

NEPAL

HUMAN RIGHTS YEARBOOK MANUAL 2007



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For Human Rights & Social Justice

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An effective tool for INSEC Yearbook

This manual is, in fact, the outcome of 15 years of tireless effort on Human Rights Documentation by INSEC. It comprises of today's hard work as well as the institutional memory since the beginning of the publication of Nepal Human Rights Yearbook 1992.

I am confident that the manual will prove an effective tool for the preparation of future Yearbooks. It has been designed to make Yearbook preparation process smooth. The manual provides direction on the range of steps regarding the preparation of Yearbook's Nepali and English versions. It also guides on how to organize pre-review and review meetings for Yearbook and presents tentative annual planning.

The manual that has come out of group dynamics within INSEC is the guide book for the district representatives and for the copy editors of the annual flagship publication of the organization. It has set the standard of Yearbook language and presentation style. I am quite hopeful that this house style will help to perform the job in systematic manner and will make our job easier.

We will continue our hard work to make Yearbook a more comprehensive, credible and accurate document on the state of Human Rights in Nepal.

With regards

Subodhraj Pyakurel
Chairperson

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Nepal Human Rights Yearbook Manual, 2007

Introduction of Nepal Human Rights Yearbook

Nepal Human Rights Yearbook is not just a publication of Informal Sector Service Centre (INSEC) but a chronological documentation of state of human rights in the country.

The Yearbook, published by INSEC in the direct involvement of 75 INSEC district representatives, documentation section of regional offices and Human Rights Documentation and Dissemination Centre of central office, presents the district-wise data and analysis of trends of human rights violation.

Nepal Human Rights Yearbook is regularly published in both Nepali and English language since 1992. The Nepali Yearbook was published on 9 April until 2006. The English version was published simultaneously with the Nepali version only after three years of its publication date. Earlier, the English version was published on 1 August on Prakash Memorial Day. From 2007, both the editions of Yearbook are published on 19 February.

From 1992 to 1997, the Human Rights Situation of the same year was included in the Yearbook. Then after, the Yearbook was named by its publication year and the incidents of previous year were included in the book. The Human Rights Yearbook 1999 includes the incidents of 1998. Therefore, the Yearbook comprising the incidents of Human Rights violation in 1998 has not been named as Human Rights Yearbook 1998. The name of the book is Nepal Human Rights Yearbook 1999.

Nepal Human Rights Yearbook is a compilation of incidents of Human Rights violation and abuses in the country from 1 January to 31 December of a year.

2 Human Rights Yearbook Manual

The Yearbook is the official publication of INSEC. The copyright and answerability on any material published in the book lies within this organisation. Individually a writer, editor or institutionally the donor agency will not be liable for any published material in the book.

(a) Analysis

Executive Summary

Highlight of the year

Evaluation of the state : Executive, Judiciary and Legislative

Views of different political parties, state institutions including different organisations

(b) Chronology of incidents

District profile

Prime Objective of Nepal Human Rights Yearbook

To analyse the overall situation of Human Rights by presenting the incidents of Human Rights violation in the country with statistics and keep the national and international parties informed.

SECTION (I)

STRUCTURE OF NEPAL HUMAN RIGHTS YEARBOOK

Words from INSEC Chairperson

Acknowledgement

Chronology of incidents: Chronology of incidents mentioned while analysing the Human Rights situation of the year and those of national importance shall be enumerated point wise.

Chapter 1. Executive Summary

Chapter 2. Highlight of the year

Chapter 3. State and Human Rights

3.1 Judiciary

3.2 Executive

3.3 Legislative

Chapter 4. District profile

4.1 Eastern Region

4.2 Central Region

4.3 Western Region

4.4 Mid-Western Region

4.5 Far-Western Region

Annex 1: Data Presentation

Annex 2: Views of different political parties

Annex 3: Views of different state institutions including different organisations

Annex 4: Responses

Annex 5: Persons involved in preparation of Yearbook

Annex 6: Number of victims from the state (On the map of Nepal)

SECTION (II)**WORK DIVISION**

Following persons from INSEC executive committee or staffs shall be appointed to execute the writing and editing works of the Human Rights Yearbook before sending it to the press:

- a. Editor-In-Chief: One person
- b. Editor: One person
- c. Executive Editor: Maximum two persons
- d. Editorial Board: Maximum seven persons

One person from the Human Rights Documentation and Dissemination Centre (DDC) in INSEC central office holding responsibility of monitoring the Human Rights Yearbook for the whole year shall be the editor in chief.

DDC chief shall coordinate with the administration and the centre and perform the managerial function.

On behalf of INSEC management, DDC chief shall finalise the subject matter of the highlight of the year and the chapter writers after coordinating with the Editor-In-Chief and Editorial board.

Executive editor shall be appointed from documentation officers on the ground of editing efficiency.

Documentation officers based at five regional offices shall compulsorily be the members of the editorial board and if necessary shall be selected as executive editor.

District representatives shall compulsorily send the incidents of Human Rights violations recording in the forms to the respective regional offices within the first week of the subsequent month.

Documentation officers shall cross-check and monitor the forms sent by the district representatives and forward it to the central office within second week of the subsequent month.

Documentation officers shall edit the information of Human Rights violations in the district of their respective region and send it to the central office by the end of January for final editing.

Documentation officers shall send the quarterly report of the districts for situation report and half yearly report to the central office.

Guidelines for Editor, Executive Editor or Editorial Board Members:

Aspects to Remember while Editing Yearbook:

1. Used historical context, factual information, facts-data
2. Used date
3. Language, spelling and grammar
4. Formal, clear and simple language and clean presentation
5. Structure, comments etc

To improve the above mentioned aspects, articles of the Yearbook shall be edited in four layers before sending them to the press.

Any information which is doubtful and not verified by the deadline will not be published.

Guidelines for District Representative:

Should send the district level Human Rights information to documentation officer at regional office

Should follow up the received information till the end of the year

Should not give own view on incidents controversial and of people's concern. Mention the version of the concerned parties.

Should have the knowledge on district's geographical, political, social, economic, cultural aspects

Should send the half-yearly report to the INSEC regional offices by the end of July after editing the incidents as per the Yearbook guidelines

The next six-month report should be brought at the meeting of district representatives at the regional office for final editing.

Any doubtful data on collected information which is not verified should be excluded from the Yearbook.

District Editing Meeting

District representative's meeting shall be organized at the regional level to edit the incidents of Human Rights violation to include it in the Human Rights yearbook. Incidents reported by the district representatives shall be edited and made factual.

One representative from the central office and regional documentation officer shall carry out the editing.

In the course of preparing the Yearbook, regional documentation officer shall hold the major responsibility of editing the district's incidents of Human Rights violation. However, if required, representatives of DDC shall also perform the editing work.

SECTION (III)

ANALYSIS

1. Executive Summary

Objectives

1. To present the conclusion by critically analysing the Human Rights situation of the year
2. To present the evaluation of the state's role in Human Rights perspective in the year, and
3. To present recommendation to state including concerned parties to improve the Human Rights situation in the coming days

Core Components of This Chapter

1. This chapter shall be based on the highlight of the year, three chapters on evaluation of the state, district profile and data included in the Yearbook.
2. This chapter shall present the conclusion being limited within the analysis of other chapters that are based on information-data disseminated by INSEC district representative and other official or trustworthy sources, and
3. This chapter shall be presented in three-storey structure: background information, analysis and conclusion.

Limitations

1. Views or incidents not included in the district profile or chapters of this Yearbook will not be taken as the basis for analysis.
2. This chapter will not focus on separate subject matter rather there will be a brief presentation of the incidents and trends included in the Yearbook.
3. Political, Social, Economic, Cultural or other aspects will be included in this chapter only to the extent of Human Rights concern.

The Chapter will be around 16 pages in length.

2. Highlight of the year

Objectives

1. To present the conclusion of major chronology of incidents or subject matter affecting the overall Human Rights situation of one year on the ground of universal principals of Human Rights.
2. To review the state's role on the subject matter on the ground of universal principals of Human Rights and to analyse the Human Rights atrocities committed by organized non-government entities.
3. To present recommendation to the stakeholders for Human Rights protection and promotion.

Core Components of This Chapter:

1. Based on the universal principles of Human Rights, incidents will be presented in chronological order and its affects on the national sphere will be analysed. Also, its expected outcome will be investigated.
2. While addressing the concerned incident or subject matter, the activities carried out by the state and institutions under it will be illustrated.
3. The state's implementation status of the responsibilities created after Nepal being state party to different international treaties will be analysed.
4. Except primary sources of INSEC, only official and reliable sources will be cited.

Limitations

1. This chapter will be analytical, not descriptive. Therefore, the analysis of this chapter will be confined to the Human Rights arena not on all the details concerning the chronology of incidents or subject matter.
2. Though termed important on other aspects, this chapter will include the country's political, social, economic, cultural or other aspects only to the extent of their relation with the subject matter.
3. Opinion or view of anyone will not be aligned or no comment will be passed against it.

3. State and Human Rights

3.1. Judiciary

Objectives

1. To analyse the important decisions and works carried out by judiciary in the year for Human Rights protection and promotion.
2. To review the implementation status of the judiciary's decision. Also, to analyse the decision of labour court, special court, juvenile court etc to the extent to their relation with Human Rights.
3. To analyse the barriers on judicial procedure. Also, to evaluate the works carried out for effective judicial procedure.

Core Components of This Chapter

1. The major decisions of the judiciary in the year in regard to Human Rights will be analysed. Mainly the writ petition or decisions of the court regarding Human Rights of public concern matter will be assessed.
2. The achievement, challenges and constraints faced by the Judiciary in the year regarding Human Rights will be analysed.
3. The role of legislative and executive in the implementation of judiciary's decision will be evaluated.

Limitations

1. Analysis will not be made beyond the arena of constitution, international treaties-agreements to which Nepal is a state party.
2. This chapter will be limited only to the decisions of the judiciary in the year in regards to Human Rights.
3. Controversial decisions will only be analysed as mentioned in the context of existing international Human Rights law and national law.

3.2 Executive

Objectives

1. To analyse the works carried out by the executive in the year regarding Human Rights.
2. To analyse whether executive has functioned on the basis of Human Rights principals for Human Rights protection and promotion or not.
3. To analyse whether executive has performed the role created by international Human Rights law or not.

Core Components of This Chapter

1. The works carried out by executive with regards to Human Rights will be analysed on the base of international Human Rights standard.
2. The status of periodic reports to be submitted at the United Nations as per the international Human Rights obligation of executive after Nepal being a state party will be analysed.
3. The behaviour of the executive towards the court, National Human Rights Commission and other Human Rights institutions will be analysed.

Limitations

1. Any decision of the court in the year, let be of high national concern, not related to Human Rights will not be included in this chapter.
2. Except INSEC's primary source, only the sources believed authentic or trustworthy by the Yearbook will be cited in this chapter.
3. Except making comparison in special context, the analysis will only be focused on the work performed by the executive in the year.

3.3 Legislative**Objectives:**

1. To document the works carried out by legislative in the year with regards to Human Rights, evaluate the passed resolution in connection with constitution and international mechanisms.
2. To illustrate the role of MP/political parties in the process of formulating statute related to Human Rights.
3. To analyse the monitoring work carried out by the legislative in situation that resolutions passed by legislative is not implemented by the executive. In this context analyse the works of different committees of legislative in regard to Human Rights.

Core Components of This Chapter

1. Overall information on the works carried out by legislative like and resolutions passed in the year in regards to Human Rights, analyse them on the basis of universal Human Rights principles will be presented.

2. Resolutions passed by the legislative in relation to the international Human Rights law to which Nepal is a state party will be analysed.
3. Views of political parties or representatives on controversial laws passed by the legislative will be analysed and comparison will be made with the work of legislative of other countries as per the need.

Limitations

1. Any work or resolution passed by the legislative, let it be of high national concern, not related to Human Rights will be excluded from this chapter.
2. Except INSEC's primary source, only the sources believed authentic or trustworthy after verification by the Yearbook including the state's responsible institution will be cited in this chapter.
3. The regular contemporary discussion on Human Rights inside the legislative will not be included in this chapter.

**4. Views of Different Political Parties, State
Institutions Including Different Organisations****Views of Political Parties****Objectives**

1. To collect the views of political parties on Human Rights situation of the year.
2. To reveal the consequence (s) faced by the political parties due to Human Rights violation.

Limitations

1. In the process of revealing party's view, material defaming other parties or sides will not be included in this section.
2. The view of party or organisation or other institution should not exceed 1500 words.

Views of Government Institutions and Different Organisations**Objective**

1. To collect the details of work carried out by government institutions and different organisations for Human Rights in the year.

SECTION IV

DISTRICT PROFILE

Objective

1. To present the information on human rights violation/abuses of the district occurred in a year.
2. To identify and bring into light the victim and the perpetrator
3. To collect grass root information specially related to civil and political rights and trend based on information related to economic, social and cultural rights.

Core Elements

1. Human rights issues occurred in the district should be presented in section as mentioned in the guideline. For this, information concerning civil and political rights will be included on factual basis while information concerning economic, social and cultural rights will be included on trend basis.
2. Answers to fundamental questions on victim, perpetrator, how, when and why the incident occurred are mandatory.

Limitations

1. Only human rights violations and abuses will be published
2. Incidents regarding civil and political rights will be published with priority whereas incidents regarding economic, social and cultural issues will be published on trend basis.
3. Information forwarded by INSEC district representative, the official source and medium will be published.
4. Precaution will be taken to avoid additional harm to victim. For this, the names or identification of the victims can be withheld though INSEC will collect information about the incidents.

Presentation Style

The following statistics should be present at the beginning of district

profile	:
Population	:
Literacy Percentage	:
Women Literacy percentage	:
Area (Sq. km)	:
VDC(s)/ Municipality (ies)	:
Constituency (ies)	:
Government School(s)	:
Private School(s)	:
Community School(s)	:
Campus (es)/Higher Secondary School(s)	:
Hospital(s)/Health post(s)	:
Number of Police Office(s)	:
Number of Post Office(s)	:
Human Development Index	:
Average Household Size	:

Note: Among the statistics presented in the above mentioned style, Population, Literacy Percentage, Women Literacy Percentage, Area, Human Development Index and Average Household Size shall be filled by Central Office. Remaining statistics shall be reported by the district representative after verifying with the concerned institution.

CIVIL AND POLITICAL RIGHTS

The ICCPR establishes and international minimum standard of conduct for all States parties to it, ensuring the rights to self determination; legal redress; equality; liberty; freedom of movement; fair, public, and speedy trial of criminal charges; privacy; freedom of expression of thought, conscience and religion; peaceful assembly; freedom of association (including trade union rights and political parties); family and participation in public affairs; but forbidding torture; "cruel, inhuman or degrading treatment or punishment"; slavery; arbitrary arrest; double jeopardy; and imprisonment for debt.

Rights to Dignified Life

Killing

Generally, right to life means right to live. The killings carried out by state, state bodies or representative or non-state party with state capacity or armed group which is defined as high contacting party by Geneva Convention, some organised group or sect will be included under this section.

Besides this, considering the state responsibility to protect human lives, individual killings at a time when the state failed to fulfil it should be included.

Attack, beating or killing of public figure, any incident related to human rights incident or the individuals involved in the incident by any group or individual will, however, be included.

KILLING/FIRING

Example:

Bijay Rajbanshi, 30, resident of Bellowed VDC- 3 and teacher at Raipur Primary School, Dharampur was shot dead in Gauradaha by a police patrol team headed from Rajgadh Bazaar on 7 January. A police team headed by ASI Ram Bahadur Thapa of Kamalpur police station had arrested Rajbanshi from his house on charge of being a Maoist on 2 January. His final rites were performed at the bank of Madi River on 8 January after post-mortem at Amda Hospital, Damak.

Note: Date of killing, name of the perpetrator, perpetrator's name, position and office should be mentioned. If the victim had died while being treated, or killed in clash or explosion, the word 'died' should be used.

By Maoists, Janatantrik Terai Mukti Morcha or Other Organised Groups

Example:

Khiren Rajbanshi, 22, of Rajgadh VDC-2 was shot dead by the Maoists after abduction on 23 February. The victim was abducted by the Maoists from his house on the same day on charge of raping a local woman and shot dead at Jhiu Khola in Baluwa VDC. Family of the victim, following the post-mortem of the dead body at Jhapa Hospital, performed the last rites at the Jhiu Khola.

By Others

Incidents with great impact in society and state and issues related to human rights issues should be included

Killing of, attack on the personalities who have an impact on human rights sector should be included.

Killings due to personal dispute, criminal murders will be excluded from district reports, but will be included in data

Cross-fire

Clash itself is not a violation of human rights. There are reports of killing of or attack on people surrendered in the clash. These are against the Common Article 3 of the Geneva Convention. Therefore, such reports are being documented.

In the present context, any clash between Maoists and Janatantrik Terai Mukti Morcha or similar groups will be included in the Yearbook.

Example:

Surya Gautam, 25, of Anarmani VDC- 6 was killed on the spot when the police shot at him taking him for a Maoist after the Maoists attacked the Kakadvitta check post on 16 February afternoon. Armed Police Head Constable Dilip Mehata, injured by Maoist bullet died while being taken to Mechi Zonal Hospital, Bhadrapur. Another injured Armed Police Head Constable Santosh Meche received treatment at BP Koirala Institute of Health Sciences, Dharan.

INJURED IN SHOOTING/EXPLOSION

If available, the name of the explosive device should be mentioned like socket bomb, pressure cooker bomb, sutali bomb etc.

If the injured received treatment in any medical facility, its name should be mentioned.

Latest condition of the injured should also be mentioned.

Example:

Ram Rai alias Bishwa, 29, of Tapewa, Mangalbare VDC- 3 and Maoist area number- 7 secretary was shot injured by security forces in a tea estate near Jitpure of Jitpur VDC- 1 on 2 February. He was shot in heels, thigh and legs. Maoists treated him keeping him at their camp.

JAIL AND DETAINEES

District representative should monitor jail on the regular basis. S/he should fill the forms on Jail information and send them to regional office. Inmates stage protest against the jail system and facilities and boycott, strike, sit-in and ration. Such incidents should be included.

Elements necessary in this section:

- Grade
- Capacity
- Number of Convicts: Male.....Female.....
- Number of Detainees: Male Female.....
- Total Inmates:
- Number of Juveniles:
- Condition of Jail (Water, Toilet, Electricity, Health and Media, Recreation facility)
- Mention other relevant facts like protest, strike, hunger strike, death
- Death in custody

For example

The "D" grade District Jail has 154 men and five women convicts and 92 men and 11 female detainees at the end of the year. There is one minor boy and one minor girl in the jail. There are a total of 255 convicted and detained inmates in the Jhapa Jail. Among them, 43 men and three women are foreigners. Most of the foreigners are Bhutani refugees. The 255 inmates find it difficult to live in the jail which has the capacity to detain only 250 persons. The jail building is in dilapidated condition after the inmates set it on fire on 22 August demanding amnesty.

Among the convicts, 17 Maoist cadres including Dilliram Ghimire, Dhundiraj Guragain, Purushottam Chudal, Tanka Adhikari, Puspa Upreti and Dilliram Acharya staged fast-unto-death strike from 5 March with 16-point demands including better facilities and health service. The strike came to an end on 8 March after Chief District Officer Bhola Prasad Shivakoti assured to heed to their demands.

DISAPPEARANCE/ABDUCTION

Disappearance occurs when a person is arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches of levels of governments or by organised groups or

private individuals acting on behalf of, or with the support- direct or indirect consent or acquiescence of the government and sometimes followed by the government's refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty.

- Disappeared by state
- Abducted by organised group for political revenge and other reasons
- Taking someone to some disclosed or undisclosed place against his/her will. (like: incidents concerning political parties, organised groups and criminal incidents except for some exception)

Example:

Dil Bahadur Chaudhary alias Asim of Nawami Danda, a Maoist platoon commander was disappeared by a security team of Pathivara Battalion on 5 December 2006 afternoon. He was arrested by the team headed by Ram Prasad Yadav as he was heading east from Rajkot VDC in his motorcycle. His whereabouts were unknown till the end of the year.

Incomplete Information

Bharat Rajbanshi and his younger sister Santoshi Rajbhashi of Mahvara VDC were abducted by Maoists on 3 July. They were released few days later.

Note: The description gives no information about from where they were abducted, the charge, place of release, what does it mean by few days and who were present at their release.

Complete Information

Bharat Rajbanshi and his younger sister Santoshi Rajbanshi of Mahavara VDC- 7 were abducted by the Maoists on 3 July on charge of opposing Maoist activities. They were released the next day from Rajpur VDC in the presence of local human rights defender Rajendra Mehata.

Note: Reason of Abduction should be clearly mentioned. Condition of abductee at the time of release, place of release, name, position and organisation of person/s present at the time of release should also be given.

By Others

- Incidents deeply affected in society and state and issues related to human rights issues should be included

THREATS/BEATING

- Threat should be understood as intimidation against anyone for not following the direction, warning him/her with imprisoning, killing, beating and disappearing. Such language can be used in written or verbal form by state or political group or other organised entity. Likewise, if someone is manhandled, beaten by baton, butt of the gun or attacked by sharp weapon will be included in the section.

Example:

Khem Prasad Dahal, 70, of Rajgadh VDC- 9 was injured as Maoists beat him with baton at his house on 21 May for not clearing his dues with his neighbour. The victim was treated at Kanchajangha Hospital, Birtamod.

Note: If any weapon is used in the incident, the name of the weapon should be disclosed.

ARBITRARY ARREST

Only those arrests which occurred against the existing laws should be included under this title. If arrest took place with no warrant at the time of the arrest and failure to produce the arrestee in the court within 24 hours of arrest should be clarified.

Incomplete information

Raj Kumar Mahato, 21, of Rajpur VDC- 3 was arrested red-handed by the police from the house of Ram Pukar Mahato of the same VDC on 2 January.

Note: In this incident, the thief has been caught red-handed. Here nothing explains how the arrestee's right has been violated. The arrest can be of our concern if the accused is not produced in the court within 24 hours. Or if he has been tortured to confess the crime, the incident should be documented under the torture heading.

Example:

Maoist cadres Ganesh Ghimire of Mechinagar Municipality- 4 and Rabindra Mohara of Madhumalla VDC, Morang were arrested from their respective houses by police on 9 September on charge of being Maoists. They were sent to Jhapa Prison on September 15 and were released on October 9.

RE-ARREST

- The arrest where the victim has been released on the order of court or quasi-judicial body but is arrested from the court premises or somewhere else immediately after the release, will be included under this title.

Example:

Police arrested Kamala Poudel, 19, of Kumarkhod VDC- 3 and Baburam Acharya, 26, of Shivagunj VDC- 4 from the premises of the district court on 21 April. They were arrested on 27 April 2005 on charge of being Maoists. The district court had issued their release order on 20 April. The duo was kept in District Police Office for two days and then resent to internment. They were released on 26 April as per the government decision.

RIGHT TO ASSEMBLY, EXPRESSION AND ASSOCIATION

(Including Political Freedom, and Free and Impartial Election)

The right to expression, assembly and association is guaranteed in ICCPR which says everyone has right to freedom of expression which includes freedom to seek, receive and impart information of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art or through any other media of his choice. Right to freedom of association with others means the right to form and join trade unions for the protection of his interests. Freedom of association includes forming, joining and participating in political parties, trade unions, NGOs, neighbourhood associations, women's organisations, religious groups and student organisations. The right to peaceful assembly should also be considered in tandem with the right to freedom of associations and places no restrictions on the exercises of the right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security

or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

- The incident where the peaceful assembly or protest or programme has been barred by the state will be included. Likewise, obstruction posed to organise such programme by armed or unarmed group will also be included.
- Use of excessive force including use of teargas, blank fire or baton charge in assembly or gathering will be included.
- Obstruction posed by any individual or group for publicity of the election and election procedures should be included.
- If someone is arrested, even if for a short time, from peaceful protest or rally will be included. Information including whether the arrest warrant was given or whether the arrestee was produced in the court within 24 hours of the arrest should also be provided.

Example:

UML's Dilly Pokharel, NC's Lekhnath Bhattarai, government staff Tulasi Adhikari and student leader Asaru Rajbanshi were injured when the police charged baton on the participants of peaceful rally organised to protest the regression on 26 February. The injured received treatment at Mechi Zonal Hospital.

RIGHT TO PROMPT AND FAIR TRIAL

The right to fair trial is principally guaranteed by the ICCPR. With regard to a criminal case, it includes the rights to be informed promptly of any charges upon arrest; to be brought promptly before a judge or similar judicial officer for an assessment of the legality of an arrest; to equal treatment before courts and tribunals; to a fair and usually public hearing by a competent, independent and impartial tribunal established by law; to be presumed innocent; to be informed promptly and in detail in a language one understands of the nature of charges; to have adequate time and facilities for the preparation of a defence; to communicate with counsel of one's own choosing; to be tried without undue delay; to be tried in one's presence; to defend one's self in persons or through legal assistance of one's choice; to be informed that counsel will be appointed if one does not have sufficient funds and the interests of justice require examination of witnesses on the same conditions as adverse witnesses; to have the free assistance of an interpreter if one cannot understand the language used in court; not to be compelled to testify against one's self or to confess guilt; to

have a conviction reviewed by a higher tribunal according to law; to be compensated for any punishment which is conclusively shown to be a miscarriage of justice; not to be convicted for any offence for any offence for which one has been finally convicted for any offence for which one has been finally convicted or acquitted; not to be convicted for any act which did not constitute a criminal offence under national or international law at the time of the conduct (prohibition of retroactivity of criminal law); to benefit from any subsequent decrease in punishment.

If there is Appellate Court in the district then information of both the courts should be included.

Criminal cases where the individual is plaintiff: Brought forward from the last year..... (Of which decided this year.....undecided.....)

Criminal cases where the individual is plaintiff: Filed this year..... (Of which decided this year.....undecided.....)

Total number of Criminal case where the individual is plaintiff remaining undecided by the end of this year.....

Criminal cases: Brought forward from the last year..... (Of which decided this year.....undecided.....)

Criminal cases: Filed this year..... (Of which decided this year.....undecided.....)

Total number of criminal case decided and remaining undecided by the end of this year.....

Civil cases: Brought forward from the last year..... (Of which decided this year.....undecided.....)

Civil cases: Filed this year..... (Of which decided this year.....undecided.....)

Civil cases Total: (Decided.....undecided.....)

Total number of civil cases remaining undecided by the end of this year.....

Of whichcases including Criminal cases where individual is plaintiff, criminal case, and..... civil cases remain undecided for five years.

If there is Juvenile Court, then the details of the cases filed at the court and the decision given by the court should be mentioned.

If there is Labour Court, then its details should also be mentioned

Number of cases filed under Terrorist and Disruptive Act

Details of cases (thievery, loot, murder, road accident, setting fire and attempt for murder) filed at District Police Office should also be mentioned.

TORTURE AND OTHER CRUEL, INHUMAN AND DEGRADING BEHAVIOUR OR PUNISHMENT

The term torture means any act by which severe pain or suffering, whether physical or mental. is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent of acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

- The Torture Compensation Act, 2053 states that no one detained for investigation or enquiry or trial or for other reason should not be tortured and if tortured then the victim can file case at the District Court for compensation within 35 days of release.
- Giving electric shock, piercing with pin, making sleep on sugar with ants inside a bunker, drowning in water, beating, sexual abuse, not letting to sleep, not allowing to drink water and eat food for 48 hours are the forms of torture practiced in Nepal.

- While writing details, name of the officer responsible for torture, designation, name of the chief of the office and the nature of torture should be disclosed.
- Incidents of torture from individuals will not be included in this topic.

Incomplete information

Shovindra Shahi, 21, of Kunathari VDC-9 was arrested by security persons from Birendranagar on 3 January 2006 on charge of Maoist and released after torture.

- In the above mentioned incident it is not clear who arrested Shahi and what was the nature of torture. Details of the incident should be as below

Complete information

Shovindra Shahi, 21, of Kunathari VDC-9 was arrested by SI Hari Prasad Singh of District Police Office, Birendranagar from Birendra Chowk on 3 January on charge of being Maoist. SP Rajendra Mahat beat him with boot and sticks interrogating about leaders of CPN (Maoist). He sustained blue stains on his leg and back. He was treated at local Birendra Hospital. Shahi, who was released on 4 January, did not file case for compensation.

CHILD RIGHTS

For the purposes of Convention on Rights of Children, a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier. The Convention encompasses recognition of civil, cultural, economic, political and social rights, and of civil, cultural, economic, political and social rights, and of special protections specifically required for children. It has been ratified by more nations than any other human rights treaty.

Following incidents should be included under child rights topic

- Abduction of children
- Use of children or child soldier recruitment
- Attack on school or disruption of normal functioning of school activities
- Sexual abuse
- Killing of infant
- Killing or maiming
- Denial of humanitarian assistance
- Child trafficking

If state, group, institution or individual has used children in risky works, such incidents shall be included.

If *bandh* called by any side disrupts the education, following information shall be gathered:

- Affected area. Example: city, district, zone, region or whole nation
- Organizer (perpetrator)
- Affected duration (number of days)
- Purpose of *bandh*

Example:

A 15-year-old girl of Syamrang VDC, Nuwakot district, who was being taken to India via Kakadbhitta by Tinu Tamang of the same district, was rescued by police on 8 June. The police arrested Tamang from the check post with the girl. Police handed the victim to Maiti Nepal while a case on Women Trafficking was filed against the perpetrator.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

The term "discrimination against women" as mentioned in CEDAW means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Trafficking

- Trafficked with the motive to sell
- Incidents disclosed after trafficking
- Mention if the victim has filed a case or not and the nature of trial
- Latter situation of the victim

Example:

Ambika Limbu, 18, of Sablakh VDC-3, Taplejung district and currently residing at her sister's house in Birtamod, Anarmani VDC-3 was trafficked to a brothel in Silgudhi of India by Hari Khadka, 29, of

Prithvinagar VDC-5 on 2 April. The victim managed to come back to her home on 25 May. The perpetrator was arrested by police and detained in police custody.

Rape, Attempt to Rape, Inhuman Behaviour

- The incident should be cited as attempt to rape if case has been filed for attempt to rape otherwise such incidents should be mentioned under the topic of sexual abuse if no dispute arises on terming it as attempt to rape
- Always write all kinds of inhuman behaviour as misbehaviour. Example: Accusation of witchcraft, black painting the face, shaving off the hair etc

Example:

A 50-year-old woman of Dudamari, Satasidham VDC-1 was raped at her home by Bikram Tamang, Sher Bahadur Limbu and Dinesh Subba of the same place on 1 February. Bikram Tamang among the perpetrators was arrested by police on 10 February and detained for trial while other perpetrators remain at large.

Domestic Violence

- Incident of a female beaten or inhumanely behaved by male or female member of her family or marital rape should be included under this topic. The date and place where the victim filed an application should also be mentioned.
- In case of polygamy, the date and place where the victim filed an application should also be mentioned.
- Incidents of inhuman behaviour for not bringing dowry should also be included.

Example:

Mamata Sharma, 19, of Kolhuwa Bageya VDC-2 was barred from visiting her parental house by her father-in-law Indra Sharma, 45, for bringing fewer dowries. Though the victim's father, Rameshwor Kumar of Matihani VDC-8, filed case against the perpetrator at the District Police Office on January 21, no action was taken against the perpetrator.

Note: District representatives should prepare a comprehensive report on the above mentioned subjects. However, in exceptional cases, such incidents may not be published in Nepal Human Rights Yearbook, Human Rights Situation Report or inseconline and shall only be a part of the documentation of INSEC Human Rights Documentation and Dissemination Centre.

ALL KINDS OF RACIAL DISCRIMINATION

Incidents of nature mentioned below shall be included:

- Public Place: Incidents of racial discrimination at tap, temple, well, school, shop, hotels.
- Incidents barring trade of food and other products on racial ground.
- Incidents of discrimination because of inter-caste marriage.
- Incidents making someone work forcibly on the name of so-called caste tradition. For example, to force members of a particular community to throw carcass, to bar movement at public place for not carrying out such activities, to socially boycott them, and to prohibit buying goods of daily use and to bar carrying out other activities.
- Incidents prohibiting use of house or renting one on the ground of race.
- Incidents depriving one of opportunity, service or facility on the grounds of race.
- In such incidents, the date and place where victim filed an application and the nature of action should also be mentioned.

Example:

Eighth graders Bishwanath Pundit, 15, Chintu Rajak, 15, and Chabil Ram, 15, seventh grader Birendra Mali, 14, of Manara VDC-1 and students at Sonphi Dashain Secondary School, Manara were expelled from the school on 20 January on charge of quarrelling with students of so-called upper class. A meeting of school teachers including Lalan Singh, Baidhanath Singh, Bijay Singh and Ram Kailash Singh decided to expel the students of so-called lower class in the name of justice execution. The victims were allowed to join the school only on 19 February on the initiative of INSEC district representative and social workers.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The Covenant on Economic, Social and Cultural Rights establishes international minimum standards for States which have ratified the Covenant to take steps to respect protect and fulfil economic, social and cultural rights. It requires States parties to devote the maximum of their available resources to the most efficient and the rapid manner in order to ensure the full and in some cases progressive, realisation of

the rights it recognizes. The rights ensured in the Covenant include: the right to gain a living by work; to have safe and healthy working conditions; to enjoy trade union rights; to receive social security; to have protection for the family; to possess adequate housing and clothing, to be free from hunger; to receive health care; to obtain free public education; and to participate in cultural life, creative activity, and scientific research. The Covenant also strictly prohibits discrimination with respect to economic, social and cultural rights and ensures the equal rights of men and women to the enjoyment of these rights.

Landless Squatters' Problems, Old Age Allowance etc

- Incidents where state, political parties, organized group, community creates hindrance on enjoyments of one's cultural, religious or social tradition shall be included under this topic. Incidents of thievery, loot, defaulting loan shall not be included.
- Any incident where labourers who do not receive wages as declared by the state shall be included in this topic.
- Incidents of displacement due to armed conflict or different political struggle or reasons shall be included in this topic.
- The situation of food supply in the district shall be mentioned. If someone dies of this reason, the details shall be included in this topic.
- Incidents of bonded labour or forced work opposite to right to freedom to choose or accept work shall be included in this topic.
- Details of incident where state has illegally seized property of anybody shall be mentioned.
- Incidents where political parties or organized group has captured or taken away anyone's fixed or movable assets shall be included in this topic.

Example:

A total of 27,799 families of the district are deprived of land. Though these families residing at Khairmara, Maisthan, Gauribas and Bardibas VDCs filed an application at District Administration Office, Mahottari on 20 March demanding land on the basis of use, no action was taken by the end of this year.

Details should not be like this

Stating that the government did not pay attention to the food, shelter, health, education and employment of bonded labourers for seven years

of their freedom, hundreds of freed bonded labourers including Nar Bahadur Chinal, 35, of Baniyabhar VDC-1 locked the District Land Reform Office on 14 April for indefinite period. The freed bonded labourers unlocked the office in the presence of police following the assurance of government to form a high level commission within one month during a talk held at Kathmandu on 20 April.

Note: Though the above mentioned formal or newsy materials may be valuable for ineseonline, they shall not be included in the Yearbook. It should always be noted remembered that Yearbook shall only include the incidents of Human Rights violations not the materials of Rights advocacy or campaign.

DESTRUCTION OF INFRASTRUCTURE, PROPERTY

- Incidents where the state or community or political parties or organised groups have inflicted damage to the public or individual property shall be included.

Example:

The one-storey building of Regional Postal Directorial, Surkhet was partially destroyed when Maoists detonated a press cooker bomb at the building on 11 September. Chief of the office Than Bahadur Lamsal claimed that property worth rupees 80,000 was destroyed in the explosion.

Rules for Photograph

- The caption including the 5 Ws and 1 H should be written in clear words by a ball pen or permanent ink at the lower part of the photo. The incident number and the name of the district should be mentioned in the photo.
- While sending a digital photo, the file name should be given so as the district's name, incident year, victim's name and incident number is revealed. For example: A photo received from Kailali district for the Yearbook 2008 should have the file name
- KailaliYB08_RamPrasadSapkota_FN01
- The caption for a digital photo should be sent in separate file on the ground of incident number.
- Photos except clearly showing Human Rights violation shall not be published.

SECTION V

RULES OF CITATION

For chapters, the opinions, data and information belonging to writers, experts or reliable publications can be cited. For citation, MLA method will be applied. Citation material should have been published till the period of that Yearbook.

Examples of Citation:

AUTHORED BOOKS:

For single author:

Fukuyama, Francis. *Our Posthuman Future: Consequences of the Biotechnology Revolution*. New York: Farrar, 2002.

For two authors:

Egging, Suzanne, and Diana Slade. *Analysing Casual Conversation*. London: Cassel, 1997.

For three authors:

Marquart, James W., Sheldon Ekland Olson, and Jonathan R. Sorensen. *The Rope, The Chair and the Needle*. Austin: University of Texas, 1994.

For more than three authors:

Gilman, Sender, et al. *Hysteria beyond Freud*. Berkeley: University of California, 1193.

EDITED BOOKS:

Lopate, Philip, ed. *The Art of the Personal Essay: An Anthology from the Classical Era to the Present*. New York: Anchor-Doubleday, 1994.

If the persons named has more than one role:

Spafford, Peter, comp. and ed. *The Hopi Way*. Flagstaff: Northland, 1986.

Note: Follow style as in the case of authors for two editors, three editors and more than three editors. Not to forget is to mention the role.

Corporate author like INSEC:

INSEC. Loktantra Praptika Saya Din Manabadhikarko Sthiti. Kathmandu : Anaupacharik Chhetra Sewa Kendra, 063.

National Research Council. *Beyond Six Billion*. Washington: Natl Acad, 2000.

or

American Medical Association. *The American Medical Association Encyclopaedia of Medicines* Ed. Charles B. Clayman. New York: Random. 1989.

Second or Subsequent Edition Books:

Bondanella, Peter. *Italian Cinema*. 3rd ed. New York: COntinuum, 2001.

Translated Book:

Esquivel, Laura. *Like Water for Chocolate*. Trans. Carol Christensen and Thomas Christensen. New York: Doubleday, 1992.

or

Esquivel, Laura. *Like Water for Chocolate*. Trans. Carol Christensen and Thomas Christensen. New York: Doubleday, 1992. Trans. of *Como agua para chocolate*, Mexico: Planeta, 1989.

Books with Multiple Publishers:

Wells, H.G. *The Time Machine*. London: Dent; Rutland: Tuttle, 1992.

Books by Anonymous Author/Editor:

Encyclopedia of Virginia. New York: Somerset, 1993.

Unpublished Dissertation or Thesis:

Kelly, Mary. "Factors Predicting Hospital Readmission of Normal Newborns." Diss. of U of Michigan, 2001.

or

Kelly, Mary. "Factors Predicting Hospital Readmission of Normal Newborns." MA thesis of U of Michigan, 2001.

Unpublished Documents:

Human Rights Treety Monitoring Coordination Committe."Report of the Fact Finding Misson to Palpa." Unpublished Report of Secretariate INSEC, 2005.

Article taken from collection or anthology:

More, Hannah. "The Black Slave Trade." *British Women Poets of the Romantic Era*. Ed. Paula R. Feldman. Baltimore: Johns Hopkins, 1997.

Article taken from scholarly journal:

For journals that page each issue separately:

Hanks, Patrick. "Do Word Meaning Exist?" *Computers and the Humanities Journal* 34.2(2000): 205-15

For journals with continuous pagination:

Hanks, Patrick. "Do Word Meaning Exist?" *Computers and the Humanities Journal* 34(2000): 205-15

For journals using only issue number:

Hanks, Patrick. "Do Word Meaning Exist?" *Computers and the Humanities Journal* 34(2000): 205-15

Article taken from Newspapers/Magazines:

From Newspaper:

Chang, Kenneth. "The Melting of Antarctica." *New York Times* 2 Apr. 2002: 7-8

or

Chang, Kenneth. "The Melting of Antarctica." *New York Times* 2 Apr. 2002, late ed.: 7-8

From Magazine:

Mehta, Pratap Bhanu. "Exploding Myths." *New Republic* 6 June 1998: 17-19

or

Mehta, Pratap Bhanu. "Exploding Myths." *New Democracy Monthly* March 1998: 17-21

News taken from Newspapers/Magazines:

"PM Deuba Sacked." *The Kathmandu Post* 2 Feb. 2005: 1

"Dubious Venture." *Time* 3 Jan. 1994: 64-65.

News taken from Online:

"PM Deuba Sacked." *ekantipur.com/search* accessed on 5 March 2006

Article taken from Online:

Sharma, S.K. "Why the SC is Silent?"

ekantipur.com/archive/articles/full accessed on 5 March 2006

Note: Nepali books, cited in the articles shall be mentioned in roman alphabets. eg. *Nepal Manav Adhikar Barsapustak* 2007

SECTION VI

WORD PREFERENCE

(Monosyllable whenever possible)

Not to Use	Use
V.D.C/ Village Development Committee	VDC
Security forces	Police, Army, Armed Police, Plain cloth Police, Specify the identification of the perpetrator
Prahari Hawaldar	Police Head Constable
Prahari Jawan	Constable
Senani	Major
Assistant Sub Inspector	ASI
Deputy Superintendent of Police	DSP
Superintendent of Police	SP
Senior Superintendent of Police	SSP
Deputy Inspector General	DIG
Additional Inspector General	AIG
Inspector General of Police	IGP
Dumb	Verbally impaired
Blind	Visually impaired
Deaf	Hearing impaired
Disabled	Differently able
Untouchable	Dalit
Ambush/Electric Ambush	Explosive/ Explosive Device
All Nepal National Independent Students' Union- Revolutionary	ANNISU- R
Pro-UML All Nepal National Free Students' Union	ANNFSU
Pro-NC Nepal Students' Association	NSA
All Nepal Women's Association	ANWA
Use of dozen to denote numbers of persons	Mention the actual number
In the time span of three-four	In three-four months

month	
Minister of the government	Minister
Seven/eight political parties	Seven/eight parties
VDC ward 5	VDC-5
Metropolitan city	Metropolis

British English whenever possible e.g.

<u>American</u>	<u>British</u>
Organization	Organisation
Labor	Labour
Program	Programmeme
Favorite	Favourite

Abbreviation

Nepali Congress	NC
Nepali Congress (Democratic)	NC- D
CPN (UML)	UML
CPN (ML)	ML
CPN (Maoist)	Maoists
Nepal Sadvawana Party (Anandi Devi)	NSP-A
Nepal Sadvawana Party	NSP
Rastriya Prajantra Party	RPP
CPN (Masal)	Masal
Samyukta Jana Morcha	Jana Morcha
Rastriya Jana Morcha	RJM
Rastriya Janashakti Party	RJP
Rastriya Prajatantra Party (Thapa)	RPP (Thapa)
Janatantrik Terai Mukti Morcha (Goit)	JTMM- G
Janatantrik Terai Mukti Morcha (Jwala Singh)	JTMM- J
Madheshi Janaadhikar Forum	MJF
Kirant Workers Party	KWP

- All inhuman behaviour should not be written as misbehaviour but inhuman Behaviour (Like: Charge of being witch, black painting of face, shaving)
- Action taken by non- state actors should be written as it is (Labour Camp, Fine, Expulsion, Beating etc)

- Single quotation mark to quote words; double quotation mark to quote statements
- Money extorted by non- state actors should not be named as tax, fine or other charge but 'money as tax or donation or ransom'

To Link the Chapters:

(See Chapter --- of this book for details,)

For example:

(See Chapter 3.2 Executive for details)

To Link the Chapters with District

(See incidents of ---- district profile of this book for details)

Box in a Chapter

Number on the upper right side of the box

Spelling:

Oxford Advance Learners' Dictionary

Numbers and Digits:

Single digits should be spelled out (for 1-9)

Double digits should be in number (for 10-99)

Value over 100 to 1,00,000 should be written in number

For example

(One, two/ first, second)

(10, 11/ 10th, 11th)

1,000

10,000

1,00,000

1 million

10 million

100 million

1 billion

SECTION (VII)

DATA PRESENTATION

1. Killing

- Slitting
- Strangulating
- Hacking
- Crushing
- Using Explosive
- After Rape
- Clash
- Teargas
- Throwing off cliff
- Hanging
- Poisoning
- Baton Injuries
- Use of Khukhuri
- Use of Sharp Weapon
- Use of Hammer
- Aerial Attack
- Unknown Cause
- Shooting

2. Injured

- Bullet
- Explosive
- Teargas
- Own Bullet
- Own Explosive
- Clash
- Beating
- Sharp Weapon
- Aerial Attack

3. Arrest

- Re-arrest
- Illegal Detention/Arrest

4. **Abduction**
5. **Disappearance**
6. **Right to Assembly**
7. **Torture**
8. **Economic, Social and Cultural Rights**
 - Wage Denial
 - Right to Own Property
 - Religious Freedom
 - Trade Union Rights
9. **Child Rights**
 - Hazardous Labour
 - Child Trafficking
 - Child Marriage
 - Rape
 - Infanticide
 - Deprivation of Education Opportunity
 - Sexual Abuse
 - Child Soldier
 - Abduction for Ransom
10. **Women Rights**
 - On Charge of Being Witch
 - Rape
 - Polygamy
 - Women Trafficking
 - Torture to Women because of Gender
 - Domestic Violence
 - Sexual Abuse
 - Dowry Related Violation
11. **Racial Discrimination**
 - Denial of Entrance in Public Places
 - Intercaste Marriage
 - Lay Off
 - Caste Discrimination
12. **Inhuman Treatment**
 - On Charge of Being Witch
 - Black Painting the Face

- Shoe Garland
- Shaving the Head
- Feeding Inedible/ excreta

13. Threats

- Death Threats
- Threats with demand for donation

14. Beating

15. Attack on Structure

16. Displacement

17. Landless, Squatters

SECTION (VIII)

PREVIEW AND REVIEW MEETINGS

Human Rights Yearbook Preview

Objective:

1. To Make the collected information objective and reliable
2. To include missed incidents and to correct the errors
3. To present the critique of human rights violations occurred in the district
4. To discuss the incomplete, unconfirmed and conflicting information among the stakeholders

Proceeding

The district representative should distribute the district report on human rights violations of the year prepared in the style of Nepal Human Rights Yearbook among the stakeholders and hold discussion in the programme

The participants should include representatives of political parties, District Administration Office, District Development Committee, District Police Office, Security Bodies, different Human Rights Organisations, Journalists, Legal practitioners and victims and other professionals

S/he is required to update the report based on the comments of the stakeholders and send it to regional offices as soon as possible

Nepal Human Rights Yearbook Release Ceremony

To make public the human rights situation of the country documented in the Human Rights Yearbook. It will be released on every 7 the day of month of Phagun of BS calendar

Proceeding

The Yearbook is being released by the personality who has significant contribution to the human rights sector.

At the function, one district representative is awarded as best representative and five others (one from each region) are awarded best representative from among 75 district representatives.

Human Rights Yearbook Review Meeting

Objective

1. To evaluate human rights situation and the materials published in the Yearbook
2. To receive the suggestions from the stakeholders at the programme

Proceeding

Review Meeting will be organised after the district representative provides Yearbook to the concerned political parties, security bodies, government attorney and district-based organisations and authorities.

The participants will be requested to comment on the district report. Other participants will be asked to discuss and review the report.

The participants should include the representatives of political parties, District Administration Office, District Development Committee, District Police Office, Security authorities, human rights organisations, journalists, intellectuals, Nepal Bar Association and victim and other concerned people.

District Representative should answer if any query is raised at the meeting. Review meeting is organised with due consideration of INSEC for its responsibility for the published materials.

District Representative should send the report to its regional office within seven days of the meeting.

Review Paper Style

1. The paper should be focused on the concerned district report.
2. It should be generally prepared on three-tier of description, positive aspects or shortcomings and recommendations.
3. It should be confined to 1,500 words
4. Person locally identified as being active in human rights field should be asked to prepare the review paper.

SECTION (IX)

ONLINE NEWS PORTAL DIRECTIVES

Introduction:

Inseconline is conceived as a supplementary tool for the Nepal Human Rights Yearbook to collect human rights related information as per the objective of the INSEC Human Rights Documentation and Dissemination Centre. This electronic mass medium is utilised to disseminate the information related to human rights violation and other issues directly linked to the field worldwide in no time.

Objective:

To disseminate the information on human rights violation and other related issues to national and international communities at the shortest possible time

News Values for INSECONLINE

Hard News (Civil & Political rights)

Soft News (Economic, Social & Cultural)

Major differences between hard news and soft news

Hard News	Soft News/ Feature
Civil & Political Rights	Economic, Social & Cultural Rights
Killings	Follow-up of earlier HARD NEWS
Abduction	Incident or situation that has impact on HRs (i.e. an example of extremes poverty, examples of untouchability)
Arbitrary Arrest	Superstition
Extortion	NEWS that has bit longer DEAD LINE
Torture	
Disappearance	
Bullet incident	
Baton Charge	
Court Verdict on the issue related to HRs	

Always first if not first not second but no compromise with the authenticity

Priority of NEWS:

1. Information related to Human Rights violation or abuse
2. Killing by state or armed groups (not individual killing or criminal offence).
3. Any form of offence against any renowned personality should be reported.
4. Violation, abuse and misbehaviour against women and children, issues related to CEDAW, CRC, CERD will be included.
5. HR Advocacy/ Campaign (Programme or Interaction related to HRs or one that has major impact on HR. Stick on Rights angle, not on partisan politics.) Such information would be published on the priority basis.
6. Statements or Concerns from National/ International HROs on Human Rights Issues.
7. In-house activities can be included

Rules for Headlines

1. Avoid unnaturally long sentence. If necessary, break the headline in two.
2. Avoid keep full sentence.
3. Always use simple present tense.
4. Avoid headlines starting with digit as long as possible.

By Line

1. Name of reporter after the end of the news
2. First mention place and date. For date, first mention district then day and month.

For example:

Maoists Abduct Business, Release

Kathmandu/ 1 March

Ram Bahadur Thapa, 45, of Nagdhunga VDC-7 has been arrested by police from Baneshwor, Kathmandu metropolitans-34 on 1 March on charge of being a Maoist.

Raju Paswan

3. If it is from regional office- City/ Date Month

For example:

Army Patrol Team Arrests Two Maoist Cadres

Pokhara/1 March

Maoist cadres Rabi Thami, 55, and Hari Thami, 50, of Bandipur VDC-7 were arrested by a team of army on patrol from Bagar, Pokhara sub-metropolis-13 on 1 March.

INSEC Western Regional Office

4. In terms of News originating from the cities where the regional offices are situated, the credit will be given to regional offices unless the district representative has been to the spot, directly involved or has cultivated his own sources.
5. All the news articles prepared by staff of regional offices will be credited to regional offices.
6. News based on information provided by victims in person in the regional office, applications addressed to INSEC regional offices, programmes organised by regional offices and on fact finding missions conducted by regional or central offices will be credited to regional offices.

News Components

1. News must include 5 W and 1 H in the first paragraph.
2. Body must include current situation or the follow up in reference to cause and consequence.
3. Tail must include the effort or rescue or other development following the style of inverted pyramid.
4. News presentation should be concise and comprehensible.

Spelling and Grammar

Follow Oxford Advance Learners' Dictionary

Things to Remember while Writing News

Events

1. Always write abduction do not write control for non-state actors. Write arrest for state.
2. Always write released after abduction, do not write freed.
3. Fixed Assets Control.
4. Current Assets Loot
5. Seize for state control.

6. Do not write attempt for rape write only in the case FIR filed otherwise write sexual misbehaviour.
7. For all humiliating behaviour write inhuman behaviour. For example: Acquisition of witchcraft, black painting the face, shaving of head
8. If Maoists take action, give details what sort of action.
9. To anyone else's word, use single quote and if we have to mention anyone's statement then use double quote.
10. Non-State Entities do not charge fine, fees or tax rather they extort money.
11. For State, action can be written.

Numbers and Digits

- Single digits should be spelled out (for 1-9)
- After that the digits should be in number (for 10-99)
- Value over 100 to 1,00,000 should be written in number

For example:

- (One, two/ first, second)
- (10, 11/ 10th, 11th)
- 1,000
- 10,000
- 1,00,000
- One million
- 10 million
- 100 million
- One billion

For age, digit will be given. For example: Age 14, 14-year-old

Information Flow from District Level to Online Desk

1. District representative must send the news to the documentation officer at the regional office.
2. The Documentation Section (DS) of regional office will then undertake the editing work and send the final news to Online Desk.
3. On receiving the news from regional office, Online Desk will again go through the final editing process that include copy-editing, giving headlines and follow-up of the news (if required) and then post the news on inseconline website.

Points To Be Considered During the Process

By District Representatives

- a) District representatives should send the news to the regional office immediately after they come across such information. However, the deadline for district representative to send the news will be the office hours.
- b) In case any incident of huge news value occurred near the deadline and there is no one to inform in the regional office, the district representatives should send the news to the Online Desk and the news copy to the regional office the next day.
- c) All the district representatives should contact their regional offices at least once a week even if no incident occurred in the district.
- d) District representatives should not send 'copied' news from the local or national media rather they can use the news published in the media as a source for investigation and send the updated information related to human rights.

By Documentation Section in Regional Office

- a. DS should send the daily news to the Online Desk by 6 o' clock in the evening.
- b. DS should translate at least one news in English and send to Online Desk daily.
- c. In case regional documentation officers are not present at work, s/he should inform the district representatives and ask them to send the news to her/his sub-ordinate.(region-based district representatives). In such situation, the news sent by the sub-ordinate will be taken as authoritative.
- d. Do not paste any picture in word file or outlook. Rather attach the file and send the picture in JPEG format.

By Online Desk

- a. Coordinate with regional offices regarding the news and mobilization of the district representatives.
- b. Follow-up for the news update as required.
- c. Communicate with regional documentation officers and district representatives on other issues such as feature, diary etc.

- d. Update each section of online within the deadline.
- e. News should be updated at least twice a day.

Feature

A feature takes an in-depth look at what's going on behind the news.

- *It gets into the lives of people.*
- *It tries to explain why and how a trend developed.*
- *Unlike news, a feature does not have to be tied to a current event or a breaking story. But it can grow out of something that's reported in the news.*

A feature story is usually longer than a news story. But length is not a requirement. What's more important is the form the story takes.

The news story tells the audience what happened. The feature will tell them why and how it happened, how the people involved are reacting, and what impact the decision is having on other people.

As a writer you have to start with a lead that captures your reader's attention.

- It could be an anecdote you have heard during the course of your research.
- It could be a description of a person, place or thing that draws the reader in and encourages them to learn more.

News and News Feature

Information	Experience
Messages	Stories
Facts and figures	Plot and action
Need to know	Nice to know
Useful in the reality	Meeting inner need
Concrete focus point	Learning points/Moral
Non-linear communication	Linear communication
The journalist as a messenger or reporter	The journalist as a storyteller or play writer

<p>Focusing on the result:</p> <ul style="list-style-type: none"> ▪ ending without beginning ▪ most important first ▪ prioritized elements ▪ falling interest 	<p>Focusing on the process:</p> <ul style="list-style-type: none"> ▪ beginning, middle, ending ▪ withhold information ▪ development ▪ growing interest
<p>Using journalism techniques:</p> <ul style="list-style-type: none"> ▪ sources ▪ quotes ▪ logical structure ▪ concrete facts 	<p>Using techniques from literature:</p> <ul style="list-style-type: none"> ▪ persons or characters ▪ lines and dialogue ▪ scene upon scene ▪ concrete details
<p>Information is news/background</p>	<p>Experience is reportage/feature</p>

An example of a Feature written in "Third Model"-The model aims to give the reader an experience in order to disseminate the information. The model, developed by Roy Peter Clark of Poynter Institute, USA, works best with the three scenes and two factual parts.

Son's Funeral Procession

SCENE

It was a fateful night on 13 May 2005. At 8.45 pm, Kiran Poudel was listening to the BBC Nepali service. Little away, three kids were lying on the floor and watching television. In a corner of the kitchen, Deepa, his sister-in-law was serving meal to her mother-in-law.

Suddenly, there came a sound of an explosion. Deepa lied down on the floor. She had no idea how many explosions there were. When she recovered, Kiran was lying on the pool of blood. Deepa started her frantic cries for help.

BBI (Boring but Important)

Kiran, 28, of Chandrauta in Birpur VDC-7, Kapilvastu is the latest casualty in the five-month old violence. According to INSEC

statistics, the violence has claimed 56 lives in Kapilvastu after February 1, 2005. Among them, 32 persons were killed by vigilantes of the retaliatory committee.

Kiran got fatally wounded by the bullets shot from his window. He succumbed to the injuries at 1 am the next morning before he could be taken to the hospital.

SCENE

Deepa was a health worker but to act as one for the injured brother-in-law was beyond her capacity. She, instead, started looking for vehicle to transport him to the hospital. She cried for help. But, the vehicle was available nowhere. The lights in neighbourhood began to go off after the Poudel family's cries for help. The doors began to be closed. At last, the army stopped a truck- a truck carrying a load of boulders. Deepa headed for Butwal with injured Kiran and a baby on her lap. But, luck ran out. The truck went out of order at some distance.

She wandered in the darkness seeking help. She reached a house and asked for a torch light but the man carrying it refused. She nearly snatched it from his hands, keeping a 1000-rupee note on his hands. It took two and half hours to find another vehicle. But, by then, Kiran was already dead.

BBI

Deepa and her husband Prakash are recognized in Chandrauta as a doctor couple. They have saved number of lives, responding to the calls during days and nights. But, for the past few months, their lives are under constant threat.

Prakash Poudel was arrested on 22 April 2005 for allegedly helping the Maoists. The security forces themselves said Prakash was arrested under the pressure from retaliatory committee. He was released on 2 February 2005 after a long investigation. At the time of his release, the security man told him to leave the place warning that the resistance committee could inflict harm on him. After that, he has not been to his home saving a day on 10 May 2005.

Deepa, between her cries, said, "They had come to kill him but Kiran had similar features as his elder brother. So, they targeted him. We

only heard the gunshots then Kiran fell down. We did not see anyone shooting”.

Hari Prasad Pokharel, the former Birpur VDC Vice-chairman said that the members of the retaliatory committee could have shot younger brother mistaking him for the elder brother. But, the fear gripped the place in such a way that none from the village came to the hospital to express condolences to the bereaved family. The youths of Kapilvastu, gathered at Butwal concluded that the environment was not viable to take the body back to village.

SCENE

It was 8 o'clock in the morning. Sixty-year-old Bhanubhakta Poudel was wailing at the main gate of the Rupandehi Zonal Hospital in Butwal. The doctors arrived at 9.30am. The post mortem began. The doctors said the bullets had damaged whole of chest. Some youths asked questions. The splinters had hit several places on the upper part of the body.

Two musket bullets, shot from a short distance had claimed his life. But, Bhanubhakta had no concern at the nature of the injuries. The body was lifted. He also got up. He shuddered. Then, he quietly followed the funeral procession of his youngest son.

Annex 1

Human Rights Yearbook Time Table

(As Per Nepali Calendar)

Phagun 7:	Human Rights Yearbook Release (Kathmandu)
Phagun 8:	National assembly of district representative (Kathmandu)
Phagun 9:	Review of Human Rights Yearbook and planning meeting of next Yearbook
Phagun 15:	Selection of chapter writers
Chait 25 to End of Baishakh:	Review meeting of published Yearbook
Baishakh 15:	Publication of Human Rights Situation Report
Saun 9:	Publication of Human Rights Situation Report
Saun 25:	Collection of half-yearly reports (Should arrive in central office through regional offices)
Kartik 15:	Publication of Human Rights Situation Report
Push 17-21:	Preview meetings of Yearbook (to be organised by district representatives in coordination of regional offices)
Push 23:	Regional meetings (in regional offices)
Push 24:	First drafting of chapters submitted
Magh 3:	Arrival of all documentation officers from the regions to central office
Magh 6:	Final drafting of chapters
Magh 11:	Publication of Human Rights Situation Report
Magh 11:	Chapters completion
Magh 11:	District profile completion
Magh 11- 19:	Statistics verification
Magh 15:	Collection of opinions of the political parties and other bodies
Magh 21-27:	Yearbook sent to press for publication

Annex 2

HRV Form

Informal Sector Service Centre (INSEC)

Human Rights Yearbook

Event Form

Form No. _____ Computer Form No. (For Central Office use only) _____

District: _____ Event: _____ ☐ ICCPR ☐ ICESCR ☐ CAT ☐ CEDAW ☐ CERD ☐ CRC

Starting date of Event : B.C. _____ A.D. _____ Time: _____ am _____ pm

Ending date of Event : B.C. _____ A.D. _____ Geographical description of Incident spot: District/VDC/Municipality/Ward No. _____

Victim's condition at the time of incident: _____ Perpetrator type _____

Receipt condition of victim/s _____

Statement from victim's side _____

Relation of the speaker (Not needed if the victim is the speaker) _____ Name of the speaker _____

Allow to publish name: ☐ Yes ☐ No

Victims Profile

Name	Address	Gender	Age	Profession	Affiliated Organisation	Post	Education Level	Grade	Economic Status	Marital Status	Family Size	Dependent
		Male 1 Female 2					Masters 8 Bachelors 7 Plus Two/PCL 6 Secondary 5 Lower Secondary 4 Primary 3 Literate 2 Illiterate 1		High 1 Middle 2 Lower 3 Poor 4	Married 1 Unmarried 2 Single 3		

Perpetrator Profile

Name*	Address	Gender	Age	Profession	Affiliated Organisation	post	Education Level	Grade	For State	For Non-State	For Non-State
		Male 1 Female 2					Masters 8 Bachelors 7 Plus Two/PCL 6 Secondary 5 Lower Secondary 4 Primary 3 Literate 2 Illiterate 1		Armed/ Uniformed 1 Armed/Plain Clothes 2	Identity provided by the perpetrator	Armed 1 Unarmed 2

Information on source or eye-witness (person relating the event) _____

Name/Address _____ Date for preliminary information: _____ Profession: _____

Views _____

Prepared by _____ Date of event recorded _____ Date of reporting _____

Photo and/or other evidence _____

Allowed publication of the name: ☐ Yes ☐ No

*Mention the name of team leader if the perpetrators are in group _____

Annex 3

Code of Conduct

INSEC District Representatives

Code of Conduct 2007

(Passed by the meeting held in Staff College, Jawalakhel on 20 February 2007)

We, the district representatives of Informal Sector Service Centre (INSEC), gathered at Staff College, Lalitpur on 20 February 2007, express our following commitments.

1. We will identify ourselves as impartial human rights defenders. We will not assume any position in any of the political organisations.
2. We will prioritise the responsibility of human rights documentation expected by INSEC. We will not be involved in any activity that will go against the spirit of the human rights.
3. We will meet the victims at the site while documenting the incident.
4. We will forward the gathered information to the regional office or central office at the earliest. We will not provide the raw information to anyone except for those related to INSEC.

For Reliability and Accountability

1. Realising our responsibility, we will remain active for INSEC Movement
2. We will remain honest morally, socially and practically
3. We will remain impartial for facts and truth
4. We will verify the incident through monitoring by contacting victim, perpetrator and other concerned people
5. We will keep the source of information anonymous whenever needed

We pledge to remain a part of INSEC Movement accepting it as the guiding principle.