

Situation of Human Rights Defenders in Nepal

Brief Report Covering the Period

From January to October, 2011

Informal Sector Service Centre (INSEC)

December 9, 2011

Declaration on Human Rights Defenders, 1998 has recognized the Human Rights Defender (HRD) in a broad sense. However only the Teachers, Media Persons, Law professional, Health workers and those individuals who are working in human rights organizations (Human Rights Activists) are specifically included as the HRDs in this report focusing on the issues such as how they suffered and how their human rights were violated within this period of ten months. This report is based on the information recorded at INSEC during the period.

During the past ten months, 103 HRDs were victimized in incidents of human rights violations and abuses. Of them, 93 were male and 10 were female. Media persons were most affected in these incidents. In 44 incidents, 62 were the media persons whereby 56 were male and the remaining six were female. Similarly in 26 incidents of killing, threat, mistreatment and beating by different armed groups, political parties and their sister wings and state, 30 teachers were victimized. Of these victims, 29 were male and one was female.

Victim	No. of Incidents	No. of Victims		
		Male	Female	Total
Media Person	44	56	6	62
Teacher	26	29	1	30
Human Rights Activist	5	3	3	6
Lawyer	2	2		2
Health Worker	3	3		3
Total	80	93	10	103

Similarly, six Human Rights Activists were victimized in five incidents of beating, attack and mistreatment. Of these, three victims were male and the rest were female. Law professional and health workers also suffered during this period. Two lawyers were attacked and mistreated in two incidents whereas three health workers were victimized in three incidents of beating and attack.

Victims	Murder	Beating	Threat	Attack	Abduction	Displacement	Mistreatment	Deprived of Salary	Total
Media Person		9	20	5		1	9		44
Teacher	1	11	8	3	2			1	26
Human Rights Worker		1		1			3		5
Law Professional				1			1		2
Health Worker		1		2					3
Total	1	22	28	12	2	1	13	1	80

Because of the existing impunity in the country, rights of the HRDs have been continuously violated and they have been victimized by different political parties and their sister wings (Non-state party)*, from Police, Army, Government staffs (State party) **, from unidentified groups and armed groups***. It has been found that the HRDs have been threatened, killed, abducted, beaten and mistreated due to active and continuous work.

Perpetrators	No. of Incidents	No. of Victims		
		Male	Female	Total
State	11	14		14
Non-state	41	49	9	58
Unidentified Group	27	29	1	30
Armed Group	1	1		1
Total	80	93	10	103

In this reporting period, state was involved in 11 incidents of beating and mistreatment against the HRDs where 14 male human HRDs were victimized. 58 HRDs, of which 49 were male and 9 female, were victimized by the non-state actors in 41 incidents of human rights violations such as beating, attack, threat and mistreatment. One teacher was killed while and 30 HRDs were victimized in 27 incidents of beating, threat,

attack, abduction and displacement by unidentified groups. One HRD was threatened by armed group during this period.

Perpetrators	Murder	Beating	Threat	Attack	Abduction	Displacement	Mistreatment	Deprived of Salary	Total
State		6	3				2		11
Non-state		14	15	2			9	1	41
Un-identified Group	1	2	11	8	2	1	2		27
Armed Group			1						1
Total	1	22	30	10	2	1	13	1	80

Conclusion

Universal Declaration of Human Rights 1948, Paris Declaration adopted by the Human Rights Defenders Summit 1998, Rights of human rights defenders stated in United Nations Declaration on Human Rights Defenders, Interim Constitution of Nepal 2007 and the rights stated in International Human Rights Treaties which Nepal has ratified were violated in this period. In this period of 10 month, 80 cases of violation and abuse of rights of HRDs were recorded. The HRDs active in local level, are still living under threat and fear.

Recommendations

- Rights of the HRDs should be protected and respected as stated on Declaration on Human Rights Defenders.
- Justice for the victims and punishment for the perpetrators should be ensured by investigating incidents against the HRDs immediately and in free manner.
- A separate mechanism should be established for the protection and security of the HRDs.
- Networks should be established at national and regional level for the protection of the HRDs and plan and policies should be prepared in this connection.
- National Rapporteur on HRDs should be immediately appointed at National Human Rights Commission for the protection of the rights of human rights defenders.
- Special Representative of United Nation should be invited to Nepal to monitor the situation of rights of the HRDs.
- The recommendations that Nepal has received from the Universal Periodic Report and Treaty Bodies should be implemented promptly and effectively.

* Unified Communist Party of Nepal (Maoist), ANNISU (Revolutionary), Nepali Congress, Nepal Workers and Peasants Party, Youth Force, Young Communist League (YCL), Students, Teachers, Bank Staff, Municipality Staff

** Nepal Army, Police, District Education Officer, Government Staffs

*** Terai Janatantrik Madheshi Mukti Morcha