform center.

Makwanpur has highest capacity of 1,200 to accommodate the prisoners followed by Kathmandu Central Jail with 1,002 inmates. There are 75 juvenile delinquents kept at the Child Reform Center in Bhaktapur while 31 boys and 14 girls are living with their parents as dependents in various prisons of the region. Central Prison in Kathmandu has the highest number of dependents (17).

2.1 Dhanusha



Headquarters :	Janakpur
Area in Sq. Km :	1,180
No. of Households :	138,249
No. of Population :	754,777
Male :	378,538
Female :	376,239
No. of PwD :	8,412
No. of VDC(s)/Municipality(ies) :	101/1
Male Literacy :	217,223
Female Literacy :	148,260
Religion Hindu (%) :	89.35
Buddhism (%) :	1.49
Islam (%) :	8.36
Kirat (%) :	0.02
Christianity (%) :	0.09
Prakriti (%) :	0.08
Shikha (%) :	0.62
Undefined (%) :	0.001
Average Household Size :	5.46

INSEC documentation shows that there is a slight improvement of human rights situation in 2014 in comparison to last year. A total of 106 people were victimized in the incidents of human rights violation in 2013 while 91 people were victimized in 2014. INSEC has also documented a rape and killing case of girl in the district.

Last year, 12 people including three females and nine males were victimized by the state actor and 94 people including 84 females and 10 males were victimized by non-state actors. According to INSEC

documentation, seven males were victimized by state actor and 63 females and 21 males were victimized by non-state actor this year.

The women and children were more vulnerable in the district. The girls were victimized in the incidents of rape and sexual abuses whereas women were victimized in the incidents of domestic violence, witchcraft allegation, polygamy and sexual violence.

A total of 17 people including eight females and nine males were killed by non-state actors. Last year, one male and 10 female were killed in this district. This year, one female and three males were victimized in the incident of caste-based discrimination, one male was subjected to arbitrary arrest/torture, six women were victimized in witchcraft accusation, three in rape, three were in attempt to rape, five were in polygamy, 25 were in domestic violence and one woman was in sexual abuse.

A total of 11 cases of child rights violation documented this year. Of them, six girls were the victims of rape, three were sexually abused, one was victim of child marriage and one was victimized in a corporal punishment. A total of 12 children were victimized in 2013. An unidentified

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction			1	2	3
Arrest & Torture	1	1			
Beatings	1	1		1	1
Child Rights			10	1	11
Economic, Social and Cultural Rights				1	1
Inhuman Behaviour				1	1
Injured	5	5		2	2
Killing			8	9	17
Racial Discrimination			1	3	4
Threats				1	1
Women Rights			43		43
Total	7	7	63	21	84

group killed a boy and a girl in the district. There is no involvement of state in extra-judicial killing this year. Police rescued one boy who was abducted by an unidentified group in the district and handed him over to his parents.

INJURED

Two examinees were injured when police opened fire at Janata Higher Secondary School's exam centre on March 25. Santosh Yadav, 13, of Balabakhur VDC-4, from Janata Higher Secondary School exam centre "B" and Radhe Hathhi of Yadukuha VDC-3 from Janata Higher Secondary School exam centre "A" were hurt in the incident. Santosh sustained injuries in his back and arms whereas Radhe Kumar received injuries in his left hand and thigh. The injured were referred to BP Koirala Institute of Health Sciences in Dharan by the Janakpur Zonal Hospital after preliminary treatment. The clash ensued when the students obstructed SLC examination of the same school. Inspector at Area Police Office, Ashim Chandra Shah informed that two students were injured when the police fired at air to take control of the situation.

SI Parshuram Budhathoki said that the police opened fire to disperse examinees after they pelted stones on police injuring a policewoman Shahikal Mainali. The students said that the police misbehaved the the female students while checking them at gate and they had boycotted the exam. At the beginning, the students staged a protest to ask for action against the police.

TORTURE AND OTHER CRUEL AND INHUMAN BEHAVIOR

Uchit Mandal Kewal, 65, of Mithileshwar Nikas VDC-6 was tortured by ASI Laliya Bijulal Yadav of Laliya police station on May 5 evening the morning of May 6. Kewal was treated at Janakpur Zonal Hospital for his bruises and swollen fingers.

Uchit had lodged an FIR against Radheshyam Mandal of same place at District Police Office on May 4 on charge of trafficking of his daughter Sulochani Mandal, 20. ASI Baiju Lal Yadhav arrested the victim on May 5 and beat him up for not telling him about an FIR lodged against Radheshyam. The victim lodged a complaint at the District Court on May 19 demanding compensation of the incident. The case remained pending at the end of the year.

BEATING

Raj Kamal Singh, 24, of Bengadawar VDC-2 was manhandled and verbally abused by police team led by ASI RP Mainali of District Police Office on March 19 while he was heading home after gathering news in the district. Singh who was also the reporter of News24 and member of FNJ was abused near the Transportation Management Office and his motorcycle with the number plate Ja 4 Pa 9985 was vandalized by Constable Ashok Kumar Jaisawal. Inspector Machchindra Babu KC informed that the District Police Office took a departmental action against the accused.

RIGHT TO PROMPT AND FAIR TRAIL

District Court of Dhanusha has positions for six judges. There were 1,541 civil and 702 criminal cases pending at the end of 2014. There were 115 civil and 46 criminal cases older than two year pending at the end of the year. The data show that a judge is responsible for about 370 cases in the court.

Appellate Court has the position of eight judges. There were 944 civil and 568 criminal cases pending. There are 57 civil and 33 criminal cases older than two year pending at the end of the year. A judge in this court is responsible for about 189 cases on average.

CHILD RIGHTS

Education Status

There are 260 primary schools, 61 lower secondary schools and 47 secondary schools in the district. Of the total positions of 1,804 teachers, 90 positions were vacant at the end of the year. District Education Office (DEO) said that 103,802 boys and 97,716 girls of school-going age enrolled in the school in fiscal year 2014/15. The DEO said that there are no disabled-friendly schools in the district. Out of the all schools, 198 primary schools, 57 lower secondary schools and 47 secondary schools have the facilities of toilets. The DEO informed that 14,666 boys and 17,923 girls received academic scholarship this year. There are 28 primary schools, six lower secondary and two secondary schools are child-friendly. Annual budget of the DEO is 631,939,356. Of the total budget, Rs Rs 1,939, 356 was allocated for administrative cost.

Types of Events	By Non-State		
	Female	Male	Total
Child Marriage	1		1
Corporal Punishment		1	1
Rape	6		6
Sexual Abuse	3		3
Total	10	1	11

Rape, Attempt to Rape and Sexual Abuses

INSEC documented that girls aged from 8 to 17 years were the rape victims this year. Six girls were raped and three were sexually abused. One girl was the victim of gang rape and one was killed after gang rape. Out of the five cases of rape, three accused were remanded in custody after the order of District Court whereas two were absconding at the end of the year. Two accused of sexual abuses were absconding and one case was settled in the village.

Sabitri Bishwakarma, 11, of Ben-gadawar VDC-9 was killed after rape by 16 and 12-year-old boys of same place on Au-

gust 18. Police arrested them on the same day. One accused was released on date and other was sent to Child Reform Centre in Bhaktapur following the District Court's order on September 15. The DPO had registered a complaint against the accused on August 19. The victim, who had gone to see a dance program in the village, disappeared on August 18. The villagers found her body near her home. Post-mortem of the body was held at Janakpur Zonal Hospital on August 19. The case remained pending at the end of the year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

A total of 461 women lodged complaints of domestic violence at Women and Children Service Centre (WCSC) in 2014. Out of the total complaints, 124 were of expulsion from home, 188 were of depriving of food, 48 were of not registering marriage and citizenship certificate, 34 were of polygamy, 52 were of threat and 15 were of witchcraft allegation. Of the total cases, 161 cases were settled and 10 cases were sent to court for legal proceedings.

INSEC documented three victims of gang rape and three of attempt to rape. All accused of the gang rape and two accused of attempt to rape were absconding at the end of the year. Moreover, one accused of rape was acquitted by the court.

Dowry Death

Dead body of Manju Devi Yadav, 20, of Yadukuha VDC-7 was found near Lekhnath Memorial School, Yahukuha VDC-7 on May 8. The locals claimed that she was killed by her family members for not bringing enough dowries in her marriage. The victim's relatives lodged a complaint at Area Police Office on May 11. The deceased's husband Jibachha Yadav was arrested by police on May 9. He was re-

Types of Events	By Non-State	
	Female	Total
Domestic Violence	25	25
For Practicing Witchcraft	6	6
Polygamy	5	5
Rape	3	3
Rape Attempt	3	3
Sexual Abuse	1	1
Total	43	43

manded in custody on June 8 following the order of the District Court. Manju's body was handed over to her relatives following the post-mortem at Janakpur Zonal Hospital on May 8. The case remained pending at the end of the year.

Killing by Family Member

Rambabu Mahato, 30, of Devpura Rupaitha VDC-7 surrendered in District Police Office after killing his first wife on August 22. Inspector at District Police Office Harinandan Chaudhary informed that Sanju Mahato, 25, was hacked to death by him and his second wife Siwani Mahato at around 11.00 pm. The accused confessed the crime to the police. He was remanded in custody on September 19 after the District Court's order. The case is yet to be decided.

ALLEGATION OF WITCHCRAFT

A total of six women were abused on the allegation of practicing witchcraft this year. All women were aged between 18 and 60 years. Three accused of the witchcraft allegation incidents were released on bail following the District Court's order. One case was settled and accused of yet another one was absconding until the end of the year. All victims of the witchcraft allegation were dependent, weak and poor women.

Laxminiya Devi Thakur, 35, of An-dupatti Kataraitaki VDC-9 was beaten up by her neighbours Jibachha Thakur, 40, and

his wife Rajo Devi, 37, his brother Bichchha Thakur and daughter Mamata Thakur, 18, of same place on October 1 on the allegation of practicing witchcraft. However, no action was taken against the accused at the end of the year.

HEALTH SERVICE STATUS

There are one district hospital, 29 health posts and 69 sub-health posts in the district. According to District Public Health Office, all of the five positions of doctors were occupied at the end of the year. There is no position for gynaecology specialist. All five of the staff nurses were at work. The district has 240 positions of Assistant Health Workers of which eight were vacant. Of the total positions of 211 of ANM, 13 were vacant. The district has a total of two positions for vaccine supervisor of that one position remained vacant. All of the total 34 positions of Health Assistant were occupied. The annual health budget of the district is Rs 157,787,000 of this Rs 153,787,000 was for administrative cost and Rs 40,000,000 for medical cost.

FOLLOWUP

On July 23, National Human Rights Commissions (NHRC) handed over the remains of dead bodies, who were killed in Janakpur, to their family members. The victims' relatives performed final rituals on the same day. Sanjib Karna, 24, Durgesh Labh, 23, of Janakpur Municipality-10, Jitendra Jha, 20, Sanjib Karna, 24, of Kurtha VDC-1 and Shailendra Yadav, 18, of Duhabi VDC-7 were allegedly killed on October 8, 2003. Based on the complaint of the deceased's family members on October 9, 2003, NHRC, on January 2, 2008 had recommended the government to provide families of each youth a relief amount of Rs 300,000.



2.2 Mahottari



Headquarters :	Jaleswar
Area in Sq. Km :	1,002
No. of Households :	111,316
No. of Population :	627,580
Male :	311,016
Female :	316,564
No. of PwD :	10,166
No. of VDC(s)/Municipality(ies) :	76/1
Male Literacy :	162,390
Female Literacy :	109,782
Religion Hindu (%) :	84.24
Buddhism (%) :	2.02
Islam (%) :	13.34
Kirat (%) :	0.01
Christianity (%) :	0.14
Prakriti (%) :	0.01
Undefined (%) :	0.242
Average Household Size :	5.64

According to the INSEC documentation, the incidents of human rights violation remained constant in comparison to the last year. In 2013, a total of 41 people including 27 females and 14 males were victimized in the incidents of human rights violation. A total of 47 people including 42 females and five males were victimized in different incidents of human rights violation in 2014. Last year, a total of 41 persons including 27 females and 14 males were victimized. However, total of 45 people including 42 females and three males were victimized by non-state actor this year. The

women and children were more vulnerable by non-state actors in the district. The children were victimized by rape and sexual abuses whereas women were victimized by sexual abuses and domestic violence in the district. The accused of dowry related violence were released on bail by the court.

Two males and six females were killed by non-state actors this year. A total of nine people including three females and six males were killed last year. A total of 24 women were victimized in violence against women in 2014. Of them, four cases were of practicing witchcraft, two were of rape, two were of attempt to rape, four were of polygamy, two were of trafficking and 10 were of domestic violence. INSEC had documented a total of 10 incidents of violence against women in 2013. Regarding the incidents of child rights violation, a total of 12 girls were victimized in 2014. Of them, a total of four were victimized in child trafficking, a total of five girls were victimized in rape and three were in sexual abuses. According to the INSEC documentation, a total of 12 girls were victimized in 2013.

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction				1	1
Child Rights			12		12
Killing	2	2	6	2	8
Women Rights			24		24
Total	2	2	42	3	45

KILLING

Two people were killed by police in this district. SP at District Police Office said that he was killed in crossfire at Halkhori VDC-2 of the district on February 2. The postmortem of the dead body was held in Jaleshwar Hospital on the same day. However, the family members had taken the dead body on February 5. SP Shrestha said

that the police had fired in the retaliation when the victim took open fire the police. Police informed that a pistol and some bullets were recovered from the incident site.

The deceased's father Abdul Salam Nadaf said that his son was arrested and killed by the police.

Similarly, Sherajul Mansuri, 25, of Badiyabanchauri VDC-2 was killed by police on February 23. According to police he was killed in retaliation when he fired to police on the same day. The postmortem of the deceased was held on February 13. The family members took the dead body on the same day.

The senior brother of the deceased lodged a complaint against SP Shrestha and other four police personnel on February 13 claiming the police claim was artificial. They had sent the complaint from post office when the police office refused to register it. The police office lodged a notice at Appellate Court to issue a mandamus for the incident on March 20. The court through the joint bench of chief justice Purushottam Bhandari and Judge Meghnath Bhattarai on November 4 issued a mandamus to investigate the incident.

JAIL AND DETAINEES

The 'B' grade district prison has the capacity for 135 inmates. However, a total of 408 inmates including 45 convicted and 63 detained are residing in the prison. There are six defendant also in the prison. Out of them, three inmates are boys and three are girls.

The prison established in 1896 and is in dilapidated condition. The prison has the facilities of toilets, drinking water and generator for the inmates. The jailor Saubhendra Thakur informed that the prison is providing Rs 45 rupees with seven gm rice per inmate and wearing clothes twice in a year. He informed that inmates are also providing medical facilities and if the treat-

ment of the inmates does not success in the district, they are referred to other hospitals for further treatment.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has the five positions for judges. Out of them, all are at work at the end of the year. There were 1,289 civil and 371 criminal cases remained pending. There are 54 civil and 25 criminal cases and civil cases remained pending older than two years. According to the data, one judge is responsible for 350 cases in the court.

CHILD RIGHTS

Education Status

There are 307 primary schools, 803 lower secondary schools and 52 secondary schools. Of the total positions of 1,831 teachers, 1,798 are at work and 33 positions are vacant at the end of the year. District Education Office said that of the 211,348 children of school going age 86,526 boys and 82,126 girls of school going age enrolled in the school in 2014. The office said that there are no disabled-friendly schools in the district. A total of 42,696 children are deprived of going school in this year. The total budget of district education office is 56 billion, 79 million, 11 thousand, 11 thousand and 20 rupees. As many staffs of district education office are under the scrutiny of commission on investigation of abuse of authority (CIAA) for corruption the office did not update all data.

Rape, Attempt to Rape and Sexual Abuses

According to INSEC documentation, the girls from six to 17 year-old were raped in this year. The relatives and neighbors of the victims involved in the incident. Although five accused were arrested on charge of raping the girls one remained absconding at the end of the year. In the same way, three accused of sexual abuses were ar-

Types of Events	By Non-State	
	Female	Total
Child Trafficking	4	4
Rape	5	5
Sexual Abuse	3	3
Total	12	12

rested in 2014.

Tej Bahadur Ghising of Jagadaha VDC-3 was arrested by police on June 23 on the allegation of raping a six-year-old girl on June 21. The accused was remanded in custody on July 20 after the District Court order. The victim lodged a complaint at Area Police Office on June 29. The victim's health checkup was held at Bardibas Hospital on the same day.

Human Trafficking

INSEC documented two cases of women trafficking this year. A total of four girls were victimized in the incidents in this year. Out of them, one was 13 year old, another was 15 year old and another was 17 year old. The victims were lured as saying the trafficker would provide them good employment opportunity. Some victims lodged complaints after coming back to home and some victims were rescued by different organizations.

About a dozen organizations are working against women trafficking in the district. One organization has also placed investigation center in the border. The police also helped the trafficked girls and women to rescue. A total of 28 women have been rescued in this period. DSP at District Police Office Lokendra Shrestha informed that it was difficult to arrest the accused, as the victims could not identify them. He said that the district police office had sent a group of police to arrest three absconded accused of women trafficking.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

A total of 321 women lodged complaints of domestic violence at Women and Children Service Center of District Police Office in 2014. Of the total lodged cases, a total of 123 were of expulsion from home, five were of not registering marriage and citizenship certificate, 10 were of polygamy and two were of witchcraft practice. Out of total cases, a total of 54 cases were settled at police office whereas a nine were processed for legal proceedings. INSEC documented two cases of rape and two of attempt to rape in this district. All accused of rape were arrested and one accused of attempt to rape remained absconding at the end of the year.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	10	10
For Practicing Witchcraft	4	4
Polygamy	4	4
Rape	2	2
Rape Attempt	2	2
Women Trafficking	2	2
Total	24	24

Manju Devi Mandal, 32, of Shreepur VDC-6 was killed after rape by an unidentified group on July 26. A postmortem of the deceased was held at District Hospital, Jaleshwar on the same day. The police lodged a complaint at the District Court collecting all the evidences of the incident. Out of the four accused of the incidents, Shyam Kumar Raya Yadav, 42, of Shreepur VDC-3 and Laxman Mukhiya of Gaushala Municipality-11 were arrested on November 6 by Area Police Office, Gaushala and remanded in custody as per the district court's order on November 4. The duo was arrested by police at area police office, Gaushala on November 7 and was made public on the same day. According to police,

four accused were absconding at the end of the year.

Dowry Death

Gitadevi Raut, 20, of Meghnath Gorahanna VDC-7 was killed by her family members on October 12. The victim's relatives burnt the dead body near the farm at around 9.00 pm on the same day. The victim's maternal family members and other neighbors had informed the police while the accused were burning the dead body.

Nathani Raut, 45, Punam Kumari, 19, and Bijeshwar Raut were arrested by police on October 19 for involving in the incident. However, they were released on November 6 on general bail. The victim's father had lodged a complaint on October 14 demanding severe action against the family members of the victims. The victims got marriage with Nathuri Raut of Gorahanna-7 on May 30. Her husband is now at Panjab of India. The case is yet to be decided by the court.

ALLEGATION OF WITCHCRAFT

Four women aged 30 to 60 were victimized on the allegation of practicing witchcraft in the district. The victims complained that the police did not file the case though they went to the police to seek justice. The data show that most of the accused of witchcraft practices are weak, dependent and poor women in the district. Some accused were released on bail. INSEC documented a woman whom the accused fed human excreta on charge of practicing witchcraft.

HEALTH SERVICE STATUS

There are two district hospitals, five primary health centers, 18 health posts and 52 sub-health posts in the district. According to District Public Health Office, all of the 12 positions of doctors were occupied at the end of the year. There are no posi-

tions for gynecology expert. The district has 15 staff nurses are at work. Out of the total positions of 11 lab assistants, nine were at work. The annual health budget of the district is Rs 193,925,600. Out of the total budget, 41 million 25 thousand was allocated for medical expenses. According to the data, one doctor is responsible to cure a total of 31,5705 population.



2.3 Sarlahi



Headquarters :	Malangawa
Area in Sq. Km :	1,259
No. of Households :	132,844
No. of Population :	769,729
Male :	389,756
Female :	379,973
No. of PwD :	9,585
No. of VDC(s)/Municipality(ies) :	99/1
Male Literacy :	202,311
Female Literacy :	133,070
Religion Hindu (%) :	85.56
Buddhism (%) :	5.72
Islam (%) :	7.88
Kirat (%) :	0.04
Christianity (%) :	0.23
Prakriti (%) :	0.25
Undefined (%) :	0.307
Average Household Size :	5.79

According to documentation, the incidents of human rights decreased in 2014. In 2013, a total of 125 people were victimized in different incidents of human

Types of Events	By Non-State		
	Female	Male	Total
Beatings		1	1
Child Rights	5		5
Injured		5	5
Killing	1	3	4
Women Rights	17		17
Total	23	9	32

rights violation but this number decreased to 32 in 2014.

Last year, 16 males were victimized by state and 68 females and 41 males were victimized by non-state actor in different incidents of human rights violation. There was no human rights violation by the state actor in 2014. Four people including one female and three males were killed in this year. A total of three females and one male was killed by non-state actors in this year. A total of 17 women were victimized by different incidents of violence against women. Of them, a total of four women were victimized by witchcraft allegation, one was in polygamy and 12 were in domestic violence. A total of five girls were victimized in different incidents of child rights violation in the district. Out of them, four girls were victimized in rape and one girl was victimized in sexual abuse. INSEC had documented four incidents of child rights violation in 2013. Women and children were more vulnerable by non-state actors in the district. According to the data, most of the girls were victimized in rape and sexual abuses whereas the women were victimized in different incidents of sexual and domestic violence.

JAIL AND DETAINEES

The 'C' grade district prison has the capacity for 100 inmates. There are no inmates at the end of the year due to the dilapidated condition of prison building. The repair of the prison is yet to be decided by the government of Nepal. Prisoner Anil

Kumar Acharya informed that the inmates of the prison were transferred to Mahottari and Rautahat's prisons.

BEATING

Bir Bahadur Pakhrin, 47, Bhim Bahadur Pakhrin, 36 and Nara Bahadur Thapa of Gaurishankar VDC-9 were arrested by police on May 2 on charge of beating Santosh Singh, 26, of Bharatpur VDC-9, a reporter of Republica, a national daily in Nepal. The trio who had come with weapons had beaten him up in Sagarnath jungle on May 2 while the victim was going to home by motorcycle. The police recovered three pistols, bullets and other weapons from the accused. The District Administration Office lodged a case under arms and ammunition charge claiming five years' imprisonment against the perpetrator.

RIGHT TO PROMPT AND FAIR TRAIL

The District Court has four positions of the judges of which all of them are working at the end of the year. There were 385 civil and 550 criminal cases pending. There are 31 criminal cases and 116 civil cases pending older than two years. According to the data, one judge is responsible for 300 cases.

CHILD RIGHTS

Education Status

There are 292 primary schools, 59 lower secondary schools and 75 secondary schools. The District Education Office informed that the total position of teachers of the district is 1,682. District Education Office said that 15,219 boys and 15,784 girls of school going age enrolled in the school in 2014. The office said that there are no child-friendly schools in the district. District Education Office informed that about 70 percent schools have the facilities of toilets in the district.

Types of Events	By Non-State	
	Female	Total
Rape	4	4
Sexual Abuse	1	1
Total	5	5

Rape, Attempt to Rape and Sexual Abuses

The children from six to 17 year-old were raped in the district. The accused of the rape were local people, teachers and others in the district. Although the police arrested all accused of rape cases and preceded for legal proceedings no action was taken at the end of the year.

A six-year-old girl was lured and raped by a boy on December 20 by providing chocolate. The boy was remanded in custody as per the District Court's order on January 13, 2015. The health checkup of the victim was held in District Hospital, Malangawa on December 20. The health checkup report proved that the victim was raped by the boy.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Domestic Violence

One woman was victimized in polygamy in this year. The incidents of violence against women were of dowry system.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	12	12
For Practicing Witchcraft	4	4
Polygamy	1	1
Total	17	17

ALLEGATION OF WITCHCRAFT

A total of 229 women lodged a complaint at were victimized by domestic violence at Women and Children Service

Center of District Police Office in 2014. Out the total cases, a total of 90 were of 90, 52 were of depriving of food, three were of polygamy, seven were of threat and five were of practicing witchcraft. Of the total cases a total of 114 cases were settled at District Police Office and 52 were under consideration, informed District Police Office.

A total of four women were injured by victim's neighbors and local people on the allegation of witchcraft practice. The data shows that most of women were from 22 to 45 year-old. The victims rued that police did not take any action although they lodged complaint against the accused. Out of the total victims of witchcraft practices, most of them are weak, dependent and poor.

HEALTH SERVICE STATUS

There is a district hospital, two health posts and 68 sub-health posts in the district. According to District Public Health Office, all of the 25 positions of doctors a total of 24 positions remained vacant at the end of the year. There is no position for gynecology expert. The district has 13 positions of Staff Nurses of which five positions remained vacant. The district has a total of nine positions for lab assistants, eight are at work. Of the total 229 positions for Assistant Health Workers, a total of 204 are at work and 25 Assistant Health Workers remained vacant at the end of the year. Similarly, of the total positions for 113, 17 positions remained vacant. There are a total of 116 positions of Auxiliary Nurses. Out of 33 positions for health assistant, a total of 19 positions remained vacant. Out of the total 445 positions of health workers, a total of 92 positions remained vacant at the end of the year. Out of the 25 positions of doctors, only one doctor is at work.



2.4 Sindhuli



Headquarters :	Sindhulimadi
Area in Sq. Km :	2,491
No. of Households :	57,581
No. of Population :	296,192
Male :	142,123
Female :	154,069
No. of PwD :	9,585
No. of VDC(s)/Municipality(ies) :	53/1
Male Literacy :	92,321
Female Literacy :	76,581
Religion Hindu (%) :	64.47
Buddhism (%) :	30.43
Islam (%) :	0.06
Kirat (%) :	0.35
Christianity (%) :	0.98
Prakriti (%) :	3.29
Undefined (%) :	0.426
Average Household Size :	5.14

INSEC documentation shows that the incidents of human rights violation increased in 2014. A total of 86 people were victimized. This number increased to 88 in 2014. The incidents of violence against women increased two times in comparison to 2013.

A total of 12 people including two females and 10 males were victimized by state actors in 2013. Similarly, 74 people were victimized by non-state actor last year. Out of them, 42 were females and 32 were males. This year, a total of 87 people including 85 females and two males were

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings	1	1			
Child Rights			11	1	12
Killing			2	1	3
Women Rights			72		72
Total	1	1	85	2	87

victimized in the district.

Two females and one male were killed by non-state actors in this year. In 2013, two males were killed. A total of 72 women were victimized in various incidents of women rights violation. Out of them, two were victimized on the allegation of witchcraft, seven women were victimized in rape, three were in attempt to rape, seven were in polygamy and 53 women were victimized in the incidents of domestic violence. A total of 12 children including 11 girls and one boy were victimized in child rights violation this year. INSEC documented one incident of girl's trafficking, six were of rape and four sexual abuses. INSEC had documented five incidents of child rights violation in 2013. This year the women and children were targeted by non-state actors this year. Most of the children were victimized in rape the incidents of sexual abuses whereas women were targeted in the incidents of sexual abuses and domestic violence.

BEATING

District Working Committee member of Nepal Journalist Association Barun Lamichhane, 32, of Kamalamai Municipality-6 was abused by police constable Lalbabu Shah on May 5. The victim said that Shah had verbally abused him as he had gone to the District Police Office to know the current situation of inmates. The victim lodged a complaint on May 6. DSP at DPO Narendra Upreti informed that the district police office had taken departmental action against the accused.

JAIL AND DETAINEES

The 'D' grade district prison the capacity for 35 inmates. However, a total of 80 convicted including four women and 18 including two females are residing in the prison. The prison was built in 1973. According to jai administration, one room has been separated for female inmates. The inmates complained that they are facing the acute shortage of drinking water in the prison. The prison administration has appointed a health assistant for the regular checkups of inmates and the inmates are the facilities of regular health checkups twice in a week. They have facilities of newspapers, televisions and library.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has a position for a judge. There were 102 civil and 93 criminal cases pending. There are no criminal cases and civil cases pending older than two years. The number of cases show that one judge is responsible for about 300 cases in the court.

CHILD RIGHTS

Education Status

There are 394 primary schools, 98 lower secondary schools and 62 secondary schools. Of the total positions of 2,225 teachers, 30 positions are vacant at the end of the year. District Education Office said that 48,502 boys and 50,753 girls of school going age enrolled in the school in 2014. The office said that there are four disabled-friendly schools in the district. A total of 32 schools do not have a facility of toilets. The total budget of District Education Office is Rs 483,678,513. Of the total budget, Rs 424,728,513 was allocated for administrative cost.

Rape, Attempt to Rape and Sexual Abuses

The girls from four to 17-year-old were victimized in the district. The accused

Types of Events	By Non-State		
	Female	Male	Total
Child Trafficking	1		1
Rape	6		6
Sexual Abuse	4	1	5
Total	11	1	12

were up to 51 years. The local people, teachers and some boys involved in these incidents. A total of six girls were victimized in rape case whereas a total of four were victimized in sexual abuses. Out of the total accused of rape cases and sexual abuses, one accused of an incident was sentenced for three years and another accused was sentenced for 10 years as per the decision of the District Court. According to the documentation, one girl was victimized in gang rape.

Dukendra Pariyar, 19 and Suman Gole, 20, of Belghari VDC-8 was arrested by police on April 12 for raping a 14-year-old girl in Hatpate VDC-3 on March 13 while the victim was returning to home from neighbor's home. The victim's health checkup was held in District Hospital, Sindhuli on March 14. The accused were remanded in custody on June 23 as per the order of the District court. Out of them, Gole was ordered for six year's imprisonment with Rs 25000 fine and another accused was sentenced for three-years.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

32 women lodged complaints at Women and Children Service Center of District Police Office in 2014. Of the total filed cases, a total of 18 were the cases of expulsion from home, nine were of depriving of food, three were of not registering marriage and citizenship certificate, two were of threat and one was the witchcraft accusation. The women and children service center informed that 21 incidents of women violence were settled at the District

Types of Events	By Non-State	
	Female	Total
Domestic Violence	53	53
For Practicing Witchcraft	2	2
Polygamy	7	7
Rape	7	7
Rape Attempt	3	3
Total	72	72

Police office whereas three were processed for legal proceedings.

This year, seven women were raped in this district and three were attempted to rape and sexual abuses. One woman was victimized in gang rape. Out of the seven accused of rape, four accused were ordered to sentence and one was released by the order of the District Court.

Dipa Sapkota, 23, of Sangla VDC-1, Kathmandu was attempted to rape and killed by Bidur Karki, 30, of Rajarani VDC-7 of Khotang district on November 20 during night at the bank of Marin stream. The accused was remanded in custody by District Court's order on December 16. The victim was attempted to rape when she was going to see the fair in Kalpabrichha VDC-4 of the district, said the accused.

Polygamy

A total of seven cases of polygamy were filed in the district. Out of which, two cases were settled at District Police Office whereas two were processed for legal proceedings. Similarly, a total of three cases of polygamy related to partition of property are still under consideration at District Court.

Killing by Family Member

Januka Karki, 31, of Ladabhir VDC-9 was killed by her husband Govinda Baha-

dur Karki, 42 on April 25 following a minor dispute between them. The victim died on the way to hospital on the same day. The accused was arrested by police on April 16. A postmortem of the dead body was held at Siraha Hospital on the same day. The District Court ordered 10-year's imprisonment against the accused on April 28. He is serving a jail term in Sindhuli prison.

ALLEGATION OF WITCHCRAFT

INSEC documented a total of two women were victimized by relatives, neighbors on the allegation of practicing witchcraft practice in the district this year. The age of the victims ranged from 41 to 55 year old. One accused of this practice was released by the District Court order whereas another one was released when the accused promised not to repeat the incident in future.

HEALTH SERVICE STATUS

There is one district hospital, four primary health center, 25 health posts and 26 sub-health posts and 15 birthing centers in the district. According to District Public Health Office, of all the 15 positions for doctors in the district 13 positions remained vacant at the end of the year. There is no position for gynecologist in the district. The district has 120 positions of Assistant Health Workers of which 91 are working. Similarly, of the total 91 positions for Auxiliary Nurse in the district only 74 are at work. Out of the total 280 positions for overall health workers, 80 positions remained vacant. The annual health budget of the district is Rs 61,432,000. Out of it, Rs 6,000,000 was allocated for public health. The district has a problem of unavailability of the gynecologist.



2.5 Ramechhap



Headquarters	: Manthali
Area in S q. Km	: 1,547
No. of Households	: 43,910
No. of Population	: 202,646
Male	: 93,386
Female	: 109,260
No. of PwD	: 4,418
No. of VDC(s)/Municipality(ies)	: 55/0
Male Literacy	: 65,285
Female Literacy	: 57,746
Religion Hindu (%)	: 71.93
Buddhism (%)	: 24.67
Islam (%)	: 0.02
Kirat (%)	: 0.02
Christianity (%)	: 1.57
Prakriti (%)	: 1.44
Shikha (%)	: 0.03
Undefined (%)	: 0.319
Human Development Index	: 4.61

According to INSEC documentation, human rights situation of the District has improved this year. This year, the number of human rights violation goes down from 48 to 25 in the district. In 2013, a total of 12 including six female and six male were victimized by state actor whereas in this year one woman was victimized by state actor. This year, total of 24 victims including 16 female and eight male were the victims by non-state actor whereas last year 31 female and 17 male were the victims by non-state actor.

Types of Events	By State		By Non-State		
	Female	Total	Female	Male	Total
Beatings	1	1		7	7
Child Rights			3		3
Killing			1		1
Threats				1	1
Women Rights			12		12
Total	1	1	16	8	24

INSEC has documented one case of murder of woman by non-state party, this year. In 2013, the number was three. This year, total of 12 women became victims of women rights violation including three cases of rape, three of sexual abuses, one case of polygamy and five cases of domestic violence. Three children were victims this year including one case of child marriage and two cases of sexual abuses. In 2013, seven children were victims.

It has been found that more children and women were the victims by non-state actor. Children are victims of rape and sexual abuses whereas women became the victims of sexual and domestic violence.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 50 inmates at a time. A total of 255 including 218 convicted male and 15 female were held. Similarly, there are 17 detained male and inmates and five female were held there at the end of the year. There are two minor dependant of which two are boys and one is girl. The inmates of the prison are facing a difficulty due to the overcrowding and lack of space.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has only one position for judge. There were 82 civil and 44 criminal cases pending. There are no criminal and civil cases older than two years

pending. There were 126 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 307 primary schools, 83 lower secondary schools and 52 secondary schools. Of the total positions of 1,831 teachers, 33 positions remained vacant till the end of the year according to DEO. According to the district education office a total of 29,997 boys and 33,014 girls of school going age are enrolled in school. A total of 331 schools have the facility of toilets according to DEO. Most of the toilets are not suitable to use due to the lack of proper management, dirt and lack of water. The annual budget of DEO is Rs 959,554,100. The District Education Office has provided scholarships to 2,771 dalit boys and 2,939 dalit girls. There are two disabled-friendly schools in a district according to DEO.

Types of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Sexual Abuse	2	2
Total	3	3

Rape, Attempt to Rape and Sexual Abuses

This year, most of the children from six to eight year old were more victimized in sexual abuses. The accused are up to 52 years of age according to INSEC data. In most of the rape cases, the accused were the close relatives or acquaintances of the victims. Two girls in a district became the victim of rape and the District Court had sentenced the accused for up to 16 years.

Bishnu Bahadur Thapa, 52 of Bhaluwajor VDC-2 was arrested by police and was presented to the District Court on charge of sexual abuses on two 8-year-old girls. The District Court had issued an order on December 21 to sentence him for

16 years. A single bench of District Court judge Umesh Prasad Luitel also ordered to compensate victims with Rs 50,000 each. The victim's family had lodged a complaint against Thapa at DPO on November 26.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, three women were raped in this district and three were the victims of sexual abuse. All three cases of rape are pending in District Court. Out of three cases on sexual abuses one was settled in an agreement, in one case the accused was sent to jail as he could not pay bail amount. But no action was taken against the accused.

A victim's family of 22-year-old woman lodged a complaint at District Police Office on August 16 against Pradeep Bhujel, 22 of Sunar Pani VDC-5, Prakash Bhujel, 18 of Manthali VDC-8, Govinda Bhujel and Uddav Bhujel accusing them of raping her at night of August 11. The accused were arrested on the same day by police and presented in a court on August 18. Among the accused Pradeep Bhujel was released on bail amount of Rs 50,000 where as other accused were released on date. The case is pending in a court.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
Polygamy	1	1
Rape	3	3
Sexual Abuse	3	3
Total	12	12

A complaint was lodged at police office against Deepak Khadka, 27 of Namadi VDC-7 on April 26 on charge of raping a 22-year-old woman on March 22. Khadka raped the girl with the help of Bishnu Maya Karki of same place. The accused was remanded in custody by court on April 25. Other accused Bishnu Maya was released

on bail amount of Rs 25,000. The case is pending till the end of the year.

Domestic Violence

Sunita Paudel, 22, of Bhir Pani VDC-8 lodged a complaint at District Police Office accusing Manoj Paudel, 21 of domestic violence on March 5. The complaint stated that she was neglected by her husband since they were married five years ago. She further complained that the accused did not make a marriage and citizen certificate to her and was assaulted by his family members. The case was settled when the accused promised to make citizenship and marriage certificate.

ECONOMIC SOCIAL AND CULTURAL RIGHTS

The electricity line in the house of Nawa Raj Rai, 34 of Dimi Pokhari VDC-9 was cut off on January 24 by president of Consumer Committee Kamal Kumar KC, 46 for casting vote to Nepali Congress during Constitutional Assembly Election. KC who was supporter of UCPN-M threatened locals to cast vote to his party.

A VDC secretary Tej Narayan Mandal, 60, had mishandled the Social Security Allowance released by District Development Committee in the name of Junkiri Malpuke, 65 of Doramba VDC-8. The victim knew about the financial mishandling after she did not get the allowance despite of DDC saying that they have already released the fund. The victim lodged a complaint at DDC on February 26 against the accused. After the complaint the amount was transferred to VDC account.

HEALTH SERVICE STATUS

There is one district hospital, 6 health posts and 29 Sub-health posts in the district. According to the data provided by the District Public Health Office, of the five positions of doctors in the hospital, all five are at work. There is one position for

gynecologist. The district has 116 positions of Assistant Health Workers of which 110 are working. The district has a problem of unavailability of the gynecologists.



2.6 Dolakha



Headquarters :	Charikot
Area in Sq. Km :	2,191
No. of Households :	45,688
No. of Population :	186,557
Male :	87,003
Female :	99,554
No. of PwD :	5,587
No. of VDC(s)/Municipality(ies) :	51/1
Male Literacy :	60,618
Female Literacy :	52,599
Religion Hindu (%) :	67.8
Buddhism (%) :	22.3
Islam (%) :	0.02
Kirat (%) :	0.02
Christianity (%) :	1.63
Prakriti (%) :	8.07
Undefined (%) :	0.146
Average Household Size :	4.08

The INSEC documentation shows that there is no remarkable change in the human rights situation of Dolakha district in 2014. In 2013, there were 24 people victimized in the incidents of human rights violation including 19 female and five male by non-state actor while in 2014 there are

Types of Events	By State		By Non-State	
	Male	Total	Female	Total
Child Rights			7	7
Injured	1	1		
Killing			1	1
Women Rights			14	14
Total	1	1	22	22

23 victims victimized including 22 female by non-state actor and one male by state actor.

One male was the victim of human rights violation by state actor this year. There were no victims by state actor last year. One woman was killed by non-state actor this year where as last year two female and two male were killed by non-state actor.

INSEC has documented 14 victims of women rights violation this year of which one case was on allegation of being witch, two cases were of rape, two cases were of attempt to rape, seven cases were of polygamy and two cases were of domestic violence.

There were seven cases of child rights violations of which five cases of rape and two cases of sexual abuses, according to INSEC. In 2013, nine children were victimized in different incidents.

INJURED

Amit Ghimire, of Kabre VDC-3 was injured in a firing by police on May 16. The victim was injured after a police fired a bullet in an open air. The police fired a bullet after one of the accused Tej Bahadur Tamang involved in vandalizing a vehicle of Area Police Office was absconding with the help of his colleagues. The injured underwent a medical treatment at Dolakha General Hospital on the same day. The absconding accused was arrested on the same day by the police.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 25 inmates at a time. A newly built prison has a capacity to hold 16

female however the female inmates are not kept in this building. They are transferred to other districts. In this building there are total of 61 inmates including 41 convicted male and 20 detained inmates. There are no minor dependents. The prison was built in 2012. The inmates of the prison are provided 700gm of rice and Rs45. They were also given a facility of Newspapers and indoor sports.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with positions for two judges all judges are at work at the end of 2014. There were 117 civil and 178 criminal cases pending. There are no criminal cases or civil case older than two years pending. There were 150 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 219 primary schools, 74 lower secondary schools and 83 secondary schools. Of the total positions of 873 teachers, eight of the positions remained vacant till the end of the year according to DEO. The DEO has been providing scholarships of Rs 400 each to 750 dalit children from standard one to eight and Rs 500 each from standard nine to 10. The education office is spending Rs 1,700,000 for scholarships. There are three schools which are disabled friendly.

Rape, Attempt to Rape and Sexual Abuses

This year, the girl victims of rape ranged from 10 to 17 year old 10 and 17. The accused are up to 38 years of age, according to the INSEC documentation. In most of the rape cases, the accused were the close relatives or acquaintances of the victims. INSEC documented one case in which a father was involved in the crime.

A 17-year old victim lodged a com-

Types of Events	By Non-State	
	Female	Total
Rape	5	5
Sexual Abuse	2	2
Total	7	7

plaint at District Police Office of Dolakha on April 1 accusing her father of raping her for three years. The victim said that she lately raped on March 28. She underwent a health checkup at Primary Health Center of Charikot. The accused was arrested by the police on the same day. The District Court had issued an order on June 27 to sentence him for 15 years imprisonment with Rs 125,000 as compensation to the victim.

A victim's family of 10-year-old girl lodged a complaint at District Police Office on June 9 accusing a 16-year-old boy of raping her on May 16. The victim underwent a health checkup at Primary Health Center of Charikot on the same day. The accused was arrested on the same day and was sent to Child Reform Center by a court order on June 26.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 65 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 25 cases were of assault and expulsion from the house, 23 of deprivation of food, 11 of not making marriage and citizenship certificate, six of polygamy and six cases were of life threatening. Among these incidents, 61 cases were settled in agreement and six cases were forwarded for legal proceedings, according to the WCSC.

A 72-year-old verbally impaired elderly woman was raped by Raj Kumar Yogi, 60, of Bhimeshwor Municipality-4

on August 26 inside her house. The victim's family lodged a complaint at District police office of Charikot on a same day. The victim underwent a health checkup at Primary Health Center of Charikot on a same day. He was arrested by the police on August 26. By a court order on September 19, the accused was remanded in custody.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	2	2
For Practicing Witchcraft	1	1
Polygamy	7	7
Rape	2	2
Rape Attempt	2	2
Total	14	14

Domestic Violence

Ambika Dahal, 45 of Kabre VDC-6 was injured in a Khukuri attack by her husband Kedar Dahal, 50 on March 24 over a domestic dispute. The victim died while undergoing treatment at Bir Hospital on April 13. The accused was arrested by Area Police Office on March 26. The accused was remanded in custody by the court's order on April 23.

HEALTH SERVICE STATUS

The District has one hospital, two primary health posts, 25 health posts 27 Sub-health posts. According to the data provided by the District Public Health Office, of the two positions of doctors in the hospital, two posts were occupied this year. The district has 111 positions of Assistant Health Workers of which 35 posts remained vacant. The annual health budget of the district is Rs 107,127,000 for public health and Rs 24, 00,000 for medical expenses. The DHO has allocated Rs 33,442,000 for health program.



2.7 Rautahat



Headquarters :	Gaur
Area in Sq. Km :	1,126
No. of Households :	106,668
No. of Population :	686,722
Male :	351,079
Female :	335,643
No. of PwD :	8,698
No. of VDC(s)/Municipality(ies) :	96/1
Male Literacy :	169,209
Female Literacy :	105,502
Religion Hindu (%) :	77.77
Buddhism (%) :	1.85
Islam (%) :	19.7
Kirat (%) :	0.1
Christianity (%) :	0.15
Prakriti (%) :	0.16
Jain (%) :	0.01
Undefined (%) :	0.258
Average Household Size :	6.44

According to the INSEC documentation, the incident on human rights violation has increased in the district in 2014. The number of victim increased to 117 from 110. Last year, one male was killed by state actor and three female and two male were killed by non-state actor. This year, two people were arrested and tortured by state actor and five female and one male were killed by non-state actor. This year, four people were victims of allegation of being witch, six in rape, five in polygamy, two in women trafficking, 73 in domestic violence, two in

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest & Torture	2	2			
Child Rights			13		13
Injured				1	1
Killing			5	1	6
Threats				1	1
Women Rights			94		94
Total	2	2	112	3	115

sexual abuses and two were in abortion.

This year, 13 victim of child rights were documented of which one case was of child trafficking; two of child marriages, nine of rape, one was of sexual abuse. Similar to other district, most of the victims were women and children in this year. Women were the victims of sexual and domestic violence where as children were the victims of sexual abuses and rape.

INJURED

Kala Dhar Chaudhary, 47 of Santapur VDC-6 was injured in a firing on March 31 by an unidentified group of people. He was fired a bullet while sleeping at his home by a group of unidentified group of five to six people. The victim sustained a Thai injury in an attack. The victim underwent a medical treatment at Bharatpur Medical College of Chitwan. The accused were at large till the end of this year.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 95 inmates at a time. A total of 131 including 58 convicted and 73 detained inmates were held there at the end of the year. There is one dependant. The prison building was built in 1975 with a capacity of 75 inmates however the capacity was increased to 95 after building a second floor. There is one position of Primary school teacher however the inmates do not show any interest of studying. There is one

position for Assistant Health Worker. The prison administration said that overcrowding of inmates in the prison is creating various difficulties for them. The prison has a facility of drinking water however it has a drainage problem.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with positions for five judges. There were 595 civil and 126 criminal cases pending. There are 35 criminal cases and 10 civil cases older than two years pending. There were 119 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 320 primary schools, 88 lower secondary schools and 55 secondary schools. Of the total positions of 2,088 teachers till the end of the year according to DEO. The students of the district could not get a facility of free books until July 1st week. The students could not get the books because of their carelessness of providing data said DEO. The lack of accountant in DEO has made difficulties in collecting other information.

Child Trafficking

A victim's mother of 14-year-girl of Chandrapur Municipality-11 had lodged a complaint at Area Police Office of Chandranigahapur on September 26 accusing Ojir Mansuri, 30 of luring her daughter and attempting to traffick her in India. The accused is at large till the end of this year.

Rape, Attempt to Rape and Sexual Abuses

This year, a total of nine girls from five to 17 year old were the victims of rape and one was the victim of sexual abuse. The accused are of age from 17 to 53 years. Police arrested Bhakta Bahadur Rai, 53 of Chandrapur Municipality-4 on charge of

Types of Events	By Non-State	
	Female	Total
Child Marriage	2	2
Child Trafficking	1	1
Rape	9	9
Sexual Abuse	1	1
Total	13	13

raping four girls.

A victim's mother of 13-year-old girl lodged a complaint at Area Police Office of Garuda on July 27 accusing Rafid Ansari, 50 of Uchidiha Tol of Prempur Gonahi VDC-8 of raping her daughter on July 25. The victim underwent a health checkup at Chandranigahapur Hospital on July 27. The accused was arrested by the police on August 3 and released on bail amount of Rs 45,000 on date by a court order on August 30.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 146 women and two male had lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 72 cases were of assault, 53 of not caring, three of not making marriage and citizenship certificate, six of expulsion from house, 10 of depriving of food and one was of torture for not bringing enough dowry. Two male had lodged a complaint against their wife for violence. Among these incidents, 107 cases were settled in agreement and seven cases were forwarded for legal proceedings and in 34 cases no action was taken against the accused according to the WCSC.

This year, six women were the victim of rape and two women were sexually abused. In case of rape, the District Court has sentenced accused for up to five years. This year, one woman was a victim of gang rape in this district.

A 18-year-old girl had lodged a complaint at APO of Chandranigahapur on April 24 accusing Suwash Kunwar, 24

Types of Events	By Non-State	
	Female	Total
Abortion	2	2
Domestic Violence	73	73
For Practicing Witchcraft	4	4
Polygamy	5	5
Rape	6	6
Sexual Abuse	2	2
Women Trafficking	2	2
Total	94	94

of Judiwala VDC, Dharendra Dhami, 20 of same VDC-4, Sanjaya Dhami, 18, Rajesh Dhami, 21 and Kanak Lal Majhi, 40 of Bhuchkrapur VDC-9 of Dhanusha for raping her on the night of April 23. Among the accused, Kanak Lal Majhi, Suwash Kunwar, Dharendra Dhami and Sanjaya Dhami was arrested by the police. The accused were remanded in custody by court order on May 20. The victim underwent a health checkup at Chandranigahapur District Hospital. The case remained pending till the end of this year.

Domestic Violence

Police arrested Jabir Alam, 43 and his second wife Rausniya Khatun, 20 on December 10 on charge of killing his first wife Sabana Khatun of Rajpur Fahadawa VDC-9 on August 20. The accused were remanded in custody by court order on December 31. Police have recovered her body from a field at Rajpur Farhadawa VDC-9 on August 21. The postmortem of the body was done at District Hospital of Gaur on August 21.

ALLEGATION OF WITCHCRAFT

This year, four women were victimized on the allegation of being witch. The

victims were from 40 to 68 year old. The court had penalized one accused for Rs 5,000 where as other two accused involved were released on bail and one is still at large. Two women were attempted to feed human excrete alleging them of being witch

Champa Devi Dhusani, 68 of Prem-pur Gonahi VDC-7 was accused of being witch and assaulted by Munneshwor Hajara Dusadh, 45, Nandu Hajara Dusadh, 55, Jayapat Hajara Dusadh, 55 and Surtiya Devi Dushani, 40 in the morning of February 21. She was attempted to feed human excrete by the accused. The victim lodged a complaint at Area Police Office (APO) of Garuda on March 9. The police registered the complaint at District Court and the court ordered for the penalty of Rs 5,000 to each on October 16.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In this district, 21,000 people have applied for the squatter identity card at Squatters Problem Resolving Commission. The investigation of these applications is underway said chairman Khil Nath Paudel of the Commission.

HEALTH SERVICE STATUS

There are two district hospitals, four primary health center, eight health posts and 85 Sub-health posts in the district. According to the data provided by the District Public Health Office, of the 11 positions of doctors in the hospital, all posts remained vacant this year. The district has 222 positions of Assistant Health Workers of which 18 posts remained vacant. There are 427 positions of health workers in a district of which 111 remained vacant.



2.8 Bara



Headquarters :	Kalaiya
Area in Sq. Km :	1,190
No. of Households :	108,635
No. of Population :	687,708
Male :	3,51,244
Female :	336,464
No. of PwD :	11,649
No. of VDC(s)/Municipality(ies) :	89/1
Male Literacy :	204,718
Female Literacy :	130,178
Religion Hindu (%) :	81.73
Buddhism (%) :	4.53
Islam (%) :	13.04
Kirat (%) :	0.19
Christianity (%) :	0.24
Prakriti (%) :	0.08
Shikha (%) :	0.001
Undefined (%) :	0.191
Average Household Size :	6.33

The incident on human rights violation has increased in the district in 2014. If we go by the INSEC documentation the number of victims has gone up from 35 to 64. In 2013, there were 12 male victimized in the incidents of human rights violation from state actor and 15 male and eight female by non-state actor. In 2014, a total of 64 victims including one female and seven male by state actor and 42 female and 14 male by non-state actor.

This year, one male was killed by state In the incident of arrest and torture

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction					3	3
Arrest & Torture		1	1			
Beatings	1	3	4			
Child Rights				14		14
Inhuman Behaviour					1	1
Injured		2	2	2	4	6
Killing		1	1	8	6	14
Women Rights				18		18
Total	1	7	8	42	14	56

one person was victimized by state, a total of 18 women were the victims in the women rights violation of which one was rape, one of attempting to rape, six of polygamy, nine in domestic violence, one in sexual abuse. In 2013, a total of nine women were victims. In child rights violation, 14 children were victimized this year including nine in rape, and five in sexual abuses. In 2013, two girls were victims.

In this district, more women and children were victims by non-state actor. Children were the victims of sexual abuses and rape and women were victimized in domestic and sexual violence.

KILLING

This year, INSEC has documented 14 cases of killing by non-state and one by state actor.

Jaya Narayan Patel, 42 of Hariapur VDC-7 was killed in firing by armed police force on September 22 during the protest demanding the repair of road at Mahadev Sthan at Hariapur VDC-4. In a same incident, Shah Mohamed, 28 of same VDC-5 was injured and dozens of protestors were injured according to the locals. The situation was tensed after the protestor hurled the stones to armed police force who were on the way to Simraungadh. After the death of Jaya Narayan Patel, the agitated mob blazed a fire on two vehicles of armed

police force with registration number Na 1 Jha 720 and Na 1 Ga 588. Different human rights organizations such as INSEC, Advocacy Forum and COCAP had monitored the incident.

INJURED

This year, one female and three male were victims of intimidation and beatings. In 2013, one person was the victim of human rights violation, according to INSEC data. This year, a journalist was misbehaved by state actor.

Journalist Mohit Chaudhary, 24 of Gadhimai Municipality-7 was abused and beaten by SI Arun Kushawa of Area Police Office of Jitpur on September 2. He was abused while collecting the news regarding the discussion of pollution by Shiva Shakti butter industry, between the locals. The journo sustained temple, neck and back injuries during the incident.

TORTURE AND OTHER CRUEL AND INHUMAN BEHAVIOR

This year, two people were injured in police assault as per INSEC data. Shrichan Paswan, 45 of Hariya VDC-3, his son Ramdhyam Paswan, 25 and nephew Sani Paswan, 26 were severely beaten by police on February 28 for not obeying them. The victim complained that SI Khagendra Mahato and police constable Nawaraj Neupane assaulted them with bamboo stick. The injured were treated at Kalaiya Hospital. They sustained injuries in their hand and fingers. The victims did not make any complaint.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 85 inmates at a time. A total of 211 including 135 convicted and 76 detained inmates were held there at the end of the year. The prison administration said that overcrowding of inmates in the prison

is creating various difficulties for them. The inmates are receiving the services as per the government provision.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has positions for five judges and all are functioning at the end of 2014. There were 2,055 civil and 581 criminal cases pending. There are 17 criminal cases and seven civil cases older than two years pending. There were 550 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 321 primary schools, 86 lower secondary schools and 39 secondary schools. Of the total positions of 2254 teachers, 15 positions remained vacant till the end of the year according to DEO. According to the district education office a total of 118,462 boys and 116,205 girls of school going age are enrolled in school. A total of 70% schools have a facility of toilets, according to DEO. There is no data of dalit scholarships, children-friendly schools with District Education Office.

Types of Events	By Non-State	
	Female	Total
Rape	9	9
Sexual Abuse	5	5
Total	14	14

Rape, Attempt to Rape and Sexual Abuses

This year, nine girls of from six to 17 year-old were victimized in rape. Five girls were the victims of sexual abuses. The accused are up to 45 years of age. The accused are local people, teachers and unknown people.

Riya Kumari Shah, 6 of Kaliya Municipality-7 was killed after rape on April 10. The victim who was living in her maternal house was lured and killed after rape

near Bareba palace. The victim was found unconscious by the police after the search. She died in the hospital while undergoing treatment. The police team was sent to the incident site for further investigation. Sanjeev Bikram Shah, 38 of Kailali-7 and Baiju Rawat Mestar, 28 was arrested by the police on May 8 and the accused were remanded in custody by a court order on June 4. The other accused Mestar was released on bail with Rs 5,000 compensation.

An 8-year-old girl of Kaliya-8 was murdered in the night of November 8 after rape. An unknown person had lured her from the road while she was on the way to the shop. She was killed after rape in the bush beside the medical shop. Her house is about 500m from the incident site. The girl was rushed to the hospital where she was declared dead, said DSP Rabindra Regmi of DPO. Police had arrested Arvinda Lal Das, 28 of Madarsa Tol Kalaiya-8, Pawan Misra, 17 and Madan Kumar Misra, 37 on charge of their involvement in an incident and made them public on December 24. The family of accused denied the incident by organizing press conference on December 24.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 425 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 96 cases were of assault and expulsion from the house, 128 of deprivation of food, 16 of not making marriage and citizenship certificate, six of polygamy and 111 cases were of minor. Among these incidents, 351 cases were settled in agreement and 46 cases were forwarded for legal proceedings, according to the WCSC.

This year, one woman was a victim of gang rape. All accused of gang rape were brought to a legal boundary whereas ac-

Types of Events	By Non-State	
	Female	Total
Domestic Violence	9	9
Polygamy	6	6
Rape	1	1
Rape Attempt	1	1
Sexual Abuse	1	1
Total	18	18

cused of attempt to rape was sent to prison for 13 days with NRs 5,000 penalty.

A 30-year-old girl lodged a complaint at DPO on April 6 accusing Harindra Sahani of Bisunpurwa VDC-8 accusing him of attempting to rape her on April 22 while she was going for toilet. The case was registered by police at District Court and on May 19 the court ordered to send him on jail for 13 days with penalty of Rs 5,000.

Killing

Khusbu Devi Sahani, 21 of Patrahatti VDC-9 was killed by her mother in-law Laxmaniya Devi Sahani, 42 and father in-law Makhan Sahani on January 1 for not bringing enough dowry. Police arrested Laxmaniya on January 3 and registered the case at District Court. The court ordered to remand Laxmaniya in custody on February 6. The victim's husband and father in-law are still at large. Inspector Ram Nath Ghimire of DPO said that the victim was killed over the dispute of dowry. Police had exhumed the dead body of Khusbu from riverbank at Bariyapur VDC-7 on January 3. The victim's party had lodged a complaint at DPO on January 3.

HEALTH SERVICE STATUS

There is one district hospital, 46 health posts and 48 Sub-health posts in the district. According to the data provided by the District Public Health Office, of the 19 positions of doctors in the hospital, 16 posts

remained vacant this year. There is no position for gynecologists. The district has 259 positions of Assistant Health Workers of which 63 are vacant. There are seven staff nurse working. The district has a problem of unavailability of the gynecologists and doctors as per their position.



2.9 Parsa



Headquarters :	Birgunj
Area in Sq. Km :	1,353
No. of Households :	95,536
No. of Population :	601,017
Male :	312,358
Female :	288,659
No. of PwD :	6,215
No. of VDC(s)/Municipality(ies) :	82/1
Male Literacy :	194,000
Female Literacy :	119,450
Religion Hindu :	83.1
Buddhism (%) :	1.68
Islam (%) :	14.48
Kirat (%) :	0.43
Christianity (%) :	0.13
Prakriti (%) :	0.02
Shikha (%) :	0.022
Undefined (%) :	0.147
Average Household Size :	6.29

According to the INSEC documentation, it is found that the incidents of human rights violation in Parsa district have decreased in 2014 in comparison to the last year. In 2013, there were 87 victims of human right violations whereas this number went up to 73 in 2014. Last year, a female and seven males were victimized by state whereas 79 people were victimized by non-state actor. Of them, a total of 68 were female and 11 male. This year, four males were victimized by the state whereas 69 people were victimized by the non-state actor. Of them, a total of 65 people were females and four were males.

Types of Events	By State		By Non-State	
	Male	Total	Female	Total
Child Rights			12	12
Inhuman Behaviour				1
Killing			5	7
Racial Discrimination			1	1
Right to Assembly	4	4		
Women Rights			48	48
Total	4	4	65	69

This year, seven people including five females and two males were killed by the non-state actor. In 2013, a male and a female were killed. Regarding the women rights violation, there are 48 victims of women rights violation of which four cases were of practicing witchcraft, two cases of rape, five cases of rape attempt, two cases were of polygamy and 33 were the victims of domestic violence, this year. In 2013, a total of 53 women were victimized in the incidents of violence against women. Regarding the child right violations, INSEC documented that 12 girls were victimized in this year. Of them, seven were the victims of rape, two cases were of victims of sexual violence and two were of trafficking.

Mostly, the women and children were more vulnerable due to the human rights violations committed by non-state actor this year. It is reported that the girls were victims of rape and sexual violence whereas the women were victims of sexual and domestic violence.

THREAT/BEATING

Ramhit Yadav, 55, of Birgunj Municipality 10 who was working in Drinking Water and Sanitation Division Office, was harassed by the CPN-M cadre by rubbing soot on his face on June 1. He was harassed in his own office during the day by the CPN-M cadres accusing him of involving in budget irregularities and corruption. A group of 4/5 cadres led by 24 years old Rakesh Yadav, central member of ANNISU-R (Baidya group) and Bimal Poudel of Peoples Volunteer Organization harassed him. According to the victim, the cadres came in motorcycle, rubbed the soot in his face and fled away. The victim did not file any complaint.

JAIL AND DETAINEES

The 'B' grade District Prison has the capacity to hold 750 inmates at a time. A total of 1,146 inmates including 605 convicted and 541 detained were held there at the end of the year. Among them, three boys and four girls are dependant. This prison was constructed in 1940.

Birganj Prison is the oldest prison of Nepal and the buildings of this prison are in dilapidated condition. This year, a team of Chief Justice of Supreme court, Judge of Appellate court of Hetauda, and a member of National Human Rights Commission inspected the prison. After the inspection, they commented that the physical structure of the Birgunj Prison is not fit to accommodate the inmate. The number of inmates in the prison is two times more than its capacity which creates problems for the management of infrastructure for the inmates.

According to the inmates, they are living in trauma everyday due to the fear that the jail buildings might collapse anytime. According to jailor, the Government of Nepal has allocated Rs.800,000 for the maintenance of the prison.

RIGHT TO PROMPT AND FAIR TRIAL

There are six positions for Judge in Parsa district court. There are 1566 civil cases and 609 criminal cases pending at the end of the year. According to district court, a total of 38 cases including 24 civil and 14 criminal case older than two years remained pending. According to the data, one judge is handling about 370 cases in a year.

CHILD RIGHTS

Education Status

There are 326 primary schools, 62 lower secondary schools and 82 secondary schools in this district. According to District Education Office, of the total positions of 2795 teachers, all positions are occupied. A total of 160,616 children of school going age are enrolled in the school. Among them 16,501 are dalit boys and 17,703 are dalit girls. In the primary level government, school and community schools a total of 1,382 teachers of which 476 female and 906 male. According to District Education office, their annual budget is Rs. 50,782,583.

Types of Events	By Non-State	
	Female	Total
Child Trafficking	3	3
Rape	7	7
Sexual Abuse	2	2
Total	12	12

Rape, Attempt to Rape and Sexual Abuses

This year, the girls from six to 17 year-old were victimized in rape case. The age of the accused of rape was up to 55 year old. The accused rape cases were the victim's

relatives and acquaintances in the district. Five accused of rape cases were arrested whereas one person remained absconding at the end of the year. Similarly, the police arrested the accused on three cases of sexual violence.

Suresh Yadav, 25, of Bagahi VDC-3 was arrested by the police on August 9 on charge of raping a 3 year-old girl on August 8. The victim's family members lodged a complaint at the district police office on August 9. The accused was remanded in custody by court on September 4. The police stated that a the victims health checkup was conducted in Kalaiya hospital on August 9. The medical report confirmed that the victim was raped in the incident.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

In 2014, a total of 339 women filed a complaint at Women and Children Service Centre of District Police Office. Among them 213 cases of assault and expulsion from house, 103 cases were of deprivation of food and clothes, 11 cases of polygamy, two cases of practicing witchcraft. Of the total filed cases, a total of 274 were settled in agreement and other cases are undecided at the end of year.

INSEC reports that this year, two women were the victims of rape and five women were the victims of rape attempt. All the accused of rape cases were arrested and taken legal action. According to the Police, three accused of rape case were remanded in custody whereas two were absconding at the end of the year.

The police filed a case against Panlal Kurmi, 40, of Jayamangalapur VDC-3 on charge of attempting to rape a 41-year-old woman on September 8 in the victim's home. According to the victim, she shouted when Kurmi attempted to rape and the later ran away from her home. The police stated

Types of Events	By Non-State	
	Female	Total
Domestic Violence	33	33
For Practicing Witchcraft	4	4
Polygamy	2	2
Rape	2	2
Rape Attempt	5	5
Women Trafficking	2	2
Total	48	48

that Kurmi remained absconding at the end of the year. The victim filed a complaint at the district police office on September 10.

Dowry Death

Anita Devi, 26, of Auraha VDC-5 was hacked to death by her husband and his family members on October 19 on charge of not bringing dowry in marriage. The victim's family filed a complaint against the accused family in district police office on October 23. The police filed a complaint at court against the accused Sikendra Patel, 28 including his family members. According to police, the accused remained absconding at the end of the year.

Domestic Violence

Ashadevi Khanal, 38, of Sedwa VDC-2 was killed by her daughter-in law by Rinku Devi Khanal (Pashwan), 20, with a help of her lover Arif Miya, 45 on August 28. According to the Police, the victim was hacked to death by using a sharp weapon. The police arrested the accused and filed a case in court against them. The court ordered them to remand in custody on September 22. The case was not decided at the end of the year.

ALLEGATION OF WITCHCRAFT

According to INSEC documentation, a total of four women were injured due to the beating by neighbors and local people on charge of practicing witchcraft. The age of victims ranged from 35 to 60. The

victims complained that they did not get justice, as the police did not take any action against the accused. Most of the victims of witchcraft accusation were poor, dependant and weak. The victims complained that they felt insecure when the police released them on bail. This year, two women of same VDC were the victims of witchcraft allegations in the district.

Chaatiya Devi, 60, of Lakhanpur VDC was mistreated by locals Netra Bahadur Sahani, 35, of Lakhanpur VDC and Sudama Sahani, 40, of Shivavarva VDC-3 on March 11 on the allegation of practicing witchcraft. According to DSP Basudev Khatiwada, the accused were arrested on the same day. According him, he was arrested based on the FIR lodged by the victim's family. The accused was released after submitting Rs 5000 fine after the District Court's order on June 9.

HEALTH SERVICE STATUS

There are one hospital, 79 health posts and three sub-health posts in Parsa district. Among the six positions of doctors in the district, all positions are vacant. Among the nine positions of staff nurse, seven positions are occupied. Among the 207 positions of Assistant Health Worker, 123 positions are occupied. A total of 84 positions of assistant health workers are vacant. Of the 126 positions for Auxiliary Nurse, 46 positions are vacant. The district has overall 404 positions of all health workers in which 168 positions remained.



2.10 Chitwan



Headquarters :	Bharatpur
Area in Sq. Km :	2,218
No. of Households :	132,462
No. of Population :	579,984
Male :	279,087
Female :	300,897
No. of PwD :	12,937
No. of VDC(s)/Municipality(ies) :	38/2
Male Literacy :	220,228
Female Literacy :	203,877
Religion Hindu (%) :	81.4
Buddhism (%) :	13.02
Islam (%) :	1.16
Kirat (%) :	0.04
Christianity (%) :	3.39
Prakriti (%) :	0.65
Bon (%) :	0.01
Shikha (%) :	0.001
Undefined (%) :	0.326
Average Household Size :	4.38

According to INSEC documentation the incidents of human rights violation, abuses and violence against women in Chitwan district has decreased in 2014 in comparison to the last year. In the year 2013, there were 135 victims of human right violations and abuses whereas in 2014 there are 99 victims. Last year a total of 135 people were victimized by the non-state actor of which 123 were female and 12 were male whereas this year a total of 99 people were victim by the nonstate actor among which 92 are female and seven are male.

Types of Events	By Non-State		
	Female	Male	Total
Abduction	3	2	5
Child Rights	21		21
Injured		2	2
Killing		2	2
Racial Discrimination	1	1	2
Threats	3		3
Women Rights	64		64
Total	92	7	99

This year no incidents of human rights violations committed by the state party were reported. Two males were killed by the non-state actor this year. In 2013, three female and two male were killed. In regard to women rights violation, there were 64 victims this year which includes six cases of rape, five cases of attempt of rape, one case of sexual exploitation, seven cases of polygamy, two cases of women Trafficking and 43 cases of domestic violence. INSEC has documented three cases of Trafficking, 15 cases of rape, and three cases of sexual violence of children. In 2013, a total of 17 people were victimized.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 200 inmates at a time. A total of 521 including 285 convicted and 236 detained inmates were held there at the end of the year. Among them two are dependent minors. This prison was constructed in the 1968.

The Block "A" of male was built in 1968 and it is in a dilapidated condition. According to the prison chief Cholakant Pokharel the other buildings are in normal condition though the maintenance work is being done every year. The total capacity of the "E" block was constructed in 2011 and has not been formally inaugurated yet. In the male section there are 22 toilets and taps. In the prison the facilities of library, board games, TV set, CDMA telephone set, sports and skill activities like tai-

loring, domestic looms are provided to the inmates. The female prison is also in a dilapidated condition. It is very congested and there are not enough space for inmates to move freely, perform chores and dry clothes. There are two toilets, two bathrooms, four taps and a TV set. There is a space to perform religious activities.

BEATING

A member of Federation of Nepalese Journalist (FNJ) Chitwan and the President of Nepal Press Union Chitwan, Narayan Prasad Adhikari, 35, of Bharatpur Municipality-11 was attacked by unidentified people with a sharp weapon on November 20, 2014. Adhikari was going back home in his motorbike of No. Na 30 Pa 7223 when two people came in bike and attacked him. Some people were arrested by the Police in suspicion of their involvement in the incident. The investigation of the incident is underway.

RIGHT TO PROMPT AND FAIR TRIAL

There are three positions for Judge in Chitwan district court. There are 1032 civil cases and 766 criminal cases are pending at the end of the year. According to district court there are two civil cases and nine criminal cases pending which are more than two years old. There are more than 600 cases per judge.

Rape, Attempt to Rape and Sexual Abuses

INSEC documented the age group of girl victims in cases of rape are between four to 17 years. Similarly, the accused of rape are aged up to 72 years. This year, 15 girls were victims of rape and three were victims of sexual violence. Among the 15 rape cases, four accused were sentenced, six of them were remanded in custody by a court order and four of them were acquitted. The accused were sentenced for eight years.

Types of Events	By Non-State	
	Female	Total
Child Trafficking	3	3
Rape	15	15
Sexual Abuse	3	3
Total	21	21

A family of a four years old girl had filed a complaint against Chok Narayan Shrestha, 51, of Kalyanpur VDC-1 at the district police office on February 2 accusing him of raping a girl on January 25. The victim's party accused him of raping her by luring her for a chocolate. The victim underwent a health checkup at Bharatpur hospital on the same day. The police had registered the case at Chitwan District Court on the same day. The accused is still at large according to the police.

A mother of a 7- year- old girl filed a complaint against Bhim Prasad Ghale, 72, of Bharatpur Municipality-11 at District Police Office on October 7 accusing him of raping her daughter in Jaladevi temple. The accused was arrested on the same day. The accused was remanded in custody by a court order on October 31.

Child Trafficking

This year three girls were victims of Trafficking of which two accused were remanded in custody and one of them is still at large. The victim's were lured for a better job and were attempted to be trafficked in India. The age group of the victims are between 15 to 17 years.

A case was filed at District Police Office against Manparne Tamang, 26, Bharatpur Municipality-4 on March 13 by the victim's family accusing him of Trafficking two 17 years old girls of Amalsar, Tamsariya VDC-4 of Nawalparasi district. The victims family filed a complaint on March 13 at Police Office. The accused was arrested on the same day. He was remanded in custody by a court order on April 9.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

In 2014, a total of 286 women filed a complaint of domestic violence at Women and children service centre under district police office in Chitwan. Among them, 10 cases were of assault and expulsion from house, 142 cases of deprivation of food and clothes, 13 cases of not making marriage and citizenship certificates, 11 cases of polygamy and 110 cases were of threat to kill were registered. Among these cases, 140 of them were settled in an agreement at police office whereas 26 cases were processed for legal action.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	43	43
Polygamy	7	7
Rape	6	6
Rape Attempt	5	5
Sexual Abuse	1	1
Women Trafficking	2	2
Total	64	64

Rape, Attempt to Rape and Sexual Abuses

INSEC documented that the age group of rape victims are from 18 to 86 years of which six women were victim of rape and five women were of attempt to rape. Among the accused three of them were arrested, two of them were acquitted. In five cases of attempt to rape one accused was released on bail and four of them were acquitted.

A case was filed against Ganesh Malla, 35, of Bharatpur Municipality at District Police Office by the victim's family member on July 4 accusing him of raping a 37- years- old women on July 2. The victim underwent a health checkup at Chitwan Medical College on the same day. The accused was arrested on July 4. He was remanded in custody by a court order on July 31. The case is pending till the end of the year.

Women Trafficking

According to the INSEC documentation a 50-year-old woman was trafficked in India by luring her for better job opportunity. The victim filed a complaint against Hasta Bahadur Poudel alias Hasta Bahadur century, 53, of Ganganagar, Petihani VDC-8 at District Police Office on January 14, accusing him of trafficking her for Rs.5,00,000. The victim said that she was taken hostile in a hotel and forcing her for prostitution. Inspector Joblal Chudali of district police office said that the accused was arrested on January 19. He was released on bail amount of Rs 150,000 on February 13 and was remanded in custody by an Appellate Court order.

A 25 year old women has filed a complaint at the District Police Office against Jyoti Tiwari, 19 and Ram Krishna Tiwari, 30, of Bharatpur Municipality-11 on June 6, accusing them of Trafficking her to India. The victim said that she was lured for a better job in India. She was rescued by Nepal-India Migrant Forum. The accused are at large.

HEALTH SERVICE STATUS

There are three hospitals, 24 health posts and 12 sub-health posts in Chitwan district. According to the data provided by district health office, among three positions of doctors in Chitwan district, all positions are working. Among the seven positions of staff nurse, all positions are working. Among the 108 positions of Assistant Health Worker, 100 positions are working. Out of 68 positions for auxiliary nurse 60 positions are fulfilled. The district has overall 221 positions of which 27 positions are vacant. According to the data provided by the District Health Office the annual budget is Rs 172,825,300 and the administrative cost is Rs 25,895,171 and the Rs 390,460 for a medical cost.



2.11 Makwanpur



Headquarters :	Hetauda
Area in Sq. Km :	2,426
No. of Households :	86,127
No. of Population :	420,477
Male :	206,684
Female :	213,793
No. of PwD :	8,467
No. of VDC(s)/Municipality(ies) :	43/1
Male Literacy :	146,222
Female Literacy :	123,202
Religion Hindu (%) :	48.26
Buddhism (%) :	45.57
Islam (%) :	0.42
Kirat (%) :	0.05
Christianity (%) :	4.84
Prakriti (%) :	0.66
Bon (%) :	0.01
Undefined (%) :	0.192
Average Household Size :	4.88

The incident of human rights violation of the district in 2014 has increased as compared to the last year. If we go by the INSEC documentation the number of victims has gone up from 39 to 52. This year there was no incident of violation by state actor.

In 2013, there were 30 female and nine male victims in the incidents of human rights violation whereas this year a total of 52 victims including 49 female and three male were victims. In this District more women and children were the victims

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	23		23
Killing	1	3	4
Women Rights	25		25
Total	49	3	52

by non-state actor. Children were victims of rape and sexual abuses whereas women were victims of sexual and domestic violence.

This year, one female and three male were killed by non-state actor. In 2013, two female and three male were killed by non-state actor. INSEC has documented 25 victims of violence against women including two incidents on allegation of being witch, 10 cases of rape, four cases of attempting to rape six of polygamy and three cases of domestic violence. In child rights, there were 23 victims were documented of which one was of child trafficking, 16 of rape, five of sexual abuses and one was of killing a newly born baby.

JAIL AND DETAINEES

The 'D' grade District Prison of Bhimphedi has the capacity to hold 1200 inmates at a time. A total of 538 including 199 convicted and 339 detained inmates were held there at the end of the year. There are no women or children in the prison.

The district prison is in a very poor condition. The inmates are kept in women ward of regional prison which was built by Nepal Government due to the favorable weather condition of Bhimphedi. The male prison building is also being made in the district. More than 1200 inmates can be accommodated in this prison.

The female inmates of the district were transferred to Birgunj. The prison has a facility of TV, toilets and electricity. There is also a library for the inmates. The inmates are earning income by making wooden chairs inside the prison. The inmates are

facing difficulty in treatment as the Bhimphedi have just one Primary Health Center. The inmates had to be taken to Birgunj or Hetauda for the treatment due to the lack of enough budgets.

RIGHT TO PROMPT AND FAIR TRIAL

There is one Appellate and one District Court in the district. There are two positions for judges. There were 980 civil and 259 criminal cases pending. There are seven criminal cases and 12 civil cases older than two years pending. There were 130 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 373 primary schools, 100 lower secondary schools and 88 secondary schools. Of the total positions of 1,738 teachers, 44 positions remained vacant till the end of the year according to DEO. According to the office a total of 7,090 boys and 6,598 girls of school going age are enrolled in school. The office said that there are 10 disabled-friendly schools in the district. A total of 331 schools have a facility of toilets according to DEO data. Due to a lack of water, most of the toilets are not in a condition for use.

The annual budget of the DEO is 582,970,786. A total of 2 771 boys and 2,939 dalit girls are getting scholarships from DEO. There are only two disabled friendly school in the district.

The school going age of 3.4% of students have not seen schools in this district. Due to the lack of education, poverty and access of schools, more than 3,000 students are deprived of education.

Rape, Attempt to Rape and Sexual Abuses

This year, the girl victims of rape are between 4 and 17 year old. The accused are up to 65 years of age, according to the

Types of Events	By Non-State	
	Female	Total
Child Trafficking	1	1
Killing of Newborn Baby	1	1
Rape	16	16
Sexual Abuse	5	5
Total	23	23

INSEC documentation. This year 16 girls were the victim of rape and five were of sexual abuses. Out of 16 incidents of rape, the accused were sentenced by District Court and two accused boys were handed over to their family. Similarly, two accused of rape are still at large. In most of the rape cases, the accused were the close relatives or acquaintances of the victims. INSEC documented one case in which a father was involved in a rape.

A 40-year-old father of Ekaghar was arrested by police on March 5 on charge of raping his 12-year-old daughter on March 5. The District Court had issued an order on March 28 to sentence him for 10 years with compensation of Rs 200,000. The victim's party had lodged a complaint at District Police Office of Hetauda on March 6. She underwent a health checkup at Hetauda Hospital on March 6.

Child Trafficking

INSEC has documented one case of child trafficking this year. A 16-year-old girl was trafficked in India by Gyan Bahadur Waiwa and Sukra ram Syangtan, 19 of Dhiyal VDC-8 on January 23. The victim's party had lodged a complaint at police office on January 23. The accused are at large till the end of the year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 45 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 20 cases of assault and expulsion

from the house, 10 of deprivation of food, seven of not making marriage and citizenship certificate, four of polygamy and two cases of life threatening and two cases of allegation of being witch. Among these incidents, 35 cases were settled in agreement and four cases were forwarded for legal proceedings, according to the WCSC. The remaining six cases are pending.

This year INSEC has documented 10 cases of rape. In 2013, this number was six. This year two women were the victims of gang rape.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	3	3
For Practicing Witchcraft	2	2
Polygamy	6	6
Rape	10	10
Rape Attempt	4	4
Total	25	25

Rape, Attempt to Rape and Sexual Abuses

Police arrested Santosh Upadhyaya, 26 of Ekaghar Hetauda and Suman Upadhyaya, 24 on charge of gang raping a 21-year-old woman on February 7. The accused Suman is a husband of the victim and other accused is brother in-law. Bhagwati Devi, 44 an aunt of the accused was also arrested on the same day on charge of her involvement in supporting them. The District Court had ordered to release Bhagwati on bail amount of Rs 50,000 on May 30 whereas other accused were remanded in custody. The District Court of Makwanpur on July 1 ordered to sentence Santosh for six years with a compensation of 100,000 to the victim. The victim's party had lodged a complaint at DPO on December 7. The victim underwent a health checkup at Hetauda Hospital on December 8.

Domestic violence

This year one woman were killed in domestic violence. INSEC has documented

the involvement of husband in case of murder.

Killing by Family Member

Hari Maya Bomjan, 40 of Markhu VDC-3 was killed by her husband Suk Ram Bomjan, 50 by attacking her with Khukuri on June 3. The accused was arrested by the police on June 4. On August 12, the District Court had issued an order to remand him in custody.

ALLEGATION OF WITCHCRAFT

In Makwanpur District two women of age 52 and 70 were victims of allegation of being witch.

Devi Subedi, 52 of Hetauda Municipality-22 was assaulted by Radhika Rijal, 34 of same place alleging her of being witch. Police arrested the accused however the case was settled in agreement of bearing treatment cost.

Similarly, Suk Maya Bote, 70 of Manhari VDC-6 was assaulted by Sangeeta Bote, 18, Sarita Bote, 19 and Anita Bhujel, 18 alleging her of being witch. All the accused were released on bail amount of Rs 10,000

HEALTH SERVICE STATUS

There is one district hospital and 40 health posts in district. According to the data provided by the District Public Health Office, of the 11 positions of doctors in the hospital, four posts remained vacant this year. There is one position for gynecologists. The district has 82 positions of Assistant Health Workers of which 82 are working. The annual health budget of the district is 582,970,787 for public health. The district has a problem of unavailability of the gynecologists and doctors as per their position.



2.12 Lalitpur



Headquarters :	Lalitpur
Area in Sq. Km :	385
No. of Households :	109,797
No. of Population :	468,132
Male :	238,082
Female :	230,050
No. of PwD :	4,934
No. of VDC(s)/Municipality(ies) :	41/1
Male Literacy :	203,801
Female Literacy :	165,810
Religion Hindu (%) :	73.53
Buddhism (%) :	19.27
Islam (%) :	0.66
Kirat (%) :	1.24
Christianity (%) :	5.02
Prakriti (%) :	0.05
Bon (%) :	0.02
Jain (%) :	0.01
Shikha (%) :	0.016
Bahai (%) :	0.175
Undefined (%) :	0.191
Average Household Size :	4.26

There are no remarkable changes in human rights situation of the district this year as compared to the last year. In 2013, the number of victims has gone up from 40 to 43 as per INSEC documentation. In 2013, there were 40 victims in the incidents of human rights violation including 22 female and 18 male whereas in 2014, a total of 41 were victims including 33 female and eight male by non-state actor. This year one female and one male was the victim by state

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest & Torture	1		1			
Child Rights				20	2	22
Death in Detention		1	1			
Injured					2	2
Killing				4	4	8
Women Rights				9		9
Total	1	1	2	33	8	41

actor.

In this district most of the children were the victims by non-state actor in 2014 of which children were victimized of rape and sexual abuses. INSEC has documented nine cases of women rights violation this year of which one in rape, three in polygamy, two in women trafficking and three in domestic violence.

This year four female and four male were killed by non-state actor. Last year the number was one. Similarly, this year 20 girls and two boys were the victim of child rights. In 2013, one boy, 12 children and 10 women were victims by non-state actor according to INSEC data.

KILLING

The incident by non-state actor has increased subsequently in 2014. Last year one male was killed where as in this year four female and four male were killed by non-state actor.

JAIL AND DETAINEES

The 'C' grade District Prison of Nakkhu has the capacity to hold 175 inmates at a time. A total of 530 including 255 Nepali and 54 foreign national inmates of which 309 convicted and 221 detained inmates were held there at the end of the year. The prison was built during Rana regime and it is very old. The inmates are facing space difficulties and in drinking water. The prison has facilities of health checkup, toilets, sports, telephone, radio, TV and library.

CLASH

The inmates of Nakkhu prison had locked out the CRC block of the prison on November 19 accusing of discrimination by internal and external administration of the prison. This had obstructed the study of 29 students who were preparing for SLC exam. In locked out prison, 262 inmates were kept said jailer Chakrapani Gautam. The situation was settled after the administration committed to solve the problem. There are frequent incident inside the prison over the issue of selecting leader and guards among the inmates by the internal administration of the prison.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has positions for five judges and all judges are functioning at the end of 2014. There were 482 civil and 250 criminal cases pending. There are two criminal cases and no civil case older than two years pending. There were 183 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 194 primary schools, 32 lower secondary schools and 74 secondary schools. Of the total positions of 1857 teachers, all are working till the end of the year according to DEO. According to the district education office a total of 64,660 boys and 59,034 girls of school going age are enrolled in school. The office said that a total of 29900 students were enrolled in community government school. The office said that there are no disabled-friendly schools in the district. All the schools have a facility of simple toilets according to DEO data. The annual budget of the district is Rs 755,695,764.

In 2013, 13 children were the victims by non-state actor including one boy and 12 girls. This year two boys and 22 girls were the victims by non-state actor

Types of Events	By Non-State		
	Female	Male	Total
Child Labour	3	1	4
Rape	12		12
Sexual Abuse	5	1	6
Total	20	2	22

this includes the age from four to 15 years. In three incident father and close relatives were involved in violation. The Court had ordered to remand the accused in custody in eight cases and in one case the accused was sentenced for 20 years with a compensation of Rs 500,000 to the victim.

A victim's mother of 15-year-old girl had lodged a complaint at Metropolitan Police branch, Jawalakhel on October 13 against her 37-year-old husband accusing him of raping his daughter from the last four years. Recently the victim was raped on May 12 by an accused. The accused was arrested by the police on May 7 and was remanded in custody by a court order on May 12. On June 4, the court had issued an order to sentence him for 20 years with Rs 500,000 compensation to the victim from state's fund.

A victim's party of 11-year-old girl had lodged a complaint at Metropolitan Police Circle, Chapagaun on October 15 against 22-year-old uncle on charge of raping her on August 20. The accused was arrested on August 5 and was remanded in custody by a court order on August 20. The case is pending till the end of the year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

In 2013, 10 women were victims of women rights violation. This year nine women were victims in same nature of incident of which one was of rape, three was polygamy, two was of trafficking and three was of domestic violence. INSEC has documented one incident of murder by family and one of attempted murder.

Women of age group from 21-28

were the victims of polygamy this year of which two accused were released on bail amount up to 20,000. In one case the accused was released on date with penalty of 35,000. In three incidents the accused were sentenced for one year each with Rs 5,000 penalty.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	3	3
Polygamy	3	3
Rape	1	1
Women Trafficking	2	2
Total	9	9

Killing by Family Member

Krishna Maya Tmang,61 of Bungmati VDC-9 was murdered by her husband Buddhi Raj Tamang,61 on September 11 by hitting her with iron rod over a domestic dispute. The accused was arrested by the police on September 12 from his house with the help of locals. The case was presented in a court by police. On June 1, the District Court issued an order to remand him in custody.

Attempt to Killing

Ishwori Bajgain, 23, of Dhandanda, Pyutaar VDC-1 was severely assaulted by her husband Ram Saran bajgain,23 using a sharp weapon on August 29. A complaint against the accused was lodged at Metropolitan Circle of Chapagaun on August 30 by the victim's uncle. He was arrested by the police on August 31 by the police based on verbal complaint. The Court had issued an order to remand him in custody on September 24.

Domestic Violence

Mana Maya Shrestha,22 and a disabled woman of Waling-1, Syangja District, living at Chapagaun-1 had lodged a complaint against her husband Ishwor Sunar,28 of Chapagaun-1 on September 24 accusing him of assaulting her and not looking af-

ter his daughter. She was even deprived of marriage and citizenship certificate by an accused.

HEALTH SERVICE STATUS

There are no district hospitals in this district. The district has 22 health posts and 16 Sub-health posts and three primary health posts. There are four positions for staff nurse. The district has 83 positions of Assistant Health Workers of which 49 are working according to the District Public Health Office. The annual health budget of the district is Rs 120,000,000 for public health and Rs 90,000,000 for administrative expenses.



2.13 Kavre



Headquarters :	Dhulikhel
Area in Sq. Km :	1,396
No. of Households :	80,720
No. of Population :	381,937
Male :	182,936
Female :	199,001
No. of PwD :	6,670
No. of VDC(s)/Municipality(ies) :	87/3
Male Literacy :	138,584
Female Literacy :	118,130
Religion Hindu (%) :	62.57
Buddhism (%) :	34.62
Islam (%) :	0.08
Kirat (%) :	0.02
Christianity (%) :	1.78
Prakriti (%) :	0.6
Shikha (%) :	0.001
Undefined (%) :	0.322
Average Household Size :	4.73

According to the INSEC documentation, the situation of human rights seems improved in the district in 2014. The number of victims has gone down from 113 to 68. In 2013, there were 113 people victimized in the incidents of human rights violation including 75 female and 38 male while in 2014 there are 67 victims by non-state actor including 61 female and six male. This year, one male was a victim by state actor. More women and children in this district were the victims by non-state actor this year. Most of them were the victims of sexual abuses, rape, sexual violence and polygamy. This year, four women were the victims of allegation of being witch, 10 in rape, four in attempted to rape, eight in polygamy, three in domestic violence and other three were the victims of sexual abuses.

In this year, six female and three male were killed by the state actor whereas seven female and five male were killed in last year. This year, one male became the victim of caste-based discrimination. Similarly, 23 girls and one boy were the victims by non-state actor of which 15 girls were the victim of rape and eight of sexual abuses. In 2013, 49 female and 18 girls were victims.

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings	1	1		1	1
Child Rights			23	1	24
Killing			6	3	9
Racial Discrimination				1	1
Women Rights			32		32
Total	1	1	61	6	67

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 61 inmates at a time. A total of 175 including 160 convicted and 15 detained inmates were held there at the end of the year. The prison which was built during the Rana regime used to be a horse

stable. In 1960, the stable was converted to a prison. This prison is divided into two parts. In one part, the mentally ill people were kept. There are 27 people with mental illness.

The prison has 10 rooms of which seven rooms are very small. There are eight rooms for the inmates and it has a facility of toilet and water. The prison toilets and building as a whole needed a renovation. The inmates are provided the facility of regular health checkup.

Although the government has allocated budget to repair the building the process is yet to be begun at the end of the year.

THREAT/BEATING

Roshan Shrestha, 30 of Bhumlutar VDC-6 lodged a complaint at DPO of Dhulikhel on October 2 accusing SI Pradeep Giri, and an in-charge of Dolalghat Police Post on charge of assaulting him on November 8. According to the victim, his teeth broke due to the attack. SI Giri was also accused of threatening a local by phone. The victim had lodged a complaint at NHRC on October 3. The accused however denied the allegation.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court of Kavre has three positions judges. There were 265 civil and 174 criminal cases pending. There are no criminal and civil cases older than two years pending.

CHILD RIGHTS Education Status

There are 379 primary schools, 118 lower secondary schools and 132 secondary schools. Of the total positions of 3,133 teachers, 3,301 are working till the end of the year according to DEO. According to the district education office a total of 64,206 boys and 66,467 girls of school going

Types of Events	By Non-State		
	Female	Male	Total
Rape	15		15
Sexual Abuse	8	1	9
Total	23	1	24

age are enrolled in school. The office said that there are six disabled-friendly schools in the district. The DEO has been providing scholarships to 3,125 dalit boys and 3,446 dalit girls. The annual budget of the district is 1,261,563,104 and the administrative expenses are 815,620,505.

Rape, Attempt to Rape and Sexual Abuses

In 2013, 18 girls became the victim of child rights violation by the non-state actor whereas in 2014, one boy and 23 girls were victims by non-state actor. The age of victim ranged from five to 17. The accused of the rape are close relatives including, brothers and grandfather. The age of the accused ranged from 15 to 77. In 22 incidents, the accused were arrested. In one incident, a girl was killed after rape whereas there are two incident of rape attempt. In the incident of rape and rape attempt, some accused were remanded in custody and some were acquitted. The INSEC's documentation shows that two accused were acquitted due to the lack of evidences. In these incidents, the accused were released on bail amount up to Rs 10,000 where as in other four incidents, the accused were sentenced up to five years.

Killing after Rape

Salina Bogati, 7 of Ugratara, Janaklal VDC-7 was killed by a 16-year-old boy of Panauti Municipality-2 and 15-year-old boy of Banepa Municipality-5 on October 7 after raping her. The police had recovered her body from a canal on October 8. Other accused two accused were arrested by the police on charge of spreading rumors that the girl was taken away by Tiger. The post-mortem of the body was done at Teaching

Hospital in Kathmandu on October 8. The office of attorney had registered the case at District court on August 14. On August 18, the District Court issued an order to remand a 16-year-old boy in custody where as other boy was released due to the lack of evidences.

Police arrested Deepak Karki, 18 of Pulbazzar, Janagal VDC-1, a 16-year-old boy of same VDC and other 16-year-old boy of same VDC-3 on March 27 on charge of raping an 11-year-old girl during night of March 26. The accused raped a girl by luring her for money in the jungle. The victim underwent a health checkup at Dhulikhel Hospital on April 12. The case was registered at the government attorney on March 26. The District Court issued an order to sentence Deepak for 15 years with Rs 10,000 compensation, a 16-year-old boy was given sentence for five years with Rs 5,000 compensation and other accused was sentenced for 15 days with 1,000 compensation.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 32 women were victims of women violence as per INSEC documentation. In 2013, a total of 49 women were victims of which four of allegation of being witch, eight were of polygamy, 10 were of rape, four were of attempted to rape, three were of sexual abuses, three were of domestic violence as per INSEC documentation.

This year, 261 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 86 cases of assault and expulsion from the house, two of mental torture, five of life threatening, 41 of deprivation of food, eight of not making marriage and citizenship certificate, 21 of polygamy were registered in the office. This year women lodged a complaint against 13 male for domestic violence.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	3	3
For Practicing Witchcraft	4	4
Polygamy	8	8
Rape	10	10
Rape Attempt	4	4
Sexual Abuse	3	3
Total	32	32

Most of the violence cases registered in women cell is from Nasikasthan Sanga, Ugratara Janagal, Kavre Nitya Chandeshwori, Patlekheth, Khanalthok, Panchkhal, and Jyamdi VDC.

Rape, Attempt to Rape and Sexual Abuses

This year, the age group from 19 to 73 became the victims of rape, rape attempt and sexual abuses of which one mentally retarded woman was victim of gang rape. The age of the accused ranged from 24 to 65. The victims' health checkup was held in 13 cases of rape and rape attempt at local health post. Similarly, in one case of rape the father and grandfather were the accused. Of the total accused of rape cases, six accused were sentenced up to 18 years with Rs 200,000 compensation and others accused were sentenced up to three months with Rs 5,000 compensation respectively. In one case the accused was released after paying a bail amount of Rs 15,000 and in other the accused was remanded in custody. Similarly, in one case, the accused was acquitted due to lack of evidences and in other incident the accused was released on bail amount of Rs 22,000.

Dev Lal Shrestha, 50 of Shankhupati Chaur VDC-1 and Nawa Raj Tamang, 30 of ward no 8 of same VDC was arrested by the police on March 24 on charge of raping a 21-year-old mentally retarded woman on March 23. The victim of Eklekhet, Shankhupati Chaur VDC-1 was gang raped while she was cutting grass in

the jungle. Her auntie had lodged a complaint at police office. After the incident, the victim underwent a health checkup at Dhulikhel Hospital on March 24. The District Court on July 9 had issued an order to sentence him for five years with Rs 50,000 of compensation.

Uttar Man Ghalan, 45 of Gokule VDC-4 was arrested by police on August 14 on charge of raping a 73-old-woman on August 7. The accused was taken into control by locals and handed over to the police. The victim complained that the case was attempted to settle in the village by providing money. However, she declined it. On August 13, the victim underwent a medical treatment at Maternity Hospital in Thapathali, Kathmandu. The office of attorney registered the complaint at District Court of Kavre. In this case, the District Court had issued an order to sentence the accused for five years with the compensation of Rs 50,000.

Domestic Violence

This year, INSEC has documented three cases of domestic violence. The age of victims ranged from 20 to 40 of which one accused was acquitted by a court. In two cases, the accused were released on bail amount up to 4000.

Killings by Family Member

This year, three women were killed by family members. In one incident, the court acquitted the accused whereas in other incident, the accused was sentenced for 10 years and in one case the accused committed a suicide.

Manju Pariyar, 20 of Patlegaun Chauwasa VDC-2 was seriously injured after she was assaulted by her husband Deependra Darji alias Maila, 20 on April 20. The victim succumbed to death on the way to hospital. Police arrested the accused on April 21. The postmortem of the body

was done at Shir Memorial Hospital of Banepa on April 27. On June 3, the District Court issued an order to sentence him for 10 years.

ALLEGATION OF WITCHCRAFT

This year four women were victimized on the allegation of being witch of which the age of victim ranged from 36 to 62. In two cases, the victim's husbands were involved. In one incident, the woman was fed human excrete.

Shre Maya Lamini, 42 of Pokhari Narayansthan VDC-2 was assaulted by Pasang Tamang, 38, his son Biku Lal Tamang, 25 and daughter-in-law Mana Maya Tamang, 20 alleging her of being witch on January 14. The victim lodged a complaint at DPO of Dhulikhel on January 21 and the police arrested Pasang and Mana Maya on the same day. The District Court on February 8 had issued an order to release them on bail amount of Rs 10,000 from each. The victim had lodged another complaint seeking her security after the UCPN leaders pressurized DPO to settle the case.

CASTE-BASED DISCRIMINATION

This year one male was victim of caste based discrimination. Shankar Bahadur Sarki of Jyamdi VDC-3 was assaulted by Acchut Prasad Aryal, 35 and his wife Manju Aryal, 28 on March 13 on charge of touching water tap. The victim had lodged a complaint at District Administration Office on March 16 however the case was settled in agreement between both parties.

HEALTH SERVICE STATUS

There is one district hospital, 25 health posts and 64 Sub-health posts and four Primary Health Center in the district. According to the data provided by the District Public Health Office, of the seven positions of doctors in the hospital, 18 are working in contract basis. There is one posi-

tion for gynecologists. The district has 192 positions of Assistant Health Workers of which 131 are working. There are 10 positions for Staff nurse and eight of them are working.



2.14 Bhaktapur



Headquarters :	Bhaktapur
Area in Sq. Km :	119
No. of Households :	68,636
No. of Population :	304,651
Male :	154,884
Female :	149,767
No. of PwD :	3,204
No. of VDC(s)/Municipality(ies) :	16/3
Male Literacy :	132,616
Female Literacy :	104,937
Religion Hindu (%) :	87.85
Buddhism (%) :	9.18
Islam (%) :	0.49
Kirat (%) :	0.38
Christianity (%) :	1.97
Prakriti (%) :	0.02
Shikha (%) :	0.002
Undefined (%) :	0.097
Average Household Size :	4.44

The incidents of human rights in the district have increased in 2014 as compared to the last year data. If we go by the INSEC documentation the number of victims has gone up from 20 to 47. In 2013, there were 20 victims in the incidents of human rights violation including 12 female and eight male while in 2014 there are 46 victims by non-state actor including 45 female and one male. This year one male was victim by state-actor.

This year more women and children were the victims of violation by state actor of which children were the victims of rape and sexual abuses where as women were victims of domestic and sexual violence. A total of six women were victims of rape. Four of polygamy, 32 of domestic violence and one was the victim of women trafficking. In 2013, a total of 10 people were victims including five women and five children.

Types of Events	By State		By Non-State	
	Male	Total	Female	Total
Abduction			1	1
Arrest & Torture	1	1		
Child Rights			10	10
Killing			1	1
Women Rights			34	34
Total	1	1	45	46

RIGHT TO EXPRESSION/ ASSEMBLY AND ASSOCIATION

On April 12 there was a clash between police and protestors at Sallaghari of Arniko Highway. Constable Rajkumar Danuwar, policeman Lokendra Gharti and Hom Bahadur Tamang sustained a minor injury in an incident. The clash started on a dispute after protestors and victim's family agitated by obstructing the highway demanding the compensation to the victim's family of a man who died after a bike that he was riding was hit by truck. One of the victim's relative was injured after the

police tried to clear the obstructed road. Bhaktapur Police Office said that a minor force had to enforce in order to control the tensed situation.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has three positions for judges. There were 604 civil and 271 criminal cases pending. There are no criminal or civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are total of 30,446 boys and 28,244 girls of school going age are enrolled in school from Primary to Secondary level. A total of 1,413 teachers are working at government and community schools. In Lower Secondary level 275 teachers are working. Similarly in Secondary level 207 teachers are working. There are 1,179 dalit girls and 1147 dalit boys in school.

Child Rehabilitation Center

A child rehabilitation center is in operation in the district since 2002 with the support from NGO's. There are 75 children in the center including 46 decided cases and 29 pending cases. The center has 70 boys and five girls.

The incidents on child rights have doubled this year as compared to the last year data. Last year five children were victims of violation by non-state actor whereas this year the number has increased to 10. The girls aged from 12 to 17 are the victims of rape as per INSEC document. The accused are from age 20-37. In one case a step father was involved in rape on his daughter. Seven of the accused were arrested where as in one case the accused is absconding. Two saccused were remanded in custody where as in six cases, the accused were sentenced from six to eight years with Rs100,000 compensation.

Types of Events	By Non-State	
	Female	Total
Rape	8	8
Sexual Abuse	2	2
Total	10	10

Rape, Attempt to Rape and Sexual Abuses

A 37-year-old step father of Nasika VDC-6 was arrested and presented to the court on charge of raping a 12-year-old step daughter on October 23 by luring her. The District Court had issued an order to remand him in custody on November 29 according to Thimi Police Circle. The victim underwent a health checkup at Thapathali Maternity Hospital on November 3. The victim's mother lodged a complaint at Police Circle at Thimi on November 5. On November 23, the accused was arrested by police. The case is pending.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

The incident on women violence has increased in the district this year as compared to the last year data. In 2013, there were five women victims of violation whereas this year the victims have increased to 34. In rape and sexual abuse six women were victims, four in polygamy, one in women trafficking and 23 in domestic violence this year as per INSEC documentation. The victims from age 18 to 38 were victimized of rape and sexual violence. In one case of rape, the court had issued an order of five years of sentence with Rs 25,000 to the victim as compensation. INSEC has documented one case of murder of woman by the family member this year.

Killing by Family Member

Sun Keshari Kayastha, 38 of Bhaktapur Sirutaar-2 was murdered by her brother in-law Krishna Kayastha, 36 on March 1. The victim was rushed to Civil Hospital at Gatthaghar by her husband Raj Kumar

Types of Events	By Non-State	
	Female	Total
Domestic Violence	23	23
Polygamy	4	4
Rape	5	5
Sexual Abuse	1	1
Women Trafficking	1	1
Total	34	34

Kayastha, 40 where she was declared dead. On the same night the accused was arrested by the police. The victim's husband lodged a complaint at Metropolitan Police Circle of Thimi on March 3. He was remanded in custody. By a court order he was life imprisoned with confiscation of property on April 20.

Domestic Violence

A Metropolitan Police Circle of Jagati arrested Sunil Gothe, 29 and Anil Gothe on December 17 on charge of assaulting Sharmila Gaiju, 20 of Surya Binakayak. The accused Sunil Gothe is a husband of the victim. The victim underwent a medical treatment in ICU at Madhyapur Thimi Hospital. The victim who was married nine years ago was getting continuous physical and mental torture by her family members said her brother Nishan Gaiju. The victim's party lodged a complaint at Police Department of Jagati on December 14. The accused was arrested on December 16 and released on date. The accused were re-arrested after the victim's party demanded an action against him. Both the accused were released on bail amount of Rs 84,526 according to District Administration Office.

HEALTH SERVICE STATUS

There are 10 district hospitals including private hospitals, 14 Health Posts, five Sub-health posts, and two Primary Health Center. There are two positions for doctors and two are functioning according to the data provided by District Public Health Office. There are 51 positions for

Assistant Health Worker and 52 are working. Of two posts for staff nurse, all are working. There are 18 positions for health assistant and eight positions remained vacant.



2.15 Kathmandu



Headquarters :	Kathmandu
Area in Sq. Km :	395
No. of Households :	436,344
No. of Population :	1,744,240
Male :	913,001
Female :	831,239
No. of PwD :	17,122
No. of VDC(s)/Municipality(ies) :	57/2
Male Literacy :	798,175
Female Literacy :	635,630
Religion Hindu (%) :	80.01
Buddhism (%) :	15.39
Islam (%) :	1.25
Kirat (%) :	0.77
Christianity (%) :	2.33
Prakriti (%) :	0.05
Bon (%) :	0.01
Jain (%) :	0.05
Shikha (%) :	0.004
Undefined (%) :	0.133
Average Household Size :	400.00

According to the INSEC documentation, incidents on human rights violation have increased in the district in 2014. This year, the number of victims has gone up from 533 to 594.

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				1	1	2
Beatings					1	1
Child Rights				46		46
Killing		1	1	3	2	5
Racial Discrimination				1	1	2
Right to Assembly	3	25	28			
Threats				1		1
Women Rights				508		508
Total	3	26	29	560	5	565

This year, one person was killed by the state actor. In 2013, a total of 16 people were killed by non-state actor of which five were female and 11 were male. In an incident of caste discrimination one woman and one male was victimized. A total of three female and 25 male were deprived from the right to assembly and formation of association.

The INSEC data shows that most victims at the hand of the non-state actors were women and children. The violence against women has increased in the district as compared to the last year. Most of them were the victims of sexual abuses, rape, sexual violence and domestic violence. This year, 508 women became victims whereas the number was 354 last year. There were 18 incidents of rape, five of them were attempted to rape, 16 of polygamy, 17 of women trafficking, one of sexual abuse and 451 of domestic violence. Similarly, 46 victims on child rights violation was documented this year of which 34 cases was of rape, 10 cases of sexual abuses, one of child labour and one of child trafficking. In 2013, a total of 24 children were the victims of child rights violation.

KILLING

Dinesh Adhikari, 28 alias Chari of Tripureshwor VDC-6 of Dhading district was shot dead on August 6 by police

at Bhimdhunga of Kathmandu district. He was killed in a cross firing with police team at Goldhunga led by DSP Meera Chaudhary of Crime Investigation Branch of Metropolitan Circle, Hanuman Dhoka. The victim died on a spot. The accused Adhikari was charged on attempted to kill Radhe Bhandari of Area no one, Dhading, six months ago. The postmortem of the body was done at Teaching Hospital in Kathmandu on August 6. The victim's family accused police of extra judicial killing however police said that he was killed in a cross firing. The fact finding and monitoring was conducted by the representatives from INSEC, PPR Nepal, Advocacy Forum and SCOPE Nepal on August 7. The team had gathered information from locals, police and other concerned stakeholders during their study. The locals said that the incident was very suspicious because they were restricted to enter the incident site and they did not hear any sound of bullet firing or the blood stains at the incident site. Home Minister Bam Dev Gautam while addressing the CA meeting on August 8 had confirmed that he was killed during the cross firing with police.

JAIL AND DETAINEES

The 'A' grade District Prison has Central Prison, Bhadra Prison and Women Cell. All three prisons have a capacity to hold 1,200 inmates at a time. A total of 1,530 including 430 convicted and 1,100 detained inmates were held there at the end of the year of which 1,398 are Nepalese and 132 are foreign nationals. Similarly in Bhadra Prison a total of 696 inmates are held of which 381 convicted and 315 are detained of which 649 are Nepalese and 47 are foreign nationals.

In women cell, there are total of 331 inmates of which 133 are convicted and 198 are detained. There are 33 inmates of foreign nationality. There are a total of 2,574

inmates in three prisons of the District in which 226 are male, 331 are female and 16 are minor dependent are kept.

The 'B' grade prison of Dilli Bazar can accommodate 110 inmates. There are total of 664 inmates of which 285 are convicted and 389 are detained inmates. All inmates are male. The prison was built in 1978.

The prison has provided a facility of eating, reading newspapers, health checkup, radio, TV and indoor games, said jailer Khadga Raj Sharma.

RIGHT TO EXPRESSION/ ASSEMBLY AND ASSOCIATION

Kathmandu is a political hub and the policy making center of political parties, civil society organizations and other decision making agencies. It is the center of political movement for the political parties as well as their sister organizations. The political parties are in frontline to organize political movements like bandhs, strikes, demonstration and so on. INSEC had monitored all movements organized by civil society organizations, political parties and others around Singh Durbar, and New Baneshwar.

Dalit rights activists Bhuwan Sunuwar, Ran Bahadur Ramtel and Krishna BK were injured on July 20 during the protest organized against the government's negligence to allocate the budget for Dalit community. The government had announced to allocate NRs 60 million budget in fiscal year 2071/72 but latter it denied allocating it. The police had baton charged to the protesters to in the incident. The injured along with Kamala Hemchuri, Dalmardan Kami, Saroj Dilu, Krishna Ranapal and Santosh BK were arrested by police on the same day. Police claimed the protesters escaped in protest in the prohibited areas and they were compelled to take the action. The arrestees were released at around 3.00

pm on the same day. Issuing a press statement Joint Dalit Rights Forum condemned the incident.

Similarly, police baton-charged persons with disabilities at a rally organized by National Federation of Disabled (NFD) on January 8 demanding their political rights. Central chairperson of NFD Sudarshan Subedi, central treasurer Dhurbahari Neupane, 35, Rama Dhakal of Kathmandu metropolis-35, Sumitra Barma, 34, of Kathmandu metropolis-14, Ram Krishna Neupane, 32, of Jumla district and Yubaraj Kattel, 26, of Dhankuta district were injured due to baton charge. They were treated at Model Hospital in Kathmandu. Of all the injured, Dhurbahari sustained chest and mouth injuries and Rama sustained leg injuries when the police punched and kicked them. Sumitra received hand injuries due to the incident. The persons with disabilities escaped in the protest demanding to ensure four quotas of the members of constituent assembly from disabled sector.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has 19 positions for judges. There are 4,048 civil and 3,550 criminal cases pending of which 113 criminal cases and 212 civil cases older than two years pending. There were 400 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 69 primary schools, 795 lower secondary schools and 725 secondary schools. Of the total positions of 725 teachers, all are working till the end of the year according to DEO. According to the district education office a total of 36,848 boys and 40,641 girls of school going age are enrolled in schools. The District Education Office is providing scholarships of 3,700,000 to 4,005 dalit boys and

Types of Events	By Non-State	
	Female	Total
Child Labour	1	1
Child Trafficking	1	1
Rape	34	34
Sexual Abuse	10	10
Total	46	46

girls. The annual budget of the district is 1,081,673,392 of which 1,644,826,624 is an administrative expenses.

Rape, Attempt to Rape and Sexual Abuses

This year, the age of the victims ranged from 3 to 17 year-old. A total of 34 girls were victimized in rape and 10 were in sexual abuses. The accused are up to 65 years of age, according to the INSEC documentation.

A 14-year-old girl lodged a complaint at Metropolitan Police Circle of Kalimati on April 25 accusing Som Bahadur Pahadi, 21 of Thokarpa VDC-3, Sindhupalchok, currently living in Kathmandu Metropolitan-14 of raping her on April 12. The police arrested the accused on April 11 and registered rape case against him. The District Court of Kathmandu issued an order to remand him in custody on May 17. On April 25, the victim underwent a health checkup at Maternity Hospital in Kathmandu.

A victim's mother of six-year-old girl lodged an FIR at Metropolitan Police Circle, Boudha on October 24 against Lakpa Tendu Sherpa, 62 of Shyama VDC-8, Dolakha, currently living in Indrayani, Kathmandu for raping her daughter on October 24. The accused was arrested by the police on October 25 and registered the case on October 26. He was remanded in custody by a court's order on November 24. The victim underwent a health checkup at Maternity Hospital in Kathmandu on October 24.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 748 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 226 cases of assault and expulsion from house, 367 of deprivation of food, 123 of not looking after their family and 13 cases related to Dowry was registered at WCSC. Out of which 299 cases were settled in agreement and 449 cases were under investigation.

This year, 17 women were the victims of trafficking as per the INSEC documentation. The incidents of trafficking are in increasing trend due to the lack of education, unemployment and poverty. Badri Kumari Rai of Katari Undayapr, Amrit Maya Rasaili, Sanhamaya Tamang, Phul Maya Tamang of Jhapa, Aitamaya Baraili and Sanch Maya Baraili of Makwanpur District were rescued by police from the first floor of Sekuwa Corner at Tilganga Kathmandu on March 31 where they were taken hostile since two months. They were taken hostile by a Sekuwa corner operator Dhana Bahadur Syangtan, 38 of Rai Gaun VDC-1, of Makwanpur District, pretexting them for a foreign employment in Kuwait. He was arrested by the police on April 1 and registered the complaint under Public Crime. He was released on bail amount of Rs 4,000 by an order issued by the District Administration Office on April 20.

Prithvi Bahadur Thapa, 71 of Jalbire VDC-2 currently living at Siphel Kathmandu Metropolis-7 and Phul Maya Sunar, 29 of Jorpati VDC-2 were arrested by Metropolitan Police Circle of Gaushala on October 9 on charge of attempting to traffic a 23-year-old woman in India. The case was registered under Human Trafficking Act at District Court. On December 16, the District Court of Kathmandu had issued an order to release them on bail amount of Rs 75,000 for Phul Maya and Rs 50,000 for

Types of Events	By Non-State	
	Female	Total
Domestic Violence	451	451
Polygamy	16	16
Rape	18	18
Rape Attempt	5	5
Sexual Abuse	1	1
Women Trafficking	17	17
Total	508	508

Prithvi Bahadur. The victim had lodged a complaint at police office on October 9.

Rape, Attempt to Rape and Sexual Abuses

This year INSEC has documented 18 cases of rape in the District of Kathmandu. In 2013, the number was seven.

Police arrested Tara Bahadur Lami-chhane, 29 of Sarada Municipality-5, Chitwan, currently living at Chapali, Kathmandu on August 13 on charge of raping 20-year-old woman on August 11. The victim had lodged a complaint at Metropolitan Police Circle in Maharajgunj on August 13. The victim's health checkup was held at Teaching Hospital, Maharajgunj on same day.

Polygamy

This year a total of 16 incidents of polygamy were registered as compared to the last year's data which was 28. INSEC

has documented 451 incidents on domestic violence of which one case of stabbing by husband in a minor domestic dispute.

Phul Maya Rai, 40 of Panchwati Municipality-5, Udayapur District, currently living at Baudha, Kathmandu Metropolitan-6 was stabbed by her husband Kampa Bahadur Rai, 33 over a domestic dispute on October 7. The victim died on October 10 while undergoing a medical treatment at Teaching Hospital in Kathmandu. The victim's family lodged an FIR at Metropolitan Police Circle, Boudha on October 7. He was arrested by the police on October 10 and registered the complaint against him under murder case on October 11. He was remanded in custody on November 3 by a court order.

HEALTH SERVICE STATUS

In this District there are eight Primary Health Center, 26 Health Posts and 32 Sub-health Posts. As per the data provided by the District Health Office there are eight Medical Officers, eight staff nurses, 120 Assistant Health Workers and 108 positions for Auxiliary Nurse and all are functioning till the end of the year. The annual budget of the District Public Health is Rs 253,018, 000 of which Rs 134,560,000 is an administrative cost and Rs 5,000,000 is a medical cost.



2.16 Dhading



Headquarters :	Dhadingbesi
Area in Sq. Km :	1,926
No. of Households :	73,851
No. of Population :	336,067
Male :	157,834
Female :	178,233
No. of PwD :	7,823
No. of VDC(s)/Municipality(ies) :	50/0
Male Literacy :	105,005
Female Literacy :	95,077
Religion Hindu (%) :	72.42
Buddhism (%) :	20.57
Islam (%) :	0.31
Kirat (%) :	0.01
Christianity (%) :	6.32
Prakriti (%) :	0.24
Bahai(%) :	0.01
Undefined (%) :	0.119
Average Household Size :	4.55

According to the INSEC documentation, the situation of human rights seems improved in the district in 2014. In 2013, there were 145 people victimized in the incidents of human rights violation including 78 female and 67 male while in 2014 there are 51 victims by non-state actor including 45 female and six male. There were 12 victims of human rights violation by state actor, this year of which nine female and three male were victimized.

This year, more women became the victims in human rights violation by non-state actor as compared to male and chil-

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	5	2	7			
Child Rights				10	1	11
Killing					3	3
Racial Discrimination				2	2	4
Threats	4	1	5	1		1
Women Rights				32		32
Total	9	3	12	45	6	51

dren. In this district, women and children were victimized of sexual abuses, rape, domestic and sexual violence. Among them, four women were alleged for being witches, five were victimized in rape and attempted to rape, seven were in polygamy, 13 in domestic violence and one is in sexual abuse.

This year, three males were killed by the non-state actor. Last year, the number was four including two female and two male. Two female and two male were victims in an incident of caste-based discriminations whereas 10 girls and one boy were the victim by non-state actor. Among these incidents, eight were the victims of rape, two in sexual abuses and one boy in a corporal punishment. In 2013, a total of 18 children were victims including one girl by state actor.

KILLING

Bharat Saru Magar, 30 a teacher at local Panchakanya Secondary School of Madhuwan, Nil Kantha Municipality-13 was axed to death by Indra Bahadur Gurung, 26 and Hari Gurung, 37 at night of October 8. The victim's father Bir Bahadur Saru Magar had lodged a complaint at Police Office on October 9. The police registered the case against the accused after the investigation. The postmortem of the body was conducted at District Hospital of Dhadingbesi on October 9. The District Court issued an order to remand Indra Ba-

hadur in custody on November 2 whereas other accused were at large.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 35 inmates at a time. A total of 154 including 123 convicted and 31 detained inmates were held there at the end of the year of which 17 inmates are female. The prison building was built in 1975 and it is very old. The inmates of the prison are facing difficulties of sleeping, toilets and other problem. They are compelled to sleep outside in a tent due to the lack of space. There are only three toilets for inmates. A new building is in a process to be built however, the process is affected due to the negligence of contractor.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court of Dhading has one position for judge. There were 129 civil and 130 criminal cases pending. There are no criminal or civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are 376 primary schools, 83 lower secondary schools and 79 secondary schools. Of the total positions of 1,643 teachers, all are working till the end of the year according to DEO. According to the district education office a total of 39,186 boys and 44,811 girls of school going age are in the district. The district has 4090 boys and 4077 girls in 521 Children Development Center of the district. There are facilities of toilet in most of the schools. The annual budget of the district is Rs 2,200,000,000 and an administrative cost of Rs 10,000,000.

Rape, Attempt to Rape and Sexual Abuses

This year, the girls were more vulnerable than the boys in the district. In 2013,

a total of 18 children were victims whereas this year, the number has decreased to 11 including one boy and 10 girls.

A 5-year-old girl was raped on December 9 by a 13-year-old boy of Chainpur VDC-3. The complaint against the accused was lodged in District Court on December 13 however due to the underage of the accused; the court acquitted him and handed over to his parents on November 25.

Types of Events	By Non-State		
	Female	Male	Total
Corporal Punishment		1	1
Rape	8		8
Sexual Abuse	2		2
Total	10	1	11

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

There was no remarkable improvement in the incident of women violence this year. In 2013, a total of 36 women were victims whereas this year 32 women were victimized of which one women was victim of allegation of being witch, seven were of polygamy, 11 were of sexual abuses and rape and 13 were of domestic violence. The age of the victim ranged from 19 to 7 year. A mentally retarded woman was raped. All victims' health checkup was held in the local health center. In two cases, the accused were remanded in custody by the court's order, in one case the accused were sentenced for 25 days each. This year, 117 women lodged a complaint at Women and Children Service Centre (WCSC) against domestic violence of which 35 cases of assault and expulsion from the house, 35 of deprivation of food, four of not making marriage and citizenship certificate and seven of allegation of being witch were registered in the office.

In polygamy, the vulnerable group was aged from 21 to 33 years. In one case, the accused was sentenced for one year with a fine of Rs 5,000. In one case, the victim was displaced.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	13	13
For Practicing Witchcraft	1	1
Polygamy	7	7
Rape	5	5
Rape Attempt	5	5
Sexual Abuse	1	1
Total	32	32

ALLEGATION OF WITCHCRAFT

A 27-year-old mentally disabled woman was raped by Shyam Kumar Shrestha, 54 of Majh Gaun, Salyan Tar VDC-7 on January 17. Police registered the case under public crime offence case. The incident was revealed after the victim informed about the incident. On January 18, the victim underwent health checkup at District Hospital with the initiation of police. After the incident, the accused was arrested by the police and charged him under Rape Act. He was released on bail amount of Rs 5,000 by District Administration Office on February 26. The case is under process in District Administration Office.

After the incident was made public, various Human Rights organizations including INSEC, WOREC, and Women Right Defender network of the district jointly conducted the fact finding on March 1. The study found that the case was attempted for settle in an agreement by the police administration, pressurizing the victim.

The women Rights activists, journalists received a threatening from DSP Ashok Sing of DPO and other people from the accused side after they made their fact finding report public. The study report of fact finding was handed over to the secretary of home ministry drawing his attention.

CASTE-BASED DISCRIMINATION

In 2013, no incident on caste discrimination was documented by INSEC

however, this year there were four incidents documented by INSEC regarding caste discrimination of which two male and two female were victims.

Milkmaid Geeta Mijar, 30 of Ujyalo, Gajuri VDC-1 could not sell her cow milk in the market and dairy firm after September 26. She was in trouble after the consumers denied buying milk because of being a Dalit. She bought a cow for Rs 25,000 after getting loan from Ujyalo Community Cooperatives under Poverty Eradication Fund. After the incident, she hired one local non-dalit woman paying Rs 400 a month. The case was settled on December 6 after the meeting at DPO.

HEALTH SERVICE STATUS

There is one district hospital, 33 health posts and 16 Sub-health posts in the district. According to the data provided by the District Public Health Office, of the five positions of doctors in the hospital, all are working till the end of this year. There is one position for gynecologists. The district has 106 positions of Assistant Health Workers of which 98 are working. There are six positions for staff nurse and all are working. Of 92 positions for auxiliary nurse 85 are working. All positions of health assistant are functioning. The annual health budget of the district is Rs 127,374,800 for public health and Rs 493,000 for medical expenses.

FOLLOW UP

Violence against Women

A 27-year-old woman of Simkhadagaun, Dhola VDC-2 was given involuntary retirement by the management committee of local Bal Jyoti Primary School on March 23 on charge of not taking back the case of rape registered in the court. She was working as a helper in the school since seven years. The victim had registered the rape case in the court against Sanjeev Simkhada, 24 on December 9. She underwent a health

checkup on the same day the complaint was registered. The victim complained that no action was taken against the accused by police and she was given pressure to take back the case. She was further expelled from the school after she did not step back.

The accused is at large after the incident. The victim who was working as a peon in the school is having a financial crisis after her expulsion. She demanded for the justice among the rights activists of the district. She was further displaced after receiving a series of threatening on April 4 from the perpetrator's party. Chief District Officer Bishnu Prasad Pokhrel said that the initiation will be taken to reinstate the victim by solving the issue.

District Education Officer Dipendra Subedi said that the written direction has been given to the school to reinstate the victim. The various Rights organizations and alliances including INSEC of the district requested the CDO for her reinstatement in society and her job.

The victim's mother-in-law died in the morning of July 2. She urged everyone in the village to lift her dead body for the final rites however no one from the society came to her place. The dead body lied in her home as no one helped her to carry it. The CDO and Police administration did not show any interest after she informed them. The final rite of the body was performed late after the people from other village came for her help. Even the priest was not allowed to come. The mourners of the funeral returned back after getting a threatening. After getting the information about this incident through district representative, INSEC provided the financial support to the victim. INSEC had provided Rs 10,000 from its project, 5,000 from Sahayatri Samaj and 4,000 from WOREC Nepal as a financial support to the victim for funeral expenses. The victim could not get any justice till the end of this year.



2.17 Sindhupalchowk



Headquarters :	Chautara
Area in Sq. Km :	2,542
No. of Households :	66,688
No. of Population :	287,798
Male :	138,351
Female :	149,447
No. of PwD :	6,608
No. of VDC(s)/Municipality(ies) :	79/0
Male Literacy :	89,684
Female Literacy :	75,420
Religion Hindu (%) :	58.98
Buddhism (%) :	37.96
Islam (%) :	0.01
Kirat (%) :	0.01
Christianity (%) :	1.83
Prakriti (%) :	1.08
Undefined (%) :	0.126
Average Household Size :	4.32

According to the INSEC documentation, a total of 63 people including 57 females and six males were victimized by non-state actors in various incidents of human rights violation in 2014. One male was victimized by state. A total of 74 people including 55 females and 21 males were victimized in various incidents of human rights violation in 2013.

Women were more vulnerable in various incidents of human rights violation in the district. Girls were victimized in the incidents of rape and sexual abuses whereas women were targeted in domestic

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest & Torture	1	1			
Child Rights			14		14
Killing			3	6	9
Women Rights			40		40
Total	1	1	57	6	63

violence. Of the total cases of human rights violations, four women were victimized in witchcraft accusation, six women were in rape, four were in attempt to rape, three were in polygamy, six were in trafficking and 17 were in domestic violence. Similarly, INSEC documented that ten girls were victimized in rape, three were victimized in sexual abuses and an infant was killed in the district.

JAIL AND DETAINEES

The 'D' grade district jail has the capacity for 60 inmates. However, a total of 190 inmates including 78 convicted and 112 detained are held in the jail. Of the total inmates, one female was convicted and 17 were detained in the jail. There are also some inmates of foreign nationals in the jail. Of the total inmates, a total of nine inmates including eight males and one female are residing in the jail. The inmates claimed that they are suffering from different kinds of illness in the jail.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one a position for judge. There were 153 civil and 163 criminal cases pending. There are five criminal cases and two civil cases pending older than two years.

CHILD RIGHTS

Education Status

There are 368 primary schools, 96 lower secondary schools and 141 secondary schools. Of the total positions of 25,300

teachers, all are working. A total of 36,540 boys and 40,393 girls are studying at the schools. There are no disabled-friendly schools in the district. All schools have the facilities of toilets. A total of 3,237 boys and 3670 girls from Dalit community received scholarship from the District Education Office.

Types of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	1	1
Rape	10	10
Sexual Abuse	3	3
Total	14	14

Rape, Attempt to Rape and Sexual Abuses

The district report of INSEC shows that a total of 14 girls were raped in this district in 2014. Last year, INSEC had reported a total of 14 rape cases in the district. An eight month child was also killed in the district. It was found health checkup of the victims was held in the district. Most of the victims lodged their complaints at police office.

Som Bahadur Tamang, 56 , of Ramche VDC-5 was arrested by police on March 22 for attempting to rape a 15-year-old girl. The victim's health checkup was held in Barahbishe Primary Health. The accused was remanded in custody on April 18 as per the District Court's order. The case remained under consideration at the end of the year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

According to INSEC documentation, a total of 40 incidents of violence against women were reported in 2014. Of them, four women were victimized in witchcraft accusation, three were in polygamy, six were in rape, four were in attempt to rape, six were in trafficking and 17 were in domestic violence. Of the total accused of the aforementioned incidents, five accused were

Types of Events	By Non-State	
	Female	Total
Domestic Violence	17	17
For Practicing Witchcraft	4	4
Polygamy	3	3
Rape	6	6
Rape Attempt	4	4
Women Trafficking	6	6
Total	40	40

sentenced by district court's order whereas as one was sent to rehabilitation center. The women from 31 to 68 year-old were victimized in witchcraft accusation. In the same way, the victims of rape cases were of 22 to 45 year-old and most of the accused were remanded to custody. It was found that some of the accused were released on bail by the District Court's order. One accused of gang rape was absconding at the end of the year.

Human Trafficking

Binod Gamal, 26, of Chitlang VDC in Makawanpur district was arrested by police on December 17 on charge of trafficking two women, one was from Sunsari and another was from Kathmandu district. The accused was remanded to custody as per the District Court Order on January 9. The victims were sent to rehabilitation center on the same day.

Polygamy

Indra Bahadur Bhandari, 30, and his second wife Devaki Khatri, 22, of Thokarpa VDC-9 were arrested by police on December 22. Though the district court ordered to release them on bail amount of NRs 35,000 and were sent to jail as they could not pay the bail amount. The first wife of the accused had lodged a complaint of polygamy on July 23 against the duo at the District Police Office.

Rape, Attempt to Rape and Sexual Abuses

A 45-year old woman was raped

by armed police Bhola KC of Sagachok VDC-1 November 22. The victim lodged a complaint at District Police Office on November 29. The victim was sent to rehabilitation center at Chautara. The accused remained absconding at the end of the year. The victim's health checkup was held at District Hospital on November 23. According to the victim, she was raped while she was alone at home.

Killing by Family Member

Aaiti Mayan Thami, 39, of Marming VDC-8 was killed in Khukuri attack by her husband Mangal Thami, 52 on December 10. The victim's deceased was found in upper staircase of her home on December 11. A postmortem of the deadbody was performed in Barhabishe hospital on the same day. The accused was remanded in custody on January 7 following the District Court's order. The victim who received sustained injuries in her forehead and right hand died while undergoing treatment at hospital.

HEALTH SERVICE STATUS

There is a district hospital, 10 health posts and 65 sub-health posts in the district. According to District Public Health Office, all of the six positions of doctors a total of three are at work and three positions remained vacant. There is no position for gynecology expert. The district has 99 positions of Assistant Health Workers of which 66 are working. Of the total four positions of Lab Assistant two are at work. Out of the total 20 positions of ANM, 16 are at work. Of the total 16 positions of Health Assistant, eight are at work.

FOLLOW UP

District Court of the district fined NRs 1,000 against Ishwari Acharya of Bhotsipa VDC-7 on June 8 for involving on caste based discrimination. A single bench of Judge Ajayaraj Upadhyaya issued an order on the same day. Dhan Bahadur

Rokka, Chanchali Rokka of Sipapokhari VDC-7 and Anish Magranti of same VDC-7 lodged file complaint against the accused for not providing rooms to them on March 16 for SLC examination. The victims claimed that they were not provided rooms for being Dalits.



2.18 Nuwakot



Headquarters	: Bidur
Area in Sq. Km	: 1,121
No. of Households	: 59,215
No. of Population	: 277,471
Male	: 132,787
Female	: 144,684
No. of PwD	: 4,690
No. of VDC(s)/Municipality(ies)	: 61/1
Male Literacy	: 87,237
Female Literacy	: 74,813
Religion Hindu (%)	: 57.77
Buddhism (%)	: 40.01
Islam (%)	: 0.13
Kirat (%)	: 0.15
Christianity (%)	: 1.61
Prakriti (%)	: 0.01
Undefined (%)	: 0.317
Average Household Size	: 4.69

The INSEC documentation shows that the incidents on human rights has increased in the district in 2014 as the number of victims has gone up from 27 to 65. In 2013, there were 27 people victimized in the

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Child Rights				3		3
Killing				1	7	8
Right to Assembly	3	6	9			
Women Rights				45		45
Total	3	6	9	49	7	56

incidents of human rights violation including 17 female and 10 male while in 2014 there are 56 victims of which three female and six male were victimized by state actor and 49 female and seven male by non-state actor. Last year there were no incidents of human rights violation by a state actor.

This year, a total of eight people were the killed by non-state actor including one female and eight male. In 2013, three female were killed in an incident by non-state actor. There were three incidents of witchcraft accusation, three were rape, one was rape attempt, eight cases were of polygamy, two on women trafficking, 27 on domestic violence and one on sexual abuses as per the documentation by INSEC. Similarly, INSEC had documented five incidents of child rights violation in 2013.

The most vulnerable group was women and children. The incident on women violence has increased in this district this year as compared to the previous year. Last year, only 17 women were the victims however, the number has increased to 52 this year.

BEATING

Raj Kumar Manandhar, 34 also a Village Committee president of Khanigaun Tarun Dal, wing of Nepali Congress was severely injured in an attack at Thansing on December 10. He sustained a leg and head injury in an attack. The victim underwent medical treatment in Kathmandu. A complaint against six people including Ram Pulami, 29 of Pattabari, Suryamanti VDC was

lodged at DPO on December 12 however no action was taken against the accused.

RIGHT TO ASSEMBLY/ ASSOCIATION AND FREE EXPRES- SION

Protestors organized a sit-in protest in front of Revenues and Tax office on May 18 demanding the registration of land and a formation of Squatters Commission. Kalpana Neupane, 25 of Ganeshtan VDC-4, Sunita Budhathoki, Madan Suchuikar, Prem Raj Wosti of Gosyang VDC-4, Devi Prasad Wosti including many others were injured in a baton charge by the police on May 22 according to Land and Reform Office of the District. The injured were treated at District Hospital of Trisuli.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 80 inmates at a time. A total of 141 including 81 convicted and 60 detained inmates were held there at the end of the year of which 12 are female and 129 are male. There are one dependent minor boy and girl. The prison building was built in 2009.

There is one position for Assistant Health Worker in the prison. The inmates are given facility of regular health checkup. There is good facility of toilet and drinking water however the inmates are facing difficulties in sleeping due to the over crowd. They are compelled to sleep in free space in corridor. There are facilities of TV and other indoor games in the prison. The inmates are earning some income by making log chair said prison Chief Bishnu Sigdel.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were 80 civil and 117 criminal cases pending. There are no criminal cases or civil case older than two years pending. All cases are decided by one judge.

CHILD RIGHTS

Education Status

There are 467 Child Development Center in the district, 331 primary schools, 74 lower secondary schools and 55 secondary schools. There are total positions of 597 teachers till the end of the year according to DEO. According to the district education office a total of 33,077 boys and 36,221 girls of school going age are enrolled in school. Among those, 3297 dalit girls and 2945 dalit boys were enrolled. The annual budget of the District Education Office is 527,467,000 of which 17,664,000 is an administrative cost. There are 1,616 boys and 1,548 girls in Children Development Centers of which 138 are dalit boys and 152 are dalit girls.

Types of Events	By Non-State	
	Female	Total
Rape	3	3
Total	3	3

Rape, Attempt to Rape and Sexual Abuses

This year the girl victims of rape are aged between seven to 17. The accused are up to 80 years of age, according to the IN-SEC documentation. This year three girls were victims of rape. In most of the rape cases, the accused were locals or employees from DEO. The District Court had issued an order to release one accused of rape on bail amount of Rs 50,000 on December 6 which was later reviewed by judge and ordered to remand him in custody.

A complaint against Lok Bahadur Thapa, 80 of Barafedi, Khanigaun VDC-4 was lodged in District Police Office on November 2 by the victim's family accusing him of attempting to rape a 7-year-old girl on November 1. The victim underwent a health checkup at District Hospital of Trisuli on the same day the complaint was lodged. On the same day the police arrested him and was released on bail amount of Rs 50,000 by a court order on December 6.

The cases have not been decided till the end of the year.

In a similar incident, a complaint against Raja Ram Yadav, 31 of Patthargada VDC-5 and working at District Education Office of Nuwakot, was lodged by the victim's family at DPO accusing him of raping a 14-year-old girl on October 19

in Adarsha Hotel at Battar of Bidur Municipality-3. The accused was arrested on the same day and the victim underwent a health checkup at District Hospital of Trisuli on October 19. He was released on bail amount of 250,000 by a court order on December 6. The case was reviewed by the judge and ordered to remand him in custody however he is at large till the end of the year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

This year three women were the victims of rape. The victims are aged from 19 to 64 years. A 19-year-old victim lodged a complaint at District Police Office on April 9 accusing Damodar Khatiwada, 33 a local and a national artist of Gerkhu VDC-4 of raping her in a guest house at Kakani on April 5. The victim underwent a health checkup at District Hospital on April 9. On July 13, the court issued an order to remand him in custody on date. The office of attorney had registered the case at Appellate Court. The case was reviewed by Appellate Court of Patan and he was remanded in custody on January 1. The case is not decided till the end of the year.

Domestic Violence

The incidents on domestic violence have increased this year as compared to the last year's data. In 2013, a total of eight women were victims whereas this year the number is 45 of which eight women were victim of polygamy, 27 of domestic violence, four of rape and attempted rape and

Types of Events	By Non-State	
	Female	Total
Domestic Violence	27	27
For Practicing Witchcraft	3	3
Polygamy	8	8
Rape	3	3
Rape Attempt	1	1
Sexual Abuse	1	1
Women Trafficking	2	2
Total	45	45

one case of sexual abuses. Among these incidents of polygamy, the accused were released on bail amount of Rs 30,000 each by a court order. INSEC has documented one incident in which a woman was murdered by her own lover.

This year 62 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 21 cases of assault and expulsion from the house, two of not making marriage and citizenship certificate, six of polygamy and two of alleging of being witch. Among these incidents, 41 cases were settled in agreement and 31 cases were forwarded for legal proceedings, according to the WCSC.

Ram Maya Khatri, 64 of Bhadratar VDC-2 lodged a complaint at District Police Office of Nuwakot on October 19 accusing her husband Dhruba Bahadur Khatri, 65 and her son Rajan Khatri, 32 of assaulting and expelling her out from the house. The accused is at large after the incident according to DPO.

ALLEGATION OF WITCHCRAFT

During this period, INSEC has documented various incidents of assault, mental and physical torture to women on allegations of being witch. The most vulnerable age group is 30 to 54 years old women. In two incidents, the accused were released on bail amount of five to Rs 10,000 and one is sent to prison.

Santa Laxmi Tamang, 54 of Madanpur VDC-9 was assaulted physically by

Ram Bahadur Tamang of same VDC on February 11 alleging her of being witch. She was further threatened for life by an accused. The victim lodged a complaint at police office on February 18 and was arrested on the same day. On, March 5, the accused was released on bail amount of Rs 10,000 by a court order.

Sanu Kanchi Tamang, 36 of Lyachang VBDC-2 lodged a complaint at District Police office on July 19 against Khair Tamang, 55 of the same VDC accusing him of alleging of being witch. On the same day the accused was arrested by the police and was released on bail amount of Rs 5,000 by a District Court order on August 4.


Police arrested Suni Maya Tamang and Manu Maya Tamang on October 31 on charge of mentally torturing Damba Tamang, 30 of Betini VDC-5 and shaving her head alleging her of being witch. The accused arrested based on the complaint lodged by the victim were released on bail amount of Rs 5,000 each by a court order on November 9.

HEALTH SERVICE STATUS

There is one district hospital, 30 health posts and 34 Sub-health posts in the district. According to the data provided by the District Public Health Office, of the 20 positions of doctors in the hospital, 10 posts remained vacant this year. There is 16 position for staff nurse of which 12 are working. Out of four positions for Lab Assistant four are working. For 86 positions for auxiliary nurse 70 are working and out of 37 positions for Health Assistant 22 are working. The annual budget of the district health office is 126,752,000.



2.19 Rasuwa



Headquarters :	Dhunchhe
Area in Sq. Km :	1,544
No. of Households :	9,778
No. of Population :	43,300
Male :	21,475
Female :	21,825
No. of PwD :	1,016
No. of VDC(s)/Municipality(ies) :	18/0
Male Literacy :	12,492
Female Literacy :	9,861
Religion Hindu (%) :	25.38
Buddhism (%) :	69.95
Islam (%) :	0.02
Kirat (%) :	0.01
Christianity (%) :	4.3
Prakriti (%) :	0.07
Undefined (%) :	0.261
Average Household Size :	4.42

The incident on human rights violation has increased in the district in 2014 if we go by the INSEC documentation as the number of victims has gone up from 17 to 25. In 2013, there were 17 victims in the incidents of human rights violation including four female and 13 male while in 2014 there are 25 victims by non-state actor including 17 female and eight male. This year there is no incident by state actor. The data showed that most victims at the hand of the non-state actors were women and children. Most of them were the victims of sexual abuses, rape, sexual violence and domestic

Types of Events	By Non-State		
	Female	Male	Total
Abduction	1	1	2
Beatings		3	3
Child Rights	5		5
Injured	1	3	4
Killing	1		1
Threats		1	1
Women Rights	9		9
Total	17	8	25

violence.

INSEC has documented one incident of killing by non-state actor, this year. A total of four were the victims of rape, three of polygamy and two in sexual abuses. Among the five incidents of child rights violations, two girls were the victims of rape, two of sexual abuses and one incident of killing of newborn baby was documented by INSEC.

BEATING

The district president of FNJ Som Bahadur Tamang, 28 of Ramche VDC-9 and FNJ district secretary Malphurpa Tamang, 29 of same VDC-4 were assaulted and injured by Maoist cadres while collecting news on district conference of UCPN Maoist at Majhgaun Laharepauwa VDC-2 on April 28. They were attacked and injured by Dhana Bahadur Glan, 27 of Dhaibung VDC-6, Ajaya Tamang, 24 of same VDC-7, Nirmal Lama, 23, Pasang Kami Tamang, 28 of Syaphru VDC-3, Kancha Tamang, 22 and Shambhu Tamang, 28 of Yarsa VDC-6. The injured underwent a medical treatment in Shiva Jyoti Hospital at Balkhu, Kathmandu. The FNJ and INSEC had provided a financial support of Rs 8,000 and 5,000 each to the victims. The victim's father Kajisyangwa Tamang had lodged an FIR against three accused at Kalikasthan Police on April 30. The victim demanded the

treatment cost including the cost of mobile and jewelries that was lost in an attack. The complaint was lodged by the office of attorney at District Administration Office on June 1. Among them, four of the accused were released on date by DAO where as other accused Ajaya, Nirmal, Kancha and Sambhu were released on bail for one month on date. The FNJ Rasuwa, Human Rights Alliance, Press Chautari and other rights organizations on April 30, released a joint press statement and condemned the incident. They further demanded for the justice to the victims and action against the accused.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 25 inmates at a time. A total of 92 including 77 convicted and 15 detained inmates were held there at the end of the year of which one of the convicted woman inmates was transferred to Nuwakot Prison. The prison administration said that overcrowding of inmates in the prison is creating various difficulties for them including sleeping. The administration has provided a facility for inmates to meet their relatives. The inmates are given 700gm of rice and Rs 45 in a daily basis. It has also provided the facilities of radio, TV, newspapers, sports and vocational trainings to the inmates. The chairs and other handmade materials made by the inmates are being sent to Kathmandu for sale.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were four civil and three criminal cases pending. There are no criminal or civil cases older than two years pending. Out of 24 governmental cases 13 has been decided and 11 remained pending.

CHILD RIGHTS

Education Status

There are 71 primary schools, 17 lower secondary schools and 20 secondary schools of which 10 lower secondary schools were closed due to the lack of students. Of the total positions of 447 teachers, all are working till the end of the year according to DEO. According to the district education office a total of 7,251 boys and 6,954 girls of school going age are enrolled in schools. There are 121 dalit boys and 151 dalit girls enrolled in schools.

Types of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	1	1
Rape	2	2
Sexual Abuse	2	2
Total	5	5

Rape, Attempt to Rape and Sexual Abuses

This year the girl victims of rape are aged between 13 and 17. The accused are up to 44 years of age, according to the INSEC documentation. In rape cases, the accused were the acquaintances of the victims and involvement of Army man in one case. The District Court sentenced the accused for up to 10 years.

Kancha Sherpa, 44 alias Sangetemba of Phulpingkatti VDC-4 was arrested by police on October 9 from Thangbunche, Chilime VDC-1 on charge of raping a 17-year-old physically disabled woman on October 8. The victim's party had lodged a complaint at Chambuchet Police post on October 9. He was taken into custody by the police. On November 12, the District Court issued an order to sentence him for 10 years. The victim underwent a health checkup at District Hospital of Dhunchhe on the same day.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year nine women were the victims of women violence of which four

were on rape, three in polygamy and two in sexual abuses documented by INSEC. In 2013, three women were victims of women violence. The data shows that the incident on women violation has increased this year as compared to the last year.

Killing by Family Member

A 60-year-old Sangjen Nekar Tamang of Yarsa VDC-2 was beaten to death by her husband Prasadnekar Tamang, 60 in an inebriated state over a minor dispute on October 3. The victim succumbed to death on spot. The accused was arrested by the police from Parchyang of Samarthali on October 4 after the neighbor informed about the incident to them. The case has not been decided yet.

Types of Events	By Non-State	
	Female	Total
Polygamy	3	3
Rape	4	4
Sexual Abuse	2	2
Total	9	9

Rape, Attempt to Rape and Sexual Abuses

A 19-year-old woman was raped by Dukpa Tamang, 33 of Thuman VDC-8 on May 19 in the jungle of same VDC. The victim's family did not make any complaint to the police due to the fear of effect on their social status.

HEALTH SERVICE STATUS

There are one district hospital, one primary health center and one community hospital. The community hospital is not in operation. There are three health posts and 14 Sub-health Posts. There are positions for three doctors in the District however one position remained vacant. There are a total of 97 positions of health officials in the district of which 63 are functioning. A total of 31 positions for health workers remained vacant in the district. There are some health workers from Nepal Planning Commission. There is no position for gynecologists.





Human Rights Situation of **Western Region**

The Western Development Region has 16 districts. The region is comprised of Manang, Mustang in the mountainous region, Tanahu, Gorkha, Lamjung, Syangja, Kaski, Palpa, Arghakhanchi, Gulmi, Baglung, Parbat, Myagdi in the hilly region and Nawalparasi, Rupendehi and Kapilvastu in Tarai region.

The region saw a number of violence in the districts in 2014, mainly violence against women and children. INSEC documentation shows that the number of victims of human rights violation in the development region decreased in 2014 in comparison to previous year. The districts of Manang and Mustang, which remained least affected even during the 10 years of armed conflict, still do not have much incidents reported. Almost zero in number of human rights violation in these districts can be attributed to the deep-rooted system of Mukhiya tradition where most of the cases are sorted out at village level by the village elders and that the incidents rarely come within national legal framework. Remoteness of the terrain and access and activeness of the sources also affect the coverage of the

incidents, not only in Manang and Mustang but other districts too.

Kaski, Arghakhanchi and Rupandehi documented an increase in the victims of human rights violations in 2014 while all other 13 districts had lesser number of victims documented. Notable decrease was in Gulmi where last year, there were 118 incidents documented while this year, it was 63. The sharp decrease is due to similar decrease in the number of victims of women rights from 91 last year to 47 this year.

The victims of women rights violation increased in 2014. Last year, the victims in this category were 344 while this year, the total number of women victimized were 494. Most of the victims of women rights violation in Western Region are the victims of domestic violence at 308 followed by polygamy (60), rape (48), attempt to rape 25 and sexual abuse (7). A total of 36 were the victims of women trafficking or attempted trafficking. Many of such victims are internally trafficked and forced into prostitution or the ones rescued at the custom checks while crossing border to India. There were 10 victims abused on charge of being witch.

Fig 2: Human Rights Violation in Western Region

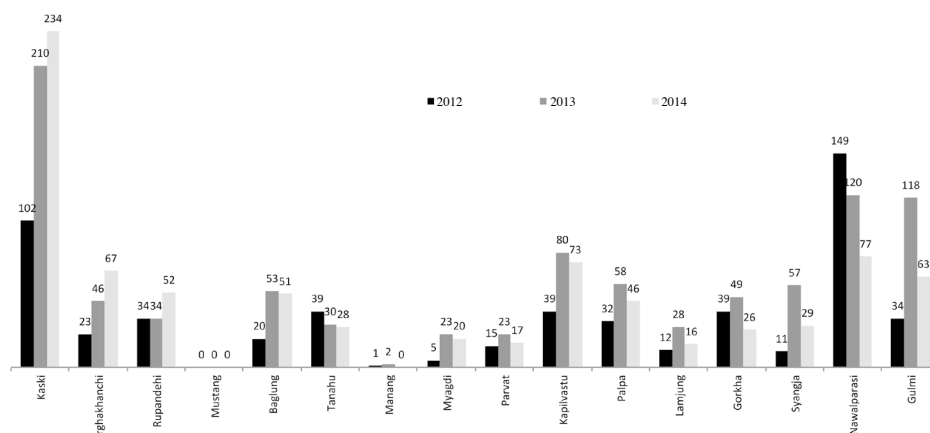
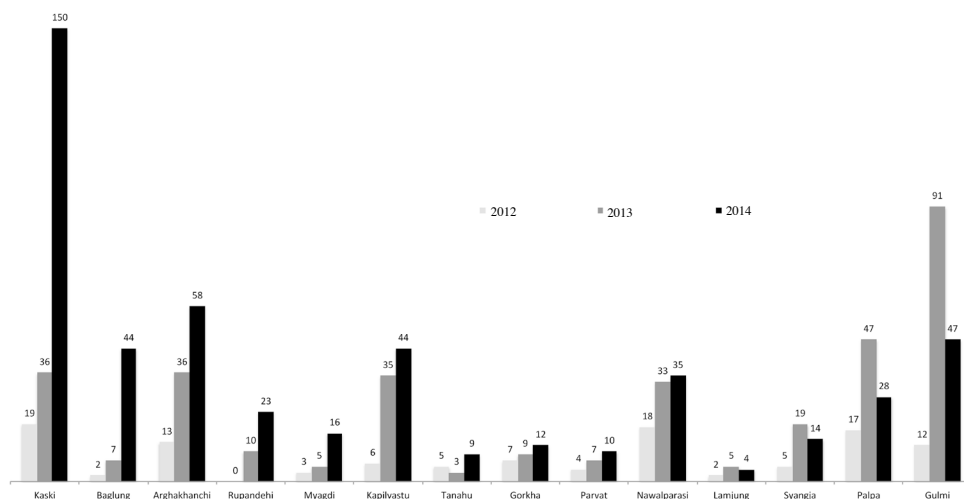


Fig 2: Women's Rights Violation in Western Region



In 2013, most of the women in the region were victimized on allegation of practicing witchcraft, rape, domestic violence and polygamy. There was a total of 41 victims of rape, 10 victims of trafficking, 17 victims abused on charge of being witch and 196 cases of domestic violence. In 2013, the highest number of domestic violence was in Gulmi with 80 cases of domestic violence.

In terms of child victims, an increase was documented. There are 184 victims in 2014 while in 2013 there were 74 and 188 in 2012 in the region. Most of the child victims were documented in Kaski (47) followed by Nawalparasi (28) and Rupandehi (25). There were 19 victims of trafficking, most of them rescued while being taken to India. Most of such reported cases were in Kaski (10). Most of the children were the female victims of rape (109) and sexual abuse (44) which also included three boys. In 2013, too, sexual violence topped the

type of violence with 61 victims of rape in the region. Most of the minor sexual victims knew their abusers.

Total capacity of the district prisons is 902; however, the occupancy at the end of the year was 2,326. As in the other regions of the country, the prisons in Western Region are also facing a problem of over capacity. The Kaski Prison has the capacity of 60 inmates but at the end of the year, there were 546 inmates, over eight times its actual capacity. Similarly, Tanahun Prison had inmates four times its capacity. There are 188 female inmates; highest of them in Kaski Prison with 59. There are 13 boys and nine girls living at the end of the year as dependents in the prisons of Western Region.

As in the other prisons of the region, the physical and infrastructure of the building of the prison is in very bad condition. Most of the inmates complained about over capacity, lack of sleeping space, toilet facility and drinking water.

3.1 Tanahun



Headquarters :	Damauli
Area in Sq. Km :	1,546
No. of Households :	78,309
No. of Population :	323,288
Male :	143,410
Female :	179,878
No. of PwD :	6,668
No. of VDC(s)/Municipality(ies) :	46/1
Male Literacy :	110,702
Female Literacy :	116,139
Religion Hindu (%) :	86.51
Buddhism (%) :	9.44
Islam (%) :	1.29
Kirat (%) :	1.01
Christianity (%) :	1.69
Prakriti (%) :	0.16
Bon (%) :	0.49
Undefined (%) :	0.408
Average Household Size :	4.13

According to the INSEC documentation, there is a slight improvement in human rights situation of Tanahu district in the year 2014. In 2013, there were 30 people victimized in the incidents of human rights violation while there are 28 victims in 2014. No incident of human rights violation by the state actor is documented this year. One woman was killed by non-state actor. In 2013, there were two cases. One woman was subjected to caste-based discrimination, one was victimized in witchcraft allegation, two women and 11 children were victims in the cases of sexual violation. There were 13 incidents docu-

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	12	1	13
Economic, Social and Cultural Rights	1		1
Killing	1		1
Racial Discrimination	1		1
Threats	3		3
Women Rights	9		9
Total	27	1	28

mented by INSEC regarding child rights violation including 11 cases of rape, one case of sexual abuse and one case of corporal punishment against a girl student. There were a total of six cases of child rights violation in 2013 documented by INSEC.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 25 inmates at a time. A total of 125 including 60 convicted and 65 detained inmates were held there at the end of the year. There are no minor dependents and women inmates in the jail.

Inmates suggested that the jail building and toilets should be repaired and its capacity be further extended. The lack of space has always become a problem for the inmates however other facilities such as newspapers, routine health checkup and provision to keep legal entrepreneurs are provided to the inmates. There was a clash between the inmates on August 11 and inmate Rajendra Shrestha of Purkot VDC was injured. The inmates were in protest demanding the transfer of leader and guard of the prison.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has positions for two judges. There were 117 civil and 88 criminal cases pending. There are no criminal cases and civil cases pending older than two years. There were 100 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 336 primary schools, 73 lower secondary schools and 61 secondary schools. Of the total positions of 2,981 teachers, 263 positions are vacant at the end of the year. District Education Office said 31,700 boys and 35,466 girls of school going age enrolled in the school. The office said that there are no disabled-friendly schools in the district. All the schools have a facility of toilets. There is total of 96.39% literacy rate in the district. According to the office there are 94.43% male and 98.36% female rates of literacy in the district.

Rape, Attempt to Rape and Sexual Abuses

This year, girl victims of rape were between the age of 3 and 17. The accused are up to 63 years of age, according to the INSEC documentation. In most of the rape cases, the accused were the close relatives or acquaintances of the victims. INSEC documented two cases in which fathers were the accused. The District Court of Tanahu sentenced the accused of rape from five upto 22 years in prison.

Types of Events	By Non-State		
	Female	Male	Total
Corporal Punishment		1	1
Rape	11		11
Sexual Abuse	1		1
Total	12	1	13

The mother of a 10-year-old girl lodged a complaint against her husband at Area Police Office of Belchautara on January 31 accusing him of raping their daughter on January 30. The accused was arrested by the police on February 1 and was charged under Chapter on Rape of the General Code. The victim underwent medical treatment at District Hospital in Damauli. The single bench of District Court Judge Balbhadra Banstola issued sentenced him to 22 years in jail on March 20.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

INSEC documented two cases of rape of women in the district this year. In 2013, there was one such victim. The family of 30-year-old woman lodged a complaint against Indra Bahadur Magar, 43, of Shyamgha VDC-7 at District Police Office (DPO) on April 4 accusing him of raping her on April 3. He was arrested by the police on April 5 and was charged under Chapter on Rape of the General Code. The single bench of District Court Judge Umesh Koirala on May 18 sentenced him to prison for eight years. The victim underwent a health checkup at District Hospital on April 4.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
For Practicing Witchcraft	1	1
Polygamy	1	1
Rape	2	2
Total	9	9

ALLEGATION OF WITCHCRAFT

Sarita Kumal, 32, of Majhkot VDC-8 Jalaudi was assaulted by locals Jyoti Mal-la, Raj Kumari Kumal and Ram Bahadur Kumal on July 2 alleging her of being a witch. The accused had been abusing the victim for the last six months alleging her of being a witch. Kumal underwent a medical treatment at Bhimad medical hall. The victim did not lodge any complaint regarding the incident.

In 2014, 32 women lodged complaints at Women and Children Service Center (WCSC) under DPO against domestic violence. Among them, seven cases were of assault and expulsion from the house, four cases of depriving of food, two cases of polygamy, two cases of not registering marriage and citizenship certificates and 17 cases were of family dispute. Among

those incidents, 25 cases were settled and seven cases were processed for legal proceedings, according to the WCSC.

HEALTH SERVICE STATUS

There are two district hospitals, 26 health posts and 19 sub-health posts in the district. According to District Public Health Office, of the seven positions in the hospital, all seven are working. There are no positions for gynecology specialists. The district has 89 positions of Assistant Health Workers of which 82 are working. The district has total of 183 positions for the health workers however 13 positions remained vacant. The annual health budget of the district is Rs. 124,114,000 for public health and for medical expenses. The district has a problem of unavailability of the gynecologists. There are total of 181 village health clinic and 219 immunization center.



3.2 Gorkha



Headquarters :	Gorkha
Area in Sq. Km :	3,610
No. of Households :	66,506
No. of Population :	271,061
Male :	121,041
Female :	150,020
No. of PwD :	12,937
No. of VDC(s)/Municipality(ies) :	66/1
Male Literacy :	84,676
Female Literacy :	85,741
Religion Hindu (%) :	75.19
Buddhism (%) :	19.1
Islam (%) :	1.13
Kirat (%) :	0.01
Christianity (%) :	3.27
Prakriti (%) :	0.61
Bon (%) :	0.63
Bahai (%) :	0.01
Shikha (%) :	0.001
Undefined (%) :	0.105
Average Household Size :	4.07

INSEC documentation shows that there is a slight improvement in human rights situation of Gorkha district in 2014. In 2013, there were 49 victims of human rights violations including 30 male and 19 female however there are 26 people victimized in 2014 including 22 female and four male victims. One person was killed in firing by police this year.

Most of the child victims were raped and sexually abused and women faced sexual violence and domestic violence.

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Child Rights			7		7
Injured			1	2	3
Killing	1	1	2	1	3
Women Rights			12		12
Total	1	1	22	3	25

Two women were killed this year by non-state party as in 2013. There were no incidents of caste-based discrimination documented this year. One woman was abused on charge of being witch. Three women and seven children were documented as rape victims. There were seven child rights violation cases documented of which seven were rape victims. In 2013 there were six child rape victims.

KILLING

Lakpa Tamang, 62, was injured in a police firing on August 13 when a clash started between police and locals of Sirandanda, Simjung VDC-3 over a dispute over slaughtering ox. Injured Tamang died while undergoing a medical treatment at Bir Hospital in Kathmandu on August 18. The clash started after a police team led by ASI Govinda Acharya reached the incident site after a tip off on ox feasting. Tamang, who was in his house, was shot injured by policeman Shri Ram Rana. Various organizations and locals protested against the incident. The protest was settled after the government announced that it would provide Rs 1 million to the victim's family as a relief. District Police Office took action against the policeman Shriram Rana and ASI Govinda Acharya for firing without any permission.

INJURED

Sachin Baram, 12, and Gyan Bahadur Baram, 11, of Swara VDC-6 were injured in an explosion of abandoned ex-

plosives on March 10. They were injured after unknowingly playing with an explosive, said DSP Ramesh Thapa. The injured underwent primary treatment at District Hospital and were referred to Bir Hospital in Kathmandu. Police destroyed 701 detonators, 300m wires and 10 kilos of sulfur stored at Majhthar Bhir in Swara VDC-6 after the incident.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 45 inmates at a time. A total of 116 including 90 convicted and 26 detained inmates were held there at the end of the year. Among them, 102 are male and 14 are female. There are three minor dependents in the jail.

RIGHT TO PROMPT AND FAIR TRIAL

District Court has one position for the judge at the end of 2014. There were 94 civil and 68 criminal cases pending. Two criminal cases and one civil case older than two years remained pending. None of the six cases were decided.

CHILD RIGHTS

Education Status

There are 348 primary schools, 78 lower secondary schools and 62 secondary schools in the district. All of the total positions of 4,587 for teachers were filled at the end of the year. District Education Office (DEO) said 36,531 boys and 39,714 girls of school going age were enrolled in the school. It said that there are no disabled-friendly schools. According to the data by DEO, all the schools have toilet facilities. The DEO said that scholarship amount of Rs 4,042,000 was distributed to dalit boys and dalit girls. The DEO data shows that it has allocated Rs 8,994,000 as an administrative cost.

Event Sub-Type	By Non-State	
	Female	Total
Rape	7	7
Total	7	7

Rape, Attempt to Rape and Sexual Abuses

This year INSEC documented seven cases of child rape where the victims were between the ages of 5 and 15. None of the rape cases were decided by the District Court. The family of two girls, aged 7 and 9, lodged a complaint at DPO on July 25 against Sudeep Thapa, 18, of Bhumlichok VDC-7 accusing him of raping them. The complaint stated that the girls were raped on different occasion by the accused after luring them. The accused was arrested by the police on July 26 and charged him with rape. The District Court remanded him in custody on July 25. Both victims underwent a health checkup at District Hospital on the same day.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

In 2014, 143 women lodged a complaint of domestic violence at the Women and Children Service Centre (WCSC). This included 11 cases of assault and expulsion from the house, nine cases of depriving of food and clothes, 23 cases of polygamy, seven cases of not registering marriage and citizenship certificate and 93 cases of minor dispute. The WCSC said that 75 cases

Event Sub-Type	By Non-State	
	Female	Total
Domestic Violence	1	1
For Practicing Witchcraft	1	1
Polygamy	6	6
Rape	3	3
Sexual Abuse	1	1
Total	12	12

among these were settled in agreement, 39 cases were processed for legal proceedings and 29 cases are still pending.

Killing by Family Member

In 2013, two women were killed by the family members and in 2014 also two women were killed by the family. One of the accused has been remanded in custody however, another is in custody till the end of the year.

Sunita Bhujel, 22, of Bagaligaon in Chhoprak VDC-7 was killed by her husband Chet Bahadur Bhujel, 35, following a domestic dispute on December 21. Police arrested him immediately after the incident. He remained in custody at the end of the year.

ALLEGATION OF WITCHCRAFT

In 2013, there were no cases of witchcraft allegation however in 2014 there was one case of inhumane treatment to a woman alleging her of being a witch. Tika Kumari Pariyar, 63, of Gankhu VDC-6 was assaulted by Khil Bahadur Pariyar of same VDC on June 13 alleging her of being a witch. He was arrested by the police on June 16 after an FIR was lodged by the victim on June 16. District Administration Office released the accused on bail after he deposited Rs 5,000.

HEALTH SERVICE STATUS

There are one district hospital, 24 health posts and 42 sub-health posts in the district. According to District Public Health Office, of the 12 positions for doctor in the hospital, only four were filled while eight remained vacant. One position of expert gynecologist remained vacant. The district has 97 positions of Assistant Health Workers of which 76 were filled at the end of the year. The annual health budget of the district is Rs 124,798,000.



3.3 Lamjung



Headquarters :	Basisahar
Area in Sq. Km :	1,692
No. of Households :	42,079
No. of Population :	167,724
Male :	75,913
Female :	91,811
No. of PwD :	4,745
No. of VDC(s)/Municipality(ies) :	61/0
Male Literacy :	55,994
Female Literacy :	57,048
Religion Hindu (%) :	63.98
Buddhism (%) :	17.04
Islam (%) :	0.56
Kirat (%) :	0.01
Christianity (%) :	1.79
Prakriti (%) :	0.04
Bon (%) :	0.04
Undefined (%) :	0.435
Average Household Size :	3.99

According to the INSEC documentation, there has been a slight decrease in human rights violation in Lamjung in 2014 as compared to 2013. In 2013, a total of 28 people including 10 women and 18 men were victims of human rights violation while in 2014 a total of 14 people including 10 women and four men were the victims and that by non-state.

Most of the victims were women and children. Three cases of child rights violation were documented all of which are sexual abuses against the girls. In 2013, total of five children were the victims.

Types of Events	By State		By Non-State		
	Female	Total	Female	Male	Total
Beatings	1	1		1	1
Child Rights			3		3
Injured				1	1
Killing			3	2	5
Right to Assembly	1	1			
Women Rights			4		4
Total	2	2	10	4	14

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 25 inmates at a time. A total of 77 including 68 convicted and nine detained inmates were held there at the end of the year.

The prison administration said that the prison is facing a difficulty of overcrowding. The inmates are facing difficulties due to few toilets, lack of sleeping space and clean drinking water.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were 39 civil and 33 criminal cases pending in the District Court. No criminal or civil case older than two years remained pending.

CHILD RIGHTS

Education Status

There are 287 primary schools, 44 lower secondary schools and 88 secondary schools in the district. All of the 2,003 positions for teachers are occupied at the end of the year. District Education Office said 23,107 boys and 24,062 girls of school-going age enrolled in the school. It further said that there are no disabled-friendly schools in the district. The District Education Office data showed that all the schools have toilet facilities. According to the Office, a total of 5,530 dalit boys and 4,975 dalit girls are receiving scholarships.

Types of Events	By Non-State	
	Female	Total
Sexual Abuse	3	3
Total	3	3

Rape, Attempt to Rape and Sexual Abuses

A mother of 13-year-old child lodged a complaint at District Police Office on June 1 against a 15-year-old boy accusing him of attempting to rape a girl on May 31. The accused was arrested by the police and a case was registered against him. District Court Judge Deepak Raj Pant on June 30 issued a verdict to send him to child reform center for a month convicting him of the crime.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

In 2014, INSEC documented 82 cases of domestic violence registered in Women and Child Service Center under DPO of which 23 cases of assault and expulsion from the house, 17 cases of depriving of food and clothes, three cases of not making marriage and citizenship certificate, three cases of polygamy and 24 cases of intimidation were registered. The police said that 24 cases were settled in agreement.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	4	4
Total	4	4

HEALTH SERVICE STATUS

There is one district hospital, 20 health posts and 38 sub-health posts in the district. According to District Public Health Office, all of the three positions for doctors in the hospital remained vacant. There are no positions for gynecology specialist. The district has 112 positions of Assistant Health Workers of which 70 were occupied at the end of the year. The annual health budget allocated for the district is Rs 124,114,000 for public health and Rs

2,000,000 for the medical expenses. Due to the unavailability of the doctors, the patients are facing difficulties in treatment and had to go to other districts for treatment. Lack of gynecology specialist in the district has also created difficulties for the female patients.



3.4 Syangja



Headquarters :	Putalibazar
Area in Sq. Km :	1,164
No. of Households :	68,881
No. of Population :	289,148
Male :	125,833
Female :	163,315
No. of PwD :	4,451
No. of VDC(s)/Municipality(ies) :	60/2
Male Literacy :	99,358
Female Literacy :	107,999
Religion Hindu (%) :	90.21
Buddhism (%) :	7.44
Islam (%) :	0.68
Kirat (%) :	0.01
Christianity (%) :	0.2
Prakriti (%) :	0.01
Bon (%) :	1.29
Undefined (%) :	0.159
Average Household Size :	4.20

INSEC documentation shows that the incident in human rights violation in Syangja district has decreased in 2014 in comparison to last year. A total of 57 people were victims of human rights viola-

Types of Events	By State			By Non-State	
	Female	Male	Total	Female	Total
Child Rights				7	7
Injured	2	5	7		
Killing				1	1
Women Rights				14	14
Total	2	5	7	22	22

tion in 2013 including 25 female and one male and 22 women were victims of human rights violation by non-state actor in 2014. A total of seven people were victimized this year including two women and five male from the state party. Most of the women and children became victims by non-state party this year. Mainly, the girls became the victims of rape and sexual abuses whereas women were the victims of domestic and sexual violence. Five children were the victims of human rights violation in 2013.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 35 inmates at a time. A total of 97 including 67 convicted and 30 detained inmates were held there at the end of the year. Among them, 89 are male and eight are female.

The inmates are facing a space problem due to the overcrowding. This has also created difficulties in their management. The prison administration has provided sports materials to the inmates.

RIGHT TO EXPRESSION/ ASSEMBLY AND ASSOCIATION

A clash broke out between police and national teachers association and parents while handing over a memorandum at District Education Office on September 16 regarding a dispute on the appointment of principal at Janata high school of Thuladihi VDC. Sima Chetri, Lok Raj Khanal, Rabi KC, Nabin Ale and policemen Rabindra Yadav, Min Bahadur Karki and Hemanta

Raj Dawadi were injured in the clash. Police arrested 30 teachers and released them later. The police fired in the air, charged baton and tear gas in order to control the situation after the protestor hurled stones at them. DSP Buddhi Raj Gurung said that the police had to use force after the protestor tried to enter the restricted area. A joint team of Western Regional Office of IN-SEC and NHRC Pokhara monitored the incident on September 17. The team concluded that the police administration had used excessive force against the protestors.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with positions for one judge remained occupied till the end of 2014. There were 50 civil and 91 criminal cases pending. One criminal case and two civil cases older than two years remain pending.

CHILD RIGHTS

Education Status

There are 374 primary schools, 66 lower secondary schools and 85 secondary schools. All of the total positions of 2,599 for teachers are occupied at the end of the year. District Education Office said that 3,853 boys and 3,798 girls of school going age enrolled in the school this year. All of the schools have a facility of toilets. According to the office 8,525 dalit boys and 9,056 dalit girls are receiving scholarships.

Rape, Attempt to Rape and Sexual Abuses

This year, INSEC documented rape of six girls who were age group of 10 to 17 years. Some accused were even 12-year-olds. Four accused were at large at the end of this year. The court did not decide any of

Event Sub-Type	By Non-State	
	Female	Total
Rape	6	6
Sexual Abuse	1	1
Total	7	7

the cases.

A 13-year-old girl was raped by Krishna Paudel, 22, of Birgha VDC-3 on March 16. The victim's relative lodged a complaint at Ward Police Office, Waling on March 21. The victim underwent a health checkup at Waling health post on the same day. The accused remained at large until the end of the year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

This year two women became the victims of rape including one 72-year-old disabled woman. Similarly, there were two cases of attempted to rape. Police arrested all the accused for further legal process.

Raju Gurung, 35, of Phedikhola VDC-9 was arrested by the police on September 8 on charge of raping 72-year-old disabled women on September 7. The District Court ordered for a bail amount of Rs 18,000 to the accused on October 4 and was taken into custody after he could not pay the amount. The victim underwent a health checkup at District Hospital on September 8.

Killing by Family Members

The family of Kalpana Kunwar Gurung, 21, of Putali Bazar Municipality-1 lodged a complaint at District Police Office on May 23 against her father-in-law Ganesh Gurung, 50, mother-in-law Bal Kumari Gurung, 47, brother-in-law Pradeep

Event Sub-Type	By Non-State	
	Female	Total
Domestic Violence	5	5
Polygamy	3	3
Rape	2	2
Rape Attempt	4	4
Total	14	14

Gurung, 25, and neighbor Sukmaya Gurung, 40, accusing them of murdering her on May 17. The complaint stated that the victim was out of their caste and was tortured and murdered by her family members after her husband went for foreign employment. The accused were arrested on the same day. District Court Judge Chintamani Baral remanded Ganesh Gurung and Sukmaya Gurung in custody on June 24 and other accused Bal Kumari Gurung and Pradeep Gurung were released on bail amount of Rs 15,000 each.

HEALTH SERVICE STATUS

The district has one district hospital, 26 health posts and 39 sub-health posts. According to District Public Health Office, all of the five positions for doctors in the hospital were occupied. There are no positions for gynecologist in the district hospital. The district has 125 positions of Assistant Health Workers of which 86 are occupied. The annual health budget allocated for district public health is Rs 78,299,000 and Rs 2,800,000 for medical expenses. Female patients face problems as there is no gynecology specialist.



3.5 Kaski



Headquarters :	Pokhara
Area in Sq. Km :	2,017
No. of Households :	125,673
No. of Population :	492,098
Male :	236,385
Female :	255,713
No. of PwD :	9,219
No. of VDC(s)/Municipality(ies) :	43/2
Male Literacy :	198,199
Female Literacy :	183,618
Religion Hindu (%) :	82.33
Buddhism (%) :	13.47
Islam (%) :	0.9
Kirat (%) :	0.09
Christianity (%) :	2.14
Prakriti (%) :	0.13
Bon (%) :	0.59
Bahai (%) :	0.01
Shikha (%) :	0.002
Undefined (%) :	0.34
Average Household Size :	3.92

The human rights situation of Kaski district was not encouraging in 2014 as compared to the last year. In 2013, there were 174 victims of human rights violations including 83 female and 91 male whereas in 2014 a total of 234 were victims of human rights. Among them, 214 people including 201 female and 13 male were victimized by non-state actors and 20 were the victims at the hand of state actors. Most of the children are victims of rape and sexual abuses whereas 150 women faced violation

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Child Rights				44	3	47
Injured		5	5	1	3	4
Killing				4	2	6
Racial Discrimination				1		1
Right to Assembly	3	12	15			
Threats				1	5	6
Women Rights				150		150
Total	3	17	20	201	13	214

against women rights.

In the year 2013, a total of six people were killed by non-state actor and in 2014, six people were killed by non-state actor. In 2014, one person faced caste-based discrimination, one was alleged of being a witch, 10 people were raped and four women were victims of rape attempts.

INSEC documented 47 incidents of child rights violation of which 23 were rape, nine girls and two boys sexually abused and two subjected to corporal punishment. There were a total of 91 child victims last year.

JAIL AND DETAINEES

The 'D' grade District Prison has a capacity to hold 60 inmates at a time. A total of 546 including 306 convicted and 240 detained inmates were held there at the end of the year. Among them, 487 were male and 59 were female. There are four dependents in the jail. The building was constructed in 1966. The inmates of the prison are facing a difficulty because of the presence of inmates, way beyond its capacity. There are nine times more inmates kept in the prison which has created difficulties for them because of few toilets, lack of sleeping, dining space and shortage of clean drinking water. The building being very old has a leaking problem and the inmates are compelled to sleep under a tarpaulin. According to prison chief Ramesh Kumar Shrestha,

the new building in under-construction however the work has stopped due to the lack of budget. The prison has facilities such as television, radio, newspapers and computers.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

All the three places of District Court were full at the end of 2014. There were 543 civil and 610 criminal cases pending. 15 criminal and 19 civil cases older than two years remained pending. One judge was responsible for 400 cases on average in the court.

Appellate Court

The Appellate Court with strength for eight judges has six judges at the end of 2014. There were 240 civil and 456 criminal cases pending. There were 33 criminal and 57 civil cases older than two years pending. One judge was responsible for 200 cases on average in the court

CHILD RIGHTS

Education Status

There are 279 primary schools, 75 lower secondary schools and 159 secondary schools. Of the total positions of 2,384 for teachers, 90 positions are vacant at the end of the year. The DEO said that 60,778 boys and 57,011 girls of school going age enrolled in the school this year. It further said that 57 schools are not disabled-friendly. All the schools have toilet facilities. The DEO said that 9,693 dalit boys and 8,754 dalit girls are receiving scholarships.

Killing

Manjila BK, 5, of Rivan VDC-4 was killed by Man Bahadur BK, 29, on August 14. The victim was killed by her uncle by hitting her in a head while returning back

Types of Events	By Non-State		
	Female	Male	Total
Child Labour	1		1
Child Trafficking	10		10
Corporal Punishment	1	1	2
Rape	23		23
Sexual Abuse	9	2	11
Total	44	3	47

to home from the school. The victim's father had lodged a complaint at DPO and the accused was arrested and remanded in custody by court order on September 4.

Rape, Attempt to Rape and Sexual Abuses

This year INSEC documented the incidents of rape of girls of the age group of 9 to 17. The accused were between the ages of 16 and 56. The accused were the close relatives or acquaintances of the victims which including two fathers. District Court of Kaski ordered sentence up to nine years for the rapists.

The mother of two girls, aged 10 and 4 lodged a complaint at DPO on August 3 against her 32-year-old husband accusing him of raping and sexually abusing their daughters on July 31. The complaint stated that the accused had sexually abused the victims while they were alone at home. The accused was arrested by the police on August 3 and was remanded in custody by the court order on August 27. The victims underwent a health checkup at Western Regional Hospital on August 3.

The mother of a 14-year-old girl lodged a complaint against her 47-year-old husband at DPO on October 15 accusing him of raping their daughter on October 13. The accused was arrested by the police on the same day. The complaint was lodged and was remanded in custody by a court order on November 4. The victim underwent a health checkup at Western Regional Hospital on October 15.

Human Trafficking

This year, a total of 12 women and 10 children were the victims of human trafficking. A 13-year-old girl was rescued by the police on April 17 from the border of Sunauli while being trafficked to India. She was lured for job in foreign country by Kismita, Sanjeeta Sunar, 18, of Barakoti VDC-7 Dang and Sushma Chaudhary, 18 of of Pokhara Sub-metropolis-9. She was being trafficked to India through a trail from Pokhara via Palpa. All three accused were arrested by the police on April 20 and charged under human trafficking act. District Court Judge Ram Prasad Oli remanded them in custody.

The father of a 17-year-old girl lodged a complaint at DPO on July 17 against Ram Prasad Gurung, 39, of Sardikhoola VDC-1, Chitwan accusing him of trafficking his daughter. The complaint stated that the victim was taken hostage in Kathmandu by the accused on July 11, alluring her with marriage. The absconding accused was arrested by the police on July 17 and was charged under human trafficking act. He was remanded in custody by a court order on August 13.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 341 women lodged complaints at Women and Children Office against domestic violence of which 118 cases of assault and expulsion from the house, 62 of deprivation of food, 57 of not making marriage and citizenship certificate, 45 of polygamy and remaining are minor dispute. Among these, 315 cases were settled in agreement and 26 cases were forwarded for legal proceedings, according to the office. The district had 10 cases of rape of women and four cases of attempted rape. INSEC documented one case of murder after rape.

Bishnu Maya Bhujel, 33, of Bharatpokhari VDC-3 was murdered after rape by

Types of Events	By Non-State	
	Female	Total
Domestic Violence	104	104
For Practicing Witchcraft	1	1
Polygamy	19	19
Rape	10	10
Rape Attempt	4	4
Women Trafficking	12	12
Total	150	150

Yam Bahadur BK, 22, of the same VDC on September 17. The victim's family lodged a complaint at DPO on September 21 against the accused. The DPO said that the woman was murdered in the jungle while she was returning home from Pokhara. He was arrested by the police on September 23 from Prithvi Chok, Pokhara. BK was remanded in custody by a court order on October 19. The postmortem of the body was conducted at Western Regional Hospital on September 21.

Killing by Family Member

The family of Bindu KC of Dhi-kurapokhari VDC-1 lodged an FIR at DPO on June 29 against her husband Binod KC, 33, accusing him of murdering her by using sharp weapon on the night of June 27. The postmortem of the body was conducted at Western Regional Hospital on June 30. The victim had previously lodged a complaint at Women and Children Service Centre under DPO against her husband for physically and mentally torturing her in a daily basis in the inebriated state. The case was settled in agreement at that time. The absconding accused was arrested by the police on July 6 from Dibyanagar of Chitwan district and was sentenced for 20 years in prison on October 19.

Rape, Attempt to Rape and Sexual Abuses

A 21-year-old women was gang raped on August 28 at Karkidanda of Kahun VDC-2 by Lekh Bahadur Gurung

alias Bahudal of Pokhara Sub-metropolis-12 and Kiran Shrish, 21, Nabin Gurung, 20, Jas Bahadur Gurung, 21, Sandesh Gurung, 20, Om Prakash Gurung, 19, Roshan Gurung, 20 and Santosh Gurung, 20 of Pokhara Sub-metropolis-7. The victim's family lodged a complaint at DPO on the same day. Among the accused, Lekh Bahadur Gurung, 20, and Kiran Shrish, 21, were arrested by the police on August 28. The arrestees were remanded in custody by a court order on September 21. The other accused were absconding until the end of the year. The victim underwent health checkup at Western Regional Hospital on August 28.

CASTE-BASED DISCRIMINATION

A temple management committee of Pushkeshor Shiva Mandir at Pokhara Sub-metropolis-3 refused to perform marriage of Pravin Bohora, 21, of Baglung district, currently living at Pokhara Sub-metropolis-5 and Sanam Ruchal, 19. After the incident, they got married in another temple in Pokhara Sub-metropolis-3. Police summoned both parties for discussion on March 3 and the case was settled after the accused apologized to the victims.

HEALTH SERVICE STATUS

There are one zonal hospital, 25 health posts and 20 sub-health posts in the district. According to District Public Health Office, all three positions of the doctors in the hospital are filled. Of four positions of gynecology specialist, two were at work at the end of the work. The district has 96 positions of Assistant Health Workers of which 70 were at work. The annual health budget of the district is Rs 167,961,000 for public health and Rs 7,900,000 for medical expenses.



3.6 Manang



Headquarters :	Chame
Area in Sq. Km :	2,246
No. of Households :	1,480
No. of Population :	6,538
Male :	3,661
Female :	2,877
No. of PwD :	204
No. of VDC(s)/Municipality(ies) :	13/0
Male Literacy :	2,911
Female Literacy :	1,741
Religion Hindu (%) :	39.19
Buddhism (%) :	55.15
Islam (%) :	0.06
Kirat (%) :	0.02
Christianity (%) :	1.42
Prakriti (%) :	0.21
Bon (%) :	0.47
Shikha (%) :	0.03
Undefined (%) :	3.44
Average Household Size :	4.41

Being a small district with only an area of 2,246 sq. km, Manang has very nominal incidents of human rights violation.

JAIL AND DETAINEES

Manang District Prison has no ranking. The prison does own land but not the building and is renting a building of District Education Office. A total of 14 including nine convicted and five detained inmates, all male, were held there at the end of the year. The prison opened in 2010. The

inmates complained that there are no newspapers or books provided to them. Most of the inmates also complained that the allowance they are getting i.e. Rs 90 per day is not enough even for food given the high cost of food because of its remoteness, however, the clothes allowance is regular.

RIGHT TO PROMPT AND FAIR TRIAL

There is one position of judge at the District Court. There were no civil cases and one criminal case is pending. There are no criminal cases and civil cases older than two years remained pending.

CHILD RIGHTS

Education Status

There are 17 primary schools, eight lower secondary schools and two secondary schools. All of the total 196 positions for teachers were occupied at the end of the year. District Education Office said that 349 boys and 419 girls of school-going age enrolled in the school. It further said that one school in the district is disabled-friendly. The DEO says that all schools have a facility of toilets. There are child workers at the hotels who the hoteliers claim are provided job on the humanitarian ground. They claim that the work ensures their shelter and education and reject the charge of exploitation.

HEALTH SERVICE STATUS

There are one district hospital, 10 health posts and three sub-health posts in the district. According to District Public Health Office, out of the two positions in the hospital, one remained vacant. There is no position of gynecology specialist in the district. The district has 15 positions of Assistant Health Workers of which 3 are vacant. Lack of gynecologist was a problem for female patients.



3.7 Nawalparasi



Headquarters :	Parasi
Area in Sq. Km :	2,162
No. of Households :	128,793
No. of Population :	643,508
Male :	303,675
Female :	339,833
No. of PwD :	10,873
No. of VDC(s)/Municipality(ies) :	73/1
Male Literacy :	225,119
Female Literacy :	202,926
Religion Hindu (%) :	88.18
Buddhism (%) :	3.06
Islam (%) :	3.75
Kirat (%) :	0.06
Christianity (%) :	1.74
Prakriti (%) :	0.06
Bon (%) :	0.07
Undefined (%) :	0.138
Average Household Size :	5.00

INSEC documentation shows that the human rights situation of the district is similar in 2014 to last year. There were a total of 73 victims last year including 61 female, 11 male and one unidentified however, this year a total of 75 people became victims of human rights violation incident including 68 female and seven male. This year, two male were the victims at the hand of the state actor. Many of the victims were women and children, most of them victims of gender-based violence.

Three women and one man were killed by non-state actors. In 2013, a total of six people including five women and one

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest & Torture	1	1			
Beatings	1	1			
Child Rights			26	2	28
Economic, Social and Cultural Rights			2	1	3
Injured				2	2
Killing			3	1	4
Racial Discrimination			2		2
Threats				1	1
Women Rights			35		35
Total	2	2	68	7	75

man were killed. This year two women were subjected to caste-based discrimination, one was abused on charge of being witch and six women were raped. INSEC documented 28 cases of child rights violation of which 17 cases were of rape, seven of sexual abuse and two cases of corporal punishment. In 2013, 21 children were victimized in similar incidents.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 35 inmates at a time. A total of 123 including 61 convicted and 62 detained inmates were held there at the end of the year. There is one minor dependent in the jail. The prison building is very old. The building used to be a horse stable during the Rana Regime. The new building is under construction however the work is very slow, said jailer Tanka Pandey.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with positions for three judges and all remained filled at the end of 2014. There were 618 civil and 316 criminal cases pending. There are no cases older than two years pending. Each judge has 470 cases on average. Only one of 17 child rape cases was decided.

CHILD RIGHTS

Education Status

There are 373 primary schools, 185 lower secondary schools, 131 secondary schools and 85 high schools. Out of the total positions of 3,045 for teachers, 130 remained vacant at the end of the year. District Education Office said that 108,415 boys and 11,747 girls of school going age enrolled in the school this year. It further said that 15 schools are disabled-friendly. All the schools have a facility of toilets. District Education Office said that 21,644 dalit boys and 46,163 dalit girls are receiving scholarships.

Types of Events	By Non-State		
	Female	Male	Total
Child Trafficking	2		2
Corporal Punishment		2	2
Rape	17		17
Sexual Abuse	7		7
Total	26	2	28

Rape, Attempt to Rape and Sexual Abuses

This year, INSEC documented 17 cases of rape on children in the age group of 7 to 17. The accused were up to 76 years old. The accused were the close relatives or acquaintances of the victims. One teacher was arrested by the police on charge of raping a girl.

The relative of a 9-year-old girl had lodged a complaint at Area Police Office, Nawalpur in Kawasoti Municipality on October 19 against Indra Prasad Paudel, 41, a teacher of Raj Mandir Secondary School accusing him of raping the girl. The accused was arrested by the police on October 20. The accused was remanded in custody by the court order on November 12. The victim underwent health checkup at District Hospital on October 19.

Child Trafficking and Transportation

A 14-year-old girl of Kapilvastu district was rescued from Maheshpur Chok of

Ramgram Municipality-5 by police in the initiation of “Sana Haath” on September 1 while she was being trafficked to India. Accused Asha Pariyar, 19, of Butwal Municipality-13 was handed over to the police on September 3 after interrogation however another accused, Asha’s husband and Ranjit Kumar Yadav, reportedly from Maharajgunj, India was absconding till the end of the year. The victims had lodged a complaint against the accused on September 4. The police registered the case of human trafficking against the accused. Asha was remanded in custody by a court order on September 23.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

A complaint against Khim Bahadur Gurung, 39, of Daunnedevi VDC-4 was lodged at DPO accusing him of attempting to rape a 66-year-old elderly woman on October 10. The accused was arrested on the same day and was remanded in custody by a court order on November 3.

The family of a verbal and hearing impaired woman lodged a complaint at Area Police Office of Kawasoti on August 24 against Rup Bahadur Sunar, 52, of Bishaltaar in Devchuli Municipality-9, accusing him of raping her. The accused was arrested by the police on the same day and was remanded in custody by a court order on September 16. The victim underwent a health checkup at District Hospital on August 24.

A 22-year-old woman lodged a complaint at the DPO on August 31 accusing Dharma Raj Yadav, 22, of Sukrauli VDC-6 of raping her. The accused was arrested on the same day and was remanded in custody by a court order on August 23.

Killing by Family Member

The family of 26-year-old victim Sunita Adhikari of Gaidakot VDC-5

Types of Events	By Non-State	
	Female	Total
Domestic Violence	10	10
For Practicing Witchcraft	1	1
Polygamy	6	6
Rape	6	6
Rape Attempt	5	5
Women Trafficking	7	7
Total	35	35

lodge a complaint at DPO against the victim's husband Lila Raj Adhikari, 32, and mother-in-law Chet Kumari Adhikari, 50, on January 30, accusing them of killing her and then hanging her body at home on January 29 over a family dispute. Both the accused were arrested by the police on the same day and was remanded in custody on February 26 on a verdict issued by District Court Judge Bishnu Prasad Koirala.

Krishna Prasad Sapkota, 59, of Benimanipur VDC-3 was arrested by the police on February 2 on charge of murdering his daughter Laxmi Singh Thakuri, 35, who was living in her parental home for nine months. She was murdered over a minor family dispute. The locals lodged an FIR against him on February 1 accusing of murdering and burying a victim near the field. The accused was arrested by the police and was remanded in custody by an order issued by District Court judge Bishnu Prasad Koirala.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

One and half bighas of land, owned by Keshav Kumal of Narayani VDC-2, Bhandara, Uma Adhikari and Goma Neupane was captured by the group of activists of Peasants Association and Squatter Problem Resolution Struggling Committee, wing of CPN-M on November 5. According to Chhabi Lal Kharel, secretary of the Association the land was captured because it was registered illegally by land-mafias six years ago.

HEALTH SERVICE STATUS

There are one district hospital, 29 health posts, and 44 sub-health posts in the district. According to District Public Health Office, though there are 10 positions for doctors in the hospital, 12 are working at the end of the year. There are no positions for gynecology specialist. The district has 185 positions of Assistant Health Workers of which 115 are working. The annual health budget of the district is Rs 49,084,000 for public health Rs 4 million for medical expenses and Rs 738,000 for administrative expenses.



3.8 Rupandehi



Headquarters :	Bhairahawa
Area in Sq. Km :	1,360
No. of Households :	1,63,916
No. of Population :	880,196
Male :	432,193
Female :	448,003
No. of PwD :	9,890
No. of VDC(s)/Municipality(ies) :	69/2
Male Literacy :	318,202
Female Literacy :	258,697
Religion Hindu (%) :	86.24
Buddhism (%) :	4.61
Islam (%) :	8.23
Kirat (%) :	0.03
Christianity (%) :	0.66
Prakriti (%) :	0.02
Bon (%) :	0.08
Undefined (%) :	0.13
Average Household Size :	5.37

INSEC documentation shows that the human rights situation of Rupandehi district in 2014 was similar to 2013. In 2013, a total of 32 people including 26 female and six male were the victims of human rights violation whereas in 2014, a total of 51 people including 49 female and two male were the victims. This year, one male victimized was at the hand of the state actor. Most of the victims were women and children facing sexual violence including rape.

In 2014, there was one incident in which a man was killed while last year four women were killed. In this year, 25 victims of child rights violation were documented by INSEC out of which 10 cases were rape and 14 cases were sexual abuses. In 2013 there were 11 child victims.

Types of Events	By State		By Non-State	
	Male	Total	Female	Male
Beatings				1
Child Rights			25	
Killing				1
Racial Discrimination			1	
Threats	1	1		
Women Rights			23	
Total	1	1	49	2

JAIL AND DETAINEES

The 'B' grade District Prison has a capacity to hold 100 inmates at a time. A total of 359 including 155 convicted and 125 detained inmates, all male, were held there at the end of the year. The female inmates of the prison are sent to Palpa Prison. Due to the overcrowded prison, the inmates faced lack of sleeping space and shortage of clean drinking water and toilets.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

All the five positions of the District Court were occupied at the end of 2014.

There were 746 civil and 406 criminal cases pending. Five criminal and four civil cases older than two years remained pending. One judge is responsible for 250 cases on average in the court.

Appellate Court

All nine positions of the Appellate Court were occupied at the end of 2014. There were 353 civil and 351 criminal cases pending. There are no cases older than two years pending at the end of the year. There were 80 cases per judge on average in the court.

CHILD RIGHTS

Education Status

There are 372 primary schools, 117 lower secondary schools and 189 secondary schools. Out of the total positions of 2,880 for teachers, 134 are vacant at the end of the year. District Education Office said 97,289 boys and 94,411 girls of school going age enrolled in the school. It further said that 235 schools are disabled-friendly. All the schools have the facility of toilets. District Education Office said that 11,617 dalit boys and 11,895 dalit girls are receiving scholarships.

A total of 17 schools are child friendly in the district.

Rape, Attempt to Rape and Sexual Abuses

INSEC documented the rapes of children aged between 2 and 17. The accused were the close relatives or acquaintances of the victims including the father. There are two cases in which father were accused of raping their daughters. None of the 10 cases of rape of girls registered in

District Court were decided at the end of the year.

The mother of a 12-year-old girl lodged a complaint at DPO on January 3 against her husband accusing him of raping their daughter after holding her hostage. The accused was arrested by the police on the same day the complaint was lodged. The victim underwent a health checkup at Bhim Hospital in Bhjairahawa on January 3. District Court Judge Bal Chandra Sharma remanded him in custody on March 27.

The family of a 6-year-old girl lodged a complaint at Area Police Office on January 21 against a 17-year-old boy accusing him of raping a girl at river bank near her house. The accused was arrested by the police on the same day and was remanded in custody by a court order on February 5.

The family of a 15-year-old girl lodged a complaint at Area Police Office on September 25 against Baiju Yadav, 18, and Kailash Yadav, 19, of Lumbini Saskritik Municipality-16 accusing them of attempting to rape the girl on September 24. The police had arrested both the accused on September 26 and was remanded in custody by a court order on November 5. The case was not decided until the end of the year.

Corporal Punishment

Rajya Laxmi Gupta, an officer at District Children Welfare Office lodged a complaint at police office against the family of Rajan Rasaili on August 24 for accusing the family of inflicting corporal punishment against an 8-year-old girl on August 23 who was working as a domestic helper. She was severely beaten up by the family over the issue on death of a parrot- a pet of Rasaili family. The victim sustained burnt injuries and several bruises on her body, said police. She underwent medical treatment at Bhim Hospital in Bhairahawa and sent to the shelter run by Maiti Nepal. The police arrested the accused on the same day the

Types of Events	By Non-State	
	Female	Total
Child Labour	1	1
Rape	10	10
Sexual Abuse	14	14
Total	25	25

complaint was lodged and released on bail amount of Rs 100,000 by a district court order on September 16.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 222 women lodged complaint at Women and Children Service Centre against domestic violence cases. Of those 222 complaints, 92 cases were of assault and expulsion from the house, 60 cases of deprivation of food and clothes, 22 cases of not making marriage or citizenship certificate, 16 cases of polygamy and 32 cases of normal dispute. Among these incidents 185 cases were settled, 19 cases were forwarded for legal proceedings and in other 19 cases the complainer did not make any contact.

INSEC documented six cases of rape in the district this year including the rape of a woman as old as 75 years of age. In 2013, there were four rape cases documented.

A complaint against 35-year-old Kul Bahadur Pariyar was lodged at police station by the locals accusing him of raping a 75-year-old elderly homeless woman on the night of June 30 by tying her hand and feet. The locals informed the police after the victim was found abandoned after rape. The accused was arrested on the same day by the police and charged with rape. District Court judge Bal Chandra Sharma on July

Types of Events	By Non-State	
	Female	Total
Domestic Violence	12	12
Rape	6	6
Rape Attempt	5	5
Total	23	23

23 remanded him in custody. The victim underwent medical treatment at Lumbini Zonal Hospital on July 1.

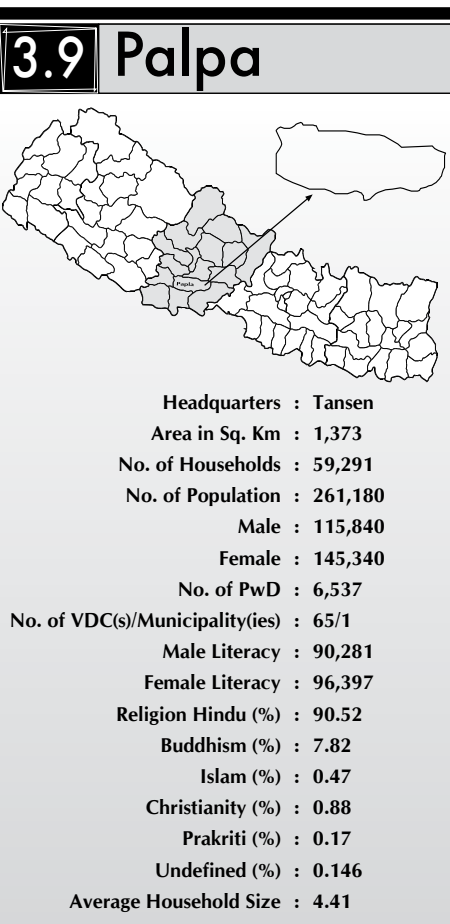
CASTE-BASED DISCRIMINATION

Dalit activists of the district lodged a complaint at DPO against Bipat Kewat, 25, on June 24 accusing him of assaulting Anari Harijan, 62, of Manmateria VDC-3 for touching a public water tap. Injured Harijan underwent medical treatment at Universal Medical College Teaching Hospital at Ranigaun, Bhairahawa. Phula Kewat, 55, the mother of the accused was arrested by the police on June 23. The court gave its verdict in favor of Harijan.

HEALTH SERVICE STATUS

There are one zonal hospital, two hospitals, 26 health posts and 38 sub-health posts in the district. According to District Public Health Office, all of the five positions for doctors in the hospital remained vacant at the end of the year. Out of two positions of gynecology specialist, one is vacant. The annual health budget of the district is Rs 235,360,000 for public health and Rs 8,416,000 for medical expenses.





INSEC documentation shows that the human rights situation of the Palpa district has been negligibly improved in 2014 as compared to the year 2013. In 2013, a total of 58 people were the victims of human rights violation including 57 female and one male whereas in 2014, a total of 28 women were victimized by non-state actor. Similar to the previous year, this year there were no human rights violation incidents from the state-actor, this year.

The data showed that women and children were among those who were more victimized by non-state actor, this year. The children were victimized of rape and sexual abuses where as women were victimized of domestic violence and sexual violence.

One woman was killed by non-

Types of Events	By Non-State	
	Female	Total
Abduction	1	1
Child Rights	14	14
Killing	1	1
Racial Discrimination	2	2
Women Rights	28	28
Total	46	46

state actor similar to the last year data. Two women were victimized of in the incident of caste discrimination and three women were the victim of rape. There were 14 incidents of child rights violation this year of which nine girls were raped, three became the victims of child trafficking and one case registered for sexual abuse.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 300 inmates at a time. A total of 362 including 325 convicted and 27 detained inmates including 78 female and 274 male were held there at the end of the year. There are total of 12 minor dependants including seven boys and five girls in the jail.

The female inmates have been transferred to a newly built building on February 24 which eased the female inmates. The prison building used for inmate inmates is very old. There was a contract to make a new building for the male inmates however the process of construction has not started yet.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court of Palpa has one position for judge. There were 44 civil and 49 criminal cases pending. There are no criminal cases and civil cases older than two years pending.

CHILD RIGHTS Education Status

There are 273 primary schools, 92 lower secondary schools and 67 sec-

ondary schools. Of the total positions of 2,761 teachers, 34 positions are vacant at the end of the year. According to District Education Office there are 43,483 boys and 43,119 girls of school going age and among those 4,421 boys and 4,441 girls enrolled in the school this year. According to the DEO, there are no disabled-friendly schools in the district. It added that 200 primary schools, 60 lower secondary schools, and 45 secondary schools have a facility of toilets. The DAO has provided scholarships to 5,148 dalit boys and 5,544 dalit girls.

Rape, Attempt to Rape and Sexual Abuses

INSEC has documented incidents of rape of children of the age between 9 and 17. The accused were the close relatives or acquaintances of the victims which include one father involved in raping his daughter. District Court, Palpa has sentenced up to 20 years for the accused of rape.

A mother of 9-year-old girl lodged

Types of Events	By Non-State	
	Female	Total
Child Trafficking	3	3
Rape	9	9
Sexual Abuse	2	2
Total	14	14

a complaint at District Police Office on March 24 against her husband accusing him of raping their daughter in an inebriated state. The accused was arrested on the same day by the police. The victim underwent a health checkup at District Hospital on March 26. On May 27, court sentenced him to 20 years in prison on charge of raping of his daughter.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 93 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence. Of which, 30 cases were of assault and ex-

Types of Events	By Non-State	
	Female	Total
Domestic Violence	21	21
Polygamy	3	3
Rape	3	3
Rape Attempt	1	1
Total	28	28

pulsion from the house, 40 of deprivation of food, 10 of physical and mental torture, 10 of polygamy and other 93 cases of minor dispute. Among these incident 75 cases were settled in agreement and three women were sent to shelter run by Women Rehabilitation Center (WOREC) in Butwal. The WCSC said 15 cases were forwarded for legal proceedings. INSEC has documented three cases of rape in the district this year while in 2013, there was one rape case documented.

A 48-year-old woman lodged a complaint at DPO on July 31 against Gyan Bahadur Kunwar, 35, of Palungmainadi VDC-1 accusing him of rape. The accused was arrested by the police on the same day the complaint was lodged. District Court sentenced him to six years in prison and asked him to pay Rs 50,000 to the victim as compensation on October 14. The victim underwent health checkup at District Hospital on August 17.

HEALTH SERVICE STATUS

There are one district hospital, 29 health posts and 33 sub-health posts in the district. According to District Public Health Office, out of the eight positions in the hospital, three is vacant. There are no positions for gynecologist. The district has 135 positions of Assistant Health Workers of which 127 are working. The district has one position for immunization supervisor which is filled. Annual health budget of the district is Rs 178,118,000 for public health and Rs 4,039,000 for medical expenses.



3.10 Kapilbastu



Headquarters :	Taulihawa
Area in Sq. Km :	1,738
No. of Households :	91,321
No. of Population :	571,936
Male :	285,599
Female :	286,337
No. of PwD :	7,333
No. of VDC(s)/Municipality(ies) :	77/1
Male Literacy :	173,551
Female Literacy :	124,113
Religion Hindu (%) :	80.62
Buddhism (%) :	0.87
Islam (%) :	18.16
Christianity (%) :	0.19
Prakriti (%) :	0.02
Shikha (%) :	0.004
Undefined (%) :	0.13
Average Household Size :	6.26

According to the INSEC documentation, the situation of human rights in 2014 is similar to 2013. In 2013, there were 71 people victimized in the incidents of human rights violation including 52 female and 19 male while in 2014 there are 69 people victimized by non-state actor including 60 female and nine male. Four male were the victims of human rights violation by state actor, this year.

Two women were killed by non-state actors this year which is similar to the last year. The data showed that most victims at the hand of the non-state actors were

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest & Torture	4	4			
Child Rights			14		14
Inhuman Behaviour				1	1
Killing			2	5	7
Racial Discrimination				3	3
Women Rights			44		44
Total	4	4	60	9	69

women and children. Most of them were the victims of sexual abuses, rape, sexual violence and domestic violence. In 2013, nearly half i.e. 35 victims fell into category of women rights violation including rape, domestic violation and trafficking.

According to the INSEC data, three men were subjected to caste-based discrimination, three women abused in witchcraft allegation and one woman was a victim of attempted to rape. There were 14 victims of child rights violations. 10 girls were victim of rape, two girls were victims of sexual abuses and two were the victims of attempted child trafficking. INSEC documented a total of 13 victims of child rights violation in the year 2013.

KILLING

The dead body of Surya Man Baracharya (monk), 87, of Kapilvastu Municipality-12 was exhumed on February 8. He went missing since January 25. The body was exhumed from Tilaurakot VDC-4. He was murdered by Shanti Lonia, 56, and her sons Dinesh Lonia, Badri Lonia, Madhav Lonia and family members on January 25. The victim's son had reported DPO on February 6 after Surya Man went missing. Police said that the accused confessed their crime. The postmortem of the body was conducted at District Hospital, Taulihawa on February 10. Police arrested all the accused and charged them with murder on February 8. Single bench of District

Court Judge Achyut Bhandari remanded Shanti, Badri and Madhav accused in custody whereas other accused Dinesh Lonia was released on bail amount of Rs 4,000. Similarly, daughter in-law and daughter were released on date.

Kaishaloli Musalman, 38, of Krishna Nagar in Shivaraj Municipality-2 was shot dead by an unidentified group on June 18. He was shot while having lunch in a local restaurant. He was rushed to the Universal Medical College Teaching Hospital and thence referred to Kathmandu. He died while undergoing treatment at TU Teaching Hospital in Kathmandu. The search for the accused is undergoing however no one has been arrested till now.

JAIL AND DETAINEES

The 'D' grade District Prison has a capacity to hold 85 inmates at a time. A total of 211 including 135 convicted and 76 detained inmates were held there at the end of the year. The prison administration said that the overcrowding of inmates in the prison is creating various difficulties for them. The inmates are receiving the services as per the government provision.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has five positions for judges, of them all are working at the end of 2014. There were 482 civil and 250 criminal cases pending. There are two criminal cases and no civil cases older than two years pending. Each district judge is responsible for 183 cases on average this year.

District Court Kapilvastu sentenced a woman of Kapilvastu Municipality-14 one month in jail and fined Rs 3,000 turning hostile in the case of rape of her daughter by her husband. She had earlier reported that the father had raped their 6-year-old daughter on February 27. She changed her statement while being interrogated in court

on September 5. The single bench of District Court Judge Achut Prasad Bhandari on November 16 issued the verdict against her for filing a false case. She had accused her husband of rape after he assaulted her on various occasions. The court gave clean chit to the father.

CHILD RIGHTS

Education Status

There are 336 primary schools, 97 lower secondary schools and 58 secondary schools. According to DEO, out of the total positions of 1,967 teachers, all are working at the end of the year. According to the DEO, a total of 85,053 boys and 78,433 girls of school going age are enrolled in schools. The office said that there are no disabled-friendly schools in the district. According to DEO data, all the schools have toilet facilities. There are four primary, four lower secondary and one secondary child-friendly schools in the district.

Types of Events	By Non-State	
	Female	Total
Child Trafficking	2	2
Rape	10	10
Sexual Abuse	2	2
Total	14	14

Rape, Attempt to Rape and Sexual Abuses

This year, the girl victims of rape are aged between 4 and 17. The accused are up to 67 years of age, according to the INSEC documentation. In most of the rape cases, the accused were the close relatives or acquaintances of the victims. INSEC documented one case in which a father was involved in the crime.

The relative of 4-year-old girl lodged a complaint against Chandra Bahadur Paudel, 55, of Shivapur VDC-1 at District Police Office (DPO) on February 27 accusing him of raping the girl. The police had arrested the accused on February 28 on

charge of luring a girl and raping her near the field. The single bench of District Court Judge Achyut Raj Bhandari sentenced him to five years in prison on June 29. The victim underwent health checkup at District Hospital on February 27.

Police arrested a father on charge of raping his 7-year-old daughter on April 8. The complaint against him was lodged by the locals at Area Police Office of Pipara on the same day. The incident came to light when the girl, who was living with her grandfather after her mother remarried, was heard crying by her friends who in turn told the locals. The accused was charged under Chapter on Rape of the General Code and was remanded in custody by the single bench of District Court Judge Achyut Raj Bhandari on May 1. The girl underwent a health checkup at District Hospital on April 8.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 235 women lodged complaints at Women and Children Service Centre (WCSC) against domestic violence out of which 51 cases of assault and expulsion from the house, 83 of deprivation of food, 74 of not making marriage and citizenship certificate, 13 of polygamy and 40 cases of minor dispute were registered in the office. Among these incidents, 154 cases were settled in agreement and 41 cases were forwarded for legal proceedings, according to the WCSC. This year, there was no incident of rape in the district. It had two cases of rape and one case of attempted to rape in 2013. There was one case of attempted to rape in the district documented by INSEC in 2014.

Ram Bahadur Bistha, a Constable at Area Police Office was caught by locals and handed over to the police on charge of attempting to rape a 19-year-old woman on

Types of Events	By Non-State	
	Female	Total
Domestic Violence	19	19
For Practicing Witchcraft	3	3
Rape Attempt	1	1
Sexual Abuse	6	6
Women Trafficking	15	15
Total	44	44

March 14. The victim was rescued by the locals after hearing her scream as the accused attempted to rape her near Gugauli Nyaulijung while she was returning from the rice mill. Departmental action was taken against the accused.

ALLEGATION OF WITCHCRAFT

Gyan Mati Tharu, 50, Bir Mati Tharu, 23, Parvati Tharu, 22 and Jagadish Tharu, 16 of Niglihawa VDC-1 were assaulted by Prachanda Tharu, 27, of same place alleging them of being witches. The injured victims underwent medical treatment at Jitpur Hospital on the same day. After the incident, the victims lodged a complaint at Area Police Office of Pipara against the accused on March 10. The accused was arrested by the police on the same day. The case was settled with an agreement that the accused would bear the medical expenses of the victims.

CASTE-BASED DISCRIMINATION

Nanda Lal Chaudhary, Rakesh Yadav, Ram Chandra Yadav, Kishun Chaudhary and Nepali Kahar locked out the house of Chandra Man Harijan, 40, Ram Niwas Harijan, 38, and Karta Ram Harijan, 35, of Sisniya in Lawani VDC-5 on August 23. Binaya Kumar Harijan, 21, the son of Chandra Man Harijan and Sita Chaudhary, 19, sister of Nanda Lal Chaudhary had eloped following their love affair. The Harijan families, displaced due to the

threats, returned to the village on August 24 in the initiation of human rights activists. The families did not file any complaint to the police.

HEALTH SERVICE STATUS

There are three district hospitals, 25 health posts and 48 sub-health posts in the district. According to the data provided by the District Public Health Office, of the seven positions of doctors in the hospital, four posts remained vacant this year. There is one position for gynecologist. The district has 149 positions of Assistant Health Workers out of which 32 are vacant. The annual health budget of the district is Rs 1,40,898,913 for public health and Rs 2,800,000 for medical expenses. The district has a problem due to the unavailability of specialist gynecologist and vacant positions of the doctors. This has compelled the patients to go to India for even a minor treatment.



3.11 Arghakhanchi



Headquarters :	Sandhikhark
Area in Sq. Km :	1,193
No. of Households :	46,835
No. of Population :	197,632
Male :	86,266
Female :	111,366
No. of PwD :	5,165
No. of VDC(s)/Municipality(ies) :	42/0
Male Literacy :	63,167
Female Literacy :	69,040
Religion Hindu (%) :	97.03
Buddhism (%) :	4.39
Islam (%) :	2.06
Kirat (%) :	0.01
Christianity (%) :	0.26
Undefined (%) :	0.1
Average Household Size :	4.22

According to INSEC documentation, human rights situation of Arghakhanchi district is little disappointing in 2014 as compared to 2013. In 2013, there were 46 victims in the incidents of human rights violation including 41 female and five male while in 2014, a total of 67 people including 65 female and two male were the victims. No incident of human rights violation by the state party is documented this year. Children were the victims of rape and sexual abuses whereas women were victims of sexual and domestic violence.

Two women were killed by non-state actor in 2014 as in 2013. This year,

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	5		5
Killing	2		2
Racial Discrimination		2	2
Women Rights	58		58
Total	65	2	67

two men were the victims of caste-based discrimination, two women were abused on the allegations of being witch, and a total of five children became victims of human rights violations. In 2013, three children were victimized.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 25 inmates at a time. A total of 18 including nine convicted and nine detained inmates were held there at the end of the year. There are no minor dependants and female inmates in the jail because there is no separate building for female inmates. There is only one toilet in the prison which has created difficulties for inmates and compelled to queue for long time. The roof of the building is very old and has a problem of leaking. The inmates complained of toilet being very dirty and lack of space. According to prison Chief Yagyashwar Panthi the inadequate budget has hampered the construction work.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has the positions of one judge. There were 38 civil and 26 criminal cases pending. There are no criminal and civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are 271 primary schools, 56 lower secondary schools and 37 secondary schools. Out of the total positions of 1,985

teachers, 211 positions were vacant at the end of the year. According to District Education Office 27,647 boys and 29,068 girls of school going age enrolled in the school this year. The DEO also said that there are no disabled-friendly schools in the district. Only 67 schools in the district have a facility of toilets. The district has 118 child-friendly schools.

Killing

The dead body of Rajan Bhusal, 13, of Thada VDC-5 was recovered on November 30 at Myali brook near his house on same VDC. The locals found his body a long time after he was noticed as missing. The victim's father lodged a complaint at Area Police Office in Thada VDC on November 25. The investigation on his death is going on the reason behind his murder is not known until the end of the year.

Types of Events	By Non-State	
	Female	Total
Child Labour	1	1
Child Marriage	1	1
Child Trafficking	1	1
Rape	2	2
Total	5	5

Rape, Attempt to Rape and Sexual Abuses

INSEC documented two cases of rape of girls, aged 5 and 14. Both cases of rape remained undecided by the District Court till the end of this year.

The relative of a 5-year-old girl lodged a complaint at Area Police Office on May 30 against Til Bahadur Somare, 19, of Simalapani VDC-1 accusing him of raping the girl while she was playing on the roadside. Somare was arrested on the same day by the police and was charged with rape. District Court Judge Pradesh Kumar Pyakurel remanded him in custody on May 28. The victim underwent a medical treatment at District health office on May 15.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

In 2014, a total of 45 women lodged a complaint at Women and Child Service Centre under DPO against domestic violence. This included 39 cases of assault and expulsion from the house and depriving of food and clothes and six cases of polygamy. Among these, 35 cases were settled in agreement whereas other 10 cases were processed for legal proceedings.

This year, INSEC documented two women victims of rape in the district. There were no incidents of rape documented last year. Of the two rape incidents, in one case, the court acquitted the accused whereas the other accused was sentenced to six months. Similarly, in one case, the accused of rape attempt was acquitted. The cases, in which the accused were acquitted, were moved to Appellate Court.

A 20-year-old woman lodged a complaint at District Police Office on January 29 against Gopal Acharya, 26, of Di-varna VDC-4 accusing him of raping her on January 25. The court acquitted him on November 13 citing lack of evidence.

Domestic Violence

In 2014, 45 women filed complaint at Women and Children Service Centre (WCSC) claiming domestic violence. Among the complaints, 39 were expulsion from home and six of polygamy. Of them, 35 were reconciled while 10 were of forwarded for legal action. INSEC docu-

Types of Events	By Non-State	
	Female	Total
Domestic Violence	48	48
For Practicing Witchcraft	2	2
Polygamy	5	5
Rape	2	2
Rape Attempt	1	1
Total	58	58

mented two victims of rape in 2014 while in 2013, there was no documented victim of rape.

Tara Rana Magar, 24, of Kim Danda VDC-5 lodged a complaint on March 11 at District Court against her husband Khim Bahadur Rana, 28, along with Bhim Bahadur Rana, Dil Kumari Rana and Giri Rana for physically and mentally torturing her. The case was previously settled in 2013 with a written and verbal agreement with the initiation of their neighbors however, she was compelled to lodge a complaint after the repetition of violent acts. The case remained pending.

HEALTH SERVICE STATUS

There are one district hospital, 19 health posts and two sub-health posts in the district. According to District Public Health Office, all six positions of doctors at the district hospital remained vacant. There are no positions for gynecologist. The annual health budget of the district is Rs 121,882,000 million for public health and Rs 2,700,000 for medical expenses. The district has a problem of unavailability of gynecologist.



3.12 Gulmi



Headquarters :	Tamghas
Area in Sq. Km :	1,149
No. of Households :	64,921
No. of Population :	28,160
Male :	120,995
Female :	159,165
No. of PwD :	7,671
No. of VDC(s)/Municipality(ies) :	79/0
Male Literacy :	88,888
Female Literacy :	98,749
Religion Hindu (%) :	96.78
Buddhism (%) :	2.78
Islam (%) :	0.15
Christianity (%) :	0.2
Prakriti (%) :	0.01
Undefined (%) :	0.072
Average Household Size :	4.32

INSEC documentation shows that there is some improvement in human rights situation of Gulmi district in 2014. In 2013, there were 116 people including 103 female and 13 male victims of human rights violation however this year, 63 people including 61 female and two male were the victims. There were no incidents of human rights violation from the state actor this year.

INSEC has documented that women and children were victimized by non-state actor in the district. The children were the victims of rape and sexual abuse and women faced sexual violence and domestic violence.

Three women were killed this year by non-state actor. Last year, one woman

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	10	1	11
Injured		1	1
Killing	3		3
Racial Discrimination	1		1
Women Rights	47		47
Total	61	2	63

and three men were killed by the non-state actor. There was one each incident of caste-based discrimination and attempted to rape documented this year. There were 11 incidents of child rights violation documented this year of which seven children were rape victims, two were victims of sexual abuse and one boy was faced corporal punishment. According to the INSEC documentation, there were six children victims of rape in 2013 with eight children being the victims.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 25 inmates at a time. A total of 86 including 53 convicted male, 23 detained male and nine convicted female were held there at the end of the year. There are two minor dependents in the jail.

Inmates complained that the service and facilities they are getting are not satisfactory. They further complained that the stakeholders of the state have neglected the issue to change the prison into rehabilitation center.

INJURED

The conflict-period explosive devices continue to inflict human loss and injuries. Khem Lal Panthi, 13, of Khasukharka, Dhamir VDC-9 was injured after playing with a sutali bomb found near his field taking it for a toy. He sustained injuries in his right hand and lost his fingers after he was hit by the shrapnel. Police said that the device must have been abandoned during the armed conflict.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has a position for one judge at the end of 2014. There were 48 civil and 59 criminal cases pending at the end of 2014. There are no criminal cases and civil cases pending older than two years.

CHILD RIGHTS

Education Status

There are 378 primary schools, 66 lower secondary schools and 70 secondary schools. Of the total positions of 1,982 teachers, 13 positions are vacant at the end of the year. District Education Office said that there are 18,511 boys and 19,072 girls of school going age in the district this year of which all boys and 18,698 girls enrolled. The Office said that there are no disabled-friendly schools in the district. All the schools have a facility of toilets. The District Education Office has provided scholarships to 8,447 dalit boys and 9,277 dalit girls. It said that all schools of the district are child-friendly.

Types of Events	By Non-State		
	Female	Male	Total
Corporal Punishment		1	1
Killing of Newborn Baby	1		1
Rape	7		7
Sexual Abuse	2		2
Total	10	1	11

Rape, Attempt to Rape and Sexual Abuses

This year, girl victims of rape aged from 4 to 17. The accused are up to 63 years of age, according to the INSEC documentation. In most of the rape cases, the accused were the close relatives or acquaintances of the victims.

A 6-year-old girl was raped by Eku Raj Bhandari, 60, a priest at Barahadevi temple of Aapchaur VDC-7 on May 14. The victim's family lodged a complaint

at DPO on May 16. The single bench of District Court judge Rhisiram Acharya remanded him in custody on June 4. The victim underwent a health checkup at District Hospital of Tamghas on May 16.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

In 2014, 320 women lodged a complaint of domestic violence at the Women and Children Service Centre under DPO. This included 137 cases of assault and expulsion from the house, 51 cases of depriving of food and clothes, four cases of polygamy, seven cases of not registering marriage and citizenship certificate and other cases of normal dispute. Among these, 307 cases were settled in agreement, 13 cases were processed for legal action.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	38	38
Polygamy	8	8
Rape Attempt	1	1
Total	47	47

A 42-year-old victim lodged a complaint at DPO on November 12 against Bal Bahadur Saru, 28, of Limgha VDC-8 accusing him of attempting to rape her on November 7. Based on the complaint lodged by the victim, the accused was arrested by the police on the same day and was remanded in custody by court order on November 2. The victim underwent a health checkup at Tamghas Hospital on November 12.

Laxmipati Sapkota, 70, of Harmi chaur VDC-3, Tallapokhari lodged an FIR against Dev Bahadur Thapa, 40, of Arbeni VDC-3 at DPO on August 11 accusing him of murdering Deurupa Sapkota, 59, after raping her on August 10. The accused was arrested by the police on August 10 and

was remanded in custody by a court order on September 1. The postmortem of the body was done at District Hospital of Syangja on August 9.

Nar Bahadur Sarki, 35, of Phoksin VDC-4 was arrested on charge of killing his wife Kumari Sarki, 26, on May 21. She reportedly died after Nar Bahadur hit her with a metal pipe accusing her of going out of the house without his consent. Police arrested him and his father on May 22 at their house. Based on the statement given by 8-year-old daughter of the victim, the father-in-law was arrested for his involvement in the murder. Single bench of District Court Judge Rishiram Acharya remanded the accused in custody on June 17. The postmortem of the body was conducted at District Hospital on May 23.

CASTE-BASED DISCRIMINATION

Deepa BK, 27 of Phoksin VDC-3 lodged a complaint at District Court on August 21 against Tek Bahadur Rana, 34, and his family members accusing them of caste-based discrimination. She accused them of not letting her to enter the house citing her caste and sought compensation. Based on the complaint lodged by the victim, the court ordered to present Tek Bahadur on October 14 however the accused and his family remained at large until the end of the year.

HEALTH SERVICE STATUS

There are one district hospital, 28 health posts and 48 sub-health posts and four primary health centers in the district. According to District Public Health Office, out of the 14 positions of doctors in the hospital, nine posts remained vacant. There is one position for gynecologist however the post remained vacant. The district has 159 positions of Assistant Health Workers of which 143 are working. The annual health budget of the district is Rs 52,944,000 million for public health and Rs 2,800,000 for

medical expenses. The patients of the district are compelled to go to Bhairahawa or other hospitals with better facilities for minor health problems due to lack of doctors.



3.13 Baglung



Headquarters :	Kalika (Baglung)
Area in Sq. Km :	1,784
No. of Households :	61,522
No. of Population :	268,613
Male :	117,997
Female :	150,616
No. of PwD :	6,179
No. of VDC(s)/Municipality(ies) :	59/1
Male Literacy :	86,299
Female Literacy :	93,180
Religion Hindu (%) :	89.27
Buddhism (%) :	8.74
Islam (%) :	0.27
Christianity (%) :	0.63
Prakriti (%) :	0.67
Bon (%) :	0.03
Undefined (%) :	0.392
Average Household Size :	4.37

According to the INSEC documentation, there were no changes in human rights situation of Baglung district in the year 2014. In 2013, there were 48 people who were the victims in human rights violation including 18 women and 30 men whereas in 2014 a total of 51 people were the victims including 49 men and two

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	4	2	6
Killing	1		1
Women Rights	44		44
Total	49	2	51

women. No incident of human rights violation by the state actor is documented this year. Most of the women and children victims were subjected to domestic and sexual violence.

One woman was killed by non-state actor. In 2013, there were two such cases. Eight women were raped and 30 were victims of domestic violence this year. There were six child victims of which four were raped and one was sexually abused. Five children were victimized of child rights violation in 2013.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 25 inmates at a time. A total of 97 including 55 convicted and 43 detained inmates were held there at the end of the year. There are 10 women inmates and one minor dependant in the jail.

Inmates complained that the over capacity of prison has created difficulties among inmates. The inmates are facing various illnesses such as skin and respiratory problems and some are suffering from mental illness. There is a difficulty due to lack of sleeping space and shortage of drinking water among other issues. The inmates are compelled to sleep in a tent due to the lack of space.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has a position for one judge. There were 32 civil and 122 criminal cases pending. There are no criminal or civil cases older than two years pending.

There are four positions of Appel-

late Court judge of them, all are working. There are 18 criminal cases and 68 civil cases pending. There are no cases older than two years pending. On average, one judge is responsible for 215 cases.

CHILD RIGHTS

Education Status

There are 350 primary schools, 78 lower secondary schools and 48 secondary schools. Out of the total positions of 2,500 teachers, 793 positions were vacant at the end of the year. District Education Office said 34,513 boys and 37,435 girls of school going age enrolled in the school this year. The DEO said all schools except six are disabled friendly in the district. All the schools have a facility of toilets. The DEO has provided scholarship to a total of 2,129 dalit students till Grade 8 and 2,385 from standard 8 to 10. The students up to grade 8 received Rs 400 per month and the students of Grade 9 and 10 receive Rs 500 per month. Out of 530 schools, nine schools are children friendly.

A complaint against Laxman Pathak, 30, of Painyupata VDC-7 was lodged at the District Police Office (DPO) by a 13-year-old victim on August 20 accusing him of raping her after holding her hostage. The victim underwent a health checkup at Dhaulagiri Zonal Hospital on the same day. The accused remained at large until the end of the year.

A 15-year-old girl lodged a complaint at DPO on August 21 against Dhru-ba BK, 26, of Dididanda in Arghakanchi VDC-3 and currently living in Baglung

Types of Events	By Non-State		
	Female	Male	Total
Killing of Newborn Baby		1	1
Rape	4		4
Sexual Abuse		1	1
Total	4	2	6

Municipality-1 accusing him of raping her. The DPO arrested the accused on August 22 and District Court Judge Jagat Man Shrestha remanded him in custody. The victim underwent health checkup at District Hospital on August 22.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

In 2014, 89 women lodged a complaint of domestic violence at the Women and Children Service Centre under the DPO. This included 20 cases of assault and expulsion from the home, 11 cases of deprivation of food and clothes, nine cases of polygamy, five cases of refusing to register marriage and citizenship certificate and 44 cases of minor dispute. Among these, 80 cases were settled in agreement and nine cases were processed for legal proceedings.

INSEC has documented eight cases of rape this year. In 2013, just one incident of rape was documented. One woman was killed by her family member. There was minimum punishment to the accused of serious domestic violence this year.

A relative of 61-year-old woman lodged a complaint at DPO on June 26 against Judda Bahadur Kaucha, 33, of Jaljala VDC-6 accusing him of raping her. The victim underwent health checkup on the same day at Dhaulagiri zonal hospital. District Court remanded him in custody on December 3.

Trafficking

The relatives of a 20-year-old woman rescued her from Dumre of Tanahun district on June 6 while she was being trafficked by Mohan Chettri, 28, of Sheram VDC-2, Rolpa and currently living in Hatiya VDC-4, promising her with marriage. The victim had lodged a complaint against Mohan Chettri, Sandesh Rana, 28,

Types of Events	By Non-State	
	Female	Total
Domestic Violence	30	30
Polygamy	4	4
Rape	8	8
Rape Attempt	1	1
Women Trafficking	1	1
Total	44	44

of Hatiya VDC-4 and a 17-year-old boy of Rukum district at the DPO on June 7. The accused were arrested by the police and charged under human trafficking act. Prime accused Mohan remained at large at the end of the year. District Court Judge Jagat Man Shrestha remanded Sandesh Rana in custody on July 4.

Killing by Family Member

Nimu BK, 33, of Bowang VDC-8 was murdered by her husband Chabi Lal BK, 48, on August 28 using an axe over a domestic dispute. The locals informed the police about the incident leading to his arrest on August 29. The accused confessed that he murdered his wife in an inebriated state over a minor dispute. District Court judge Jagat Man Shrestha remanded him in custody on September 19.

HEALTH SERVICE STATUS

There are one district hospital, 21 health posts and 37 sub-health posts in the district. According to District Public Health Office, though there are three positions for doctors in the hospital, four were working at the end of the year. There is no position for gynecology specialist. The district has 125 positions of Assistant Health Workers of which 95 are working. The annual health budget of the district is Rs 87,541,000 for public health and Rs 2,800,000 for medical expenses. Absence of gynecologist poses problem for women needing special care.

3.14 Parvat



Headquarters :	Kusma
Area in Sq. Km :	494
No. of Households :	35,719
No. of Population :	146,590
Male :	65,301
Female :	81,289
No. of PwD :	3,653
No. of VDC(s)/Municipality(ies) :	55/0
Male Literacy :	50,009
Female Literacy :	51,280
Religion Hindu (%) :	89.48
Buddhism (%) :	9.32
Islam (%) :	0.43
Christianity (%) :	0.45
Prakriti (%) :	0.02
Bon (%) :	0.19
Shikha (%) :	0.001
Undefined (%) :	0.093
Average Household Size :	4.10

There is a slight improvement in human rights situation of Parbat district this year as compared to the last year. In 2013, a total of 23 people were victims in the incidents of human rights violation including 11 women and 12 men while in 2014 the total number of victims is 17.

In 2014, 15 women were victimized by non-state actor. No incident of human rights violation by the state actor is documented this year. Most of the women and children were the victims of sexual and domestic violence.

Types of Events	By Non-State		
	Female	Male	Total
Beatings		1	1
Child Rights	3		3
Killing	2	1	3
Women Rights	10		10
Total	15	2	17

One man and two women were killed this year. Last year, there were two killings. This year, one woman and two children were the victims of rape. Three cases of child rights violations were documented by INSEC out of which two cases were of rape and one case was of trafficking. In 2013, two children were victimized.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 75 inmates at a time. A total of 70 including 49 convicted and 21 detained inmates including seven female inmates were held there at the end of the year. There are no minor dependants in the jail.

At least 12 inmates were injured in a clash at District Prison on August 5. Among those injured, prisoners' leader Ananda KC, Amrit Neupane and Lila Bahadur Khorja were taken to Pokhara for further treatment after receiving a primary treatment at District Hospital. Other injured were treated at District Hospital. The clash started after the dispute between prison leader Ananda KC and other inmates. The police force deployed from the District Police Office had taken the situation under control.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has a position for one judge. There were 49 civil and 28 criminal cases pending till the end of 2014. There are no criminal cases and civil cases pending older than two years.

CHILD RIGHTS

Education Status

There are 225 primary schools, 40 lower secondary schools and 55 secondary schools. Of the total positions of 2,040 teachers, 64 are vacant at the end of the year. According to District Education Office, there are 21,945 boys and 22,366 girls of school going age. The office said that there are no disabled-friendly schools in the district. All the schools have a facility of toilets. The District Administration Office has been providing scholarships to 5,313 dalit boys and 5,599 dalit girls.

Types of Event	By Non-State	
	Female	Total
Child Trafficking	1	1
Rape	2	2
Total	3	3

The family of a 13-year-old girl filed a complaint against Kashi Ram Pariyar, 28, of Piple VDC-6, Myagdi on February 21 accusing him of raping her by threatening her for life, while she was sleeping at her home on February 19. He was arrested by the police on February 22 and remanded in custody by the single bench of District Court Judge Madhavendra Raj Regmi. On July 7, Judge Regmi sentenced him to 8 years in prison.

A 17-year-old girl was sexually abused by hotelier Kamala Bhandari of Baribeni in Majhphat VDC-3, Ganesh Bhandari and Sujana Bhandari of Rakhubhagwati VDC-9 of the same place and an Indian national Anil Sharma on August 13. The accused were arrested by the police on August 16 and charged them under human trafficking. District Court Judge Madhavendra Raj Regmi remanded them in custody on September 4.

The victim's family of a 13-year-old girl lodged a complaint at District Police Office (DPO) against Ram Bahadur Pari-

yar, 48, of Shivalaya VDC accusing him of raping the girl on February 20. The police arrested the accused on the same day. The complaint states that the accused raped the girl by alluring her with a promise of giving her money while she was alone at her home. The victim underwent a health checkup at District Public Health Office on February 21. District Court Judge Madhavendra Raj Regmi on April 12 sentenced him to prison for 8 years after convicting him.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A 20-year-old woman lodged a complaint at District Police Office on May 22 against Suman Thapa, 25, of Pangrang VDC-8, Dhiraj Kunwar, 25, Krishna Kunwar, 30, Parbati Kunwar, 30, Lila Kunwar, 37, and Ram Krishna Pariyar, 21, of Bajung VDC-1 for forcing her into prostitution. Based on the complaint lodged by the victim, the accused were arrested by the police on May 23 and charged for human trafficking. Among the accused, Dhiraj Kunwar was remanded in custody and other five accused were released on bail.

Types of Event	By Non-State	
	Female	Total
Domestic Violence	6	6
Polygamy	2	2
Rape	1	1
Women Trafficking	1	1
Total	10	10

A 28-year-old woman lodged a complaint at District Police Office on September 5 against Rajan Adhikari, 24, of Huwas VDC-7 accusing him of raping her after entering into her house in an inebriated state. Police arrested the accused on September 6 for investigation. Single bench of District Court Judge Madhavendra Raj Regmi gave him a clean chit on October 20 due to the lack of enough evidences.

Mother of a victim Khem Kumari Gautam of Danda Kharka VDC-1 lodged an FIR against Durga Datta Subedi, 55 and Kalika Subedi, 48, of Shankhar Pokhari VDC-9, father-in-law and mother-in-law respectively of her daughter on April 4 accusing them of murdering her daughter Bimala Subedi, 22. The victim went missing on January 16 and her dead body was recovered from the bank of Kaligandaki River on April 3. The postmortem of the body was conducted at District Hospital on April 4. According to the mother of the deceased, she was tortured physically and mentally by the accused family over Dowry. Based on the complaint, the accused were arrested by the police on April 4 and were remanded in custody by a court order on April 29.

Sushila Sharma, 50, had lodged an FIR against her son-in-law Sanjeev Silwal, 29, and his father Bhuwaraj Silwal, 58, of Bachha VDC-5 on June 15 accusing them of murdering her daughter Anju Sharma, 25, on June 11. The complaint stated that the victim used to get physical and mental torture over a dowry. The postmortem of the body was conducted at District Hospital on June 15. The accused were arrested on June 15 and were charged of murder.

CASTE-BASED DISCRIMINATION

Rajesh Nepali, 16, of Pang VDC-2 died while undergoing treatment at Manipal Hospital in Pokhara in an intra-dalit clash between two dalit communities on April 14. The clash started over the issue

of untouchability between Sarki and Kami community at a thread giving ceremony of Ram Krishna BK at Kunachaur in Pang VDC-2 on April 4. Chitra Bahadur Nepali, 35, Rajesh Nepali, 16, and Shambhu Nepali, 16, of Pang VDC-2 were injured in a clash and rushed to Manipal Hospital in Pokhara. The victim's party had lodged a complaint against Shambhu Nepali, 20, Shankar BK, 16, Bishnu Sunar, 21, Shankar BK, 28, Prakash Sunar, 18, Ashok Sunar, 20, Binod Nepali, 18, Rabin Nepali, 24, Dinesh Nepali, 21, Ram Krishna Sunar, 21, Mohan Sunar, 25, and Chandra Bahadur Sunar, 40, of Pang VDC-2 at District Police Office on April 14. The accused were arrested by the police on April 14.

District Court Judge Madhavra Raj Regmi remanded Bishnu Sunar, 21, Ashok Sunar, 20, Mohan Sunar, 25, and Chandra Bahadur Sunar, 40, of Pang VDC-2 where as other accused was released on date.

HEALTH SERVICE STATUS

There are five hospitals, 26 health posts and 26 sub-health posts in the district. According to District Public Health Office, there are four positions of doctors in the hospital, however eight doctors are working. There are no positions for gynecology specialist. The district has 100 positions of Assistant Health Workers out of which 16 are vacant. The annual health budget of the district is Rs 78,029,000 for public health and Rs 2,600,000 for medical expenses.



3.15 Myagdi



Headquarters :	Beni
Area in Sq. Km :	2,297
No. of Households :	27,762
No. of Population :	113,641
Male :	51,395
Female :	62,246
No. of PwD :	6,122
No. of VDC(s)/Municipality(ies) :	41/0
Male Literacy :	37,737
Female Literacy :	37,793
Religion Hindu (%) :	87.16
Buddhism (%) :	10.33
Islam (%) :	0.16
Kirat (%) :	0.02
Christianity (%) :	1.33
Prakriti (%) :	0.78
Bon (%) :	0.02
Undefined (%) :	0.209
Average Household Size :	4.09

There were 20 victims documented by INSEC in 2014 of which 18 were female and two were male. Most of the victims were the violation of women rights among them, five were victims of rape and two were of attempt to rape. One was abused of being a witch while three were victims of polygamy. Two men were killed while one woman was abducted. One girl was raped. No human rights violation from state actors was documented.

In 2013, the total number of victims was 23 of which 14 were female and nine

Types of Events	By Non-State		
	Female	Male	Total
Abduction	1		1
Child Rights	1		1
Killing		2	2
Women Rights	16		16
Total	18	2	20

were male. Five women were raped and five were victims of domestic violence.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 32 inmates at a time. A total of 95 including 75 convicted and 20 detained inmates were held there at the end of the year including 90 male and five female. There are no dependents in the prison.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were 70 civil and 23 criminal cases pending. No criminal cases or civil cases older than two years remained pending.

CHILD RIGHTS

Education Status

There are 147 primary schools, 34 lower secondary schools and 39 secondary schools in the district. All of the total 1,009 positions for teachers were occupied at the end of the year. According to District Education Office, 15,634 boys and 16,200 girls of school going age enrolled in the school. It further said that there are no disabled-friendly schools in the district. The DEO data showed that all the schools have facility of toilets. According to the DEO, the total of 6,296 dalit boys and 4,975 dalit girls are receiving scholarships.

A 16-year-old victim lodged an FIR at DPO on November 4 against Khim Bahadur BK, 34, of Takam VDC-8 accusing him of raping her near the jungle in Muna

Types of Event	By Non-State	
	Female	Total
Rape	1	1
Total	1	1

VDC-1 on November 22. The accused was arrested by the police and remanded in custody by a court order on December 22. The victim underwent health checkup at District Hospital on November 24.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

The family of a 30-year-old verbal and hearing impaired woman lodged a complaint at DPO on July 4 against Rajendra Neupane, 30, of Takam VDC-6 accusing him of raping her on July 3. The accused raped her while she was cutting grass in the jungle. The victim underwent health checkup at District Hospital on July 4. The accused was remanded in custody by a court order on August 21.

A 21-year-old victim lodged a com-

Types of Events	By Non-State	
	Female	Total
For Practicing Witchcraft	1	1
Polygamy	3	3
Rape	5	5
Rape Attempt	2	2
Domestic Violence	5	5
Total	16	16

plaint at sDPO on July 9 against Dinesh Pun, 18, of Niskot VDC-2 and Chem Bahadur Pun, 21, of Niskot VDC-4 accusing them of attempting to rape her on July 8. The accused was arrested on the same day by the police. The District Court acquitted them citing lack of enough evidence.

HEALTH SERVICE STATUS

There are one district hospital, one primary health center, 16 health posts and 16 sub-health posts in the district. According to District Public Health Office,

out of the two positions of doctors in the hospital, all are working. There are no positions for gynecology specialist. The annual health budget allocated for the district is Rs 96,042,000 for public health and Rs 1,800,000 for the medical expenses. The patients of the district are facing difficulties in treatment due to the lack of doctors. The patients could not get free medicines easily despite the government policy. Lack of gynecologists in the district has also created difficulties for the female patients.



3.16 Mustang



Headquarters :	Jomsom
Area in Sq. Km :	3,573
No. of Households :	3,354
No. of Population :	13,452
Male :	7,093
Female :	6,359
No. of PwD :	204
No. of VDC(s)/Municipality(ies) :	16/0
Male Literacy :	5,173
Female Literacy :	3,466
Religion Hindu (%) :	37.47
Buddhism (%) :	60.18
Islam (%) :	0.02
Kirat (%) :	0.14
Christianity (%) :	1.13
Prakriti (%) :	0.04
Jain (%) :	0.01
Bon (%) :	0.73
Undefined (%) :	0.29
Average Household Size :	4.01

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold seven inmates at a time. A total of 10 inmates including six convicted and four detained of the total inmates on is female and nine are male. This district prison was built for administrative purpose so it is not suitable for inmates. The prison is in a very old building. There is lack of rooms for the inmates. The facilities are given according to the law, said prison administration.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position of judge. There were two civil and three criminal cases pending. There are no criminal or civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are 41 primary schools, six lower secondary schools and six secondary schools. Out of the total positions of 322 teachers, 5 positions are vacant at the end of the year. District Education Office said 1,209 boys and 1,200 girls of school going age enrolled in the school.

JHUMA CUSTOM

Traditionally, the second daughter of a family becomes a Jhuma. However, over time, becoming a Jhuma has been a matter of choice rather than a cultural or social obligation. Jhuma are not forbidden to marry as was the case in the past but they have to seek apology for their marriage to the Lamas at the related monasteries. Jhuma gets property like a son if she maintains her life as jhuma. Jhumas can study like other Lamas of Dhawas in the monasteries, can equally participate the worshipping and receive equal pay from the worshippers on a par with monks. Though being modernized, the practice has deep-roots in society

due to age-old religious beliefs. The locals believe prayers conducted by Jhumas can resolve the problems of sickness, troubles and issues at homes. A Jhuma herself, Ani Khando of Luri Gomba says that Jhuma gets more respect than mothers.

MUKHIYA (VILLAGE HEAD) CUSTOM

Mukhiya Custom is long practice in the district. Mukhiyas take law making into their own hands. Earlier, anyone of high social and economic ranking would assume the position of Mukhiya for as long as he wished. The Mukhiya used to deliver verdict unilateral and there was little chance to appeal or reject. Even the rules covering wide areas were made without consultation with the concerned locals. However, the practice is gradually getting reformed.

Nowadays, the selection of Mukhiya is democratic and participated by locals with a fixed term of two to three years. The locals believe that the administration under the Mukhiya custom is speedy, efficient, transparent and convenient. In the absence of local government, these Mukhiyas have been coming forward as people's representatives and extending support in VDC and village-level work and development work. However, the custom is not bad but one cannot defy the decision of Mukhiya and women, Dalit cannot attend the village meetings.

HEALTH SERVICE STATUS

There are one district hospital, eight health posts and seven sub-health posts in the district. According to District Public Health Office, both positions of doctors in the hospital remained filled. There are no positions for gynecologist. The district has 20 positions of Assistant Health Workers out of which three are vacant. The annual health budget of the district is Rs 53,288,000 for public health and nearly Rs 4,369,375 for medical expenses.



Human Rights Situation of **Mid Western Region**

The Mid-Western Development region has 15 districts. The region is comprised of Humla, Jumla, Dolpa, Mugu from mountainous region, Surkhet, Dailekh, Kalikot, Pyuthan, Salyan, Rukum, Jajarkot, Rolpa from hilly region and Dang, Bardiya, Banke from Tarai region. The region saw a sharp rise in number of victims of human rights violation in the districts in 2014, mainly violence against women and children.

The number of victims of HR violation in the development region decreased in comparison to previous year. INSEC documented 841 victims in Mid-Western Region whereas in 2013, it was 966. Surkhet has biggest drop in documented number of victims, from 251 in 2013 to 154 in 2014. Similarly, Rolpa saw a drop of 50 victims, from 70 to 20. The drop in the number does not mean that the situation improved but that due to the limited access to sources for coverage.

The women rights violation in the region has increased by 190 victims. In 2013, there were 354 victims while in 2014, there 544 were victims of women rights. Surkhet (116) and Rolpa (11) had signifi-

cant drop in women victims. In 2013, the number was 134 and 22 respectively. Of 116 victims of women rights in Surkhet, 112 were of domestic violence while in Bardiya, the number of victims of domestic violence was 72. There were 367 victims of domestic violence in the region. 35 victims of rape, 16 of rape attempt and 44 of sexual abuse were documented. 18 women were the victims of trafficking or trafficking attempt. Allegation of witchcraft practice left 13 women abused. There were 49 victims of polygamy in the region. Two women were documented as dying due to lack of post-natal services. Most of the documented cases of women rights violation in the region in 2013 were domestic violence (253) and sexual violence, including rape (31), polygamy (23), sexual abuse (19) and attempt to rape (13). Eight were abused on charge of practicing witchcraft and seven were the victims of trafficking.

Child victims increased in the region in 2014, i.e. 129 in comparison to 87 in 2013. Out of 129, there were 104 girls and 25 boys. Most of the boys were victims of trafficking (17) and two were sexually abused and 12 child brides. Among the

Fig 1: Human Rights Violation in Mid Western Region

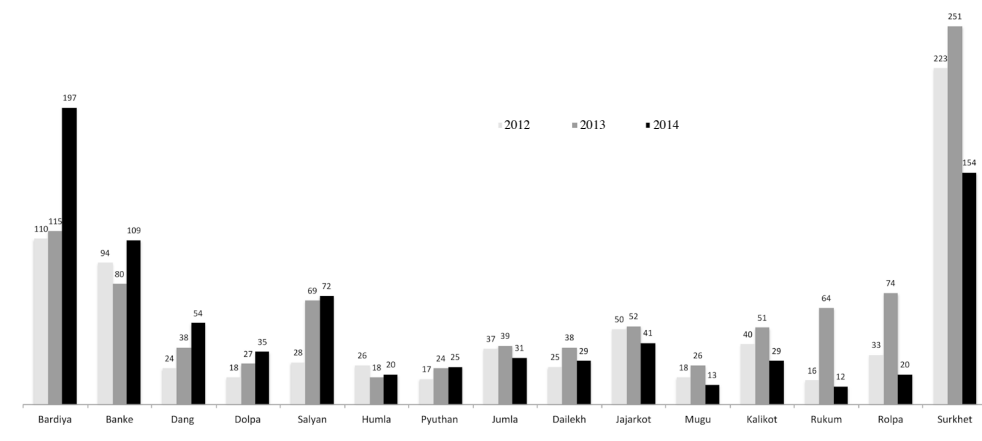
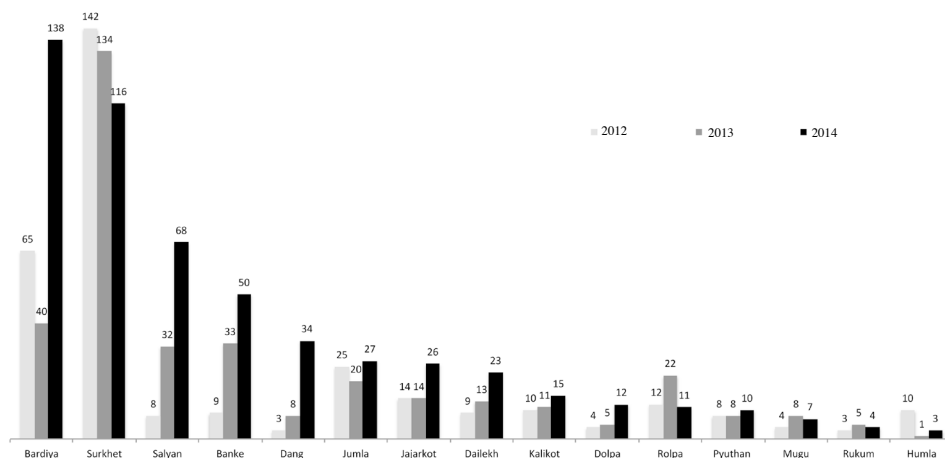


Fig 2: Women's Rights Violation in Mid Western Region



girls, 60 were raped and 25 were sexually abused. Most of the victims were from Banke (38) of whom 17 boys and one girl was victim of trafficking. In 2014, there were 55 girls raped, 16 girls survived sexual abuse and five were victims of corporal punishment.

Total capacity of the 14 district prisons is 811 (Dang data not included) but the occupancy at the end of the year was 1,537. Banke district has the highest number of occupancy, i.e. 550 whereas the capacity of the prison is just 250. There are 14 depen-

dents, including 10 girls and four boys. Six dependents were in Banke Prison. In 2013, total capacity of the 15 district prisons was 811 but at the end of 2013, there were 1,517 inmates. Having most number of mountainous districts, the region has regular food shortages in those districts especially in Karnali zone. Difficult terrain along with poor condition of the road mean that the people of the mountains face many hardships for treatment, food security, travel and access to government services.



4.1 Dang



Headquarters :	Ghorahi
Area in Sq. Km :	2,955
No. of Households :	116,415
No. of Population :	552,583
Male :	261,059
Female :	291,524
No. of PwD :	12,881
No. of VDC(s)/Municipality(ies) :	39/2
Male Literacy :	188,933
Female Literacy :	171,954
Religion Hindu (%) :	96.46
Buddhism (%) :	1.16
Islam (%) :	0.87
Christianity (%) :	1.34
Prakriti (%) :	0.07
Bon (%) :	0.01
Undefined (%) :	0.079
Average Household Size :	4.75

According to the INSEC documentation, the incident of human rights violation increased in Dang district in 2014 in comparison to the last year. In 2013, 21 people were victimised by the non-state actor out of which 18 were female and three were male. A total of 17 people were victimized by state actor out of which 13 were male and four female. This year, 54 people were victimized by non-state actor of which 51 were female and three was male. This year there was no report of human rights violations and abuses by the state actor in

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	13	1	14
Injured	1	2	3
Killing	3		3
Women Rights	34		34
Total	51	3	54

Dang.

Based on the data it seems that the women and girls are more vulnerable in this district. The girls were victims of rape and sexual violence whereas the women were victims of sexual and domestic violence. One woman was killed by a non-state actor while two women were victims of rape. This year, 14 cases of child rights violation were reported by INSEC in which seven girls were the victims of rape and four were victims of sexual violence. In 2013, 7 children were victimized in different incidents of human rights violation in the district.

INJURED

An employee of Bhamke river bridge construction situated in Tulsipur-Surkhet section Surendra Deshar, 24, of Chapagaun, Lalitpur was shot by an unidentified group on July 2. According to the police, the victim was shot in his thigh. He was treated at Alka hospital in Kathmandu. The group involved in this attack could not be identified at the end of the year.

JAIL AND DETAINEES

District Prison Ghorahi

The 'E' grade District Prison has the capacity to hold 50 inmates at a time. However, a total of 165 including 102 convicted and 63 detained inmates were held there at the end of the year.

Tulasipur Prison

The 'D' grade District Prison has the capacity to hold 100 inmates at a time. However, a total of 189 including 179 con-

victed and 10 detained inmates were held there at the end of the year. There is one dependant boy and one girl in the prison.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

There are two positions for judge in district court. Both positions are occupied. There are 297 civil cases and 228 criminal cases pending at the end of the year. The District Court does not have civil cases older than two years but a total of two criminal cases older than two years remained pending at the end of the year. One judge is responsible for 260 cases on average in the court.

Appellate Court

There are six positions for the judges in the Appellate court among which one remained vacant. There are no civil cases pending at the end of the year however, 211 criminal cases are pending. One judge is responsible for 60 cases on average in the court.

CHILD RIGHTS

Education Status

There are 252 primary schools, 85 lower secondary schools and 51 secondary schools in this district. According to District Education Office, all the 1,740 positions of teachers are occupied and that 3,030 teachers are at work in the district. A total of 55,925 girls and 63,925 boys of school-going age enrolled in the schools. All the schools have the toilet facilities. None of the schools are disable-friendly.

Rape, Attempt to Rape and Sexual Abuses

INSEC documentation shows that girls aged between 3 and 17 years of old were the victims of rape, this year. The minors to 80-year old man were accused of this violation. In most of the rape cases, the perpetrators were close relatives and

Types of Events	By Non-State		
	Female	Male	Total
Attempt to Kill	1	1	2
Corporal Punishment	1		1
Rape	7		7
Sexual Abuse	4		4
Total	13	1	14

acquaintances of the victims. In a case, a grandfather was arrested on the allegation of raping his granddaughter. INSEC has documented one case of gang rape.

Hurmat Dhital, 80, lured a 7-year-old girl and raped her while she was going to school on February 16. The victims' family filed a complaint on the same day. The victims' medical checkup was held on the same day at a local hospital. The accused was arrested on the same day and was convicted by the court on March 20. He was sentenced for 10 year's imprisonment by the court.

The police found a 5-year-old girl at unconscious state inside a bus near Bud-dhi garage at Ghorahi on November 2. The victim's health checkup was held at Rapti Sub-regional Hospital on the same day. According to the medical report, the girl was killed after rape. The police informed that they were investigating incident and the accused were at large at the end of the year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

In 2014, 38 women filed complaint of domestic violence at Women and Children Service Centre (WCSC) of District Police Office in Dang. Among them, 16 cases were of assault and expulsion from house, 14 cases of deprivation of food and clothes, two cases of polygamy were reported in the district. Among these cases, a total of 32 cases were settled at police office whereas one case was sent to court for legal action. In 2013, there were no reported cases of rape.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	16	16
For Practicing Witchcraft	4	4
Polygamy	7	7
Rape	5	5
Rape Attempt	2	2
Total	34	34

A 35-year-old woman was raped by a group on June 29. The accused rapist, Pawan DC, 24, of Rolpa district now residing in Sarra, Ghorahi Municipality-1, Guru Prasad Chaudhary, 17, and Durga Chaudhary, 17, Pradip Chaudhary, 18, and another 17 year old of Sarra, Ghorahi Municipality 1 were arrested by the police on November 2. Another accused of same case, Ashish Neupane was absconding. District Court remanded all five of them in Ghorahi Prison. The case remained undecided until the end of the year.

Killing by Family Member

Kailash Chaudhary, 78, of Pachaha, Gobardiha VDC-4 was arrested by the police on December 3 on charge of killing his wife Chanchala Chaudhary, 76, by attacking with a spade on the same day. According to the police, Kailash was in inebriated state during the incident and he killed his wife in the farm. The accused was remanded in custody as per the order of the court on December 11.

Injured by Family Member

Sushila Damai, 35, of Rampur VDC-8 was injured when his husband attacked her with khukuri on April 27. According to the police, Gale was in an inebriated state during the incident. The victim

was treated at Rapti sub-regional hospital. A both side agreement was reached in the presence of police when the accused promised not to repeat such incident in future on April 2.

Tek Bahadur Sarki, 46, of Aspataldanda, Bijauri VDC-7 was arrested by the police on June 29 on charge of attacking his wife Kumari Sarki, 45, with a khukuri on the same day. The victim's younger brother reported to the police about the incident. According to the police, the accused was an inebriated state. The victim had serious injuries in head, hand and face. The victim was treated at Rapti Sub-regional Hospital. An agreement was reached on July 9 between both sides when the accused promised not to repeat such incident in future.

ALLEGATION OF WITCHCRAFT

An elderly woman filed a complaint in the District Police Station on February 28 stating that Sukrabir Gandarbha of Hapur VDC-7 on February 24 accused her of practicing witchcraft. On February 28, the police arrested the accused and filed a case at the District Court. The court slapped him a fine of Rs. 5,000 on July 9.

HEALTH SERVICE STATUS

There are three hospitals, 20 health posts and 16 sub-health posts in Dang district. Among the four positions of doctors in the district hospital, one was vacant. Among the 99 positions of Assistant Health Worker, one position was vacant. According to the District Health Office, the annual budget of the DPHO is Rs 138,426,000 out of which Rs.10,000,000 is medical expenses. There is no position for gynecology specialist in this district.



4.2 Pyuthan



Headquarters :	Khalanga
Area in Sq. Km :	1,309
No. of Households :	47,730
No. of Population :	228,102
Male :	100,053
Female :	128,049
No. of PwD :	5,930
No. of VDC(s)/Municipality(ies) :	49/0
Male Literacy :	68,365
Female Literacy :	68,904
Religion Hindu (%) :	96.61
Buddhism (%) :	2.82
Islam (%) :	0.27
Christianity (%) :	0.24
Prakriti (%) :	0.01
Undefined (%) :	0.054
Average Household Size :	4.78

INSEC documentation shows that there is no significant improvement of the human rights situation in Pyuthan district in 2014 as compared to the last year. In 2013, a total of 23 people were victims of human rights violations out of which 16 were female and seven were male. This year, 25 people were victimized by non-state actor out of which 21 were female and four was male. There is no documentation of any incidents of human rights violations committed by state actor in Pyuthan district.

Most of the victims of the human right violations carried out by non-state

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	9	3	12
Injured	1		1
Killing	1	1	2
Women Rights	10		10
Total	21	4	25

actor were women and girls. The girls were victims of rape and sexual violence whereas the women were victims of sexual violence and domestic violence.

This year, one male and one female were killed by non-state actor but two persons were killed, last year. This year, two women were raped. This year, 12 victims of child rights violations were documented among which three girls were raped and six girls were sexually abused. In 2013, four children were victimized. A case of gruesome killing of one-year-old child by a woman was also reported in the district.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 25 inmates at a time. A total of 70 including 59 convicted and 11 detained inmates were held at the end of the year. Among the convicted inmates, 52 are male and seven were female whereas there were seven male and four female detainees. There are two television sets, library and newspaper in the prison. According to the inmates, the prison is not convenient because of the old buildings and overcrowding.

RIGHT TO PROMPT AND FAIR TRIAL

There is one position for judge in the District Court. There were 40 civil cases and 51 criminal cases pending at the end of the year. There are no pending civil cases and criminal cases older than two years.

CHILD RIGHTS

There are 285 primary schools, 55 lower secondary schools and 47 secondary schools in this district. The total positions of 1509 teachers are all occupied. This year, 34,502 boys and 36,054 girls of school-going age enrolled in the school. According to District Education Office (DEO), it has provided scholarships to 7,968 dalit boys and 8,660 dalit girls in 2014. There are no disabled-friendly schools in the district.

Killing

Chandrakala Kumal, 26, of Bangesal VDC-1 was arrested by the police on February 8 on charge of killing a 5-year-old Sharad Kumal by slitting throat with a sharp weapon on the same day. According to the police, the incident began when their children quarreled and Chandrakala lost her temper and attacked the victim. The District Court issued an order of life imprisonment against the accused on September 4.

Types of Events	By Non-State		
	Female	Male	Total
Child Labour		3	3
Rape	3		3
Sexual Abuse	6		6
Total	9	3	12

Rape, Attempt to Rape and Sexual Abuses

INSEC documented three cases of rape in Pyuthan district. The District Court has ordered three and 15 year's imprisonment against the perpetrators. One of the perpetrators of rape case was the father of the victim. The 17-year-old disabled girl was repeatedly raped by her 41-year-old father for the past one year. When the family came to know about it on February 26, they filed a complaint at the District Police Office on March 5. The accused was arrested on the same day. The victim's health checkup was conducted at District Hospital, Bijuwar on March 26. The District Court sentenced him to 15 years in prison on September 4.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

In 2014, 19 women filed complaints of domestic violence at Women and Children Service Centre of District Police Office. Among these cases, 17 cases were settled after both side agreement and two cases were processed for legal action. This year, two women were victims of rape, the number was same in 2013.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	6	6
Rape	2	2
Rape Attempt	1	1
Sexual Abuse	1	1
Total	10	10

Sanjay Pariyar, 20, of Kochiwang VDC-6 was arrested by the police on October 29 on charge on raping a 28-years-old woman. The victim's family filed a complaint at the police office on the same day. The victim's health checkup was conducted at the District Hospital, Bijuwar on October 30. District Court ordered to remand the accused in prison on November 25.

Raju Pariyar, 25, of Makawang VDC-1 was arrested by the police on July 10 on charge of attempting to rape to a 70-year-old woman on July 9. The victim's relatives filed a complaint on July 10. Her medical checkup was conducted at the District Hospital, Bijuwar. The district court slapped him three years imprisonment on November 9.

Killing by Family Member

Kwadi Pun, 55, of Kochiwang VDC-6 was killed by her husband Iman Singh Pun, 60, in an inebriated state on June 21. The District Court ordered life imprisonment against the accused on December 18.

HEALTH SERVICE STATUS

There are one hospital, 23 health posts and 23 sub-health posts in Pyuthan district. According to the District Health Office, all of the five positions of doctors in the District Hospital were occupied. Among the 65 positions of Assistant Health Worker, seven positions remained vacant. According to the District Health Office, its annual budget is Rs 126,067,000 of the total budget Rs 1,243,000 was allocated for medical expenses. There is no position for gynecology specialist in this district.



4.3 Rolpa



Headquarters	: Liwang
Area in Sq. Km	: 1,879
No. of Households	: 43,757
No. of Population	: 224,506
Male	: 103,100
Female	: 121,406
No. of PwD	: 7,458
No. of VDC(s)/Municipality(ies)	: 51/0
Male Literacy	: 66,091
Female Literacy	: 57,585
Religion Hindu (%)	: 85.17
Buddhism (%)	: 11.74
Islam (%)	: 0.1
Christianity (%)	: 1.72
Prakriti (%)	: 0.66
Undefined (%)	: 0.606
Average Household Size	: 5.13

INSEC documentation shows that the human rights situation in Rolpa was not satisfactory in 2014. Last year, 73 people were the victims of human rights violations, out of which 37 were female and 36 were male. This year, 20 people were victimized out of which 19 are female and one is male. No report of human rights violations and abuses by the state actor documented this year.

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	4	1	5
Inhuman Behaviour	1		1
Killing	3		3
Women Rights	11		11
Total	19	1	20

Most of the victims of the human right violations are women and girls. The girls were victims of rape and sexual violence whereas the women were victims of sexual and domestic violence. Of the three incidents of killing, two women were killed by their husband and one by others this year.

Last year, five people including two female and three male were killed. INSEC documented one victim of rape and five cases of child rights violations in this year. In 2013, six children were victimized.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 50 inmates at a time. A total of 86 including 59 convicted and 27 detained inmates were held there at the end of the year. Two boys and a girl were living as minor dependant in the prison.

RIGHT TO PROMPT AND FAIR TRIAL

There are two positions for Judge in Rolpa District Court. A total of 50 civil and 180 criminal cases remained pending at the end of the year. There are no civil cases older

than two years pending however one criminal case is older than two years.

CHILD RIGHTS

There are 148 primary schools, 73 lower secondary schools and 49 secondary schools in the district. Among the total positions of 1,082 teachers, 275 positions are vacant. This year, 6,090 boys and 5,970 girls of school-going age enrolled in the school. Information on toilet facilities on schools was not available in District Education Office. According to the DEO, it provided scholarship to 6,477 dalit boys and 6,646 dalit girls. None of the schools in the district are disabled-friendly.

Types of Events	By Non-State		
	Female	Male	Total
Child Marriage	1		1
Deprived From Various Opportunities	1		1
Killing of Newborn Baby	1		1
Sexual Abuse	1	1	2
Total	4	1	5

Rape, Attempt to Rape and Sexual Abuses

Pusta Bahadur Pun, 22, of Dhawang VDC-4 was arrested on March 12 on charge of sodomizing an 8-year-old boy on February 24. The relatives of the victim filed a complaint at the District Police Office on March 11. The District Court sentenced the accused for 13 years imprisonment and compensation of Rs. 20,000 on November 30.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

In 2014, 129 women filed complaints of domestic violence in Women and Children Service Center (WCSC). Among them, 65 cases were of assault and expulsion from house, 15 of deprivation of food, four cases of non-cooperation in registering marriage and making citizenship certificate,

Event Sub-Type	By Non-State	
	Female	Total
Domestic Violence	8	8
Rape	1	1
Rape Attempt	1	1
Sexual Abuse	1	1
Total	11	11

21 cases of polygamy and 24 cases of death threats were reported. Among these cases, 115 cases were resolved in compromise while 14 cases were sent to court.

Rape, Attempt to Rape and Sexual Abuses

Harka Kunwar, 40, of Iribang VDC-4 was arrested by the police on December 17 on charge on attempting to rape a 56-years-old woman on December 14. According to the police, a case was filed against the accused on charge of attempting to rape and investigation of the case was going on.

Killing by Family Member

Bina Pun, 36, of Mijhing VDC-2 was beaten to death by Prem Bahadur Pun, 38. Bina who was severely injured in beating on March 4, succumbed to injuries on March 6. Her family filed a complaint at the police station leading to Prem's arrest on March 9. The district court sentenced him of 15 years in prison on July 2.

Pahalman Gharti, 42, of Budagaun VDC-6 was arrested by the police on February 9 on charge of killing his wife Tilsari Gharti, 39 attacking her head with a metal weapon an inebriated state on February 8 over a domestic dispute. Pahalman was arrested by the Holeri police station after a complaint was filed by the victim's side. Rolpa District Court sentenced him for life, along with confiscation of property on July 3.

Devikala Khadka, 47, of Sirpa VDC-6 lodged complain against her husband Hamile Khadka, 48, on June 19 accusing him of domestic violence and expulsion from house. She complained that he

tortured her repeatedly for not being able to give birth to a son. She complained that she was severely tortured by an accused. According to the police, the case was settled in an agreement.

HEALTH SERVICE STATUS

There are one hospital, 20 health posts and 29 sub-health posts in Rolpa district. According to District Health Office, single position of the doctor remained vacant. Out of the 109 positions of Assistant Health Worker, 44 were vacant. District Health Office said that its annual budget is Rs. 12,116,000 and medical expenditure is Rs. 917,000. There is no position for gynecology specialist.



4.4 Salyan



Headquarters :	Khalanga
Area in Sq. Km :	1,462
No. of Households :	46,556
No. of Population :	242,444
Male :	115,969
Female :	126,475
No. of PwD :	6,233
No. of VDC(s)/Municipality(ies) :	47/0
Male Literacy :	78,719
Female Literacy :	66,265
Religion Hindu (%) :	97.71
Buddhism (%) :	0.82
Islam (%) :	0.11
Christianity (%) :	1.28
Undefined (%) :	0.068
Average Household Size :	5.20

According to INSEC documentation, the human rights violation in Salyan District has slightly gone up this year as compared to the last year. In 2014, there are 72 victims by non-state actor including 69 female and three male while in 2013, there were 64 victims in the incidents of human rights violation including 39 female and 25 male. This year no incidents of human rights violation from the state actor were documented. Children were the victims of rape and sexual abuses whereas women were victimized in sexual and domestic violence.

Types of Events	By Non-State		
	Female	Male	Total
Beatings		1	1
Child Rights	1	2	3
Women Rights	68		68
Total	69	3	72

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 20 inmates at a time. A total of 211 inmates including 62 convicted and six detained were held there at the end of the year. The inmates are compelled to sleep on the floor due to the lack of space. They are facing difficulties of drinking water. There are five inmates above the age of 60 suffering from chronic disease. They could not get the proper treatment as the prison did not get permission for their treatment outside the prison premises.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judges. There were 32 civil and 41 criminal cases pending. There are no criminal cases or civil case older than two years pending.

CHILD RIGHTS

Education Status

There are 329 primary schools, 100

lower secondary schools and 75 secondary schools. None of the total positions of 1,577 teachers was vacant at the end of the year, the District Education Office. Of 504 schools in the district, 460 schools have a facility of toilets. There are four primary, four lower secondary and one secondary child-friendly schools in the district.

Types of Events	By Non-State		
	Female	Male	Total
Attempt to Kill		2	2
Rape	1		1
Total	1	2	3

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 68 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which three cases of assault and expulsion from the house, five of deprivation of food, seven of polygamy, three cases of threatening and 44 cases of minor dispute were registered in the office. All these incidents were settled in an agreement. INSEC documented 68 cases of violence against women including 13 cases of polygamy.


Types of Events	By Non-State	
	Female	Total
Domestic Violence	52	52
Polygamy	13	13
Rape	1	1
Women Trafficking	2	2
Total	68	68

HEALTH SERVICE STATUS

There are one district hospital, 18 health posts, 27 sub-health posts and two primary health centers in the district. According to the District Public Health Office, two of the five positions of doctors in the hospital were vacant this year. The annual health budget of the district is Rs 120,000,000 for public health and Rs 5,100,000 for medical expenses.



4.5 Rukum



Headquarters : Khalanga

Area in Sq. Km : 2,877

No. of Households : 41,856

No. of Population : 208,567

Male : 99,159

Female : 109,408

No. of PwD : 5,922

No. of VDC(s)/Municipality(ies) : 43/0

Male Literacy : 64,062

Female Literacy : 55,096

Religion Hindu (%) : 96.51

Buddhism (%) : 1.07

Islam (%) : 0.06

Christianity (%) : 1.59

Prakriti (%) : 0.17

Undefined (%) : 0.59

Average Household Size : 4.99

According to the INSEC documentation, the situation of human rights seems to have improved in the district in 2014. In 2013, there were 62 victims in the incidents of human rights violation including 16 female and 46 male while in 2014 there are 12 victims. This year three women were killed by non-state actor. Last year, four women and one male were killed. INSEC has documented five victims of child rights violations including four victims of rape. In 2013, four children were the victims.

Types of Events	By Non-State	
	Female	Total
Child Rights	5	5
Killing	3	3
Women Rights	4	4
Total	12	12

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 24 inmates at a time. A total of 70 inmates including 60 convicted and 10 detained inmates were held there at the end of the year. There are two dependents. The inmates of the prison are facing a difficulty of space due to overcrowding. There are three times more inmates than its capacity. The inmates are sometimes given access to television and newspapers.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were 78 civil and 87 criminal cases pending. There is no criminal or civil case older than two years pending.

CHILD RIGHTS

Education Status

There are 255 primary schools, 65 lower secondary schools and 57 secondary schools. According to the District Education Office (DEO) out of the total positions of 1,513 teachers, 504 were vacant at the end of the year. According to the DEO a total of 28,427 boys and 42,645 girls of school-going age enrolled in the school. According to the DEO record the district has five disabled-friendly schools. All the schools have facility of toilets. The schools of the district are not child-friendly.

Rape, Attempt to Rape and Sexual Abuses

A complaint against Bharat BK, 19, of Banfikot VDC-8 was lodged at District Police Office on April 27 for child marriage and rape. The victim's family lodged a com-

plaint of child marriage accusing him of marrying a 15-year-old girl of Syalapakha VDC-4. The accused was arrested from his house on April 27. District Court Judge Hemanta Rawal ordered to release him on date on May 20. The District Court later sentenced him to one month in prison with fine of Rs 1,000 for child marriage and the six-year jail term with order to pay compensation of Rs 50,000 to the girl convicting him on rape charge on December 14.

Types of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	4	4
Total	5	5

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

This year, 69 women lodged complaints at Women and Children Service Centre (WCSC) against domestic violence of which 43 cases were of assault and expulsion from the house, seven of deprivation of food, two of non-cooperation in marriage registration and acquiring citizenship certificate and 17 cases were of polygamy. Among these incidents, 47 cases were settled in agreement and 22 cases were forwarded for legal proceedings, according to the WCSC. This year, there was one incident of rape attempt in the district. It had one case of rape and one case of attempted to rape in 2013.

Types of Events	By Non-State	
	Female	Total
Polygamy	3	3
Rape Attempt	1	1
Total	4	4

The District Police Office of Rukum arrested Arjun Buda, 22, of Hukam VDC-4 in Khalanga on September 29 on charge of attempting to rape a 32-year-old woman on

September 25. A single bench of District Court Judge Hemanata Rawal on October 20 remanded the accused in custody.

Killing by Family Member

Bimala Oli, 27, of Garayala VDC-4 was strangled to death on August 25 by her husband Prajit Oli while the victim was on the way to her parental home to celebrate "Teej" festival. The dead body of victim was recovered from the Maurakhara jungle in Duli VDC-9. The absconding accused was arrested by a joint team of Area Police Office of Chaurjahari and Purtimkanda at night of August 26 in Bijeswori VDC. The accused confessed his crime. The District Court Judge Hemanta Rawal ordered life imprisonment with confiscation of his property on October 31.

HEALTH SERVICE STATUS

There are one district hospital, two health posts and 31 sub-health posts in the district. According to the District Public Health Office, two of the four positions of doctors in the hospital remained vacant this year. There is no position for gynecology specialist. The annual health budget of the district is Rs 71,842,000 for public health and Rs 2,825,000 for medical expenses. The district has a problem of unavailability of the gynecology specialist and doctors as per the position. This has compelled the patients to go to other district even for a minor illness. The locals complained that the in-charge of health and sub-health posts do not come to their office. The government has announced that 32 medicines would be freely distributed by District Hospital, primary health centers and sub-health posts but people are getting only 15 types of medicine for free.



4.6 Banke



Headquarters :	Nepalgunj
Area in Sq. Km :	2,337
No. of Households :	94,773
No. of Population :	491,313
Male :	244,255
Female :	247,058
No. of PwD :	7,468
No. of VDC(s)/Municipality(ies) :	46/1
Male Literacy :	158,941
Female Literacy :	128,548
Religion Hindu (%) :	78.42
Buddhism (%) :	1.14
Islam (%) :	18.98
Kirat (%) :	0.03
Christianity (%) :	1.32
Prakriti (%) :	0.01
Jain (%) :	0.01
Shikha (%) :	0.008
Undefined (%) :	0.08
Average Household Size :	5.18

According to the INSEC documentation, the situation of human rights deteriorated in the district in 2014. This year, the number of victims of human rights violation was 103 including 75 female, 24 male and four third sex. Two female and four male were victimized by state actors. In 2013, there were 69 people were the victims in different incidents of human rights violation. Of them, 52 were female and 17 were male victimized by non-state actor and 10 male and 11 female by state-actor.

Types of Events	By State			By Non-State			
	Female	Male	Total	Female	Male	Third Sex	Total
Arrest & Torture	2	1	3				
Beatings		3	3		1		1
Child Rights				21	17		38
Inhuman Behaviour						4	4
Injured				1	2		3
Killing				3	2		5
Threats					2		2
Women Rights				50			50
Total	2	4	6	75	24	4	103

Five people including three female and two male were killed this year while, the number of victims were seven, last year. Four female were victims of rape, five of sexual abuse, two abuses following allegation of being witch and 35 women became the victims of domestic violence, this year. This year, INSEC documented 38 victims in various incidents of child rights violation of which 17 girls were raped, two victims of sexual abuse and one boy was subjected to corporal punishment in the school. The number of child victims was 15 last year.

MISTREATMENT

Chetra Nath Devkota, 24, a representative of Mountain TV and "Lok-priya Sandesh Daily", Sunil Regmi, 23, of Radio Himat FM and journalist Bhagat Ram Tharu of "Prabhat Ghosana" charged the duty policemen for mistreating them at Setu BK Chok, Nepalgunj on May 21 while they were on the way to report the cricket match. Devkota and Tharu accused police of misbehaving them by handcuffing. The District Police Office said that the departmental action was taken against those involved in the incident.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 250 inmates at a time. A total of 550 including 325 convicted and

225 detained inmates were held there at the end of the year. There are five boys and one girl dependants in the prison. The prison has 41 female inmates of which 26 were convicted and 15 were detained. There are 53 inmates of Indian nationals including two female inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District has one Appellate Court and one District Court. The District Court has five positions for judges. There were 1,502 civil and 1,102 criminal cases pending. There are 33 criminal cases and 27 civil cases older than two years pending. There were 500 cases per judge on average in the court.

Similarly, there are seven positions for judges in Appellate Court. There are 229 criminal and 422 civil cases pending. There are 10 civil and 17 criminal cases older than two years pending until the end of 2014.

CHILD RIGHTS

Education Status

There are 241 primary schools, 67 lower secondary schools and 44 secondary schools. All of the 1,148 positions of teachers were occupied, according to District Education Office (DEC). According to the DEO, 54,589 boys and 54,568 girls of school-going age enrolled in school. It said that there are no disabled-friendly schools in the district. All the schools have toilet facility. There is no information on the number about child-friendly schools in the district.

Corporal Punishment

A 5-year old girl, Pratigyi Sunar, studying at LKG at Himalaya Bidhya Niketan School in Ban Katawa VDC was caned by her teacher Baili GM for not completing her homework on November

Types of Events	By Non-State		
	Female	Male	Total
Child Trafficking	1	17	18
Corporal Punishment	1		1
Rape	17		17
Sexual Abuse	2		2
Total	21	17	38

9. The victim sustained a fractured leg, said her mother Sarita BK. The case was settled after an agreement of sacking the teacher from the school, bearing treatment cost and free education for the victim.

INSEC has documented 17 rape cases this year and the victims were between the ages of 4 and 17.

Rape, Attempt to Rape and Sexual Abuses

A mother of 12-year-old girl lodged a complaint at District Police Office on September 13 against her husband for raping their daughter. The absconding accused was arrested by the police on September 16. The victim underwent a medical treatment at Bheri Zonal Hospital, Nepalgunj. On October 12, the District Court remanded him in custody.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 335 women lodged complaints at Women and Children Service Centre (WCSC) claiming of domestic violence of which 113 cases of assault and expulsion from the house, 47 of deprivation of food, 10 of not registering marriage and cooperation in acquiring citizenship certificate, 29 of polygamy and 19 cases of life threats were registered. Among these incidents, 192 cases were settled in agreement and 143 cases were forwarded for legal proceedings, according to the WCSC.

Rape, Attempt to Rape and Sexual Abuses

Suman BC, of Tulsipur Municipality-9 and transport helper of the bus with the number plate Na 4 Kha, operator and

Ajib Sunar, of Narayan Municipality Dailikh District and driver of the bus with a number plate 8713 were arrested by police on August 6 on charge of involving in gang rape of an 18-year-old girl inside a bus in Nepalgunj Municipality-5. The victim underwent health checkup at Bheri Zonal Hospital, Nepalgunj. The accused were remanded in custody by the court on September 4.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	35	35
For Practicing Witchcraft	2	2
Polygamy	1	1
Rape	4	4
Rape Attempt	1	1
Sexual Abuse	5	5
Women Trafficking	2	2
Total	50	50

Killing and Attempt to Killing by Family Members

A life attempt was made against Amrita Jamal, 24 of Paraspur VDC-7 by setting her on fire by her 26-year-old husband Jamal Balmiki in an inebriated state on June 4. She was doused in kerosene and was about to set on fire when she was rescued by locals. The accused, who worked as a sub-staff at APF Industrial Security Force, Karkando was arrested on the same day by police. The District Court acquitted the accused on November 6 due to the inconsistent statement of the victim.

Hem Kumari Dhobi, 26, of Khas-karkando VDC-2 died while undergoing treatment at Bir Hospital in Kathmandu on October 21 after her husband Gaya Prasad Dhobi, 27, set her on fire after pouring kerosene. The accused was arrested by the police on October 13 and remanded in custody by court's order on November 9.

Chandani Salmani, 22, of Jaispur VDC-1, her Mariyam Salmani, 5, son Riyajul Salmani, 3, and nine-month-old son

Riyan Salmani were set on fire by Chandani's brother-in-law and children's uncle Saddam Ali Salmani, 25, on May 20 over a property dispute with his elder brother and Chandani's husband. The severely injured victims were rushed to Kathmandu for further treatment after preliminary treatment at Bheri Zonal Hospital. Among the victims, Riyajul died while undergoing treatment at Kanti Children Hospital on May 24 while Mariyam died on May 30. Chandani and her youngest child returned after getting treatment. The accused was arrested by the police on May 22 and was remanded in custody by a court order on July 5.

A 32-year-old woman was assaulted by her neighbors Tara Kami, 55, Sashi Kami, 32, and Laxmi Kami, 28, on August 7 alleging her of being a witch. The victim underwent medical treatment at Nepalgunj Medical College Teaching Hospital. Area Police Office, Kohalpur arrested the accused on the same day. The District Court on August 22 remanded Tara Kami in custody whereas other accused were released on bail amount of Rs 10,000 each. The District Court ordered to sentence Tara Kami for five months with a penalty of Rs 25,000 on January 4, 2015.

Dowry Violence

Rihana Sekh Dhapali, 25, of Laxmanpur VDC-8 was severely injured after her husband Farid Dhapali, 26, and in-laws set her on fire by tying her hand on March 17. The incident was revealed after the victim's father lodged a complaint at INSEC Regional Office on May 4. The victim is living with her parents in Hiriminiya VDC after getting treatment at Bir Hospital. The accused were absconding until the end of the year.

HEALTH SERVICE STATUS

There are one zonal hospital, 20 health posts and two sub-health posts in the district. According to the District Pub-

lic Health Office, one of the six positions of doctors in the hospital remained vacant this year. There is one position for gynecology specialist. The annual health budget of the district is Rs 191,882,000 for public health and Rs 8,800,000 for medical expenses.



4.7 Bardiya



Headquarters :	Gulariya
Area in Sq. Km :	2,025
No. of Households :	83,176
No. of Population :	426,576
Male :	205,080
Female :	221,496
No. of PwD :	8,197
No. of VDC(s)/Municipality(ies) :	31/1
Male Literacy :	139,412
Female Literacy :	121,340
Religion Hindu (%) :	94.17
Buddhism (%) :	1.01
Islam (%) :	2.6
Kirat (%) :	0.01
Christianity (%) :	2.17
Prakriti (%) :	0.01
Bahai (%) :	0.01
Undefined (%) :	0.034
Average Household Size :	5.13

INSEC documentation shows that human rights situation seems deteriorating in the district in 2014 compared to the last year. In 2014, 183 people were victims of human rights violation of them, 175 female and eight male. Similarly, 14 people including nine female and five male were the victims of human rights violation from state-actor. In 2013, the number of victims was

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				1		1
Arrest & Torture	8	2	10			
Beatings		3	3	1	4	5
Child Rights				31	1	32
Inhuman Behaviour					2	2
Injured	1		1			
Killing				3		3
Racial Discrimination				1	1	2
Women Rights				138		138
Total	9	5	14	175	8	183

89 including 70 female and 19 male. Last year, 26 people including three female and 23 male were affected by state actor.

Most of the victims of human rights violation by the non-state actors in 2014 were women and children. Children were the victims of rape and sexual abuses whereas women became victims of sexual and domestic violence.

This year, three women were killed by non-state actor same as last year. This year, 11 women cases the victims of rape, 28 were of sexual abuses, four of allegation of being witch and 72 women were victims of domestic violence. This year, 17 children became victim of rape and nine were the victim of sexual abuses. In 2013, the number was 20.

INJURED

Pawan Devi Rawal, 38, of Patabhar VDC-3 was injured when a bullet fired by Nepal Army hit her while she was fetching woods with other villagers in a community forest on February 13. She was injured in a fire while Bhairab Battalion of Nepal Army was in a routine training in Gorang of Kailali District between Bhurakhani Community Forest and Kaileshwori Community Forest. She sustained an arm injury in an incident. The injured underwent treatment at Tikapur Hospital.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 125 inmates at a time including 100 male and 25 female. A total of 207 including 174 convicted and 33 detained inmates were held there at the end of the year. The prison building was built in 1978. This has created space problem among them. They are facing difficulties because of few toilets and shortage of clean drinking water. The inmates are deprived of pure drinking water due to contamination of arsenic in water.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has two judges as per the positions at the end of 2014. There were 180 civil and 145 criminal cases pending.

CHILD RIGHTS

Education Status

There are 221 primary schools, 87 lower secondary schools and 54 secondary schools in this district. Out of the total positions of 1,943 teachers, three positions remained vacant at the end of the year. According to the DEO, 55,403 boys and 60,102 girls of school-going age enrolled in the school. It is providing Scholarships to 7,071 dalit boys and 7,279 dalit girls. According to DEO, all the schools have toilet facilities. In most of the rape cases, the accused were the close relatives or acquaintances of the victims which included four fathers accused of raping their daughters. In one incident, the District Court sentenced a father to jail for 25 years on charge of raping his daughter.

A victim's family of a 3-year-old girl lodged a complaint at District Police Office of Bardiya on August 27 against her father, 42, on charge of raping her daughter at night of August 25. The victim underwent a health checkup at Bheri Zonal Hospital on August 28. The accused was arrested by

Types of Events	By Non-State		
	Female	Male	Total
Child Marriage	5		5
Rape	17		17
Sexual Abuse	9	1	10
Total	31	1	32

the police on August 28. His 30-year-old brother was also arrested on charge of helping the accused to abscond. The brother of the accused was released on bail amount of Rs 25,000 by the court on September 17. On November 28, the District Court sentenced the accused to 25 years in prison and acquitted his brother.

Child Trafficking

A 16-year-old girl accused Sunil Chand Tharu, 33, of Kalika VDC-3 of raping and attempting to traffick her to India by luring her on May 1. The victim lodged a complaint of trafficking and rape against the accused at District Police Office on May 25. The police arrested the accused on the same day for the investigation. District Court, on June 17, remanded him in custody. On November 11, the District Court issued an order to sentence him to jail for seven years asking him to pay compensation of Rs 50,000 to the victim.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

This year, 48 women lodged complaints at Women and Children Service Centre (WCSC) against domestic violence of which three cases were of assault and expulsion from the house, 35 of deprivation of food, two of non-cooperation in registering marriage and acquiring citizenship certificate, three of polygamy and five cases of life threats were registered in the office. Among these cases, 41 cases were settled in agreement and seven victims did not make any contact in WCSC. This year, 11 victims of rape in the district were documented by

INSEC out of which seven cases were processed for legal action and in four incidents; the victim did not make any complaint. The incident was settled in the village.

Killing by Family Member

The family of 31-year-old Harikala Khatri of Amaiya in Belawa VDC-2 accused her husband Dan Singh Khatri, 31, of strangulating her to death on October 4 and lodged a complaint at DPO on October 6. The postmortem of the body was done at District Hospital on October 8. The accused was arrested by the police on October 6 and remanded in custody by an order of the District Court on October 30.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	72	72
For Practicing Witchcraft	4	4
Polygamy	6	6
Rape	11	11
Rape Attempt	3	3
Sexual Abuse	28	28
Women Trafficking	14	14
Total	138	138

Domestic Violence

Saira Teli, 35 of Mohampur VDC-6 and her daughter Rubina Teli, 16 were severely assaulted by Saira's husband Murau Teli, 40, on July 28 over a domestic dispute. Her daughter committed suicide by hanging when a severely injured mother had gone for treatment to the district headquarters.

ALLEGATION OF WITCHCRAFT

Sunita Tharu, 20, of Jabdahawa, Magaragadi VDC-3 was threatened for life by Moji Lal Tharu on January 21 alleging her of practicing witchcraft and making his wife Bulakya Tharu ill. The victim lost her consciousness after the allegation. She underwent treatment at local pharmacy. The victim lodged a complaint at Area Police Office Jayanagar after the case could not be

resolved in the village. The District Police Office settled the case between two parties on January 23 with an agreement of legal consequences, if the incident is repeated.

CASTE-BASED DISCRIMINATION

Tika Lal Darji, 55, of Kalika VDC-4 was abused by Yam Bahadur Magar, 32, of same place on February 26 in the Kalika Temple over a dispute while having "Prasad". The accused denied him "Prasad" for being a so-called lower caste and demanded for his removal from the management committee. Police arrested the accused on March 9 and he was fined Rs 1,000 by a court order on July 11.

HEALTH SERVICE STATUS

There are one district hospital, 18 health posts and two sub-health posts in the district. According to District Public Health Office, out of the 15 positions of doctors in the hospital, seven posts remained vacant this year. There is no position for gynecology specialist. The annual health budget of the district is 138,742,000 for public health and Rs 12,900,000 for medical expenses.



4.8 Surkhet



Headquarters :	Birendranagar
Area in Sq. Km :	2,451
No. of Households :	72,863
No. of Population :	350,804
Male :	169,421
Female :	181,383
No. of PwD :	10,291
No. of VDC(s)/Municipality(ies) :	50/1
Male Literacy :	126,044
Female Literacy :	110,187
Religion Hindu (%) :	91.86
Buddhism (%) :	4.11
Islam (%) :	0.52
Christianity (%) :	3.43
Prakriti (%) :	0.01
Undefined (%) :	0.007
Average Household Size :	4.82

According to the INSEC documentation, the situation of human rights has worsened in the district in 2014. INSEC documentation shows that in 2014 there are 119 female and one male victimized by non-state actor and two female and 32 male were victimized by state actor. In 2013, there were 193 people victimized in the incidents of human rights violation including 147 female and 46 male by non-state actor and nine female and 49 male by state actor.

Women are especially the victims of sexual and domestic violence whereas children are the victims of sexual abuses and rape. Three victims of rape, one of sexual

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction					1	1
Arrest & Torture	1	24	25			
Beatings	1	7	8			
Child Rights				3		3
Threats		1	1			
Women Rights				116		116
Total	2	32	34	119	1	120

abuse and 112 of domestic violence were documented by INSEC. At least three girls were the victims of rape in 2014. Last year, eight children were victims of rape.

BEATING

Yagya Bahadur Midun, 24 and an APF constable Hasta Bahadur Buda, 29, of Lekhparsa VDC-9 was assaulted by Sushil Rawal, in-charge of Gumi Police Post along with other policemen at Jahare Bazar of Maintada VDC-3 on February 13. The incident was prompted by dispute when ASI of Chhinchhu hit Midun and Buda. The victims were attacked with fist and batons by the accused. Among the victim, Midun underwent a health checkup at Kohalpur Teaching Hospital and Buda at local primary health center. The case was settled with an agreement of bearing medical cost of the victims.

Judda Bahadur Rokaya, 37 of Bangsemil, Birendranagar Municipality-1, Chandra Bahadur Raut, 35, of Uttarganga VDC-1, Lokendra Thapa, 34, of same VDC-8 and Nagendra Prasad Upadyaya, 40, were badly beaten up on March 15 by a team led by Army captain Ujjwol Thapa, Captain Madav Ghimire and other eight soldiers at Ranighat of Haripyr VDC-5 in an inebriated state without any provocation. Among those injured, Rawat and Rokaya underwent medical treatment in Lucknow, India and other victims Thapa and Upadyaya underwent medical treatment in regional

hospital of Surkhet. The police took control of captain duo Thapa and Ghimire. The victim's relatives gathered at Bangesimal protested against the accused. The incident was settled in an agreement on March 17 after the accused agreed to bear medical expenses with compensation to the victims.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 25 inmates at a time. A total of 139 including 112 convicted and 27 detained inmates were held there at the end of the year. There are 16 female and 123 male inmates. The inmates' number is almost six times over its capacity.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were 117 civil and 205 criminal cases pending. There are six criminal cases and seven civil cases older than two years pending.

Similarly, there are four positions of judges in Appellate Court of which one was vacant at the end of the year. There are 25 civil cases and 89 criminal cases pending which were pending at the end of 2014. There are no cases older than two years. There were 38 cases per judge on average in the court.

TORTURE AND INHUMAN BEHAVIOR

Stalin Lamichhane, 24, of Koldanda, Uttar Ganga VDC-1 and Wastan Lamichhane, 23 were tortured inside the custody of District Police Office on January 7. They were charged of smuggling drugs. The relatives complained that the victims were beaten with hands, batons and grinding by a log. The police did not provide any medical assistance to the victims. DSP Pravin Dhital of DPO Surkhet rejected the allegations.

Dal Bahadur BK, 40, and Bishnu Bahadur Nepali, 36, of Pokharikanda VDC was tortured in the custody of DPO, Surkhet. They were arrested by the police on January 9 on charge of assembling and selling of restricted weapons. The victim's family said that they were beaten up using fist, baton and pipe. The victims did not get any medical assistance and were barred from meeting their relatives. The accused were released from the custody on January 26 however they did not file any complaint. SP Prakash Adhikari of DPO rejected the allegation of torture.

CHILD RIGHTS

Education Status

There are 429 primary schools, 92 lower secondary schools and 88 secondary schools. According to the DEO, out of the total positions of 2,396 teachers, 112 positions remained vacant. It said that 4,576 boys and 4,562 girls of school-going age are enrolled in the schools adding only 28 schools have toilet facility. The DEO is providing scholarships to 11,273 dalit boys and 12,408 dalit girls. There are 12 disabled-friendly schools in the district.

Types of Events	By Non-State	
	Female	Total
Rape	3	3
Total	3	3

Rape, Attempt to Rape and Sexual Abuses

This year, INSEC has documented three cases of rape of child. In 2013, the number was seven. A Lal Bahadur Malla of Itram, 71, of Birendranagar Municipality-8 was arrested by police on October 3 on charge of raping a 10-year-old girl on October 1. The police registered the case against him at District Court on October 28. He was remanded in custody on the same day. The case was not decided until the end of the year. The victim underwent

a medical treatment at Regional Hospital, Surkhet.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

This year 334 women lodged complaints at Women and Children Service Centre (WCSC) against domestic violence of which 165 cases were of assault and expulsion from the house, 26 of deprivation of food, 32, of not registering marriage and support in acquiring citizenship certificate, 41 of polygamy and 70 cases of life threats. Among these incidents, 215 cases were settled in agreement, 51 cases were forwarded for legal proceedings and in 68 cases the victims did not make any contact with the center, according to the WCSC. Three cases of rape were documented by INSEC this year all of them are now in court.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	112	112
Rape	3	3
Sexual Abuse	1	1
Total	116	116

Police arrested Bhakta Bahadur BK on July 21 on charge of raping a 28-year-old woman on July 19. The accused was remanded in custody by a court order on August 13. The victim underwent a health checkup at Primary Health Center.

HEALTH SERVICE STATUS

There are three hospitals, 29 health posts and 18 sub-health posts in the district. According to the District Public Health Office, out of the 30 positions of doctors in the hospital, 15 posts remained vacant this year. There is no position for gynecology specialist. The annual health budget of the district is Rs 151,182,000 for public health and Rs 6,000,000 for medical expenses.



4.9 Jajarkot



Headquarters :	Khalanga
Area in Sq. Km :	2,230
No. of Households :	30,472
No. of Population :	171,304
Male :	85,537
Female :	85,767
No. of PwD :	6,848
No. of VDC(s)/Municipality(ies) :	30/0
Male Literacy :	50,767
Female Literacy :	38,715
Religion Hindu (%) :	98.96
Buddhism (%) :	0.05
Islam (%) :	0.01
Christianity (%) :	0.87
Undefined (%) :	0.107
Average Household Size :	5.62

INSEC documentation showed that the situation of human rights seems improved in the district in 2014. In 2014, there were 39 victimized by non-state actors including 31 female and eight male. This year, two male were victimized by state actor. One person was killed in an explosion of IED that was kept hidden by the then Maoist combatant during an armed conflict. In 2013, a total of 52 people were the victims in the incidents of human rights violation including 34 female and 18 male.

Women were subjected to sexual and domestic violence whereas children were the victims of rape and sexual abuses. This year, two women were the victims of rape, one was abused on allegation of be-

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings	2	2			
Child Rights			4		4
Injured				6	6
Killing				1	1
Racial Discrimination			1	1	2
Women Rights			26		26
Total	2	2	31	8	39

ing witch and 18 were victims of domestic violence. Four children were victims of child rights violation this year. Last year the number of child victims was eight.

INJURED

Kamara Chadara, 52, Nain Bahadur Nepali, 15, Jokhe Thapa, 25, Bhakta Bahadur Thapa, 35 and Nain Singh Thapa, 25 of Dashera VDC-3 were seriously injured in an explosion while they were melting a metal pipe to make a tripod. Among the injured, Kamara Chadara died while undergoing medical treatment at Teaching Hospital in Kathmandu on February 21. Other injured were referred to Teaching Hospital after undergoing primary treatment at local health posts. The pipe bomb, which was hidden by the Maoists during the armed conflict, went off when they were melting it unaware that it was an explosive device.

Khadka Bahadur Buda, 10, of Nepane, Daha VDC-1 was injured in an explosion on April 6 while playing with a pipe bomb which he thought as a metal object. He was treated at Nepalgunj Nursing Home. Police said that the explosive might have been abandoned by the Maoists during the armed conflict.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 25 inmates at a time. A total of 43 including 37 convicted and seven detained inmates were held there at

the end of the year. There are 42 male and one female in the prison. The prison building was built in 1989. The inmates had access to television, newspapers, radio, sports and vocational training.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge at the end of 2014. There were 25 civil and 62 criminal cases pending. There are no criminal cases and civil case older than two years pending.

CHILD RIGHTS

Education Status

There are 278 primary schools, 89 lower secondary schools and 64 secondary schools. Eleven of the 1,276 positions of teachers were vacant at the end of the year, according to District Education Office adding that 3,828 boys and 4,024 girls of school-going age enrolled in the school. The office said that three schools are disabled-friendly in the district adding that all the schools have toilet facilities. There are 35 child-friendly schools in the district.

Types of Events	By Non-State	
	Female	Total
Child Marriage	2	2
Child Trafficking	1	1
Sexual Abuse	1	1
Total	4	4

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 37 women lodged complaints at Women and Children Service Centre (WCSC) against domestic violence of which 19 cases were of assault and expulsion from the house, seven of deprivation of food, four of polygamy and seven cases of life threats were registered. Among them, 34 cases were settled in agreement and three cases were forwarded for legal proceedings.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	18	18
For Practicing Witchcraft	1	1
Polygamy	4	4
Rape	2	2
Rape Attempt	1	1
Total	26	26

A 25-year-old woman lodged a complaint at Police Post, Daha on November 2 accusing Ganga Bahadur Rawat, 37, of Majkot VDC-9 of raping her at knifepoint on November 1. The accused was arrested on November 3 and the victim underwent a health checkup at District Hospital on the same day. The Court remanded the accused in custody on November 22.

Women Trafficking

The family of Parbati Adhikari, 17, of Karkigaon-1 lodged a complaint against Bhim Bahadur Mahatara, 37, of Sima VDC-9 at District Police Office, Jajarkot on November 9 accusing him of attempting to traffick her in India on October 31 luring her for marriage. The police office said that the accused was absconding.

ALLEGATION OF WITCHCRAFT

Kali BK, 43, of Chaulachauri, Dandagaun VDC-7 was assaulted by Tek Bahadur BK, his wife Laxmi BK and his brother Gorakh BK of the same place on November 10, alleging her of being a witch. After the incident, the victim was displaced to district headquarters. She did not file any police complaint.

CASTE-BASED DISCRIMINATION

Prem Kumari Damai, 16, of Khalanga VDC-9 and Binod Sunar, 18, were expelled from the house on February 22 by his father Rabi Lal Sunar, 48, for marrying a girl from lower caste. They are living in neighbor's house after the incident. The victims did not make any complaints.

HEALTH SERVICE STATUS

There are one district hospital, 15 health posts and 16 sub-health posts in the district. According to the District Public Health Office, three of the four positions of doctors in the hospital remained vacant. There is one position for gynecology specialist. The annual health budget of the district is Rs 98,064,000 for public health and Rs 2,000,000 for medical expenses. The district has a problem of unavailability of the gynecologist and doctors compelling the patients to go to Nepalgunj or Surkhet for even a minor treatment.



4.10 Dailekh



Headquarters :	Dailekh
Area in Sq. Km :	1,402
No. of Households :	48,919
No. of Population :	261,770
Male :	126,990
Female :	134,780
No. of PwD :	7,607
No. of VDC(s)/Municipality(ies) :	55/1
Male Literacy :	82,846
Female Literacy :	66,069
Religion Hindu (%) :	97.4
Buddhism (%) :	1.95
Islam (%) :	0.18
Christianity (%) :	0.46
Undefined (%) :	0.012
Average Household Size :	5.35

INSEC documentation shows that the human rights situation of Dailekh district has slid this year. In 2014, 29 people were victimized by non-state actors in different incidents of human rights violation. One woman was killed by her family members in this district. According to the INSEC documentation, a total of 38 people including 27 females and 11 males were victimized by non-state actors in 2013.

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	3		3
Killing	1		1
Racial Discrimination	1	1	2
Women Rights	23		23
Total	28	1	29

The women and children were targeted more than others this year. The children were victimized by the incidents of rape and sexual abuses whereas women were victimized by sexual and domestic violence in the district.

This year, three women were victims of rape, three were of attempt to rape and 11 were of domestic violence. INSEC documented two incidents of child rape this year. The number of child rape has decreased in comparison to the last year. In 2013, four children were victimized in rape.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity for 100 inmates which had 103 inmates including 92 convicted and 11 detained residing at the end of the year. Out of the total inmates, five are female and 98 are male. The inmates have access to newspaper, library and drinking water.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has the position for one judge. There were 23 civil and 38

criminal cases pending at the end of the year. There are no criminal or civil cases older than two years pending.

The District Court decided case, which is under consideration for 20 months, of journalist Dekendra Raj Thapa on December 7. The judge at District Court Dilli Ratna Shrestha heard the cases on November 21.

Shrestha sentenced two years of imprisonment to CPN-M cadres Nirak Bahadur Gharti Magar, one and half year to Lachhiram Gharti, one year to Bir Bahadur KC. Jaya Bahadur Shahi and Harilal Pun who earlier were released on general date were also awarded two years of imprisonment. The text of the verdict states that other absconding accused and CPN-M cadres- Bam Bahadur Khadka alias Mukti, Bam Bhadr Khadka alias Arun, Bhattiram Lamichhane and Keshab Khadka was adjourned.

Thapa had gone to have a dialogue with the rebels on June 23, 2004 to continue the obstructed pipelines of drinking water. He was killed in Dwari on August 11, 2004 after being held by the Maoists for 45 days in different places Dwari of same district on August 11, 2011. The police had conducted investigation based on the complaint lodged by Laxmi Thapa, Dekendra's wife on January 28, 2011.

CHILD RIGHTS

Education Status

There are 333 primary schools, 58 lower secondary schools and 47 secondary schools. Six of the total 1,884 positions for were vacant at the end of the year. District Education Office said that 4,832 boys and 5,255 girls of school-going age enrolled in the school in 2014. The DEO said that all the schools have toilet facilities but none is disabled-friendly. It added that, 12,500 boys and 13,500 girls from dalit community received scholarship this year.

Types of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	2	2
Total	3	3

INSEC documented two incidents of rape in this year. Last year, it had documented one incident of rape.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Rape, Attempt to Rape and Sexual Abuses

A total of 30 women lodged complaints of domestic violence at Women and Children Service Center in 2014. Out of the total incidents, 28 incidents were settled whereas two were forwarded for legal action.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	11	11
Polygamy	6	6
Rape	3	3
Rape Attempt	3	3
Total	23	23

Police lodged a complaint at the District Court against Dil Bahadur BK of Bhairikalikathum VDC-6 on charge of raping an 18-year old girl on December 10. The police arrested the accused on December 11. The victim's health checkup was conducted at District Hospital.

Killing by Family Member

Tulasi Shahi, 36, of Jabamukandh VDC-2 was killed by her husband Jhakka Bahadur Shahi, 38, on July 12 after a minor dispute. DSP at District Police Office Madhav Prasad Shrestha informed that the accused was arrested on July 13 in the same VDC. The accused was remanded to custody on August 7.

HEALTH SERVICE STATUS

There are one district hospital, 16 health posts and 44 sub-health posts in Dailekh. According to the District Public Health Office, out of the nine positions of doctors, five remained vacant. The annual health budget of the district is Rs 82,969,000 of which Rs 3,100,000 is allocated for medical expenses. There is no position for gynecologist in the district.



4.11 Dolpa



Headquarters :	Dunai
Area in Sq. Km :	7,889
No. of Households :	7,488
No. of Population :	36,700
Male :	18,238
Female :	18,462
No. of PwD :	7,458
No. of VDC(s)/Municipality(ies) :	23/0
Male Literacy :	11,225
Female Literacy :	7,117
Religion Hindu (%) :	70.15
Buddhism (%) :	29.4
Islam (%) :	0.04
Christianity (%) :	0.38
Bon (%) :	0.03
Undefined (%) :	0.003
Average Household Size :	4.90

INSEC documentation shows that the human rights situation of Dolpa this year was similar to that of last year. A total of 22 people including 13 females and nine males were victimized by non-state actors in the

incidents of human rights violations in 2014. In 2013, a total of 25 people including 16 males and nine females were victimized by non-state actors. Two people were killed by state this year. Similarly, INSEC documented two women abused on witchcraft accusation and five women were the victims of domestic violence.

Types of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Child Rights			1		1
Injured	11	11			
Killing	2	2			
Threats				9	9
Women Rights			12		12
Total	13	13	13	9	22

KILLING

Tundup Lama, 44, of Dho VDC-4 was killed while undergoing treatment at Om Hospital on June 3. Lama was injured during a clash of local people and security personnel. Chhiring Phurba Gurung, 27, of same VDC-4 who was injured in the same incident died on June 4 in the local health post. The clash occurred following a dispute between the locals and the She-Phoksundo National Park mid area management committee, Suligad when the later tried to stop the locals, collecting charge from the Yarsagumba, on the top of the fee set by the government.

The committee's monitoring team heading from Suligad claimed that they tried to stop locals' illegal collection. The locals responded aggressively prompting Nepal Police and APF to fire tear gas and charged baton to take the situation under control. INSEC report says that the duo died because of the injuries sustained during the baton charge.

After publication of INSEC's report, the government formed a 3-member investigation team under the coordination

of Raj Kumar Shrestha, assistant administrator of Mid-Western Region. However, the team did not go to the incident site and its report was not made public even until the end of the year.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to accommodate 25 inmates. There are a total of 22 inmates including 13 convicted and nine detained were residing in the jail. According to Jailor, Janardan Rijal, there are four rooms each for male and four female inmates. The inmates have access to means of recreation including television, and other entertainment, drinking water and communication. The jail building is in dilapidated condition which roof leaks. The Ministry of Peace and Reconstruction is supporting to renovate the prison building now.

RIGHT TO PROMPT AND FAIR TRAIL

The District Court has the position of one judge. There were 38 civil and 26 criminal cases remained pending at the end of the year. There are no criminal cases and civil cases older than two years pending.

Types of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Total	1	1

CHILD RIGHTS

Education Status

There are 85 primary schools, 12 lower secondary schools and 14 secondary schools. All the 586 positions of teachers were occupied at the end of the year. District Education Office said that 3,450 boys and 3,820 girls of school-going age enrolled in the school in 2014 adding there are no child and disabled-friendly schools in the district.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Domestic Violence

Sumitra Sunuwar, 40, of Tripurakot VDC-6 was battered by her husband Tek Bahadur Sunuwar, 46, on March 17 on charge of disobeying him. The victim was treated at local clinic for her thigh and head injuries. She lodged a complaint at District Police Office on March 18. The incident was settled by police on the same day in the presence of both sides.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
For Practicing Witchcraft	2	2
Sexual Abuse	5	5
Total	12	12

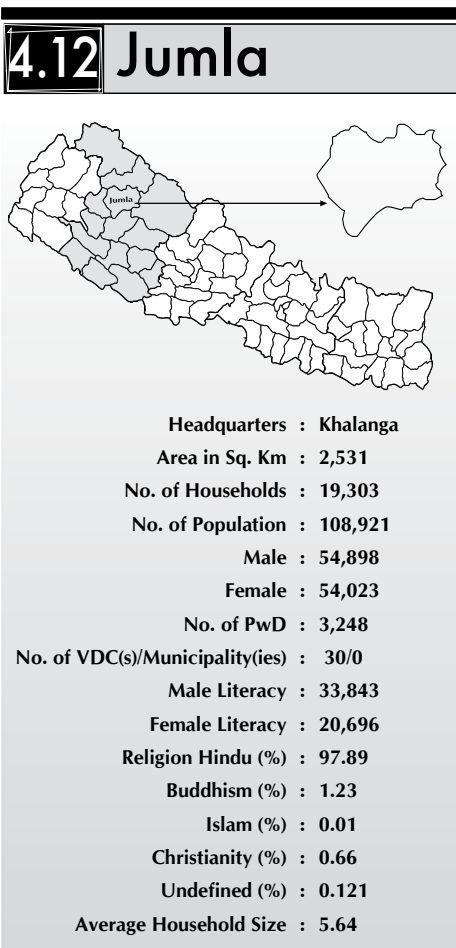
Thipu Budha, 40, of SuunVDC-9 was beaten up by her husband Dewan Budha, 40, on May 11 on the allegation of extramarital affairs. The victim sustained injuries in forehead and back due to the beating. The incident was settled by police on May 18.

ALLEGATION OF WITCHCRAFT

Bishnu Nepali, 18, of Trikurakot VDC-3 was beaten up by Bishman Nepali, 45, of the same place on January 8 on the allegation of practicing witchcraft. The victim lodged a complaint at police office on January 9. The accused was arrested on the same day. The incident was settled in the presence of police in District Police Office.

HEALTH SERVICE STATUS

There are one district hospital, nine health posts and 14 sub-health posts in the district. According to District Public Health Office, one of the two positions of doctors vacant at the end of the year. There is no position for gynecology specialist in the district. The annual health budget of the district is Rs 51,882,000 and 1,400,000 is an administrative expenses. The people are facing problem in the treatment of women.



JAIL AND DETAINEEES

The 'E' grade District Prison has the capacity to accommodate 20 inmates. However, a total of 21 inmates including 19 convicted and two detained were residing in the jail.

RIGHT TO PROMPT AND FAIR TRIAL

There is one district court and one appellate court. The District Court has position for one judge. There were 16 civil and 19 criminal cases remained pending. There are two civil cases and three criminal cases older than two years remained pending at the end of the year. On the basis of the total

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	2		2
Killing	1	1	2
Women Rights	27		27
Total	30	1	31

number of cases, one judge is responsible for about 400 cases.

Similarly, the Appellate Court has two positions for judge. There were 13 civil and 51 criminal cases remained pending at the end of the year. There are no civil or criminal cases older than two years pending at the end of the year. One judge is responsible for about 35 cases on average.

CHILD RIGHTS

Education Status

There are 93 primary schools, 31 lower secondary schools and 29 secondary schools. Two of the total positions of 761 teachers were vacant. District Education Office said that 18,399 boys and 20,800 girls of school-going age enrolled in the school in 2014. It said that there are no disabled-friendly schools in the district. Some schools have the facility of toilets. Information on scholarship fund for the dalit students was not available at the office.

Types of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	1	1
Total	2	2

Rape, Attempt to Rape and Sexual Abuses

Khamma Rawat, 22, Naina Rawat, 22, and Megh Bahadur Rawat, 20, of Sani-gaun VDC-9 were arrested by police on the allegation of raping a 12-year-old girl on July 9. The police registered the FIR against them in which they were accused of raping the girl on July 3. The victim's medical

checkup was held on the same day. The accused were absconding until the end of the year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 48 women lodged complaints of domestic violence at the Women and Children Service Center (WCSC) in 2014. Of them, 29 cases were of expulsion from home, seven cases of depriving of food, 12 were of polygamy. A total of 42 were settled at Police Office and court cases were filed for remaining six.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	19	19
Polygamy	4	4
Rape Attempt	1	1
Sexual Abuse	3	3
Total	27	27

Rape, Attempt to Rape and Sexual Abuses

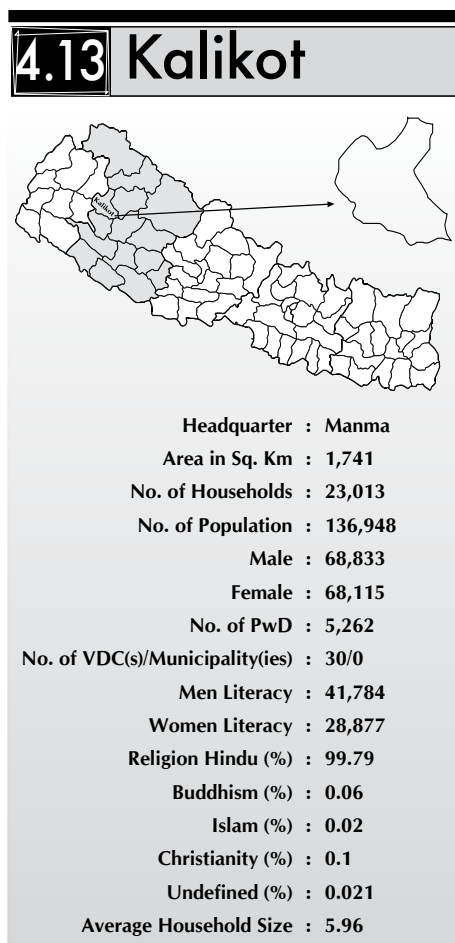
Ekraj Budha, 26, of Dillichaur VDC-4 was arrested by police on October 12 on charge of raping a 25-year-old woman on September 17. The District Court remanded him to in the prison per the District Court order on October 20.

Killing by Family Member

Riuli Kathayat, 50, of Badki VDC-4 was arrested by police on December 27 on charge of killing her daughter -in-law Kamala Kathayat, 21. The Police suspected that, as the male members of the family had gone to India for work, the incident might have happen due to the tussle between the women. According to the police, the incident occurred after the tussle of the daughter-in-law and her mother-in-law. Inspector, Prem Bahadur Khadka the victim had big wound in the head and 162 wounds in the body. The accused was remanded in custody for investigation.

HEALTH SERVICE STATUS

Jumla has 14 health posts, 15 sub-health posts and one primary health center. According to District Public Health Office, one position for doctor in the district remained vacant at the end of year. There is no position for gynecology specialist. The annual health budget of the district is Rs 106,747,662. Of the total of, Rs 4,457,000 was allocated for medical expenses. The patients are compelled to go to Nepalganj for treatment as there are no doctors.



There is no noticeable change in the situation of human rights of Kalikot District in 2014 however the number of victims has gone down this year. INSEC documentation shows that in 2014 a total of 25 people were victims including 20 female and five male whereas in 2013, it was 31 including 16 female and 15 male. Two men were injured in police baton charge in 2014. The data showed that most of the victims were women and children. Most of them were the victims of sexual abuses, rape, sexual violence and domestic violence.

This year, there was one victim of rape, two incidents of attempted rape and nine victims of domestic violence. INSEC documented two girls who were victims of rape this year.

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	2	2	4		1	1
Child Rights				3		3
Killing				1		1
Racial Discrimination				1	3	4
Threats					1	1
Women Rights				15		15
Total	2	2	4	20	5	25

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to accommodate 25 inmates at a time. A total of 47 including 43 convicted male and four female inmates were held there at the end of the year. The prison administration said that overcrowding of inmates in the prison is creating various difficulties for them such as use of toilet, clean drinking water and sleeping space.

BEATING

Krishna Kafle, 29, of Odanaku VDC-1 and Krishna Sahi, 31 of Jubitha VDC-5 were injured in a baton charge by the police deployed from District Police

Office on March 11 on charge of making noise in the meeting of District Council. The injured underwent a medical treatment at District Hospital. The victims did not make any complaint until the end of this year.

Ramesh Rawal, 30, of Lalu VDC-4 and executive editor of Hamro Karnali Daily and Karobar Daily reporter was displaced to Kathmandu on July 14 after getting a series of threats from various parties because of writing news. Rawal was reinstated in the district after the joint initiation of INSEC Mid-Western Office and FNJ on September 7.

INSEC district representative and head of FNJ Kalikot Kali Bahadur Malla was attacked on October 18 at district head-quarter Manma while walking on the street. He was attacked with a sharp weapon by a local hotelier accusing him of tipping off police about card playing in the hotel. He underwent treatment at Public Health and Rehabilitation Center and Kalikot District Hospital for ear, arms, head and back injuries. The victim lodged a complaint at DPO under Public Offence Act. The hotelier Tika Shahi and her daughter in-law Sunita Shahi were arrested by the police and later released on bail amount of Rs 10,000 after nine days.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were 109 civil and 18 criminal cases pending. There are no criminal or civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are 178 primary schools, 59 lower secondary schools and 54 secondary schools. According to the DEO, all of the total positions of 925 teachers were occupied at the end of the year. It said that

Types of Events	By Non-State	
	Female	Total
Rape	2	2
Sexual Abuse	1	1
Total	3	3

29,292 boys and 30,550 girls of school-going age enrolled in school. It said that there were no disabled-friendly schools and information about toilets facility in the school was unavailable. It is providing scholarships to 8,410 dalit boys and 8,644 dalit girls.

Rape, Attempt to Rape and Sexual Abuses

Rajendra Rawat, 19, of Sipkhana VDC-2 was arrested by the police on June 7 on charge of raping a 4-year-old girl on June 4. The victim underwent treatment and medical checkup at District Hospital, Kalikot. The District Court sentenced him to 10 years in prison on July 7.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 23 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 17 incidents were settled in agreement and two incidents were processed forward for legal action.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	9	9
Polygamy	3	3
Rape	1	1
Rape Attempt	2	2
Total	15	15

Killing by Family Member

Nain Kala Shahi, 30, of Kalikamugraha VDC-7 was axed to death by her husband Nawaraj Shahi, 37, on the night of May 31 over a domestic dispute. The accused was arrested by the police deployed from DPO on June 1. The District Court

sentenced him to 14 years in prison on July 13.

Domestic Violence

Sunita Baral, 25, of Manma VDC-3 was injured when her husband physically assaulted her in an inebriated state on April 12. The accused assaulted her for having a lower academic qualification. She went to WCSC and lodged a complaint at DPO with the WCSC's help. The victim was treated at District Hospital, Kalikot. There was no police action against the accused.

Inspector Surya Kanta Pandit of Lekhnath Municipality-15 of Kaski District, posted at Area Police Office, Kumal Gaun assaulted his wife Sumina Pandit inside the office room of DSP Laxman Gurung on May 25. The victim sustained head and neck injury after he assaulted her with fist and boot. The victim tried to register a complaint against him but police refused to do so. The case was settled by police on May 28.

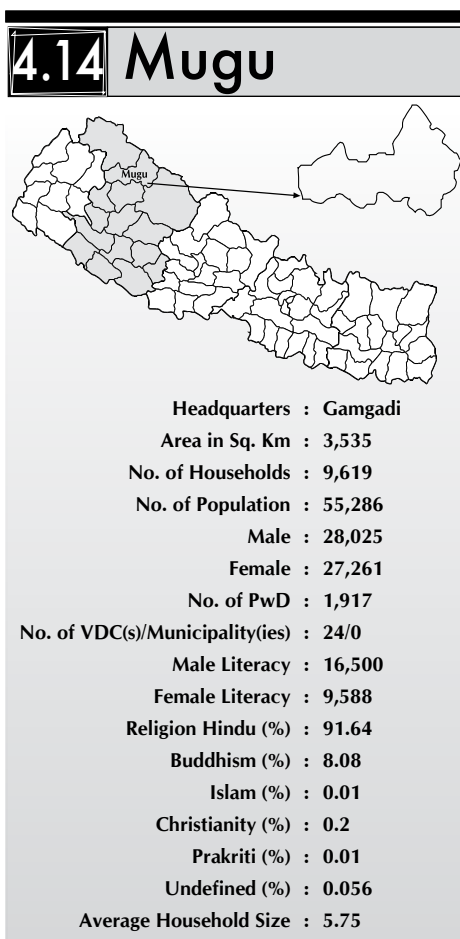
CASTE-BASED DISCRIMINATION

Laxmi Damai, 37, of Pankha VDC-4 and currently living in Danha VDC-8 was assaulted by Krishna Malla and Raju Malla on charge of touching water pot. She received treatment at a local drugstore. The victim lodged a complaint at DPO on August 23. No action was taken against the accused until the end of this year.

Jagmal Sunar, 20, Arjun BK, 16, and Bikash BK, 16, of Bharta VDC-6 were injured in assault by the local non-dalit community of same VDC on charge of entering the Kalika Temple on October 6. A group of 10 people including Jasmal Ramji attacked them with Lathi prohibiting them of entering the temple. The injured were treated at District Hospital, Kalikot. The victims had lodged a complaint at the DPO but no action was taken against the accused.

HEALTH SERVICE STATUS

There are one district hospital, 18 health posts and two sub-health posts in the district. According to the District Public Health Office, one of the three positions of doctors in the hospital remained vacant this year. There is one position for gynecologist. According to the data provided by DPHO, the annual health budget of the district is Rs 10,374,000 for public health and Rs 2,240,000 for medical expenses. The district has a problem of unavailability of the gynecologist.



According to the INSEC documentation, the situation of human rights seems to have improved in the district of Mugu in 2014. In 2013, there were 24 victims in the incidents of human rights violation including eight female and 16 male while in 2014 there were 11 women victims by non-state actor. This year one woman was killed by non-state actor. Most of the victims at the hand of non-state actors were women and children and most of them were the victims of sexual abuses, rape, sexual violence and domestic violence. This year, two women and two girls were raped and one was victim of domestic violence.

Types of Events	By State		By Non-State	
	Female	Total	Female	Total
Child Rights			3	3
Killing			1	1
Racial Discrimination			2	2
Women Rights	2	2	5	5
Total	2	2	11	11

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 15 inmates at a time. A total of nine including four convicted and five detained inmates were registered in prison record. The prison department does not have their own building; the administration sends the inmates to the prisons in Jumla, Surkhet and Banke.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were 21 civil and six criminal cases pending. There are no criminal or civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are 271 primary schools, 56 lower secondary schools and 37 secondary schools. Eleven of the total 1,985 positions

Types of Events	By Non-State	
	Female	Total
Rape	2	2
Sexual Abuse	1	1
Total	3	3

of teachers were vacant at the end of the year, the District Education Office said adding that 27,647 boys and 29,068 girls of school-going age enrolled in the school. It said that there were no disabled-friendly schools in the district. There are facilities of toilets in 67 schools.

Rape, Attempt to Rape and Sexual Abuses

This year two children were the victims of sexual abuse. The family of a 14-year-old girl lodged a complaint at District Police Office on May 11 accusing a 16-year-old boy of attempting to rape her on May 9. The police settled the case in an agreement of paying Rs 50,000 to the victim.

The family of a 15-year-old girl lodged a complaint at District Police Office on April 28 against Kriparam Budha, 35, of Kakriwada VDC-6 accusing him of attempting to rape her on April 26. District Court judge Hari Prasad Sharma Pangeni on July 2 issued an order to sentence him to five years in prison and asking him to pay either Rs 75,000 as compensation or one portion of accused's property as per the will of victim.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year four women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence. All cases were settled in agreement. This year two women were the victims of rape. Last year one case of rape was registered.

A 21-year-old woman was robbed of Rs 22,000, mobile and was gang raped by a 16-year-old boy of Kotdada VDC, Sukra Raj Shahi, 18, and Ammar Raj Shahi, 18, of Gamgadhi VDC-1 on September 22. The

victim's family lodged a complaint at Area Police Office, Ratapani on the same day. The victim underwent medical checkup at District Hospital, Gamgadhi on September 22. District Court order to release the 16-year-old accused but the other two accused remained at large until the end of the year.

Types of Events	By State		By Non-State	
	Female	Total	Female	Total
Domestic Violence			1	1
Polygamy			2	2
Pregnancy Services	2	2		
Rape			2	2
Total	2	2	5	5

Killing by Family Member

Ratna Rupa Malla of Jima VDC-6 was axed to death by her husband Karna Bahadur Malla, 48, on the night of February 21. The police arrested him on April 28 in Jima VDC. District Court Judge Hari Prasad Sharma Pangeni issued awarded life imprisonment with confiscation of his property on July 3.

Domestic Violence

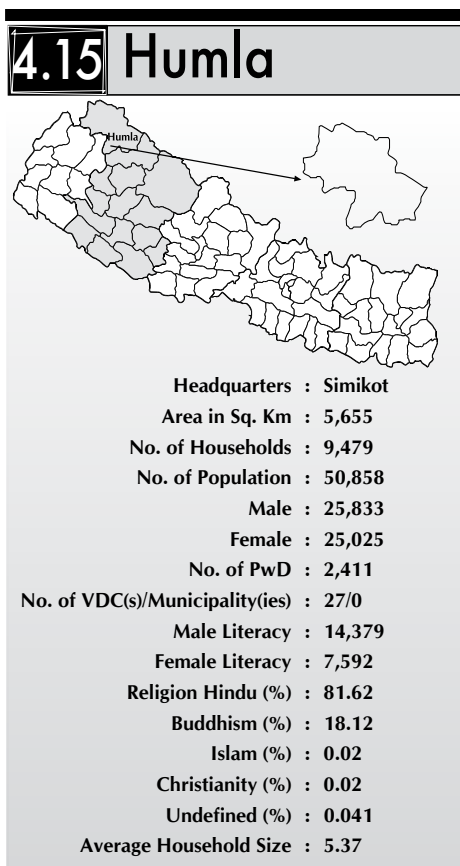
Jaya Nanda BK, 25, of Rowa VDC-5 lodged a complaint at Women Development Office on March 31 accusing her husband Goman Singh BK of assaulting her daily in the inebriated state. No action been taken on the case until the end of the year.

CASTE-BASED DISCRIMINATION

Sauuli Kumal, 60, of Dhainakot VDC-8 was assaulted by Makka Shahi, 45, of same VDC-7 on September 29 while discussing on going to jungle to fetch woods with the villagers. She was assaulted by Shahi saying that a dalit woman cannot go with other villagers. The victim lodged a complaint against the accused at Police Post on September 30. The case was settled after Shahi paid Rs 7,000 to the victim after police remained indifferent to take any action.

HEALTH SERVICE STATUS

There are one district hospital, 14 health posts and nine sub-health posts in the district. According to the District Public Health Office, two of the three positions of doctors in the hospital remained vacant this year. There is one position for gynecologist. The annual health budget of the district is Rs 100,000,000 for public health and Rs 1,400,000 for medical expenses. In Dhainkot VDC more than 100 children suffered from eye infection from June 15. The children were compelled to depend on home remedy and the nearest health post had remained closed. Despite promising, DPHO chief Roshan Lal Chaudhary did not send any medical team to the village.



The situation of human rights has improved in the district in 2014. In 2013, there were 17 people victimized in the incidents of human rights violation including three female and 14 male while in 2014 there were seven were victims by non-state party including five female and two male. Most victims at the hand of the non-state actors were women and children. Most of them were the victims of sexual abuses, rape, sexual violence and domestic violence. This year one girl was victims of rape and three women was victim of domestic violence as per INSEC data.

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	1	12	13			
Child Rights				1		1
Injured					1	1
Racial Discrimination				1	1	2
Women Rights				3		3
Total	1	12	13	5	2	7

INJURED IN EXPLOSION

Kamal AD, 19, of Rodikot VDC-1 was injured in an explosion when he was playing unknowingly with a black object. He underwent treatment at Rodikot Health Post. He sustained a hand injury in the explosion.

JAIL AND DETAINEES

The 'C' grade District Prison has a capacity to hold 25 inmates of which nine inmates including six convicts and three detainees. There are no minor dependents.

BEATING

The priest and worshippers of Bada-pal Temple at Simikot VDC accused police of assaulting them while they were praying on August 10. The plain-clothed police assaulted the priest and worshippers accusing them of hurling stones on the roof of

DPO. The agitating locals handed over a memorandum to District Administration Office against the incident on August 11. Priest Tul Singh Rawat said that the police started assaulting them without provocation while they were conducting some traditional rituals in the temple. Inspector Shambhu Prasad Sitaula denied the charge adding that the police just questioned them about the incident of stoning the roof of DPO. The case was resolved with an agreement to take action against the accused but no action was taken.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There are one civil and seven criminal cases pending. There are no criminal or civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are 90 primary schools, 50 lower secondary schools and 22 secondary schools. Six of the total 404 positions for teachers were vacant. According to the District Education Office, a total of 2,389 boys and 2,887 girls of school-going age enrolled in school. It said that there are 37 child-friendly and no disabled-friendly schools in the district.

Types of Events	By Non-State	
	Female	Total
Rape	1	1
Total	1	1

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year five women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which one case was of assault and expulsion from the house, two of deprivation of

food, one of not registering marriage and supporting to obtain citizenship certificate and one was of polygamy. Among these incidents, four cases were settled in agreement and one case was forwarded for legal proceedings.

Domestic Violence

Tulsi Shahi, 25, of Maila VDC-5 lodged a complaint at Women Development Office on September 10 against her husband Keshar Bahadur Malla for not providing care to his family. The case was registered at DPO of Humla on same day. The case was settled in an agreement by police.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	3	3
Total	3	3

CASTE-BASED DISCRIMINATION

Ratan Sunar, 36, of BC in Raya VDC-1 was assaulted by Pan Kali Bhandari on April 28 over a dispute on cleaning charge hurling caste-based insult. The victim lodged a complaint at District Court of Humla against the accused on same day. Sunar claimed that the police pressurized him to withdraw the case. Later the case was resolved in an agreement.

HEALTH SERVICE STATUS

There are one district hospital, 16 health posts and 11 sub-health posts in the district. According to the District Public Health Office, one of the two positions of doctors in the hospital remained vacant this year. There is one position for gynecology specialist. All of the 29 positions of Assistant Health Workers remained occupied. The annual health budget of the district is Rs 26,400,000 for public health and, Rs 9,000,000 for medical expenses.





Human Rights Situation of **Far Western Region**

The Far-Western Development Region has nine districts. The region is comprised of Darchula, Bajura and Bajhang in mountainous region, Dadeldhura, Doti and Achham in hilly region and Kailali and Kanchanpur in Tarai region. The region saw a number of human rights violence in the districts in 2014, mainly violence against women and children. There were 493 victims of human rights violation documented in 2014 out of whom 345 were women. There were 33 persons victimized by the state, among them, 20 were beaten by state actors. There were 18 killings in the region, including 11 female and seven male.

Number of victims of human rights violation in the development region increased in comparison to previous year. IN-SEC documented an increase in incidents of human rights violations in all districts except Kanchanpur. The highest increase of victims of human rights violations was in Dadeldhura, from 28 to 64. Last year, there were a total of 347 victims of human rights

violations in the region while this year, it was 466. Kailali had the highest number of victims of human rights violation (168) which is an increase from 149 in 2014. There was big drop in Doti from 51 in 2014 to 39 in 2013.

Most of the documented cases of women rights violation in the region in 2014 were domestic violence (283) and sexual violence, including rape (8), rape attempt (11) and sexual abuse (9). Two women were abused on charge of practicing witchcraft and 18 were victims of trafficking and two forced prostitution. The number of trafficking victim is much less from last year's number (6). 13 of those 18 women were documented in Kailali while three were documented in Kanchanpur, both border towns used by the traffickers as entry point to India. There were only 12 victims of polygamy recorded. Most of the documented cases of women rights violation in the region in 2013 were domestic violence (156) and sexual violence, includ-

Fig 1: Human Rights Violation in Far Western Region

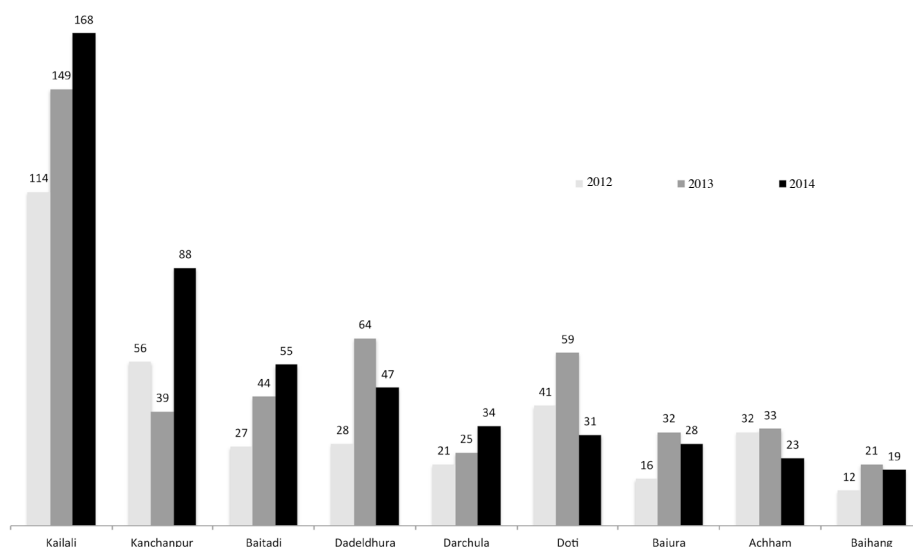
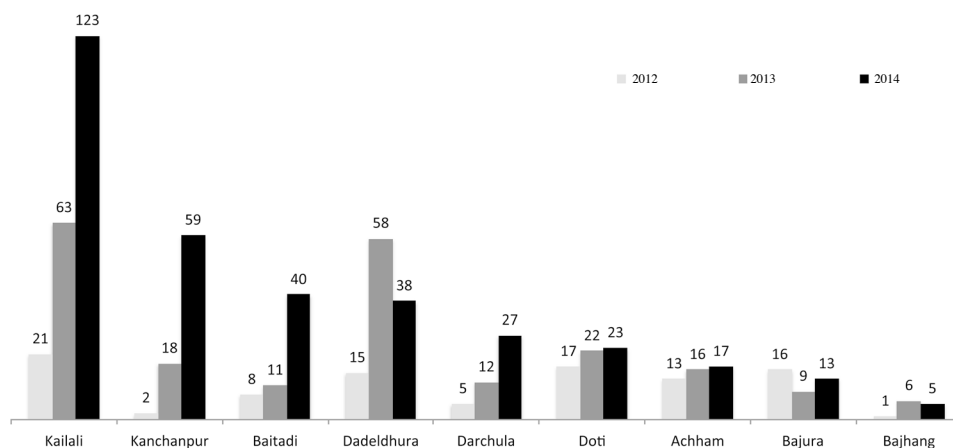


Fig 2: Women's Rights Violation in Far Western Region



ing rape (6), rape attempt (10) and sexual abuse (15). Five women were abused on charge of practicing witchcraft and six were victims of trafficking.

Child victims in the region remained similar to last year, i.e. 71 while in 2014, it was 69. Of them, 63 were girls and six were boys. Most girls were the victims of rape (30) and sexual abuse (17). One boy was sexually abused. Most number of child victims were documented in Kailali (26) followed by Kanchanpur (11). In Kailali, 14 girls were raped and two girls were victims of sexual abuse while one boy was also abused. Four girls and four boys were victims of trafficking. In Kanchanpur, six girls were raped, two were sexually abused and three were being trafficked.

Gangaram Rana, 25, of Krishnapur VDC-2 was arrested by Area Police Office, Krishnapur on March 23 on charge of killing an 11-year-old girl after rape. The victim who had gone to graze cattle was strangled to death after rape by the perpetrator in a bid to hide the incident on March 22. A postmortem of the deceased was held in

Mahakali Zonal Hospital on March 23. The District Court on May 16 issued life imprisonment to the perpetrator.

Total capacity of the district prisons is 405 but the occupancy at the end of the year was 879. Of them, 830 were male and 49 female. The district also has seven dependent boys and two dependent girls. The government hospitals are also not providing proper services.

The mountainous districts of the region- Bajhang, Darchula, and Bajura face constant shortages of food. The remote geography and poor road connectivity means that the districts do not have sufficient food even when the locals want to buy. This drives the youths of the mountainous and hilly districts to migrate to India for working opportunities. The region also has some malpractices in the name of chhaupadi and different forms of bonded labor, including Haliya. Though the government declared their liberation, in absence of proper rehabilitation plan, the Haliyas are worse off and at great danger of more exploitation.

5.1 Kailali



Headquarters :	Dhangadhi
Area in Sq. Km :	3,235
No. of Households :	142,480
No. of Population :	775,709
Male :	378,417
Female :	397,292
No. of PwD :	15,378
No. of VDC(s)/Municipality(ies) :	42/2
Male Literacy :	267,593
Female Literacy :	216,403
Religion Hindu (%) :	94.91
Buddhism (%) :	2.01
Islam (%) :	0.61
Kirat (%) :	0.01
Christianity (%) :	1.87
Prakriti (%) :	0.22
Shikha (%) :	0.006
Undefined (%) :	0.331
Average Household Size :	5.44

According to INSEC documentation, the incidents of human rights violation remained constant in the district in comparison to last year's data. Though the human rights situation of human rights violation is constant in the district, the tendency of it remained same. Last year, a total of 149, 12 of them by state and rests were from non-state actors were victimized in different incidents of human rights violation in the district. This number increased to 168 in this year. Of them, eight were

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				2	1	3
Beatings		5	5			
Child Rights				21	5	26
Death in Jail	1	2	3			
Killing				6		6
Racial Discrimination				2		2
Women Rights				123		123
Total	1	7	8	154	6	160

victimized by state and rests of them were from non-state actors. INSEC documented almost double incidents of violence against women in comparison to last year in the district. Last year, 63 women were victimized in various incidents of violence against women whereas a total of 123 women were victimized in this year. One incident of caste-based discrimination was collected in the district in 2013 whereas two incidents were documented in this year. Last year, INSEC had documented 13 incidents of killing whereas it documented six incidents of killing in the district. Moreover, a total of 31 children were victimized in various incidents of child rights violation in 2013 whereas 26 children were victimized in this year.

JAIL AND DETAINEES

The 'D' grade district prison has the capacity for 100 inmates. However, a total of 374 inmates including 339 males and 35 females are residing in the prison. Out of the total inmates, 24 convicted and six detained are foreigners. There are a total of nine defendants in the prison. Prisoner Puskar Khadka informed that the prison building is in dilapidated condition. According to him, the inmates are facing the problems of drinking water, toilets and sports facilities.

RIGHT TO PROMPT AND FAIR TRAIL

The District Court has two positions for judges. There were 235 civil and 316 criminal cases pending at the end of the year. A civil case older than two years remained pending at the end of the year. Based on the numbers of cases, it seems that one judge is responsible to handle about 276 cases in the court.

CHILD RIGHTS

Education Status

There are 400 primary schools, 215 lower secondary schools and 128 secondary schools in the district. Of the total positions of 1,620 teachers, 569 positions are vacant at the end of the year. District Education Office said that 12,340 boys and 15,180 girls from Dalit community received scholarship in this year. The office said that all schools have the facilities of toilets and they are disabled-friendly. All the schools have a facility of toilets. District Education Office informed that the annual budget of the office is Rs 516,050,000.

According to INSEC's documentation, a total of 26 children including five boys were victimized in the incidents of sexual abuses, rape, child labor and trafficking cases in the district. Last year, INSEC had documented 31 cases of child rights violation in the district. It was found that the victim's family members perpetrated in some cases of rape.

The District Court on November 2 issued an order of eight year's imprisonment against Sharbesh Loniya, 18, of Lalbojhi VDC-2 for attempting to rape a six-year old girl on July 18. The victim's parents had lodged a complaint against him on July 19 for attempting to rape. Police arrested the accused on the same day and the police office lodged a complaint at District Court on August 8. The victim's health checkup was held on July 9.

Types of Events	By Non-State		
	Female	Male	Total
Child Labour	1		1
Child Trafficking	4	4	8
Rape	14		14
Sexual Abuse	2	1	3
Total	21	5	26

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 114 cases of domestic violence and 56 cases of domestic violence were filed in Women and Children Service Center of District Police Office in this year. Of them, a total of 55 were of beating, 25 were of expulsion from home and 34 were of mistreatment. Of the total filed cases, 34 cases were settled at District Police Office and the cases of divorce and property claiming were sent to court for legal proceedings.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	92	92
Forced Prostitution	2	2
Polygamy	3	3
Rape	6	6
Rape Attempt	4	4
Sexual Abuse	3	3
Women Trafficking	13	13
Total	123	123

Last year, a total of 63 women were victimized in the incidents of violence against women whereas a total of 123 women victimized in this year. According to report, a total of 92 women were victimized in domestic violence and 13 were in women trafficking. A total of 13 women were victimized in the incidents of rape, attempt to rape and sexual abuses. A 60-year old woman was victimized in these incidents.

Human Trafficking

A case was lodged in District Court on February 25 against Kanchimaya Tamang, 35, Rekha Tamang, 35, of Kathmandu district and Gokul BK of Masuriya, Kailali district on the allegation of trafficking two girls to India. The victim with the help of Maiti Nepal had lodged a complaint at District Police Office on January 8. Of the accused, Kanchhimaya was arrested by police on November 29 in Kathmandu. The Maiti Nepal, an NGO of Nepal that works against women trafficking and police had rescued the victim near Gauriphanta of Indian boarder on December 11. Kanchhimaya was remanded to custody. The accused was sent to Kathmandu district prison on March 7.

Domestic Violence

Ganga Devi Nepali, 35, of Attariya Municipality-6 was set fire by pouring kerosene on her body by her husband Padam Nepali, 40 on June 10 for going outside without his permission. The perpetrator was arrested by police when the victim's relatives lodged a complaint at Area Police Office, Malakheti. The victim also lodged a complaint at the District Police Office on June 11. The victim who received injuries in chest and back part of the body was treated at Seti Zonal Hospital. A single bench of district judge Yagyaaraj Bhatta ordered five year's imprisonment against the perpetrator on November 3. He is now serving prison term at the District prison.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Last year, a case of caste based discrimination was documented in the district. Two cases of the caste based discrimination were documented in this year. Both cases were settled after the accused apologized on the incidents.

Laxmi devi Nepali, 40, of Dhangadhi Municipality-12 was beaten up by Shushila Singh, 35, of same place on September 14 for touching tap water. The victim lodged a complaint against the accused at the District Police Office on September 15. The district police office arrested the accused on September 17. The incident settled at the police office when the accused apologized. The victim who sustained minor injury was treated at Seti Zonal Hospital on the same day.

HEALTH SERVICE STATUS

There are three district hospitals, four health posts and two sub-health posts in the district. According to District Public Health Office, all of the 31 positions of doctors a total of four positions remained vacant in the district. There five positions for gynecology experts and all are working at the district. The district has 35 positions of staff nurses, of them 31 are at work. Of the total positions of 121 Assistant Health Workers a total of 17 remained vacant. Of the total positions of 79 Auxiliary Nurse a total of 70 are at work.



5.2 Achham



Headquarter :	Mangalsen
Area in Sq. Km :	1,680
No. of Households :	48,351
No. of Population :	257,477
Male :	120,008
Female :	137,469
No. of PwD :	8,602
No. of VDC(s)/Municipality(ies) :	75/0
Men Literacy :	75,674
Women Literacy :	55,874
Religion Hindu (%) :	99.43
Buddhism (%) :	0.3
Islam (%) :	0.1
Christianity (%) :	0.13
Undefined (%) :	0.036
Average Household Size :	5.33

According to INSEC documentation, human rights situation of the district seems improved in the district in 2014. It shows that the number of victims has gone down from 33 to 20. In 2013, a total of 33 people were victims in the incidents of human rights violation including 27 female. In 2014, 3 people were victimized by state actors in various incidents of human rights violation. Last year, 16 women were the victims of violence against women and nine girls were the victims of violence against child rights. In 2014, a total of 17 women were victim of violence against women as three girls were victims of child rights. Two cases of caste-based discrimination were documented by INSEC, last year. This year, no incidents of caste-based discrimination

Types of Events	By State			By Non-State	
	Female	Male	Total	Female	Total
Beatings	1	2	3		
Child Rights				3	3
Women Rights				17	17
Total	1	2	3	20	20

however, one incident of assault by police was reported.

JAIL AND DETAINEES

The 'C' grade District Prison has the capacity to hold 25 inmates at a time. A total of 38 inmates were held there at the end of the year of which four are detainees. The prison has four female inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court of Achham has one position for judge. There are three civil and six criminal cases pending till the end of the year.

CHILD RIGHTS

Education Status

There are 295 primary schools, 70 lower secondary schools and 95 secondary schools. In this District, 47,483 boys and 50,159 girls of school going age were enrolled in the schools. Of the total positions of 1,114 teachers, 15 positions remained vacant at end of the year according to DEO. All the schools have the facility of toilets and there are three disabled-friendly schools in the district. The District Education Office has provided scholarships worth of Rs 2,254,000 to boys and girls of dalit community. The annual budget of the District Education Office is Rs 547,366,996 of which Rs 5,000,000 was allocated for administrative costs.

This year, three girls were the victims of rape and sexual abuses in this district. Last year, nine girls were victimized on the same type violation.

Types of Events	By Non-State	
	Female	Total
Rape	2	2
Sexual Abuse	1	1
Total	3	3

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 40 cases of women violence were registered at District Police Office, this year. In all incidents, women were victims of assault by their acquaintances in an inebriated state. All cases were settled in an agreement, according to DPO. Most of the incidents are settled even in hand of legal stakeholders which has encouraged such incident according to rights activists.

Last year, 16 women were victimized in women violence whereas a total of 17 women were victimized in this year. Of which 13 women were the victims of domestic violence. Similarly, one woman was the victim of rape and two were of sexual abuses.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	13	13
Polygamy	1	1
Rape	1	1
Sexual Abuse	2	2
Total	17	17

A dalit was prohibited to enter into Kalika temple at Kalikasthan VDC-7 on October 2 by non-dalit locals. After the incident, the victim had to return without performing the rituals. On October 5, the case was settled in an agreement after both side's mutual agreement. The case was settled at District Police Office when the victim lodged the complaint. After this incident, the dalit people were allowed to enter the temple.

HEALTH SERVICE STATUS

The district of Achham has one District Hospital and 46 Sub-health Post. There is no Health Post. Out of four positions of doctors, three of them remained vacant till the end of the year. According to District Public Health Office, there are no positions for gynecologists. Out of six positions for the staff nurse, five are working. There are 88 positions assigned for the Assistant Health Workers however 14 positions remained vacant till the end of the year. The office said that out of 33 positions of auxiliary nurse, all are functioning till the end of the year.



5.3 Doti



Headquarters	: Silgadhi
Area in Sq. Km	: 2,025
No. of Households	: 41,440
No. of Population	: 211,746
Male	: 97,252
Female	: 114,494
No. of PwD	: 7,302
Male Literacy	: 62,609
Female Literacy	: 45,422
Religion Hindu (%)	: 99.04
Buddhism (%)	: 0.75
Islam (%)	: 0.05
Christianity (%)	: 0.13
Bon (%)	: 0.01
Undefined (%)	: 0.017
Average Household Size	: 5.11

According to INSEC documentation, the incidents of human rights violation decreased in the district this year in comparison to the previous year. A total of 59 people including 29 females were victimized by non-state actors in 2013. However, INSEC documented that a total 31 people including 30 females in the district. Since last year, no incidents of human rights violation were committed by the state's involvement. Last year, 22 were victimized in the various incidents of violence against women and six children were victimized in child rights violation. This year, a total of 23 women and seven children were victimized in various incidents of human rights.

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	7		7
Racial Discrimination		1	1
Women Rights	23		23
Total	30	1	31

Last year, two persons were victimized in caste-based discrimination. One person was victimized in the same type of incident in this year. One case of killing was documented last year whereas no case of killing was documented in this year.

JAIL AND DETAINEES

The 'B' grade district jail has the capacity for 45 inmates. There are a total of 38 inmates including 33 convicted and three detained are residing in the jail. The district jail is in dilapidated condition. Jailor Yagyaram Pathak informed that the inmates are facing the problems of drinking water.

There are two courts in the district. One is district court and another is appellate court. The District Court has one position for judge. There were five civil and 1,116 criminal cases remained pending.

Similarly, of the total positions for four judges in the appellate court five judges are at work. The appellate had 249 criminal

and 45 civil cases remained pending at the end of the year. Based on the data, it seems that one judge is responsible for 59 cases.

CHILD RIGHTS

Education Status

There are 44 primary schools, 70 lower secondary schools and 44 secondary schools. Of the total positions of 1,515 teachers, all teachers are at work at the end of the year. District Education Office said that 32,042 boys and 6,445 girls of school going age enrolled in the school in 2014. The office said that all schools had the facilities of toilets. District Education Office informed that a total of 539 boys and 507 girls received scholarship from Dalit community.

This year, seven cases of child abuses, rape and child marriage were documented in the district. Last year, six girls were victimized in the aforementioned cases in the district.

Types of Events	By Non-State	
	Female	Total
Child Marriage	2	2
Rape	1	1
Sexual Abuse	4	4
Total	7	7

Family members of four year's one-grader girls of Bhawani Lower Secondary School lodged a complaint against the teacher Yogendra Bahadur Bogati, 26, of Gaguda VDC-3 was arrested by police on March 13. Police arrested the accused on Falgun 30. The victim's health checkup was held in local health post on Chaitra 1. The accused was remanded to custody on April 4 as per the District Court's order.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 85 women lodged the complaints of domestic violence at Women

Types of Events	By Non-State	
	Female	Total
Domestic Violence	17	17
Polygamy	4	4
Rape Attempt	1	1
Women Trafficking	1	1
Total	23	23

and Children Service Center in 2014. Of the total filed cases, a total of 41 were of beating, two were of expulsion from home, five were of depriving of food, five were of polygamy and 32 were of verbally abuses. Of the total cases, 79 cases were settled in the District Police Office and others were sent to court for legal proceedings.

Last year, a total of 22 women were victimized in various incidents of violence against women but this number increased to 23 this year. A total of 17 women were victimized in domestic violence this year. One woman was victimized in trafficking and one was in attempt to rape.

Police arrested Yagya Bahadur Kathayat, 48, of Latamandau VDC-2 and teacher of Kotela Primary School for raping a 60-year old woman on February 22. The victim lodged complaint at Police Office, Chawanchautara on February 23. The District Police Office lodged the complaint at District Court on February 26. The single bench of Dhansingh Mahara, judge at District Court ordered to release the accused on March 28 after submitting NRs 50 thousands on bail.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Last year, INSEC had documented a total of two cases of caste based discrimination in the district. However, one case of the caste based discrimination was documented this year.

HEALTH SERVICE STATUS

There is a district hospital district hospital, two primary health posts 47 birth-

ing centers, 20 health posts and 29 sub health posts in the district. According to District Public Health Office, all of the four positions of doctors, two positions remained vacant at the end of the year. There is position for gynecology expert in the district. Of six positions for staff nurses, all are at work. The district has 112 positions of Assistant Health Workers of which 25 remained vacant. The total budget of District Health Office is 132,416,881 of which 3,000,000 is for medical expenses.



5.4 Bajura

Headquarters : Martadi

Area in Sq. Km : 2,188

No. of Households : 24,908

No. of Population : 134,912

Male : 65,806

Female : 69,106

No. of PwD : 5,895

No. of VDC(s)/Municipality(ies) : 27/0

Male Literacy : 39,950

Female Literacy : 27,476

Religion Hindu (%) : 98.68

Buddhism (%) : 1.14

Kirat (%) : 0.01

Islam (%) : 0.007

Christianity (%) : 0.06

Undefined (%) : 0.027

Average Household Size : 5.42

The INSEC documentation shows that there was no remarkable change in human rights situation in this district in 2014. According to the INSEC's documentation, the number of victims has gone up from 32 to 28. In 2013, there were 32 people victimized in the incidents of human rights violation of them, six were victimized by state actor and 26 were by non-state actor whereas there were 28 victims including 10 were victimized by state actor in 2014. Last year, three female were victims by state actor and 15 by non-state actor. In 2014, a total of 13 women and two children were victims. A total of two people were victims in the incidents of caste-based discrimination last year whereas three people were victimized by similar incident, this year.

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	6	4	10			
Child Rights				2		2
Racial Discrimination				2	1	3
Women Rights				13		13
Total	6	4	10	17	1	18

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 25 inmates at a time. A total of 32 including 25 convicted and seven detained were held there at the end of the year. There are no female inmates in the prison. The prison building was built in 1982 and it is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge. There were 13 civil and 19 criminal cases pending. There are five criminal cases older than two years pending.

CHILD RIGHTS

Education Status

The District Education Office informed that there are total of 710 positions for teachers in the district and all of them are working at the end of the year. According to the district education office, a total of 24,238 boys and 25238 girls of school going age were enrolled in the schools. The District Education Office has provided scholarships worth of Rs 8,420,000 to dalit students this year. The annual budget of the office is Rs 275,450,834 of the total budget Rs 8,368,500 was allocated for administrative costs.

Types of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Sexual Abuse	1	1
Total	2	2

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Last year, a total of nine victims of violence against women were documented by INSEC but 13 victims were documented this year. According to the documentation, 10 women were the victims of domestic violence whereas one was the victim of witchcraft allegation.

Suna Lohar, 32 of Badimalika Municipality-12 had lodged a complaint at District Police Office on October 12 against her uncle Kakatule Lohar, 50 and his nephew demanding the possession right and return back of her ancestral properties. She was living in her parental home and was compelled to lodge a complaint when her uncle denied to return back her ancestral property. The dispute couldn't be settled in village and the case was sent to the District Court for legal action. The case remained pending at the end of the year.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	10	10
For Practicing Witchcraft	1	1
Rape Attempt	1	1
Sexual Abuse	1	1
Total	13	13

CASTE-BASED DISCRIMINATION

A total of two people were victimized in different incidents of caste-based discrimination in 2013 whereas three people were victimized in a similar type of incidents, this year.

Dalli Rawat, 18 of Agaunpani, Pandusen VDC-6 and her husband Shiva Sariki, 21 were ostracized from the village on January 4 due to the inter-caste marriage on January 3. After the incident, the couple was displaced to their relative's house at Rajali, Jugada VDC-9. The victims did not make complaint regarding the incident.

HEALTH SERVICE STATUS

There is one district hospital, 18 health posts and nine Sub-health posts in the district. According to the data provided by the District Public Health Office, of the four positions of doctors in the hospital, two posts remained vacant, this year. The district has 32 positions of Assistant Health Workers of which 28 are vacant. Out of 22 posts for auxiliary nurses 19 are working. The annual health budget of the district is Rs 206,096,000 for public health cost and Rs 4,209,000 for administrative cost, District Public Health Office informed.



5.5 Bajhang



Headquarters :	Chainpur
Area in Sq. Km :	3,422
No. of Households :	33,786
No. of Population :	195,159
Male :	92,794
Female :	102,365
No. of PwD :	4,976
No. of VDC(s)/Municipality(ies) :	47/0
Male Literacy :	60,065
Female Literacy :	38,651
Religion Hindu (%) :	99.74
Buddhism (%) :	0.18
Islam (%) :	0.03
Christianity (%) :	0.03
Undefined (%) :	0.037
Average Household Size :	5.78

There have been no remarkable changes in situation of human rights in the district in 2014. According to the INSEC documentation, the number of victims has gone down from 21 to 19. In 2013, there were 21 people were victims in the incidents of human rights violation including

Types of Events	By Non-State		
	Female	Male	Total
Beatings		2	2
Child Rights	3		3
Killing	1	1	2
Racial Discrimination		7	7
Women Rights	5		5
Total	9	10	19

one by state actor. In 2014, a total of 19 people were victims by non-state actor. This year seven people were victims of caste discrimination same as the last year as per IN-SEC documentation. Similarly, five women were victims of women violence and three children were victims of child rights violation.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 25 inmates at a time. A total of 42 including 32 convicted and 10 detained inmates were held there at the end of the year. There are no women and children in this prison. The prison building was built in 1984 and its physical infrastructure is very weak.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court of Bajhang has one position for judge. There were 71 civil and 68 criminal cases pending. There are 29 criminal cases and 10 civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are 310 primary schools, 88 lower secondary schools and 40 secondary schools. Of the total positions of 1,779 teachers, all are working till the end of the year according to DEO. According to the district, education office a total of 39,130 boys and 38,385 girls of school going age are in the district. Out of 438 schools, 383 schools have facility of toilet and 45 schools are not children friendly. The District Education Office has provided scholarship to 5,914 dalit boys and 6,386 dalit girls. The annual budget of DEO is Rs 41,369,226.

Rape, Attempt to Rape and Sexual Abuses

In 2013, INSEC had documented two incidents of child rights violation in the

Types of Events	By Non-State	
	Female	Total
Rape	2	2
Sexual Abuse	1	1
Total	3	3

district. This year, three girls were victims of rape and sexual abuses. In one incident, a father was arrested on charge of raping his 12-year-old daughter on December 27. The accused was arrested by police on December 28.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, two women lodged complaints of domestic violence at Women and Children Service Centre (WCSC). Of them, one case was of assault and expulsion from the house and one case of deprivation of food. Among these incidents, one case was settled in an agreement whereas other was processed for legal action, according to WCSC.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	2	2
Rape Attempt	3	3
Total	5	5

Last year, six women were victimized in different incidents of women rights violation, however this year, the number was five. As per the documentation, two were the victims of domestic violence and there were victimized in rape attempt.

CASTE-BASED DISCRIMINATION

In an incident of caste discrimination, seven people were the victims last year. The number was same this year.

HEALTH SERVICE STATUS

There is one district hospital, 21 health posts and 24 Sub-health posts in the

district. According to the data provided by the District Public Health Office, of the four positions of doctors in the hospital, one post remained vacant this year. There is one position for gynecologists. The district has 68 positions of Assistant Health Workers of which 17 remained vacant. Out of 25 posts for auxiliary nurse only six are working. There are 227 positions in the district of which 60 positions remained vacant. The annual health budget of the district is 137,530,000 for public health and 466,800 for medical expenses. The district has a problem of unavailability of the gynecologists.



5.6 Kanchanpur



Headquarters :	Mahendranagar
Area in Sq. Km :	1,610
No. of Households :	82,152
No. of Population :	451,248
Male :	216,042
Female :	235,206
No. of PwD :	9,072
No. of VDC(s)/Municipality(ies) :	19/1
Male Literacy :	161,217
Female Literacy :	135,262
Religion Hindu (%) :	95.09
Buddhism (%) :	1.15
Islam (%) :	0.1
Kirat (%) :	0.01
Christianity (%) :	2.65
Prakriti (%) :	0.82
Wahi (%) :	0.1
Undefined (%) :	0.09
Average Household Size :	5.49

According to the INSEC documentation, the incidents of human rights violation have almost doubled in the district in comparison to last year. Though the incidents on violation of human rights are constant in the district however the tendency remained same. A total of 39 people were victimized in 2013. However, a total of 88 people including 12 by state were victimized in 2014. This year, INSEC documented almost three times more incidents of violence against women in the district. In 2013, a total of 18 women were victimized in various incidents of violence against women in the district. However, this number increased to 59, this year. Last year, a total of six children were victimized in different incidents of child rights violation in the district whereas this number increased to 11 this year.

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				1		1
Arrest & Torture		7	7			
Beatings		2	2		1	1
Child Rights				11		11
Inhuman Behaviour					1	1
Injured	2	1	3			
Killing				1	1	2
Racial Discrimination				1		1
Women Rights				59		59
Total	2	10	12	73	3	76

JAIL AND DETAINEES

The 'C' grade district jail has the capacity for 95 inmates. However, a total of 156 males, six females convicted and a total of 29 males and one female detainee are in the jail at the end of the year. The jail administration complained that the inmates are facing the problems of drinking water, toilets and sleeping due to the overcrowding.

RIGHT TO PROMPT AND FAIR TRIAL

There are a district and an appellate court in the district. The District Court has one position for judge who is at work. There were 295 civil and 154 criminal cases pending. There are 10 criminal cases and 22 civil cases older than two years remained pending at the end of the year. Similarly, the total positions of judges in the appellate court are four. A total of 53 civil and 68 criminal cases remained pending at the end of the year. Moreover, three civil and two criminal cases older than two years remained at the end of year. Based on the data one judge is responsible to handle at least 32 cases.

CHILD RIGHTS

Education Status

There are 100 primary schools, 63 lower secondary schools and 50 secondary schools. Of the total positions of 839 teachers, 15 positions remained vacant at the end of the year. District Education Office said that 43,825 boys and 48,964 girls of school going age enrolled in the school in this year. According to the office, there are 11,479 boys and 12,666 girls received scholarships in this year. The annual budget of the school is 210,570,900. Of the total budget, 7,738,000 was allocated for administrative cost.

Types of Events	By Non-State	
	Female	Total
Child Trafficking	3	3
Rape	6	6
Sexual Abuse	2	2
Total	11	11

Rape, Attempt to Rape and Sexual Abuses

A total of 11 cases of child rights violations such as sexual abuses, rape and attempt to rape were documented in the district. Last year, six children were victimized in child rights violation.

A 46-year-old father of a girl was arrested by police for raping his mentally

Types of Events	By Non-State	
	Female	Total
Domestic Violence	53	53
For Practicing Witchcraft	1	1
Polygamy	2	2
Women Trafficking	3	3
Total	59	59

retarded daughter on September 15. The neighbors of the victims had informed the Area Police Office, Gulariya on September 14 when they got the information of the incident. The victim's health checkup was held in Mahakali Zonal Hospital on September 15. The single bench of District judge Bhojraj Adhikari ordered 12 year and six months imprisonment.

Killing after Rape

Gangaram Rana, 25, of Krishnapur VDC-2 was arrested by Area Police Office, Krishnapur on March 23 on charge of killing an 11-year-old girl after rape. The victim who had gone to graze cattle was strangled to death to hide the incident by Rana on March 22. A postmortem of the deceased was held in Mahakali zonal hospital on March 23. The District Court on May 16 issued an order of life imprisonment against the perpetrator.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 119 women lodged complaints of violence against women at Women and Children Service Center in 2014. Of the total filed cases, a total of 114 were of beating, a total of five were expulsion from home. A total of 95 cases were settled at the District Police Office and 24 cases were sent for legal proceedings. Last year, a total of 18 women were victimized in various incidents of human rights violation in the district whereas a total of 53 women were victimized in this year. Similarly, three women were victimized in trafficking case. The incidents of rape and attempted to rape were not documented in the district. One

woman was victimized in witchcraft accusation. However, the incident was settled at the local level.

Human Trafficking

Radhika Devi Bishta, 27, Sher Bahadur Nath, 68, and Dhana Nath, 35, of Dekhatbhuli VDC-8 were arrested by District Police Office on December 5 for trafficking a 25-year old woman in the district. The victim lodged a complaint at District Police Office on December 7. The District Court ordered to release all the accused by taking NRs 50,000 fines. Although Radhika and Sher Bahadur released after submitting the fine Dhana was in jail when he could not submit the amount.

ALLEGATION OF WITCHCRAFT

Sanu Tamang, 27, Sharada Tamang, 32, of Punarbas Municipality-12 were arrested by police on September 13 on charge of alleging Hemanti Tamang, 37, of same place of practicing witchcraft. According to the victim the accused had beaten her up as there were no people at home. She received chest and mouth injuries in an incident. She was treated at Seti Zonal Hospital. The case was settled in the District Police Office after the accused promised not to repeat this incident in future.

HEALTH SERVICE STATUS

There are one district hospital, 14 health posts and four sub-health posts in the district. According to District Public Health Office, all of the 21 positions of doctors, 21 were at work at the end of the year. There are no positions for gynecology expert. The district has 22 positions of staff nurse, 21 are working. Of the total 36 positions for Auxiliary Nurse all are at work. The annual health budget of the district is Rs 93,670,000. Of the total budget, 93,670,000 were allocated for administrative cost whereas NRs 2,500,000 was for medical cost.



5.7 Dadeldhura



Headquarters :	Dadeldhura
Area in Sq. Km :	1,538
No. of Households :	27,045
No. of Population :	142,094
Male :	66,556
Female :	75,538
No. of PwD :	5,150
No. of VDC(s)/Municipality(ies) :	20/1
Male Literacy :	47,555
Female Literacy :	37,254
Religion Hindu (%) :	98.88
Buddhism (%) :	0.71
Islam (%) :	0.03
Christianity (%) :	0.33
Prakriti (%) :	0.03
Undefined (%) :	0.016
Average Household Size :	5.25

The INSEC documentation shows that the human rights situation seems improved in the district in 2014. It shows that the number of victims has gone down from 64 to 47. In 2013, there were 64 people victimized in the incidents of human rights violation including five girls and 58 women

Types of Events	By Non-State		
	Female	Male	Total
Abduction		1	1
Child Rights	4		4
Killing		2	2
Racial Discrimination	1	1	2
Women Rights	38		38
Total	43	4	47

while in 2014 there are 47 victims including four girls and 38 women. This year, in this district there were two incidents of caste-based discrimination and two cases of killing as per INSEC documentation.

JAIL AND DETAINEES

The 'E' grade District Prison has the capacity to hold 25 inmates at a time. A total of 62 including 48 convicted and 14 detained were held there at the end of the year of which 55 are male and seven are women. The prison building was built in 1988. The inmates complained that they are compelled to sleep in tent due to the overcrowding. According to jailor Swash Rawal, they are facing the problems of sleeping, drinking water and toilet.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court of Dadeldhura has one position for judge. There were 10 civil and eight criminal cases pending at the end of the year. There are no criminal or civil cases older than two years pending.

CHILD RIGHTS

Education Status

There are 142 primary schools, 59 lower secondary schools and 32 secondary schools. The District Education Office informed that of the total positions of 1,244 teachers, all are working at the end of the year. According to the district education office, a total of 21,156 boys and 23,457 girls of school going age are enrolled in the schools. The District Education Office has provided Rs 7,365,000 for the scholarships to dalit boys and girls. The annual budget of District Education Office is Rs 117,327,106 and Rs 7,397,100 as an administrative cost.

Rape, Attempt to Rape and Sexual Abuses

This year, INSEC has documented four cases of rape in the district. Last year,

Types of Events	By Non-State	
	Female	Total
Rape	4	4
Total	4	4

INSEC had documented five cases of rape in the district. The age of the victim ranged from 10 to 14 year-old whereas accused were from 18 to 34. Two accused of rape case were sentenced for 12 years and two cases remained at the end of the year.

Tek Bahadur Mali, 34 of Khamaura, Malakheti VDC-4 was arrested by police on April 11 on charge of raping a 10-year-old girl of Ganeshpur VDC. The victim's family members lodged a complaint against the accused at District Police Office on the same day. He was arrested by police on the same day. A single bench of District Court Judge Dhruba Kumar Shah issued an order of 12 year's imprisonment with Rs 50,000 compensation against the accused.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 67 women lodged complaint at Women and Children Service Centre (WCSC) against domestic violence of which 45 cases were of assault and expulsion from the house, three were of deprivation of food, five were of not making marriage and citizenship certificate, four were of polygamy and other cases were of minor dispute. The WCSC informed that out of these incidents, 66 cases were settled in agreement and one case was forwarded for legal proceedings, according to the WCSC.

Last year, 58 women were the victims of violence against women. However, the incidents of violence against women decreased this year. This year, 38 women were victimized in different kinds of incidents of violence against women. The data shows that 35 women were victimized in domestic violence and three were in sexual abuses.

A 25-year-old woman lodged a complaint

Types of Events	By Non-State	
	Female	Total
Domestic Violence	35	35
Sexual Abuse	3	3
Total	38	38

at police office on September 19 against Padam Bahadur Maske Rana, 35 of Aalitaal VDC-5 accusing him of attempting to rape her at night of September 24. However, the accused was at large at the end of the year.

Inhuman Behavior


Rama Devi Bhat, 45 of Mastaman-dau VDC-6 was mistreated and attempted to ostracize from the village by her brother in-law Dal Bahadur Bhat, 42, neighbors Bal Bahadur Bohora, Bal Bahadur Bista, Bijaya Singh Bista and Sarpe Bista on January 17 for accepting son in-law of *Janajati* family. The victim's daughter got married with a son of *Janajati* family. The couple were not accepted by the villagers and Rama's relatives. The newly married couple was living in India when they were not allowed to stay at the village. The victim had accepted her brother-in-law when they came back from India. The victim lodged a complaint at the DPO on January 22. However, the victim did not come to contact at the District Police Office at the end of the year.

HEALTH SERVICE STATUS

There is one district hospital, eight health posts and 11 Sub-health posts in the district. According to the data provided by the District Public Health Office, of the 18 positions of doctors in the hospital, 12 posts remained vacant this year. There is one position for gynecologists working according to District Public Health Office. Out of 30 positions for staff nurse 26 positions are vacant. Of two positions for Assistant Health Workers and Auxiliary nurse, all are at work at the end of the year.



5.8 Baitadi



- Headquarters : Baitadi
- Area in Sq. Km : 1,519
- No. of Households : 45,191
- No. of Population : 250,898
- Male : 117,407
- Female : 133,491
- No. of PwD : 7,788
- No. of VDC(s)/Municipality(ies) : 62/1
- Male Literacy : 82,377
- Female Literacy : 61,166
- Religion Hindu (%) : 99.93
- Buddhism (%) : 0.02
- Islam (%) : 0.01
- Christianity (%) : 0.02
- Undefined (%) : 0.014
- Average Household Size : 5.55

The INSEC documentation shows that the incidents of human rights violation have increased in the district in 2014. Last year, it documented 44 cases of human rights violation whereas this number went up to 55. In 2013, a total of 44 incidents of violation were documented of which one victim was assaulted by state actor. In 2014, all the violation incidents were by non-state actor. Last year, nine children were the vic-

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	7	1	8
Killing	2	2	4
Racial Discrimination	2	1	3
Women Rights	40		40
Total	51	4	55

times of child rights violation whereas the number was eight this year. INSEC had documented 11 incidents of women rights violation in 2013 whereas this year the number has increased to 40. Four people were victims of caste-based discrimination last year. This year a total of three people were victimized in this incident in this year.

JAIL AND DETAINEES

The 'D' grade District Prison has the capacity to hold 25 inmates at a time. A total of 47 inmates including 37 convicted and 10 detained were held there at the end of the year. The prison building was built in 1984. The prison building is very old and has a problem of leaking roof. The jail administration informed that the inmates are facing the problems of drinking water in the summer.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court of Baitadi has one position for judge. There are 12 civil and 22 criminal cases pending at the end of the year. There are no cases older than two years pending in the court.

CHILD RIGHTS

Education Status

According to District Education Office, there are 325 primary schools, 105 lower secondary schools and 64 secondary schools in the district. Of the total positions of 1,886 teachers, 1,970 are working at the end of the year. The District Education Office informed that a total of 45,840 boys and 47,196 girls of school going age are enrolled in the schools. The District Education Office is providing scholarship amount of Rs 590,000 to dalit boys and Rs 577,915 to dalit girls. The annual budget of the District Education Office is Rs 839,465,000. Similarly, the administrative cost is Rs 7,397,100.

Types of Events	By Non-State		
	Female	Male	Total
Child Marriage	2		2
Child Trafficking	2		2
Corporal Punishment		1	1
Rape	1		1
Sexual Abuse	2		2
Total	7	1	8

Rape, Attempt to Rape and Sexual Abuses

This year, INSEC has documented one case of rape and two cases of sexual abuses in the district. Similarly, there are two cases of child trafficking and one case of corporal punishment in the district.

A victim's family of 16-year-old girl lodged a complaint at police office on May 12 against Bishnu Prasad Bhatta, 45 of Siddheshwor VDC-6 accusing him of raping a girl on May 7 at Suda jungle of the same VDC. The victim's health checkup was conducted at District Hospital on May 12. On same day, the accused was arrested by the police and remanded in custody by a court order on June 14.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

Last year, a total of 11 women were victimized in various incidents of violence against women whereas INSEC documented that 40 women were victimized in these incidents in 2014. A total of 37 wom-

Types of Events	By Non-State	
	Female	Total
Domestic Violence	37	37
Polygamy	1	1
Rape	1	1
Rape Attempt	1	1
Total	40	40

en were victimized in domestic violence and two were the victims of rape and rape attempt. INSEC has documented one incident of rape of 70-year-old elderly woman.

A 70-year-old elderly woman was raped by Harish Dayal, 28 of Melauli VDC-3 on October 29. The accused was arrested by the police on November 11 and registered the case at District Court on November 12. On same day, he was remanded in custody by a court's order.

CASTE-BASED DISCRIMINATION

Last year, four people were victims of caste-based discrimination whereas three people were victimized in a similar incident in 2014.


Ramesh Ram Tiruwwa, 33 of Shamarli VDC-1, currently living at Sahilake, Dashrathchand Municipality-1 and his wife Nirmala Tiruwwa, 27 lodged a complaint against Tej Singh Bohora, 38 at District Police Office of Baitadi on February 12 accusing him caste-based discrimination. The victims were misbehaved by the accused while she was filling water from the tap on February 12. The accused was arrested by police on the same day. On February 13, the case was settled in an agreement when the accused promised not to repeat such incident in future.

HEALTH SERVICE STATUS

There is one district hospital, two primary health posts, two health posts and 45 Sub-health posts in the district. According to the data provided by the District Public Health Office, of the five positions of doctors in the hospital, one post remained vacant this year. Out of six positions for staff nurses two remained vacant. The district has 147 positions of Assistant Health Workers of which 58 remained vacant. Out of 93 positions for auxiliary nurse 91 are working. The annual health budget of the district is 156,668,000 for public health and 3,550,000 for administrative expenses according to the District Health Office.



5.9 Darchula



Headquarters : Darchula

Area in Sq. Km : 2,322

No. of Households : 24,618

No. of Population : 133,274

Male : 63,605

Female : 69,669

No. of PwD : 3,669

No. of VDC(s)/Municipality(ies) : 41/0

Male Literacy : 45,122

Female Literacy : 34,202

Religion Hindu (%) : 98.88

Buddhism (%) : 0.88

Islam (%) : 0.02

Christianity (%) : 0.06

Prakriti (%) : 0.15

Undefined (%) : 0.012

Average Household Size : 5.41

The number of victims increased in the district in 2014 in comparison to last year. A total of 25 people, three from state and 22 from non-state actors were victimized in 2013. However, this number increased to 34 including one male in this year. The incidents committed by state were not documented in this year. Regarding the incidents of child rights violation, five girls were victimized in various incidents of hu-

Types of Events	By Non-State		
	Female	Male	Total
Child Rights	5		5
Killing	1	1	2
Women Rights	27		27
Total	33	1	34

man rights violation in the district. In 2013, a total of 12 women were victimized in the district and this number increased to 27 in 2014. This year, two persons including one male and another female were killed in the district.

JAIL AND DETAINEES

The 'D' grade district prison has the capacity for 40 inmates. However, 45 inmates including four convicted and five detained are residing in the prison. Of them, three are females. This prison was constructed in 1966. The prison building is in dilapidated condition. Of the total five rooms of the prison, four are separated for inmates whereas one is for security guard. Jailer Manoj Kumar Shah informed that the inmates are facing the problem of sleeping.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court has one position for judge who is working at the end of the year. There were eight civil and 33 criminal cases remained pending. One criminal case older than two years remained pending at the end of year.

CHILD RIGHTS

Education Status

There are 230 primary schools, 66 lower secondary schools and 42 secondary schools. Of the total positions of 759 teachers, all are at work at the end of the year. District Education Office said that 24,644 boys and 25,190 girls of school going age enrolled in the school in this year. The office said that all schools have the facilities of toilets in the district. The annual budget of District Education Office is 653,545,387. Of the total budget, 469,645,387 were allocated for administrative cost. The District

Types of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Sexual Abuse	4	4
Total	5	5

Education Office informed that 5,334 boys and 2,533 girls from Dalit community received scholarship from the office.

INSEC documented four cases of sexual abuses in the district. In 2013, three cases of sexual abuses were documented in the district.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

A total of 68 cases of violence against women at Women and Children Service Center in District Police Office in 2014. Of them, 58 cases of domestic violence were settled whereas 10 cases were sent to the court for legal proceedings.

Of the total filed cases, four cases were of attempt to rape, one case of trafficking, five cases were killing, one case of attempt homicide, one was of polygamy and 19 were of divorce.

Types of Events	By Non-State	
	Female	Total
Domestic Violence	24	24
Polygamy	1	1
Rape Attempt	1	1
Women Trafficking	1	1
Total	27	27

Last year, 12 women were victimized in different incidents of violence against women this number increased to 27 in this year. This year, 24 cases of domestic and one was attempted to rape and one was of trafficking.

Human Trafficking

A complaint was lodged against Harak Singh Dhama, 22, of Dhaulakot VDC-4 and Kabindra Raj Bhatta, 20, of Api Municipality-11 on October 16 on charge of trafficking an 18-year old girl. Police arrested the accused on September 23. The victim was sent to Bangalore after getting marriage on April 23. The district court with a single bench of Justice Jayananda Paneru ordered to sentence against Dhama on October 16 while other accused was released on bail. The victim was out of contact with family members at the end of the year.

HEALTH SERVICE STATUS

There are two district hospitals, 19 health posts and 21 sub-health posts in the district. According to District Public Health Office, of the five positions of doctor, three positions remained vacant at the end of the year. There is not any position for gynecology expert. The district has 46 positions of Assistant Health Workers of which all are working. Of the total positions of 87 Auxiliary Nurse all are at work. In this district, all health workers except two doctors are at work as per the position in the district.



Statistics of
Human Rights Violations
in 2014

Annex

2

Annex 1.1 Incidents and Number of Victims

Types of Events	By State			By Non-State			
	Female	Male	Total	Female	Male	LGBTI	Total
Abduction							
Abduction				18	20		38
Arrest & Torture							
Arrest & Torture	13	52	65				
Beatings							
Beatings	23	66	89	2	42		44
Child Rights							
Attempt to Kill				1	3		4
Child Labour				9	4		13
Child Marriage				33			33
Child Trafficking				58	37		95
Corporal Punishment				5	15		20
Deprived From Various Opportunities				2			2
Discrimination in Education					1		1
Killing of Newborn Baby				15	3		18
Rape				525			525
Sexual Abuse				216	13		229
Total				864	76		940
Death in Detention							
Death in Detention		2	2				
Death in Jail							
Death in Jail	1	3	4				
Economic, Social and Cultural Rights							
Expel from the Job				1			1
Others				1			1
Right to Own Property				3	3		6
Total				5	3		8
Inhuman Behaviour							
For Practicing Witchcraft					5		5
Head Shaved					4		4
Others					2	4	6
Rubbing Soot on the Face				1	5		6
Total				1	16	4	21
Injured							
Acid Attack				1			1
Injured By Bomb Blast				6	13		19
Injured By Firing	1	5	6	2	23		25
Injured by Setting Fire				1	1		2
Injured by using Sharp Weapons				6	6		12
Injured in Clash	4	26	30	2	5		7
Total	5	31	36	18	48		66

Types of Events	By State			By Non-State			
	Female	Male	Total	Female	Male	LGBTI	Total
Killing							
Beaten to Death				59	51		110
By Bomb Blast					2		2
By Giving Poison				3			3
By Hanging				14	1		15
By Using Sharp Weapons				38	45		83
Crushing with Stone				1	1		2
Hacked to Death				8	2		10
Killed After Rape				17			17
Killed by Firing		3	3	2	6		8
Killed in Clash					1		1
Killed in Cross-fire		2	2				
Nature of Killing Unknown				10	4		14
Pushing Down from the Landscape/Hill					1		1
Setting Fire				6	1		7
Slitting Throat to Death				2			2
Squeezed to Death				2	1		3
Striking Hammer				1	1		2
Striking Khukuri				4	4		8
Striking Lathi		2	2	7	6		13
Total		7	7	174	127		301
Racial Discrimination							
Deprived from Entering in Public Places				1	1		2
Intercaste Marriage				7	6		13
Untouchability				35	38		73
Total				43	45		88
Right to Assembly							
Lathi Charge	5	11	16				
Right to Assembly	10	66	76				
Total	15	77	92				
Threat							
Threat	4	8	12	11	34		45
Women Rights							
Abortion				3			3
Domestic Violence				2496			2496
For Practicing Witchcraft				89			89
Forced Prostitution				2			2
Polygamy				337			337
Lac of Pre and Post Partum Service	2		2				
Rape				238			238
Rape Attempt				139			139
Sexual Abuse				93			93
Women Trafficking				125			125
Total	2		2	3522			3522
Grand Total	63	246	309	4658	411	4	5073

Annex 1.2 Number of Victims by Occupation

Victim occupation	By State			By Non-State			
	Female	Male	Total	Female	Male	LGBTI	Total
Agriculture	23	82	105	1710	135		1845
Armed Police				2			2
Business	2	17	19	76	13		89
CA Member				1			1
Civil/Private Service		4	4	32	17		49
Engineer					1		1
Health Worker	1		1	23			23
Housewife	11	1	12	1592	1		1593
Human Rights Activist	7	5	12	4			4
Indian Civilian				1			1
Journalist	1	26	27	3	29		32
Labour	2	20	22	211	20		231
Law Professional		1	1				
Police	1	5	6	1	2		3
Political Worker	3	15	18	3	18		21
Prisoner				1			1
Religious Person					1		1
Social Worker	2	17	19	4	1		5
Squatter				1			1
Student	5	24	29	626	115		741
Teacher	1	4	5	19	13		32
Underage				15			15
N/A	4	25	29	333	45	4	382
Total	63	246	309	4658	411	4	5073

Annex 2.1 Eastern: Incidents and Number of Victims

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				6	6	12
Arrest & Torture	1	7	8			
Beatings	4	15	19	1	15	16
Child Rights				260	30	290
Death in Detention		1	1			
Death in Jail		1	1			
Economic, Social and Cultural Rights				2	1	3
Inhuman Behaviour					9	9
Injured		1	1	10	9	19
Killing				61	46	107
Racial Discrimination				15	13	28
Right to Assembly	5	30	35			
Threats		5	5	2	12	14
Women Rights				1001		1001
Total	10	60	70	1358	141	1499

Annex 2.2 Mid: Incidents and Number of Victims

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				6	11	17
Arrest & Torture	1	6	7			
Beatings	7	8	15		14	14
Child Rights				262	6	268
Death in Detention		1	1			
Economic, Social and Cultural Rights					1	1
Inhuman Behaviour					3	3
Injured		8	8	3	19	22
Killing		4	4	57	54	111
Racial Discrimination				5	9	14
Right to Assembly	6	35	41			
Threats	4	1	5	5	4	9
Women Rights				1140		1140
Total	18	63	81	1478	121	1599

Annex 2.3 Western: Incidents and Number of Victims

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				2		2
Arrest & Torture		5	5			
Beatings	1	1	2		3	3
Child Rights				175	9	184
Economic, Social and Cultural Rights				3	1	4
Inhuman Behaviour					1	1
Injured	2	10	12	2	9	11
Killing		1	1	25	15	40
Racial Discrimination				8	5	13
Right to Assembly	4	12	16			
Threats		1	1	4	6	10
Women Rights				494		494
Total	7	30	37	713	49	762

Annex 2.4 Mid Western: Incidents and Number of Victims

Types of Events	By State			By Non-State			
	Female	Male	Total	Female	Male	Third Sex	Total
Abduction				1	1		2
Arrest & Torture	11	27	38				
Beatings	4	29	33	1	7		8
Child Rights				104	25		129
Inhuman Behaviour				1	2	4	7
Injured	1	11	12	3	11		14
Killing		2	2	20	5		25
Racial Discrimination				7	7		14
Threats		1	1		12		12
Women Rights	2		2	542			542
Total	18	70	88	679	70	4	753

Annex 2.5 Far Western: Incidents and Number of Victims

Types of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				3	2	5
Arrest & Torture		7	7			
Beatings	7	13	20		3	3
Child Rights				63	6	69
Death in Jail	1	2	3			
Inhuman Behaviour					1	1
Injured	2	1	3			
Killing				11	7	18
Racial Discrimination				8	11	19
Women Rights				345		345
Total	10	23	33	430	30	460

Annex 3 Number of Victims by Type and Month

Event Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Abduction	4	5	6		5	3	7	2	3	1	2		38
Arrest & Torture	10	14	11	1	5	6	3	1	2	5	7		65
Beatings	15	17	14	10	9	7	12	21	7	13	2	6	133
Child Rights	56	61	103	75	116	74	104	76	68	86	78	43	940
Death in Detention			1							1			2
Death in Jail				1	1					1		1	4
Economic, Social and Cultural Rights			2	1	2						3		8
Inhuman Behaviour		5	4	1	4	1	1			3	1	1	21
Injured	8	9	14	9	13	15	11	7	9	5	2		102
Killing	35	23	26	25	33	25	25	30	24	30	8	24	308
Racial Discrimination	11	14	8	4	3	8	7	10	7	5	6	5	88
Right to Assembly	31				10	4	13	9		15		10	92
Threats	5	10		12	2	10	5	2	5		4	2	57
Women Rights	344	314	310	306	251	256	321	404	245	264	310	199	3524
Total	519	472	499	445	454	409	509	562	370	429	423	291	5382

Annex 4 No. of Inmates in Jail at the End of 2014

SN	District	Grade	Capacity	Number of Inmates in Jail at the end of 2014					Dependants		Death in Jail
				Detainees	Convicts	Total	Male	Female	Boys	Girls	
1.1	Jhapa	B	275	373	293	666	666		4	8	
1.2	Illam	C	125	66	267	333	303	30	5	1	
1.3	Panchthar	E	25	55	98	153	153		1	1	
1.4	Taplejung	E	25	38	60	98	98				
1.5	Morang	B	250	250	457	707	707			2	1
1.6	Sunsari	B	1400	403	958	1361	1361				
1.7	Dhankuta	D	25	26	88	114	114		1		
1.8	Terhathum	D	35	17	55	72	72			1	
1.9	Bhojpur	C	25	26	62	88	86	2			
1.10	Sankhusabhu	D	25	26	88	114	114		1		
1.11	Saptari	D	125	145	104	249	238	11			
1.12	Siraha	D	150	193	75	268	268		1		
1.13	Udayapur	E	50	52	76	128	128		2		
1.14	Khotang	E	99	68	57	125	125		1		
1.15	Okhaldhunga	E	25	8	42	50	50		1		
1.16	Solukhumba	E	25	15	61	76	76		1		
2.1	Dhanusha	No Jail									
2.2	Mahotari	B	135	363	45	408	373	35	3	3	
2.3	Sarlahi	C	100	No Detainees							
2.4	Sindhuli	D	35	18	80	98	92	6			
2.5	Ramechhap	C	50	22	233	255	235	20	2	1	
2.6	Dolakha	D	25	20	41	61	61				
2.7	Rautahat	C	95	73	58	131	131		1		
2.8	Bara	No Jail									
2.9	Parsa	B	750	541	605	1146	1146		3	4	
2.10	Chitwan	D	200	236	285	521	521		2		

SN	District	Grade	Capacity	Number of Inmates in Jail at the end of 2014					Dependants		Death in Jail
				Detainees	Convicts	Total	Male	Female	Boys	Girls	
2.11	Makwanpur	D	1200	339	199	538	538				
2.12	Lalitpur	C	175	221	309	530	530		2		
2.13	Kavre	D	61	15	160	175	175				
2.14	Bhaktapur	Child Reform Center	100	29	46	75	75		70	5	
2.15	Kathmandu	A	1002	1613	944	2557	2226	331	17		
2.15	Kathmandu	B	110	389	285	674	674				
2.16	Dhading	C	35	31	123	154	127	27			
2.17	Sindhupalchok	D	60	95	78	173	15	188			
2.18	Nuwakot	D	80	60	81	141	129	12	1	1	
2.19	Rasuwa	E	25	15	77	92	92				
3.1	Tanahu	D	25	65	60	125	125				
3.2	Gorkha	D	45	26	90	116	102	14	2	1	
3.3	Lamjung	D	25	9	68	77	77				
3.4	Syanja	E	35	30	67	97	89	8			
3.5	Kaski	D	60	240	306	546	487	59	2	2	
3.6	Manang	Non Graded	5	9	14	23	23				
3.7	Nawalparasi	E	35	62	61	123	116	7	1		
3.8	Rupandehi	B	100	125	155	280	280				
3.9	Palpa	C	300	27	325	352	274	78	7	5	
3.10	Kapilvastu	D	85	76	135	211	211				
3.11	Arghakhanchi	E	25	9	9	18	18				
3.12	Gulmi	E	25	23	62	85	76	9	1	1	
3.13	Baglung	D	25	43	55	98	98				
3.14	Parvat	D	75	21	49	70	63	7			
3.15	Myagdi	D	32	20	75	95	90	5			
3.16	Mustang	E	7	4	6	10	9	1			

SN	District	Grade	Capacity	Number of Inmates in Jail at the end of 2014					Dependants		Death in Jail
				Detainees	Convicts	Total	Male	Female	Boys	Girls	
4.1	Dang	E		63	102	165	165				
4.2	Pyuthan	D	25	11	59	70	70		1	1	
4.3	Rolpa	D	50	27	59	86	86		2	1	
4.4	Salyan	D	20	6	62	68	68				
4.5	Rukum	D	24	10	60	70	70		1	1	
4.6	Banke	C	250	225	325	550	509	41	5	1	
4.7	Bardiya	D	125	33	174	207	207	0	1		
4.8	Surkhet	E	25	27	112	139	123	16			
4.9	Jajarpot	C	25	7	37	44	43	1			
4.1	Dailekh	C	100	11	92	103	98	5			
4.11	Dolpa	E	25	9	13	22	22				
4.12	Jumla	E	20	2	19	21	21				
4.13	Kalikot	E	25	1	46	47	43	4			
4.14	Mugu	C	15	5	4	9	9				
4.15	Humla	C	25	3	6	9	9				
5.1	Kailali	D	100	118	265	383	348	35	7	2	
5.2	Achham	D	25	4	34	38	34	4			
5.3	Doti	B	45	5	33	38	38				
5.4	Bajura	E	25	7	25	32	32				
5.5	Bajhang	E	25	10	32	42	42				
5.6	Kanchanpur	C	95	30	162	192	185	7			
5.7	Dadeldhura	E	25	14	48	62	62				
5.8	Baitadi	D	25	10	37	47	47				
5.9	Darchula	D	40	5	40	45	42	3			
	Total		8985	7273	9873	17146	16180	966	149	42	1

Annex 5 Regional Health Service Situation

Eastern Region					
S.No	District	Doctor		Gynecologist	
		Quota	Working	Quota	Working
1	Jhapa	25	20	8	5
2	Ilam	6	4	2	2
3	Panchthar	5	5	1	1
4	Taplejung	4	4		
5	Morang	7	3		
6	Sunsari	8	2		
7	Dhankuta	5	1		
8	TerhaThum	4	6		
9	Bhojpur	2	3		
10	Sankhuwasabha	5	5	6	5
11	Saptari	7			
12	Siraha	7	5	1	
13	Udayapur	18	6	2	1
14	Khotang	3	2		
15	Okhaldhunga	4	3		
16	Solukhumbu	5	4	1	1
Total		115	73	21	15

Mid Region					
S.No	District	Doctor		Gynecologist	
		Quota	Working	Quota	Working
1	Dhanusha	5	5		
2	Mahottari	12	12		
3	Sarlahi	25	1	1	
4	Sindhuli	15	2	1	
5	Ramechhap	5	5		
6	Dolakha	4	7		
7	Rautahat	11	7	1	
8	Bara	19	3		
9	Parsa	6	6		
10	Chitwan	3	3		
11	Makwanpur	11	7	1	
12	Lalitpur	No District Hospital			
13	KavrePalanchowk	7	7	1	1
14	Bhaktapur	2	2		
15	Kathmandu	No District Hospital			
16	Dhading	5	5		
17	Sindhupalchowk	6	3		
18	Nuwakot	20	10		
19	Rasuwa	3	1		
Total		159	86	5	1

Western Region					
S.No	District	Doctor		Gynecologist	
		Quota	Working	Quota	Working
1	Tanahu	7	7		
2	Gorkha	12	4		
3	Lamjung	3			
4	Syangja	5	5		
5	Kaski	3	3	4	2
6	Manang	2	1		
7	Nawalparasi	10	12		
8	Rupandehi	5	4	2	1
9	Palpa	8	3		
10	Kapilvastu	7	3	1	1
11	Arghakhanchi	6	5		
12	Gulmi	14	5	1	
13	Baglung	3	4		
14	Parvat	4	8		
15	Myagdi	2	2		
16	Mustang	2	2		
	Total	93	68	8	4

Mid Western Region					
S.No	District	Doctor		Gynecologist	
		Quota	Working	Quota	Working
1	Dang	4	3		
2	Pyuthan	5	5		
3	Rolpa	1			
4	Salyan	5	3		
5	Rukum	4	2		
6	Banke	28	13	3	2
7	Bardiya	15	8		
8	Surkhet	5	3		
9	Jajarkot	4	1		
10	Dailekh	9	4		
11	Dolpa	2	1		
12	Jumla	1			
13	Kalikot	3	2		
14	Mugu	3	1		
15	Humla	2	1		
	Total	91	47	3	2

Far Western Region					
S.No	District	Doctor		Gynecologist	
		Quota	Working	Quota	Working
1	Kailali	31	27		
2	Achham	4	1		
3	Doti	4	2		
4	Bajura	4	2		
5	Bajhang	4	3		
6	Kanchanpur	21	9	1	
7	Dadeldhura	18	6	1	1
8	Baitadi	5	4		
9	Darchaula	5	2		
	Total	96	56	2	1

Annex 6 Victims by Caste/Ethnic Group

Victim Caste	By State			By Non-State			
	Female	Male	Total	Female	Male	LGBTI	Total
ADHIBASI				70	1		71
BAISYA				39	5		44
BANIYA				17	2		19
BRAHMAN	8	56	64	509	42		551
CHHETRI	18	64	82	932	62		994
DALIT	11	35	46	825	89		914
GODIYA		2	2	5	1		6
JANAJATI	17	55	72	1346	114		1460
KAYASTHA				2			2
KOIRI		4	4	46	10		56
MANDAL	1	1	2	28	2		30
MUSLIM	4	8	12	168	16	4	188
NEWAR		6	6	126	3		129
SANYASI				5			5
TELLI	3	4	7	96	10		106
YADAV		5	5	109	20		129
N/A	1	6	7	335	34		369
Total	63	246	309	4658	411	4	5073

Views of Political
Parties on Human Rights
Situation in 2014

Annex

3

Nepali Congress

Nepali Congress is a party which is guided by the principles of Nationality, Democracy and Socialism and it has the aim to establish those principles in Nepal. It is a well known fact that Nepali Congress has been leading movements of Nepali people since six decades to establish democracy, human rights and rule of law.

Nepali Congress since its establishment has intact faith and commitment towards human rights. Nepali congress has highlighted this commitment in its party flag. The four stars of the party flag reflects four basic human rights—freedom of expression, freedom of religion, freedom from poverty and freedom from fear.

Democracy and Human Rights are inseparable. Protection of human rights and rule of law are possible only in democracy. Protection and promotion of human rights is not possible without realizing the philosophical and ideological aspects of democracy, human rights and rule of law. People who believe in any form of dictatorship, may not have belief on Human Rights and Rule of Law and they do not agree with the philosophical aspect of it.

The genuine commitment of Nepali Congress on democracy, human rights and rule of law and the history of the long struggle of the party is like an open book. The incidents of human rights violations during the Maoists insurgency, during the period of royal dictatorship and election of the Constituent Assembly in 2007 are still fresh in the minds of Nepali people. Nepali people want to forget these incidents of grave human rights violations and want to see economic transformation of the country as a prosperous nation.

Nepali Congress wants to play leadership role to fulfill aspirations of Nepali

People. The future model of revolution is economic revolution. Democracy shall be weak in the cycle of poverty.

Incidents of grave human rights violations have been decreasing after formation of government led by Nepali Congress after the election of second constituent assembly. Unlike previous years there were very less criminal incidents like murder, violence, extortion, abduction and attacks during the year 2014. These incidents show that the human rights situation is satisfactory in 2014.

Rishikesh Tiwari
Chief Secretary

CPN-UML

From the Human Rights Perspective, the year 2014 was satisfactory to some extent in comparison to the previous year. Some of the achievements of this year are: the second constituent assembly election was accomplished peacefully, the appointment of the commissioner of NHRC after a long gap, a 5-year Human Rights Action was developed, a Landless Squatters Problem Resolution Commission was formed which gave hope to the local people, the remaining work of the peace process progressed in a positive way, taking ownership in the work done by previous constituent assembly for formation of new constitution, dialogue with armed groups and disarmament in progress, decrease in number of strikes and demonstrations and conduction of regional level assembly and conferences in Nepal.

Whereas some of the challenges faced this year are the continuity of the transitional period, the failure of CA to deliver the constitution, failure to establish a transitional justice mechanism, lack of devotion of political parties and groups towards democracy and human rights and

failure to achieve remarkable success in protection of the rights of labor, women, dalit, marginalized group, minority and disabled group.

Nepal has shown its commitment in human rights by signing most of the international treaties related to human rights. In order to protect human rights it is necessary to end transitional period and to institutionalize the achievements of the struggles and strikes of the Nepali public especially the historical peaceful janandolan of 2006 is today's main responsibility. It is necessary to institutionalize the change by building constitution from the CA. The first CA dissolved without promulgating constitution which took country to a great political and constitutional crisis and the country faced a great challenge. A situation arose in which there was the danger of pushing the achievements in crisis. The emergence of politico-constitutional crisis in the country led to negative impact in the political, civil, economic, social and cultural sector and due to the regressive thought and attitude of some parties, on the leadership of Chief Justice, an Interim Council of Ministers was formed and election was rescheduled.

Last year, second CA election was held peacefully. The main objective of the non-political government was to conduct elections and its activities on human rights was limited. Election was necessary to come out of the crisis and there was an environment of mistrust among the public towards election, political parties and the formation of constitution from constitution assembly.

Following the mandate of the second CA election, to bring the peace process to a conclusion and to achieve the constitution, CPN-UML participated in the coalition government. Even though tireless efforts are being carried out by the CPN-UML, the investigation of the incidents of grave human right violation and

incidents of crime against humanity during the armed conflict, formation of Truth and Reconciliation Commission and a high level commission to know the situation of disappeared people, and to rehabilitate, provide relief and compensation to the victim families the process has been delayed. It is a known fact that the party has taken initiation time and again for the establishment of the act of the commissions related to transitional justice. The party is fully aware and sensitive about some of the concerns of the victims group regarding some provisions of Act. The party wants to commit that it will continuously work towards the formation of the justice focused enable commission, to give justice to the victims, to bring the perpetrators of grave violation of human rights in the trial, and to end the culture of impunity.

Even though, we are going through the peace process, some parties have not got over the hangover of the conflict by continuing same behavior. They are not able to accept the values of democracy and rule of law are pushing ethnic/ regional extremism, these things are taken very seriously by our party. This kind of environment in our country cannot be accepted by a responsible party like ours. We want to end this environment in the country as soon as possible. We want to deliver constitution as soon as possible and end the transitional period and take the country forward in the direction of political stability, sustainable peace, strengthened democracy, economic prosperity and creation of an environment in which human rights could be fully implemented. CPN-UML assessed the human rights situation of 2014 in following ways:

1. National Human Rights Commission Report

The report of National Human Rights Commission shows that there has

not been remarkable progress in the situation of Human Rights in the country. The appointment of the chairperson and members of the NHRC after a long time has given some positive hopes in the human rights sector.

2. Transitional Phase and Transitional Justice

The CPN-UML believes that the rule of law, impunity and transitional justice should be operated in accordance with the system of the law. Failure to bring the perpetrators of violators of human rights and humanitarian law in the legal framework, failure to investigate, failure to prosecute, failure to give justice to the victims, refusal to give justice directly or indirectly are some of the indicators of culture of impunity. Impunity leads to an environment of violation of victims' right to justice. Thus, it is very necessary to provide justice to the conflict victims and their families. The cases of the human rights violations during the conflict are withdrawn, the perpetrators are politically protected and impunity is encouraged.

3. Constitution Building Process

After the historical changes in 2006, Nepal is going through a transitional period. We have an Interim Constitution and sometimes it seems that the nature of the government is also same. It is seen that in the name of transitional period, the constitutional and legal provisions are flouted and neglected and rule of law is being violated based on political tactics. During the election, the biggest political party in the country showed their commitment to deliver the constitution within one year but as their demand were not met they did not cooperate to go in consensus nor allowed the constitution building process to be taken forward systematically. Because of this stand, the country was unable to deliver a human

rights-friendly constitution as desired by the national and international community.

4. The Stand Of CPN-UML In Protection of Human Rights

- CPN-UML is fully committed to build a constitution which will be based on democracy, peace, human rights and social justice.
- The party believes that the Government of Nepal should take necessary steps to effectively implement the recommendations of the NHRC which are made after properly monitoring and investigating the human rights and humanitarian law violations and abuses.
- In accordance with the international standard, CPA and the Interim Constitution, a Truth and Reconciliation Commission and Commission on Disappearance should be formed. The perpetrators should be prosecuted and justice should be provided to the victims. CPN-UML would like to offer any type of help necessary and reiterate its commitment in the formation of these commissions.
- The party feels that the demands made by the National Human Rights Commission to the government should be met i.e. To address the issue of financial independence as raised by SCA-ICC, to create an environment to present and discuss the yearly report of the commission in Legislature-Parliament, to manage the human resources, to maintain and repair the dilapidated physical structure.
- Nepal is a party state to 22 conventions, international conventions, international treaties, agreements and charters and if they are violated, the party would like to urge the Nepal government to fulfill national and international obligation and to develop a culture of human rights.

- The government must be very active to prevent incidents of women's rights, caste-based discrimination and torture due to witchcraft allegation.
- In the new constitution, Nepal will be an independent, indivisible, sovereign, secular, free from all forms of caste and other discriminations, inclusive, pluralist, federal democratic republic state. Every citizen will be provided with their natural fundamental rights and human rights will be guaranteed, their right to live with dignity will be ensured and their right to life, liberty and personal security will be ensured. The state shall not make law regarding death penalty. All the citizens will be equal in front of the eyes of the law. All citizens will have equal access to protection and use of human rights. No citizens will be discriminated on the basis of religion, sex, gender, class, birth, language and ideology. The minority group, janajati and marginalized group will be protected from discrimination and their rights will be protected. The rule of law in Nepal will be independent, competent, fair, transparent and accountable. The right to justice constitution, recognized principles of law and justice, will be used by court and judicial bodies. Independence of judiciary will be guaranteed by the state. The principle of right to free and fair trial will be protected by the state.

Khadga Prasad Oli
Chairperson

Rastriya Prajatantra Party

Contribution of INSEC to monitoring and protection of Human Rights is remarkable. Rastriya Prajatantra Party would like to express its delight that INSEC is publishing Nepal Human Rights Yearbook

2015 with the view to inform the human rights situation of the country to the national as well as international stakeholders.

The concept of human rights has not been perceived in Nepal as an absolute notion. Rastriya Prajatantra Party believes that the fulfillment of human rights is the precondition of human needs and necessities. The human rights situation in Nepal seems good for those who are socially, political and economically affluent and directly associated with the political parties as well as the state mechanisms. But the people who are economically, socially and culturally backwards are not enjoying real human rights. Ordinary citizens have not been able to perceive that they are provided with their rights by the state.

The displaced and injured flood victims of Far-Western and Mid-Western development regions are compelled to live under the open sky. Neither the state nor the national and international organizations working in human rights sector have concentrated on their plight. They are yet to experience and enjoy human rights. I hope INSEC's attention will be drawn towards these people who are deprived of human rights.

Thank you

Pashupati Samsher Jung Bahadur Rana
Chairperson

CPN (ML)

The Human Rights Situation of the Country remained unsatisfactory during the year 2014. The fulfillment of the basic needs of the people should be their in-born rights. But due to the transitional political situation of the country the Nepali people's basic needs are not fulfilled. It has been seen that attempts are being made to sideline the basic concept of human rights

by raising issues of racial, religious, communal and regional issues. The real issues of human rights like protecting the life of people, making smooth supply of essential goods, controlling unemployment and inflation, ensuring social security of people and providing education and health facilities to people are not the priority issues in the current capitalist society. Only in communist system, human rights can be guaranteed.

The real environment and fulfillment of human rights is possible when all the people get an opportunity to develop their qualification and get employment opportunity as per their qualification and get appropriate remuneration, abolition of exploitation, free health treatment and education and guarantee of social security along with the rights of freedom of expression, freedom of forming organizations is ensured.

The human rights situation of our country in 2014 was very painful. Violation of rights of a person to pursue their profession freely, human trafficking, rape, famine in remote parts of the country, people dying due to cold and many youth leaving the country for foreign employment due to lack of employment opportunities in the country proves that the human rights situation is not good. The state should take the responsibility for such situation in the country.

Politics is the center for expression of social and economic situation. As the country is in transition phase there has been rise in the incidents of impunity, negligence in following rule of law, and rise in anarchy ultimately giving rise to the incidents of human rights violations. If there is peace, good governance and political stability in the country, there will be decline in the incidents of human rights violations even if the system of human rights is not established in the country.

In fundamental term human rights refers to the protection of rights of the people since they are in womb until their death. Only the communist system can ensure it. In this system people will not suffer from social ill practices due to lack of employment opportunities and weak economic background. In this system security agencies will not be corrupt and undisciplined. All people will get employment and remuneration in line with their work. The state makes education and health as fundamental rights. Criminals get strict punishment. There will be rise in the incidents of human rights violations until the establishment of communist system.

The state should be sensitive to stop the incidents of human rights violations. People and institutions involved in negligence and imposing their will should receive proper punishment. The state should initiate appropriate action for ending unemployment, indiscipline and anarchy for establishing peace, good governance and good system in the country.

Chandra Prakash Mainali
General Secretary

Rastriya Jana Morcha

The second Constituent Assembly election held at the end of year 2013 has paved the way for promulgation of the Constitution. However, the cadres of National People's Front have been imprisoned at Baglung Prison in the pretext of disrupting the election. The case remains to be resolved. Corruption and impunity are soaring day by day. The incidents of killing, violence and rape are increasing rather than decreasing. Although all parties have prioritized to promulgate the new constitution in stipulated time, the deadline has already elapsed while trying to garner consensus.

And the constitution drafting process has also pushed back. The practice of incorporating illegitimate demands has turned consensus into a mirage. Thus, Ratriya Jana Morcha (RJM) is stressing on adoption of the constitutional process to promulgate the constitution on time, believing it to be the best democratic practice.

An impartial judiciary is one of the compulsory prerequisites for the promotion and protection of human rights and, therefore, the judges should be appointed based on the democratic norms. The questions raised by the people regarding the appointment of the judges should be addressed. The members of the Legislature-Parliament representing NC, UML and UCPN-M parties endorsed the appointment of the justices who were accused of being involved in corruption despite their earlier stand and public statements against them. RJM stood firm against it. This episode broke the tradition of appointing justices with the clean image and with it, the tradition of establishing independent and impartial judiciary.

The Government of Nepal remained apathetic towards the formation of the Commission of Investigation of Disappeared Person. Vesting the commission the rights, both to grant amnesty and to mediate reconciliation is against the norm of independent judiciary. RJM stood against this provision but its position remained unheeded.

Many people raised their voices against the bill on the contempt of court. The bill has the provisions barring people from questioning the judges and their work which spurns the concept of independent judiciary. This cannot provide fair and impartial justice. The Speaker has decided to refer this bill to the public for discussion following the immense criticisms it attracted. RJM is demanding for the withdrawal

of this bill.

The issue of citizenship is being raised frequently. The citizenship certificate should not be given to the foreigners. There can be provisions for naturalization for the foreigners who have been living in Nepal for long. This is an international norm. However, the decision made by the Government of Nepal to provide citizenship certificate by descent to the foreigners who had been living permanently in Nepal by April 13, 1990 by birth and to their children by descent has begun the process of turning Nepali citizens a minority in their own country. This has violated the Nepali citizens' fundamental right on sovereignty.

The Project Development Agreement (PDA) on Karnali Hydropower Project conducted by the Government of Nepal via investment board has now brought Nepali people's rights on Karnali to an end. The Government of Nepal, disregarding the public sentiment against the project, has handed it over to the Indian Government. This Power Trade Agreement (PTA) deprives Nepal's rights to sell electricity. RJM also demands the annulment of both these PDA and PTA.

Death of Nanda Prasad Adhikari, who was in fast unto death for long time was one of the most sensitive incidents in 2014. He refused to break his hunger strike when the Government of Nepal did not act upon the First Information Report that he filed. This is one of the most serious and condemned human rights violations by the Government of Nepal. This has also violated the rule of law and democracy.

The single judicial system is the best legal system for independent judiciary, rule of law and democratic practices. But most of the political parties have agreed that the new constitution will establish a constitutional court. It obstructs the principle of

independent judiciary. Many human rights organizations condemn this provision and the RJM has firmly stood against this idea.

The state has not paid any attention towards the voting right of the citizens living in foreign countries though the Election Commission is preparing the ground work for it. In today's age the electronic voting system is widely used but the political parties that are in the government are not providing the voting rights to the Nepali people living abroad. This attracts question on these parties' commitment to citizens' human rights and shows how feudalistic the parties are on this issue. The state has failed to bring any policy and program to check human smuggling in the name of foreign employment. This is also a kind of human rights violation and there have been parliamentary debate on the issue too. The RJM has demanded laws to control human trafficking; however, state has not taken any step towards it.

The incidents of women rights violation are increasing rather than decreasing. The attempt to kill Hem Kumari Dhobi and Purna Devi Naun in Banke by setting them on fire and the rape of a woman of Rukum district by the bus employees of Banke are some of representative's incidents of violence against women.

Abolition of monarchy in April Movement of 2007 and establishment of republic system was meant to establish democracy, independent judiciary and rule of law. However, the promulgation of constitution ensuring these objectives remains obstructed. As the political parties have feudalistic and tyrannical perspective rather than the democratic norms and values, they are not forging consensus among themselves to promulgate the new constitution. The vision of independent judiciary is not being materialized. The government does not have any plan to hold local election.

Corruption has been institutionalized from the state level. Though the human rights organizations are raising voices against this it has not been strong enough. For this, promulgation of the new constitution should be the first priority. The constitution should be promulgated on time through process if there is no consensus among the political parties. In this situation, the RJM appreciates and welcomes the continued publication of Human Rights Yearbook by INSEC.

Bhairab Raj Regmi
Office Secretary

Nepal Workers and Peasant Party (NWPP)

The members of the Constituent Assembly took oath of office at the beginning of 2014 i.e. on January 22, 2014. This election filled the vacuum of absence of people's representatives of one and half year's in Nepal. The CA remained vacuum when the then PM Dr. Baburam Bhattarai dissolved the first constituent assembly without promulgating constitution on May 27, 2014.

The four major political parties NC, UML, UCPN-M and Madheshi Morcha reached a consensus to provide citizenship certificates by descent to the foreigners who had been living permanently in Nepal by April 13, 1990 by birth and to their children by descent. They brought an ordinance to institutionalize it. After election, the first meeting of the members of parliament held on February 2, 2014 passed the ordinance by majority of votes. The task of parliament and constituent assembly was dependent on the decision of four political parties which is beyond the democratic norms.

During the Constituent Assembly election, the four political parties made the commitment to hold local elections within

six months and to promulgate constitution within one year. NC, UML and UCPN-M had also mentioned this commitment in their election manifestos. However, they forgot all commitments after the election. The chairperson of UCPN-M Prachanda together with Mohan Baidhya who boycotted the CA election warned that if the political parties agree to hold the election their party will boycott that election. The people were deprived of their rights to choose their local representatives. The people were cheated by the political parties.

The majority votes in the parliament passed the Supurdagi Bill, Bill on the Investigation of Disappeared Persons and Truth and Reconciliation Commission, which has the provision of a blanket amnesty to the perpetrators involved in serious human rights violation during the conflict. NWPP opposed this decision. It stood against the provision of blanket amnesty in cases of the serious human rights violations such as killings, arson, rape and so on. Some CA members of the NC and UML were also against this provision of the bill. But they could not do anything against their party's whip and instead withdrew the amendment.

The government of Nepal proposed a bill on contempt of court which had the provision that if someone does the audio-visual recording of the justices during the court hearing he/she must take permission of the court. Otherwise he/she will be charged with the contempt of court. This bill has many provisions to restrict the freedom of expressions. NWPP submitted an application to withdraw this bill from the parliament. As a result the bill was sent to the public for discussion. Professionals from all sectors like lawyers, journalists and think tanks opposed the bill.

The government led by the NC and UML failed to provide basic consumption items like milk, sugar, drinking water, pet-

rol in cheap price. Instead from February 13, 2014 the price hike in milk was Rs.8 per litre, double price in drinking water and very high price hike in petrol. The government decided to revise the fuel price as per the international market. The government of Nepal decided to decrease the petrol price when it decreased in the international market. But the local businessmen created artificial petrol shortage in the market which compelled the public to buy petrol in high price. The price of most of the goods hiked, problem of shortage of water and load shedding remained same. The students were compelled to study and write exams without textbooks and teachers. There was no improvement in any sector of the country.

The country went through extreme chaos. The government proved to be totally inefficient and unsuccessful as it was unable to handle the situations like protest inside prohibited area of Shingha Durbar, closure of constituent assembly by the members and the situation of extreme shortage of LP gas created by the businesspeople.

The public will not trust the rule of law and judiciary system if the appointed judges do not have a clean image. This year out of the 8 recommended judges for supreme court, 6 of them were very controversial. Even though some of the parliamentarians were against this recommendation of judges, the provision was that two third majority vote was needed against it, thus the judges were appointed. The bar association, former justices, and the senior lawyers opposed the decision. NWPP pushed a proposal of appointment of the justices through election among the justices.

The ruling political parties worked for their own interest rather than for the benefit of the people. The people were losing their faith and belief in the parties. The UCPN-M and Madhesi alliance blocked

the function of legislative parliament for one and half months demanding a formation of a high level political mechanism to solve the political stalemate. The members of the parliament were deprived of addressing the issues of the people. The obstructed parliament reopened when the major political parties agreed to reduce the tax of the vehicles that came to Nepal from India. It was a surprising decision that the political parties agreed to reduce the tax of foreign transportation, a decision which directly hampers the Nepalese economy.

The government of Nepal signed the Upper Karnali Project Development Agreement (PDA) while there was agitation in the parliament. The agreement favoured the ownership of India on the Karnali River for 32 years. Although World Bank had sent a proposal to the government of Nepal to produce 4180 Megawatt electricity in 1989 the Government of Nepal agreed with the Indian GMR company which committed to produce only 900 Megawatt electricity from the same river. The terms and conditions in the agreement were not in favor of Nepali people. Some of the conditions were that the Government of Nepal will be responsible to pay the compensation if the company remained closed up to 21 days and if it is collapsed from natural disaster. This agreement, which losses billion of rupees every year was against the national interest and development.

Similarly, the government of Nepal conducted a Power Trade Agreement (PTA) with India. This agreement also creates an Indian monopoly in energy development in Nepal.

The investment board of Nepal made Arun III agreement with India after the PDA. The Upper Karnali Agreement opened the doors for India and Indian companies in Nepal's water resources.

NWPP's view is that Hydropower should be developed with Nepalese investment. It seemed that the UCPN-M and Madhesi alliance obstructed the parliament just to provide an environment for India to make these anti-national agreements. NWPP organized protest programs across the country against these PDA and PTA.

The ruling political parties have the tendency to fulfill the interest of Indian expansionism. The chairperson of Nepal Sadbhawana Party Rajendra Mahato said to Ajit Kumar Singh, a leader of the BJP in India, "Whether you agree or not we are the supporter of India" (Annapurna Post, July 13, 2014).

The Indian PM Narendra Modi addressed in the Nepali parliament on August 3, 2014. When he said that Nepal is the birth place of Buddha and Nepal is a sovereign state the ruling party welcomed his statement with clapping. The Nepalese politicians forgot the construction of Laxmanpur dam, Rashiyawal Khurdalotan dam by India in Nepali territory, encroachment of more than 60 thousand hector lands of Nepal.

Indian Prime Minister Narendra Modi on November 24, 2014 during the inauguration of the Trauma Center in Kathmandu said that the Constitution of Nepal should be promulgated on a consensus basis; otherwise it creates a crisis if someone tries to promulgate it through the majority of votes. That expression of Modi was one of the direct encroachments of the internal affairs of Nepal. NWPP opposed to the statement of Modi.

Constitutional Political Dialogue and Consensus Committee (CPDCC) decided to give citizenship certificate to the non-resident Nepali (NRN) on September 27, 2014. This decision provided an opportunity to reclaim Nepali citizenship to

those NRN who had given up their Nepali citizenship by taking foreign citizenship certificate. This provision will give an opportunity to foreigners to interfere in internal matters of Nepal.

In the same way, the CPDCC on October 14, 2014 decided to provide compensation to the people while taking the land from them, who are living in government's land. This decision was in favour of feudal class. Holding more land than stated by the law is a crime and instead of punishing them they will be compensated. This decision proves that the NC, UML and Madhesi alliance are against the peasant class.

The UCPN-M, Madhesi alliance and other ethnic parties are struggling for single identity based ethnic state and a separate state in Terai region. The ruling parties neither reached the consensus nor took forward the process of promulgating new constitution. The promulgation of the constitution remains uncertain due to vested interests of the major political parties. The political parties which had promised to give a new constitution on January 22, 2015 could not forge consensus. In the name of consensus if ethnicity based and regional based state is made there is a possibility of ethnic conflict in the country. This type of federal structure will further divide the state in future. Therefore, to make federal state based on the geography on the basis of equal distribution of natural resources in hill, mountain and terai is the most appropriate alternative of restructuring of state in Nepal. All the political parties should pay their attention and debate on the proposals in the constituent assembly to promulgate the constitution through democratic practice.

In 2014, the people of Nepal could not get any sense of improvement in economic, social and cultural sectors. The following news clarify more about the current

situation of the country.

- Appellate Court of Mahendranagar acquitted the accused persons in gang rape case of Puja Bohara of Baitadi on June 16, 2014. The accused were imprisoned for 13 years with Rs.50,000 fines by the District Court.
- Chandra Kumari BK of Nepalganj, Banke district was physically assaulted by her neighbor Tara BK on charge of witch allegation.
- A total of 52 passengers were killed in a bus accident in Jajarkot district on November 20, 2014.
- A total of 18 people were killed and 39 were injured in a bus accident in Surkhet district on December 7, 2014. (Annapurna Post, December 11, 2014)
- A total of 21 people died due to dew waves in Terai this year. Out of them 7 in Mahottari, 6 in Rautahat, 3 in Siraha, 3 in Morang, 1 each in Saptari and Jhapa. (Kantipur, December 31, 2014)
- The government spent around Rs.5,00,00,000 for the treatment of 3 leaders of political parties. NC president Sushil Koirala spent Rs.1,62,55,000, KP Oli of CPN-UML spent Rs.1,26,00,000 and Jhalanath Khanal spent Rs.1,00,00,000. (Online Khabar)

The aforementioned incidents are some of the representatives of human rights violation incidents. Such incidents are occurring every day. Many people are being killed due to the state's negligence. No sector got positive result in 2014. There was no improvement in the process for the promulgation of the constitution till the end of the year. The government cannot ensure people's security. The public did not feel the presence of the government. The entire 2014 became the year of human rights violations by the state and nonstate parties.

Sunil Prajapati
Secretary

Sadbhavana Party

Sadbhavana Party would like to express its happiness that like every year this year also INSEC is going to publish its annual Human Rights Yearbook which is very informative. The party would like to wish success to INSEC in the publication of Nepal Human Rights Yearbook, 2015.

The year 2014 was better in the human rights perspective as compared to previous years. The incidents of extrajudicial killings have decreased in this reporting year. Our party believes that the discriminatory practices are ongoing unabated. Extra-judicial arrest, torture and state's

discriminatory behavior towards Madhesi, Dalits, Indigenous people, Tharu, Muslim, Women and poor individuals are increasing due to the lack of proper implementation of state's inclusive policies.

Given that no concrete investigations were carried out in the cases of extrajudicial killings, we would like to demand for an independent commission on the investigation of the killings. We hope that INSEC will continue to monitor the incidents of Human Rights violations in the days to come too.

Narsingh Chaudhary
Senior Vice-Chairperson



Views of Institutions
on Human Rights
Situation in 2014

Annex

4

National Human Rights Commission

Informal Sector Service Centre (INSEC) is an active organization in the field of human rights. NHRC appreciates the effort of INSEC in publishing "Nepal Human Rights Yearbook" every year reporting on incidents of human rights violation, abuses and crime. I would like to congratulate and send best wishes for the success and continuation of the publication of Human Rights Yearbook of 2015.

Due to frequent changes in the government and ups and downs in the political scenario, accomplishments have not been institutionalized, which is a sad part. The failure of the second constituent assembly to deliver the constitution is not a positive thing. The formation of negative attitude towards politics, political parties and leadership is not a good thing.

From the perspective of Human Rights, this year has not been as good as desired. The government has not been able to fulfill its promises made to the people. National Human Rights Commission (NHRC) which has been established to protect, promote, fulfill and start the culture of human rights is also not satisfied.

Looking at the human rights data of the NHRC for the fiscal year 2013/14, human rights situation does not look satisfactory. The annual data of the NHRC reports that 240 petitions were filed which includes cases of torture, harassment, violation of women's rights, judicial administration, child rights against arbitrary detention, imprisonment, killings, threat, property rights, social and cultural rights, rights of disabled person, caste discrimination and rights of migrant workers etc.

In total, 216 monitoring visits have been conducted in cases relating to the sit-

uation of human rights, civil and political rights (human rights situation in the CA), child rights, women's rights, custody and prison conditions, rights of senior citizen, rights on caste-based discrimination, political parties and their sister organizations strikes and rally, demonstrations and protest programs and health rights. In total, 216 cases were investigated. These cases were related to killings, torture, judicial administration, disappearances, abduction, threat, physical violence, property confiscation, arbitrary detention, women's right, internally displaced, child rights, health rights, migrant workers, explosion, caste-based discrimination etc.

To promote human rights 300 events were conducted this year which includes trainings, interaction programs, discussions and workshops. Among them, 84 programs are conducted in coordination and cooperation. Among the programs organized by other organizations, NHRC participated in 305 events. A total of 12 reports including an annual report and e-bulletin, Human Right directives, National report on situation of children and condition of human trafficking in Nepal have been published.

In order to implement its work, NHRC has been promoting cooperation and coordination with Legislative-Parliament, Nepal Government, Other commissions, Civil Society, NGOs and Professional organizations. NHRC has collaborated with UNDP, UNHCR, Save the Children, Asia Foundation, ICRC etc. NHRC has collaborated and coordinated with International agencies, Embassies of neighboring countries, National Human Rights NHRCs of other countries and has maintained good relationships.

The NHRC has got many achievements as well as it has faced many challenges and problems. Many achievements have been made in the field of human rights

protection and promotion. The NHRC has shown its accountability in the international platform and thus this NHRC is positioned as rank "A" internationally. NHRC has the challenge to make itself more reliable and functional at national and international level. Some of the challenges are the continuation of transitional phase, non-cooperation from Nepal Government and no initiation for the implementation of NHRC recommendations. Facing all these challenges the NHRC is committed to increase its equal access in all geography, location, language, culture, class and community. To address these challenges the NHRC has given regular recommendations to the Nepal Government and the Political Parties.

Finally I would like to wish success to this Yearbook edition and hope INSEC will continue to contribute in the protection and promotion of Human Rights. Best wishes.

Mohana Ansari

Member/Spokesperson

National Human Rights Commission (NHRC)

The Office of Prime Minister (PMO) and Council of Ministers

It is the prime responsibility of the State to respect, protect and promote Human Rights which the government of Nepal is committed to. As Nepal is party to 24 international conventions on human rights (including 2 SAARC level), Government of Nepal is making all possible efforts to develop a culture of human rights while fulfilling national and international responsibilities.

As guided by the Vienna Conference 1993, the government of Nepal has come up with 3-year National Action Plan to respect, protect and promote human rights. The National Action Plan for Hu-

man Rights was drafted in 2004/05 working in close coordination with civil society and private sector. In this course, third 3-year action plans have already been completed. The fourth Human Rights National Action Plan (F/Y 2013/14-2017/18) is now in the implementation phase. It is believed that the effective implementation of the current human rights National Action Plan will help in guaranteeing the rule of law, ensuring basic human rights to all citizens and develop a strong culture of human rights in the country. The fourth Human Rights National Action Plan has proposed activities which have been classified in 18 themes focusing to achieve cultural, economic and social rights of the Nepalese citizens. The concerned Ministry of the Nepal Government will be primarily responsible for the implementation of the activities and it is expected that the organizations active in human rights sector will supervise and motivate to make sure that the activities are implemented as planned.

Similarly, following the review of the National Action Plan against gender based violence, National Strategy and Work Plan on Eradication of Gender Violence and Gender Empowerment, 2012 has been implemented for five years from July 20, 2012. Other ministerial strategies and action plans have also been incorporated in this National Strategy and Work Plan has been implemented. For the eradication of caste-based discrimination, in the office of the Prime Minister (PMO) and Council of Ministers a high level mechanism has been formed and the effective programs are being implemented as per the plan.

The PMO has been monitoring and updating the recommendations made by the NHRC since 2001 concerning the incidents of human rights violations. The recommendations made by the NHRC since 2001 has been published in the form

of a book and is being used for publicity. As per the recommendation of the NHRC, Ministry of Peace and Reconstruction and Ministry of Home Affairs and the decision of Nepal Government, relief/compensation amount was distributed to the conflict victims and their families.

In regard to incidents of human right violations, the office has made information and answer readily available to the different international human rights organisations and is involved in drafting and sending human rights reports after consultations with different agencies.

The PMO has made necessary preparations to submit various periodic reports in time for being the State Party to various Human Rights instruments. The office prepared a national report for the Universal Periodic Review (UPR) and submitted to UN Human Rights Council in January 2011. As per the suggestions and recommendations received during the UPR, action plans for all concerned bodies were prepared and they are currently being implemented. Additionally, Government of Nepal has formed an inter-ministerial committee and a working group under their supervision to draft the UPR report which Nepal has to submit for second cycle. Under the supervision of the committee the working group has prepared and presented the report. To discuss and interact on the draft report concerned agencies, organizations and professionals at district and regional level will participate. At regional level an interaction program was held at Banke, Nepalgunj and Dhangadhi, Kailali. It has been decided that the suggestions and recommendations of the concerned parties will be incorporated on the report and revised and presented in UN Human Rights Council in July 2015. Remaining interaction programs will be held at other regional headquarters. The draft will be made available at the web-

site of the office of the Prime Minister and Council of Ministers. The Government of Nepal is working on the promotion and protection of human rights through the institutional consolidation of the NHRC, National Women Commission, National Dalit Commission and Janajati Utthan Mahasangh and by forming the human rights units in all ministries and Human Rights directorate in all security agencies. Furthermore, the Government of Nepal is carrying out necessary works for the protection and promotion of Human Rights by coordinating with national and international organizations and various other agencies of government.

Finally, the PMO is confident that this yearbook which is being published by INSEC will be very helpful to achieve the aim to respect, protect and promote human rights. Also, I would like to send good wishes to INSEC to continue to carry out its activities further in the Human Rights sector.

Ranju Gautam
Section Officer

Ministry of Home Affairs

The details of the activities conducted by the Ministry of Home Affairs in relation to human rights in 2014 are given below:

1. Training programs and seminars on human rights were conducted in which officials from Security Agencies, Ministry of Home Affairs and line agencies participated.
2. Many programs have been launched to implement the National Action Plan of UNSCR 1325/1820.
3. Construction of a women jail is completed at Nakhkhu, Lalitpur.
4. In 240 areas of Nepal Police, Women

and Children Service Centre has been constructed and 1344 officials have been posted there.

5. In 10 districts of Nepal Police, Women and Children Service Centre building has been constructed and is already in operation.
6. In 12 location of Armed Police Force, A Gender Unit has been formed and it is already in operation.
7. A well-equipped women detention cell is built in the office building of Immigration Department.
8. A code of conduct on gender based violence has been published for the police personnel and distributed to all police personnel.
9. A project of constructing 20 bio-gas and 21 solar plants has been approved to improve the current situation of jails.
10. Skill development trainings are being conducted in 8 prisons for female inmates.
11. A national database has been created in the Nepal Police updating information on petitions and incidents of gender based violence.
12. Nepal Police is implementing Gender Policy, 2069.
13. The total capacity of 74 prisons in 72 districts of Nepal is 10,000 but at the current stage there are already 18,000 prisoners. The physical infrastructure is being improved:
 - With the aim of relocating Central Jail a building with capacity 5000 is being constructed in Chandi Pokhari, Ward no.6, Bidur Municipality, Nuwakot.
 - A tender notice has been issued to construct the open prison in Ganapur VDC-6 of Banke district.
14. Human Rights Cells have been established in all area police offices and rapid response mechanism has been

established to address the human rights violation committed by police personnel.

15. On the Job Training on human rights is being provided to Nepal Police and Armed Police Force.

Sangita Koirala
Section Officer

Ministry of Foreign Affairs

The promotion, protection and consolidation of human rights take crucial position in international relation. A party to 24 international human rights and related instruments, including seven out of nine core conventions, it has been established that the Government of Nepal is always fully committed towards the promotion and protection of human rights as per the prevailing national laws as well as international commitments and obligations. In accordance with the provisions of the Interim Constitution of Nepal 2007, which has provided the topmost priority to the protection and promotion of fundamental human rights and individual freedom to the citizenry, the activities of the Government of Nepal, have directed accordingly. The Government of Nepal stressed desires for a balanced commitment from all sectors to implement the commitment of Nepal for the promotion and protection human rights and all sectors should support for the effective implementation of the right to development.

The statement of Prime Minister made during the 69th General Assembly of United Nations and the regular briefing of the Minister of Foreign Affairs with the international community signifies that the Government of Nepal is regularly expressing its opinion on human rights among the international communities for the promotion and protection of human rights.

As stipulated in the Comprehensive Peace Agreement as well as the Interim Constitution of Nepal 2007, and as per the commitment of government to enact necessary legislations related to the Transitional Justice Mechanism based on political consensus, commitment, approval and in line with the international standards. The Parliament endorsed an Act on Commission of Investigation on the Disappeared Persons and Truth and Reconciliation Commission (TRC) on April 11, 2014. It is one of the landmark achievements of justice mechanism. The Government of Nepal has sent its response clarifying the issues raised by the Human Rights High Commissioner Navanethem Pillay who had sent a letter to Prime Minister asking on this matter on June 25, 2014.

After this letter, the Office of High Commission for Human Rights has lauded the achievement of Nepal to form the Truth and Reconciliation Commission and Commission on Investigation of Disappeared Persons. The Government of Nepal has internalized the verdict of Supreme Court of January 2, 2014 as well as the international human rights and humanitarian laws. This act focuses on the formation of two separate commissions- Commissions on Investigation of Disappeared Persons and the Truth and Reconciliation Commission. The Government of Nepal is always positive to include the recommendations based on the verdict of Supreme Court and the political consensus and established national and international norms regarding the transitional justice.

The Government of Nepal had submitted 33 issues rose during the third periodic report of ICESCR to the OHCHR following the consultation with concerned stakeholders. The Government of Nepal is regularly submitting the periodic reports

to the various human rights committees of United Nations Human rights Council addressing the recommendations during the presentation.

The Government of Nepal had prepared and submitted third periodic report of ICESCR in the 53rd session of CESCR committee based on the recommendation of Article 16 and 17 of this Convention. The Ministry of Foreign Affairs had active participation during the discussion and preparation of the report.

The Government of Nepal has been implementing Human Rights Action Plans periodically since fiscal year 2004/2005 with an objective of fulfilling the obligations created by various international conventions/covenants to which Nepal is a state party. In the process, implementation of the third Human Rights National Action Plan, 2010/11-2012/13 (three year) is completed. The Government of Nepal implemented a 5-year fourth Human Rights National Action Plan 2014/15- 2018/19. Through this Action Plan, the Government of Nepal is planning to conduct reformative actions by identifying a total of 18 different thematic areas such as education, health, nutrition and population, labor and employment, inclusive development, transitional justice and conflict management in order to ensure the necessary coordination and collaboration for the promotion and protection of human rights.

As an impartial, independent and active constitutional body, the National Human Rights Commission actively performed its duties throughout the year 2014 to monitor, investigate and recommend actions on the incidents of human rights violations. The Ministry of Foreign Affairs has implemented most of the recommendations made by the Commission falling under the purview of the Ministry. The Government

of Nepal is obliged to implement the recommendations made by the National Human Rights Commissions. As a party to several international human rights treaties, Nepal has submitted periodic reports as required by most of such instruments and those yet to be submitted such as the one under ILO 169, are being finalized through consultation with stakeholders. The Government of Nepal is implementing the suggestions and recommendations received from the Universal Periodic Review of United Nations Human Rights Council in 2011. The task force formed under the coordination of Secretary at the Office of the Prime Minister and the Council of Ministers to prepare Nepal's national report for submission during the second period review of Nepal's overall human rights status slated for 2015 has already begun its work.

The Government of Nepal is in regular touch with different human rights units of United Nations such as UNOHCHR, UNGA's third Committee and other international human rights organizations in order to strengthen the current human rights situation of Nepal. Especially, the Government of Nepal is ensuring its participation on thematic discussion in Human Rights Council in order to inform the current human rights issues, challenges and progress of human rights in Nepal.

Nepal is receiving significant assistance from the international communities and these assistances are being mobilized to mitigate the challenges during the economic and social development. It has appealed the international community to ensure the right to development and socio-economic development of underdeveloped countries.

The international human rights campaign is relentless in its efforts and unwavering in its resolve towards the noble cause of enabling the entire humanity to realize its fullest potentials by guarantee-

ing the full enjoyment of all human rights freedoms. It is true that the socio-economic conditions of the country as well as the level of awareness in society play a vital role in realizing human rights for all. Thus, even though it may not be possible to achieve the cherished ideals of human rights in their entirety at once, it is important that best efforts are continued for their progressive realization.

Nepal Army

Nepal Army is always committed to fulfil and protect the basic norms of human rights accepted worldwide by realizing the issue of practical guarantee of sovereignty rested with the Nepali people.

Guided by Interim Constitution of Nepal 2063 (2007) and Army Act 2063 (2006), Nepal Army personnel are being continuously trained on International Human Rights and Humanitarian Law. In the same way, all forces have been given trainings on IHL/IHRL in order to gradually deploy them for protection and promotion of human rights by enforcing IHL Integration Order. Similarly, "The Nepal Army Hand Book on Law of Armed Conflict" and training documentary regarding humanitarian law prepared by this Directorate have been distributed in all units and information shared about this in all trainings for theoretical and practical implementation of these issues up to the lower ranks. Teaching/learning continues continuity by incorporating curricula of human rights and humanitarian law in trainings of all levels. The forces participating in peace keeping missions are continuously given trainings.

Through joint initiation of Nepal Army and ICRC, an advanced level LOAC training is conducted. Similarly, with the help from neighboring countries, NHRC and ICRC, trainings on human rights

and humanitarian law are also conducted. 74,201 army personnel have received trainings on human rights and humanitarian laws until now.

According to the contract between Defense Ministry of Nepal Government and Peace Fund Secretariat, a project on "Promoting Women's Participation in Process and Economic Opportunities", under "Implementation of NAP on UNSCR 1325 and 1820" is being conducted. Of which, Nepal Army has already concluded seven trainings on Gender Equality & UNSCRs 1325 & 1820 in the FY 2013/14. Until now, 1,870 army personnel have received this training. A Docu-drama "TARA" has been distributed to all units of the department with an aim to broaden their knowledge on Resolution 1325 & 1820. UN Women and other organizations are involved in facilitation and interaction during the trainings on Human Rights and International Humanitarian Law, Command Responsibility, Superior Orders, Gender equality, Sexual abuses, UN Resolution 1325 and Resolution 1820 given to peace keeping troops on Pre-Deployment training.

Lastly, Nepal Army Human Rights Directorate would like to express its good wishes to INSEC for the success of its "Nepal Human Rights Yearbook 2015"

Dev Kumar Subedi
Brigadier General, Director

Nepal Police

Informal Sector Service Centre (INSEC), since its establishment, has been working in the field of Human Rights and Social Justice. Since 1992, it has been publishing "Human Rights Yearbook" which incorporates all the human right violations and the organisational activities of one year. This publication contributes to the objectives of protecting and promoting human rights.

We are very glad to learn that INSEC is publishing the Nepal Human Rights Yearbook 2015 through which the public will also know about the Human Rights situation of 2014.

It is a well known fact that Nepal Police has always internalised the international and national human rights norms and values and adopted zero tolerance policy towards violation of human rights in its work area. Realizing its responsibility to protect citizens' security of life, property and freedom and to uphold its legal duty to maintain peace and security in the society, it has always been active in investigation and prevention of crimes. Nepal Police has been taking its duty as a responsibility towards the citizens and has been adopting timely reform measures accordingly.

Human Rights Cell in Nepal Police was established in January 16, 2003 under the direct auspices of Inspector General of Police with the principle that for every police official, human rights should not just be taken as a professional skill but as a part of life style. Since the establishment of the Cell, Nepal Police has created a strategic plan to share maximum knowledge possible to every police staffs and has been publishing and distributing the Nepal Police human rights booklet regularly.

Human rights are integral rights of the citizens and it is the primary duty of the public welfare state to respect, protect and fulfill them. All the citizens should have equal rights and access to enjoy human rights. Nepal Police is such an organisation which has the first and easiest access to general public. To respect, protect and promote human rights, the state should make efforts to enforce all its activities lawfully and constitutionally. As a state party to various international human rights laws, Nepal has made various commitments to respect, protect and promote Human

Rights. There is no denial that the primary responsibility of practical implementation of human rights falls on Nepal Police. And accordingly, various efforts are being made to make the law enforcing police personnel accountable and trained towards Human Rights. And in this regard, Nepal Police in association with NHRC has published Human Rights reference book and human rights curriculum is incorporated in every level of training provided to the Nepal Police officers. Also, to enhance better police-public relations, Nepal Police has launched "service with a smile" program and has been training their officials.

By upgrading the Nepal Police Human Rights Cell to establish promotion, protection and coordination of human rights as its prime working methodology, Nepal Police has established human rights cells in Metropolitan Police Commissioner's Office and all regional police offices. In all zonal and district police offices, a human rights officer is present who works actively in related cases.

Nepal Police Human Rights Cell received 171 petitions from different individuals and agencies in the fiscal year 2013/14 but in the current fiscal year it has received only 51 petitions. Similarly, in the last fiscal year 2013/14, action was taken against 24 police officers whereas in the current fiscal year, action is being taken against 7 police officers. Till date Nepal Police has taken departmental action against 630 police officers of different levels for human right violations. Following the adoption of policy of zero-tolerance on violation of human rights by Nepal Police to protect and promote human rights, it has been noticed that the number of petitions on human rights violation is declining every year.

Nepal Police Human Rights Cell is conducting regular investigation of the custody cells in the valley and other districts

and necessary actions are being carried out to improve the police performance based on the interaction with the detainees which has given a sense of positive change.

Finally, the Yearbook which publishes investigative and analytical report of the incidents of human right violation occurred in a year has been a guideline for the Nepal Police to further improve our work. The Yearbook has been helpful in devising policy and plans of the Nepal Police Human Rights Cell. Nepal Police appreciates the cooperation and continuous efforts undertaken by INSEC to protect and promote human rights even during the very challenging and critical situation. It expects continuous cooperation and feed backs from every individual and agency to make Nepal Police more effective and efficient. Nepal Police is committed to protection of human rights and would like to send best wishes to INSEC for the successful publication of its "Nepal Human Rights Yearbook 2015". Thank You. Jai Nepal.

Nepal Police Human Rights Cell

National Women Commission

The National Women Commission has been continuously working actively for the protection and promotion of Women's rights. In order to achieve its goal the Commission carries out a number of activities such as formulating national policies and programs concerning women's benefits and rights and then recommending for their implementation, maintaining gender justice through reforms in the prevalent laws and acts and monitoring the implementation status of various international treaties and agreements to which Nepal is a state party are other functions of the Commission.

Analyzing the incidents of violation of women's rights and violence against women, it is seen that women are being victimized due to dowry system, domestic violence, killings, sexual violence, social malpractices, and sexual exploitation at the workplace in the education sector, gang rape and human trafficking. Similarly witchcraft allegation, Chhaupadi practice, child marriage are some of the social ills and malpractices which victimizes women. Women victims have not been able to get appropriate justice due to some discriminatory provisions in existing laws, lack of effective implementation of the directive order issued by the Supreme Court in the name of the government to amend and make laws, non-adoption of the draft bill regarding protection of women rights, discriminatory social structure and values among other reasons. The petitions that has been filed in the commission has been addressed and justice has been given to the victims by the commission working in cooperation with the various non-governmental organizations like Centre for Legal Research and Resource Development (CELLRD), Legal Aid and Consultancy Centre (LACC), SATHI an organization working for the rehabilitation of women who were subjected to violence, Center for Mental Health and Counseling for psychological counseling and Nepal Bar Association for legal aid and counseling.

This year 296 complaints of domestic violence and 160 complaints of violence against women were filed in the commission. The Commission as per the agreement between both sides, reaches cases to conciliation, provides legal assistance and psychosocial counseling and refers to other related agencies for other types of services. On the basis of published incidents of violence against women in newspaper and magazines according to which, for 21 cases of

sexual violence, 15 cases of killings, 7 cases of human trafficking, 7 cases of citizenship, 296 domestic violence, 4 cases of expulsion from house, 8 cases of economic violence, 3 cases of polygamy, 3 cases of allegation of witchcraft and gang rape of a 70 years old elderly woman in Gadimai Festival, sexual abuse in public area and suicide cases, the Commission has conducted field investigation demanding for justice to the victims and prosecution to the perpetrators.

In order to identify the current situation and issues of women's right; the Commission has conducted study on suicide committed by women, dowry system and women's health. The Commission has also taken the initiative to present and submit Witchcraft related Crime and Punishment Bill and Exploitation on work area and Punishment Bill to the Parliament through the Ministry of Women, Children and Social Welfare. A 16 days campaign was initiated by the Commission from 25 November 2014 to 10 December in which different programs and activities were organized with the slogan; peace at home means peace in the world, zero tolerance on violence against women. Similarly at the school levels in all development regions, 124th International Women's Day was celebrated by conducting interaction programs in the subject "Role of citizens in eradication of violence against women".

Finally the Commission believes that like every year, the Human Rights Yearbook published by INSEC, will report the incidents of violence against women and it will help to make policies to protect and promote women's rights and will help to bring justice to the victims and prosecution of perpetrators of human right violations. The commission would like to wish INSEC success in continuing its efforts to achieve its goals and objectives.

National Dalit Commission

The National Dalit Commission, through monitoring by the joint monitoring committee led by the commission, is preparing to make recommendations in 14 incidents out of 20 regarding caste-based discrimination and untouchability that occurred during this period to the concerned stakeholders. The victims are being more victimized as the incidents of caste-based discrimination and untouchability do not reach the Commission or Police Office and other law implementing agencies. That is why, we can say that there is no decrease in incidents of caste-based discrimination and untouchability, gender discrimination, domestic violence and other human rights violations.

Ram Bahadur Bishwokarma
Section Officer

Nepal Bar Association

I would like to Congratulate and extend my best wishes to INSEC for the publication of new edition of Human Rights Yearbook which it has been publishing annually. The Human Rights Yearbook of 2014 depicted the overall human rights situation in Nepal and the evaluation of the work of the national bodies in 2013. This book has great contribution in depicting the overall human rights situation and the challenges faced in promotion and protection of Human Rights in Nepal. This book which enlists the incidents of violation of human rights also reports on the state as well as non-state party perpetrators which is a great support to the Nepal government as well as the National Human Rights Commission for prosecuting the perpetrators.

Since its establishment, Nepal Bar Association has been working to promote and protect human rights, rule of law, independent judiciary and democracy thus this kind of publication also supports us to achieve our goals and objectives.

Analyzing the overall human rights situation of last year, it cannot be called satisfactory. Many incidents of violations of fundamental human rights by the state as well as non-state party was reported in the Human Rights Yearbook of 2014. The protection of the human rights should be the primary duty and responsibility of the state party. Last year the incidents of extra judicial killings, death in detention and the inhumane living conditions of the inmates in the prison throughout Nepal were reported which shows that the state party should be more sensitive in protecting human rights. In prisons there are no facility of a separate consultation room for the inmates and their lawyers which deprive the inmates of a fair trial which is their constitutional right.

Apart from these incidents, last year incidents of domestic violence, human trafficking and rape were also reported which shows that the incidents of violations of women's rights has increased.

In this background, Nepal Bar Association hopes that with the appointment of new officials in National Human Rights Commission, in future the number of incidents of human rights violations will decrease and the state party will be more serious in prosecuting the perpetrators. The Nepal Bar Association is committed to continue its efforts to protect and promote human rights.

Senior Advocate Hari Krishna Karki
Chairperson

Federation of Nepali Journalists

The year 2014 had come as a new opportunity to end transitional political situation in Nepal and it had also given a ray of hope in the sector of human rights. Despite the failure of the first Constituent Assembly (CA), the election of the second CA was held towards the end of 2013. The first meeting of the CA took place in early 2014 and this year was called as the year of promulgation of the new constitution. The work plan laid out by the CA, smooth formation of the new government and taking the ownership of the first CA had given people a hope. The first 11 months of the year was reasonably peaceful without much bandhs and protests because the political parties were concentrating on the CA. Though there was no remarkable improvement in the overall human rights situation of the country, yet the decrease in the number of grave human rights violation as

compared to the previous year can be considered achievement at a time of transition.

However, no decrease in serious crimes such as rape and persistence of impunity was a negative aspect in the human rights situation of the country. This year was not encouraging for press freedom and freedom of expression. The journalists and media personnel continued to get threats, attacks and impunity against the perpetrators continued. Policy-wise, there was no extra provision for the contraction of human rights nor there was any effort shown in creating favorable environment for the fulfillment of human rights. The main document to institutionalize the completion of peace process and agendas of change with the end of transitional period, political stability and reinstatement of human rights met with a disappointing end as compared to the enthusiastic beginning from the human rights perspective.

Dr. Mahendra Bishta
Chairperson



Name of Contributors in Course of Preparation of Yearbook 2015

Contributors to Chapters

Chapter 1

Mutual Understanding in Constitution Making

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Chapter 2

State and Human Rights

2.1 Judiciary

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2.2 Executive

Writer : Madan Paudel

Reviewer : Pro. Dr. Ram Kumar Dahal

2.3 Legislature

Writer : Nir Lama

Chapter 3

3.1 Rajbanshi Community and Education in

Mother Tongue of Jhapa District

Writer : Dipen Neupane/Arjun Basnet

3.2 Reproductive Rights of Women in

Chepang Community of Makwanpur District

Writer : Raju Paswan/Pratap Bista

3.3 Conflict Victims and Status of Reparation in

Nawalparasi District

Writer : Tanka Khanal/Narayan Parajuli

3.4 Situation of Free Kamaiyas in Bardiya District

Writer : Ganesh Shrestha/

Man Bahadur Chaudhary

3.5 Availability of Food and Right to Food in

Bajhang District

Writer : Krishna BK/Prakash BK

District Representatives

Eastern Region

- 1.1 Jhapa - Arjun Kumar Basnet
- 1.2 Ilam - Kokila Dhakal
- 1.3 Panchthar - Mangal Begha
- 1.4 Taplejung - Dev Raj Gurung
- 1.5 Morang - Sukdev Chaudhary
- 1.6 Sunsari - Shekhar Dhakal
- 1.7 Dhankuta - Santosh Ruchal

- 1.8 Tehrathum - Chhatra Rimal
- 1.9 Bhojpur - Kiran Rai
- 1.10 Sankhuwasabha - Chhetu Sherpa
- 1.11 Saptari - Manohar Pokharel
- 1.12 Siraha - Durga Pariyar
- 1.13 Udaypur - Kushal Babu Basnet/
Bharat Khadka
- 1.14 Khotang - DM Chamling Rai
- 1.15 Okhaldhunga - Shiva Prasad Dhungana
- 1.16 Solukhumbu - Pasang Bamjan Tamang

Mid Region

- 2.1 Dhanusha - Binod Kumar Rabidas
- 2.2 Mahottari - Ishwari Kaphle/Ajay Sah
- 2.3 Sarlahi - Bidur Pyakurel/
Santosh Kumar Singh
- 2.4 Sindhuli - Anand Prasad Dahal/
Bimala Pandey
- 2.5 Ramechhap - Nava Raj Pathik
- 2.6 Dolakha - Uddhav Pokhrel
- 2.7 Rautahat - Bipeen Gautam
- 2.8 Bara - Laxmi Sah
- 2.9 Parsa - Krishna Chandra Lamichhane
- 2.10 Chitwan - Sabitri Sapkota
- 2.11 Makawanpur - Pratap Bista
- 2.12 Lalitpur - Ramesh Prasad Timalsena
- 2.13 Kavrepalanchok - Bhoj Raj Timilsina
- 2.14 Bhaktapur - Roshan Raj Aryal/
Ramila Tandukar
- 2.15 Kathmandu - Vivek Dhungana
- 2.16 Dhading - Sitaram Adhikari
- 2.17 Sindhupalchok - Natibabu Dhital
- 2.18 Nuwakot - Keshav Mishra/
Nawadip Shrestha
- 2.19 Rasuwa - Hemnath Khatiwada

Western Region

- 3.1 Tanahun - Prakash Chandra Bhattarai
- 3.2 Gorkha - Sudeep Kaini/
Narhari Sapkota
- 3.3 Lamjung - Krishna Prasad Adhikari/
Dal Bahadur Majkoti
- 3.4 Syangja - Sangeeta Ranabhat

3.5	Kaski	- San Bahadur Thapa	4.14	Mugu	- Jivan Sejuwal
3.6	Manang	- Kaman Bahadur Gurung/ Suresh Kumar Thapa	4.15	Humla	- Mimsingh Nepali Suresh Pariyar
3.7	Nawalparasi	- Narayan Parajuli	Far-western Region		
3.8	Rupandehi	- Amrit Giri	5.1	Kailali	- Sur Bahadur Pariyar
3.9	Palpa	- Madhav Basyal/ Yagyamurti Timilsina	5.2	Achham	- Shiva Raj Khatri/ Shiva Raj Dhungana
3.10	Kapilbastu	- Nandaram Poudel	5.3	Doti	- Lav Dev Bhatta/ Dirgha Bahadur Khatri
3.11	Arghakhanchi	- Narayan Prasad Bhusal	5.4	Bajura	- Arjun Shah/ Padam Bahadur Singh
3.12	Gulmi	- Naresh Bhandari	5.5	Bajhang	- Prakash BK
3.13	Baglung	- Ram Bahadur GC/ Sirjana Panta	5.6	Kanchanpur	- Komal Niranjana Bhat
3.14	Parvat	- Madhav Raj Pandey	5.7	Dadeldhura	- Rajendra Thagunna
3.15	Myagdi	- Ghanashyam Khadka/ Amrit Kumar Paudel	5.8	Baitadi	- Sher Bahadur Chand
3.16	Mustang	- Sharmila Gurung/ Kabita Thakali	5.9	Darchula	- Narendra Singh Karki
Mid-western Region					
4.1	Dang	- Gaman Singh Khadka	INSEC Regional Offices		
4.2	Pyuthan	- Rabindra Pandey	Eastern Region		
4.3	Rolpa	- Dharendra Dangi	1. Som Raj Thapa		
4.4	Salyan	- Meena Budhathoki	2. Dipen Neupane		
4.5	Rukum	- Adarsh KC	Mid Region		
4.6	Banke	- Binod Pandey	1. Krishna Gautam		
4.7	Bardiya	- Man Bahadur Chaudhary	2. Raju Paswan		
4.8	Surkhet	- Durga Thapa	Western Region		
4.9	Jajarkot	- Raj Kumar Shakyar/ Dinesh Kumar Shrestha	1. Shiva Khakurel		
4.10	Dailekh	- Yagya Raj Thapa	2. Tanka Khanal		
4.11	Dolpa	- Bishnu Prasad Devkota	Mid Western Region		
4.12	Jumla	- Man Datta Rawal	1. Bhola Mahat		
4.13	Kalikot	- Kali Bahadur Malla	2. Narayan Subedi/ Ganesh Shrestha		
			Far Western Region		
			1. Khadak Raj Joshi		
			2. Krishna Bahadur BK		
			Resource Centre: INSEC Library		
			Photo Source : Bimal Chandra Sharma/ District Representatives, INSEC		

Best District Representatives

As in the last year, we have selected the following representatives as the 'excellent representative' (one) and other four as 'best representatives'.

Excellent Representative

Man Bahadur Chaudhary, Bardiya

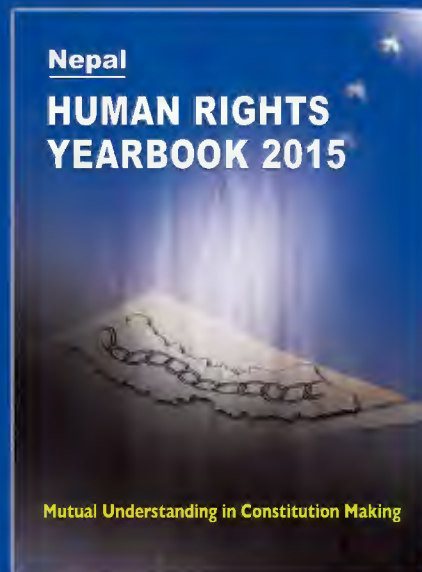
Best Representatives

D. M. Chamling Rai, Khotang, Eastern Region

Binod Kumar Rabidas, Dhanusha, Mid Region

San Bahadur Thapa, Kaski, Western Region

Rajendra Thagunna, Dadeldhura, Far Western Region



Impunity has become the greatest challenge in Nepal. This issue attracted great attention even during Nepal's Universal Periodic Review at the UN Human Rights Council. Non-implementation of decisions of the Supreme Court and government reluctance to abide by the National Human Rights Commission (NHRC)'s recommendations to bring the perpetrators of grave human rights violation to justice has left the international community wondering.

The political parties' inability to accept people's general concerns as their common agenda, lack of national consensus on implementation of the past agreements and the parties' indulgence in their factional interests rather than having the will, courage and capacity to honestly serve the people are the obstacles to constitution making. These are the reasons holding back the resolution of Nepal's peace process.



For Human Rights & Social Justice

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