

Human Rights Situation

(Monthly Analysis-March 2017)¹

The Human Rights situation of March 2017 is not satisfactory as compared to the last month. This month, the incident of human rights violation and atrocities has increased according to the INSEC documentation. INSEC has documented five incidents of killings by state party this month.

Five people were killed in a firing by police in Rajbiraj of Saptari during a clash with Madhesi Morcha. The clash started during the Mechi-Mahakali campaign of CPN UML which started from March 4. INSEC has documented the injury of 38 cadres from Madhesi Morcha and agitators and 58 police personnel during the clash.

In Saptari incident, 25 years old Sajjan Mehata of Maleth VDC-2, Birendra Kumar Mahato of the same ward, Pitamber Mandal, 50 of Maleth VDC-4 , Ananda Shah, 40 of Paraswani VDC-4 and Iner Yadav of Jamuni Madhepura were killed in a police firing. Among the deceased, Sajjan Mehata died in spot and others died while undergoing treatment at BP Koirala memorial health institute in Dharan according to the District Police Office of Saptari. Post incident, the Madhesi Morcha announced for mass-strike on March 7 and 8 and continued the protest for up to one week in the district of Siraha. During

¹ We are happy to inform that Informal Sector Service Centre (INSEC) has begun to publicize a monthly report on Human Rights Situation of the country from the month of December. INSEC has been documenting and disseminating the Human Rights situation of Nepal since 25 years. We have been documenting the incidents on Human Rights violation and atrocities through our district representatives actively present in all 75 districts of the nation. Similarly, with the objective of documenting and disseminating the incident on human rights violation in a regular basis, INSEC has been publicizing news through its web portal www.inseconline.org. This monthly analysis is based on the news publicized in this web portal. It is civilian's fundamental right to consume civil and political, economic, social and cultural rights without any hurdles.

We expect that this monthly analysis will be useful to those who want to know about the situation of human rights in the country, making stakeholders accountable by publicizing the situation of human rights based on the incidents on human rights violation and atrocities, justice to the victim and action against the perpetrators through advocacy.

the agitating, the cadres of Morcha had continued to vandalize and arson dozens of vehicles, offices and private properties in Siraha and Saptari. The cadres had used abusive languages to the NHRC member Mohana Ansari including other staffs who were in field monitoring. The cadres had vandalized the vehicle of NHRC with the registration number of BA 7 CHA 7473 and BA 7 CHA 7479.

Type of Events	By Non State				By State		
	Male	Female	N/A	Total	Male	Female	Total
Arrest					35		35
Beating	11	2		13			
Child Rights	23	32		55			
Destruction			38	38			
Inhuman Behavior	6	2		8	1		1
Injured	3			3	10	91	101
Killing	3	7		10	6		6
Right to Assembly					32	12	44
Threat	2			2			
Torture					3	1	4
Women Rights		93		93			
Total	48	136	38	222	87	104	191

During the CPN-UML Mechi-Mahakali campaign, there was a clash between the cadres of Madhesi Morcha and police on March 14 at Nepalgunj-Guleriya road section of Banke. In a clash, 13 morcha cadres were injured. Among the injured, 72 years old elderly person Jamil Bhat of Sonpur VDC-8 died while undergoing treatment. On a same day, the Madhesi Morcha cadres vandalized the vehicle with registration number BHE1KHA 2042.

INSEC has documented that the Madhesi Morcha cadres have attempted an attack on political leaders and cadres during this period protesting against the constitution and local level election. According to the documentation, the cadres of Madhesi Morcha had smeared black soot on a face of 53 years old secretary Shankar Bhattarai of CPN-UML inside the party office premises. Similarly, black-soot was smeared on a face of 50 years old Ram Ekbal Patel of

Kalaiya City Committee member. The cadres had misbehaved CPN UML cadre ALI Raj Hawari,38, of Kalaiya Municipality on March 7.

The Madhesi Morcha cadres have continued their agitation and protest against the announcement of local level election. Some of the district coordination committee office, municipality and village council were padlocked by the cadres and obstructed their daily work. INSEC has also documented the incident of setting fire on a board placed at local level offices.

Former central member of Nepal Student Federation Rabindra Shah, 37 of Bherimalika Municipality-3 was stoned to death by an unidentified group of people on March 27 according to the police. The clash between locals and Indian security force started in the morning of March 9 after the group of 20/25 Border Security Force (BSF) attempted to vandalize the pipe lines, sacks and bricks which was used to make culvert. Govinda Gautam, 25 of Punarbas Municipality-5 was killed in a firing by Border Security Force (BSF) during the clash.

According to the INSEC documentation, the human rights of 413 people were violated during this month. Among which, 191 were by the state party and 222 by non-state. Five people were killed in a firing on this month by state party according to the INSEC documentation. Similarly, 35 were victims of arbitrary arrest, 6 were injured in a firing and 101 were injured in a clash. One person was a victim of inhumane behavior and four people were victims of torture in custody. 32 male and 12 female were deprived of right to assembly.

According to our documentation, 48 male and 136 female were victimized by non-state party this month. By non-state party, two women and 11 men were victimized. The Madhesi Morcha cadres had destructed 38 physical infrastructures during the Mechi-Mahakali campaign of CPN-UML. By non-state party three male and seven female were killed.

This month, 23 boys and 32 girls were victimized of child rights violation. Based on news published in INSEC online news portal, 16 girls were victims of rape and 11 of sexual abuses. In the month of March, 23 boys were victim of

child labor and one was a victim of corporal punishment in school. Two children were victims of child marriage and one of child trafficking.

Similarly, two women including one girl were victim of human trafficking this month.

Similarly, in the incident of women rights violation and atrocities, 93 were victimized. As per the documented incidents, 72 women were victims of domestic violence, one of allegation of being witch, 6 of rape, three of attempted rape, five of human trafficking and five of polygamy.

Conclusion

The Supreme Court had issued an interim order in the name of office of the Prime Minister and ministry cabinet regarding the excessive force used by the security personnel during the Madhes agitation from July 17, 2015 till September 15, 2015. There should not be delay in investigation on Rajbiraj incident. In past, the impunity was flourished by not bringing the guilt of such incident under legal boundaries. Such mistake should not be repeated this time.