Nepal

HUMAN RIGHTS YEAR BOOK 2021

Accountability Towards Commitment

Nepal Human Rights Year Book 2021

(ENGLISH EDITION)

(This Report Covers the Period - January to December 2020)

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Informal Sector Service Centre (INSEC)

Founded in 1988, INSEC is actively involved in human rights and social justice. INSEC operates its regular programs through its offices in Biratnagar, Janakpurdham, Hetauda, Pokhara, Nepalgunj, Birendranagar and Dhangadhi. For the studying and monitoring of the incidents on human rights violation, it has mobilized district representatives in all 77 districts.

INSEC General Assembly held on 8 November 2019 elected a new Executive Board for three years

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Daily activities of INSEC are performed through the Executive Director as per the below mentioned programs.

Human Rights Documentation and Advocacy Program
INSEC has been contributing to human rights protection and promotion through human rights monitoring, documentation, dissemination, and advocacy activities since its establishment. Nepal Human Rights Year Book was conceptualized in 1992 and continued till date after realizing the need for a comprehensive documentation of human rights situation in Nepal. Furthermore, INSEC Online, situation and thematic reports and reports on human rights issues are being published based on different sources including its district representatives. Issues, facts and figures of the human rights related reports are the key foundation for advocacy of protection and promotion of human rights. INSEC continuously collaborating with the civil society organizations, stakeholders, international community, and experts to improve the human rights friendly legal and policy framework and its enforcement for reducing human rights violation and abuse. Human rights documentation and advocacy works of INSEC aim to further strengthen the accountability of the state in fulfilling its commitment on human rights principle which were visible through the international forums, ratification of the international human rights treaties and conventions and the Constitutions of Nepal.

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. The main objective of this Program is to ensure public access to human rights information through radio. Current relevant human rights issues are disseminated through this Program on weekly basis.

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.

Acronyms and Abbreviations

AHW	:	Assistant Health Worker
AIG	:	Additional Inspector General
ANM	:	Auxiliary Nurse Midwife
ANNFSU	:	All Nepal National Free Students Union
ANNISU-R	:	All Nepal National Independent Students Union-Revolutionary
APF	:	Armed Police Force
APO	:	Area Police Office
ASI	:	Assistant Sub-Inspector
BPKIHS	:	BP Koirala Institute of Health Sciences
CA	:	Constituent Assembly
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
CEO	:	Chief Executive Officer
CIAA	:	Commission for the Investigation of Abuse of Authority
CIEDP	:	Commission on Investigation of Enforced Disappeared Persons
CPA	:	Comprehensive Peace Agreement
CRPD	:	Convention on the Rights of Person with Disabilities
CRC	:	Convention on the Rights of the Child
CSOs	:	Civil Society Organizations
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
GBV	:	Gender Based Violence
HoR	:	House of Representatives
HRD	:	Human Rights Defenders
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
ICRC	:	International Committee of the Red Cross
IGP	:	Inspector General of Police
ILO	:	International Labor Organization
INSEC	:	Informal Sector Service Centre
IOM	:	Internal Organization of Migration
JC	:	Judicial Council
MPC	:	Metropolitan Police Circle
NA	:	Nepal Army
NBA	:	Nepal Bar Association
NC	:	Nepali Congress
NCP	:	Nepal Communist Party
NFC	:	Nepal Food Corporation
NGO	:	Non-Governmental Organization
NHRC	:	National Human Rights Commission
NHRAP	:	Nepal Human Rights Action Plan
NRA	:	National Reconstruction Authority

NHSP	:	Nepal Health Sector Program
NSU	:	Nepal Students Union
NWC	:	National Women Commission
PIL	:	Public Interest Litigation
PwD	:	Person with Disabilities
RJP	:	Rastriya Janata Party
RM	:	Rural Municipalities
SC	:	Supreme Court
SDG	:	Sustainable Developement Goal
SP	:	Superintendent of Police
SSP	:	Senior Superintendent of Police
TRC	:	Truth and Reconciliation Commission
TU	:	Tribhuwan University
UDHR	:	Universal Declaration of Human Rights
UNESCO	:	United Nations Education, Scientific and Cultural Organization
UNICEF	:	United Nations Children's Fund
UPR	:	Universal Periodic Review
VDC	:	Village Development Committee
VAW	:	Violence against Women
WCSC	:	Women and Children Service Centre
WFP	:	World Food Program
WHO	:	World Health Organization
WHRDs	:	Women Human Rights Defenders

Keeping Watch Over Human Rights

Informal Sector Service Centre (INSEC) has been publishing Nepal Human Rights Year Book (NHRYB) since 1992. Ensuring the systematic documentation of data and factual descriptions of cases of human rights violation are the main purpose of this publication. Each edition of Nepal Human Rights Year Book documents human rights violations and abuses during the past year. In the last 29 years, Nepal has experienced political and social changes which are incorporated by analyzing its relevance to human rights principles and practices.

The Yearbook remains an important document for investigating cases of human rights violation for ensuring justice, reparation to conflict victims, compensate those injured, arrested, and mistreated during political movements, and victims of torture. Similarly, INSEC's documentation is also widely used as a reference to understand Nepal's conflict and it remains useful even after 14 years of the Comprehensive Peace Accord.

State organs use Nepal Human Rights Year Book as a reference for validating the official evidences. Similarly, United Nations Agencies and international communities are also referring to INSEC's documentation while analyzing the human rights situation of Nepal.

The cases of human rights violations and abuses have slightly decreased in 2020 but there has been increase in numbers and severity of violence against women and children. The number of cases of rape of women and girls should be matter of serious concern not only to the state and human rights defenders but also to members of any civilized society. INSEC strongly recommends the need to further enhance existing state mechanisms for the protection of women and girls through proper law enforcement.

This year, incidents of beating, misbehaviour, abuse, and killing of women by family members, including spouse over issues of dowry have also been documented. INSEC has also recorded cases of honour killing by parents and families following inter-caste marriages, and for not marrying the chosen man (usually man of the family's choice because girls are expected to comply with parental wishes). These acts were undertaken to preserve the so-called prestige of the family in the society. Further, INSEC has also documented the cases of involving witchcraft allegation, some of which were "reconciled" with the involvement of local government representatives. These are examples of poor law enforcement and it reveals the pathetic situation of women rights.

Although, the Constitution of Nepal has guaranteed non-discrimination and criminalized caste-based discrimination, INSEC has documented severe cases of caste-based discrimination and untouchability also in 2020. We therefore, suggest the need for the state to evaluate its measures for ending all forms of caste, class, and gender-based discrimination and devise mechanism that can actually make a difference.

INSEC's representatives in 77 districts monitored and documented the cases of human rights violation and abuses throughout the year and validated their reports at different levels, including data maintained at the Women, Children, and Senior Citizen Service Centre at the District Police Office.

For six months, the country was under lockdown and various types of restrictions that were imposed to tackle the COVID-19 pandemic. It can therefore be assumed that the number of human rights violation cases could also have been underreported in 2020 owing to restrictions in movements and difficulties faced by victims to seek justice during the lockdown.

The lockdown also affected court procedures and prosecutions. It could be possible that the fewer cases reported in 2020 were also a result of the delays in justice delivery and reporting for reasons associated with the lockdowns. This delay has violated rights to justice of the victims and also detainees. Cases of beating and polygamy registered in the beginning of the year had remained to be decided. Similarly, justice from both quasi-judicial institutions were also delayed.

This Yearbook has analyzed the human rights situation of 2020. The number of cases have declined, possibly because of COVID-19 and its hurdles. INSEC's district representatives and offices conduct verification of data twice with the law enforcement agencies and also carried out follow-ups of cases reported in earlier years. The publication is therefore public property and a common document for all stakeholders to use as a reference for human rights protection and promotion.

We have analyzed strengths and gaps of the performance of state organs vis-à-vis human rights concerns, which we expect to assist towards the exercise of the separation of powers and ensure their contributions to reduce obstacles in human rights protection, promotion, and fulfillment. Similarly, we have also reviewed some of the focus areas of the earlier NHYRBs to remind the social and political transformations of the past 29 years. Some of the issues reported in the past include the armed conflict, impunity, criminalization of politics, importance of periodic elections, peace, and the promulgation of the Constitution. Further, this yearbook has also included six issues related to economic, social, and cultural rights based on focused studies in the provinces.

It is an honour to share the Nepal Human Rights Year Book 2021. I acknowledge the contribution of all the 77 district representatives, group members of the editing team, and staffs of INSEC for their contributions.

INSEC believes that the cooperation and coordination with political parties and their leaders, bureaucracy, judiciary, national human rights institutions, Nepal Army, Nepal Police, Armed Police Force, victims and their families, and civil society are equally important to ensure both quality and continuity of this publication. We believe that this yearbook will remain as an important evidence of human rights situation in days to come.

In addition, I express my sincere thanks to the national and international donors who have supported us in our mission to protect democracy, promote human rights-friendly rule of law and social justice.

Finally, I express my gratitude to all contributors for their role in analyzing the human rights documentation and request their continued support for enhancing the quality of NHRYB.

Dr. Indira Shrestha
Chairperson
February 19, 2021

Chapter 1

Accountability Towards Commitment

Background

Informal Sector Service Centre INSEC, established to maintain an oversight on the state on its accountability and commitments by increasing awareness, lobbying and mobilizing people for human rights after the popular uprising of 1989/90, began publishing Nepal Human Rights Year Book from 1992. It began publishing the document to fill the gap of the inadequacy of reliable documentation on the human rights situation. Over the years the Nepal Human Rights Yearbook has been important reference for human rights defenders, civil society, the general public, and anyone interested in the human rights. The Nepal Human Rights Year Book includes all cases of human rights violations during the past year, with factual information, interpretation, and analysis to measure the performance of the state in terms of accountability and delivery of its commitments related to human rights.

The Nepal Human Rights Yearbook 2021, includes factual information and statistics on cases of human rights violations in 2020. It has analyzed and documented the role of the state in promotion and protection of human rights through the legislative, executive, and judiciary. The investigation and documentation of human rights violations is an outcome report from all 77 districts of Nepal. The information is collected by district-based INSEC human rights representatives who make up the foundation of both INSEC and this document. INSEC representatives collect primary data and verify the information through the victims, their families, local administration, political parties, human rights activists, and other stakeholders. This year INSEC began using a mobile application and web-based software for collecting information on cases of human rights violation in the districts that is then verified by INSEC's staffs at provincial and central offices.

INSEC upholds the universal principles of human rights, international treaties to which Nepal is a party, and the Constitution of Nepal as guidance for its investigations and documentation. It investigates and documents the human rights using the rights provided by the Constitution as

NUMBER OF VICTIMS AS PER INCIDENTS IN 2020

Incident Wise

	By State			By Othres					
	Female	Male	Total	Third Gender	Female	Male	M/F N/A	Total	Grand Total
Abduction					9	8		17	17
Arrest	31	339	370						370
Beating	9	84	93		39	188		227	320
Child Rights					1410	51		1461	1461
Death in Detention	1	5	6						6
ESC Rights		11	11		3	2	1	6	17
Inhuman Behaviour	2	5	7		2	16		18	25
Injured	3	20	23		21	106		127	150
Killing		7	7	1	158	184		343	350
Racial Discrimination					23	25		48	48
Right to Assembly	10	84	94						94
Threat		9	9		1	15		16	25
Torture		9	9						9
Women Rights	1		1		2605			2605	2606
Death in Jail	1	44	45						45
Grand Total	58	617	675	1	4271	595	1	4868	5543

NUMBER OF VICTIMS AS PER INCIDENTS IN 2019

Incident Wise

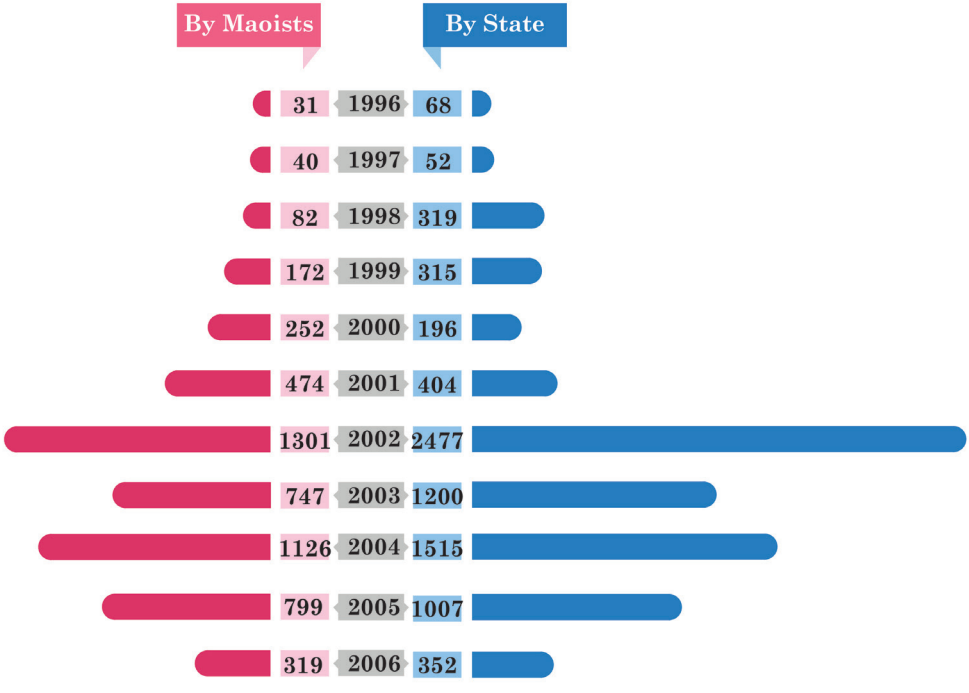
	By State			By Others			Grand Total
	Female	Male	Total	Female	Male	Total	
Abduction				28	16	44	44
Arrest	47	655	702				702
Beating	7	35	42	45	192	237	279
Child Rights				1362	85	1447	1447
Death in Jail		5	5				5
ESC Rights				2	3	5	5
Inhuman Behavior		1	1	4	35	39	40
Injured	1	38	39	23	101	124	163
Killing		7	7	199	152	351	358
Racial Discrimination		1	1	24	37	61	62
Right to Assmbly	2	95	97		1	1	98
Racial Threat		2	2	7	26	33	35
Torture	7	6	13				13
Women Rights	4		4	3360		3360	3364
Death in Detention		17	17				17
Displacement				3	5	8	8
Disappearance				1	1	2	2
Grand Total	68	862	930	5058	654	5712	6642

a yardstick focusing on the people's rights to respectable life, freedom, education, health and fair trial and social justice, child rights, equality, social security, food, shelter, and rights against preventive imprisonment. It believes that rule of law, transparency and accountability are the fundamental conditions that need to be fulfilled by a human rights-friendly state, as it is a precondition for assuring social justice, democracy, and judicial independence and human rights friendly policies.

The changes that have taken place in the political and social sectors have transformed the fundamental structure of the state. State's accountability for social justice is a basic condition for assuring rule of law in a democratic system. However, there are reasons to believe that the state's commitment to the peace process that began after the 12-points agreement and comprehensive peace accord has remained in shadow.

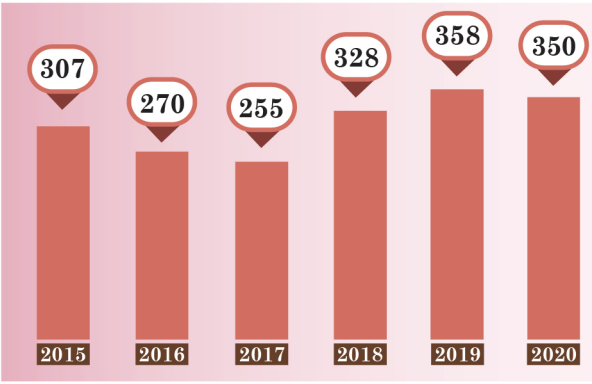
The Universal Periodic Review (UPR) process established by the United Nations General Assembly in 2006 to review progress of Human Rights commitments made by member states. Nepal participated in the first review in January 2011 and in the second in November 2015 and third review was held on January 2021. The performance of the state has been measured against the commitments made by Nepal during the Universal Periodic Review (UPR).

Table 1: Numbers of people killed in armed conflict from 1996-2006

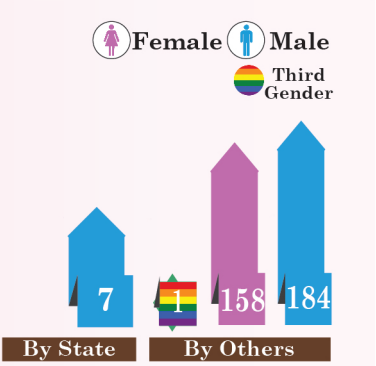


KILLING

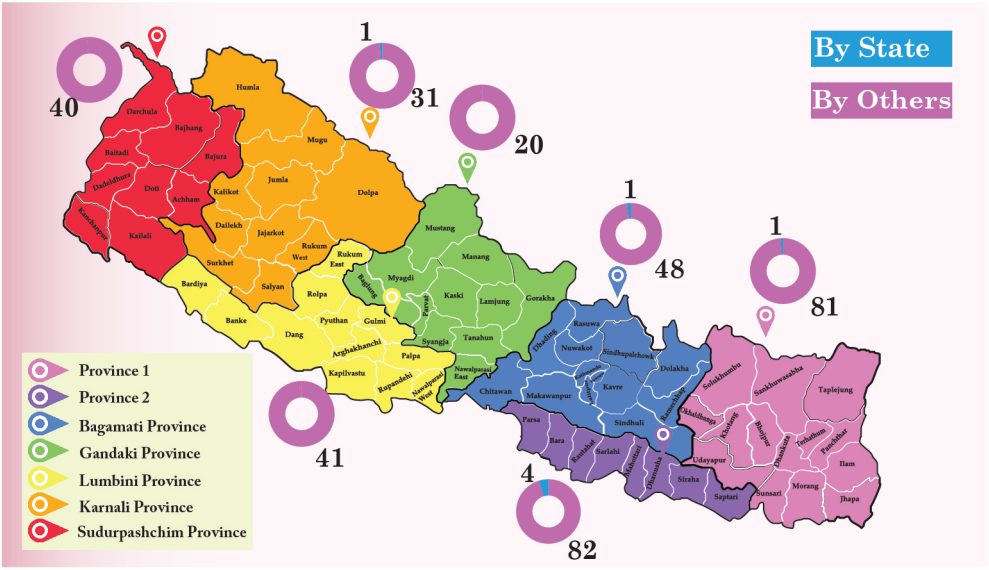
Number of People Killed, 2015-2020



Number of People Killed, 2020



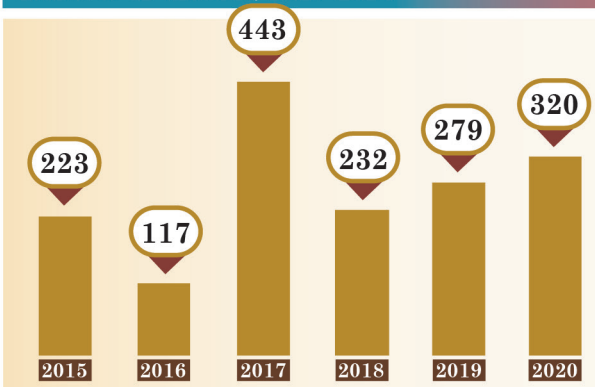
Number of People Killed in 2020 (By Province)



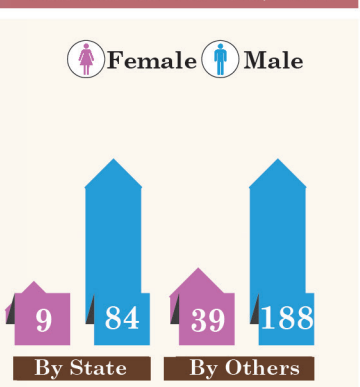
Right to life is one of the most important rights but, people are killed in many instances. This year seven males were killed by the state. INSEC documented the killing of 343 people including 158 female, 184 male and one third gender by others in 2020.

BEATING

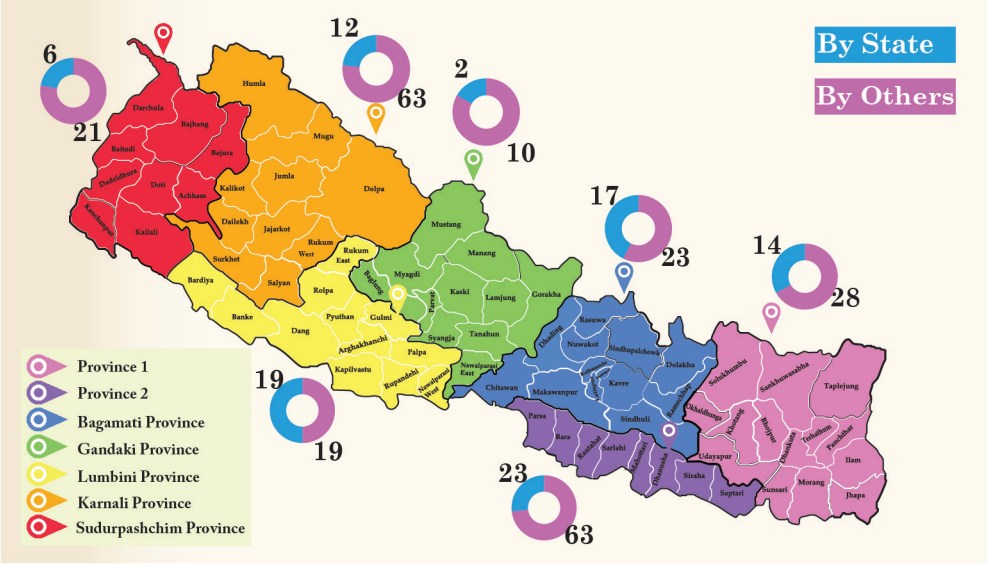
Number of Victims, 2015-2020



Number of Victims, 2020



Number of Victims in 2020 (By Province)



Incident of beating occurs on regular basis. But, incidents of beating on human rights defenders were also documented by INSEC. In 2020, 320 people were victims in the incident of beating. This includes 93 beaten by the state and 227 beaten by others. These incidents occur when a person fails to control his/her anger. Majority of beating incidents are settled or reconciled as per our documentation.

The government's five-year Human Rights Action Plan (2020- 2025) on its action plans on human rights has been promulgated during the year. The yearbook has raised major concerns about human rights, reported on human rights violations by district, and reported on the activities and practices of different state agencies and has also included representative cases on the economic, cultural, and social rights.

Continuity of Impunity: Impunity and Disregard for Transitional Justice

The Supreme Court had quashed an appeal from the government on its order barring pardon to serious human right violations during the conflict on April 26, 2020. The bench had justices Deep Kumar Karki, Mira Khadka, Bishwamvar Prasad Shrestha, Ishwor Prasad Khatiwada, and Dr. Ananda Mohan Bhattarai.

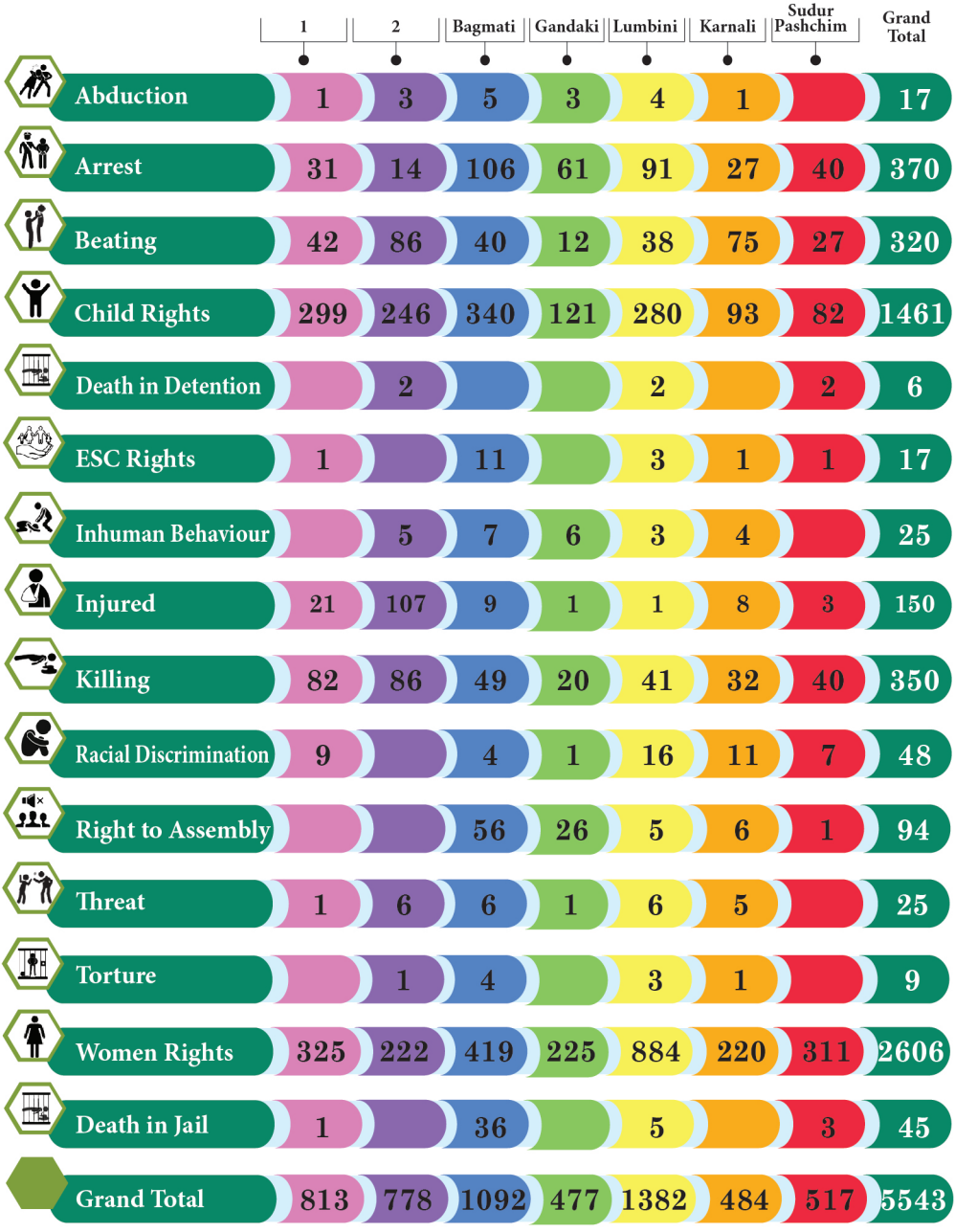
The government was not accountable for complying to the order of the Supreme Court judges Kalyan Shrestha, Baidya Nath Upadhayaya, and Cholendra Shamsher JBR who had asked the government to assure sanctions to violators of human rights during the conflict and not to seek other means of forceful reconciliation. INSEC has been continuously advocating against a general amnesty and pardons for conflict era crimes. There has been no progress towards compliance with the Supreme Court order despite continuous advocacy by human rights defenders. The first step towards compliance would have been to amend the law on Investigation of The Enforced Disappearances Enquiry, Truth, and Reconciliation Commission Act, 2071 (2014).

Also, as in previous years, ending impunity did not become a priority of the government, elected representatives, and the political parties. This has been an issue for the past 14 years. Similarly, many tasks that post-conflict countries are mandatorily required to accomplish also remain to be addressed. As a result there has been little or no progress towards identifying those engaged in serious human rights violations and bringing them to justice, nor has there been progress in the identification of the victims for providing justice and reparations for establishing peace.

There were many innocent people who were affected by the conflict, some had become orphaned and others persons with disability. There have been no concrete effort towards addressing the concerns of such people. The delays in the processes and inactions have given reason to suspect that those responsible for assuring transitional justice could be dragging their feet to possibly tire out the victims rather than providing them justice; which however, is unlikely happen as justice and reparations are foundational for lasting peace. The impunity could provide immediate relief for some individuals and groups and also provide political protection but that could also result in counter violence and its repercussions. Despite these possibilities, the concerned agencies have not made any effort to address this issue.

NUMBER OF VICTIMS AS PER INCIDENTS IN 2020

Province Wise



	1	2	Bagmati	Gandaki	Lumbini	Karnali	Sudur Pashchim	Grand Total
Abduction	1	3	5	3	4	1		17
Arrest	31	14	106	61	91	27	40	370
Beating	42	86	40	12	38	75	27	320
Child Rights	299	246	340	121	280	93	82	1461
Death in Detention		2			2		2	6
ESC Rights	1		11		3	1	1	17
Inhuman Behaviour		5	7	6	3	4		25
Injured	21	107	9	1	1	8	3	150
Killing	82	86	49	20	41	32	40	350
Racial Discrimination	9		4	1	16	11	7	48
Right to Assembly			56	26	5	6	1	94
Threat	1	6	6	1	6	5		25
Torture		1	4		3	1		9
Women Rights	325	222	419	225	884	220	311	2606
Death in Jail	1		36		5		3	45
Grand Total	813	778	1092	477	1382	484	517	5543

NUMBER OF VICTIMS AS PER INCIDENTS IN 2019

Province Wise

	One	Two	Bagmati	Gandaki	Five	Karnali	Far West	Grand Total
Abduction	3	17	7		9	4	4	44
Arrest	83	15	168	138	144	62	92	702
Beating	20	79	38	19	59	44	20	279
Child Rights	301	225	376	90	283	65	107	1447
Death in Jail	1		2	1			1	5
ESC Rights				2	2	1		5
Inhuman Behavior	4	3	6	14	6	4	3	40
Injured	24	32	29	16	30	4	28	163
Killing	77	82	60	24	57	21	37	358
Racial Discrimination	1	6	21	5	5	18	6	62
Right to Assmbly	1	17	12	58	10			98
Racial Threat	2	9	5	2	8	9		35
Torture		1	7		1	4		13
Women Rights	335	236	747	310	986	250	500	3364
Death in Detention			16		1			17
Displacement		8						8
Disappearance					2			2
Grand Total	852	730	1494	679	1603	486	798	6642

Situation of Violators according to the association with organizations			
S.No	**Name of Organizations**	**Number**	**Percentage**
1	Civil servants	16	5.60
2	Nepal Police	98	34.27
3	Nepal Army	85	29.73
4	Armed Police Force, Nepal	8	2.80
5	Nepal Communist Party (Maoists)	65	22.73
6	Teachers	4	1.40
7	Doctors	2	0.69
8	Human Rights Activists	1	0.34
9	Others	7	2.44
Total		286	100
Source: National Human Rights Commission			

The government has failed to deliver to its commitments made during the first and second cycle of Universal Periodic Reviews, and the Supreme Court order that had required the amendment of the transitional justice laws. Instead, the government has appointed two officials to the transitional justice commissions on January 20, 2020, against the wishes of the victims as well as human rights advocates. Even after a year of the appointments there were no major initiatives towards addressing the demands for justice of the victims.

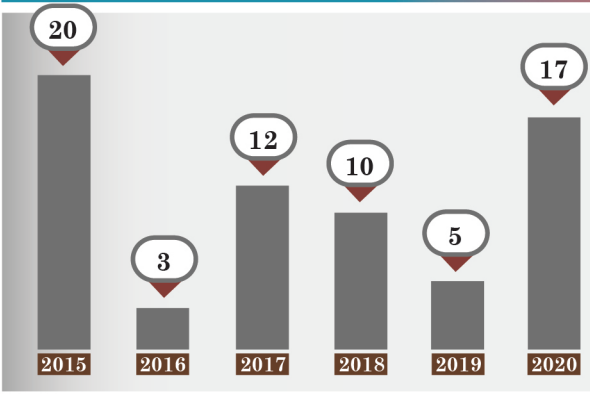
In its four years of office, Truth and Reconciliation Commission registered 62,000 complaints and Commission of Investigation on Enforced Disappeared Persons had registered only 2,700 cases. The non-performance of the both these commissions can be attributed to differences between the officials, partisan interests, lack of skilled human resources, and loopholes in the laws and lack of commitment to resolve the issues among the concerned authorities.

Even after the 14 years of the Comprehensive Peace Accord (CPA), there has been no consolidated assessment of loss of lives and the overall cost of the conflict in economic terms. Clause 5.2.3 of the CPA has committed to inform the families the whereabouts of those enforcedly disappeared and killed in the conflict within 60 days along with names and addresses. The inability to meet this commitment has today become an example of the ignorance towards the fulfillment of the commitment in the accord.

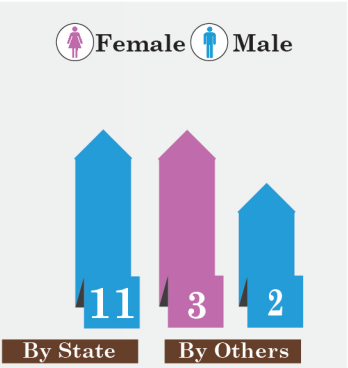
Appalling situation of non-implementation of recommendations of the National Human Rights Commission

A document of the National Human Rights Commission (NHRC) reporting on the status of execution of its recommendations by state agencies in 2020 said that only 10.5 percent of

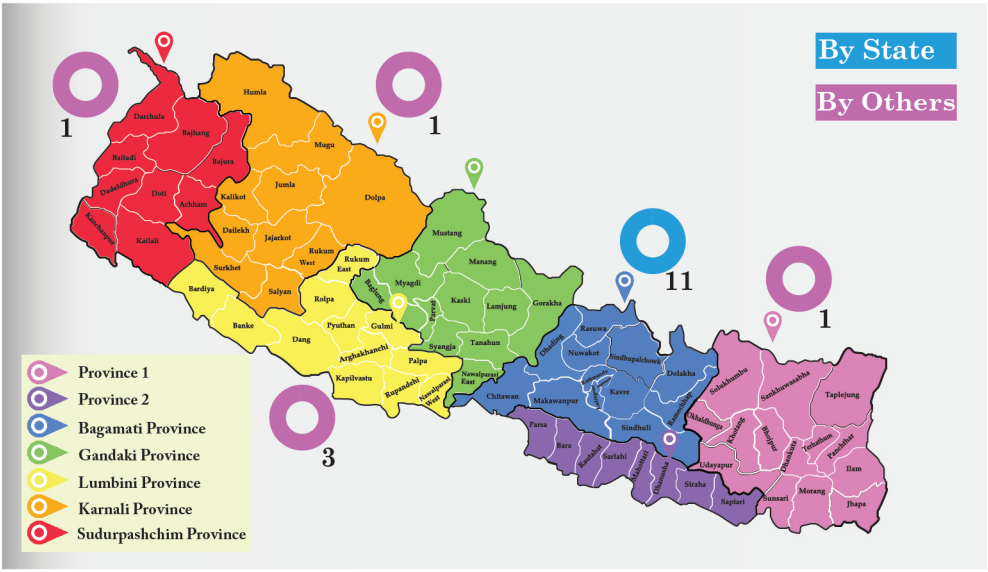
Number of Victims, 2015-2020



Number of Victims, 2020



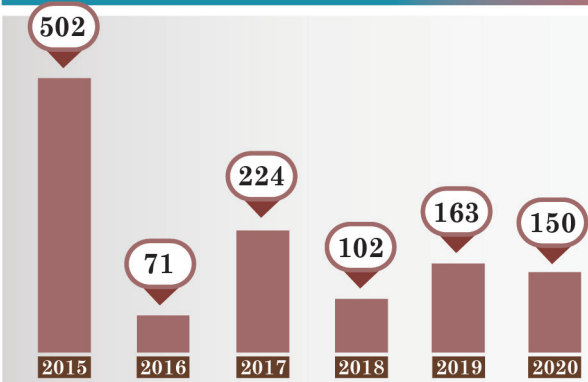
Number of Victims in 2020 (By Province)



Majority of people are being victims of Economic, Social and Cultural (ESC) rights as these rights are difficult to identify. The picture may be bigger and larger than the real documented incidents of ESC rights. INSEC documented 16 victims of ESC rights violation during 2020 related to the capture of property, deprivation of wages and expelling from the job etc.

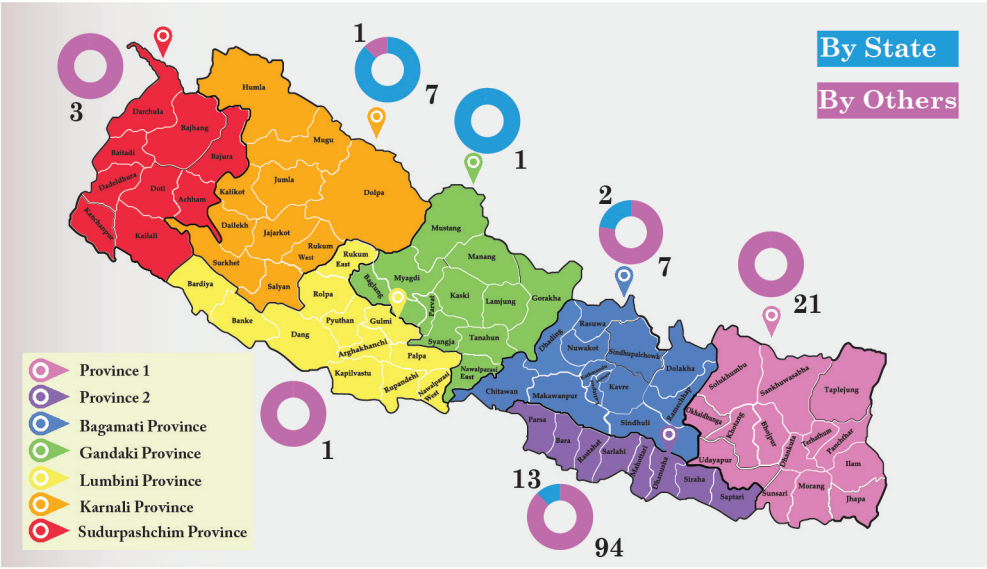
INJURED

Number of Victims, 2015-2020



Number of Victims, 2020

Number of Victims in 2020 (By Province)



In 2020, 150 people across the nation were injured in the incidents of explosion, firing, clash, and beatings. Four female were injured due to acid attack. The government announced to bear the expenses of the treatment of those injured in clash or in police firing. However; victims complained the process of being very lengthy.

286 individuals accused of violations were brought under the judicial process in last 20 years. The amnesty of about 90 percent of those accused has raised questions of accountability towards democracy and rule of law. Out of 843 recommendations made by the Commission, only three percent were addressed. Within this period, the Commission had provided 1,195 recommendations among which 940 were related to the armed conflict.

The publication of the report of NHRC has given hope of punishment to those guilty of serious human rights violations. The publication of the recommendations is a positive step towards continuing investigations and for lobbying for justice in the coming days. However, the NHRC report was published only as the tenure in office of the Commissioners had come to an end, which has pointed to the accountability of Commission itself as it would have had more time to pursue its recommendations had they come earlier.

Nepal's Participation in the Universal Periodic Review

The UPR is a process coordinated by Human Rights Council of the United Nations to periodically review the situation of human rights in member states. It provides a platform for countries to present the efforts they have made for the improvement of the human rights situation and to also demonstrate their accountability to commitments made at the previous UPR cycles. The UPR is a process that began in in 2006.

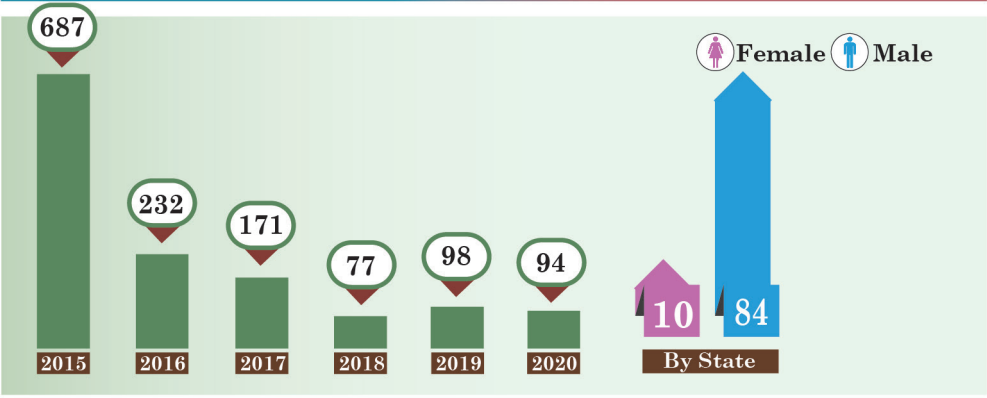
Nepal submitted its third UPR report in October 2020. The report mentioned the implementation status of commitments made during second cycle of the review but is largely silent on the issues that were underachieved. The report has underreported on progress in transitional justice, women, gender and caste based discrimination, child labor, and other harmful traditional social practices. Nepal began participating in the UPR in 2011. There were 191 recommendations in the first cycle among which the government had accepted 135. Similarly, there were 195 recommendations in the second cycle of UPR in 2015, among which the government had accepted 152.

Countries participating in the 2020 review made recommendations on the Constitution, transitional justice, torture, arbitrary arrest, non-judicial and mass killings, human rights conventions, child rights, NHRC, human trafficking, and natural disasters, among others. Among the recommendations of the first and second cycles of UPR that the government had accepted, progress was not satisfactory in transitional justice. The inability of fulfill this international commitment on transitional justice remains a situation of concern.

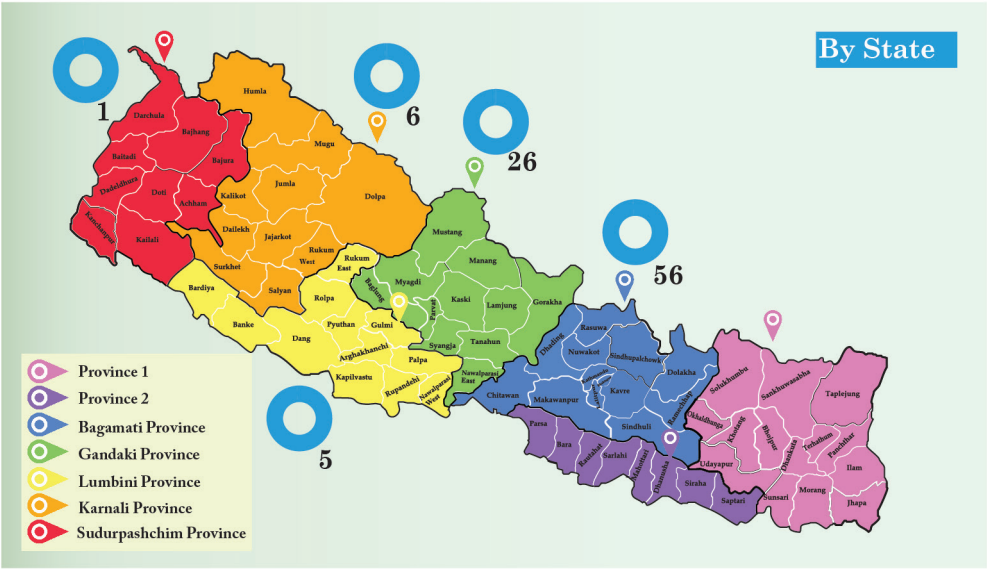
As in both the first and second cycles, INSEC, as the secretariat of non-governmental organizations for civil society reporting, presented its report for UPR. The report has included overall human rights' situation of Nepal, human rights situation of women, children, Dalits, indigenous groups, Muslims, and other minorities. The

RIGHT TO ASSEMBLY

Number of Victims, 2015-2020 | **Number of Victims, 2020**



Number of Victims in 2020 (By Province)



The constitution has ensured right to speech and freedom of assembly. Apart from this, in some places, the government-imposed restriction to organize, sit-in, rally, demonstration and assembly stating that such action has obstructed and violated the right to commute of citizens. INSEC documented 94 victims of deprivation of right to assembly in 2020.

report has made recommendations on matters concerning the National Human Rights Institutions, human rights defenders, extra-judicial killings, and transitional justice, among others.

Fifth National Human Rights Action Plan

Nepal Government has published its Fifth Human Rights Action Plans in 2020. The plans made for the next five years aim to establish a human rights-friendly culture through development, protection, and empowerment as specified by the Constitution, international treaties to which Nepal is a state party and the fundamental values of human rights. The plan has also specified responsibilities of all levels of government for attaining the goals and targets.

There is need of orientation and training of representatives of all levels of governments and officials of concerned bodies and for strict directives for implementation. INSEC has suggested that the government should include civil society organizations (CSOs) as partners for implementation and monitoring of the action plans. However, there might be difficulties in for CSOs in supporting the task owing to insufficient resources with national agencies, legal provisions for facilitating the work, and also the lack of adequate indicators for monitoring progress.

Rule of Law and Democratic Practice

A press release from the Office of the President announced the dissolution of parliament towards the end of the year in accordance with the recommendation made by the Prime Minister KP Sharma Oli. The press release said elections would be held on April 30 and May 10, 2021. A faction of the ruling Communist Party of Nepal (NCP) lead by Madhav Kumar Nepal and Pushpa Kamal Dahal as well as the Nepali Congress party (main opposition) responded that the decision was against democratic stability envisioned by the Constitution. The Supreme Court was hearing 14 petitions challenging the Prime Minister's decision at the Constitutional Court when this report was prepared.

The appointments made by the government by amending the law on the recommendations to Constitutional bodies including the NHRC was also controversial. The controversy was over the amendment of the law, which the government said was because the leader of the opposition party and speaker of the lower house had repeatedly been absent in the meetings that prevented a quorum. The passing of the ordinance and recommending appointments and the dissolution of the House of Representatives immediately after the appointments weakened the accountability of the appointees and also weakened the practice of parliamentary hearing of recommended candidates.

Table 2: Decisions of Government of Nepal for controlling Covid-19 infections		
S.No	Decisions	Date
1	Formation of Novel Coronavirus Reduction and Control Coordination Committee	March 1, 2020
2	To place Health teams at the Nepal-India border and request ceasing movement across the border without an emergency	March 5, 2020
3	To buy and store important daily goods. To make PSA and jingle for health qwarness	March 10, 2020
4	To hold issuing visa on arrival from 14 March to 30 April	March 12, 2020
5	Publication of strategies and programs for control of COVID-19	March 15, 2020
6	Provision of 120 ICU beds at six hospitals of Kathmandu for COVID-19 patients	March 16, 2020
7	To close cinema halls, stadiums, playgrounds, gyms, health clubs until the end of April. To stop allowing passengers beyond seat capacity in public vehicles	March 18, 2020
8	To spread awareness about the spread of the disease and preventive measures	March, 20, 2020
9	Decision to enforce lockdown	March 21, 20
10	Approval of quarantine management measures, 2020	March 23, 2020
11	To improve the quarantine centres, and arrival of Nepalese coming from abroad	March 24, 2020
12	Local bodies and provinces to ovrsee functioning of quarantine centres	March 25, 2020
13	To assign women health volunteers at all wards of local bodies	March 27, 2020
14	To stop air travel until April 15	March 29, 2020
15	To allow people to cultivate and reap seasonal crops	March 29, 2020
16	To improve relief distribution at ward level	April 5, 2020
17	To stop air travel until April 30	April 7, 2020
18	Formation of work group to study and improve the effects of COVID-19 on foreign employment	April 15, 2020
19	Handover of responsibility to ministers for provincial-level coordination for control and reduction of COVID-19 infections	April 17, 2020
20	To stop air travels until May 15	April 25, 2020
21	To recommend for the continuity of lockdown	May 5, 2020
22	To increase precautions as the lockdown was extended to May 18	May 7, 2020
23	To recommend for the continuity for lockdown	May 17, 2020
24	To stop air Travels until June 14	May 19, 2020
25	Approval of work plans for facilitating Nepali citizens to return Nepal with amendments	May 29, 2020

Both the summer and winter sessions of parliament were affected by the infighting of the ruling NCP that affected the enactment of various laws in the house. It was apparent that both the ruling party members and those of the opposition party seemed oblivious of encouraging a culture of the rule through ordinances owing to ineffectiveness of parliament.

Situation of Human Rights and COVID-19

The Corona Virus Disease first reported in late 2019 had grown into a pandemic by early 2020. In the end of 2020 Nepal had 260,593 COVID-19 positive cases and 1,856 deaths.

A large number of people lost their jobs and many businesses were forced to shut down after the COVID-19 outbreak. The government faced mounting public pressure over its delay in making arrangement for controlling the spread of the virus and treatment of those infected, and was also under pressure to evacuate Nepalis stranded in foreign countries. The government had evacuated 175 students from Wuhan in China on February 15, 2020. But, it was also criticized for failing to do the same for citizens stranded in other countries. Nepal declared a lockdown from 24 March to July 21, 2020. During this period, the number of infections rose from two to 17,994. Many Nepali working in India returned but were not able to cross the border for the inability of the government to anticipate the return and plan their re-entry. This caused hundreds of people to be held up at the border for a number of days. The number of infections increased due to unmanaged quarantine centres, lack of protective measures and weaknesses in patient management. During this period the government was able to add 942 Intensive Care Units (ICUs) and 496 ventilators. The efforts of local governments to manage the spread of the pandemic were commendable as were the government decision to provide free tests for COVID-19. The experience with the pandemic has indicated for the need for greater preparations for dealing with similar situations in the coming days.

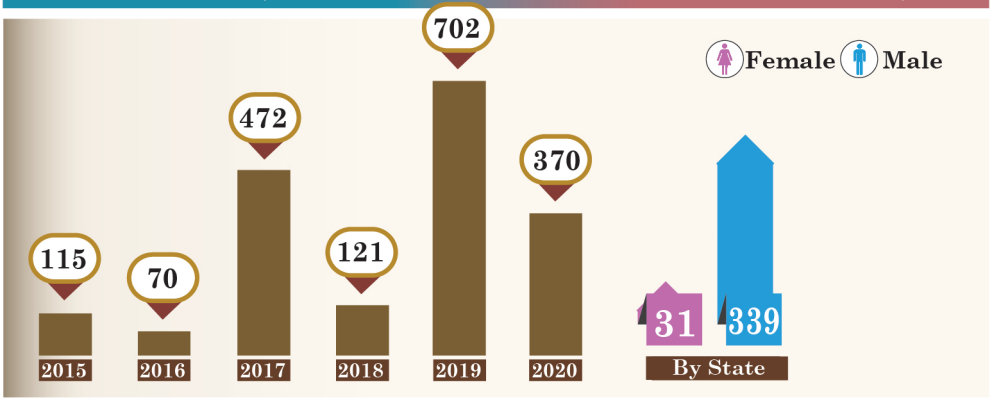
State and Human Rights

Judiciary

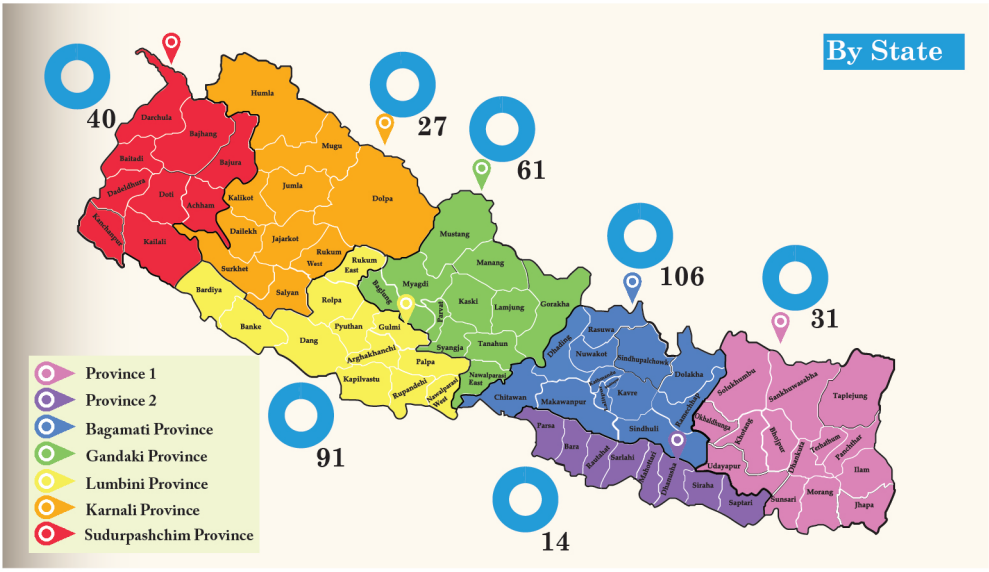
The Government had announced lockdown from March 24, 2020 to prevent the spread of COVID-19 infections. The lockdown had affected all the government agencies and the general public. The judiciary was also affected, and this had overshadowed the fulfillment of fundamental human rights of the people. The Supreme Court to a special decision to continue with *habeas corpus* hearings, arrest warrants, and cases related to the child rehabilitation centres or correctional institutions. The Supreme Court also made different decisions on cases related to people's rights to food, health, and right to return home. The Supreme Court also ordered changes to how the court date should be counted by considering the period of the lockdown as something that would not affect the count.

ARREST

Number of Victims, 2015-2020 | **Number of Victims, 2020**



Number of Victims in 2020 (By Province)



This year, 370 people were victims of arrest of which 31 were female. INSEC documented the incident of arrest by police without producing arrest warrant. Incidents of violation during assembly, re-arrest, and arbitrary arrest are documented under this heading.

After 2007, the Human Rights Year Books have been publishing the issues of insensitivity of the state towards transitional justice. The Supreme Court rejected the governments' appeal to the court to review its earlier decision on pardoning individuals who had committed serious human rights violations during the conflict.

Legislative

Many government decisions were not implemented owing to the infighting in the ruling NCP. The infighting also led to abrupt ends to the sessions of the parliament causing a number of bills to remain held up, including halted citizenship bill, bill on National Human Rights Commission, Media Council bill and other bills directly related to human rights

The Government had adopted different prohibitory actions to reduce the impacts of COVID-19, and infections began to rise after the relaxation of the measures. There were multiple instances of violation of the Constitutional provision of providing free treatment for primary diseases. The Government was unable to investigate and control the high cost charged by private hospitals during the pandemic.

In 2020 there were over 300 deaths due to natural disasters. The government had not been able to act promptly to resettle the affected people and also to provide and medical assistance. Even though educational institutions began reopening at the end of the year, the rights of students to education was violated. Further, there has been no reduction in cases of violence against women. There were also violations of the rights against caste based discrimination, to life and good health. The issue of migrant workers was also a concern.

Executive

The government paid little attention to issues raised in parliament and many recommendations were remained unaddressed. The government also resorted to bringing ordinances instead to trying to get legislation through parliament. Low attendance of ministers in the parliament and ignorance of parliamentary recommendations also continued in 2020.

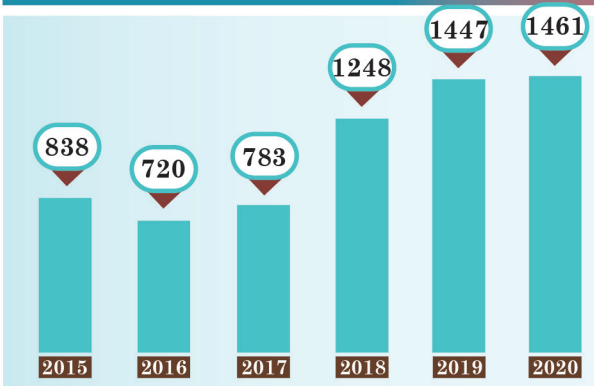
The Prime Minister dissolved the House of Representatives on December 20, 2020 , which was a result of the infighting in the ruling NCP. Elections were announced for April/ May 2021 but the Supreme Court was also hearing 14 petitions challenging the dissolution, which raised questions over the ability of Nepal to have elections as planned.

Provincial Issues on Economic, Social, and Cultural Rights

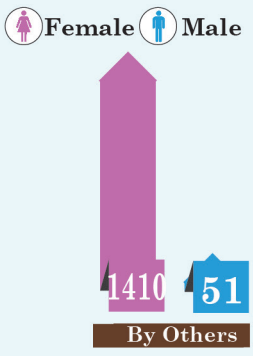
As in previous years, this yearbook also has chapters on the status of selected Economic, Social and Cultural rights in different provinces. These sections cover tea laborers in Ilam and Jhapa districts; the allegations of witchcraft and the human rights of the victims in districts of Province 2; the effects of natural disasters in Sindhupal-

CHILD RIGHTS

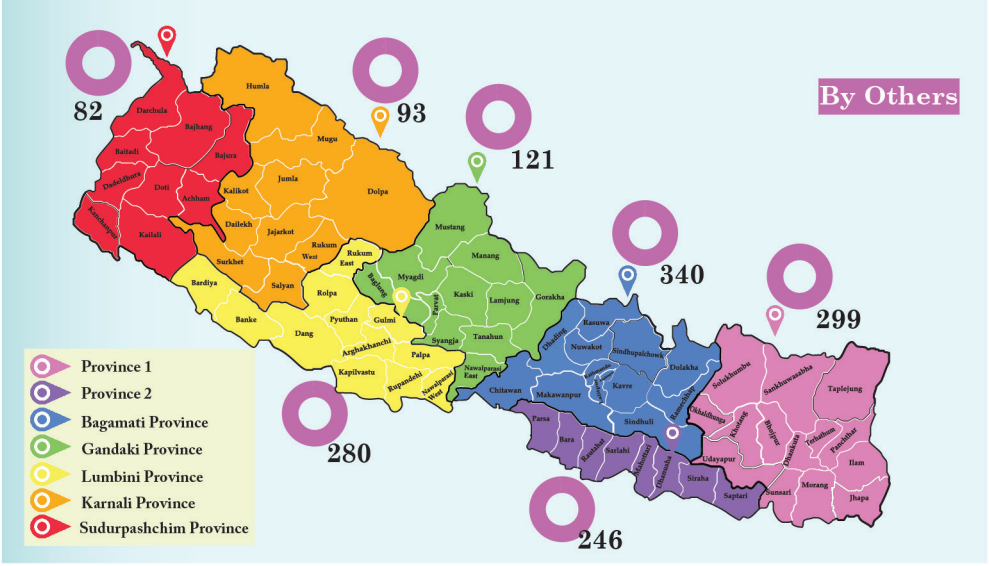
Number of Victims, 2015-2020



Number of Victims, 2020



Number of Victims in 2020 (By Province)



Children cover a large part of the country. The National Census in 2011 shows that 44.4% of population is under 18 years of age. Children are vulnerable to various kinds of exploitation. Children are physically weak than adult and they cannot differentiate between right and wrong. According to the documentation of INSEC, this year 1,461 children were victims of child rights violation of which majority of incidents (989) were related to rape. While analyzing this, the situation is gruesome. In majority of sensitive incidents related to rape and sexual abuse, boys were found to be involved and such incidents being pending has raised the question mark on justice.

chowk district, problems faced by sugarcane growers in Lumbini Province; prevalence of child marriage in Salyan district; and the situation of returnee migrant workers from India after the COVID-19 outbreak in the districts in the Sudurpaschim Province.

Human Rights Violations in 2020: Facts and data

INSEC documented 5,543 victims of human rights violations in 2020. The same number in 2019 was 6,642. This year, there were 675 victims (58 women and 617 men) of violations of human rights and 4,868 victims (4,271 women, 595 men, one unidentified, and one third-gender) abuse.

There were seven killings by the state and nine victims of torture. A total of 370 people were arrested, and there were 48 victims of caste based discrimination, 25 victims of inhuman behavior, 94 victims whose right to assembly was violated, 25 victims of threats and 320 victims of beatings.

All Kinds of Violence against Women

In 2020, 2,606 victims of violence against women were reported. There were 32 victims of attempted trafficking, 1,346 victims of domestic violence, 58 victims of witchcraft allegation, 648 victims of rape, 152 victims of attempted rape, 62 victims of sexual abuse and 25 victims of trafficking.

This year, there were 102 women were victims of killings by family members. The same number was 129 last year. Three women were killed for not bringing enough dowry, and another 12 faced violence related to the same issue. There were many instances of police refusing to file complaints, particularly in the districts of Province 2.

Parental side of Sangita Kapar of Dhanusha District, Bateshwor Rural Municipality – 2 accused Anil Kapar, 25 of killing his wife on May 29, 2020 on the dispute raised due to insufficient dowry. Father of Sangita claimed that Anil tortured his daughter for dowry and she was beaten and killed by hanging. He also said the body was bleeding, one tooth was broken and there were bruises in different body parts. A complaint made by the victim's side was not registered in Area Police Office, Mahendranagar on May 30. It was however registered in District Police Office on July 22. The accused was not arrested till the end of the year.

There was lack of will power from police to arrest the convicts who run away after the crimes. However, there is provision to process forward by the police even though the complaint is not registered in criminal cases.

The parents of a 31-year-old woman filed a complaint against husband, father and mother in laws in Area Police Office, Kalyanpur, Saptari on February 10, 2020 on the charge of killing their daughter and hanging her on the tree. The husband of the victim used to beat her raising question over her characters and the parents of the victim used to send her by counseling her to return her home. The mother of victim filed an application of mandamus order at the High Court's Rajbiraj Bench on

February 14. The police had not filed a formal complaint and the case had not been resolved at the end of the year.

As per section 38, sub section 30 of Constitution on Nepal, no woman shall be subjected to physical, mental, sexual, psychological, or other form of violence or exploitation on grounds of religion, social, cultural tradition, practice or on any other grounds. Such act shall be punishable by law, and the victim shall have the right to obtain compensation in accordance with law. Although the law protected the rights of women and girls, the increased numbers of violence against them specially the cases of rape brought serious concerns for the state. .

INSEC representatives in all 77 districts visited the women, children, and senior citizen service centres at the police offices. Majority of the cases registered in these centres had been reconciled. Violence against women in families have been increasing every year and not all of these cases are reported.

Child Rights

In 2020, there were 1,461 victim of violations of child rights. There were 989 victims of rape, 356 of sexual abuse, and 19 of corporal punishment at schools. Children faced the risk of exploitation trafficking, sexual violence and deprivation of education and health facilities. Majority of the school buildings were not persons with disability friendly, and most schools lacked proper toilets for girls. Free education was not implemented and schools continued to charge payments under various pretexts**.**

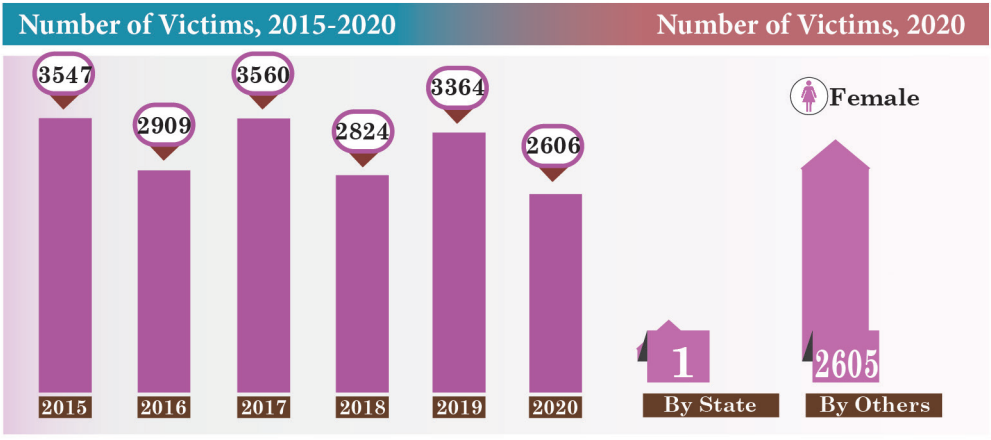
Guardians of seven students filed a complaint with the police accusing, a 46-year-old, director of the Adarsha Secondary English School of beating and injuring their children on February 25, 2020. The teenagers were allegedly punished for not complying with the school discipline. The victims had injuries and bruises on their bodies. Two of the injured students had been admitted at the Gajendra Narayan Singh Hospital on February 25. The father of one of the victims said no action had been taken against the accused in end December 2020.

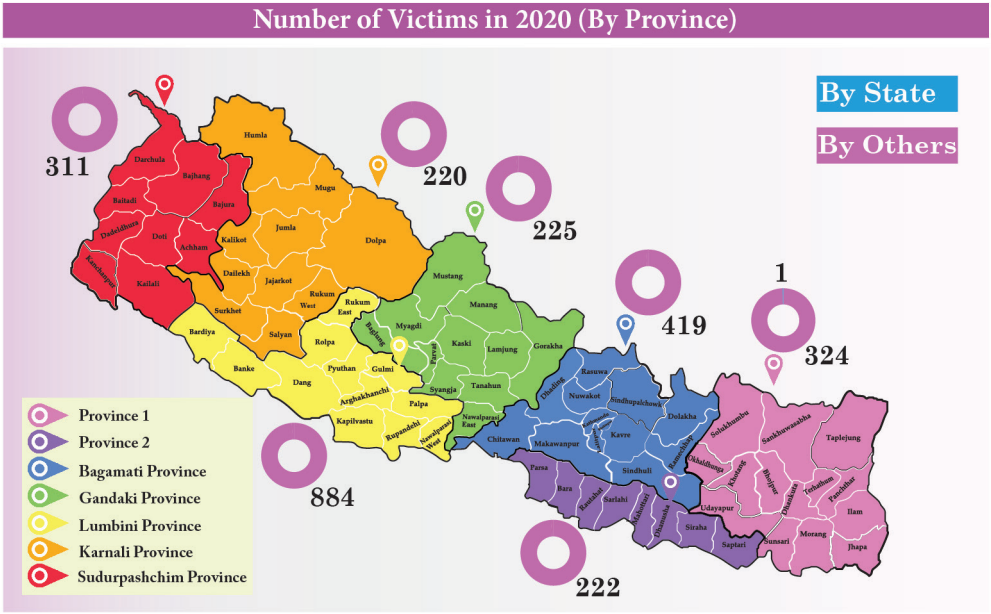
Conclusion

The concern of stakeholders has remained largely ignored while dealing with the transitional justice process. Even after 14 years of the CPA there has been little progress in transitional justice, which has resulted from the lack of commitment to address the issues among political parties and other stakeholders. Violence against children and women has also continued to increase. There have been cases of failure of the state to bring suspects of crime under the judicial process, and that of police denying to register cases; there has also been lack of efforts to seek and arrest suspects who have absconded after committing crimes.

The practice of reconciling cases of violence against women have also continued and there are still tendencies to keep these incidents within

WOMEN RIGHTS





The incidents of violence against women is alarming despite of several attempts made by the State and non-governmental organizations for its minimization whether it is in the name of rape or domestic violence. T'here are no significant decreases in the incidents of mistreatment in witchcraft allegation. In 2020, INSEC documented one woman victim of violation by the state and 2,605 women victims of abuses. The majority of incidents on violence against women were settled in an agreement according to the data from police. Women reconcile with husband and family members despite of being inflicted with torture.

the family rather than report them to authorities. There is also urgent need for effective implementation of human rights action plans, the localization of sustainable development goals, and for ending both impunity and growing criminalization of politics by ensuring the accountability towards the commitment.

Recommendations

1. Need to end impunity by ensuring accountability of government and political parties through concluding the transitional justice process in compliance with the Supreme Court orders.
2. Implement the accepted recommendations during the previous cycle of UPR and disseminate the achievements periodically.
3. Ensure effective implementation of national action plans on human rights.
4. Ensure effective legal arrangements and their enforcement for reducing violence against women.
5. Make political parties accountable to their commitments to the provisions in the Constitution and various political agreements for ensuring human rights and social justice.
6. Implement the recommendations of the National Human Rights Commission.

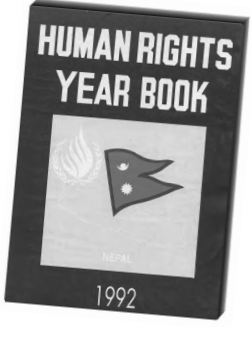
Bijay Raj Gautam
Executive Director

Review of the Social and Political Issues Raised in the Last 29 Years of Nepal Human Rights Year Book

The Informal Sector Service Centre (INSEC) began publishing the Nepal Human Rights Year Book in 1992 to respond to the dearth of reliable data for measuring the situation of human rights in the country. Over the years the yearbook has become an important document for all interested in understanding the human rights situation in Nepal as includes information on all major incidents, with details, reported both in terms of numbers and the impacts. The yearbook not only analyzes and reports on human rights violaltions, but also interprets the roles played by the state agencies in protecting and promoting human rights.

Nepal has undergone major political and social changes in last 29 years, which have been in the yearbook. These records have been used for dispensing justice to those injured of conflicts, political movements and for victims to seek relief after different incidents. It has also continued to serve as an important reference for researchers and investigators. The contributions of the yearbook towards society and the state since over the last 29 years remains is something we look forward to hear from its users. The yearbook has always given importance to both entrenched and emerging social and political issues. We believe the topics covered need to be documented to caution to leaders and remind them of their commitments and and to measure that against performance. This year we have attempted reminisce on the issues raised by Nepal Human Rights yearbooks, contextualizing the sociopolitical space to assist the understanding of English language readers in the English version. The subjects include records of the armed conflict, impunity, criminalization of politics, the conduct of periodic elections, peace, and constitution-making. Many of the issues discussed in the following paragraphs related to the year and the sociopolitical context at the time but have still been discussed as many of the messages are relevant even today.

Nepal Human Rights Year Book 1992



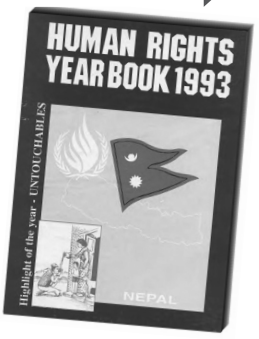
Due to the lack of awareness on human rights, people of Nepal have been violating each other's rights. Our social structure, level of awareness, narrowness of the political agendas and bogus commitments are the main reason behind human rights violation in Nepal.

Until and unless the major organs of the state eternalize their role to respect human rights: it is not possible to develop protection status of human rights. It is essential to monitor the situation of human rights. During the Panchayat Regime, we witnessed that the contemporary rulers claimed that human rights were guaranteed and its status was 'excellent' in the country.

Likewise, the prolonged debate of human rights is on-going even after the establishment of multiparty democracy and success of the peoples movement. After the formation of the new constitution, Nepal has committed towards ensuring the human rights by signing different international treaties and conventions. But all of these are just the policy frameworks. The citizens are more concerned about the practice of human rights.

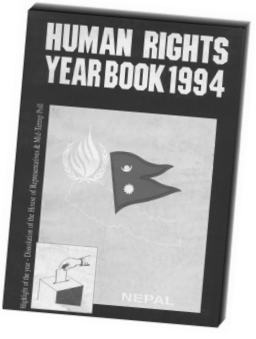
In the same context, the present Home Minister once said that Nepal's human rights condition is the best in the entire world which drew the attention of those mainly working in human rights sector. If every government keeps claiming that the human rights condition is the best in their tenure, the movement of human rights can be affected. If the ruling party keeps praising their performance in human rights and the opposition keep criticizing it; the protection and promotion of human rights will be adversely affected.

Nepal Human Rights Year Book 1993



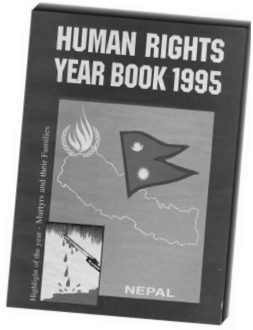
The aim of any constitution can be fulfilled only if the values it embodies and sentiments captured are translated into implementation. The longevity of constitutions depend on effective implementation. Therefore, keeping watchover the implementation of the constitutional provisions, becomes the duty of all – the legislative, executive, judiciary, and all citizens from different walks of life. It is not enough to approve or sign on to international laws and conventions regarding human rights, the parliament and government must also make equal efforts for effective implementation. Since both the exeucutive and legislature as not immune to encroachment of citizens' rights. The judiccairy must also join in the vigilance. The courts must not only interpret laws and practice while resolving disputes but also must actively involve itself in the protection and promotion of fundamental human rights.

Nepal Human Rights Year Book 1994



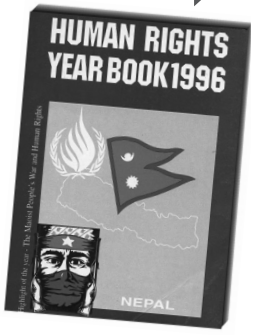
The head of the state or government must consider the needs, aspirations, and interests of people while ensuring constitutional rights. The democratic belief and values can be internalized only in nations where people can enjoy their rights and the democratic institutions exercise the rights in the interest of the people. The government dissolved parliament on July 10, 1994 invoking a right of the prime minister in the constitution. Eventhough the act was opposed by a section of the ruling party, the opposing parties and a large section of the people, Prime Minister Girija Prasad Koirala dissolved the parliament and announced the mid term election, after the Court upheld his decision.

Nepal Human Rights Year Book 1995



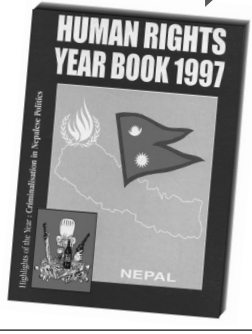
The year was important in terms of the history of legislatuive exercises and the year saw a large number of parliamentary processes in practice. The parliament elected through the mid-term election was dissolved and was reestablished following a decision by the Court and new interpretations of the constitution regarding the parliamentary system in place in the country. The decision to restore parliament as per Article 53 (2), (3) of the contemporary Constitution of the Kingdom of Nepal 2047 (1990) and the dissolution as per article (4), had resulted in a verdict upholding the supremacy of parliament, which while doing so had also curbed the special right of prime minister. It was perhaps the first decision anywhere in the world where the right of the prime minister to dissolve parliament was made conditional. This resulted in a polity not of prime ministerial rule but that as desired by parliament. However, the executive remained indifferent to parliament, which was evidenced the low presence of ministers in parliamentary sessions. The parliament was disrupted time and again over opposition demands that the presence of the executive be ensured.

Nepal Human Rights Year Book 1996



This was the year when the armed conflict began in Nepal. The armed insurgency began on February 13, 1996 with acts of terror in districts like Rolpa, Rukum, Jajarkot, Sindhuli, and Ramechhap. The government had undermined all standards in enforcing the law and rules in the name of suppressing this outbreak of violence. The other side, the Communist Party of Nepal (Maoist) too was largely ignorant of the fundamental rights of the people. The Government deployed police to search the Maoists and the security forces killed many innocent in the name of encounters with the Maoists. This is also the year INSEC began its documentation of the incidents related to the insurgency.

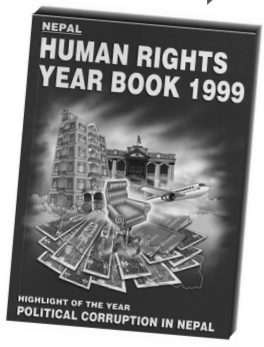
Nepal Human Rights Year Book 1997



It is difficult to say when the criminalization of politics began in Nepal. The first difficulty was posed by the fact that the Nepali politics had never been inseparable from killing and violence in the quest of power. Secondly, killings and violent acts that would appear inhuman today were almost normalized at the time. Thirdly, as killings, violence, beatings had become inseparable entities of politics, it remained difficult to isolate what type of incidents were actually political crimes. Therefore, if using assistance of criminal elements for political gain and political pro-

tection crimes were to be considered as criminalization of politics, then Nepali politics has a long and continuous tradition of criminalization.

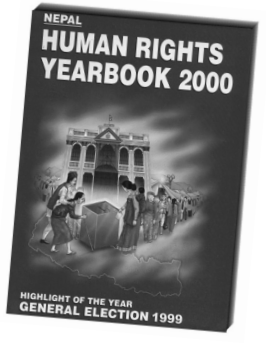
Nepal Human Rights Year Book 1999



There were fractures of two large parties in the Nepali democratic movements, the Nepali Congress and the Communist Party of Nepal., Many new parties came into existence after their split. The communist party had many divisions in its 50-year history. The monarchy of Nepal consitnuously intervening into those parties and trying to weaken them. Similarly, the ruling class of the Indian Politics also trying to ensure their confidence and influence among the political actors including the political parties in Nepal.

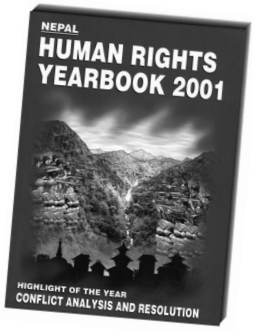
Nepali communist fractions were divided over the dispute between Russia and China and the debate on whether or not China still had communism. There were also many instances of party divisions that were motivated by personal benefits of those in politics. The practice of destroying what party organization existed and halting expansion was also evident. Whatever might be the reasons for the party splits and motivations of those involved, it was obvious that they had become the target of some conspiracy. The formation, expansion, and dissolution of parties has revolved around these three powers in Nepal. The period post 1990 was one of political polarization. The unity of party had been successful and divisions unsuccessful. There was formation of communist front just before the political change of 1990 has left far-reaching effect on Nepal's communist movement. The polarization in the communist movement increased after 1990.

Nepal Human Rights Year Book 2000



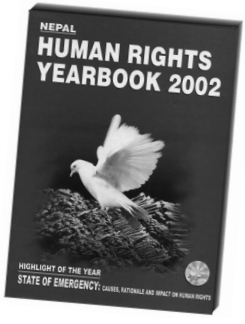
It is a fact that democratic elections lead to arrangements centered on human rights. Such elections can bring diversity in the result and ensure the sustainability of the system. In an elected leadership, there will be control of power, and formation of a government with the institutionalization of balance in the leadership. Another outcome of democratic elections is enhancement the development through powerful media, citizen's power, and open and democratic political processes. Apart from making criticism on policies of government possible, competition in election also underscores the basic characteristic of a democratic system. Multiparty democratic systems adopt optional ideologies. Establishment of a democratic nation, privatization of government run and controlled media, control and coordination among security forces, development of an independent judiciary, and acquisition of full freedoms and respect of human rights are all possible in parliamentary democracy. Similarly, democratic elections are seen to assist the maintenance of national coherence. Democratization of elections also help in controlling extreme personal desires of the rulers and corruption. This is the outcome of democratization of election.

Nepal Human Rights Year Book 2001



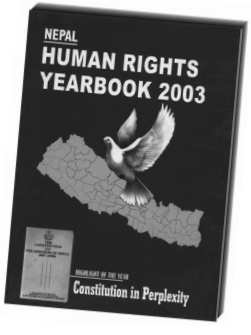
The violence of the last five years in the name of Maoists people's movement was a result of political suppression. It was enhanced by the discriminatory traditions prevalent in the society. It was made explosive by political ideology. People in the crossfire of violence of both the Maoists and the Government wants to live in peace. The government that is responsible for removing barriers to people's normal lifestyles, had in the name of removing those barriers involved itself in violation of basic human rights. The government was largely unable to build moral pressure for peace through its political behavior making conflict resolution difficult. Conflict resoluion depends upon the ability of government to build moral pressure.

Nepal Human Rights Year Book 2002



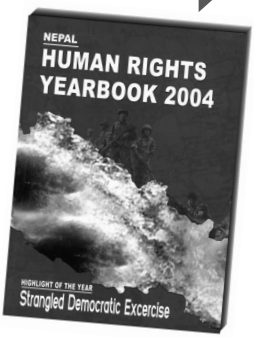
All three bodies of the state, legislative, executive and judiciary were mired in disputes. Members of parliament, were largely humiliated for facilities they had acquired on the basis of law. They had kept all the accounts transparent, while other sectors had continued to loot on various ways. All the ministries were competing to provide economic donations. Damages caused by Maoists were taken as lotteries and money was dispatched unncessarily. Due to such acts of the executive, the members of parliament sought discretion over NRs. 1 million of development funds. Democracy was weaking as a result of failures of political leadership and personalities. When this happens the slowly overcome the ideologies and and the political parties are not trusted leading to revolts. That was happening around us.

Nepal Human Rights Year Book 2003



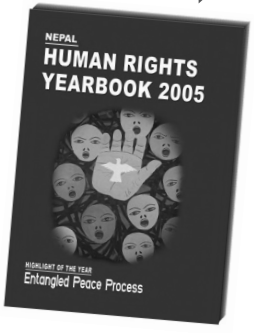
Year 2002 was probably the darkest year in terms of human rights. Different provisions of the constitution were violated. It was violated with impunity even though it is the duty of all to protect the constitution as result both rule of law and political stability were not realized. Ministers themselves were involved in corruption and were brought under punishment. Corruption and irregularities peaked. The House of representatives was dissolved by Prime Minister Sher Bahadur Deuba and was supposed to have been reinstated based on precedence but was not. Even though the local governance act had a provision to allow extension of the term of elected local bodies by a year, it was not done. As result the country did not have any elected representatives.

Nepal Human Rights Year Book 2004



The 12 years of democratic practice had resulted in widespread political awareness. It had made young people aware of the old social structures and created desires for change. Periodic electiond has increased public participation at both the local and central levels. There was growing awareness that the conduct of state should be done on the basis of the vote rather than force. The rights of the political opposition and minorities were assured and people were able to strengthen their voice. Their participation increased in the lawmaking process. Assurance of civil and political rights provided them confidence to raise their voices against wrong doing and ineffective decisions made by the leadership. The ruling party faced a lot of protests of the opposition in the parliament regarding its approval of the Tanakpur treaty with India. The Court had upheld the position of those opposed to the treaty where the government was found in violation. Similarly, government faced a lot of criticism for appointing Dhruba Bahadur Pradhan as the IGP without following minimum conditions of appointment process. The Supreme Court supported the voices of the opposition.

Nepal Human Rights Year Book 2005



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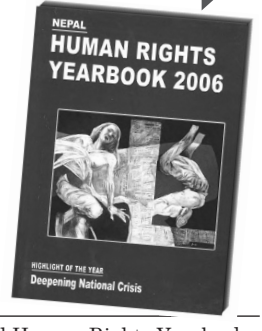
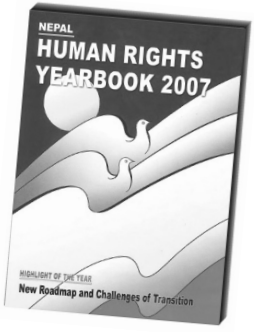
Nepal Human Rights Year Book 2006



After February 1, 2005, Nepal become a country without democracy that pushed the democracy and human rights situation to a crisis. Following a royal coup, the situation had become different despite assuring words of the king. The political and constitutional critis had deepned after the king formed a government with him as the chair that was followed by violations of political and civil rights, attacks on democratic and human rights organisations and disregard of the judiciary. Civil society, political parties and professional organizations were protesting the

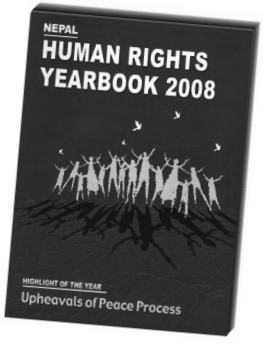
royal move. Even though there was a unilateral ceasefine in the conflict, the Maoist conflict continued. The events led to polarization of the political parties and the Maoists who reached agreement on the need for holding a constituent assembly election and establishing "full" democracy in the country. The political parties were confident in their ability to bring the Maoists to mainstream politics and the Maoist had also expressed greater flexibility towards the same. It was likely that the poltical parties and Maoists would prepare a common task list the longer the absolute rule continued.

Nepal Human Rights Year Book 2007



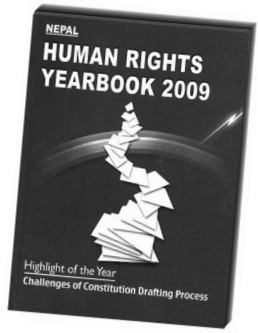
The year 2006 will remain noteworthy in Nepal's political history for the steps taken towards taking the peace process forward. In late 2005, the seven political parties and the Maoists reached an agreement – known as the 12 point agreement – for building sustainable peace. The authoritarian rue of the king ended within five months of the pact and the people experienced peace for the first time after a decade of the violent conflict. The Maoists and the seven parties signed more agreements but the year had come to an end before the implementation began. The parliament was reinstated as part of the process after which the house made some far-reaching committmentes. The seven parties stopped their protests after the end of royal rule but the Maoists said they would continue their protests because it was betrayal on the part of the seven parties. This led to fears about continued violence and instability. It was only afrer the restored parliament's declaration to hold a constituent assembly election did the peace process move forward.

Nepal Human Rights Year Book 2008



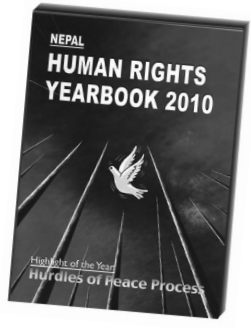
Impunity remained prevalent in the country as evidenced by delays on the proposed bill on Truth and Reconciliation Commission and the inability of parliament to approve the statute of the International Criminal Court even after two years of its reinstatement. The inability of the government to address issues of disappearance, the conflict affected and those displaced also dampened the public expectations, which had also become a concern of the international community – particularly the inability of leaders to deliver to their commitments and abide by their agreements. It has been the practice of countries emerging from armed conflicts to form commissions for transitional justice and truth and reconciliation and deliver justice for the victims and make accountable to those involved in major violations of human rights. Furthermore, truth and reconciliation process was expected as a fundamental stapes to ensure social harmony. There were discussions throughout 2007 on the transitional justice process, particularly on the possibility of history repeating itself if human rights violators were not brought to justice.

Nepal Human Rights Year Book 2009



The regulations of the Constitution Assembly were approved at the end of 2008. But, the constitution making remained very basic and it took eight months before the different committees of the Assembly were formed. The parties were unable to reach agreement on who would head the committees -- One Consttution committee, 10 subject committees, three procedural committees, and 10 committees of the regular parliament. The chairs of the committees were not elected at the end of the year and the soured relations between the Maoists and the Nepali Congress party also remained not unsettled. The relations of the ruling Maoist party with its coalition partner the CPN UML was also not ideal. Throughout the year there were fears that the cooperation exhibited by the political parties during the popular movement would not remain between them during constitution making.

Nepal Human Rights Year Book 2010

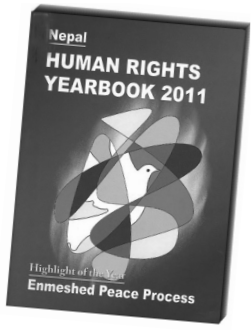


The political parties that had made commitments towards human rights of marginalized people could have agreed on accepting the Human Development Index for identifying such groups. They could have accepted the principle of progressive acquisition. They could have approved the statute of the International Criminal Court and could have also enacted Nepal's own criminal code, which did not happen while the culture of impunity rooted deeper in Nepali politics. Maoists took responsibility for the murders of Ram Hari Shrestha and journalist Birendra Sah and promoted the individuals involved in the killings. The government also flouted the Court's order to arrest and present the army officer allegedly involved in the torture and death of Maina Sunwar. Most of the cases withdrawn when the Maoists headed government were related to serious conflict-related crimes. Both local and international human rights organzations protested against the decisions but the government did not budge from its decision.

Nepal Human Rights Year Book 2011

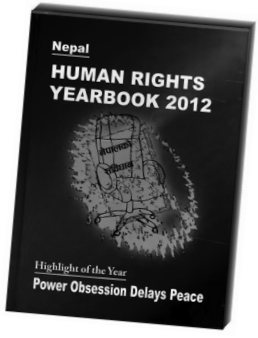
Forced disappearances of people that had begun during Panchayat period increased during the armed conflict and has continued by different groups and political parties. The political leaders have continued making commitments to right the wrong but lack of similar commitment at the level of political institutions has overshadowed the issue investigating forced disappearances. Various agreements between the Mosist Party and the Govermnet including the seven-point agreement, the Interim Constitution have included the subject of forced disappeared persons as one of serious concern of conflicy era human rights violation. The Comprehensive Peace Accord (CPA) said that

whereabouts of those forcefully disappeared would be ascertained and made public within 60 days. But, even after four years of the CPA, both Government and Maoists have remained silent on the matter. Instead, they have continued to blame each other and largely sidelined the issue for political expediency. The situation of disappeared persons remains a major concern in comparison to other human rights violaltions. The Government and the political parties have largely ignored the numerous pleas of families of those disappeared to put the issue at rest.



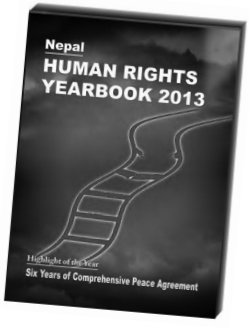
Nepal Human Rights Year Book 2012

The political parties failed to continue on the path of forming governments by consensus and concluding the peace process that was the spirit of both the CPA and the Interim Constitution. The government led by Madhav Kumar Nepal that had remained as caretaker for about seven months had made some attempts but could not conclude the peace process. The governments led by both Jhala Nath Khanal and Dr. Babu Ram Bhattarai also failed to uphold the spirit of the CPA discussed above regarding the peace process. Besides, the internal conflicts within major political parties were also obstacles to the peace process. Both Khanal and Dr. Bhattarai had become prime ministers with agreements with the Maoist and the Madhesi parties, respectively. Khanal made an agreement for leading the government in turns with the Unified Maoists but CPN UML did not participate in the Maoist-led government. Nepali Congress, the second largest party, did not participate in both governments and Madhesi parties were included by almost all governments.



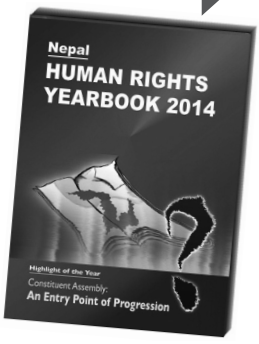
Nepal Human Rights Year Book 2013

The CPA made the peace process outlined in the 12-point agreement broader. But, even though both the CPA and the Interim Constitution had outlined the path towards peace building there was little progress even after six years of the accord. There were no initiatives to set up Truth and Reconciliation Commission and Commission of Investigation of Forced Disappeared Persons agreed in the CPA and instead the parties resorted to blaming each other for the work not done. This led to concerns of the United Nations as well as countries of the European Union that questioned the willpower of the governments and political parties to put the matter at rest. The purpose of these commission was to investigate human rights violations and persons involved in gross violations and bring those involved to justice and end impunity; and to provide relief and to create an environment of reconciliation between victim and accused to prevent similar occurences in the future. Even though the commissions were supposed to deliv-



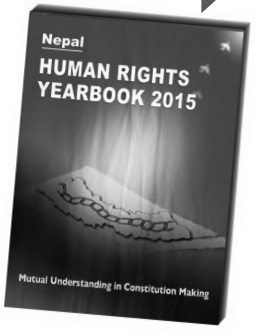
ering justice to the victims of human rights violations and facilitate the establishment of sustainable peace, the tasks remained largely unfulfilled.

Nepal Human Rights Year Book 2014



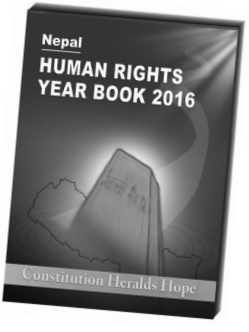
The confusing period that had prevailed in the previous years ended and the election of a second Constitution Assembly provided a new direction to the country. This led to hopes of eventually having a government of the elected representatves and the completion of the peace process among the people, ending the uncertainty that had remained for seven years. With completion of the processes of disarming and reintegrating Maoists forces also assured the likelihood of peace. The election just concluded had also been fairer that previous ones and had also had sound participation of the people.

Nepal Human Rights Year Book 2015



However, because of infringements into due processes and methods by senior party leaders, both the Constituent Assembly and parliament remained largely ineffective. Topics raised in parliament were rarely addressed even though there the Assembly had not option but to issue a new timetable and promulgate a new constitution. There was also the need of parliament to enact important bills on human rights in compliance with international standards.

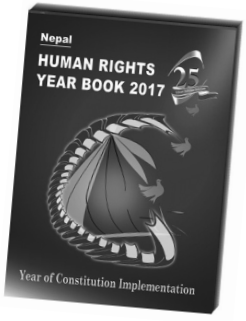
Nepal Human Rights Year Book 2016



Year 2015 has become the most important year following the promulgation of the Constitution by the elected representatives. That earned Nepal the identity of being the 43rd country to promulgate a Constitution through a Constitutional Assembly. The Counstitution is not only the main law but something that has given Nepalis a respite from the 10-year transition and has also take the country to most important phase of the peace process. The Constitution has raised hopes of a country that had remained mired in instability for over two decades. The bill of the Constitution submitted by the drafting committee was debated in the sessions held from August 27 to 30. The debates on the articles with amendemnts were held between September 8 to 13 and on the amended versions from the September 14 to 16 and was approved by an overwhelming majority (507 members or 89.79% of the Assembly) and promulgated on 15 Septermber. Among representatives participating in the final vote

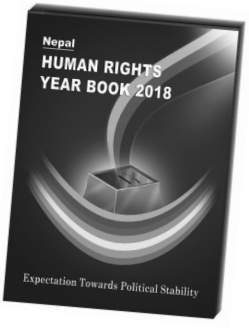
included 120 from indigenous communities, 67 Mahesi, 21 Tharu, and 14 Muslim. Nepal's constitutional history began in 1947 and this was the seventh constitution of the country but the first made by elected representatives.

Nepal Human Rights Year Book 2017



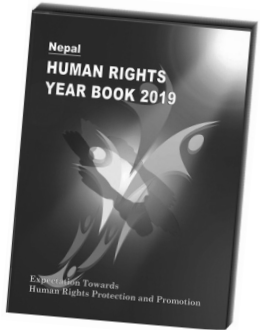
As per the provision of new Constitution, the government headed by K.P Sharma Oli had formed the local level restructuring committee. The committee submitted its report to the government recommending the formation of 719 local governments. The Constitution's Article 56 (1) has provisioned a three-spheres of governance structure federal, provincial, and local. Article 56 (4) and (5) provide for having rural municipality and municipalities and District Coordination Committees. The terriroties of these bodies and special, protected, or autonomous regions, under Article 295 (4), had to be done within six months of the promulgation of the Constitution. The Commission had submitted its report based on the provision which was opposed by Madhes (plains) based parties that had demanded the dissolution of the commission and rejection of the report. The views of the Nepali Congress and the Maoist Centre also differed. Meantime the Madhesi parties denounced the federalization approach and even threatened to reject the Constitution. They had also prevented the Commission from collecting suggestions on the approach in all eight plains-based districts. Further, even prime minister Puspa Kamal Dahal (Maoist) had delayed the acceptance of the report and eventually agreed to be present at a function where the report was presented to the Minister of Local Level Development.

Nepal Human Rights Year Book 2018



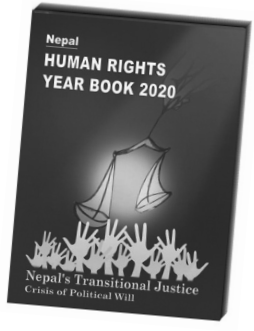
All three spheres elections of local, provincial, and federal representatives were held in accordance with the Constitution within a year. The elections were held smoothly, something that had not been expected in the country and by international observers. The completion of three tires of elections in a peaceful manner was a remarkable political achievement. The Constituent Assembly elected under provisions of the Interim Constitution where Nepal had adopted an inclusive election approach had returned over 30 political parties in the Assembly, which commentators had blamed as reason for political instability. The number of elected National parties to parliament decreased in the 2017/18 elections. The communist alliance that emerged with a near to 2/3 rd majority in the election had promised political stability and prosperity. The discussions on how both political stability and prosperity can result remained to be discussed but had given people hope that there would be political stability.

Nepal Human Rights Year Book 2019



The country had completed all three elections and was headed towards stability. Eighteen laws for the implementation of fundamental rights have been enacted and the different Commissions as provisioned by the Constitution were in the process of formation. Human rights are given prioritized in the Constitution and laws taking into accounts requirements of various international standards. Issues of human rights have been incorporated in all service trainings provided by Nepal Police and the Nepal Army has been providing training to its staff on both international humanitarian laws and human rights. However, the enactment of human rights-compliant local level laws for ending impunity end instituting rule of law remain works in progress. Human rights in Nepal can be freed from influences by ensuring legislation in accordance with the constitution, provided there is effective implementation.

Nepal Human Rights Year Book 2020



Transitional justice has remained confined to economic assistance provided to the victims, which successive governments have tended to equate with justice and reparation. It has also become apparent the the government is not serious about bringing those accused of gross human rights violations to justice, reparations and supporting livelihoods of those affected by the conflict. The government seems to have taken these actions as unnecessary pressure. The government has included these actions in the National Human Rights Action Plan but has largely undermined the participation and recommenations of stakeholders in the drafting of approachs, plans and policies for the purpose. Both the conflicting parties – now parts of the state – have continued to ignore the aim of transitional justice which is to prepare ground for establishing lasting peace. One reason for this is because both sides in conflict remain powerful and also are located in powerful state positions. The concerns of the victims remain with both the Nepal Army and Maoists now as parts of the state. They seem oblivious that the splinter group of the Maoist party could take advantage of the situation. The Maoist leader Prachanda has publicly announced that they were responsibile for killing 5000 people in the armed conflict, indicating that the successive governments and the security forces were responsible for the remaining others who were killed in the decade long insurgency. This could be a reason for major political parties to remain disinterested in addressing the issues and concluding the transitional justice process.

Chapter 2

2.1 State and Human Rights

Judiciary

Photo: Ramesh Prasad Timalsina

Background

The Constitution of Nepal ensured the principle of justice which shall be exercised by courts and other judicial bodies in accordance with the Constitution, other laws and the recognized principles of justice and can be exercised through the Supreme Court, High Court and District Courts.[1] In addition, there is a provision of local judicial committees and other units to assist the the justice process and resolve the disputes at local level.[2] The judicial committees are formed under the chairpersonship of deputy chief of municipality or vice chairperson of the rural municipality.

The Constitution has designated the Supreme Court as the Court of Record, and all other Courts and judicial institutions function under the Supreme Court. This Court shall have the final authority for interpreting the Constitution and laws.[3] Each province has a High Court[4] and the statute provide for a District Court in every district.[5] In addition to the Courts referred in Article 130, the law may establish and constitute other specialized Courts, judicial institutions or tribunals, hearing cases of special types and nature.[6]

The Constitution has given the Supreme Court extraordinary jurisdiction for interpreting the law and the Statute itself. Article 133 (2) states that the "Supreme Court shall, for the enforcement of the fundamental rights conferred by this Constitution, for the enforcement of any other legal right for which no other remedy has been provided or for which the remedy even though provided appears to be inadequate or ineffective, or for the settlement of any constitutional or legal question involved in any dispute of public interest or concern, have the extraordinary power to issue necessary and appropriate orders to enforce such rights or settle the dispute".[7] For this the Court may issue appropriate orders and writs including the writs of *habeas corpus, mandamus, certiorari*, prohibition and *quowarranto* for imparting full justice and providing the appropriate remedy.[8]

The Constitution has given the High Courts jurisdiction to adjudicate legal questions on matters of public rights, including concern over the exercise of the fundamental rights. The High Courts also issues appropriate orders and writs including the writs of *habeas corpus*, *mandamus, certiorari*, prohibition and *quo warranto*.[9] However, the High Courts are barred from interfering with the internal task and the proceedings and decisions of the Provincial Assembly concerning violation of its privileges and any penalties imposed thereof.[10] The High Court can also issue orders in the name of government, office bearers, institutions and individuals within the provincial jurisdictions for the enforcement of the fundamental rights conferred by the Constitution, for the enforcement of any other legal right for which no other remedy has been provided or for which the remedy even though provided appears to be inadequate or ineffective, or for the settlement of any legal question involved in any dispute of public interest or concern.[11] Thus, High Court is

1. The Constitution of Nepal, Article 127 (1 and 2)
2. The Constitution of Nepal, Article 127 (2)
3. The Constitution of Nepal, Article 128 (2)
4. The Constitution of Nepal, Article 139 (1)
5. The Constitution of Nepal, Article 148 (1)
6. The Constitution of Nepal, Article 152 (1)
7. The Constitution of Nepal, Article 133 (2)
8. The Constitution of Nepal, Article 133 (3)
9. The Constitution of Nepal, Article 144 (2)
10. The Constitution of Nepal, Article 144 (1)
11. The Constitution of Nepal, Article 144 (1)

given the right to hear the issues of public concern including law enforcement.

The District Court has the authority to hear appeals on all federal law enforcement, decision made by quasi-judicial bodies and decisions made by local judicial bodies constituted in accordance with provincial law. The District Court has jurisdiction to hear original cases and execute all cases within its jurisdiction, hear petitions of *habeas corpus*, prohibitory order and other petitions according to the law, hear appeal over the decisions taken by the quasi-judicial bodies, hear appeal over the decision of the local level judicial institutions established according to the law of the province and initiate action and punish in contempt of Court against those obstructing its or its subordinate Courts acts of judicial execution or not abiding by the order or verdict, unless otherwise provided by the law.[12] The jurisdiction of the District Court has been expanded compared to the past.

This article attempts to discuss the decisions, orders and rulings made by the Courts and judicial bodies in 2020, based on the Constitution, international law, prevailing laws and accepted principles of law.

Limitation in Reference Materials

The COVID-19 pandemic affected INSEC's efforts to access reference materials for analysis. The previous editions of Nepal Human Rights Year Book used information from the *Nepal Kanun Patrika* published by the Supreme Court as reference material. This year the *Nepal Kanun Patrika* was not published regulary and the judgetments and decisions available up to June 2020 were on litigations of the previous year and did not serve the purpose of this article. Therefore, the analysis this year is based on important decisions of the Supreme Court, e-copies of verdicts, reports of litigations in national daily newspapers, the Supreme Court's website, INSEC Online, and other publications.

Disrupted Judicial Procedures

The COVID-19 pandemic and associated lockdowns began in Nepal early in the year. Efforts to tackle pandemic had overshadowed all kinds of human rights issues temporarily, even though a person has certain rights that are enforcable even in the times of crisis. These include rights related to freedom, equality, and dignity that are guaranteed by both international human rights law, the Constitution and laws of Nepal.

The Supreme Court issued various directives and rulings to government on the fundamental rights enshrined in the Constitution such as the right to health, the right to food, and the right to freedom of movement. Although the regular issues of the Court's daily list had to be taken up, the Court did hold regular hearings on writs of *habeas corpus*, the Petition of the juvenile rehabilitation centre and arrest warrant permit and support.

The Government of Nepal declared a nationwide lockdown from March 24 to July 22, 2020 to control the spread of COVID-19 infections. As the number of people affected by COVID-19 increased, even the district administrative bodies issued local prohibitory orders in Kathmandu Valley and other districts from August 19 to September 16, 2020. This affected the proceedings of Courts across the country, including that of the Supreme Court, and fewer cases were adjudicated compared to previous years.

Notices Issued by the Supreme Court during the Pandemic

The Supreme Court had issued an information on various judicial proceed-

12. The Constitution of Nepal, Article 151 (1)

ings and health standards during the pandemic and that played a vital role in informing the citizens about the proceeding, the necessary procedure related to cases and the health standards to be followed at the court. A meeting of all justices on March 25, 2020, chaired by the Chief Justice, decided to postpone all the cases except *habeas corpus* the Petition of the juvenile rehabilitation centre and arrest warrant permit and support. To ease the process, in addition to the decision made by the meeting of March 25, the notice of the Supreme Court issued on June 3, 2020 mentioned the Court would begin hearing writ petitions filed before and during the period of lockdown in the presence of lawyers.

Another notice issued on July 1, 2020 said that the writ petitions to be filed in the Constitutional Court and cases would be registered, processed and heard, while another one of July 28 withrew the flexibility allowed due to the increasing spread of COVID-19, and infections of Supreme Court staff. The Court restarted operations after the government announced the end of the lockdown. Its notice said that entry at the Courts would be permitted while health and safety precautions would be followed. It also set the time on limitation for filing petitions as 30 days, in addition to the travel time.

Restraining orders during the lockdown

Representative cases heard by the Supreme Court during the 120-days lockdown and the 29 days of prohibitory order imposed in the Kathmandu Valley are discussed below.

Decision to hear only urgent cases

The nationwide lockdown limited the function of Courts across the country. A plenary meeting chaired by Chief Justice Cholendra Shamsher J.B. Rana on March 25 decided to stop the work of recording statements and registration of charges, etc while deciding to accept *habeas corpus* Petition of the juvenile rehabilitation centre and arrest warrant permit and support. The meeting also decided to continue hearing of pandemic-related petitions of serious nature.[13]

Right to food for vulnerable people

The Supreme Court issued an order March 30, 2020 ordering government to provide relief and support by identifying the extremely poor daily wage earners during the pandemic. The order was issued by the single bench of Justice Bishowambhar Shrestha and asked the federal, provincial and local governments to coordinate their efforts to distribute food and carry out relief programs.[14]

Order to use private hospital for treatment

On March 31, 2020 the Supreme Court issued an interim order on involving private health institutions in the treatment of corona virus. A single bench of Justice Manoj Kumar Sharma ruled that the private health institution should not refrain from treating people with COVID-19 infections under any pretext. The order called for the provision of personal safety equipment to all health workers, including physicians involved in the treatment, ensuring the availability of beds, ICU rooms, ventilators and other necessary equipment for the treatment of COVID-positive cases.[15]

Interim order of the Supreme Court to systematically return of the stranded citizens at the border

The Constitution of Nepal guaranteed freedom to live anywhere and move

13. Gorkhapatra Daily, 26 March, 2020, Page 2
14. Gorkhapatra Daily, 31 March, 2020, Page 1
15. Gorkhapatra Daily, 1 April, 2020, Page 1

freely from one place to another.[16] The Supreme Court issued an interim order to the government to allow Nepali resident in India for study, employment and treatment to enter the country in a systematic manner with quarantine restrictions. The single bench of Justice Sapana Malla Pradhan had issued the order to assist citizens stranded on the border to enter the country, while enforcing global standards of infection control in the process. The Court also pointed out that although it is the right of citizens to return their home, since this issue was connected with the health and safety of many people the return should be managed in a balanced manner.[17] The writ had been filed by advocate Som Prasad Luitel.

Order to rescue stranded Citizen

In another judgement, on April 17, 2020, the bench of judges Ananda Mohan Bhattarai and Sapana Pradhan Malla ordered the government to support people returning home on foot from Kathmandu Valley to their destinations following health and safety measures. The writ had been filed by senior advocate Prakash Mani Sharma asking the Court to order government to take all the necessary measures for the safety including check-up, and arranging the vehicles free of cost for transporting people to their destinations.

Order Order not to inhumane the citizens

Advocate Shailendra Prasad Harijan and others had filed a writ alleging that the police of misreating people citizens returning from Kathmandu and other urban areas during the lockdown. The joint bench of Justices Deepak Kumar Karki and Ishwar Prasad Khatiwada issued a decision on April 23, 2020 stating that it is necessary to protect the life, personal dignity and honor of the people even during a lockdown and ordered State officials in any role to ensure that any person was not treated inhumanely as that would be against the law. [18]

Decided not to count the duration of lockdown

For the first time in the history of Nepal, full bench of 19 judges ruled that the all cases disrupted would be considering the period of the lockdown as "zero-hour". The order stipulated an additional 30 days from end of the lockdown can be provided as additional time for case registration. The Supreme Court ruled that the period from March 28 to the date of opening of lockdown, when it had stopped providing regular services as the null or zero hour for the purpose of judicial proceedings.[19]

Free health care

On October 1, 2020 the Supreme Court ordered the government to make the corona virus test and treatment free of cost for all citizens. A joint bench of Justices Ananda Mohan Bhattarai and Tanka Bahadur Moktan issued the order to the Ministry of Health and Population. The decision came after government hospitals began charging a fee for treatment and required to make advance deposits to cover the costs. The government sought a review of the Court order on October 1, which the Court rejected on November 5. "The government seems to be headed towards curtailing citizens' right to free basic health care," the bench of justices Harikrishna Karki, Sapana Pradhan

16. The Constitution of Nepal, Article 17 (2, Nga)
17. https://ekantipur.com/news/2020/04/16/158703367124266019.html- (viewed on January 10, 2021)
18. http://inseconline.org/np/news/nagarikmath-amanbiya-byabahar/- (viewed on January 10,2021)
19. https://www.bbc.com/nepali/news-52837692 (viewed on January 10, 2021)

Malla and Purushottam Bhandari ruled and said there was no need to review the Supreme Court's earlier decision and ordered the government not to be swayed. This order obligated the government to provide free treatment to COVID-19 patients.[20]

Habeas Corpus Orders

The law requires anyone arrested to be produced before a judicial authority within a period of 24 hours after arrest, excluding the time necessary for the journey from the time and place of arrest to such an authority. It also bars detention of such a detainee beyond 24 hours except on the order of such authority.[21] In order to enforce this right, on March 25, the court decided to hear the *habeas corpus* petitions and petitions to for custody of the children in the correctional institutions even during the lockdowmn. Accordingly, writs of *habeas corpus* were heard regularly all the courts during the lockdown.

A total of 1 hundred15 writ petitions were heard at the Supreme Court during the lockdown, and 31 petitioons during the period of the restraining order. In a writ of *habeas corpus,* the Supreme Court ordered the release of the petitioner who had been on charges of violating public peace without adequate grounds and reason but based on personal beliefs. The order was issued on July 8, 2020.[22] Similarly, the Supreme Court also ordered the release of a petitioner held in illegal detention after release on bail for transferring the suspect to another district, as there was no reason continuously extending the detention, June 22, 2020.[23]

Facilities for inmates and detainees

The Supreme Court issued an order instructing the Government to uphold the provisions in the Aecond Amendment to the Prisons Act 1963 that allows inmates who have complted three years in prison to be eligible for community service at the order of the designated authority. [24] Another provision allows the designated authority to allow an inmate who has served at least one-third of his/her sentence for sentences of over three years to remain in an open prison.[25] The Supreme Court issued an order instructing the government to facilitate the process to enable inmates to exercise the provisions in the law. The order was issued on April 29 by a bench of Justices Kumar Regmi and Hari Phuyal, which they said would also help control increasing corona virus infections at the prisons.

No Amnesty for Conflict-era Incidents[26]

On April 26, 2020 the Supreme Court on April 26, 2020 rejected the request of the Government of Nepal for a review of the Supreme Court's order for pardon for serious crimes committed during the conflict. The bench of Justices Kalyan Shrestha, Baidyanath Upadhyaya and Cholendra Shamsher J. B. Rana had on February 26, 2015 decided that reconciliation should not be forced on victims in conflict-era cases, reconciliation should not be done to hurt the self-esteem of victims and reconciliation should not be used as a means to grant amnesty to serious human rights violations. The Sushil Koirala led government had filed a review petition at the Supreme Court on July 27,

20. http://inseconline.org/np/news/COVID-19-ko-parikshyan-ra-upachar/(viewed on January 10, 2021)
21. The Constitution of Nepal, Article 20 (3)
22. 076–WH-0397-(District police office against Rakesh Dahal, Bhojpur)
23. 076-WH-0418(District police office against Chhatra BK, Kavrepalanchowk)
24. Prisons Act 1963 Article 10 (ka)
25. Prisons Act 1963 Article 10 (kha) _
26. Gorkhapatra Daily, 27 April, page 2

2015 demanding reversal of the order. This order has become a milestone in the transitional justice process of Nepal. The government's petition was rejected by a bench of Justices Deepak Kumar Karki, Mira Khadka, Bishwambhar Prasad Shrestha, Ishwar Prasad Khatiwada and Dr. Ananda Mohan Bhattarai. The Supreme Court has ordered the government to submit an inquiry into the murder of Arjun Lama of Kavre. After a hearing the writ petition against Speaker Agni Prasad Sapkota, on February 7, 2016 the Court directed the government to provide information on the status of implementation of its previous Court order on the case and the status of the investigation within 30 days. However, the case has not been followed up by the Court since.

National Women Commission

The constitution of Nepal provisions for a National Women Commission with a chairperson and four members.[27] The term of office of the chairperson and members of the National Commission for Women is six years.[28] The Supreme Court issued a cause order to the government asking why no officials had been appointed to the Commission, even after over four years after the terms of the incumbents had ended. Hearing the writ petition filed by senior advocate Mira Dhungana and others against the Constitutional Council on December 30, 2019, the Court issued the show cause order on January 28, 2019.[29]

Order against Arbitrary Arrests

The Constitution protects all citizens from arbitrary arrest, detention or exile.[30] It requires any one arrested to be produced before a judicial authority within 24 of arrest, excluding the time necessary for the journey from the time and place of arrest to such authority. The law forbids detention of the arrested person in custody beyond the said period except on the order of a judicial authority.[31] Based on this provision, on December 29 the Supreme Court ordered the government to desist from arresting the leaders and cadres of the banned Communist Party of Nepal (CPN) led by Netra Bikram Chand 'Biplav' on false charges, without any reason.

A bench of Supreme Court Justices Tej Bahadur KC and Ishwar Khatiwada had Jung Bahadur Bhandari, in-charge of Lamjung district and two other detainees following habes corpus writs and ordered the Home Administration not to re-arrest them on false charges. Police had arrested CPN (Maoist) Lamjung in-charge Bhandari, District Secretary Bil Bahadur Gurung and district committee member Rabindra Nakhola from Tanahun on December 16. After a *habeas corpus* writ, the Supreme Court had ordered the release of the detainees on December 27 and had also warned to the Secretary of Home Affiairs and the Chief of Police of sanctions if those released were rearrasted.[32]

Right to Freedom

Hearing a writ petition filed under the Right to Freedom, the Supreme Court issued an order to the government on July 10 asking it not to restrict the right of citizens to move inside or outside the country. A joint bench of Justices Ananda Mohan Bhattarai and Kumar Regmi said that in the full text of the verdict in the case of Lenin Bista, a former child soldier of the then rebel CPN (Maoist).[33]

27. The Constitution of Nepal, Article 252 (1)
28. The Constitution of Nepal, Article 252 (3)
29. http://inseconline.org/np/news/officer-of-women-commission/
30. The Constitution of Nepal, Article 20 (1)
31. The Constitution of Nepal, Article 20 (1)
32. http://inseconline.org/np/news/CPN-cadre-assigned/
33. http://inseconline.org/np/news/swatantratako-hakama-sanku/ (viewed on January 12, 2021) f

Writ on the Dissolution of the House of Representatives

There is a provision for a constitutional bench at the Supreme Court for interpreting the Constitution and resolve disputes. Such a bench has the Chief Justice and other four judges appointed by the Chief Justice on the recommendation of the Chief Justice and the Judicial Council.[34] A number of writs were filed at the Supreme Court following the decision of Prime Minister KP Sharma Oli to dissolve the House of Representatives and seek a new mandate on December 20. The petitions challenging the dissolution of the House of Representatives was sent to the Constitutional Court by the Chief Justice Cholendra Samsher Rana on December 22.

Participation of *Dalit*

The Constitution gurantees participation of *Dalits* in all state bodies on the basis of the principle of proportional inclusion. It has stated that special arrangements will be made as per the law for the empowerment, representation and participation of the *Dalit* community in other sectors of employment including public service.[35] The guiding principles of the Constitution, envison a welfare state established by maintaining a just system in all spheres of national life through proportional inclusion, participation and social justice.

For social justice, there are provisions to ensure participation of socially marginalized groups, including women, Dalits, *Adivasis, Janajatis, Madhesis, Tharus,* minorities, persons with disabilities, marginalized *Muslims*, backward classes, gender and sexual minorities, youth, farmers, workers, oppressed or backward areas' citizens and economically disadvantaged *Khas Arya.*[36] A writ petition based on this was filed by advocate Bhakta Bahadur Bishwakarma against the decision of April 2, 2018 to appoint advocates at the Supreme Court and High Courts but was rejected by the Supreme Court on February 23, 2020.[37]

Judiciary Reform Plan

The Supreme Court has set up various mechanisms to ensure the right to justice. Similarly, periodical plans, various strategic policies and programs have also been formulated.

Access to Justice Commission

Access to justice is the condition in which justice can be sought and obtained through appropriate bodies. The the Access to Justice Commission has been formed with the objective of ensuring easy access to justice, especially for children, women, *Adivasi/Janajati*, senior citizens, person with disability and those who are unable to seek justice due to economic and social reasons.[38] The Commission issued its annual action plan 2019/20 to ensure easy access to justice for the citizens, including the communities deprived from various opportunities and rights.[39] Among others, the plan aims to study the challenges of access to justice for the children at correctional institutions, the issue of access to justice for citizens in the correctional institution, coordination and facilitation to institutionalize voluntary legal services, among others.[40]

34. The Constitution of Nepal, Article 137 (1)
35. The Constitution of Nepal, Article 40 (1)
36. The Constitution of Nepal, Article 153
37. http://www.supremecourt.gov.np/cp/assets/downloads/supreme_200425.pdf(075-WO-1005utprerashana) (viewed on January 18, 2021
38. http://supremecourt.gov.np/a2jc/Page/about
39. http://supremecourt.gov.np/a2jc/Page/about
40. http://supremecourt.gov.np/a2jc/Page/about

Implementation of Court decisions

The implementation of Court verdicts has remained very weak, and the Supreme Court has put special emphasis the implementation of the judgments in its Second Five Year Strategic Plan.[41] It also established the Judgment Implementation Directorate at the Supreme Court on June 10, 2009. However, as the rate of adjudication of outstanding cases in this yearbook show, there is still much room for improvement.

The Fourth Five-Year Plan of the judiciary

The Fourth Five-Year Strategic Plan of the Judiciary, has the slogan: "Independence of the Judiciary: Judicial Governance is Our Commitment". The plan will be implemented from 2019/20 to 2023/24. The year 2020 was the first year of the Fourth Five-Year Plan. The plan has 23 strategic objectives for achieving five goals.[42] A strategy has been prepared to expedite the case resolution and make the implementation of the Court decisions effective in order to ensure speedy delivery of quality justice.[43]

Conclusions

1. The lockdown had a direct impact on the lives of the people and disrupted services to all organs of the state. The judiciary was also affected and many human rights issues of citizens remained overshadowed. The Supreme Court had made special efforts to ensure that the Courts remained operational to hear writs on *habeas corpus* and from juvenile correctional institutions, and requests for arrest warrants.
2. The Supreme Court issued various directives and rulings on the right to health, the right to food, and the right to enter one's own country, which were major challenges during the COVID-19 lockdowns. It also ruled that the duration of the lockdown should not be counted in the statute of limitations and issued an order to provide additional time for registration of cases and Court dates by 30 days from the end of lockdown.
3. INSEC's yearbooks have highlighted the State's insensitivity to transitional justice since 2007. This year, the Supreme Court quashed the government's petition seeking a review on an earlier judgement where the Court had said those guilty of serious human rights violations during the conflict could not be provided amnesty and pardon.
4. After Prime Minister KP Sharma Oli recommended the dissolution of the House of Representatives on December 22, which was approved by the President at the same day. The Constitutional Bench headed by the Chief Justice began hearing all the petitions challenging the dissolution.

41. http://supremecourt.gov.np/jed/docs/jed_intro.pdf
42. Fourth Five Year Strategic Plan of the Judiciary page 147, 148
43. Fourth Five Year Strategic Plan of the Judiciary page 147

Chapter 2

2.2 State and Human Rights

Executive

Photo: Ramesh Prasad Timalsina

All the organs of the state have an important role towards respecting, protecting, promoting, and abiding to the fundamental principles of human rights, but the executive branch has a greater role. The implementation of existing laws is used as a general indicator to determine the human rights situation of the country. The Executive is also responsible for representing the country's interests at the United Nations, ratifying regional or international treaties and conventions, sending periodic reports to the United Nations, and responding or acting upon suggestions made by the treaty bodies and the Human Rights Council. The Executive's role also includes presenting legislation based on international treaties in Parliament, drafting legislations or policies in relation to human rights, presenting the annual fiscal budget, and appointing key individuals to constitutional bodies, including human rights related national institutions.

The Constitution of Nepal has distributed executive authority across all three tiers of government: local, province, and federal, which gives all three tiers space to work towards the protection and preservation of human rights. In 2020, the government began implementing the 5th National Human Rights Action Plan. This year the government appointed commissions at the Truth and Reconciliation Commission (TRC), and the Commission of Investigation on Enforced Disappeared Persons (CIEDP). The government also reported Nepal's report for the Universal Periodic Review at the Human Rights Council. The government issued directives for engaging inmates in labor and on open prisons and made reforms on the allowances provided to those in prison for improving their situation. Some notable actions of the Executive this year were reestablishing and repairing health posts damaged by the 2015 earthquake, laying the cornerstones of one hospital in all 753 local level governments, making progress in the reconstruction of educational institutions and private residences now in the final stages, building and allocating homes to citizens under the *Janata Aawash* program, and making progress towards the replacement of all *Tuins* (wire river crossing arrangements) in the country. The government reunited about 1,200 street children with their families, and rehabilitated them. It also initiated commendable activities in the protection of human rights of senior citizens, women victims of sexual violence, victims of acid attacks, airlifting of pregnant women to hospitals, among others. However, the regulations for the implementation of laws on fundamental rights were not prepared. The government's disregard of Supreme Court directives, demands of victims and human rights organizations, in the appointments to the TRC and CIEDP reflected the governments disregard for transitional justice and reparation.

The lockdown imposed at the beginning of the year to contain the coronavirus pandemic affected the lives of citizens for six months. This infringed on several basic civil liberties such as the right to health, right to employment, and right to travel, right to operate businesses, right to education, the consumer rights, and the right to observe festivals.

(A) COVID-19 and Human Rights

The coronavirus had a significant impact on the economic, educational, and cultural rights of civilians throughout the year. By the end of 2020, Nepal had 260,593 COVID-19 positive cases and 1,856 deaths. The government's inability to guarantee sufficient testing and treatment to people with COVID-19 infections, low access of citizens to access healthcare, inability of the government to make adequate resources available for equipment necessary for treatment at health institutions, and questions of quality and reliability of equipment had raised questions of credibility and resulted in criticism of the Executive. The government attempted to clarify its actions but fell far short

of being able to stop the public criticism. The government established a "High Level Coordination Committee for the Prevention and Control of COVID-19" to coordinate the response to the pandemic. It also committed to providing those with infections necessary relief measures by approving an action plan for implementing cabinet decisions, 2019 and proving relief and support to COVID-19 affected areas based on the action plan. It also issued an interim directive to improve the status of healthcare centers around the country for delivering quality healthcare access to civilians for COVID-19 and other health problems. However, there still were grievances about unequal monitoring of all health care institutions unequal treatment of the health institutions.

The government had approved and implemented an order for providing risk allowance for the health workers involved in the treatment and care of COVID-19 infected persons but there were media reports suggesting that the order had not fully been implemented.[1] There were also cuts in both the jobs and compensation of journalists this year[2]. In the absence of government assistance it had become difficult for media to stay operational during the pandemic. In the Karnali Province alone, over five dozen news outlets were forced to shut down, leaving 80 journalists and 60 other employees at media companies without jobs. About a dozen news outlets there had not resumed services even after the end of the lockdown.[3]

(B) The Rights to a Dignified Life

There were reports about violations of the right of citizens to dignified lives stemming from human rights violations. Many people lost their lives in floods, road accidents, rape, murder, and during pregnancy.[4] Sixty-eight pregnant women and new mothers died due to the inability to reach health institutions during the lockdown. The young environmental activist was murdered and another youth was killed in police shooting, still another teacher was killed in Morang District by cadres of the banned Communist Party of Nepal (Maoist). Cases of murder of women by family members or other groups were reported this year as well[5]. This year three hundred people lost their lives in natural disasters. There was also no decrease in the number of people being killed in traffic accidents.

(C) Child Rights

Although there was no progress in formulating regulations fundamental rights was made, there was progress towards the implementation of the Children's Act, 2019. This year the government attempted to amend the regulations for implementation of the Children's Act (2051) to provide it the necessary framework, committee formation, and appointments.[6]

The Ministry of Women, Children, and Social Welfare, with the National Child Rights Council (NCRC) have made efforts towards the protection of child rights. The government continued its "No child should or need to be on the street" campaign this year. The campaign rehabilitated or reunited 574 children with their families in 2020. Similarly, the search coordination center for children, was able to rescue, and rehabilitate or reunite 2,210 out of 2,729 children reported

1. The Office of the Prime Minister and Council of Ministers, http://www.opmcm.gov.np/
2. Study on Human Rights Defenders during the COVID-19 pandemic, Informal Sector Service Center (INSEC), Kathmandu, Nepal, 2077 (Unpublished)
3. Study on Human Rights Defenders during the COVID-19 pandemic, Informal Sector Service Center (INSEC), Kathmandu, Nepal, 2077 (Unpublished)
4. Annual Report 2076, NHRC, http://www.nhrcnepal.org/
5. Annual Report 2076, NHRC, http://www.nhrcnepal.org/
6. National Child Rights Council, https://www.ncrc.gov.np/

missing with their families.[7] Following monitoring, the government issued warnings to orphanages that had not met the government's standards and rescued 55 children and reunited 52 of the children with their families. Even though disrupted for three during the lockdown immunization and nutrition programs were gradually continued.

No major efforts were taken towards improving the situation child laborers and child labor. There were reports of children being put to work on difficult tasks on low wages and without insurance, as in previous years, as well as of child-marriage and forced marriages. Although 10,499 children victims of the conflict received state assistance, there still are a large number of children from marginalized families that have received no support whatsoever.[8]

The lockdown imposed from March 24 caused educational institutions to remain shut for about 10 months. Although the government claimed to continued education through remote or online learning, it was not effective. The government issued a directive to ease teaching-learning of students in 2020 [9]. Even though there seems to be an increase in concern for child rights, there is still need for further attention to ensure adequate resources, and to tackle issues such as child abuse, rape, child sexual violence, misbehavior, and kidnapping, children's homes, and for the rescue and rehabilitation of street children.

(D) Women's Rights

The Ministry of Women, Children, and Social Welfare, National Women Commission, the Women, Children, and Senior Citizens Directorate at the Nepal Police, carried out various activities for protecting and promoting women's rights. The National Women Commission, a constitutional body, remained without office bearers for a long period of time, until the Constitutional Council made the appointments. INSEC has documented violence against women during the lockdown. The government had made commitments to end all forms of violence against women in 2020 on different national and international platforms. But there were reports of dowry, forced marriages, child marriages, allegations of witchcraft, and acid attacks during the year[10]. There were efforts of local governments and the police to dismantle *Chhau-Goths* (menstrual huts) in the Sudarpaschim Province that led to the dismantling of 2,445 such structures[11]. However, it is impossible to end the long history of Chhaupadi in the region by merely dismantling the structures, and there were reports of new *Chhau-Goths* being built to replace those that had been pulled down.

The Government implemented the "President Women Empowerment Project Directive 2076" in 22 districts that were ranked low on the status of women rights.[12] Due to the COVID-19 pandemic, a large number of women were denied care during pregnancy and childbirth, leading to 38 deaths of pregnant women and new mothers, as reported by the National Human Rights Commission's (NHRC).[13]

(E) Rights of Senior Citizens

Although the rights of the senior citizens have been protected by the Constitution and other laws, the legal instruments remain to be fully implemented

7. The State of Children in Nepal Report 2077, NCRC, https://www.ncrc.gov.np/
8. The State of Children in Nepal Report 2077, NCRC, https://www.ncrc.gov.np/
9. The State of Children in Nepal Report 2077, NCRC, https://www.ncrc.gov.np/
10. https://cid.nepalpolice.gov.np/index.php/cid-wings/women-children-service-%20directorate
11. Study on Human Rights Defenders during the COVID-19 pandemic, Informal Sector Service Center (INSEC), Kathmandu, Nepal, 2077 (Unpublished)
12. http://www.mowcsc.gov.np/uploodgl
13. Annual Report 2076, National Human Rights Council

in practice. The government has welfare programs for senior citizens such as free healthcare for certain conditions, health insurance, and discounted rates for public transport. However, the implementation aspects of these schemes remain poor.

(F) Rights of the Disabled

People with disabilities make up about two percent of Nepal's population. Even though the Constitution, different laws and international instruments make it the responsibility of the state to protect the rights of differently-abled people, there has been no noticeable change in their situation. The government continued previous programs such as reservations in the national civil service, discounts on import duty, and quotas in the educational system this year as well.

(G) Rights against Discrimination

Although the Constitution has outlawed caste-based discrimination, it is still prevalent in society. In 2020, the government issued an ordinance changing membership of the Constitutional Council and appointed office bearers to various constitutional bodies, including the National Dalit Commission. However, both the changes in the Constitutional Council and the appointments became controversial.

The Dalit community still suffers from discrimination in employment, economic opportunities, and inclusion. Most cases of discrimination rarely reach the police and even when they do, they are resolved locally outside the judicial process. On May 23, 21-years-old Nawaraj B.K., from Jajarkot Disrict, Bheri Municipality-4 and 17 others were attacked and beaten by locals at Soti, Chaurjahari Municipality-8 when they had travelled there for accompanying, a 17-year-old bride from the town. The Dalits were chased to the banks of the Bheri River and attacked leading to the deaths of Nawaraj B.K., Tikaram Nepali (20, Rukum District, Chaurajahari Municipality-1), Sanju B.K. (21, Jajarkot District, Bheri Municipality-4), Govinda Shahi (17), Ganesh B.M. (19), and Lokendra Sunar, 19. Their bodies were recovered from the river on different dates. Further, several others – Madan Shahi 19, Sudip Khadka (19), Lalbahadur Khadka (17), Saroj Bhandel (17), Indrajung Shah (18), Dilli Sunar (21), Bibhag Pun (18), Govinda BK (15), Bhola BK (17), Saroj Khadka (17), Manish Karki 18, and Govinda Sunar, 17, – were injured in the clash.[14]

This incident provides critical insights on the prevalence of caste-based discrimination and untouchability in Nepal. Non-Dalits who marry into a Dalit family are reported to be boycotted during social or cultural gatherings and festivals. Often, they are expelled from their homes and villages, forcefully separated after the wedding, and even physically assaulted. Such incidents occur routinely and continue to handle informally and locally, outside the legal process.[15]

(H) Transitional Justice

There have been renewed concerns over the peace process itself, due to failure of the government in addressing of conflict-era grievances. There have been concerns that this could overshadow other legitimate accomplishments of the peace process. This has resulted from the inability of government and state agencies to prioritize justice delivery and reparations for victims of the armed conflict. There were no guarantees that the basic goals transitional justice – investigating human rights abuses during the armed conflict, ensuring such abuses do not occur again, identifying people responsible for violations and bringing them to jus-

14. http://inseconline.org/np/wp-content/uploads/2020/11/Rukum-Pashchim-Fact-%20finding-Report.pdf
15. Annual Report 2076, NHRC

tice, ensuring justice and reparations for victims, preserving peace, law and order, and building a national consensus – were like to be fulfilled. This raised led to concerns that the peace process may remain incomplete.

Both bodies established for ensuring transitional justice in 2014 have failed to perform to satisfactorily. The bodies formed for the first time had their tenure extended twice during which the collection of grievances had been prioritized. The government appointed office bearers of the commissions for a year amidst expectations that they would be appointed in accordance with the Supreme Court order, demands of conflict victims and their families, human rights organizations, and civil society. Their terms in office ended even before people could know that it had accomplished. Weapons and explosives left behind during the conflict period were discovered even this year at various locations. Four children lost their lives in Rolpa District while toying around with explosives that were lying around. This discovery of such explosives suggested that there was still need for building local awareness on the dangers of unexploded mines and other explosives.

(I) Rights of Prisoners

There have been several attempts and calls to secure the rights of the people in prison by different stakeholders. The major problem of Nepal's prison system is holding more inmates than what the prisons were built for. Further, the prisons have very basic facilities and many have not had time repairs over the years. Inmates said they have inadequate space to sleep, the toilet facilities are poor and have had to live in cramped spaces, with inadequate facilities for leisure and recreation. Some prisons had provisions of skills training and allowed inmates to engage in income generating activities. The prisons had very basic facilities and a large number of them had positions for health assistants at the jails vacant. Even though are provisions in law to allow reducing the time prisoners spend in prison and for elderly inmates, INSEC has recorded many senior citizens still spending time in custody. After the COVID-19 outbreak, the Supreme Court directed the Government of Nepal to release some inmates after which the 385 prisoners were released, including, 165 inmates from various jails and 217 from juvenile facilities.[16]

(J) Dissolution of Parliament and Interim Ordinance

In December the Prime Minister dissolved parliament and announced fresh elections in April-May 2021 to be held in two phases. The opposition within the prime minister's own Nepal Communist Party (NCP) as well as other parties and civil society have criticized the move as an assault on the Constitution as well as Nepal federated democratic structure. The Prime Minister's decision attracted 14 petitions at the Supreme Court demanding restoration of parliament and declaration of the government's move as unconstitutional. The Supreme Court was reviewing the petitions when this report was prepared. Even though the government controlled a parliamentary majority, the government opted to issue an ordinance to alter the participation members in the Constitutional Council's meeting to recommend appointments to constitutional bodies. It then recommended the appointments, including commissioners at the National Human Rights Commission, which were disputed. The amendment to the Constitutional Council Act via ordinance, and the dissolution of Parliament immediately after the ordinance was issued raised questions over accountability of the Executive and the disregard

16. Initial Report of the situation of Human Rights during the COVID-19 Lockdown, NHRC, 2077 (pp. 24-25)

of the legislature's role of restraining the government, also because no parliamentary hearings were held after the recommendations for the appointments were announced. The Supreme Court was also reviewing writs challenging the legitimacy of the ordinances to amend the membership and decision-making processes at the Constitutional Council.

(K) Human Rights National Framework

The government has prepared the 5-year-long "Fifth National Human Rights Action Plan 2020/21 to 2023/24" in 2020 that will guide the implementation of the Constitutional provisions and those in other laws[17]. This framework aims at improving the situation of human rights in Nepal and has been viewed positively. This framework encompasses 20 different sectors related to human rights, including education, healthcare, human resource development, child rights, minority rights, empowerment principles, human rights awareness, employment, prison reform, transitional justice, institutional strengthening, among others and also indicates the programs that would be undertaken towards improving the human rights situation. Also, as part of the framework, the government has committed itself to meeting the Sustainable Development Goals (2015-2030) in areas of ending hunger, providing food for all, ending gender disparity, providing safe water and sanitation, providing safe housing, and for facilitating equal access to justice. This was another positive step in the right direction.

(L) Right to Health

The government has issued its National Health Strategy 2019 for implementing the National Health Policy in 2018.[18] It has also continued initiatives to support healthcare of people with cancer, Alzheimer's, and kidney diseases; and also nutrition awareness, as part of its efforts to reduce maternal and infant mortality. The government campaigns on Vitamin A and inoculation against polio have also continued.[19]

The government announced several policies to deal with public health and the COVID-19 pandemic. It presented the "Safe Maternity and Pregnancy Health Right Regulations 2020" and the Public Health Service Regulations 2020 for approval to the Council of Ministers[20]. It also issued the Directive for Isolation 2020[21] of COVID-19 patients and for other businesses.

There were took decisions to provide free treatment and medication for victims of acid attacks and have a dedicate hospital to care for people for acid attacks[22]. It also decided to support people required to be under regular medication and to cover the costs of treatment of victims of natural disasters.[23]

(M) Rights to Food

The right to food security and the right against hunger are basic human rights. The right to food and food security also means ensuring the right to production, distribution, storage, and guaranteeing the of quality produce. The right to food security also encompasses the right to access to food and the access to quality food. According to the International

17. Office of the Prime Minister and Council of Ministers
18. Ministry of Health and Population, http://www.mohp.gov.np/
19. Ministry of Health and Population, http://www.mohp.gov.np/
20. http://www.opmcm.gov.np/dchmexd/2077
21. http://www.opmcm.gov.np/dchmexd/2077
22. Ministry of Health and Population, http://www.mohp.gov.np/
23. www.opmcm.gov.np/dchmexd/2077

Food Policy Research Institute (IFRI), the consumption of less than 1800 calories is a situation of hunger[24]. Nepal ranked 73 out of 117 countries in a global study on hunger. The study had divided hunger into five categories: minimal, average, serious, dangerous, and extremely dangerous. Nepal had scored 20.8 and fell in the range of 20 to 34.9 that was defined as "serious"[25]. The problem of hunger was more acute in the Karnali Province and other high-altitude areas compared to other parts of Nepal. This year farmers had to face shortages of chemical fertilizers required for agriculture which resulted in lower produce, increasing the risk of food shortages and insecurity[26].

The Ministry of Land Management, Cooperatives and Poverty Alleviation issued a directive allowing fragmentation of land into small commercial plots, which has exacerbated fears of farmer groups and civil society about the impending destruction of agricultural land and related impacts[27]. The Farmer Grant Program Mechanism 2020, the Minimal Support Price for Paddy Scheme Directive 2020, the market promotion mechanism 2020, food and nutrition security booklet 2020, and fertilizer grant distribution management directive 2020[28] were issued in 2020 enhance food production, storage and distribution. As with previous years, sugarcane farmers demanded their payments from sugar mills and organized protests in Kathmandu. Although the government came to an agreement with the sugarcane farmers, there was little change on the status of the payments at the end of the year. The farmers were unable to secure support prices for produce, which was not only an infringement of their rights, but also a violation of their right to food security.

(N) National Human Rights Commission

This year 135 reports of human rights infringements and abuses were registered at the National Human Rights Commission (NHRC). The commission also continued investigations on 795 previously reported incidents. Out of those investigated incidents, the commission provided recommendations to the government on 131 cases.[29]

Although the recommendations made by constitutional bodies are expected to be mandatorily taken up by the government, the implementation of such decisions by government agencies was weak. Even though a committee was formed with representation from the Office of the Prime Minister and Council of Ministers, the Attorney General's Office and the NHRC, transfer of government representatives assigned to the committee rendered it rendered meaningless[30]. There were no significant developments on recommendations made by NHRC in previous years as well. There are significant hurdles ahead for the Commission, as the actions undertaken by it have been undermined by the very agencies responsible for taking corrective actions. In 2020 NHRC listed 288 individuals as Human Rights Abusers based on its investigations, but even this assertion did not trigger any legal action against the accused.[31]

24. International Food Policy Research Institute, IFPRI, https://www.ifpri.org/
25. International Food Policy Research Institute, IFPRI, https://www.ifpri.org/
26. Press Conference relating to fertile land, http://www.finnepal.org/2020
27. Statement on Plotting of Agricultural Land, www.fiannopw.crg/2020
28. Nepal's Agriculture and Food and Nutrition Security, Bishnu Hari Devkota and Dr. Haribahadur KC, Food and Nutrition Booklet, Food Security and Technology, Ministry of Agriculture and Livestock Development
29. Annual Report 2076, NHRC, http://www.nhrcnepal.org/
30. Annual Report 2076, NHRC, http://www.nhrcnepal.org/
31. Annual Report 2076, NHRC, http://www.nhrcnepal.org/

Nepal's Participations in International Mechanisms

Nepal is a signatory in over 24 major international treaties and conventions on human rights, including seven of the nine main human rights agreements. This year, the Nepal ratified the United Nations Palermo Protocol of 2000 that seeks to stop human trafficking, particularly women and children by bringing those involved to justice.

Nepal has placed reported to different UN agencies on the status of implementation of international treaties. This year the Nepal delegation submitted its Universal Periodic Review (UPR) to the UPR secretariat. The national report had reported status of implementation of suggestions Nepal had received in the second phase of the UPR. Nepal had responded meaningfully to questions posed by the rapporteur and other special groups. The government also extended an invitation to the rapporteur to visit Nepal to examine issues like food security, extreme poverty, and other human rights. Nepal has also being playing an important role on the promotion and protection of human rights as member of the Human Rights Council.

Conclusions

The ongoing political tussles within the ruling CPN obstructed efficient implementation of several government directives and policies. The infighting in the CPN was also a reason for the sudden halt to the budget session of Parliament, which prevented the enactment of various bills that under consideration, including the bills on the Citizenship Act, National Human Rights Commission Act, Media Council Act, and other human rights-related acts.

Further, the provincial governments also raised objections over what they viewed as the central government's reluctance to allow them to exercise powers in their jurisdiction and to share resources equitably between different tiers of government. Similarly, there was little progress towards developing policies and regulations for ensuring the implementation of laws drafted to operationalize the fundamental rights listed in the Constitution and other laws. This led to difficulties in the implementation of fundamental rights provided by the Constitution.

The government issued several directives to curb the spread of COVID-19, like restrictions on travel, business, and employment. These measures were taken to deal with the global COVID-19 pandemic. Although the pandemic was under control initially, the loosening of restrictions midway caused infections to increase again. The infections resulted in deaths of about 2000 people, and many died at home due to their inability to access healthcare facilities. The access to healthcare facilities was caused by hospitals refusing to admit COVID-19 patients, and high costs of treatment at private institutions. The citizens suffered because of the inability of the government to enforce preventive measures. The right of citizens to receive treatment during pandemics and for highly contagious diseases free of cost in the Constitution was violated repeatedly. The government also either failed in its task of oversight over private hospitals that charged high costs for COVID-19 treatment, or did not want to monitor them even though the issue was repeatedly pointed out by both media and civil society.

Floods and other natural disasters caused the deaths of 300 people in 2020. There were reports of the government being unable to provide safe housing for victims of natural disasters, and unsatisfactory rescue efforts, rehabilitation, and healthcare. Although educational institutions like public and private schools, colleges, and universities that were shut due to the lockdown requirements had started reopening at end-2020, the right to education of a large number of students were violated in 2020. The government had not proposed a plan or policy to address the massive damages caused

on the education sector by the pandemic. Further, violence against women has continued. The government dismantled 300 *Chhau-Goths* in an attempt to root out a deep-rooted problem faced by women in some parts of Nepal. However, this initiative could not gain much success due to the lack of efforts to spread awareness on the harms of the social practice. Many of the *Chhau-Goths* were reportedly rebuilt after they were dismantled. There have been concerns about the exercise of fundamental rights as well, including the prevalence of caste-based discrimination, the inability of citizens to access healthcare, labor discrimination on migrant workers, unsafe work conditions, and high worker death rates. Similarly, the state has largely failed to effectively protect the rights of Dalits, Janajatis, the persons with disability, women, minorities, and the elderly.

Finally, transitional justice remains to become a government priority. The issue of transitional justice has been raised by civil society groups and victims of conflict for over 14 years, but there has been no substantial progress towards bringing those responsible for serious human rights violations to justice and on providing reparations to the victims.

Chapter 2

2.3 State and Human Rights

Legislature

Photo: Bimal Chandra Sharma

Parliament is an important institution for exercising the sovereignty of the people. It has important policy and lawmaking functions. The Constitution states that no tax will be levied without the approval of the people's representatives. Any form of taxation has to be first presented in the parliament for approval. The House of Representatives consists of 275 representatives elected through two different processes. Nepal has 165 constituencies based on population and geographical suitability and uniqueness, with one person from each constituency elected on the basis of the first-past-the-post (FPTP) system. The parliament has 275 members, including 110 members elected through the Proportional Representation system.[1]

The legislature is expected to play an important role in protecting and promoting the fundamental rights enshrined in the Constitution. As the supreme policy-making body, the laws developed by the legislature determine the status of human rights. The role of the parliament in preventing human rights violations by the government and various other bodies, by debating such issues and alerting the government, assist the implementation of the constitutional rights. The legislature has authority to protect and promote human rights of people by enacting laws, debating issues of public concern, passing no-confidence motions against heads of government who violate human rights, impeaching the head of state, building pressure through parliamentary obstructions and using the zero hour to raise human rights concerns. The lawmakers also held human rights violating bodies accountable to parliament through a special resolutions. The Members of Parliament also raised concerns about the human rights violation of people with COVID-19 infections, delays in rescue and rehabilitation of victims of natural disasters, actions of law enforcement agencies, and corruption.[2]

The legislature can also play an important role in protecting and promoting human rights by ensuring compliance to various human rights treaties, conventions, agreements and international standards approved/ ratified by the state, and by drafting national laws based on these standards and international law. The Law, Justice and Human Rights Committee, is the parliamentary committee that has a leading role in this process.

In the begining of 2020 the lower house of parliament had a vacant position of Speaker. Concerns were expressed nationally and internationally about the election of Agni Prasad Sapkota, as Speaker, a candidate of the ruling Communist Party of Nepal (CPN). Sapkota faces accusations in the enforced disappearance and subsequent murder of Arjun Lama of Kavre.[3] A case filed by Lama's wife, Purnimaya Lama, is still under consideration at the Supreme Court, while the police had listed Sapkota as being at large. His appointment as the Speaker of the House was therefore seen as a move against Nepal's national and international commitments to human rights principles and standards. INSEC issued a press release on January 20, 2020, stating that it was a matter of national shame to have people accused in serious crimes repeatedly being given responsibility in the state instead of being investigated, despite court orders and concerns raised by victims and human rights activists.[4] The statement said that such decisions of

1. https://hr.parliament.gov.np/np/house-of-representative-nepal
2. https://hr.parliament.gov.np/np/house-of-representative-nepal
3. http://www.insec.org.np/victim/candidate_details_user.php?MFID=14855
4. http://inseconline.org/np/press/%e0%a4%95%e0%a4%be%e0%a4%a8%e0%a5%81%e0%a4%a8%e0%a5%80-%e0%a4%b6%e0%a4%be%e0%a4%b8%e0%a4%a8%e0%a4%95%e0%a5%8b-%e0%a4%b8%e0%a4%ae%e0%a5%8d%e0%a4%ae%e0%a4%be%e0%a4%a8-%e0%a4%97%e0%a4%b0/

political parties were against the existing legal system and the rule of law. It added that the appointment at a time when world was carefully watching progress in transitional justice and that the action contradicted and made a mockery of Nepal's international commitments, and commitment to human rights. INSEC had even appealed the CPN to review the decision to nominate Sapkota as candidate for the position.

After the resignation of Krishna Bahadur Mahara in 2019, the Deputy Speaker had continued the work of parliament until early 2020. The post of Deputy Speaker, which was vacant after the election of the Speaker, remained vacant throughout the year. The Constitution requires the Speaker and the Deputy Speaker to be of different gender and political parties. However, no attempt was made to select a Deputy Speaker in 2020, which the opposition had been demanding throughout.

The Secretariat of the Federal Parliament issued a notice on July 11, 2020 and announced that the position of Socialist Party MP Sarita Giri had been vacated. Giri was relieved of her position after the Parliament Secretariat informed the Speaker about the letter received from the Socialist Party that had expelled her from the party. As per Article 89 of the Constitution, she was subsequently expelled from the parliament. The Socialist Party decided to expel Giri after she went against the party whip in a vote on the proposed amendment to the Constitution to include Nepal's new map in the national emblem (stamp).[5]

This year the federal parliament was not productive in many ways. The activities of the parliament on issues relating to livelihoods, which should have been actively executed, were halted on various pretexts. In December the parliament was dissolved by the Prime Minister three years into its five-year tenure. It was dissolved by President Bidhyadevi Bhandari at the recommendation of Prime Minister KP Oli on December 20, 2020, and fresh elections were announced for April-May 2021.[6] The issue of dissolution raised several constitutional questions that was being reviewed by the Supreme Court at the end of the year. The debate is about whether or not the Prime Minister had authority to dissolve the parliament as per the provisions of the Constitution. The parliament that ended on July 2, 2020, was dissolved before it could resume. As it is constitutionally mandatory to convene sessions within six months, the President convened a session of the National Assembly on January 1, 2021 on the recommendation of the government.[7]

Nepal's constitution envisages two chambers in the federal parliament – the National Assembly and House of Representatives. The absence of the House of Representatives also affected the functioning of the National Assembly. In the absence of the House of Representatives, the bills registered and passed in the National Assembly can't become law.

Parliamentary Sessions

In 2020, the parliament had two short sessions. As the winter session is also the bills' session, there were more

5. https://ekantipur.com/news/2020/07/09/15942872307138079.html
6. https://president.gov.np/%e0%a4%b5%e0%a4%bf%e0%a4%9c%e0%a5%8d%e0%a4%9e%e0%a4%aa%e0%a5%8d%e0%a4%a4%e0%a4%bf-9/https://president.gov.np/%e0%a4%b5%e0%a4%bf%e0%a4%9c%e0%a5%8d%e0%a4%9e%e0%a4%aa%e0%a5%8d%e0%a4%a4%e0%a4%bf-9/
7. https://president.gov.np/%e0%a4%b8%e0%a4%ae%e0%a5%8d%e0%a4%ae%e0%a4%be%e0%a4%a8%e0%a4%a8%e0%a5%80%e0%a4%af-%e0%a4%b0%e0%a4%be%e0%a4%b7%e0%a5%8d%e0%a4%9f%e0%a5%8d%e0%a4%b0%e0%a4%aa%e0%a4%a4%e0%a4%bf-%e0%a4%b6%e0%a5%8d-111/

than 50 bills registered for law making. However, the winter session ended in March due to a nationwide lockdown to control the COVID-19 pandemic. Similarly, the budget session passed only bills on budget and expenditure. Immediately after the end of the winter session, the government issued an ordinance on the division of political parties and the Constitutional Council that became controversial even within the ruling CPN. However, following widespread protests, the government had withdrawn the ordinances.

When the country was plagued by the corona virus pandemic, various issues of public importance entered the parliament's zero hour, which through various resolutions helped to the government towards addressing the matters of public interest. However, it too did not stay in session for long. The parliament is the most important platform for people's representatives to influence public policy, the decisions to be taken by the government, and make urgent legal arrangements to address issues related to the livelihood of citizens. Even the opposition parties had largely ignored their role parliament that being neglected by the government.[8] Some also said the opposition's inactions were a reflection of its weak presence in the house.[9] On the recommendation of government, President Bidhya Devi Bhandari adjourned the budget session of the parliament that was underway at the start of the COVID-19 pandemic in Nepal. This decision of government had resulted in widespread criticism, because of the business that was outstanding.[10]

Constitution Amendment

The House of Representatives passed the 'Constitution of Nepal (Second Amendment) Bill, 2077', which included an updated map of Nepal, by more than two-thirds of the votes. The meeting of the House of Representatives on June 13, 2020, approved a historic government proposal on the map of Nepal that included Limpiyadhura – Nepali territory encroached by India. The vote for the amendment of the Constitution, had 258 votes in favor and none against. Speaker Agni Sapkota had announced that the amendment bill was passed by more than two-thirds of the votes in the 275-member parliament. A two-thirds majority of the total number of members is required to approve amendment to the Constitution. The Government of Nepal had released a new political map of Nepal on May 20, including the Limpiyadhura, Kalapani Lipulek areas.[11]

The Secretariat of the Federal Parliament issued a notice on July 9, 2020 announcing the vacation of the seat held by the Janata Samajwadi Party MP, Sarita Giri. She was relieved of her seat after her party informed the Secretariat of her expulsion from the party by Bharat Raj Gautam, its general secretary. The Socialist Party had decided to expel Giri for going against the party whip in the constitution amendment vote.

Delays in Lawmaking

The most important constitutional responsibility of the parliament is to enact laws. It is very important to make and amend laws for the conduct of state. However, Parliament was not able to discharge this constitutional obligation satisfactorily. Consensus was not reached on the Citizenship Act Amendment Bill within the committees of the House of Representatives. Many bills were stalled due to political tensions, and infighting in the ruling CPN that led to the dissolution

8. Sarakarko-upechhyam-chhandaithiyo-samsad-aba-bipachhiko-pani-bewastama-himalkhabar.com
9. https://nagariknews.nagariknetwork.com/politics/177011-1556092860.html?click_from=category
10. https://ratopati.com/story/136906/2020/7/2/sansad-ended-
11. https://ratopati.com/story/134284

of parliament. Five bills with reports had been tabled in the House of Representatives after being passed by the parliamentary committees. The dissolution also stalled discussions on five non-governmental bills that had been registered. As result, the National Security Council Bill, Peace and Security Bill, Bill on Accelerated Construction and Development of National Priority Projects; Insurance Bill; Federal Civil Service Bill; Public Service Commission Bill; Nepal Citizenship First Amendment Bill; Bill on Information and Technology, and the Bill on Senior Citizens, remained unapproved.[12]

The dissolution also made the Export-Import Regulation Bill, Military Act (First Amendment) Bill, Public Procurement (Third Amendment) Bill, Competition Promotion and Market Protection Bill presented in the House of Representatives inactive. Likewise, Nepal Media Council Bill, Kathmandu Valley Public Transport Bill, Nepal Special Services Bill, Policy Research Institute Bill, Plant Protection Bill, Seed (Second Amendment) Bill that were tabled in the House of Representatives through National Assembly were also not passed.[13] Five non-government bills under consideration in the House of Representatives were also included in the list of inactive bills.[14]

Zero Hour and Special Time of Parliament

In parliamentary practice, zero hour and special time are considered as a forum for raising important issues, also from the point of view of human rights. In zero hour and special time, MPs debate issues of public importance and public interest, and also draw government attention to the concerns. As per the rules of the House of Representatives, the concerned minister is required to respond to the queries raised by the parliamentarians during zero hour and special time within five days. Section 15 (1) of the Rules states, "The Speaker may, considering the workload of the House, set zero hour and special time for the presentation of current issues." Accordingly, Article 15 (2), "As per the Sub-rule (1), concerned ministers will have to provide the answers to the issues raised in the zero hour and special time to the House through the Speaker within five days." However, a number of questions raised by the MPs never get answered.[15]

As in the previous years, the lawmakers drew the attention of the government on various issues through the zero hour and special time. These included concerns over the provision of health rights and treatment to those affected by the COVID-19 pandemic, motion to draw attention of the government on the issue of people who were unable to return home, and those who had to walk all the way to their home districts due to the lockdown, a motion about questions asked to the concerned minister, a motion on issues of urgent public importance, among others.

Activities of the Parliamentary Committees

This year too, as in previous years, various committees of the parliament remained active in addressing the irregularities and matters of public importance in various sectors including human rights and contemporary issues. The committees played a positive role in investigating the incidents of human rights violations, seeking information about such incidents (from the Office of the Prime Minister and Council of Ministers and officials), and giving necessary instructions to the government agencies.

12. Executive-Nepal Human Rights Year Book 2020
13. https://www.onlinekhabar.com/2020/12/914160
14. https://www.onlinekhabar.com/2020/12/914160
15. https://www.nayapatrikadaily.com/news-details/38331/2020-03-10

SN	Committee No.	House of Representatives	Remarks
1	1	Finance Committee	
2	2	International Relations Committee	
3	3	Industry, Commerce, Labour and Consumer Welfare Committee	
4	4	Committee on Law, Justice and Human Rights	
5	5	Education and Health Committee	
6	6	Public Accounts Committee	
7	7	Agriculture, Cooperatives and Natural Resources Committee	
8	8	Women and Social Committee	
9	9	State Affairs and Good Governance Committee	
10	10	Development and Technology Committee	
National Assembly			
11	1	Sustainable Development and Good Governance Committee	
12	2	Legislative Management Committee	
13	3	Delegated Management and Government Assurance Committee	
Joint Committee			
14	1	Implementation Committee of Directive Principles, Policies and Responsibilities of the State	
15	2	Monitoring and Evaluation Committee	

A Parliamentary Special Investigation Committee was formed on June 5, 2020 to investigate the Soti incident in Chaurjahari Municipality of Rukum West, where a number of Dalits had been killed in a clash. A nine-member special parliamentary committee was formed under the leadership of MP Devendra Poudel. Members of the committee were MPs Ekwal Miya, Durga Poudel, Parvati Kumari Bishunke, Prakash Rasaili, Bimala BK, Maheshwar Jung Gahatraj, Min Bahadur Bishwakarma and Ram Sahaya Prasad Yadav. The committee completed its investigation and submitted its report within the stipulated 30 days time. Six people, including Nawaraj BK, who had come from Jajarkot to pick up a 17-year-old "upper caste" girl for marriage from Soti village, were "killed" on May 23, 2020. The victims claimed that the group of youth was beaten up by the villagers and thrown them in the Bheri River. Some of the youths who gone there with Nawaraj managed to save their lives by jumping in the river. The committee submitted its investigation report to the Speaker on July 14, 2020,[16] and the report was forwarded to the government on July 23, 2020 for necessary action.

The Committee on Law, Justice and Human Rights of the House of Representatives objected the decision of the Government of Nepal on September 27, 2020[17] not to provide free treatment to people infected by the corona virus. The Ministry of Health had made the decision public, saying that the cost of treatment should be borne by the patient and the family should manage the body of the per-

16. https://deshsanchar.com/2020/10/20/429501/
17. https://www.bbc.com/nepali/news-54597721

son who died in home isolation. The committee reminded the government of Article 35 of the Constitution that guarantees citizens free basic health care from the state, no one could be deprived of emergency health care and every citizen had equal access to health care.[18]

Parliamentary Committee on Industry, Commerce, Labour and Consumer Welfare directed the government to make arrangements for the payment of the remaining amount due to the sugarcane farmers within a week. The committee meeting also directed the Ministry of Labor, Employment and Social Security to submit a report to the committee within 15 days after monitoring and taking action on the non-receipt of wages by workers across the country.[19]

Contrary to the directives given by the State Affairs and Good Governance Committee of the House of Representatives, the Council of Ministers decided to promote Bishwaraj Pokhrel to the post of Additional Inspector General of Nepal Police. In the parliamentary system, the government implements the instructions given by the parliamentary committee. Committee chairperson Shashi Shrestha had instructed the government not fulfill the position that had been created in the police contrary to the federal structure provided by the Constitution.[20] The committee said, "Contrary to the federal structure provided by the Constitution, the provision in the ordinance to separate the three districts of the Kathmandu Valley from Bagmati Pradesh, and the post of Additional Inspector General of Police from the concerned ministry, is not included in the report and proposal of management survey." The committee had instructed the Government of Nepal, the Ministry of Home Affairs and the Police Headquarters not to implement the appointment to the position as the issue of creating it was against the Constitution, law, rules and procedures.[21]

Similarly, the Parliamentary Committee on Industry, Commerce, Labor and Consumer Welfare directed the government to send domestic workers for foreign employment only on seven different conditions. The first condition was putting in place a separate and concrete legal provisions regarding the services, conditions and facilities of domestic workers in the country that wanted to take domestic workers from Nepal.[22] The second condition was that the labor agreement should ensure basic labor rights of the workers (wages, leave, social security, occupational safety and health, working hours, insurance, additional work facilities). Likewise, the third condition required setting up a strong and effective resolving problems faced by the workers, and the fourth was to ensure that those headed to work domestic workers were trained, could communicate in the language of the host country, and had acquired basic knowledge of traditions, culture and customs there.

As a fifth condition, the committee sought to ensure equal treatment for the same work between the workers of the host countries, and Nepali workers.[23] The sixth condition was the need for legal provisions to take action against the sponsor, employer or family member who committed physical, mental and/ or sexual violence against the domestic worker. Another condition was the requirement to allow the domestic easy access to his/ her family and embassy of Nepal in the country. In 2015, the then Committee on International Relations and Labor of the Parliament had directed the government

18. https://deshsanchar.com/2020/10/20/429501/
19. https://www.onlinekhabar.com/2020/12/914160
20. Samsadiya-samitiko-nirdesan-24-ghanta-nabitdai-awagya (baahrakhari.com)
21. https://www.onlinekhabar.com/2020/12/914160
22. https://baahrakhari.com/feed-detail.php?nid=300767
23. https://baahrakhari.com/feed-detail.php?nid=300767

to stop sending domestic workers for foreign employment until a concrete law was enacted.

Nepal has been sending domestic workers only to Jordan, which has an agreement for such workers. The parliamentary committee has instructed the government to amend its existing directive of seven years, and start sending domestic workers only after complying to the terms and conditions above.

A sub-committee set up by the Education and Health Committee of the House of Representatives to monitor government's work in COVID-19 control concluded that the government had performed weakly in terms of conducting PCR tests and managing food for PCR-positive patients. The sub-committee formed under MP Jeevan Ram Shrestha of the ruling party had suggested 17-points for improving upon the weaknesses. The committee said corona-infected people were forced to stay home due to delays in the implementation of the decision taken by the Council of Ministers to create an integrated isolation facility in Kathmandu Valley. The subcommittee found that the PCR reports were delayed, labs across the country lacked integrated coordination for immediate reporting, the government did not even provide the isolation facilities a menu of what to feed the infected, and quarantine facilities were provided with very little money for food. It added that the government had not provided risk allowance to doctors and health workers involved in the treatment of infected people and also pointed to the government's failures to manage skilled human resource in ICU and ventilator wards at the designated hospitals.

A virtual meeting of the State Affairs and Good Governance Committee on August 30 directed the Ministry of Home Affairs to conduct PCR tests of all inmates at the prisons. Committee Chairperson Shashi Shrestha said that the committee had instructed the government to remain vigilant on the issue of serious humanitarian concerns at the times of crisis as the inmates were not allowed to go out. [24]

The Women and Social Affairs Committee directed the government to control and manage the sales and distribution of acid, and to amend the penalties for perpetrators. Concluding that incidents of acid attack had not stopped, on August 3, the committee directed the government to regulate the sale and distribution of acid[25] and directed the Ministry of Home Affairs to make it mandatory to document the details of those who purchased acids. The committee also asked the government to immediately make amendments to the existing law to accommodate its recommendations.[26] The committee also directed the Office of the Council of Ministers, Ministry of Home Affairs, Ministry of Women and Children and Senior Citizens to provide legal assistance and psycho-social counseling to address the physical, mental and emotional trauma of victims of acid attacks. The committee had a discussion with the secretary of the National Women Commission, officials of the Ministry of Home Affairs, Ministry of Women, Children and Senior Citizens and the victims of the acid attack on July 4.

The parliamentary committee also drew the attention of the government to immediately start preparation to bring back the citizens who had been stranded in different areas, and had lost jobs due to COVID-19. A meeting of the Law, Justice and Human Rights Committee on May 5 instructed the government to start prepa-

24. www.inseconline.org
25. http://inseconline.org/np/news/%e0%a4%8f%e0%a4%b8%e0%a4%bf%e0%a4%a1-%e0%a4%ac%e0%a4%bf%e0%a4%95%e0%a5%8d%e0%a4%b0%e0%a5%80-%e0%a4%b5%e0%a4%bf%e0%a4%a4%e0%a4%b0%e0%a4%a3%e0%a4%b2%e0%a4%be%e0%a4%88-%e0%a4%a8%e0%a4%bf%e0%a4%af/
26. www.inseconline.org

rations immediately for the same. It also drew the attention of the government to prepare for the rescue of the citizens who had gone to India for employment and were facing trouble returning home, and the need for preparing a long-term plan for supporting citizens living abroad.

Similarly, the committee also drew the attention of the Ministry of Health and Population to arrange COVID-19 treatment in private hospitals as well. But said private hospitals without enough facilities for COVID-19 treatment should not be compelled to do the same.

Parliamentary Hearing Committee

Parliamentary hearings are parts of the democratic process to make the executive accountable to the legislature by testing the competence, ability and sincerity of people proposed for appointment by the executive to positions of public importance. Article 292 (1) of the Constitution provides that parliamentary hearings shall be held in accordance with federal law before the appointment of the Chief Justice, judges of the Supreme Court, members of the Judicial Council, heads or office bearers of constitutional bodies and ambassadors to be appointed on the recommendation of the Constitutional Council. Clause (2) of the said article provides for the formation of a 15-member joint committee for the purpose of clause (1), consisting of members of both the chambers of the federal parliament.[27]

Similarly, clause (3) of the same section, requires barring of members of the joint committee from appearing before the Supreme Court to advocate during their tenure as members of the federal parliament. The parliamentary hearing system that has been in practice in Nepal in the recent years has made a positive contributions to the protection and promotion of human rights. It is believed that the constitutional practice of presenting the persons concerned at the parliamentary hearings before appointment to constitutional bodies, including the National Human Rights Commission, will make the incumbents accountable to the people and will hesitate before committing human rights violators from their positions. In 2020 Mahendra Bahadur Pandey was appointed as the ambassador to People's Republic of China, and non-resident ambassador to the Democratic People's Republic of Korea and Mongolia. The hearing committee also approved the names of Yuvaraj Khatiwada as ambassador to the United States, Lokdarshan Regmi as ambassador to the United Kingdom, and Nirmal Kumar Bishwakarma as ambassador to South Africa.

MP Development Fund

The government continued with this infrastructure development partnership program at the local level despite protests against the free-hand to MPs to fund projects. The government allocated NRs. 6.60 billion for the program, that each elected MP can disburse (NRs. 40 million per MP). Just like the federal government, the provincial governments have also begun allocating money for state assembly members to spend. However, the Rs. 6.60 billion allocated for the program is not regulated by law. The main opposition party in parliament, the Nepali Congress, demanded that the government should close down the program.[28] However, it did not say that Nepali Congress MPs would not accept the money. There was a demand that the allocated budget should be spent on controlling the COVID-19 pandemic as development works were hampered due to the pandemic.[29] The allegations that the money of the Parliamentary Development Fund was misused, spent for the benefit

27. https://hr.parliament.gov.np/np/#
28. www.ekagja.com
29. https://www.onlinekhabar.com/2020/04/854557

of party cadres and had not contributed much to the livelihood of the people remained unaddressed.

Ordinances

Amid internal tensions within the ruling party, the government ended the parliamentary session on July 2, 2020 and issued several ordinances. The government withdrew its ordinance on the Constitutional Council on April 20, 2020, following widespread criticisms and protest after it had been issued. President Bidhya Devi Bhandari issued three ordinances on June 26, 2020. These included the Acid and Other Hazardous Chemicals (Regulation) Ordinance 2020, Criminal Offenses and Criminal Procedure Amendment Ordinance 2020, Nepal Police and State Police (Operation, Supervision and Coordination) (First Amendment) Ordinance 2020.[30]

The Acid and Other Hazardous Chemicals (Regulation) Ordinance 2077 BS prepared to take strict action against those making such attacks. It was issued on September 28. The Ordinance requires official permission to sell and distribute acid. Similarly, the ordinance amended the Acts on Criminal Offenses and Criminal Procedure, to provide harsher punishment for acid attackers compared to the past. Now, acid attack on the face is punishable by up to 20 years in prison. Victims will also receive NRs. 1 million as compensation from the perpetrator's property. Likewise, sales and distribution of acid will now require official permission from the District Administration Office (DAO). After the ordinance was issued, Muskan Khatun, a victim of acid attack from Parsa district, said that the law brought by the government has raised hopes that victims like her would get justice and that such heinous attacks would be controlled.[31]

After the dissolution of the parliament on December 20, 2020 the government reissued the ordinance on the Constitutional Council and appointed 45 people to the long-vacant positions at various Constitutional commissions. A writ has been filed at the Supreme Court challenging the legitimacy of the decision. There is a constitutional provision that requires parliamentary hearing to be held within 45 days of the appointments to the Constitutional bodies. In the absence of a parliament, no such hearing had been done at the time this report was prepared.

Some Notable Bills Passed by Provincial Legislatures

Article 175 of the Constitution of Nepal provides for a provincial legislature. As per the Constitution, the legislatures of provincial are unicameral, and are known as provincial assemblies. The Bagmati Province passed the Bills related to Appropriation, Finance, and Vehicle and Transport this year. Similarly, the Far-Western Province passed 16 Acts and 25 Bills. The Acts and Bills have been approved by the Far-Western Provincial head Sharmila Pant. The Lumbini Provincial Assembly, likewise, passed 58 bills in a period of three months. All the bills passed by the provincial assembly have been verified/ approved.

Conclusion

The work of parliament was not effective owing to different circumstantial factors and tensions within the ruling party. The issues raised in the parliament were neither given importance

30 https://ekagaj.com/article/editorial/1568

31. http://inseconline.org/np/news/%e0%a4%a4%e0%a5%87%e0%a4%9c%e0%a4%be%e0%a4%ac-%e0%a4%a4%e0%a4%a5%e0%a4%be-%e0%a4%85%e0%a4%a8%e0%a5%8d%e0%a4%af-%e0%a4%98%e0%a4%be%e0%a4%a4%e0%a4%95-%e0%a4%b0%e0%a4%be%e0%a4%b8%e0%a4%be%e0%a4%af/

they demanded nor were they addressed. Instead, the act avoiding parliamentary scrutiny and issuing ordinance was preferred by the government. A number of bills that had been under consideration for a long time still remained unresolved. There was no discussion in the parliament on the bill related to the National Human Rights Commission and the bill on the Media Council that had triggered widespread protests. Issues such as low turnout of MPs in the parliament, the Parliamentary Development Fund, and long-standing obstructions of sessions continued this year as well. The legitimacy of the directives and decisions made by the parliamentary committees was put into question as concerned bodies of government that neglected the directives. Parliamentary activities took place without a deputy speaker throughout the year.

The parliament that had been elected for a five-year term was dissolved in just three years on December 20, 2020. A video of a speech of the Chairman of the Constituent Assembly, Subash Chandra Nemwang, stating that the age of the parliament was set at five years in the Constitution of Nepal so that the mistakes of the past were not repeated, had become public. A number of political parties and civil society said the dissolution of the parliament was equivalent to a constitutional coup. Supporters of the Prime Minister's move argued that the dissolution was the exercise of the prerogative of the chief executive. There was a difference of opinion in the opposition Nepali Congress as to whether or not to speak out on a matter that was under consideration at the Court. Although the issue of dissolution of parliament and fresh public mandate are common in parliamentary democracies, in Nepal people have been fed up with long-standing political instability that such moves have led to in the past. That was why, according to the former chair of the Constituent Assembly, the assembly had made adequate provisions to ensure that the parliament remained intact throughout its five-year term.

Chapter 3

3.1 Status of Implementation of the Labor Act at Tea Gardens of Province 1

Background

After the Labor Act took effect on July 16, 2017 there was widespread hope that the minimum wages of organized and unorganized laborers would be assured of minimum wages and that their social security would also be taken into account. The inclusion of the right to work in the Constitution was also reason that the problems related to labor would be addressed. The Constitution guarantees reasonable wage to every worker and the law has provisions for contribution-based social security. However, despite these provisions the problem faced by laborers remains as it was due to the lack of effective implementation.

As result little has changed in the conditions of workers at tea gardens of Taplejung, Bhojpur, Dhankuta, Terhathum, Panchthar, Ilam, Jhapa and Morang districts in Province 1. Nepal has 12,066 hectares of land under tea cultivation, and about 9236 tea gardens with Ilam alone having over 5,500 tea plantations in the district.

The situation for tea sector laborers has not changed despite the enactment of the law and the fixation of minimum wages by the government because of non-compliance by tea garden and factory owners of the provisions. The industry owners had said that the new labor law could not be enforced in the tea sector. Tea garden and factory owners had said that they would not be able to implement the provisions of the new law in the tea sector, and the law remains practically unimplemented. The industry opposed the law saying that each additional worker would add an additional 35 percent to the cost. Before the enforcement of the new law, tea sector workers were receiving a daily wage of NRs. 278, five percent provident fund, five percent allowance and 13 days of public holidays, 12 days of casual leave, seven days of sick leave and a bonus equivalent to the wage of 26 days annually.

The new law requires employers to set aside 10 percent for provident fund, 8.33 percent for gratuity, and 1.67 percent for insurance, and provide 14 days of public holidays, 18 days of casual leave, 12 days of sick leave and a bonus equivalent to the wage of 26 days to all types of workers – permanent, temporary, seasonal and daily wage. This would make the total annual amount payable NRs. 1,19,540. The Government had announced that the law would also apply to tea workers in the 2018/19 budget, but implementation has not taken place owing to opposition by garden and factory owners and the inadequate official efforts to ensure compliance.

Tea Labor and Wages

Tea workers are deprived of their wages and other facilities such as insurance, allowences and other protection measures. Typically, tea workers of

Jhapa and Ilam district are put to work without formal contracts or appointment letters. Generally, when the Government revises wages and facilities for all workers, factory and garden owners also add to the workloads before making revisions. Many workers have already moved to other sectors and those that remain fear losing their jobs if they raise a voice against management to secure their rights. Even workers who have worked in the tea gardens for over half a decade still face difficulties in meeting their daily needs. Further, many workers are unable to change work – when opportunity comes by – for fear of losing the accommodation at the tea garden. Even workers at the tea garden leased by the Government in Ilam had not been able to receive the official minimum wage causing them to protest for nine months in July 2018. The new wages were eventually implemented but took effect only from the date of agreement with the management. The workers have been disappointed with the owners of tea gardens and factories but have remained unable to do much because many of them also reside on land belonging to the tea plantations that they could lose if they began working elsewhere.

Objectives

The objectives of this study are

- To collect information on status of implementation of policies, laws and programs of the Government in relation to tea sector workers.
- To understand the financial effects on tea workers as a result of non- or ineffective implementation of government policies and laws, and
- To draw attention of management of tea gardens and government agencies on the problems faced by people working in the tea sector.

Research Methods

Information for this write up was gathered through multiple approaches, including site visits (tea estate, factories, worker living quarters, etc.); and interviews with representatives of labor unions, workers of tea estate and factories, activists, representatives of tea estate management, etc. Information was also obtained from published articles, relevant books, the Constitution of Nepal, and existing policies, laws, and regulations. The literature review also included national and international provisions on minimum wages, international covenant on economic, social, and cultural rights, etc.

The study was limited to the status of implementation of the legal wages, including daily wage and other facilities in tea gardens of Jhapa and Ilam; and the nature of their work, their protests, and other facilities they had been provided.

Analysis and Findings

The tea laborers received the officially approved wages only nine months after it was enforced in July 2018, and were not paid for the nine months before it took effect for them. Government has specified the minimum wage to be NRs. 385. However, the workload of many workers also increased alongside the new wage. The management of the tea gardens have set new rules for daily collection of tea leaves: 20 kgs for hand picking and 50 kgs for picking with machines. The workers are not paid if the condition is not met, or are paid at a reduced rate. Before the new law took effect, the workers had to pick 16 kgs of tea leaves per day.

Majority of the laborers were unable to meet the target of daily collection set by the management and this had barred them from receiving their minimum daily wage. Around 100 workers quit their job after the new rules took effect and have moved to different professions. Most of the workers at the tea gardens did not want to disclose their identities while speaking to this reporter fearing reprisal from management. One such worker said

the management continuously threatens to fire them from their jobs, particularly when they raise the issue of rights.

The Labor Act, 2017 provides for 45 days of sick leave. However, the tea workers did not have this facility. "If the laborer does not use his/her sick leave, there is no provision of accumulating it for later use," a worker said. He added, "if a laborer is not present at work regularly for a month, he/she is expelled by the management." The Kanyam Tea Estate had 64 permanent staff and 50 seasonal laborers.

Many workers were on the job from 8 A.M. to 5 P.M. and many of them were unable to receive their minimum wage for not being able to meet the daily picking target set by the management. The management of the tea garden had also not provided appointment letters to the laborers. In Jhapa and Ilam districts, the reduction in the wages for laborers not meeting the daily targets was done by dividing minimum daily wage by the leaves plucked in kgs, to come to a per kg rate for reduction. Accordingly, a worker who collected 40 kgs (against the target of 50 kgs), received NRs. 70 less than the daily minimum wage.

Overall, only about 10 percent of the workers were receiving the daily minimum wage. Using machines for collecting tea leaves was particularly difficult for women workers because of the weight of the machines. The workers also said they did not receive money during festivals in 2019.

Seven tea estates including Kanyam, Soktim, Chilimkot, Barne of Jhapa, Tokala, Baradashi were leased by the government to Triveni Sanghai Group for a period of 50 years in 2000. The tea workers had been protesting for higher wages with management even before the Government leased the properties. The non-resolution of the problem had led to resignation of 473 workers from Kanyam before the property was leased out. In 2020, there were 65 permanent workers, including 11 males at Kanyam.

The situation was not different in Ilam that had 100 permanent workers before the management was handed to the private company. In 2020, there were 22 permanent workers at the company. According to Saraswati Chaulagain a worker at Ilam, "few workers received a pension but the majority of them had resigned due to exploitation by the management."

The issues workers faced included the use of machines to pluck tea leaves in the rainy season. This is a time when the machine could be damaged by rain; it is also a time when the workers could get electric shocks when the machine is wet, said another worker Goma Pradhan.

The Labor Act 2017 requires employers to bear the health expenses of workers and their families. There is a provision of providing health insurance of NRs. 100,000 for the spouse of the worker and NRs. 700,000 as life insurance of the worker. Likewise, the law also requires formation of security and health committee for the workers with the participation of management. Such a committee had not been formed and the management did not even pay for minor treatments.

The Government of Nepal's Gazette published on August 16, 2018 has specified the basic monthly income of tea laborers as being NRs. 6,469 and allowances of NRs. 4312. It has also specified the daily wage of NRs. 385 and hourly wage of NRs. 31, including the allowances. The Gazette has also mentioned the need to provide provident fund and gratuity to workers. But the implementation is not ensured and monitored by the government.

National Laws on Worker Rights

Article 34 of Constitution of Nepal says there shall be fair work practices for all workers. It defines a worker as someone who works mentally and physically for the employer and adds that there shall

be fair wages, facilities and social security based on contribution for workers, who are also given the right to form and participate in trade unions.

As per the education series published by INSEC in December, 2009, landless workers working in the agricultural sector on wage are agricultural workers. Those who sell their labor in agricultural sector are categorized– former bonded laborers, and workers of agricultural farms. Agriculture census of Nepal 1991 has categorized agricultural workers in three categories; workers working on wage, workers working in own farms, and workers working on kind rather than on wage.

Government began specifying the daily wage of farm workers on January 13, 2000 when it set it at NRs. 60 for eight hours worked in a day. This was revised over time to NRs. 80, NRs. 100, NRs. 120, NRs. 200 and NRs. 253. Similarly, the Gazette of February 1, 2016 fixed NRs. 253 as daily wage for tea workers and an extra NRs. 30 for the workers and guards at the factories. The same Gazette had the provision of monthly wage of a worker to be a minimum of NRs. 6375, with not provisions for extra allowances for salaried staff.

The tea garden management said that it had made payments as specified by the government. Indira Gurung, manager of Ilam Tea Garden said the company was providing wages and facilities as mentioned in the laws. She added that no workers were forced to do heavy work and work over time. Subash Sanghai of Sanghai Group also said that his company had been providing all the facilities as required by the law.

But the tea workers were disappointed with the privatization of tea gardens. They said they could neither be assured of minimum facilities nor could they protest against the management for better work conditions. Tara Parajuli, a lawyer, said effective implementation of laws, policies and rules made by the Government could address the problem as nobody was above those law. She said taking legal action could help end the exploitation of workers at tea gardens.

Conclusion

Tea workers of Kanyam, Ilam, Soktim and Chilimkot tea gardens were working with lesser facilities, even though the wages were in accordance with the law. Many said after the implementation of the new law, their workloads also increased with the new wages. The workers said it was difficult for them to meet daily targets and had to face wage reductions when they did not meet the target. Many workers still felt that their management had not been fully complying with the law and feared leaving their jobs as that would also mean losing living spaces at the tea gardens.

Recommendations

The main recommendation is conducting the monitoring by the government for ensuring compliance as per the Constitution of Nepal and Labour Act. Similarly, the government should engage the management and employee for resolving the issues of labour rights. Human rights activists and media can assist in the process by bringing issues faced by workers to public debate, and also informing workers of their rights. Attention is also needed to ensuring social security of workers alongside regular revision of wages based on the cost of living and the market situation.

Chapter 3

3.2 Witchcraft, an Evil Practice: Continuation of Violence against Women

1. Background

The Nepali dictionary explains the term "witch" as being "a woman who is evil and knows the art of witchcraft", which suggested the cultural roots of the inhuman practice of accusing women of being witches, mainly those who are poor, single, old, socially despised, and those who are marginalized. Religious texts such as the Tantra Shastra and Shiva Puran say that women who can call upon different Gods and Goddesses to execute their special tasks are said to be witches. Such women are believed to be able to differentiate between Gods and demons and perform different activities through supernatural powers. The superstition of presence of witches exist in different societies around the world and the belief is more deeply entrenched in less developed and marginalized remote societies. Belief in witchcraft in more common in communities with poor education. As consequence, even women who are poor and are marginalized are usually targeted for the torture that accompanies the accusation.

Nepal has various laws that aim to reduce and end such violence on women but the violence remains unabated mainly because of the weak enforcement. Nepal's still largely patriarchal society is another reason why the level of attention and interest required for ending such harmful social practices has been lacking. This article aims to draw attention of concerned stakeholders to the violence done to women by accusing them of practicing witchcraft.

Nepali women continue face various forms of violence that stem from the widespread poverty, illiteracy, lack of awareness, and traditional and social values and beliefs that remain largely unchanged. One form of such violence is accusing women of witchcraft and torturing and humiliating them. All the women who have faced the abuse have little or no access to the law and are forced to bear the torture due to lack of economic resources and social support to challenge the accusers, and illiteracy. As result there has been no reduction in cases of beatings, forceful removal of their hair and forcing them to eat of feces with impunity. In 2020 INSEC documented 24 such victims and 14 in 2019.

Objectives

The objectives of this article are

- To study the problems of human rights violation of women alleged of witchcraft.
- To study laws, policies and rules made to reduce such accusations and identify challenges and problems in enforcement.

Law enforcement for preventing women being accused of witchcraft continues to remain a major challenge. There are sanctions against such acts but most

of the women are forced to endure and suffer owing to a number of factors including traditional values and beliefs, poverty, illiteracy, etc. As result weak women continue to be tortured and mistreated when there is a death or illness in the community and even when cattle fall sick or die.

Research Methods

The study was largely based on secondary sources of information (books, booklets, newspapers, reports etc.) and primary data collected through interviews, site visits, and discussions and consultations with people in the community.

The study was limited in understanding the problem in Province 2. Data was gathered from all eight districts in the province, and the interviews also included experts involved in the study of the practice.

A Scially-sanctioned Form of Violence

The attacks on women believed to be practicing witchcraft social protection rooted in deeply entrenched social values and beliefs, traditions and superstitions. The women accused of witchcraft are forced to endure physical and psychological torture, which in extreme cases, have even led them to commit suicide. The accusation have been used for economic gain, land encroachment and to display power and control over the weak.

The word witch itself embodies intimidation and is a slur. If someone falls sick or dies in the village, the so-called local witch doctors accuse someone they know is weak and helpless, who then become victims of the accusation and the accompanying torture. The prevalence of the problem is difficult to estimate because many cases are suppressed and are rarely reported.

Accusing someone of witchcraft is a crime still every year there are reports of such accusations and torture of women for the alleged practice, which also has social sanction in many communities. Such social violence is rooted in social beliefs, traditions and cultures[1]. The torture to those accused of witchcraft are beating, shaving of their scalps, and abuse.

Cases of Witchcraft in Province 2

INSEC has records of the highest number of such accusations in Province – 2, where the victims have been women who are poor and from socioeconomically marginalized communities. INSEC has documented 91 victims of alleged witchcraft in the eight districts of the province in the past six years. In one case, the accused woman was killed by her own family members.

Table 1: Data on victims of so called witchcraft

Victims of accusation of witchcraft in Province 2 (2015-2020)	
2015	11
2016	14
2017	9
2018	20
2019	14
2020	24
Total	**92**

Source: INSEC

Number of Victims in 2020 Documented by INSEC

INSEC documented 24 victims of witchcraft in 2020 and 19 victims in 2019. The accused women in most of cases were treated inhumanly by both their neighbors and relatives.

Of 24 cases documented in 2020, 11 were from Siraha District. The victimized women were between 25 to 85 years of age and had been beaten not just by their neighbors but also by their own children following the accusations.

1. Anweshi-2077, paragraph 6, page 47- WOREC

Victims of accusation of witchcraft, 2020		
S.No	**District**	**Number of Victims**
1	Saptari	3
2	Siraha	11
3	Dhanusha	4
4	Mahottari	3
5	Bara	2
6	Parsa	1
Total		24

Complaints had been filed in all of these cases but only five were in the process of investigation, where the formal complaint remained to be registered. The police had initiated legal proceedings in seven cases and those accused in 16 cases had been arrested. One case had been reconciled.

Forcing Accused Women to Consume Feces

A village panchayat – a committee of village elders – beat and forced a 41–year-woman, to consume feces on September 12, 2020. She was accused of being a witch and making Dharma Nath Yadav's daughter ill. The Panchayat had met at the Shiva Temple in the village. A "witch-doctor" from India had accused her of being the cause of illness. She was beaten and abused. Her son Ganesh Yadav and husband were also beaten. Ironically an elected member of Nawarajpur Rural Municipality-5 was also present at the place of incident.

The victim was treated at the BP Koirala Institute of Health Sciences in Dharan. The victim family filed a complaint against Santosh Yadav, Krishna Dev Yadav, Brahma Dev Yadav, Baija Nath Yadav, Dev Nath Yadav, Dharma Nath Yadav, Mahesh Yadav, and Pashupati Yadav on September 20. However, the police reached the scene of the crime only after one week and arrested Santosh Yadav on October 8. All of the others accused were on run.

Stakeholder Views

Bhola Paswan, Journalist and Human Rights Activist:

Even in this age of information technology we still have superstitions of witchcraft rooted in the society. The lack of literacy and awareness are the main reasons for the prevalence of the tradition. There are legal provisions for addressing the problem but enforcement remains weak. There is need for widespread

Death of a Woman Accused of Witchcraft

In a case of Siraha District, Sudama Devi Sah, 85, had been accused of witchcraft and was killed by her son. Police arrested the son, Ram Avatar Sah, 45, and daughter-in-law Manju Devi Sah, 40, on October 31, 2020 and December 27, 2020, respectively. Sudama Devi was accused of witchcraft after the Manju Devi became ill. Sudama Devi was killed on October 29. The victim's maternal family members had filed the complaint at the Area Police Office in Mirchaiya.

Suicide Following Mental Torture

Women accused of witchcraft are tortured so extremely that they cannot bear the pain and commit suicide. Fuli Devi Mukhiya of Mahottari was beaten by her brother and sister-in-law accusing her of witchcraft. The two were suspected of killing her but the case was as suicide due to torture.

Buchiya Devi of Mahottari, Loharpatti drank poison after being tortured. She had also been threatened of shaving her head and parading her without clothes on the streets. Those threats were suspected to be the reason of her suicide.

awareness in communities where the practice is entrenched.

Anita Devkota, Province Coordinator, Single Women Group:

There have been many incidents of alleged witchcraft in Province-2. This is mainly due to lack of education and awareness. So, awareness must be enhanced. The cases have increased because laws are not enforced. Victims are deprived of justice and in some cases, reconciled when perpetrators are influential. All the perpetrators must face legal actions.

Muni Das, woman activist:

Dalit women are more vulnerable to such accusations. Province-2 has a large number of such cases of inhumane behavior. We must make people aware about the problem.

Krishna Prasad Pangeni, SP, District Police Office, Bara:

Such cases are filed and legal procedures are undertaken. The perpetrators are eventually arrested and legal actions are taken.

National and International Legal Provisions for Protecting Women's Rights

The Constitution of Nepal has guaranteed women's rights in Article 38. In sub-section 3, it prohibits all forms of physical, mental, sexual, psychological, and other kinds of abuses on women. Such acts are punishable and the victims are required to be compensated by law. However, women are still unable to lead secure lives and the cycle of violence rooted in society.

Similarly, the International Declaration on Human Rights, 1948 has mentioned that all people are equal in freedom and respect (Article 2). Articles 1 to 30 of the Declaration assures people's rights based on ethnicity, gender, language, religion, and political beliefs. The Declaration and all other treaties to which Nepal is a state party have provisions making states responsible for ending all types of discrimination against women.

National Legal Provisions

The General Code (Muluki Ain) first enacted in 1910 BS had made the accusation of witchcraft punishable. If anyone is accused of witchcraft, the person would be punished along with those who involved. But there were no clear provision of punishment to the person who abused women. Likewise, the parliament enacted the Public Crime Act and Abuse Act but there are no clear provisions for discouraging the accusation of witchcraft. The National Human Rights Commission had recommended the Government to enact a unified law for controlling and eradicating violent acts in cases such as allegations of witchcraft[2] and a Supreme Court decision had also ordered the government along the same lines. On July 24, 2015, almost a decade after the order the parliament enacted a law against Accusation of Witchcraft Act, 2015[3].

Act Regarding Crime and Punishment, 2015

A bill to punish evil practices such as accusations of witchcraft was registered in House of Representatives by the then Minister of Women, Children and Social Welfare, Nilam K.C. on June 27, 2014. The parliament enacted the law on August 3, 2015 which has sanctions for accusations of witchcraft and other forms of abuse of women. Accordingly, a person found guilty of accusation of witchcraft could be sentenced to six to eight

2. Recommendations of National Human Rights Commission, 2057-2071 BS, Page 6
3. http://today.annapurnapost.com/report/495

months in jail and fined from NRs. 5,000 to 100,000. There is an increment of the sanction by 25 percent if the person found guilty is a holder of public office.

Conclusion and Recommendations

Even in the age of science and technology, women in certain parts of Nepal continued to be abused on the accusation of practicing witchcraft. Every year, women are victimized by their families and neighbors of such accusations but not all of the cases are reported. The accusation of witchcraft is an act that is punishable by the law and therefore, there is need for strict enforcement to ensure that the practice is rooted from society. This would require an extensive public campaign to inform communities of the provisions in law, and also to educate them about traditions and social practices that cause harm on women.

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Chapter 3

3.3 Natural Disasters in Sindhupalchok and Their Effects on Economic and Social Rights

Background

Sindhupalchok is geographically situated at the central part of Himalayas at altitudes ranging from 735 to 6,966 above sea level. The land is composed of sedimentary rocks and loose soil particles and ranges and has three major rivers – Bhotekoshi, Sunkoshi, and Indrawati. The district has been prone to natural disasters owing to the high mountains, steep hills, and fast flowing rivers. The district has had major disasters in the recent past including the 2015 earthquake, the landslide at Jure July 2014, Jalbire Khamare landslide August 25, 2014 and floods in the Bhotekoshi (2016), Barhabise landslide (2020), and Lidi landslide (2020), among others.

Objectives

The objectives of this study were to:

1. Document and publish information on the impacts of natural disasters in different parts of the district and explore remedial measures, and
2. Support disaster victims to access support and to examine the efficacy of relief, relocation and rehabilitation support and systems.

Methods

The report is largely based on site visits, consultations, and interviews with displaced families and stakeholders. The study has also used information from secondary sources.

Disaster Damage

A. Earthquake of 2015

The entire district has faced high earthquake risks. The district suffered major damages in earthquakes of 1988 and 2015. The earthquake of 2015 had caused the loss of 3,557 lives and injured 1,569 people, and INSEC had documented damage of 67,383 households. The earthquake had affected the entire population, including children, women, and the elderly across all local jurisdictions. Many of the people were living in fragile and high-risk regions but in the absence of relocation opportunities, the people of Lidi, Nampha, Gumba, and Bolden had to return to their original residences after relief operations. The landslides have left deep scars at all this locations and is still vulnerable to future disasters. The loss at the settlements above can be avoided by relocating them to safer areas.

B. Loss to Landslides

The district has suffered major losses to landslides in the recent years. The Jure landslide on August 1 had killed 145 people and injured 15. It had swept way 113 houses and affected 319 families. The landslide of Jalbire Khamare of August 25, 2014 had killed five people and buried 18 houses. Similarly, that of Jambu on July 8, 2020 had cost two lives and the whereabouts of 17 people remained unknown; another five had been injured.

Table 1: Details of disaster damage in Sindhupalchowk (2014-2020)

S.No	Year of Disaster	Death	Injury	Disappearance	Displaced Families	Source
1	2077	74	25	33	389	Field report of Nepal Red Cross Society, 2077
2	2073	0	0	3	945	Annual report of Nepal Red Cross Society, 2074
3	2072	3570	1569	7	1924	Annual report of Nepal Red Cross Society, 2073
4	2071	150	15	0	337	Annual report of Nepal Red Cross Society, 2072

The landslide had buried 39 houses and damaged another 63. Another landslide at Khamare of Jalbire had swept away 10 houses on July 8, 2020 and one at Bulkot of Bhotekoshi Rural Municipality-5 of July 8 had killed four people, injured four and swept away four houses.

Likewise, the landslide of Lidi of Jugal Rural Municipality-2 of August 14, 2020 had killed 35, buried two, injured six and buried 29 houses. Similarly, another 172 houses had been affected by the Lidi landslide[1] and another one at Phulpingkatti of Bhotekoshi Rural municipality on July 16, 2020 had killed five people, injured one, buried two houses and damaged eight more.

Other landslides that have occurred in the district include one at Melamchi Bazar on August 3, 2020 had killed nine workers and buried a house. Another at Baruwa of Thampal Rural Municipality on August 3 had killed two and damaged five houses. Similarly, 32 houses were affected by the landslide in Thumpakhar of Sunkoshi Rural Municipality on August 30. Another landslide at Barhabise Municipality on August 30, 2020, had killed 17, injured nine, buried 14 people and swept away 27 houses.

The land at all locations mentioned above have deep fractures and are still fragile. However, people continue to live in those areas for lack of proper management of the people who were affected.

C. Floods

The district has also been affected by floods frequently. A flood in Bhotekoshi on July 5, 2016 had caused major damage to physical property, swept away three people and damaged different sections of the Kodari Highway to Nepal's border with China. After three months of opening of Nepal-China border, floods swept away the road from Barhabise to Liping. It had also swept away 98 houses and damaged 945 houses[2]. The flooding resulted from a number natural factors, and were exacerbated by human-made factors such as haphazard construction of infrastructure and unscientific road construction. Another reason for the large loss of live and property is the unsatisfactory preparedness for such disasters at both the local and policy levels.

1. http://kendrabindu.com/post/170726#.YBN--OgzbIU
2. https://ekantipur.com/ampnews/2015-02-14/403798.html

Damages Caused by the Lidi Landslide

Thirty-five people lost their life, two were buried, and six were injured in the landslide of Lidi, Jugal Rural Municipality-2 on August 14, 2020. The landslide buried 29 houses and 127 houses were damaged. Affected families were relocated to Baskharka of Selang, where they were staying when this report was prepared.

The school at Lidi was also buried by the landslide, which affected the education of 234 children who were studying there. Seventeen children had died in the landslide and two were injured. Further, seven children lost their parents in the landslide and the health post was also shut down after the disaster.

Resettlement to safe locations is a major concern for the residents of areas affected by landslides in the district. However, unable to access suitable land elsewhere many of those who were temporarily displaced by the disasters have returned to their origins and have begun rebuilding their houses, which has exposed them to high risk.

The mismanagement of support to the victims is another issue. Support of NRs. 12.4 million collected for the relief of victims of the Jure landslide of August 2, 2014 remained to be handed over. This was largely because of dispute among political parties over how the relief fund should be operated. There was discussion between local representatives, Chief District Officer and other stakeholders on its distribution, which was eventually put on a hold reportedly upon orders of the Ministry of Home Affairs[3].

Damage to Livelihoods

Most of the people at Lidi are engaged in agriculture. All the 175 families there depended on the production of maize, millet, potato and rice. The landslide of Lidi damaged maze, millet and potato in 63.99 hectares of land and paddy in 85.72 hectares. After the landslide the residents of Lidi have been forced to live temporarily at Baskharka of Jugal Rural Municipality and were worried about their crops back in Lidi. The landslide had also damaged all 35 toilets and seven public taps that the families there had been using[4].

Relocation of Settlements

The high casualties have resulted largely because people have continued to live in the high- risk areas. Many people have continued to live there because they have no place else to go and also because there have been no efforts by government to assist their transfer to safer locations. Further, some have stayed back because of cultural reasons and other attachments. In many areas locals have been continuously asking for assistance to move elsewhere. These include about people from about 500 households at Lampha, Sanchagaun, Lidi, Jhulke, and Nimlung. Experts have also recommended the relocation of settlements like Lidi. The government declared Sindhupalchok as disaster prone region and sent a team of experts to study the vulnerability of the settlements there on December 2. The team form the National Reconstruction Authority and the National Disaster Risk Reduction and Management Center have submitted a report to the government with recommendations. The report said two out of the four settlements studied were at high risk to landslides. The report said that both Lidi and Nampha were unfit for settlement.

The affected families of Lidi have been moved to Baskharka after the landslide, which experts have said is safe. Those who were moved there said they would like to live here but have asked government for support for building the required infrastructure.

3. https://nagariknews.nagariknetwork.com/social-affairs/165480-1543664400.html
4. ibid

Recommendations

The following recommendations have been made based on the analysis above:

- Prioritize risk-assessment and relocation of people living in areas that are at high risk to disasters, particularly landslides.
- Ensure sharing of authority for supporting disaster victims between all three tiers of government, and coordinate actions undertaken by the different levels.
- Establish relief centers and pre-position relief supplies near locations that are at very high risk from floods and landslides

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Chapter 3

3.4 Problems and Challenges of Sugarcane Farmers

Background

Due to the geography, soil quality, irrigation accessibility, and favorable weather, the lower Terai region is the hub for Nepal's agricultural production. The production of various cash and food crops in the region, is also Nepal's agricultural backbone.

According to the Prospect and Challanges of Sugarcane Development in Nepal: Production, Market and Policy (Amita Pandey and Sudip Devkota-2020) Nepali sugarcane production contributes less than one percent to the production of SAARC countries, and Nepal ranks 41st among the sugar producing countries in the world. Sugarcane is a major cash crop in Nepal and it contributes 2.1 percent of the Agriculture Gross Domestic Product (AGDP). Despite its position in relation to the hectare it covers, Nepal lies in the 41st position among others in terms of the volume of production. Nepal produces 0.16 percent of the total sugarcane in the world.

Proper care to the sugarcane crop can lead to good harvests for at least three years after plantation and this can result in sizeable earning for farmers. Further, sugarcane can be grown also on land not suited for other crops, which is also advantageous to people with lands not good for other crops. Sugarcane farming is done in 15 districts of Nepal's Terai (plains).

Some of the major problems faced by Nepal's sugarcane farmers are lack of technical knowledge on farming and lack of consultation mechanisms, agricultural loans, lack of access in policy re/formation agendas and process, untimely and irregular payments from the sugar mills, difficulties in receiving governmental subsidy on time, and inability to increase sugarcane yield.

The sugarcane farmers from the plains have organized two protests in Kathmandu within a year and the main demand was that they be paid the money that sugar mills owed them. The farmers had organized the protest in December 2019 and returned after assurance of payment by the government. The farmers then postponed the protest after the sugar mill owners also assured them that they would be paid. The payments outstanding in December 2019 added up to NRs. 1.40 billion and following some payments had come down to NRs. 650 million in December 2020. Some banks had also issued notice of auction of collateral land that the farmers had provided for loans after they were not repaid. This article discusses sugarcane cultivation and the issues faced by farmers in Kapilvastu and Nawalparasi (West) districts, which are similar to those faced by sugarcane growers across Nepal.

Agriculture is the main source of household income in West Nawalparasi and Kapilbastu districts of Lumbini Province. According to the statistics of Food and Agriculture Organization Corporate

2018, sugarcane is grown on 71,466 hectares of land in Nepal and the production is about 3.23 million tons of sugarcane each year, making it a major cash crop.[1] In West Nawalparasi, sugarcane is grown in about 5,100 hectares of the total 25,955 hectares of cultivatable land in the district. In Kapilbastu District about 4,000 farmers were engaged in sugarcane farming. There are three sugar mills and 117 crossers in district – Lumbini Sugar Mill, Indira Sugar Mill, and Bagmati Sugar Mill. About 4000 farmers of Shivaraj Municipality and Krishnanagar Municipality of Constituency No. 3 were involved in sugarcane production.

About five years ago, the Mahalaxmi Sugar Mill in the district purchased cane from about 8,000 growers in about 8,000-9,000 hectare of land. But after the mill started periodic closure every year since 2015, the number of growers decreased to 4000 and the area under cultivation was also reduced to 1,400 hectares. The major problems faced by the sugarcane growers in the district were:

- Delayed payments by industries to the farmers
- Lack of adequate agricultural workers, and
- Inability of the government to ensure that cane growers were paid for cane on time.

Objectives

The objectives of this article are,

- To identify problems faced by farmers engaged in sugarcane farming, and
- To understand the demand of farmers and the outstanding payments due to them.

Research Methods

The study used a number of tools to collect information for this report. These included field observations, interviews, consultations with farmers, review of relevant reports, including relevant laws and agreements and reports published in the media.

The study was limited to five rural municipalities of Susta, Pratappur, Sarawal, Palhinandan, and Ramgram of West Nawalparasi; and Krishnanagar Municipality and Shivaraj Municipality as well as Bahadurganj of Krishnanagar, and Jawahari, Chanai, Shivapur and Birpur of Krishnanagar Municipality in Kapilvastu district. The study focused on the problems faced by farmers who were not paid for their product. The study's respondents included owners of sugar mills, cane growers, as well as struggle committees formed by farmers to demand payment from mill owners.

Problems Faced by Cane Growers

West Nawalparasi is an area known for its sugar cane production. It was grown in 5500 hectares of about 25,955 hectares of cultivable land. Until not long ago, about 7,000 hectares of land was used for growing sugarcane, but that has decreased – perhaps – reflecting the problems faced by the farmers. Generally, Nepal's production and supply of sugarcane is lower than the crushing capacity of mills. The seasonal and lower supply of cane has led the sugar mills to operate for a short crushing periods of around four to seven months a year.[2] According to the District Committee of the sugarcane farmers, the main reason for the lower supply compared to demand by mills is the delayed or no payment to the farmers

1. https://www.researchgate.net/publication/342457317_Prospects_and_Challenges_of_Sugarcane_Development_in_Nepal_Production_Market_and_Policy/link/5ef5489b299bf18816e80784/download
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from the sugar mills. This had led to other problems such as not being able to repay loans taken from the banks, which then led to the banks auctioning the collateral.

The farmers there were yet to receive NRs. 183.4 million in outstanding payment from the three sugar mills in the district. Umesh Kumar Yadav, Chairperson of District Sugarcane Producers' Organization, said the outstanding amount to farmers at the Sunwal Sugarcane Mill was NRs. 100 million, Indira Sugarcane Mill NRs. 80 million, and Bagmati Sugarcane Mill, NRs. 3.4 million.

Binod Kalwar, a cane grower at Pratapapur-8 said he had promised his money lender an interest of five percent each month but because he was unable to pay, the person has now begun growing crops on his land. My payment has been due for three years and now, the land (collateral) could be auctioned. Another cane grower from Susta-5 said, "We were forced to quit sugarcane farming and go for other crops because we have not received payment for three years. Wherever we go, we need to borrow money on interest, we are afraid we have to face the same problems with other crops also."

The Lumbini Sugar Mill of Sunwal owed NRs. 100 million to the farmers. The mill was closed at the time of the study. Jorsingh Majhi, the Assistant District Administrator, said that the mill owners had been out of contact for about 15 months. Durga Chaturvedi, Chief of the Sales Management Section of Indira Sugar Mills, said "Farmers are disappointed because they have not been paid, our problem is the inability to sell sugar in the market which is why we have not been able to pay." There are also some disputed payments. In the case of Indira Sugar Mill the farmers said it had not paid NRs.80 million, which the mill said was around NRs. 50 million.

The farmers who had not been paid the outstanding amounts faced additional troubles because they had not received any subsidy from the government. According to the District Administration Office, NRs. 49 million sent to the district in 2018/19 (2076 BS) as subsidy had remained unspent in the account of the District Office of the Financial Comptroller. The District Sugarcane Production Organization members said this amount has remained at the office because of the difficult legal procedure involved in receiving payments. According to Umesh Kumar Yadav, the Chairperson of District Sugarcane Producers' Organization, even the government has been delaying in providing the subsidy to the farmers. The farmers had not received the subsidy earmarked for payment in 2019.

Likewise, in Kapilbastu, even though sugarcane is a major produce and there are sugar mills, crushers, and juice makers who buy cane locally the farmers were deprived of getting good value after the Mahalaxmi Sugar Mill shifted the factory. This mill itself had not paid farmers NRs. 70 million before it moved, and 8000 farmers there had not received the government subsidy of NRs. 25 per quintal of produce. This was supposed to have been provided in 2015/16 (2071/72 BS).

The farmers said they had not received payment for the sugarcane from the mill owners since 2015. These farmers from Nawalparasi, and Kapilbastu and other parts of the country first came to Kathmandu to demand their payments in December 2019. Many feared that the banks could move in an auction the collateral to recover their loans and that would leave them with nothing.

The protests in Kathmandu culminated in an agreement between the government and farmers on January 3, 2020 that said the payments would begin within January 21, 2020. Thereafter the farmers postponed their protest. The agreement was signed by Hareshyam Raya, Secretary of the protesting sugarcane growers, and Dinesh Bhattarai, Joint Secretary, Government of Nepal in the presence of the Minister for Industry,

Commerce and Supply, Lekh Raj Bhatta. In the agreement the parties had agreed that the ministry would coordinate for ensuring the payments, form a task force to resolve the problem, to undertake studies to make the subsidy effective and the farmers agreed to postpone their protest, among others.

The COVID-19 pandemic added to the woes of the sugarcane farmers as they could not even find work as wage laborers. The non-payment by the sugar mills has even forced many to consider stopping cane growing altogether, and some have already begun shifting to growing bananas and vegetables.

Al most a year after the agreement, with government the farmers of Province 2 had not received payments for their produce, who gathered again in Kathmandu to press for the payments. This round of protests at Maitighar began on December 10, 2020. Their complaints were also the same – they had not received payments since 2015 that had added up to NRs 1.2 billion (mill owners said this was NRs 656 million) they also accused the mill owners of delaying payment because they could get away with it. Following a decision at the Ministry of Home Affairs, on December 15, 2020 the government issued an order to District Administration Office to arrest mill owners who had not paid the farmers.

Government of Nepal provides subsidies on chemical and organic fertilizers, machinery, and insurance and also fixes the purchase price of sugarcane. Despite these facilities, the cost of sugarcane cultivation is still on the high side in Nepal (NRs 469/quintal). More than half of the cost of production goes to paying by labor. Other costs are that of chemical fertilizers, manure and land preparation.[3] The government agreed to provide "incentive subsidy" for cane production, which the farmers had not yet received.

The 2020 agreement with farmers said that the government will provide NRs. 65.28 per quintal as the subsidy amount. The Ministry of Home Affairs agreed to draw the attention of the Ministry of Agriculture and Livestock Development and the Ministry of Finance regarding the issue. Similarly, the government also designated the Department of Commerce and Supply Management as contact point for addressing the problem regarding the payment to farmers and mediate between the sugar mill owners and the farmers. After this, on December 18, 2020, the government asked the farmers to stop their protest.

National and International Laws on the Rights of Farmers and Laborers

The definition (b) of Food Rights and Food Sovereignty Act (1999) has defined a "farmer" being a citizen engaged in agriculture as the major profession and lives entirely through the vocation. It also includes family member's dependent of that citizen or a person who is engaged in agricultural activities for more than six months or a citizen who is engaged in making agricultural tools and the family member of that citizen.

Likewise, in definition (c) of the same Act has defined "agricultural land" as land for farming or land used for agricultural production or land allocated for agriculture in accordance with the existing laws.

According to the United Nations Guiding Principles of Occupation and Human Rights (2011), state should be responsible for the respect, protection, and maintenance of occupational human rights as they are provisioned. In the case of cane growers, it is evident that Government of Nepal has not everything possible for protecting their rights. The Subsidy

3. https://www.researchgate.net/publication/342457317_Prospects_and_Challenges_of_Sugarcane_Development_in_Nepal_Production_Market_and_Policy/link/5ef5489b299bf18816e80784/download

Providing Procedure to Sugarcane Farmers (2018) and its amendment of 2019 requires a sugarcane farmer to submit a document of evidence that clearly states the area of land under the crop along with the evidence of the quantity of sale as provisioned in Section 5 (9) (a). The section 9 (b) of the same article says that the farmer who has used others land on lease has to submit the letter of contract that clearly mentions the plot number and the area of land. In case the farmer cannot produce the documents as provisioned in above mentioned Article and sections, section 9 (c) of the same article states that the farmer has to submit the recommendation letter from the local level government along with the evidence of plot number, area, and the quantity of production. The provision also says its account should be maintained separately.

According to the Article 25 (1) related to the Fundamental Rights in the Constitution of Nepal (2015), every citizen has the right to earn property, use it, sell it, make profit from business, and engage in transactions of other properties under the existing laws. In the case of the cane growers there are complications in the ability of farmers to enjoy the provisions in the Article above, in addition to being exploited by sugar mills. There are also questions on the effectiveness of the Government in assuring farmers their rights.

Conclusion

Nepal is still an agriculture-based country but the incomes of farmers have been decreasing despite the modern ways of farming. One reason is the lack of adequate knowledge about the new methods and technologies. Sugar cane growing can become a good source of income for farmers if provided access to use technology and fair market relation. The production of sugarcane in Nawalparasi alone could contribute towards reducing sugar imports. However, this has not happened; more and more people were moving from cane growing farming because of the delay or no payment by sugar mill owners. The non-payment has deprived farmers of their economic and professional rights. Therefore the responsibility of the Government to ensure that all outstanding payments are made. Also important is assuring farmers of timely payments in the future.

Recommendations

The following recommendations have emerged from the study. Firstly, it is important that the Government make substantial efforts to ensure that the outstanding payments to farmers are cleared by mill owners. Similarly, the Government should fix the price of sugarcane before the harvest and dispatch of the produce for processing. In the longer term, it would be important for providing technical advice and trainings to farmers to improve farming methods, alongside support to increasing irrigation and making available other inputs such as fertilizers, subsidies, and low-interest loans, on time. Support for increasing production by expanding irrigation and by providing chemical and organic fertilizers in time are other considerations. In addition to the above, the Government should investigate the allegations against sugar mill owners and provide necessary redress to farmers.

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Chapter 3

3.5 Child Marriage and Violations of Child Rights in Karnali Province

Background

Marriage is a legal, religious, and cultural practice for establishing social relationship between two persons. Paragraph 11 of Civil Criminal Code 2017 has specified 20 years as the marriageable age and marriages before the attainment of the age is illegal and punishable.

The Constitution of Nepal has recognized child marriage as violation of Child Rights. The Human Rights Watch in 2016 said 37 percent girls marry before 18 years of age in Nepal, which had been covered in a newscast by BBC Nepali Service. The Government's strategy against child marriage says that Nepal lies behind only India and Bangladesh among nations with highest number of child marriages. Similarly, another report by UNICEF (2017) said that 40 percent Nepali girls marry before their 18th birthday and seven percent before they turn 15 years. The reasons that lead to child marriage are gender discrimination, poverty, illiteracy, and insecurity, among others.

Nepal is among the 16 countries with the highest number of child marriages in the world. And more girls in Nepal are married before age compared to boys. The Population and Health Survey of Nepal, 2011, has shown that 41 percent of girls between 20 and 24 years of age were married. At the same time, according to UNICEF (2017), one in every 10 boys of marry before 18 years of age. Child marriage deprives children of their basic rights and also from making decisions for aligning their path for future.

Rates of child marriage in Nepal vary by regions, settlement, economic and social status, ethnicity, religion and community and settlements. According to the UN Fund for Population, 43 percent girls from rural areas and 27 percent from urban areas marry before they turn 18. The data further revealed that the age of marriage of school going girls was 22 years and that for girls not going to school was 17 years. Likewise, girls with poor economic conditions married two years earlier than others. Reports and studies have demonstrated that child marriage prevalence is high in Karnali Province.

Problems Resulting from Child Marriage

Children marrying before the age of 20 are deprived of education and the opportunities to engage in economic activities once they are entrusted with responsibilities that come with marriage. Child marriage affects the development of capacities for personal growth and lack of ability and missed opportunities traps such persons in a vicious cycle of challenges. Human Rights Watch said children are deprived of right to education due to early marriage and early marriage leads to premature pregnancy, which can be life threatening to both mother and child.

INSEC's Human Rights Yearbooks and the report of UNICEF have reported on the increase of sexual violence against children and particularly on those who marry early. Early marriage contributes to increase in poverty and other problems like the trafficking of girls, divorce, and violence against women. Analysis of divorce cases at the district courts shows the majority of those seeking divorce were under 25 years of age. Likewise, the report of Health Service Department in Salyan District showed that 25 percent of maternity admissions were girls under the age of 20 years.

Objectives

The objectives of this article are,

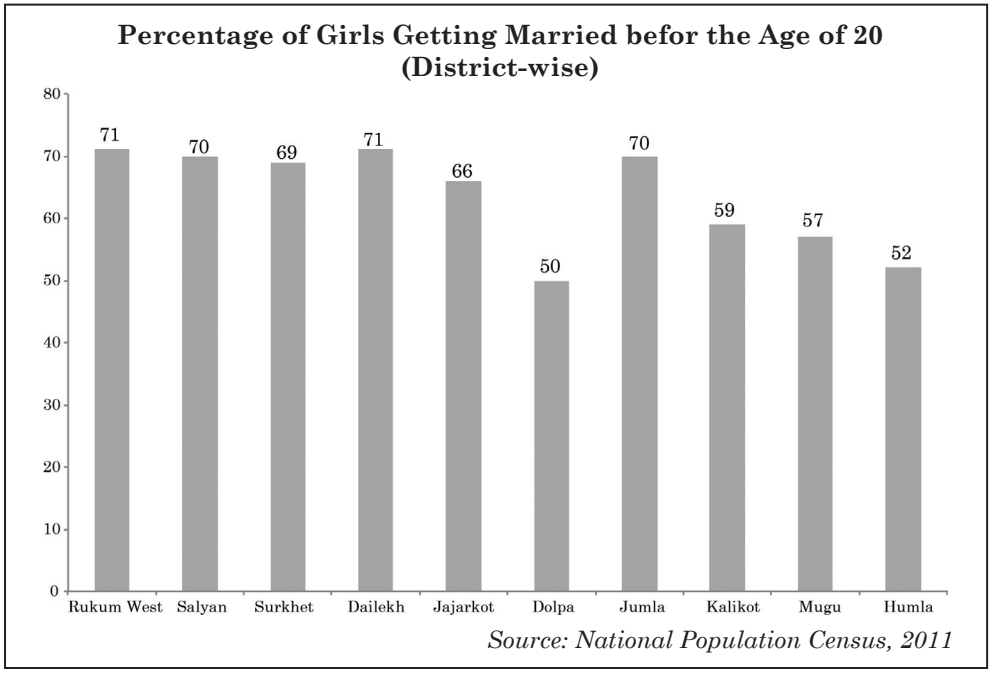
- To analyze the status child marriage in Salyan district and disseminate the information with the stakeholders.
- To strengthen the collaboration of human rights organizations for ending child marriage.

Research Methods

The writer reviewed commitments, strategies, laws, and previous studies of the Government as part of the research for this article. Discussions on data on child marriage were done with stakeholders in Salyan District of Karnali Province. The participants included representatives of different organizations and political parties. The study has used data of the Health Service Department of Salyan, the District Police Office, provincial police, and the District Court of Salyan in the analysis. The researcher also consulted various publications on child marriage published nationally and at the international level. The study has also incorporated the views from the interviews, group discussions, and meetings with different stakeholders in Salyan district.

Status of Child Marriage in Karnali Province

According to the 2011 census, 52 percent of girls in the Karnali region married before the age of 18 years. Most of the child marriages took place in Rukum Paschim with 71 percent and the least number in Dolpa District (50%). The census



Source: National Population Census, 2011

reported the following data on child marriage in the districts in the Karnali Province: Salyan and Jumla 70 percent each, Dailekh 71 percent, Jajarkot 66 percent, Kalikot 59 percent, Mugu 57 percent and Humla 52 percent.

Child marriage remains as the major child protection issue in Karnali Province. Different Government and non-government organizations (NGOs) have been working to reduce child marriages in the region. However, there has been no major decrease in the number of child marriages. Earlier, parents were the cause for early marriage as they wanted to marry off their children. This has changed and today, more and more children have begun opting for marriage, without consent of parents.

The Criminal Procedure (Code) Act, 2074 (2017), (Section 173), subsection 1 has specified 20 years as the marriageable age but Nepal has cases of marriage even before the age of 10 years. Child marriage is most prevalent for children between ages of 15-19 years.

The highest percentage of child marriage was in age group 15-19 years, in Salyan District (62.88%). Overall Dailekh and Jumla had the highest percentage of child marriage in 2011.

Status of Child Marriage in Salyan

Remote parts of Salyan District have high prevalence of child marriage. Even though no official data on child marriage in the District is available, data of maternity, polygamy, divorce and complaints at the Police office reveal a high number of child marriage.

According to data at Salyan District Hospital, it had provided maternity services to 777 women between April 2020 and November 2020 and among them, 192 (25%) girls were below the age of 20 years. Six girls unable to have a normal delivery and had to be operated. Similarly, there were other complications the position of the child in seven cases, three had excessive bleeding, two had respiratory issues, and in one case the baby had died in the mother's womb.

Child marriage is illegal and it takes time before the cases reach court. Many such cases reach court seeking divorce and complaints about polygamy only when the girls reach 20 years of age or more. Among cases registered for divorce at the District Court in 2019/20, there were women below the age of 25 years in 39 of the 102 cases. Majority of them had married when they were underage. Further, there were nine cases of

Table 1: Child marriage by age in districts of Karnali Province (%)

District	Below 10 years	10-14 years	15-19 years
Rukum West	0.08	9.71	61.27
Salyan	0.1	6.9	62.88
Surkhet	0.49	9.69	58.64
Dailekh	0.75	11.19	58.72
Jajarkot	0.22	7.53	58.11
Dolpa	0.11	4.11	45.73
Jumla	0.52	10.72	58.52
Kalikot	0.43	8.09	50.65
Mugu	0.14	5.07	52.18
Humla	0.12	6.15	46.11

Source: National Population Census, 2011

child marriage registered in the court in 2019/20. In most of these cases, the couple had married without the consent of the parents.

Another indication of the high prevalence were stickers that the Salyan Police Office had posted on the houses of people with messages against child marriages. The messages sought collaboration of local people to address the problem and had contact numbers of all local bodies, ambulance, administration, and judicial agencies that could be contacted to report about such marriages. The police said the campaign had been successful. INSEC documentation also showed that police had investigated 23 people in relation to five cases of child marriage, and had prevented 10 such marriages from taking place.

Impact of Child Marriage

Child marriage can have a permanent effects and sometimes even result in lasting psychological problems. In cases where parents have prevented or annulled the marriage those concerned develop feelings of inferiority and unacceptance. Some may even begin looking at marriage as a problem and in some case even resort to violent acts. There are both short- and long-term impacts of child marriage. The immediate impacts of child marriage are,

- Possibility of physical and mental disorder.
- Possibility of divorce at an early age.
- Loss of rights to health and education.
- Risk of death of mother and child during pregnancy and
- Deprivation of proper physical and mental development.

Similarly, the longer-term impacts are financial problems including the inability to run the family, effects on reproductive health, deprivation of education, likelihood of domestic violence and associated problems.

Social and Family Reunions

Nepali law does not recognize marriage of couples below 20 years of age. There is need for psychosocial counselling in the cases of child marriage. There were no mechanisms for counselling underage couples and children in general in Salyan District. The counselling should be done separately for those minors trying to get married or parents who force for child

Case 1

A 21 years old girl of Triveni Rural Municipality-5 of Salyan had married on April 18, 2015 at the age of 16 to an 18-year-old boy of Sharada Municipality-7 as they loved each other. However, they had not reached an age where they could take decisions themselves and as result the marriage caused them to stop studies. They had a 2-year-old child in 2020. The halted study, daily household work, and increased responsibility of parenting soon began affecting their relationship. The resulting domestic disputes and violence caused the girl to file for a divorce. The case was registered at the District Court, Salyan on September 1, 2020. She was 21 years old at the time. The divorce was approved and the girl now lives with her mother who is staying with her parents.

Case 2

There is a police check point at the entry to Shital Bajar of Kapurkot Rural Municipality-5 of Salyan. The police stopped a vehicle (Bhe 1 Ja 384) for a regular check on July 27, 2020 and discovered that it carried people participating in a wedding of a minor.

Table 2: Child marriage in Salyan District

Statistical Representation of Three Years According to the Health Service Office, Salyan (Female Getting Married before the Age of 20)

Month	Fiscal Year 2017/18		Fiscal Year 2018/19		Fiscal Year 2019/20	
	Total number of women giving birth	Number of girls giving birth between 14 to 19 years	Total number of women giving birth	Number of girls giving birth between 14 to 19 years	Total number of women giving birth	Number of girls giving birth between 14 to 19 years
Jul/Aug	138	48	166	59	157	40
Aug/Sep	131	38	102	32	123	39
Sep/Oct	100	41	127	44	123	31
Oct/Nov	111	40	92	30	112	23
Nov/Dec	84	25	72	19	121	22
Dec/Jan	104	35	95	35	96	24
Jan/Feb	107	31	86	25	117	23
Feb/Mar	114	44	111	31	124	27
Mar/Apr	82	39	130	52	117	30
Apr/May	112	34	127	41	93	21
May/Jun	121	40	114	35	95	29
Jun/Jul	111	43	71	22	132	22
Total	**1315**	**458**	**1293**	**425**	**1410**	**331**
percent		**35 percent**		**33 percent**		**23 percent**

Table 3: Cases on divorce, child marriage and polygamy at the District Court, Salyan

S.No	Particulars	FY 2018/19		FY 2019/20		FY 2020/21	
		Number	%	Number	%	Number	%
1	Divorce	119		102		85	
2	Divorce before 25-years of age	46	39	39	38	30	35
3	Polygamy	17		17		15	
4	Polygamy before 25-years of age	8	47	7	38	5	33
5	Child marriage	6		9		7	

Table 4: Three year data on child marriage in Karnali Province

S.No	District	FY 2017/18	FY 2018/19	FY 2019/20
		Child Marriage	Child Marriage	Child Marriage
1	Surkhet	0	7	1
2	Dailekh	3	7	2
3	Jajarkot	0	0	0
4	Rukum	1	0	2
5	Salyan	0	3	5
6	Jumla	0	2	2
7	Humla	0	0	0
8	Mugu	0	0	0
9	Kalikot	0	0	0
10	Dolpa	0	0	0
Total		**4**	**19**	**12**

Source: Provincial Police Office

marriage on difficulties in life and legal consequences that could occur due to child marriage and ways to resolve them. Forceful separation of couples based on law and tradition should be avoided and instead, they could be convinced about the problems they could face if the marriage was not annulled. After counselling and creating an environment for them to pursue education they could be convinced to marry when they reach marriageable age. One way to do this is to assure them of parental consent for marriage when they attain the right age.

Constitution, Laws and Status of Enforcement

National policy on children, 2069 has identified child marriage as a barrier to child rights. Strategy 8.9 of the policy advocates engaging government bodies and aid agencies at community level for the reduction of child marriage, to effectively file and take action on cases of child marriage, and also provide this responsibility to the local bodies. Similarly, strategy 9.3 advocate's local awareness programs combat both child trafficking and child marriage. The implementation of such policies and constitutional guarantees is not ensured properly in Salyan district. Because of the gap in implementation of the law and policies and less engagement of the stakeholders in preventing child marriage, the problem is spreading in the recent years too.

Conclusion

The situation of child marriage in Salyan District is alarming. Yet there was a lack of coordination between federal, provincial, and local government agencies for addressing the problem of child marriage. There were also indications that the different programs for ensuring the law enforcement to reduce the child marriage is not effective and had not been adequate for addressing the problem. Further, there had been little change in traditional cultures and social group specific beliefs regarding child marriage. The local governments lacked effective strategies against child marriage.

Recommendations

There is need for a nationwide campaign against child marriage in partnership with all agencies working on human rights, child rights, women's empowerment and government agencies. Ending child marriage would require cooperation at different levels starting with families, and communities. Another approach to ending child marriage would be strict local vigilance and commitments of local bodies to tackle the problem, aided by an appropriate strategy against child marriage.

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Chapter 3

3.6 Socio-economic Situation of Citizens Returned from India Due to COVID-19

Background

The first case of COVID-19 in Nepal was detected in a person who had returned from China on January 23, 2020. The infections then soared. According to the Ministry of Health and Population, the total infections had reached 260,593 and the number of deaths 1,856 at the end of 2020. The first infection in Sudurpaschim was detected on March 27, 2020 and the number rose to 14,329 infections and 60 deaths at year end. The Government of Nepal declared lockdown for controlling the spread of COVID-19 infections from March 24, 2020, a few days after India had declared its lockdown. The lockdown in India forced thousands of Nepali to return home and arrived at Nepal-India border, where they were refused entry in violation of existing laws, and the economic, social, and cultural rights assured by the Constitution of Nepal.

People of Sudurpaschim Province have traditionally gone to India in search of work. This practice even predates the Sugauli Treaty, signed between Nepal and the then East India Company in December 2, 1815. After the treaty, Nepalis had begun moving to Burma, Bhutan, India, Bangladesh, Thailand, and Tibet Autonomous Region of China for work. According to a publication of the National Human Rights Commission, Nepali migrant workers are spread across 108 nations of the world.

The Foreign Employment Act 2007 aims to promote and make foreign employment more secured and ethical, and to protect of rights of workers and employment professionals. Similarly, another law on the Right to Work 2018, has the provision to assure right to employment, and choose professions. For its realization, the Act is made and has provided provisions for selecting profession, right of employment and assistance to the unemployed to find jobs. The Act says that all three tiers of Government would conduct employment programs and provide minimum possible employment to the unemployed.

Realizing the vulnerability of rights of migrant workers and their families around the world, General Assembly of United Nations approved the International Treaty for Protection of Rights of Migrant Workers and their Families on December 15, 1990. Part 1, section 2(1) of the treaty, defines migrant workers as people involved in work in nations of which they are not nationals. The subsection 2(a) of section 2 of the treaty defines border region workers as those who can move to and from their work station to their permanent residence on weekly basis or daily basis.

According to a booklet published by National Human Rights Commission in 2013 on rights of migrant workers shows 1.5-2 million migrant Nepali workers in India. As per the then Central Child Wel-

fare Committee of the Ministry of Women, Children and Senior Citizens, between July 3 to October 3, 2004, the number of minors moving to India was 4,360 from Mahendranagar, 1,950 from Dhangadi, 1,243 from Tikapur, 6,404 from Nepalgunj and 6,324 from Bhairahawa.

After the COVID-19 outbreak in India, many Nepal lost their jobs and were forced to head back to Nepal. According to the Ministry of x Internal Affairs and Law, Nepal, 237,490 migrant workers of Sudurpaschim Province returned to Nepal after the outbreak. The lockdown and the closure of border entry points by the Government caused these returnees to be held up at the border causing many of them to head back to India to their jobs despite the danger of infection.

It is the responsibility of state to protect, promote and ensure people their rights, which the Government of Nepal unable to uphold. None of the national and international laws made for protect their rights could be enforced to support the workers. In the case of Nepal, even the law on migrant workers was inadequate to include migrant workers in India.

Objectives

The study had the following objectives:

- To study the work situation of returnee workers of Sudurpaschim Province and identify the difficulties they faced.
- To understand the effectiveness of policy and practical efforts of Government to promote self-employment of workers who had returned from India.
- To make recommendations to all three tiers of Government for addressing problems of migrant workers who had returned from India.

Research Methods

The study is based on interviews and group discussions with returnee migrant workers, families who had their members working in India, different organizations working to support migrant workers, representatives of local and provincial Government agencies, security agencies, political parties, lawyers, and experts. The study has also reviewed and analyzed different news items, articles, research reports, and Government documents. The study essentially is limited to understanding and analyzing the problems faced by returnee migrant workers of Sudurpaschim Province from India and the implementation of commitments made by the Nepali state and Government during the pandemic.

Nature of Work of Nepali Migrant Workers in India

The poverty of Sudurpaschim Province as per the census of 2001 was 44.6 percent and it had reached 47.1 percent in 2011. The recent poverty data show the prevalence at 33.56 percent. This poverty fuels the practice of going to India in all nine districts in the province. People from hills and mountains go to India to work for both short- and long durations. They mostly go to Himanchal Pradesh in India where they are mostly employed as farm workers in apple farms and porters for devotees visiting Badrinath and Amarnath temples. The migrant workers are engaged as carpenters in Laddakh. They are generally involved in low-income jobs at *dhawas* (eateries), restaurants, canteens, as household help and security guards. Migrants Union's data show that 10 percent were in formal employment and seven percent owned property in both Nepal and India. As per the Union, there are three types of Nepali migrant workers in India.

First: Manual laborers, security guards, household help, and workers working on daily wage.

Second: Workers with ration card and property both in Nepal and India; this category was less affected by COVID-19.

Third: Those who are working as formal employees in government services and in industries.

Table 1: Budget allocated by Sudurpaschim Province in the agricultural sector				
S.No	Agriculture		Animal Husbandry	Total Budget
	District	Amount	Amount	
1	Kailali	63,50,000	1,87,00,000	2,50,50,000
2	Kanchanpur	47,50,000	99,00,000	1,46,50,000
3	Dadeldhura	52,50,000	1,04,00,000	1,56,50,000
4	Doti	32,00,000	1,55,00,000	1,87,00,000
5	Achham	47,50,000	1,04,50,000	1,52,00,000
6	Bajura	52,50,000	94,50,000	1,47,00,000
7	Bajhang	42,50,000	79,00,000	1,21,50,000
8	Baitadi	63,50,000	1,64,00,000	2,09,50,000
9	Darchula	32,00,000	63,50,000	95,50,000

Source: Ministry of Land Arrangement, Agriculture and Co-Operatives, Sudurpaschim Province

Data on Migrant Workers

According to the Ministry of Law and Internal Affairs of the Province, 350,963 migrant workers had returned from India after the COVID-19 outbreak. However, most local bodies did not have exact records of returnee migrant workers. The Kailali District Administration Office had records of 46,729 migrant workers who had entered Kailali but it did not have records of workers who had returned after losing their jobs. Similarly, the records of the District Health Office, Achham, had records of 3,467 women, 13,676 men, 1,021 children, 93 pregnant women, and 201 senior citizens who had returned after the COVID-19 outbreak. Likewise, 24,926 migrant workers had returned to Kanchanpur and 51,996 workers left for India through Kanchanpur.

Issues Faced by Migrant Workers

The main issue of Nepali migrant workers in India was the absence of records. This could be largely because the Foreign Employment Act, 2064 does not consider workers going to India as migrant workers. Therefore, the law needs to be amended to include records of those Nepali working in India, which would also require setting up administrative units for the purpose at the borders. Further, there was no information on any initiative from the Nepali government for searching people who had gone to India but were no longer in contact with their families.

Media reports has presented that the migrant workers retuning to Nepal have often been victims of crime like pickpocketing, robbery, sexual abuses, killing, poisoning and so on. Some of these issues begin at the border and suggests the need for collaboration of security agencies of two countries to ensure safe border passage. Similarly, the Government of Nepal also needs to formalize the largely informal work arrangement and make provisions for insurance and workers relief fund, similar to what exists for Nepali workers working in third countries.

Effectiveness of Programs against COVID-19 and Those for Returnee Migrants

Sudurpaschim Province had allocated NRs. 150 million for a self-employment program for citizens affected by COVID-19. The Ministry of Land Arrangement, Agriculture and Co-Operatives of Sudurpaschim Province had made arrangements for providing grant amounts of NRs. 60,000 for cow and buffalo farming, NRs. 40,000 for raising goats, pigs and poultry; and NRs. 30,000 for fish farming. There was also provision of providing grants of NRs. 30,000 for horticul-

ture, mushroom farming, bee-keeping, floriculture, and nursery.

Even though many local bodies were unable to create the opportunities of employment, they had begun programs in collaboration with non-governmental organizations. Overall, even with this, the budgets allocated for generating employment remained largely ineffective.

Programs of the Ministry of Land Arrangement, Agriculture, and Co-Operatives

Generally, the ministry had not been able to deliver its promise of creating 5000 self-employed youth of returnees from abroad in the province. The youth were largely uninterested in the ministry's initiative and the program had not included the migrant workers from India. The main concern of the youth was that the money provided would not be enough for them to start enterprises.

The ministry had sought for applications for those interested in receiving the grants for animal husbandry and the Expert Service Centre of Kailali had provided a total grant of NRs. 187 million. The first phase grants were provided to 12,859 youth from all 13 local bodies of Kailali but only 441 applied in the second phase. The final name list of the grant recipients was not made public.

The Ministry said a budget of NRs. 63, 50,000 had been sent to the Agriculture Knowledge Centre at Dhangadi. In the first phase, 1,256 applicants filed the application for support but only 91 had been able to provide supporting documents. Among these 91 applications, 88 were shortlisted and therefore, the rest of the amount was sent back to the ministry. Again, migrant workers from India were not included in this program. In many cases, they could not be included because of their inability to provide supporting documents.

Programs of Local Bodies

Larger number of returnee migrant workers from India were living without work after their return, and many had problems of earning enough for their daily meals. As result, thousands began returning to India in search of work again. Some, local bodies in the province, however, had designed some programs to support them. Some of which are discussed below.

Bhimdatta Municipality of Kanchanpur has started an entrepreneurship program and has set up a fund of NRs. 20 million in collaboration with Nepal Bank Limited. According to Surendra Bista, Mayor, the program intends to provide loans without interest and collateral to those wanting to start their own enterprises, with a special focus on migrant workers returnees from India. The fund is to being operating after the Municipality deposits NRs. 10 million to the fund. The entrepreneurship program is to provide loans of NRs. 100,000 to NRs. 500,000 for a period of five years and the municipality has begun collecting data for the purpose.

Similarly, the Beldandi Rural Municipality has allocated a budget of NRs. 150 million under Prime Minister Employment Program and aims to generate employment for 400 youth, including 200 returnee migrant workers. The rural municipality had also allocated NRs. 1.5 million for skill enhancement programs. However, the programs for self-employment of youth was largely ineffective due to lack of interest from the youth, according to Dhan Bahadur Thapa, Chairperson of the rural municipality. The chairperson of Ward No. 2 Prem Raj Khati added that people were interested only in grants and relief programs not in in self-employment programs.

Return of Migrant Workers to India

The support schemes offered by the government in Nepal (local, provin-

Case Studies

Migrant workers from Bajura working in different cities of India were affected by COVID-19 pandemic and 8,450 workers had returned home. At home they faced the problem of scarcity of food and affected those who had returned from India. The following are brief profiles of some of the returnees.

Dharma Sarki of Triveni Municipality-8, Jhalgau, who had been working in India for last 20 years had never thought the situation would be so bad that he would have to come back to Nepal. COVID-19 caused him to head home because his employment was temporarily stopped. He does won land nor has a house in his village and therefore has had to depend on others. He had sold his land in the village 10 years ago. Upon return he stayed in quarantine for 16 days and then with his family in the village. He faced the problem of managing meals for himself and his dependents and not received any support from the local government. He said he feared he could lose life because of hunger than the disease.

Ambika Karki of Budhiganga Municiality-2, Kolti, had been working in India and returned to his village with his six family members after the COVID-19 outbreak. Her husband had come to Nepal earlier was in Nepal as he had come earlier for the last rites of his mother and was heading back to India and had reached Nepalgunj on March 24, 2020. He was stranded in Nepalgunj owing to the nationwide lockdown imposed by Government of Nepal from the same day. His wife Ambika returned with the children and they were living on rent in Nepalgunj. Later, her husband died in an accident, and Ambika returned to Bajura and stayed in quarantine at the Jana Prakash Secondary School for 25 days. Ambika said she had received no help from the local government. She does not own property in the village and was staying at the house of a brother-in-law by relation. She has been seeking support for education and upbringing of her children.

Naule Nepali of Triveni Municipality-8, Kalapani, had been working in India 10 years and lost his job after the COVID-19 outbreak. He returned to Nepal with his family of seven in last week of April 2020. He was working as a security guard in India. His house in the village was damaged and therefore the entire family took shelter at his brother's home. They had no work and no money for food. His wife, Radhika was sick but had not received medical treatment and their six-month-old daughter appeared to be malnourished.

Kalamati Damai and her six member's family of Badimalika Municipality-2, Majhigau, had returned to Nepal after the COVID-19 outbreak. The family had been living there for 24 years. Her husband was sick. The family was in quarantine in Bajura where her husband committed suicide two days after they had arrived there. Kalamati has no property in the village and even could not even pay for the final rites of her husband. Even though the villagers and the ward office had helped her with the final rites, she faced the problem of raising her family of five.

cial and federal) were largely unable to reach the youth who had returned from India after the COVID-19 outbreak. This was reason why many began returning to India as soon as the border controls were lifted. The following are some representative cases of people who were headed back to India through different border points.

Gadda Chauki, Kanchanpur

Tula Giri of Lekam Rural Municipality-4, Darchula, said he was not happy about having to return to India for employment amidst the COVID-19 pandemic. "I came back to Nepal at the start of COVID-19 but I am going to India again after seven months because

I do not have a source of income here". Similarly, Tej Dhami of Sigas Rural Municipality, of Baitadi said he was leaving because there was no other way to raise his family in Nepal. Harak Singh Dhami of Ghoda Ghodi Municipality-1 was also in the group heading to India from Gadda Chauki.

Gaurifanta, Kanchanpur and Kailali

Umakanta Ojha, 38, Karan Ojha, 31, and Ambadatta Ojha, 22, of Gorigangа Municipality-9 Kailali were headed to India in search of work on November 3, 2020. They said they were leaving because they were not able to get work in Nepal and because their subsistence agriculture was not enough for raising their families. They had been working at hotels in Mumbai for about three years and were hopeful about getting their jobs back.

Similarly, Raju Lohar, 29, and Malika Lohar, 26, of Punarbas Municipality-9 Khagau had been working at a hotel in Chennai and had returned to Nepal in March 2020. They were also at the border waiting to cross over to India for work as they had not found employment in Nepal. The family of Bharat Bista, 25, of Naugad Rural Municipality-2, had been working in India for six years before he came back to Nepal earlier in 2020. Unable to find work in Nepal, the family of four, including his wife and two children – ages seven and seven months – was also headed to India.

Some youth who had returned from India had started potato farming in Ganyapdhura Rural Municipality-4, Bantol of Dadeldhura District. Dev Raj Bhatta, Jaya Raj Bhatta and Ishwor Dev Bhatta had started faming on 547,600 sq ft. that had been uncultivated for 30 years. They had planted 60 quintals of potatoes and two quintals of garlic, according to the ward chairperson of Ganyapdhura Rural Municipality-4. Daily, about 30 to 40 people worked in the field where 10 huts had been built for raising buffalo.

The researcher met various local stakeholders to get their views on the issues faced by the returnee migrant workers. According to Bishnu Awasthi, President, Federation of Nepali Journalists, Kanchanpur, the migrant workers had been terrorized by the provisions of quarantine, border controls, and failure of being able to find employment, and the inability of the Government to address the situation in a timely manner.

Similarly, according to Naresh Silal, President, NGO Federation Kanchanpur, a large number of migrant workers had been affected by the pandemic and many had faced problems at the border and at the quarantine centres. They returned to Nepal in the hope of doing something in the country itself but had to return when they did not find opportunities in Nepal. The local bodies had also largely failed to fulfill their promise of bringing self-employment programs for the returnees.

Junga Bahadur Malla, President, Chamber of Commerce, Kanchanpur added that the returnee migrant workers were forced to head back to India largely because of the inability of local bodies to provide them employment.

Conclusion

Even though there were provisions for income generating programs for the returnee migrant from provincial and local governments, the implementation of the programs was largely ineffective. The provincial government had setup a fund to support self-employment but collateral-free loans were not provided to migrants returning from India. The inability of the returnees to find productive employment forced them to head back to India to their old jobs or to find work there.

Recommendations

A major recommendation from this study is the need for amending the Foreign Employment Act, 2064 to include the

migrant workers in India to ensure that their rights are to be protected. The non-recognition of migrant workers in India as migrant workers by the law had prevented the returnees from accessing the support programs initiated by the government. There were little or no records of Nepali working in India at the local governments. This must change to ensure that all Nepali are provided the social protections guaranteed by the Constitution in times of difficulties. This is another lesson that can be taken from the plight of returnee migrant workers from India after the COVID-19 outbreak.

References

- Constitution of Nepal Part 3, Fundamental rights and responsibilities section 18 (1), section 33 and section 34 and 51.
- Foreign Employment Act, 2064
- Labor Act, 2074
- Paragraph 3 of 10 (1) of the Act to make provision for the right to employment, 2075
- Clause 2 of Article 2 of the International Convention on the Protection of the Rights of Migrant Workers and their Family Members, 1990
- Migration & Remittances Factbook 2011(The World Bank)
- Booklet on rights of migrant workers published by National Human Rights Commission in 2012.
- Study reports of NIDS and UNIFEM, 2006
- World Bank report, 2011

Annex 1

Facts Related to Human Rights Violation and Abuses in 2020

Things to be mentioned

1) The year 2019 here means from 17 Poush 2075 to 15 Poush 2076. This publication hasn't included any cases beyond the mentioned year unless needed. Most of the information related to the cases here has been written after visiting the spot of the incident and has been verified by the police, victims, accused and legal bodies.
2) The topics have been divided and data has been presented referring to the six international Human Rights treaty bodies (ICCPR, ICESCR, CAT, CEDAW, CRC/CERD) ratified by Nepal.
3) The facts of the Human Rights Violations and Abuses have been categorized into two types:

a) Human Rights Violation from the side of the state has been mentioned as 'By State'.

b) Human Rights Violation and Abuses from beyond the state has been mentioned as 'By Others'. Here others mean- different armed groups, unknown groups, political parties, family members etc. Detailed facts regarding this has been mentioned in Annex 2. Generally, incident of crimes have been included in the facts without details.

4) Names of the local levels may have some errors. We expect suggestions from the respected readers regarding the errors.
5) Facts mentioned about the Right to Assembly talks about the arrested and injured victims only.
6) Information received by the legal/ semi legal units, media, witnesses are mentioned
7) only after proper verifications.
8) Number of inmates mentioned in the publication is based on the data till the end of 2019 (Poush 2nd week).
9) Information about education, jail, health and legal bodies were taken from the relevant offices.
10) Women, Children and Senior Citizen Service Center is the body within District Police Office.
11) Sent for judicial custody means the case is ongoing. Released on bail also means the case hasn't been resolved.
12) Rape victims are kept anonymous and their identity has been hidden in every way possible.
13) Netra Bikram Chand led Biplov Party has been mentioned as banned Communist Party of Nepal. On March 12, 2019. the Council of Ministers decided to ban the Communist Party led by Netra Bikram Chand.
14) Incidences related to Human Rights Violation and Abuses which hasn't

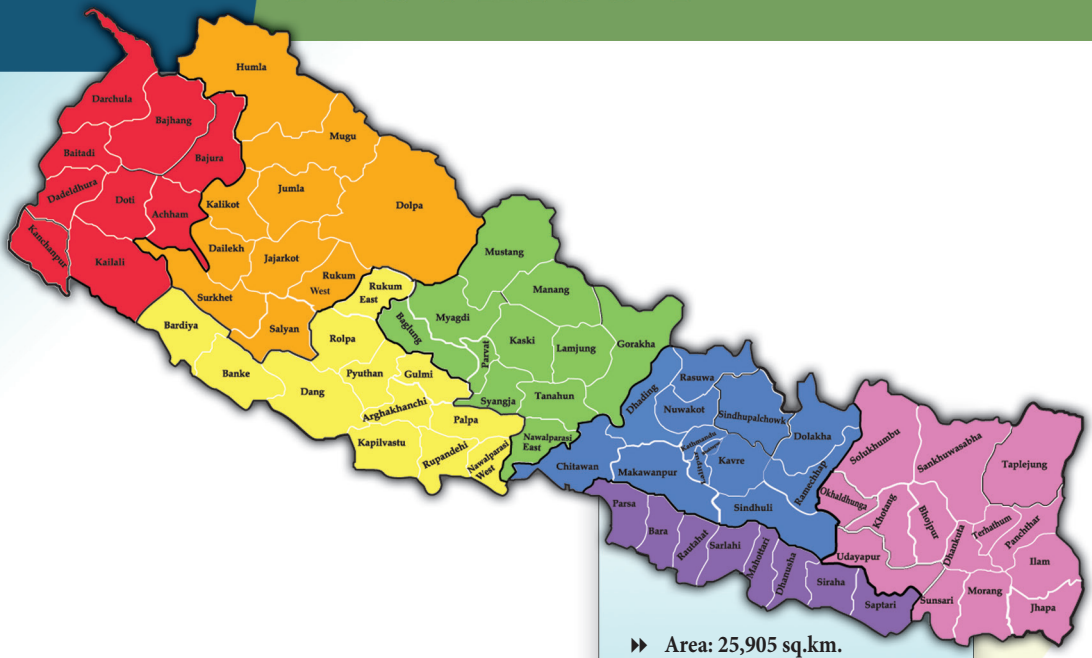
reached the district's legal or semi legal bodies and INSEC representatives hasn't been included.

15) Since the Constitution of Nepal considers below 18 as minor; the book too presents them as minor.
16) Vacant positions in the sector of health, schools, courts etc. have been emphasized because this creates constraints in Human Rights.
17) Details regarding the scholarship to the marginalized Dalit and disabled has been mentioned letting the relevant readers know their status.
18) Cases related to displacement and destruction of property has been included in Economic Social and Cultural Rights.
19) Names of the places may appear different due to the pronunciations of local accent and language.
20) Population, women number of migrant workers, literacy above five years, and number of households, number of dependents, and number below poverty line has been mentioned in every district because it functions as foundation for Human Rights. Their data has been taken from Central Bureau of Statistics- Census 2011.
21) Carefulness has been undertaken while including the data, making sure there aren't any error. If found any; then the facts mentioned in the main source is considered authentic.

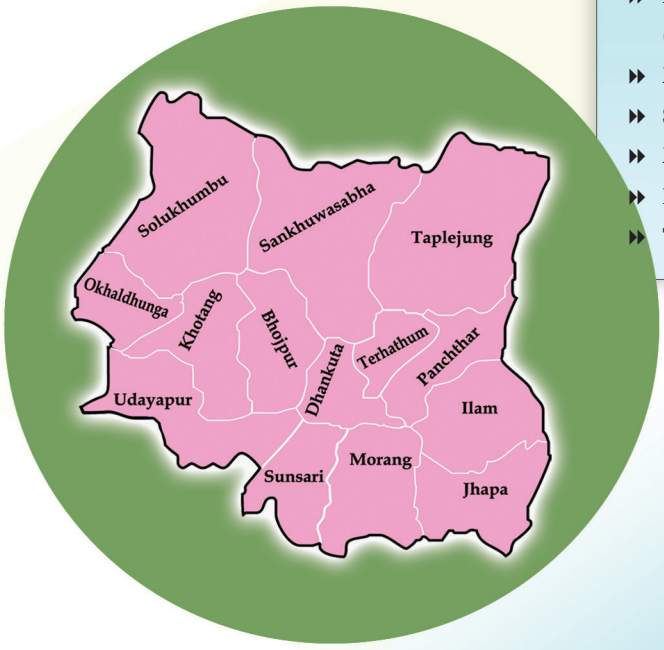
Other Sources of Data:

1) Brief report of the Central Bureau of Statistics -2016
2) Local social organizations and people
3) Local legal/semi legal, administrative, media and security related bodies
4) Nepal Human Rights Year Book from 1992 to 2020
5) Books and documents found in the INSEC library
6) Data related to education- District Education Office, health related date- Department of Health Services
7) Ministry of Federal Affairs and General Administration

Province 1



- Area: 25,905 sq.km.
- Population: 45,34,943
- Literacy Rate: 71.17
- District: 14
- Electoral Constituency (Parliamentary): 28
- Electoral Constituency (Provincial): 56
- Metropolitan City: 1
- Sub-Metropolitan City: 2
- Municipality: 46
- Rural Municipality: 88
- Total Ward No.: 1,157



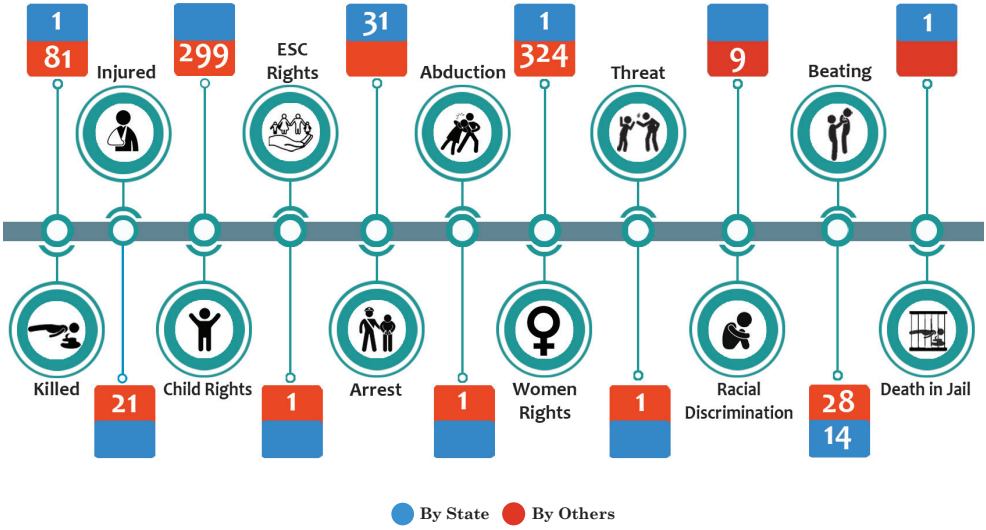
Introduction: Province 1

By the end of 2020, the Province Assembly has made 54 laws. Their vision is to increase literacy of the citizens, therefore inclusive development has been proposed to affirm Province 1 as a completely literate province within the Fiscal Year 2020/21 and to end the inequality of geography, gender, physical, ethnic and class division. It has announced to cooperate with social organizations to ensure civic responsibility and accountability of the government through awareness of human rights. They have also declared to conduct necessary reform programs by studying the condition of prisons, detention cells and juvenile rehabilitation centres. This year, 613 houses were constructed and handed over through the public housing program. A total of 296 quarantines, 24 isolations and a COVID-19 specialized hospital were built for the control, prevention and treatment of COVID-19 infection. Till the end of 2020, 29,775 people were infected with COVID-19 and 460 died. Under the 'One Local Level One Hospital' program, the foundation of 86 hospital buildings were laid. This year too, the provincial government couldn't name itself and its capital.

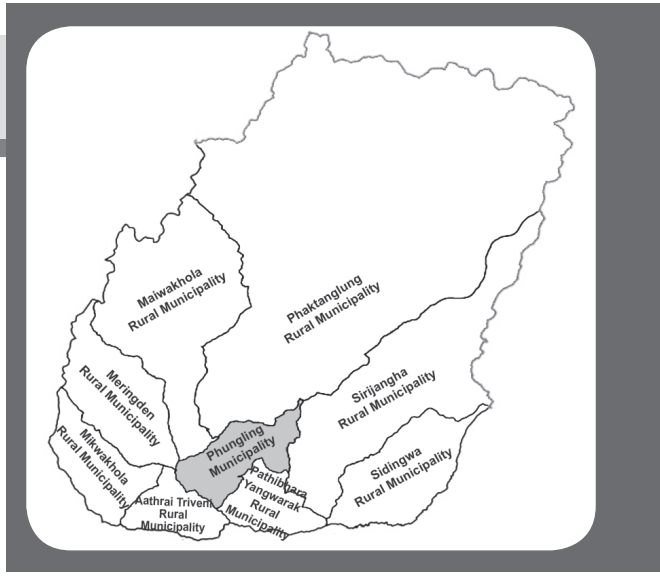
Human Rights Situation in 2020

INSEC documented 813 victims of human rights violation and abuses in Province 1. This year, 31 were arrested, 325 were victims of violation against women rights, 81 were killed by others, one was killed by the state and 299 were victims of child rights violation.

No. of Victims by Incident (In 2020)



1.1 Taplejung



Total Population	1,24,714
Women	66,286
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	34,066
No. of Migrant Workers	9,793
Population of Disability	3,730
Literacy above 5 yrs (%)	71.3
Dependent Population	55,254

There was one victim of Human Rights violation and 36 of abuses documented by INSEC among which one was arrested in 2020. There were 16 victims of Child Rights violation including 12 victims of rape, three of sexual abuse and one of child marriage. Similarly, there were 13 victims of violation against Women Rights including one victim of domestic violence, six of rape, one of sexual abuse and five of polygamy.

ARREST

INSEC documented the arrest of one cadre of the banned Communist Party of Nepal. He was exonerated of the charges by the District Court.

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but there were 138 prisoners of which all were males and two of them were above 60 years. There were provisions of drinking water, toilet, means of communication and leisure activities and the jail also had a library but lacked enough living space. One health worker was posted at the jail to oversee the health of the prisoners; as required, the prisoners were also taken to the District Hospital. Two COVID-19 positive cases had been detected among the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 30 criminal cases out of 97, and 77 civil cases among 163 that were registered in 2020. There were 144 cases carried over from 2019 and 131 were of 2020 out of which 108 were adjudicated.

CHILD RIGHTS

Educational Status

There are 272 elementary schools and 59 secondary schools in the district. The district had positions for 1,591 teachers which included 345 teachers receiving the block grant. In 2020, there were

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Beatings				2	1	3
Killing				2		2
Racial Discrimination				1	1	2
Child Rights	Child Marriage			1		1
	Rape			12		12
	Sexual Abuse			3		3
	Total			**16**		**16**
Women Rights	Domestic Violence			1		1
	Polygamy			5		5
	Rape			6		6
	Sexual Abuse			1		1
	Total			**13**		**13**
Grand Total		**1**	**1**	**34**	**2**	**36**

17,314 girls and 15,826 boys enrolled at the schools, including 70 boys and 49 girls with disability. A child from conflict-affected family had received a scholarship along with 11 children of migrant workers who had applied for scholarships.

INSEC documented 16 victims of child rights violation-12 were victims of rape, three of sexual abuse and one of child marriage. One case of rape was decided, nine accused were sent rehabilitation centre and one was in police custody. Two of the accused of sexual abuse were released on bail and one was sent to judicial custody and one was exonerated.

SEXUAL VIOLENCE

Rape

Police arrested Chhiring Lepcha Lama, 47, temporary resident of Sirijanga Rural Municipality-8 on February 5, 2020 on the charge of raping a 10-year-old girl the same day. Police filed the case at the District Court on March 2 and following which, Lama was sent to judicial custody. Later, on September 30, 2020, he was sentenced to 19 years in prison.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 39 women victims registered complaints of domestic violence, among which 20 were charges of beating, six of deprivation of food and clothing, two of deprivation of citizenship rights and 12 of domestic disputes. Police reconciled 24 cases and five cases were under investigation.

INSEC documented 13 victims of violence against women one victim of domestic violence, six of rape, one of sexual abuse and five of polygamy. Four rape accused were sent to judicial custody, one minor-accused was handed over to the guardians and another minor was handed over to guardians on bail. There were two women killed by family members. Accused of both cases were sent to judicial custody.

HEALTH SERVICES

The district has a government hospital, 50 health posts, and two municipal health centres. The government hospital had three vacant positions – two of specialist doctors, one of staff nurse. None of the elderly in the district were enrolled in the free health insurance scheme. The District had 91 COVID-19 positive cases at the end of the year.

Number of Incident with Status of Legal Proceeding in 2020

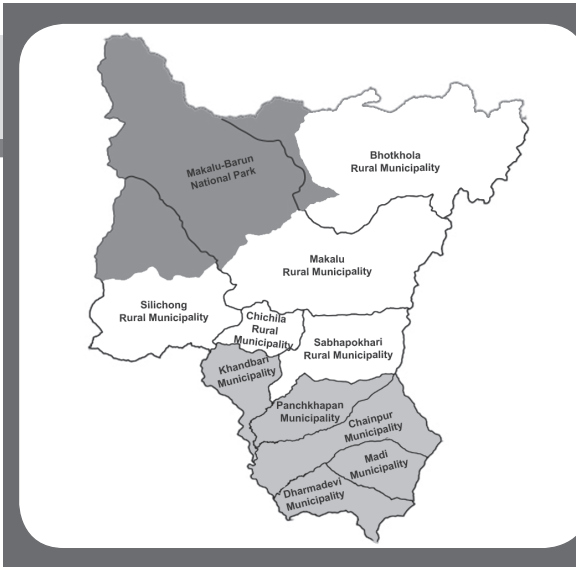
CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Marriage			1	1
Rape	1	1	10	12
Sexual Abuse	1		2	3
Total	**2**	**1**	**13**	**16**

WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence		1		1
Polygamy	1		4	5
Rape			6	6
Sexual Abuse			1	1
Total	**1**	**1**	**11**	**13**

Number of Incidents		
Type of Events	**Legal Proceeding**	**Total**
Killing	2	2

1.2 Sankhuwasabha



Total Population	1,58,742
Women	84,400
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	33,146
No. of Migrant Workers	14,863
Population of Disability	4,054
Literacy above 5 yrs (%)	82
Dependent Population	70,630

There was seven victims of Human Rights violation and 21 of abuses documented by INSEC among which seven were arrested in 2020. There were nine victims of Child Rights violation including eight victims of rape and one of sexual abuse. Similarly, there were eight victims of violation against Women Rights including four victim of domestic violence and four of rape.

ARREST

INSEC documented the arrest of four cadres of the banned Communist Party of Nepal, including a woman and a child. All three were brought to Sankhuwasabha from other districts and were again sent on to another district.

JAIL AND DETENTION

The District Jail had the capacity to hold 25 inmates but it had 139 prisoners of which 11 were female. There is one dependent child in the jail. The jail had 13 persons above the age of 60 years. There were adequate provisions of drinking water and toilets. The detainees also had access to means of communication and leisure activities, and a library. The prison had seven COVID-9 positive inmates and all of them have recovered.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 35 criminal cases out of 66, and 95 civil cases among 115 that were registered in 2020. There were ten (five criminal and three civil) cases exceeding two years. Nine re-appealed cases were adjudicated this year. There were 15 cases carried over from 2019 and 22 were of 2020 out of which 13 were adjudicated.

CHILD RIGHTS

Educational Status

There are 336 elementary schools and 73 secondary schools in the district. The district had positions for 1,660 teach-

ers. Seven children of conflict-affected families, along with six children of migrant workers had received scholarships.

INSEC documented nine victims of child rights violation- eight victims of rape and one of sexual abuse. The accused of one rape case, a minor, was handed to the guardians and other six accused were sent to judicial custody. The court had decided on one case.

SEXUAL VIOLENCE

Rape

Police arrested Bhakta Rai, 35 of Chichila Rural Municipality-1 on April 27, 2020, on the charge of raping a 14-year-old girl the same day. Police filed a rape case at the District Court on April 30. Rai was sentenced to jail for 13 years and fined NRs. 30,000 on May 12. He was also asked to pay NRs. 75,000 as compensation to the victim.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 20 women victims registered complaints of domestic violence, among which four were deprived of food and clothing, seven were verbally abused and nine were beaten. Police reconciled all the cases.

INSEC documented eight victims of violence against women including four victim of domestic violence and four of rape. The minor- accused in one of the cases was handed over to the guardians, and others were sent to judicial custody. Three of the victims had different kinds of disability. One woman was killed by her family members and the accused of was sent to judicial custody.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	6	7			
Beatings						1	1
Injured						1	1
Killing					2		2
Child Rights	Rape				8		8
	Sexual Abuse				1		1
	Total				**9**		**9**
Women Rights	Domestic Violence				4		4
	Rape				4		4
	Total				**8**		**8**
Grand Total		**1**	**6**	**7**	**19**	**2**	**21**

HEALTH SERVICES

The district has a government hospital, four health posts and 13 urban health centres. There were 13 positions vacant in the government hospital- eight of specialist doctors, three of staff nurses and two of axillary nurse midwives.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Rape	1	7	8
Sexual Abuse		1	1
Total	**1**	**8**	**9**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence	2	2		4
Rape			4	4
Total	**2**	**2**	**4**	**8**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

1.3 Solukhumbu

Total Population	1,05,187
Women	54,755
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	26,964
No. of Migrant Workers	5,617
Population of Disability	2,609
Literacy above 5 yrs (%)	67.54
Dependent Population	45,318

There were 27 victims of Human Rights abuses documented by INSEC in 2020. There were eight victims of Child Rights violation including four victims of rape and four of sexual abuse. Similarly, there were 12 victims of violation against Women Rights including one victim of domestic violence, eight of rape and three of polygamy.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 86 prisoners of which five were female. The space was clearly not adequate, and inmates said the government food and cash for their upkeep was not sufficient. The prison lacked sport and entertainment amenities and did not have a health worker posted there. The prisoners were taken to Phaplu Hospital for treatment.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 13 criminal cases out of 110, and 20 civil cases among 78 that were registered in 2020. It had 42 cases that had not been decided for over a year. During the winter, the judges at the court are assigned to other districts that remained one of the reasons for the delay in hearings.

CHILD RIGHTS

Educational Status

There are 265 schools and three religious schools in the district. The district had positions for 1,273 teachers at the schools. In 2020, 14,256 boys and 13,767 girls were enrolled at the schools, including 16 girls and 57 boys with disability. Twelve children from conflict affected families had received scholarship.

INSEC documented eight victims of child rights violation- four were victims of rape and four of sexual abuse including one boy. Four accused were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 21 women filed complaints of domestic violence at the Women, Children and Senior Citizens Service Centre that included 10 cases of beating, six of deprivation of food and clothing and five of domestic dispute. Police reconciled 14 cases, three cases were sent to court and the complainants of four cases remained out of contact.

INSEC documented 12 victims of violence against women- one was victim of domestic violence, eight of rape and three of polygamy. The accused of marital rape with other seven were sent to judicial custody and one was sentenced to jail term. One of the accused was exonerated.

Type of Events		By Others		
		Female	Male	Total
Beatings			2	2
Killing		2	1	3
Racial Discrimination			2	2
Child Rights	Rape	4		4
	Sexual Abuse	3	1	4
	Total	**7**	**1**	**8**
Women Rights	Domestic Violence	1		1
	Polygamy	3		3
	Rape	8		8
	Total	**12**		**12**
Grand Total		**21**	**6**	**27**

SEXUAL VIOLENCE

Rape

Police arrested Tika Bahadur Rai, 44, of Thulung Dudhkoshi Rural Municipality-9 on January 14, 2020 on the charge of raping a 21-year-old woman with psychosocial disability on January 13. The case was filed at the District Court on January 14. The Court remanded the accused to judicial custody February 7 and found him guilty on June 11. Rai was sentenced to jail for eight years and fined NRs. 20,000 on July 12.

HEALTH SERVICES

The district has one district hospital, 27 health posts, eight community hospitals and nine urban health centres. Records of all health workers in the district was not available.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Rape		4	4
Sexual Abuse	1	1	2
Total	**1**	**5**	**6**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence		1			1
Polygamy				3	3
Rape	1		1	6	8
Total	**1**	**1**	**1**	**9**	**12**

Number of Incident

Type of Events	Legal Proceeding	Total
Killing	3	3

1.4 Okhaldhunga

Total Population	1,44,680
Women	78,494
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	30,017
No. of Migrant Workers	10,552
Population of Disability	3,490
Literacy above 5 yrs (%)	64.42
Dependent Population	65,758

There were 17 victims of Human Rights abuses documented by INSEC in 2020. There were seven victims of Child Rights violation including two victims of rape, three of sexual abuse and two of child marriage. Similarly, there were eight victims of violation against Women Rights including three victim of domestic violence, one of rape, three of attempted rape and one of sexual abuse.

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but there were 78 prisoners, of which five were female, seven of them were above the age of 60 years. The prison has provisions for drinking water, toilets, and means of communication and leisure activities but lacked a library. The inmates have opportunities for learning skills and engaging in income generation activities. One Assistant Health Worker (AHW) was posted at the prison to oversee the health of the prisoners. In special cases, inmates were referred to the District Hospital or Kathmandu. There were no COVID-19 positive cases among the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Biratnagar – Okhaldhunga Bench

The High Court had a temporary bench in the district, with four judges. The court had 282 cases, including 143 carried over from 2019. This year the court adjudicated 43 cases. The court faced shortages of human resources – 10 positions were vacant – and the infrastructure of the court was poor.

District Court

The District Court with one judge had adjudicated 14 criminal cases out of 45, and 56 civil cases among 102 that were registered in 2020. The court had three cases (one criminal and two civil)

that had not been decided for over two years. There were 177 cases carried over from 2019 and 147 were of 2020 out of which 96 were adjudicated.

CHILD RIGHTS

Educational status

The district has 259 elementary schools and 72 secondary schools. Of the 1,575 teachers at these schools, 476 were employed under teacher block grant. There were 15,945 girls and 15,050 boys admitted in 2020. The district has only two elementary schools that are disability-friendly. Five children from conflict-affected families had received scholarships.

INSEC documented seven victims of child rights violation- two were victims of rape, three of sexual abuse and two of child marriage. The accused of both cases of rape were sent to judicial custody. One of the accused of sexual abuse was sentenced to jail and two of the accused were sent to judicial custody.

SEXUAL VIOLENCE

Sexual Abuse

Police arrested a 54-year-old father on May 20, 2020 on the charge of sexually abusing his 13-year-old daughter on May 18. The mother of the minor had filed the complaint at the District Police Office on May 20, and the case was filed at the District Court on May 21.

The accused was detained after he failed to deposit the bail amount of Rs. 50,000 set by the District Court on June 29. The perpetrator was sentenced for a year of imprisonment and fined NRs. 10,000 on October 7.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 28 women victims registered complaints of domestic violence among them 24 were victims were of torture, home expulsion, deprivation of food and clothing, two were victims of deprivation of citizenship rights and marriage registration, and two were victims of domestic dispute. Police reconciled 26 cases and two cases had were being reviewed by the court.

Type of Events		By Others	
		Female	Total
Beatings		1	1
Killing		1	1
Child Rights	Child Marriage	2	2
	Rape	2	2
	Sexual Abuse	3	3
	Total	**7**	**7**
Women Rights	Domestic Violence	3	3
	Rape	1	1
	Rape Attempt	3	3
	Sexual Abuse	1	1
	Total	**8**	**8**
Grand Total		**17**	**17**

INSEC documented eight victims of violence against women- three were victims of domestic violence, one of rape, three of attempted rape and one of sexual abuse. All the accused were sent to judicial custody. None of the cases were decided till the end of 2020. This year one woman was killed by her family member. Accused of the case was sent to judicial custody.

HEALTH SERVICES

The district has a government hospital, one community hospital, 54 health posts, and one municipal health centre. The government hospital had one vacant position of specialist doctor. A total of 5,500 people had enrolled in the health insurance scheme.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Child Marriage		1	1	2
Rape			2	2
Sexual Abuse	1		2	3
Total	**1**	**1**	**5**	**7**

WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	2	1	3
Rape		1	1
Rape Attempt		3	3
Sexual Abuse		1	1
Total	**2**	**6**	**8**

Number of Incident		
Type of Events	**Legal Proceeding**	**Total**
Killing	1	1

1.5 Khotang

Total Population	1,97,125
Women	1,05,692
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	51,315
No. of Migrant Workers	17,662
Population of Disability	1,158
Literacy above 5 yrs (%)	87.2
Dependent Population	92,214

There were two victims of Human Rights violation and 16 of abuses documented by INSEC among which two were arrested in 2020. There were two victims of Child Rights violation including one victim each of rape and sexual abuse. Similarly, there were four victims of violation against Women Rights including three victims of rape and one of sexual abuse.

ARREST

INSEC documented the arrest of two cadres of the banned Communist Party of Nepal this year. Investigation of both the cases were in progress.

JAIL AND DETENTION

The District Jail had the capacity of holding 99 inmates but it had 147 prisoners of which four were female. The jail also had a dependent child. There was provision of drinking water, toilet, means of communication and leisure activities and a library, but the jail lacked enough living space. The position of an Assistant Health Worker (AHW) was vacant.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 36 criminal cases out of 116 and 25 civil cases among 96 that were registered in 2020. There were 18 cases carried over from 2019 and 194 were of 2020 out of which 61 were adjudicated.

CHILD RIGHTS

Educational Status

There are 427 elementary and 93 secondary schools in the district. This year, 13,821 girls and 11,995 boys were enrolled, including 355 girls and 732 boys with disability. There were 2,004 boys and 1,612 girls from Dalit families. Three boys and 14 girls of conflict-affected families received scholarships. Similarly, seven children of migrant workers and four children of Martyrs' families had received

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		2	2			
Beatings				1	1	2
Injured				1		1
Killing				4	2	6
Threats					1	1
Child Rights	Rape			1		1
	Sexual Abuse			1		1
	Total			**2**		**2**
Women Rights	Rape			3		3
	Sexual Abuse			1		1
	Total			**4**		**4**
Grand Total		**2**	**2**	**12**	**4**	**16**

scholarships.

INSEC documented two victims of child rights violation- one was victim of rape and one of sexual abuse. The accused of rape was not arrested till the end of 2020 and two accused of sexual abuse were released on bail.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 23 women registered complaints of domestic violence among which 17 were reconciled, five cases were under review. Two cases of polygamy had been taken to court.

INSEC documented four victims of violence against women- three were victims of rape and one of sexual abuse. One of the accused of rape was released on bail, two others were sent to judicial custody. Two women were killed by their family members and the accused of both the cases were sent to judicial custody.

Honour Killing

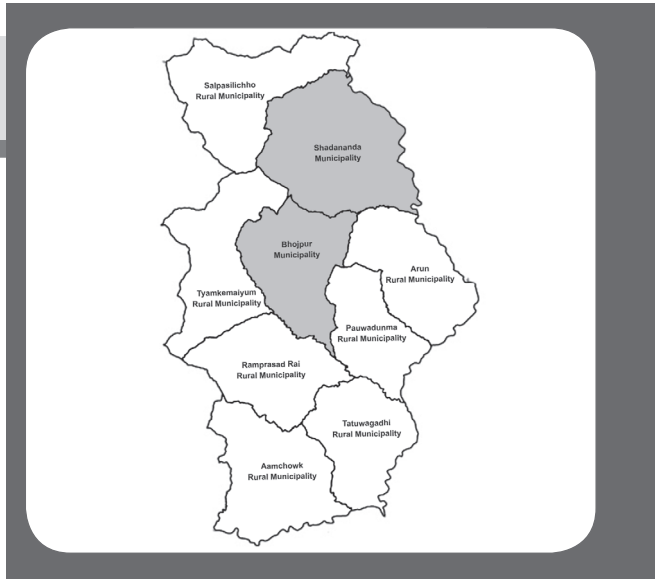
Police arrested a 33-year-old brother on the charge of killing his 26-year-old sister after she denied to marry the boy of her brother's choice. The investigation of the case was on-going till the end of 2020.

HEALTH SERVICES

The district has a government hospital, two community hospitals, 69 health posts, two primary health centres and two municipal health centres. There were six vacant positions – one for a specialist doctor, two for staff nurses and one for an assistant nurse midwife. There 36,200 people enrolled in the health insurance scheme and of them 5,600 were senior citizens.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape	1		1
Sexual Abuse		1	1
Total	**1**	**1**	**2**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape		3	3
Sexual Abuse	1		1
Total	**1**	**3**	**4**
Number of Incidents			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing	1	4	5

1.6 Bhojpur



Total Population	1,74,850
Women	93,078
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	44,268
No. of Migrant Workers	12,198
Population of Disability	4,618
Literacy above 5 yrs (%)	69.9
Dependent Population	77,169

There were seven victims of Human Rights violation and 38 of abuses documented by INSEC among which seven were arrested in 2020. There were 12 victims of Child Rights violation including ten victims of rape and one of sexual abuse and one of infanticide. Similarly, there were nine victims of violation against Women Rights including three victims of domestic violence, four of rape, one of attempted rape and one of sexual abuse.

ARREST

Police arrested seven cadres including, one woman, from the banned Communist Party of Nepal in Bhojpur district in 2020. Among them, five were released on bail, one was sent to judicial custody and one was rearrested upon release by the District Court.

JAIL AND DETENTION

The District Jail had the capacity of holding 40 inmates but had 105 prisoners, of which 11 were female. The jail had three persons above the age of 70 years. The jail had provisions for drinking water and toilets as well as means of communication, a library and provisions for leisure activities. The post of one health worker at the jail was vacant. There were no positive COVID-19 cases at the jail.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 20 of 167 criminal cases and 35 civil cases among 121 in 2020. There were 174 cases carried over from 2019 and 114 were of 2020 out of which 55 were adjudicated. There were 22 (10 criminal and 12 civil) cases that had not been decided for over one year. The court had hired 30 contractual employees and 12 positions were vacant.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	6	7			
Beatings						8	8
Injured						4	4
Killing					2	3	5
Child Rights	Infanticide					1	1
	Rape				10		10
	Sexual Abuse				1		1
	Total				**11**	**1**	**12**
Women Rights	Domestic Violence				3		3
	Rape				4		4
	Rape Attempt				1		1
	Sexual Abuse				1		1
	Total				**9**		**9**
Grand Total		**1**	**6**	**7**	**22**	**16**	**38**

CHILD RIGHTS

Educational Status

The district has 315 elementary and 69 secondary schools with a posting of 1,834 teachers and 13 were vacant. This year 19,420 boys and 19,350 girls were enrolled. There are 56 disability friendly schools in the district. There were provisions of free education for children of marginalized class and children with disability. A total of 2,340 Dalit boys and 2,290 girls were enrolled in school this year. Twenty-eight children of migrant workers had received scholarships.

INSEC documented 12 victims of child rights violation- ten were victims of rape and one each of sexual abuse and infanticide. A minor accused of rape was sent to the rehabilitation centre and other nine were in judicial custody. A person accused of sexual abuse remained in judicial custody. None of the cases were decided till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

Twenty-nine cases of domestic violence were registered at the Women, Children and Senior Citizen's Service Centre; and all of them were reconciled in 2020. There were 13 complaints of beating registered of which 12 were reconciled and one was under legal review. Also 16 cases of verbal assault were registered and all of them were reconciled. Two complaints of polygamy had been taken to the court.

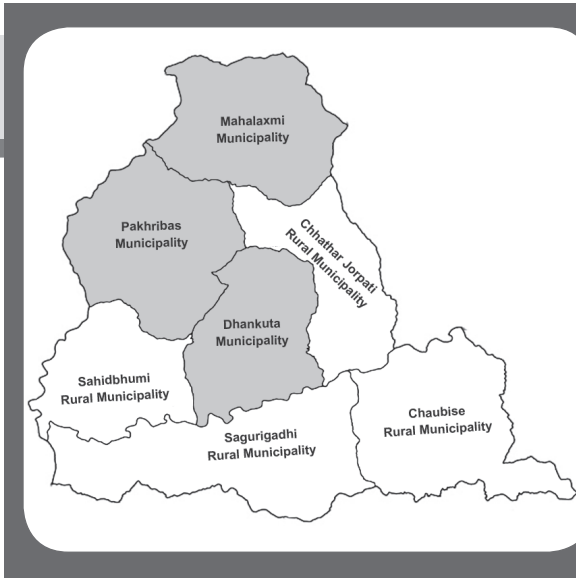
INSEC documented nine victims of violence against women- three were victims of domestic violence, four of rape, one of attempted rape and one of sexual abuse. All of those accused were sent to judicial custody and none of the cases had been decided till the end of 2020.

HEALTH SERVICES

The district has three government hospitals, seven community health centres, 62 health posts, three primary health centres and six municipal health centres. A total of 25,833 people had enrolled in the government's health insurance scheme and 3,485 were senior citizens. The district reported 27 cases of COVID-19 and one death from the disease. Pauwadungma Rural municipality had one hospital specializing in the care of COVID-19 cases.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events	**Investigation**	**Legal Proceeding**		**Total**
Infanticide		1		1
Rape		10		10
Sexual Abuse	1			1
Total	**1**	**11**		**12**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	1	1	1	3
Rape			4	4
Rape Attempt			1	1
Sexual Abuse			1	1
Total	**1**	**1**	**7**	**9**
Number of Incidents				
Type of Events		**Legal Proceeding**		**Total**
Killing		5		5

1.7 Dhankuta



Total Population	1,62,300
Women	87,817
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	25,677
No. of Migrant Workers	14,415
Population of Disability	4,881
Literacy above 5 yrs (%)	95
Dependent Population	65,909

There were 30 victims of Human Rights abuses documented by INSEC in 2020. There were seven victims of Child Rights violation and all were cases of rape. Similarly, there were 17 victims of violation against Women Rights including eight victims of domestic violence, seven of rape and two of polygamy.

JAIL AND DETENTION

The District Jail had the capacity of holding 40 inmates but there were 73 prisoners of which seven were female. The jail had six persons above the age of 60 years and two dependent children. There were provisions for drinking water and toilets as well as means of communication, a library and leisure activities. The inmates also had opportunities to engage in income generation activities. The position of Assistant Health Worker (AHW) was vacant and cases requiring specific attention were referred to the District Hospital or the BP Koirala Institute of Health Sciences in Dharan. There was one COVID-19 positive inmate who had recovered at the end of the year.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Biratnagar- Dhankuta-Bench

The High Court had posting of four judges but there was only one judge at the time of reporting. The court had 307 cases of which seven had been carried over from 2019. This year the court adjudicated 125 cases of which five were of 2019.

District Court

The District Court with one judge had adjudicated 10 of 25 criminal cases and 70 civil cases among 140 that were registered in 2020. There are 11 (five criminal and six civil) cases that had not been decided over a year There were 141 cases carried over from 2019 and 165 were of 2020 out of which 181 were adjudicated.

CHILD RIGHTS

Educational Status

There are 210 elementary and 74 secondary schools in the district. The district has positions for 2,372 teachers and 41 were vacant. In 2020, 11,242 boys and 13,253 girls were enroled, including 15 girls and 13 boys with disability. The district had three disability-friendly elementary and four secondary schools. This year 3,243 Dalit students, 9,746 girls studying at community schools and four children of conflict affected families received scholarships.

INSEC documented seven victims of child rights violation, all were victims of rape. The accused of three cases were in judicial custody and accused of other four cases had been imprisoned.

SEXUAL VIOLENCE

Rape

Police arrested Bijan Khatri, 24, of Dhankuta Municipality-6 on July 7, 2020 on the charge of raping a 13-year-old girl on July 4. The charge was made on the basis of a complaint that was filed by the victim on July 7, whose health checkup had been done the same day. Police filed a case of rape against the suspect at the District Court on July 27. The court sent accused to judicial custody on August 18. On December 14, Khatri was sentenced to 18 years and six months in prison and was fined NRs. 100,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 17 women victims registered complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre. The complaints included 15 of torture and two of polygamy. Police reconciled 13 cases, two cases are in legal process and two cases of polygamy had been taken to the court.

INSEC documented 17 victims of violence against women- eight were victims of domestic violence, seven of rape and two of polygamy in 2020. Five accused were sentenced to jail.

Type of Events		By Others		
		Female	Male	Total
Injured			1	1
Killing		1	4	5
Child Rights	Rape	7		7
	Total	**7**		**7**
Women Rights	Domestic Violence	8		8
	Polygamy	2		2
	Rape	7		7
	Total	**17**		**17**
Grand Total		**25**	**5**	**30**

SEXUAL VIOLENCE

Rape

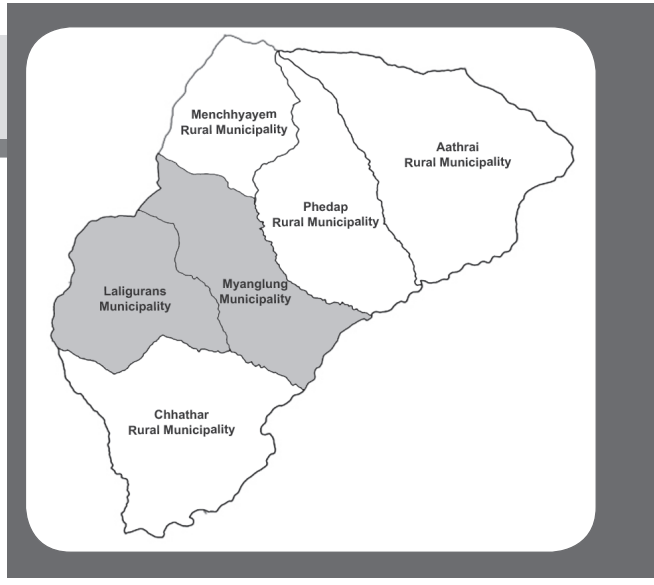
Police arrested Nikesh Tamang, 23, of Dhankuta Municipality-1 on September 7, 2020 on the charge of raping a 19-year-old woman the same day. The complaint was filed by the victim's mother on September 7 and health checkup was also conducted the same day. Police filed a court case against the accused on September 10, who was remanded to judicial custody on October 5. Tamang was later sentenced to 18 years and was fined NRs. 50,000.

HEALTH SERVICE

The district has a government hospital, 11 health posts, 35 sub-health posts and 10 health clinics. The post of medical superintendent at the District Hospital was vacant at the time of reporting in December 2020. Of 72 free medicines supposed to be provided by the hospital, only 43 were available at the District Hospital. The hospital had a provision to provide free treatment for senior citizens and those who cannot afford it. A total of 2,114 senior citizens had enrolled for government's health insurance.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Legal Proceeding**		**Total**
Rape	4	3		7
Total	**4**	**3**		**7**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	3	1	4	8
Polygamy	2			2
Rape	5		2	7
Total	**10**	**1**	**6**	**17**
Number of Incidents				
Type of Events	**Closed Case**	**Legal Proceeding**		**Total**
Killing	2	3		5

1.8 Tehrathum



Total Population	97,350
Women	52,993
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	14,677
No. of Migrant Workers	7,991
Population of Disability	2,626
Literacy above 5 yrs (%)	68.3
Dependent Population	41,079

There were 12 victims of Human Rights abuses documented by INSEC in 2020. There were five victims of Child Rights violation and all were victims of rape. Similarly, there were three victims of violation against Women Rights and all were victims of rape.

JAIL AND DETENTION

The District Jail has the capacity of holding 35 inmates but it had 81 prisoners of which three were female. Two among the 78 males were above 60 years. There is provision of drinking water, toilet, means of communication, leisure activities and library but the living space was inadequate. The inmates had opportunities to engage in income generation activities. One Assistant Health Worker (AHW) was assigned to oversee the health of the prisoners. No COVID-19 positive case was detected among the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 24 criminal cases out of 60 and 21 civil cases among 77 that were registered in 2020. There were 12 cases (four criminal and eight civil) exceeding one year. There were 84 cases carried over from 2019 and 38 were of 2020 out of which 46 were adjudicated. The court had hired two employees on contracts, while there still were nine vacant positions.

CHILD RIGHTS

Educational Status

There are 193 elementary schools and 93 secondary schools in the district. There were 1,324 position for teachers in the district and eight were vacant. There were 1,063 girls and 1,120 boys enrolled in 2020 among which there were seven girls and seven boys with disability. The district had 50 disability-friendly schools. This year, 143 boys and 148 girls from Dalit families were enrolled in the schools.

INSEC documented five victims of child rights violation, all were victims of

Type of Events		By Others		
		Female	Male	Total
Killing		2	2	4
Child Rights	Rape	5		5
	Total	**5**		**5**
Women Rights	Rape	3		3
	Total	**3**		**3**
Grand Total		**10**	**2**	**12**

rape. The accused of two rape cases were sent to judicial custody, and a minor accused was sent to the rehabilitation centre. One of the accused had been sentenced to jail.

SEXUAL VIOLENCE

Rape

Police arrested Bipin Biswakarma, 24, of Myanglung Municipality-1 on January 27, 2020, on the charge of raping a 15-year-old girl on January 2, 2020. The complaint was filed by the victim's family on January 24. Police filed case against the accused on February 3 who was then remanded to judicial custody. Bishwakarma was sentenced to jail for two years and six months and fined NRs. 15,000 on September 27, 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 12 complaints were registered at the Women, Children and Senior Citizen's Centre and all of them were reconciled.

INSEC documented three victims of violence against women, all were victim of rape. The accused of one case was released on bail and accused in three other cases were sent to judicial custody by the court.

HEALTH SERVICES

There district has a government hospital, two primary health centres, 29 health posts, two municipal health centres and four community health centres. The position of medical superintendent at the District Hospital was vacant. Myanglung Municipality has a free ambulance service for women visiting the hospital for delivery. The district had a 10-bed hospital to treat COVID-19 positive cases.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Rape	1	4	5
Total	**1**	**4**	**5**
WOMEN RIGHTS			
Type of Events		**Legal Proceeding**	**Total**
Rape		3	3
Total		**3**	**3**
Number of Incidents			
Type of Events		**Legal Proceeding**	**Total**
Killing		3	3

1.9 Panchthar

Total Population	1,87,952
Women	1,01,083
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	21,724
No. of Migrant Workers	17,842
Population of Disability	5,049
Literacy above 5 yrs (%)	72
Dependent Population	79,317

There was one victim of Human Rights violation and 56 of abuses documented by INSEC among which one was beaten by the state in 2020. There were 18 victims of Child Rights violation including eight victims of rape, eight of sexual abuse, one child marriage and one of infanticide. Similarly, there were 31 victims of violation against Women Rights including one victim of domestic violence, 16 of rape, four of attempted rape and 10 of polygamy.

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but it had 166 prisoners of which 16 were female. The jail had provisions for drinking water, toilets, means of communication and leisure activities, and a library. It also had provisions for providing skill enhancement trainings. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of prisoners. Three COVID-19 positive cases had been diagnosed among the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 98 criminal cases out of 224 and 186 civil cases among 350 of the cases registered this year. The court had four civil cases that had not been decided for over two years. The court had hired 12 employees on contracts and had 13 positions vacant in December 2020.

CHILD RIGHTS

Educational Status

There are 349 elementary schools and 84 secondary schools in the district. Out of the 1,930 positions of teachers, 15 were vacant. There were 1,414 girls and 1,355 boys enrolled in 2020 of which 62 boys and 68 girls had some form of disability. There are 211 disability-friendly schools in elementary level in the district. This year, a total of 1,012 boys and 1,158

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Beatings		1	1	2		2
Injured				2		2
Killing				3		3
Child Rights	Child Marriage			1		1
	Infanticide				1	1
	Rape			8		8
	Sexual Abuse			8		8
	Total			**17**	**1**	**18**
Women Rights	Domestic Violence			1		1
	Polygamy			10		10
	Rape			16		16
	Rape Attempt			4		4
	Total			**31**		**31**
Grand Total		**1**	**1**	**55**	**1**	**56**

girls from Dalit families were enrolled in the schools.

INSEC documented 18 victims of child rights violation- eight were victims of rape, eight of sexual abuse, one child marriage and one of infanticide. The accused in six cases of rape were sent to judicial custody, one was released on bail and another remained in detention. Among the eight cases of sexual abuse, accused of three cases were in judicial custody, three had been released on bail and accused of other two cases had not been arrested till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 27 women registered cases of domestic violence among which eight were of torture, 11 of mental torture and eight of financial torture. All the cases were reconciled by the police.

INSEC documented 31 victims of violence against women- one was victim of domestic violence, 16 of rape, four of attempted rape and 10 of polygamy. Accused of 14 cases of rape were sent to judicial custody and three accused of two cases were not arrested till the end of 2020. Three accused of attempted rape were sent to judicial custody, the accused in two other cases were released on bail and one of the accused was in police custody for investigation. This year, a woman was killed by her family members and the accused was not arrested till the end of 2020.

HEALTH SERVICES

The district has a government hospital, two community hospitals, two primary health centres, 41 health posts, one municipal health centre and 11 community health centres. The government hospital had 48 vacant positions – two of specialist doctors, 28 of Health Assistants and 18 of auxiliary nurse midwives. The district had seven COVID-19 hospitals. There had been on COVID-19 related death in the district in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Child Marriage		1	1
Infanticide		1	1
Rape		8	8
Sexual Abuse	1	7	8
Total	**1**	**17**	**18**

WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence		1	1
Polygamy	2	8	10
Rape	2	14	16
Rape Attempt	1	3	4
Total	**5**	**26**	**31**
Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	1	2

1.10 Ilam

Total Population	2,93,388
Women	1,52,781
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	21,005
No. of Migrant Workers	6,657
Population of Disability	7,636
Literacy above 5 yrs (%)	97
Dependent Population	1,07,324

There were 27 victims of Human Rights abuses documented by INSEC in 2020. There were 10 victims of Child Rights violation including nine victims of rape and one of sexual abuse. Similarly, there were 10 victims of violation against Women Rights including two victims of domestic violence, five of rape, and three of polygamy.

JAIL AND DETENTION

The District Jail had the capacity of holding 125 inmates but there were 180 prisoners of which 17 were female. The jail had five persons above the age of 60 years. There were adequate provisions of drinking water and toilets. The detainees also had access to means of communication and leisure activities, and a library.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Biratnagar – Ilam Bench

The High Court had positions for four judges and had 836 carried over from 2019.

District Court

The District Court with one judge had adjudicated 160 of 275 criminal cases and 271 civil cases among 474 that were registered in 2020. There were 320 cases carried over from 2019 and 429 were of 2020 out of which 441 were adjudicated.

CHILD RIGHTS

Educational Status

There are 306 elementary schools and 92 secondary schools in the district. The district had positions for 2,353 teachers of which 162 were vacant. There were 7,085 girls and 4,076 boys enrolled this year, including 119 girls and 198 boys with disability. Seventeen children of the conflict-affected families, along with six children of migrant workers received scholarship.

INSEC documented 10 victims of child rights violation- nine were victims of rape and one boy was victim of sexual abuse. One of the rape victim committed suicide. Two of the cases were decided by the court. The accused in five cases were sent to judicial custody. One of the accused – a minor – was sent to rehabilitation centre, and one of the accused had not been arrested till the end of the year. One person found guilty in one of the cases was sentenced to prison for five months and another, received a three-month sentence.

SEXUAL VIOLENCE

Rape

Police arrested Amar Prasad Dhungana, 43 of Ilam Municipality on May 29 in accusation of rape and killing of a 14 year old girl Dilasha Dangal of Ilam Municipality-8. Police filed a case in the Distict Court on May 29. The accused was sent for judicial custody by the decision of District court on June 21. The case received verdict on December 20 and the perpetrator was sentenced to 18 years of imprisonment and fined NRs. 10,000. The Court ordered the perpetrator to pay the compensation amount of NRs. 60,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 23 women registered complaints of domestic violence among which four were related to torture, three of deprivation of food and clothing, 14 of domestic disputes and one was a case of abandonment/ expulsion from home. All the cases of domestic disputes, deprivation of food and clothes, and three cases of torture were reconciled.

INSEC documented ten victims of violence against women- two were victims of domestic violence, five of rape, and three of polygamy. The accused of all the rape cases were sent to judicial custody.

Type of Events		By Others		
		Female	Male	Total
Beatings			1	1
Killing		1	4	5
Racial Discrimination		1		1
Child Rights	Rape	9		9
	Sexual Abuse		1	1
	Total	**9**	**1**	**10**
Women Rights	Domestic Violence	2		2
	Polygamy	3		3
	Rape	5		5
	Total	**10**		**10**
Grand Total		**21**	**6**	**27**

ALL KINDS OF CASTE-BASED DISCRIMINATION

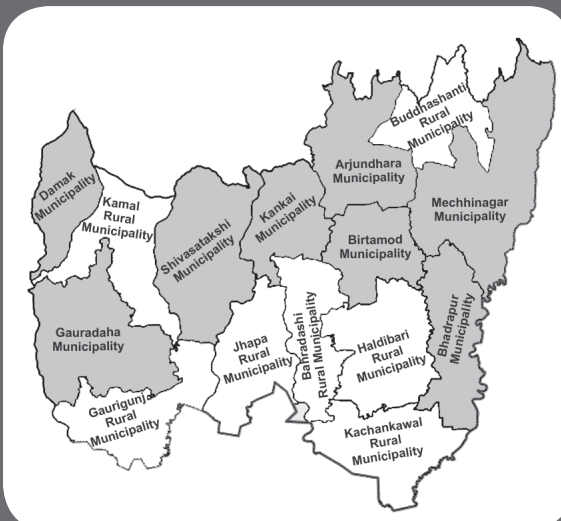
Yamkala Acharya (Biswakarma), 27, filed a complaint against Tikaram Acharya, 25 and Parbata Acharya, 35 of Mai Municipality-2 on August 21, 2020 accusing them of barring her from attending the final rites of her father Chandra Prasad Acharya, 52, on August 4. A court case of caste-based discrimination was filled on August 22. The court released the accused on a bail of NRs. 50,000 on August 31. Later on December 22, the ordered those guilty of discrimination were asked to deposit a fine of NRs. 5,000 and pay a compensation of NRs. 45,000.

HEALTH SERVICES

The district has a government hospital, four municipal hospitals, and 44 health posts. The government hospital had eight vacant positions of specialist doctors. There were 96,360 people enrolled in government's health insurance scheme. In all, 10,795 senior citizens had benefitted from free health insurance.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Rape	3	6	9
Sexual Abuse		1	1
Total	**3**	**7**	**10**
WOMEN RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Domestic Violence	2		2
Polygamy	1	2	3
Rape		5	5
Total	**3**	**7**	**10**
Number of Incidents			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing	3	2	5

1.11 Jhapa



Total Population	8,69,064
Women	4,65,092
No. of Constituency (HoR)	5
No. of Constituency (PA)	10
Below Poverty Level	85,736
No. of Migrant Workers	80,625
Population of Disability	15,367
Literacy above 5 yrs (%)	77.7
Dependent Population	3,52,006

There was one victim of Human Rights violation and 180 of abuses documented by INSEC among which one was arrested in 2020. There were 99 victims of Child Rights violation including 69 victims of rape, 29 of sexual abuse and one of infanticide. Similarly, there were 64 victims of violation against Women Rights including two victims of domestic violence, 24 of rape, 11 of attempted rape, three of attempted trafficking, three of trafficking and 21 of polygamy.

CIVIL AND POLITICAL RIGHTS
RIGHT TO DIGNIFIED LIFE
KILLED BY FIRING

Rafikum Alam, 38 of Jhapa Rural Municipality – 3 died in the firing by common patrolling of Nepal Police and Armed Police Force on August 26, 2020. Abdul Salam, 52 and Tajbul Hak, 50 were kept in the custody for investigation at the Area Police Office, Jhapa, on the charge of slaughtering animals. After being taken to District Police Office, the locals posed barrier and the police fired to control the crowd. Alam was injured while trying to escape from the crowd during the firing and later died during treatment at B and C Hospital, Birtamode.

To study the case, a committee was formed on August 27, 2020 which included- Deputy Chief District Officer, DSP and CIB chief of Jhapa. After a meeting held at the District Administration Office, the victim family was provided NRs. 50,000 for final rituals, and NRs. one million was paid as compensation with a commitment of bearing the responsibility and cost of the victim's children.

Type of Event		By State		By Others		
		Male	Total	Female	Male	Total
Beatings					1	1
Injured					1	1
Killing		1	1	6	7	13
Racial Discrimination				1	1	2
Child Rights	Infanticide			1		1
	Rape			69		69
	Sexual Abuse			26	3	29
	Total			**96**	**3**	**99**
Women Rights	Attempt to Trafficking			3		3
	Domestic Violence			2		2
	Polygamy			21		21
	Rape			24		24
	Rape Attempt			11		11
	Women Trafficking			3		3
	Total			**64**		**64**
Grand Total		**1**	**1**	**167**	**13**	**180**

JAIL AND DETENTION

The District Jail had the capacity to hold 400 inmates but it had 1,095 prisoners of which 50 were female. The jail had seven persons above the age of 60 years and two dependent children. There were adequate provisions of drinking water and toilets. The detainees also had access to means of communication and leisure activities, and a library. One Assistant Health Worker is assigned to oversee the health of the prisoner.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 16 of 347 criminal cases and 207 civil cases among 702 that were registered in 2020. The court had 371 (141 criminal and 230 civil) cases that had not been decided for over two years. There were 2,433 cases carried over from 2019 and 165 were of 2020 out of which 589 were adjudicated. The court had hired eight contractual employees in 2020.

CHILD RIGHTS

Educational Status

There are 378 elementary schools and 482 secondary schools in the district. The district had positions for 3,678 teachers. There were 7,280 girls and 7,373 boys enrolled this year, including 94 boys and 104 girls with disability. Thirteen children of conflict-affected families, along with 70 children of migrant workers had received scholarship.

INSEC documented 99 victims of child rights violation- 69 were victims of rape, 29 of sexual abuse, including three boys and one of infanticide. The accused of 56 cases of rape were sent to judicial custody. Minors accused in five cases were sent to the rehabilitation centre, two were handed over to the guardians and two were released on general bail. The accused in four cases were not arrested till the end of 2020. Eighteen of the accused of the sexual abuse were sent to judicial custody, three were released on bail, one minor was sent to the rehabilitation centre, one was handed over to the guardians, and three had not been arrested till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 100 women victims registered complaints of domestic violence, among which 29 victims were of beating, 48 were cases of domestic disputes, and 23 were victims of deprivation of food and clothing. Police reconciled 24 cases of beating out of 29. Eight of the cases of domestic disputes were sent to court, and five who said they had been deprived of food and clothing were out of contact.

INSEC documented 64 victims of violence against Women Rights- two were victims of domestic violence, 24 of rape, 11 of attempted rape, three of attempted trafficking, three of trafficking and 21 of polygamy. Nineteen accused of rape were

sent to judicial custody, and five had not been arrested till the end of 2020. Nine accused of attempted rape had been sent to judicial custody and one had been released on bail. The accused in one of the cases had not been arrested till the end of 2020. This year, four women were killed by their family member and the accused are in judicial custody.

HEALTH SERVICE

The district has two government hospitals, one community hospital, 43 health posts, six primary health centres and 81 municipal health centres. The government hospital in the district headquarter had 13 vacant positions of specialist doctors. The position of a dentist was also vacant.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Infanticide	1		1
Rape	8	60	68
Sexual Abuse	4	22	26
Total	**13**	**82**	**95**

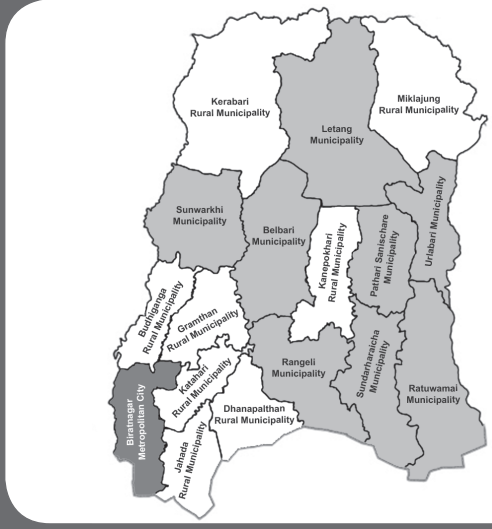
WOMEN RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Attempt to Trafficking		2	2
Domestic Violence		2	2
Polygamy	7	14	21
Rape	5	19	24
Rape Attempt	1	10	11
Women Trafficking	1	1	2
Total	**14**	**48**	**62**

Number of Incidents

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Killing	1	1	12	14

1.12 Morang



Total Population	10,19,421
Women	5,33,937
No. of Constituency (HoR)	6
No. of Constituency (PA)	12
Below Poverty Level	1,58,261
No. of Migrant Workers	17,053
Population of Disability	6,215
Literacy above 5 yrs (%)	86
Dependent Population	3,98,519

There were six victims of Human Rights violation and 106 of abuses documented by INSEC among which four were arrested, one died in jail and one was victim of poor postpartum services in 2020. There were 29 victims of Child Rights violation including 14 victims of rape, five of sexual abuse, two of child trafficking and eight of child labour. Similarly, there were 58 victims of violation against Women Rights including 40 victims of domestic violence, 11 of rape, three of attempted rape, one of sexual abuse, one of witchcraft allegation and two of attempted trafficking.

ARREST

INSEC documented arrest of four cadres of the banned Communist Party of Nepal including a child. The District Court sent the one accused, a minor, to the rehabilitation centre and other three were sent to judicial custody.

KILLING

By Others

A group of six cadres of the banned Communist Party of Nepal killed Rajendra Shrestha, 54, the principal of Saraswati Elementary School of Miklajung Rural Municipality-1, on December 8, 2020. The party took responsibility of the murder through a press statement on the same day. The postmortem of the body was done on December 9 at BPKIHS, Dharan. The cadres involved in the murder had not been identified till the end of the year.

JAIL AND DETENTION

The District Jail had the capacity of holding 300 inmates but it had 919 prisoners of which 87 were female. There were two dependent children in the prison. There is provision of drinking water, toilet, means of communication and

leisure activities and a library, but the prison lacked enough space for living. The position of an Assistant Health Worker (AHW) at the jail was vacant. Two inmates had died of COVID-19 in December 2020.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Biratnagar

The High Court had positions for 12 judges. It had 1,670 cases carried over from 2019. A total of 521 transferred cases were adjudicated in 2020.

District Court

The District Court with 10 judges had adjudicated 472 criminal cases out of 1526, and 976 civil cases from 1,799 that were registered in 2020. The court had 198 cases (71 criminal and 127 civil) that had not been decided for over two years. The court had hired eight contractual employees.

CHILD RIGHTS

Educational Status

There are 379 elementary schools and 158 secondary schools in the district. The district also has 64 religious schools. The district had positions for 4,134 teachers. Sixty-seven children of the migrant workers and 24 from conflict affected families received scholarships.

INSEC documented 29 victims of Child Rights violation- 14 were victims of rape, five of sexual abuse, two of child trafficking and eight of child labour. Twelve accused of rape were sent to judicial custody and one of the accused was released on bail. Similarly, accused of three cases of sexual abuse were sent to judicial custody and the accused in one case had been released on bail. None of the cases were decided till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 46 women registered complaint of domestic violence among which 41 were victims of beatings, three victims of deprivation of food and clothing and two of home expulsion. Police had reconciled all the registered complaints.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest			4	4			
Beatings						2	2
Death in Jail			1	1			
Economic, Social & Cultural Rights						1	1
Injured					1	5	6
Killing					3	5	8
Racial Discrimination					2		2
Child Rights	Child Labor				5	3	8
	Child Trafficing				2		2
	Rape				14		14
	Sexual Abuse				5		5
	Total				**26**	**3**	**29**
Women Rights	Attempt to Trafficking				2		2
	Domestic Violence				40		40
	Witchcraft Allegation				1		1
	Lack of Pre and Post Partum Services	1		1			
	Rape				11		11
	Rape Attempt				3		3
	Sexual Abuse				1		1
	Total	**1**		**1**	**58**		**58**
Grand Total		**1**	**5**	**6**	**90**	**16**	**106**

INSEC documented 59 victims of violence against women- 40 were victims of domestic violence, eleven of rape, three of attempted rape, one of sexual abuse, one of witchcraft allegation and two of attempted trafficking. Six accused of rape were sent to judicial custody. The "Panchayat" – a meeting of village elders – had tried to reconcile one case but later it was taken to the police: there were six accused in this case that was under investigation in December 2020.

FOLLOW UP

A complaint had been filed against Surya Biswakarma, 36, Ram Bahadur Budhathoki, 28, and Dipak Nepali, 22 of Patharisanischare Municipality-10 on the charge of raping a 20-year-old woman on May 24. The case against them had been on June 10, 2005. All of the accused had absconded. This year – 14 years after the incident – police arrested Surya Biswakarma on February 26, 2020. He was presented in court on May 31, 2020 and was sentenced to jail for 10 years and fined NRs. 25,000 on the basis of the verdict given on April 23, 2014.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Infrastructure and Property

An unidentified group bombed the office of Kerabari Rural Municipality on January 24, 2020. The blast damaged infrastructure worth NRs. 2 million. Police had no suspects in end of 2020.

HEALTH SERVICES

The district has a provincial hospital, six primary health centres, 60 health posts and 20 municipal health centres. The government hospital had a large number of vacant positions 28 of specialist doctors. The district has a COVID-19 special hospital with 60 beds that began providing services from April 3. One hundred thirty-one COVID-19 patients had died in the district till the end of 2020.

Right to Health

Naradevi Gurung, 52 of Dhankuta Municipality-5 lost her life on April 1, 2020 due to delay in treatment after several hospitals had denied her admission fearing COVID-19 infection. The deceased was taken to the BP Koirala Institute of Health Science, in Dharan that referred it to the Neuro Hospital, Biratnagar owing to unavailability of a bed. After both hospitals did not admit her she was taken to Nobel Hospital where she passed away. The family did not file a complaint against the hospital.

Sitaram Dahal, 57 of Biratnagar Metropolitan-3 died on August 12, 2020 due to negligence of the hospital where he was being treated. Nilima Dahal, 22, daughter of the deceased, filed a case against the Provincial Secretariat of COVID-19 Fact Collection set up by the Ministry of Social Development on August 20. The High Court ordered the Secretariat to be present in the court with a response on August 24. The Secretary at the ministry assured the court that it would to set up an intensive care unit, provide ventilators and an isolation centre for the treatment of COVID-19.

Sabina Thapa, 23, of Kanepokhari Rural Municipality-5 lost her life on September 1, 2020 due to delay in treatment. She was pregnant and had been denied admission at Nobel Hospital, Birat Teaching Hospital, Birat Nursing Home, Biratnagar Hospital, Green Cross Hospital, Koshi Hospital and Surakhshya Hospital in Biratnagar due to the of fear of COVID-19 infection. The victim's family had informed the Chief District Officer on September 5, but not complaint had been filed.

Number of Incident with Status of Legal Proceeding in 2020

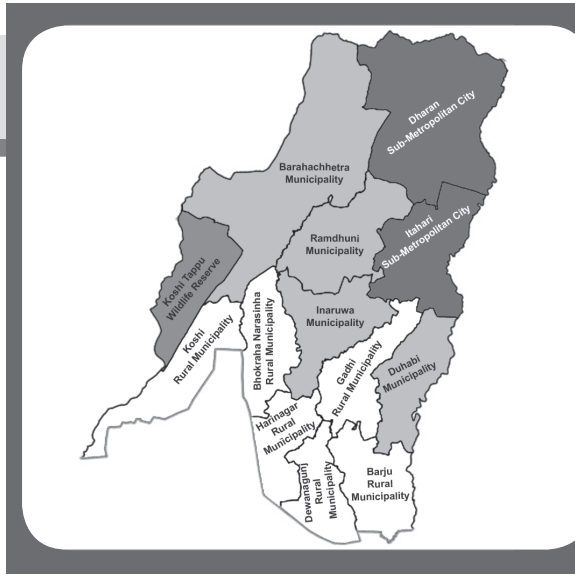
CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Labor	1	1
Child Trafficking	2	2
Rape	14	14
Sexual Abuse	4	4
Total	**21**	**21**

WOMEN RIGHTS				
Type of Events	**Compromise**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Attempt to Trafficking		1		1
Domestic Violence	37	3		40
Witchcraft Allegation		1		1
Lack of Pre and Post Partum Services			1	1
Rape		11		11
Rape Attempt		3		3
Sexual Abuse		1		1
Total	**37**	**20**	**1**	**58**

Number of Incidents				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	1	6	8

1.13 Sunsari



Total Population	7,33,939
Women	3,81,563
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	89,888
No. of Migrant Workers	50,281
Population of Disability	10,409
Literacy above 5 yrs (%)	64.46
Dependent Population	3,24,036

There were 15 victims of Human Rights violation and 104 of abuses documented by INSEC among which six were arrested and nine were beaten by the state and in 2020. There were 41 victims of Child Rights violation including 36 victims of rape and five of sexual abuse including one boy. Similarly, there were 44 victims of violation against Women Rights including five victims of domestic violence, 25 of rape, one of attempted trafficking and 13 of polygamy.

ARREST

Sankhuwasabha Police arrested five cadres of the banned Communist Party of Nepal from the Sunsari District Court premises.

JAIL AND DETENTION

The District Jail has the capacity of holding 1600 inmates but there were 1,734 prisoners, all male and 60 of them above the age of 70 years. The jail had provisions for drinking water and toilets as well as means of communication, a library and provisions for leisure activities but lacked enough living space. The inmates have opportunities for learning skills and engaging in income generation activities. Position of two Assistant Health Workers were vacant. Thirty-two COVID-19 positive cases were detected among the inmates in 2020.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with 10 judges had adjudicated 1,008 criminal cases out of 2,207 and 1,853 civil cases among 3,795 that were registered in 2020. There were 999 cases (420 criminal and 579 civil) that had not been decided for more than a year. There court had adjudicated 2,861 out of 10,022 cases among which 3,021 had been carried over from 2019. The court had hired 14 contractual employees.

CHILD RIGHTS

Educational Status

There are 220 elementary schools and 149 secondary schools in the district. Twenty out of 2,728 teacher positions in the district 20 were vacant. There were 19,952 girls and 23,727 boys enrolled this year, including 205 girls and 308 boys with disability. There are only six disability-friendly elementary schools in the district. Ninety-two children from conflict-affected families had received scholarships. There is a provision of free education for Dalit and differently abled students in the district. A total of 7,147 girls and 6,717 boys from Dalit families were attending school. One hundred and seventeen children of migrant workers and 82 children of martyrs' family received scholarships.

INSEC documented 41 victims of child rights violation- 36 were victims of rape and five of sexual abuse including one boy. The accused of two cases of rape were sentenced to imprisonment, and those accused of rape in 23 cases were in judicial custody. Minors accused of sexual violence in four cases had been sent to the rehabilitation centre. Further, those accused of sexual violence in seven cases had not been arrested till the end of 2020.

SEXUAL VIOLENCE

Rape

Police arrested an 11-year-old boy of Barahachhetra Municipality-2 on January 9, 2020 on the charge of raping of a girl child on January 8. Health checkup of the victim was done the same day after which police took the case to court. The District Court ordered that the boy be sent to the rehabilitation centre in Biratnagar on February 20.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 709 women registered complaints of domestic violence among which 90 were complaints of home expulsion after beating, 117 of deprivation of food and clothing, 145 of deprivation of citizenship rights and marriage registration, 24 of polygamy, 13 related to dowry and 320 of domestic disputes. Police reconciled 615 cases and 94 cases were being reviewed by the court.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction					1		1
Arrest		1	5	6			
Beatings			9	9	1	1	2
Killing					7	9	16
Child Rights	Rape				36		36
	Sexual Abuse				4	1	5
	Total				**40**	**1**	**41**
Women Rights	Attempt to Trafficking				1		1
	Domestic Violence				5		5
	Polygamy				13		13
	Rape				25		25
	Total				**44**		**44**
Grand Total		**1**	**14**	**15**	**93**	**11**	**104**

INSEC documented 44 victims of violence against women- five were victims of domestic violence, 25 of rape, one of attempted trafficking and 13 of polygamy. Accused of one case was released on bail, and those accused in five cases had not been arrested at the end of 2020. Accused of 19 cases were in judicial custody. This year, two women were killed by their family members and both the accused were sent to judicial custody.

HEALTH SERVICES

The district has six government hospitals, four community hospitals, 49 health posts, five primary health centres and 62 municipal health centres. The government hospital had 11 vacant positions eight for specialist doctors, two for staff nurses and one for the assistant nurse midwife. The enrolment of the elderly in the free health insurance program was 21,599. A total of 148 people in the district had died after COVID-19 infections in 2020.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Rape	1	6	29	36
Sexual Abuse			5	5
Total	**1**	**6**	**34**	**41**
WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Attempt to Trafficking		1		1
Domestic Violence	4		1	5
Polygamy		3	10	13
Rape		5	20	25
Total	**4**	**9**	**31**	**44**

Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	15	16

1.14 Udayapur

Total Population	3,30,613
Women	1,78,450
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	81,618
No. of Migrant Workers	22,060
Population of Disability	7,781
Literacy above 5 yrs (%)	65
Dependent Population	1,46,684

There were eight victims of Human Rights violation and 95 of abuses documented by INSEC among which four were arrested and four were beaten by the state in 2020. There were 36 victims of Child Rights violation including 28 victims of rape, six of sexual abuse, and two of child marriage. Similarly, there were 43 victims of violation against Women Rights including 10 victims of domestic violence, 15 of rape, three of attempted rape, and 15 of polygamy.

CIVIL AND POLITICAL RIGHTS

INJURED DUE TO EXPLOSION

An unidentified group exploded a bomb targeting the Saurya Cement factory of Katari Municipality-8, Bhantabari, on December 4, 2020. The explosion injured five labourers- Bishnu Bahadur Magar, 24, of Katari Municipality-8, Nabin Magar, 23, of Katari Municipality-7, Durga Tamang 25, of Udaypurgadi rural municipality-2, Sagar Moktan, 30 and Shivashankar Moktan, 18 of Makwanpur, while they tried to escape. All the injured were treated at Katari Hospital. The explosion destroyed an excavator and a motorbike parked at the premises of the factory. No one had taken the responsibility of the blast till the end of 2020.

RIGHT TO ASSEMBLY

In a clash between the police and protestors at the Belaka Municipality office on August 2, 2020, Raj Kumar Budathoki, 33, of Area Police Office, Mahendra Bahdur Nriaula, 62, and Rabin Rai, 37 of Belaka Municiplality-5 were injured. The clash was caused when the protestors from Nepali Congress waved black flag and padlocked the municipality office demanding transparency of their works. The injured were treated at the health centre of Rampur on August 2.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	3	4			
Beatings			4	4		3	3
Injured						5	5
Killing					3	5	8
Child Rights	Child Marriage				2		2
	Rape				28		28
	Sexual Abuse				6		6
	Total				**36**		**36**
Women Rights	Domestic Violence				10		10
	Polygamy				15		15
	Rape				15		15
	Rape Attempt				3		3
	Total				**43**		**43**
Grand Total		**1**	**7**	**8**	**82**	**13**	**95**

ARREST

INSEC documented the arrest of four cadres of the banned Communist Party of Nepal. Two of them were released on bail, one was released on bail by the District Administration Office and one was released after committing to abandon the party.

JAIL AND DETENTION

The District Jail has the capacity of 50 inmates but it has accommodated 140 prisoners of which eight are female and three of them are above 60 years. There are three dependent children in the prison. There is provision of drinking water, toilet, and means of communication, leisure activities, and a library. The inmates have opportunities for income generation activities. One Assistant Health Worker (AHW) is posted for general health check-up of the prisoners which is vacant.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with three judges had adjudicated 123 criminal cases out of 386 and 164 civil cases among 446 that were registered in 2020. There are still four cases exceeding two years.

CHILD RIGHTS

Educational Status

There are 338 elementary schools and 112 secondary schools. Out of the 2,129 teachers, 210 are vacant. There were 35,670 girls and 33,783 boys were enrolled this year. There are only nine disability friendly schools. Seven children from the conflict affected families had received scholarship. There is free education for children with disability and Dalit families. Forty six children of migrant workers' families.

INSEC documented 36 victims of Child Rights violation- 28 were victims of rape, six of sexual abuse, and two of child marriage. Accused of 18 cases of rape were sent to judicial custody, four cases were decided, accused of one case was sent to the rehabilitation centre, accused of one case was handed to the guardians and accused of two cases are on run till the end of 2020. Accused of two cases were on police investigation till the end of 2020.

SEXUAL VIOLENCE

Rape

Police arrested 45-year-old father on February 3, 2020 in accusation of raping his 12-year-old daughter on February 2. The case was filed in the district Court. The accused proven of his guilt was sentenced to jail for lifetime and was asked to pay the compensation amount of NRs. 55,000 on December 21.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 114 women victims registered cases of domestic violence among which 42 victims were of physical torture, 67 of mental torture and five of economic torture. Majority of the victims complained about beatings, deprivation of food and clothes and polygamy. Most of the cases are reconciled in the centre and few are sent for legal procedures.

INSEC documented 43 victims of violence against women- 10 were victims of domestic violence, 15 of rape, three of attempted rape, and 15 of polygamy. Accused of 10 cases of rape were sent to judicial custody and accused of one case was released on bail. Accused of three cases were not arrested till the end of 2020. Accused of one case of attempted rape was sent to judicial custody and accused of other two cases were released on bail.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Infrastructure and Property

An unidentified group exploded a bomb targeting the administrative building of Tapli Rural Municipality on November 21, 2020. Police arrested two cadres of banned Communist Party of Nepal suspecting their involvement and a case was filed on December 21. Both of them were released on a bail of NRs. 15,000 on December 24. The explosion caused damage worth NRs. 4.3 million.

HEALTH SERVICE

There are two government hospitals, 46 health posts, one primary health centre and eight municipal health centres. The government hospital had six vacant positions of specialist doctors and four vacant positions of staff nurses.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Child Marriage			1	1	2
Rape	6		4	18	28
Sexual Abuse		1		5	6
Total	**6**	**1**	**5**	**24**	**36**

WOMEN RIGHTS

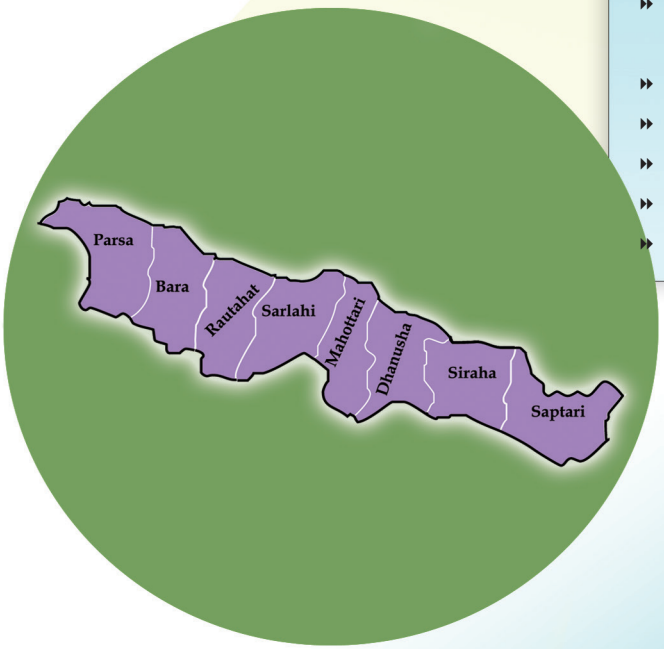
Type of Events	Investigation	Legal Proceeding	Total
Domestic Violence		10	10
Polygamy	1	14	15
Rape	1	14	15
Rape Attempt		3	3
Total	**2**	**41**	**43**

Number of Incidents

Type of Events	Closed Case	Legal Proceeding	Total
Killing	1	7	8

Province 2

- Area: 9,661 sq.km.
- Population: 54,04,145
- Literacy Rate: 49.72
- District: 8
- Electoral Constituency (Parliamentary): 32
- Electoral Constituency (Provincial): 64
- Metropolitan City: 1
- Sub-Metropolitan City: 3
- Municipality: 73
- Rural Municipality: 59
- Total Ward No.: 1,271



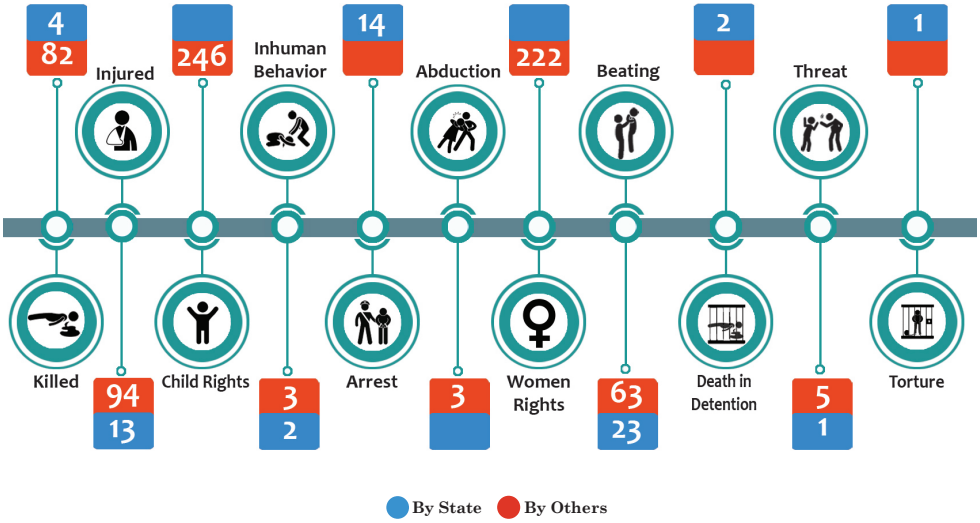
Introduction: Province 2

Their vision is to increase literacy of the citizens, therefore inclusive development has been proposed to affirm Province 2 as a completely literate province within the Fiscal Year 2020/21 and to end the inequality of geography, gender, physical, ethnic and class division. It has announced to cooperate with social organizations to ensure civic responsibility and accountability of the government through awareness of human rights. They have also declared to conduct necessary reform programs by studying the condition of prisons, detention cells and juvenile rehabilitation centres. This year, 4,064 out of 8,745 houses of the housing program were constructed and 4,681 were remaining. Till the end of 2020, 17,173 people were infected with COVID-19 and 209 died. The foundation of 55 hospital buildings were laid in the province this year under the 'One Local Level One Hospital' program.

Human Rights Situation in 2020

INSEC documented 778 victims of human rights violation and abuses in Province 2. In 2020, 14 were arrested, 222 were victims of violation against women rights, 82 were killed by others, four were killed by the state and 246 were victims of child rights violation.

No. of Victims by Incident (In 2020)



2.1 Saptari

Total Population	6,69,470
Women	3,46,173
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	2,51,579
No. of Migrant Workers	26,433
Population of Disability	8,044
Literacy above 5 yrs (%)	65
Dependent Population	2,96,657

There were 15 victims of Human Rights violation and 164 of abuses documented by INSEC among which two were arrested, 11 were beaten, two were victims of inhumane behaviour by the state in 2020. There were 47 victims of Child Rights violation including 26 victims of rape, 13 of sexual abuse, five of corporal punishment and three of child trafficking. Similarly, there were 50 victims of violation against Women Rights including 10 victims of domestic violence, 12 of rape, nine of attempted rape, three of sexual abuse, three of witchcraft allegation and 13 of polygamy.

ARREST

Nepal Police arrested Uma Bhujel 'Shilu', 41, of Ajirkot Rural Municipality-3, Gorkha and Suman Singh Poudel, 31, of Damak Municipality-2, Jhapa on August 20, 2020 and filed a case of alleged misbehavior at the District Court in Saptari. The Sunsari District Court had released them on August 18, 2020 and they were rearrested by Sunsari Police after release by the court. The victims said that they were rearrested from Sunsari and taken to Saptari. But Saptari Police claimed that they had arrested the two on August 20, 2020 for allegedly misbehaving with the police and for their alleged involvement with the banned Communist Party of Nepal (CPN). The two were released on August 30, 2020 by the Supreme Court order following a habeaus curpus hearing in the presence of Saptari District Court and District Bar Association officials. Two policemen were waiting in the premises to rearrest them but they managed to flee from the scene. Court and Bar Association officials protested against the intervention following a search by police of court rooms.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	1	2			
Beatings			11	11	6	17	23
Inhuman Behaviour		1	1	2		1	1
Injured					5	26	31
Killing					4	7	11
Threats						1	1
Child Rights	Child Trafficking				3		3
	Corporal Punishment					5	5
	Rape				26		26
	Sexual Abuse				12	1	13
	Total				**41**	**6**	**47**
Women Rights	Domestic Violence				10		10
	Witchcraft Allegation				3		3
	Polygamy				13		13
	Rape				12		12
	Rape Attempt				9		9
	Sexual Abuse				3		3
	Total				**50**		**50**
Grand Total		**2**	**13**	**15**	**106**	**58**	**164**

BEATING/ MISBEHAVIOR

This year, six victims were beaten by the state with an excuse of COVID-19 control. There were three victims of misbehavior. No complaints were filed for two of the cases and three accused police and one armed police were taken into legal review.

By State

Manoj Chaudhary of the Armed Police Force (APF) at the Ramnagar Kodarkatti border outpost beat up Harekrishna Sah, 26, and Chandra Yadav, 24, of Mauwaha in Balan Bihul Rural Municipality-3 on March 30, 2020. Videos and photos of the two being beaten while they were on their way back to Nepal from Lokha Bazaar in Bihar had appeared on social media. Both of them were treated at the local health post. Chaudhary said he had beaten for illegally bringing goods from India and accused the two of misbehaving with him while he tried to warn them in the Dashgaja area (no man's land). The APF suspended Chaudhary from duty on April 1.

Two policemen were accused of beating and injuring six men at the COVID-19 quarantine centre of Bode Bersain Municipality on July 7, 2020. The injured were treated at the site by health workers from Bode Bersain Health Post. The police office sought clarification and issued a stern warning to the policemen Ghanshyam Thapa Magar and Chhavilal Bamjan. People at the quarantine centre had protested and demanded action against the policemen. According to the injured, 15 of them were sitting at the main entrance of the school where the quarantine site was located due to the hot weather. They said the police came and started beating them. Nine of those there had managed to escape. The accused were taken away by a team from the Area Police Office, Kadarbona. The accused said they had reacted after seeing people in the quarantine walk towards the market, who had also used abusive language while the police had tried to convince them to return.

By Others

Mayor of Dakneswori Municipality Shiva Narayan Sah, 68, accused Rajiv Kumar Rai, 40, of Dakneshwari Municipality-3; Amarendra Kumar Yadav, 32, of Dakneshwari Municipality-5; Maheshwar Prasad Yadav, 45, Arjun Kumar Yadav, 26, of Dakneshwari Municipality-7, and Gajendra Prasad Sah, 30, of misbehaving with him and beating him on February 4, 2020. Sah lodged a complaint at the District Police Office on February 6. Sah said the group surrounded his vehicle and assaulted him while he was leaving the office with other employees. All the 18 lo-

cal level governments in the district were closed on February 6 in protest. Police registered a complaint of inhuman behaviour against three of the accused at the District Administration Office on February 6. Maheshwar Prasad, was not arrested but appeared at the district court on November 9 and was released on a bail of Rs 25,000. Gajendra Prasad had not been arrested till the end of the year 2020.

Kamlesh Sah, 21, ASI, at the Kanchanpur Area Police office, assigned for security at the quarantine at Laxminarayan Higher Secondary School, Kanchanpur Municipality-1, filed a complaint accusing eight individuals of beating him on May 30, 2020. Police arrested four of the accused – Ibraj Sheikh, 26, Sarif Sheikh, 26, Fariyad Sheikh, 27, Aspak Sheikh, 22 – on 23 June and were presented at court same day. They were released on bail of Rs. 10,000 each and Rs. 3000 as compensation for the victim. The others accused of beating – Rajabul Sheikh, 20, Juner Sheikh, 22, Kudrat Sheikh, 22, and Arwan Sheikh, 20 – had not appeared at court at the end of the year. According to the injured policeman, relatives of those staying at the quarantine centre had beaten him after he asked them to maintain social distancing. Dambar Prasad Gupta, senior Assistant Health Worker, and co-coordinator of Kanchanrup Municipal Health Branch, said that the upper part of Sah's right knee had been fractured. Sah was treated at Kanchanrup Primary Health Centre, Dharmeshwor Hospital in Kanchanrup Municipality-8 and Unique Hospital in Rupani Rural Municipality.

Diwakar Sah, correspondent of Mountain Television, filed a complaint against Bhim Raj Yadav, 51, of Rajbiraj Municipality-9 accusing him threatening to kill himon June 26. The victim made the complaint at the District Administration Office and District Police Office requesting for protection on the same day. According to Sah, Mountain Television had broadcast news regarding the irregularities and corruption during the construction of the 'Martyr's Gate' at the Rajbiraj-Rupni road section on June 23. Yadav, also a leader of the Janata Samajwadi Party, had won a bid to build the gate and an adjoining park at NPR. 8.1 million. According to Sah, Yadav had threatened to kill him and used abusive language in a phone conversation at 9:43 pm on June 25 after the news was broadcast. Yadav said, Sah had repeatedly demanded money from him at a press conference on June 28, which was why he had disseminated false news in connection with the ongoing construction work. He admitted using abusive language after being intimidated by the journalist on the phone several times. Sah said he had not discussed any financial transaction with Yadav. Legal action had not been taken at the end of this year and police had tried to mediate a settlement which was refused by the journalist.

JAIL AND DETENTION

The District Jail had the capacity of holding 125 inmates but it had 370 prisoners of which 17 were female. There was one dependent children in the prison. There is provision of drinking water, toilet, means of communication and leisure activities and a library, but the prison lacked enough space for living.

Death in Jail

This year, Deep Narayan Chaudhary, 75, Sumitra Devi Sah, 66 and Panchu Mandal, 77 died in the custody of Saptari District Jail.

RIGHT TO PROMPT AND FAIR TRIAL
High Court

The High Court had positions for 11 judges. It had 1,159 cases carried over from 2019. A total of 331 cases were adjudicated out of which 151 were registered in 2020.

Distirct Court

The District Court with 10 judges had adjudicated 448 criminal cases out

of 1,873, and 1,340 civil cases from 4,423 that were registered in 2020. There court had 309 criminal cases that had not been decided for over two years.

CHILD RIGHTS

There are 335 elementary schools and 81 secondary schools in the district. There were 57,370 girls and 50,229 boys enrolled this year, including 236 girls and 284 boys with disability. There were five disability-friendly schools in the district. Nine children from conflict-affected families had received scholarships. A total of 5,532 girls and 4,670 boys from Dalit families were attending school. Eighty-one children of migrant workers and four children of martyrs' family received scholarships.

INSEC documented 47 victims of Child Rights violation- 26 were victims of rape, 13 of sexual abuse, five of corporal punishment and three of child trafficking. Sixteen accused of rape were sent to judicial custody and one minor-accused was sent to rehabilitation centre. Two of the accused were handed over to the guardians. Fourteen of the accused were not arrested till the end of 2020. Similarly, two accused of sexual abuse were sent to judicial custody and seven accused were released on bail, two were in police custody, and 13 were not arrested till the end of 2020.

Corporal Punishment

Guardians of seven students filed a complaint with the police accusing, a 46-year-old, director of the Adarsha Secondary English School of beating and injuring their children on February 25, 2020. The teenagers were allegedly punished for not complying with the school discipline. The victims had injuries and bruises on their bodies. Two of the injured students had been admitted at the Gajendra Narayan Singh Hospital on February 25. The father of one of the victims said no action had been taken against the accused in end December 2020.

ALL KINDS OF VIOLENCE AGAISNT WOMEN

This year 213 women registered complaints of domestic violence among which 56 were complaints of home expulsion, 89 of deprivation of food and clothing, 41 of deprivation of citizenship rights and marriage registration, 21 related to dowry and six of domestic disputes. Police reconciled 190 cases and 23 cases were being reviewed by the court.

INSEC documented 50 victims of violence against women- 10 were victims of domestic violence, 12 of rape, nine of attempted rape, three of sexual abuse, three of witchcraft allegation and 13 of polygamy. Seven of the accused rape were set to judicial custody, six were not arrested and one case was reconciled. One accused of attempted rape was sent to judicial custody, five were released on bail, and six accused of attempted rape and two accused of sexual abuse were not arrested till the end of 2020.

Killing by Family Members

Mother of the victim filed a complaint at the Area Police Office accusing her son in law's family members of killing her daughter on February 3, 2020. She said her 31-year-old daughter was killed by her father-in-law, mother-in-law and husband. She added that the victim had also endured extreme physical torture and later the body had been hanged on a tree. She filed the complaint on February 10 at the Area Police Office and also mailed them on February 11. Police did not register the complaint after which, the victim's mother appealed for a mandamus order at the High Court's Rajbiraj Bench on February 14. The police had not filed a formal complaint and the case had not been resolved till the end of 2020.

Attempted Killing

A 30-year-old woman accused her husband of attacking her with a *khukuri* on January 7, 2020. According to the victim, she was attacked on her way back

from the ward office of Rajbiraj Municipality-12 where he had gone to correct the citizenship and birth certificates of her sons. Her grandfather, an eyewitness, said that the accused was riding a motorbike and had attacked the victim suddenly. The accused had married for the second time and used his second wife's name in the certificates of children from the first wife. The victim had lodged a complaint with the police, the ward office, and the municipal office had assuredthe certificated would be corrected. The victim received first aid at the Gajendra Narayan Singh Hospital in Rajbiraj, and was later treated at the Golden Hospital in Biratnagar. The accused was absconding at the end of the year; no formal complaint had been registered.

A 20-year-old woman filed a complaint at District Police Office Saptari on February 3, 2020 against her family members – father-in-law; mother-in-law, brother-in-law and sister-in-law of trying to set her on fire on January 31, 2020. The victim's husband, works as a carpenter in Kathmandu and the victim had returned home 19 days before the incident. According to the victim, the accused had sprinkled petrol on her to try to set her on fire. She added that the family members had held her at home for three days without any treatment. The District Police Office asked the victim to amend the complaint after her third attempt and registered a complaint only against the father-in-law, who was arrested on February 5. The case was filed at the District Court on February 16 and the accused was sent to judicial custody on March 1. The case had not been resolved in end-December 2020.

ALLEGETION OF WITCHCRAFT

Husband of 35-year-old woman, submitted a complaint against four male and one female neighbours at the Area Police Office on January 29, 2020 saying that his wife had been beaten, treated inhumanely and accused of witchcraft on January 26, 2020. The District Police Office, Saptari ordered a medical examination of the victim at the Koshi Hospital, Biratnagar on January 28. The victim and her husband held a press conference at Rajbiraj on June 19 and told the media that they had sent a complaint via the post but the Area Police Office had rejected to register it. The victim was later treated at the Neuro Hospital, Biratnagar. A formal complaint had not been registered at the end of 2020.

ALL KINDS OF CASTE-BASED DISCRIMINATION

By Other

Demolition of Dalit Houses

Om Prakash Mandal, a local of Rajgadh Rural Municipality, accused the government (Rajgadh Rural municipality, Province One, and the Government of Nepal) of denying the fundamental right to housing to 14 homeless Dalit Mushar families of Belhi Chapena of Rajgad Rural Municipality-4. About 70 members of the 14 families had travelled to Rajbiraj with household furniture and utensils to demand for their right to housing as per Article 37 (3) (1) and 3 (3) of the Right to Housing Act 2017. The families' houses had been demolished by Ram Bahadur Mandal, 58, on February 1, 2020 after the district court ordered that the land where the Mushar families' houses were situated belonged to him. The displaced families were taking shelter at a nearby mango orchard at the end of the year.

HEALTH SERVICES

The district has two government hospitals, seven community health units, 111 health posts, four primary health centres, 19 basic health centres and five municipal health centres. There were 50 positions of medical consultants vacant in Gajendra Narayan Hospital. The district had tested 1,829 positive cases of COVID-19 and 41 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Trafficking		1	1		2
Corporal Punishment				1	1
Rape	1	5	20		26
Sexual Abuse		2	9	1	12
Total	**1**	**8**	**30**	**2**	**41**

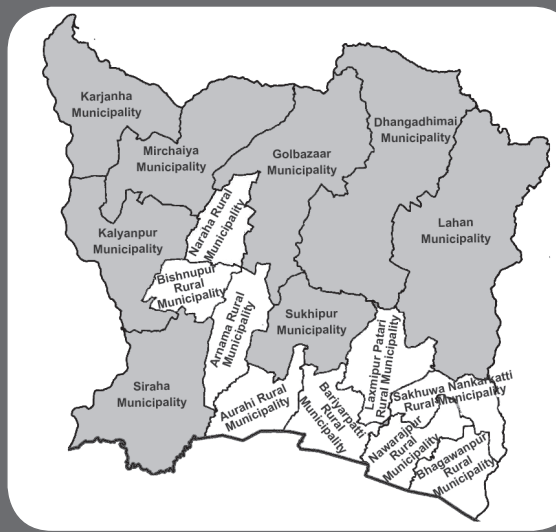
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	1	2		6	1	10
Witchcraft Allegation			1	1	1	3
Polygamy	1		3	9		13
Rape		1	4	7		12
Rape Attempt			4	4	1	9
Sexual Abuse				3		3
Total	**2**	**3**	**12**	**30**	**3**	**50**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	11	11

2.2 Siraha



Total Population	6,65,858
Women	3,49,044
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	2,19,339
No. of Migrant Workers	45,790
Population of Disability	6,665
Literacy above 5 yrs (%)	58.05
Dependent Population	3,09,291

There were 117 victims of Human Rights abuses documented by INSEC among in 2020. There were 47 victims of Child Rights violation including 31 victims of rape, 14 of sexual abuse, one of corporal punishment and one of child trafficking. Similarly, there were 57 victims of violation against Women Rights including 23 of rape, 11 of attempted rape, 10 of witchcraft allegation and 13 of polygamy.

JAIL AND DETENTION

The District Jail has the capacity of holding 150 inmates but there were 423 prisoners, including 21 female. Further, 14 inmates were above 60 years of age. There were two dependent children at the prison. There is provision of drinking water, toilet, means of communication and leisure activities and a library, but the prison lacked enough space for living.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with eight judges had adjudicated 366 criminal cases out of 1,768 and 1,487 civil cases among 3,837 that were registered in 2020. There were 531 cases (204 criminal and 327 civil) that had not been decided for over two years. There were 2,851 cases that had been carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 342 elementary schools and 82 secondary schools in the district. There were 52,288 girls and 46,995 boys enrolled this year of which 133 girls and 70 boys had some form of disability. There were 16,346 girls and 16,269 boys from Dalit families enrolled at the schools. Sixty-one children whose parents were migrant workers abroad had received scholarships. Similarly, 23 children from conflict-affected and martyrs' families had received scholarships.

Type of Events		By Others		
		Female	Male	Total
Killing		10	3	13
Child Rights	Child Trafficing	1		1
	Corporal Punishment		1	1
	Rape	31		31
	Sexual Abuse	14		14
	Total	**46**	**1**	**47**
Women Rights	Witchcraft Allegation	10		10
	Polygamy	13		13
	Rape	23		23
	Rape Attempt	11		11
	Total	**57**		**57**
Grand Total		**113**	**4**	**117**

INSEC documented 47 victims of child rights violation – 31 were victims of rape, 14 of sexual abuse, one of corporal punishment and one of child trafficking. The accused in 19 cases of rape were sent to judicial custody, the accused of one case was sentenced to jail, two were exonerated one – a minor – was handed over to parents. Further, the accused of seven cases had not been arrested at the end of the year. Similarly, the accused of four cases of sexual abuse were sent to judicial custody. The accused of three cases were released on bail, one was released on general bail and one – a minor – was handed over to the parents. Accused of other five cases had not been arrested at the end of the year.

SEXUAL VIOLENCE

Rape

Police arrested Binod Mahara, 19, of Dhangadimai Municipality-10 on the charge of rape of a 14-year-old girl on January 16, 2020. The accused was sent to judicial custody on February 10. The case was decided on December 28 and Mahara was sentenced to 12 years in jail and fined NRs. 100,000.

Killings by Family Members

INSEC documented three cases of killings by family members this year. One of the victim was also 15-month-old girl. The accused of one case was sent to judicial custody and one was released on bail. Another accused -- a minor – was handed over to the parents.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 64 women registered cases of domestic violence among which were 41 cases were reconciled and others were under review.

INSEC documented 57 victims of violence against women- 23 were victims of rape, 11 of attempted rape, 10 of witchcraft allegation and 13 of polygamy. A minor accused of rape was sent to the rehabilitation centre, and another person accused in the same case was sent to judicial custody. Similarly, the accused in 10 other cases were sent to judicial custody and one accused of a rape case was exonerated. One of the accused of rape was released on general bail and accused of eight cases had not been arrested at the end of 2020. The accused in two cases of attempted rape were released on bail and those of two cases were sent to judicial custody. Further, the other accused was released on general bail and accused of another case was exonerated. Five accused had not been arrested at the end of 2020.

Killing by Family Members

INSEC documented five victims of killings by family members. The accused of two cases were sent to judicial custody, two were released on bail. Six of the accused had not been arrested till the end of the year and one was under investigation.

ALLEGATION OF WITCHCRAFT

INSEC documented 10 victims in 10 cases of allegations of witchcraft in 2020. An accused in one case was sent to judicial custody and five were released

on bail. Thirty-five accused for the same charge had not been arrested till the end of 2020.

HEALTH SERVICES

The district has three government hospitals, 104 health posts, four primary health centres and one sub-health post.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Trafficking			1	1
Corporal Punishment			1	1
Rape	1	7	23	31
Sexual Abuse		4	10	14
Total	**1**	**11**	**35**	**47**

WOMEN RIGHTS

Type of Events	Investigation	Legal Proceeding	Totals
Witchcraft Allegation	6	4	10
Polygamy	3	10	13
Rape	9	14	23
Rape Attempt	6	5	11
Total	**24**	**33**	**57**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	12	13

2.3 Dhanusha

Total Population	7,91,293
Women	3,90,853
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	1,74,071
No. of Migrant Workers	60,400
Population of Disability	8,412
Literacy above 5 yrs (%)	50.44
Dependent Population	3,46,824

There were 13 victims of Human Rights violation and 153 of abuses documented by INSEC among which four were arrested, six were beaten, one died in custody, one was threatened and one was tortured by the state in 2020. There were 39 victims of Child Rights violation including 30 victims of rape, and nine of sexual abuse. Similarly, there were 60 victims of violation against Women Rights including 16 were victims of domestic violence, 17 of rape, three of attempted rape, five of sexual abuse, four of witchcraft allegation, two of trafficking and 13 of polygamy.

ARREST

INSEC documented the arrest of four cadres of the banned Communist party of Nepal in 2020. Among them was Anil Sharma, a politburo member of the party, was re-arrested after release on September 9, 2020. He was then transferred to Saptari from Dhanusha. Other three cadres were sent to jail for judicial custody.

Death in Police Custody

Shambhu Sada, 22, of Sabaila Municipality was found hanging in the toilet of Area Police Office, Sabaila. The victim's family accused the police of killing and hanging Sada. They accused Chandra Bhusan Yadav, Inspector at the police office, of torturing Sada. The post mortem of the body was done on June 17. The mother of the victim filed a complaint against Inspector Yadav, Paras Sah, 39, Santosh Sah, 43, Raj Kumar Yadav, 50, Kari Yadav, 55, Sanjaya Sah, 45 and Kali Prasad Sah, 52. The accused had not been arrested till the end of 2020.

RIGHT TO PROMPT AND FAIR TRIAL
High Court Janakpur

The court had positions for 12 judges. It had received 2,003 criminal cases and 984 civil cases in 2020.

District Court

The District Court with eight judges had adjudicated 64 criminal cases out of 1,265 and 421 civil cases among 3,447 that were registered in 2020. There were 623 cases (205 criminal and 418 civil) that had not been decided for over two years. The court had hired 48 employees on contracts.

CHILD RIGHTS

Educational Status

The district has 322 elementary schools and 85 secondary and 72 Madarasa schools in the district.

INSEC documented 39 victims of child rights violation- 30 were victims of rape and nine of sexual abuse. The accused of 20 cases of rape were sent to judicial custody and the accused of four cases had not been arrested at the end of 2020. The accused of four cases of sexual abuse were in judicial custody and accused in other three cases had not been arrested.

Four persons accused of gang rape in two cases had not been arrested till the end of the year. Three accused – minors – in case were handed over to their guardians. Four persons accused in two other cases were sent to judicial custody. An accused of another case was sent to judicial custody and the other accused was released on bail.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 416 women registered cases of domestic violence among which 131 were cases of beating and expulsion from home, 32 of deprivation of food and clothes, 22 of threats, 15 of abuse, nine of polygamy, two of deprivation of citizenship, three related to dowry, and 202 were cases of dispute and beating, etc. Police reconciled 60 cases and 190 cases were sent to concerned agencies, 10 cases were sent to the court, and 156 complaints were under review.

INSEC documented 60 victims of violence against women- 16 were victims of domestic violence, 17 of rape, three of attempted rape, five of sexual abuse, four of witchcraft allegation, two of trafficking and 13 of polygamy. The accused of nine cases of rape were sent to judicial custody, and the accused of four cases had not been arrested till the end of 2020. An accused in a case of attempted rape was in judicial custody, another accused in the case was released on bail, and the accused of other two cases had not been arrested till the end of 2020.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction						1	1
Arrest			4	4			
Beatings		1	5	6	2	16	18
Death in Detention			1	1			
Inhuman Behaviour						2	2
Injured					5	6	11
Killing					12	8	20
Threats			1	1		2	2
Torture			1	1			
Child Rights	Rape				30		30
	Sexual Abuse				9		9
	Total				**39**		**39**
Women Rights	Domestic Violence				16		16
	Witchcraft Allegation				4		4
	Polygamy				13		13
	Rape				17		17
	Rape Attempt				3		3
	Sexual Abuse				5		5
	Women Trafficking				2		2
	Total				**60**		**60**
Grand Total		**1**	**12**	**13**	**118**	**35**	**153**

Killings by Family Members

Killing for Dowry

A complaint was filed against a 25-year-old husband on the charge of killing his 20-year-old wife on May 29, 2020

during a dispute over dowry. The complaint was registered only on July 22 but the accused had not been arrested at the end of 2020.

Acid Attack

Police arrested a 24-year-old male on November 14, 2020 on the charge of attacking his 21-year-old spouse and a three-year-old daughter. The victims had burn injuries on the head, face, chest and waist. They were treated at Kirtipur in Kathmandu. A case was filed against the accused on November 18 and the accused was sent to judicial custody on November 26.

HEALTH SERVICES

The district has one provincial hospital, 98 health posts, and five primary health centres. Janakpur Provincial Hospital had 56 vacant positions of medical consultants.

Death Due to Delay in Treatment

Raju Sada, 15 of Hansapur Municipality-7 died at the Janakpur Provincial Hospital on June 22, 2020. His father accused the hospital of causing the death by delaying treatment. The boy had been taken to the emergency at the hospital following complications in the treatment of COVID-19. Sada had been transferred to the emergency by a special COVID-19 hospital.

Sada had arrived in Nepal after travelling on foot for eight days from Ahmdabad, India on May 16. He had stayed at the quarantine in Hanshapur Municipality for 17 days. He had tested negative for COVID -19 but had been admitted at the special hospital because he had diarrhea. He was kept there for 13 days and had been transferred to the provincial hospital after he tested negative. No post mortem was done. The Provincial Government provided Sada's family NRs. 500,000 as assistance.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	No Legal Proceeding	Total
Rape	4	25	1	30
Sexual Abuse	4	5		9
Total	**8**	**30**	**1**	**39**

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	5	4	3	3	15
Witchcraft Allegation		2	1	1	4
Polygamy		8	5		13
Rape		4	12	1	17
Rape Attempt	1	1	1		3
Sexual Abuse		1	2	2	5
Women Trafficking			2		2
Total	**6**	**20**	**26**	**7**	**59**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	7	13	20

2.4 Mahottari

Total Population	6,60,374
Women	3,39,602
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	1,00,544
No. of Migrant Workers	40,541
Population of Disability	10,166
Literacy above 5 yrs (%)	47
Dependent Population	3,15,767

There were four victims of Human Rights violation and 53 of abuses documented by INSEC among which two were killed and two were injured by the state in 2020. There were 32 victims of Child Rights violation including 29 victims of rape and three of sexual abuse. Similarly, there were 14 victims of violation against Women Rights including nine of rape, one of witchcraft allegation and four of polygamy.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

KILLING

Rajan Yadav, 16, was killed in a clash between police and drug traffickers on May 24, 2020. The clash had occurred at 8 P.M. during an undercover operation of the police acting on information they had on possible drug trafficking. According to the police, Yadav was killed during the firing that had taken place. The body was handed over to the family on May 25. Several people – Sanjeev Paswan, 26; Ram Bihari Paswan, 24; Manoj Sah, 28 and Lal Babu Yadav, 26 – were injured in the clash. Police arrested Surendra Yadav, 50, and Rahul Yadav, 27, on the charge of trafficking drugs. Police found Nitrovet tablets at the site of the clash. The families of deceased had not filed a complaint.

Buddhi Raj Neupane, 42, of Bardibas Municipality-1 died in a clash between police and protesters on November 24, 2020. The protesters were demanding justice following death of a six-year-old girl following rape. The Ministry of Home Affairs formed a committee for investigating the case that was headed by an Under Secretary at the Ministry. The investigation had not been completed in December 2020.

JAIL AND DETENTION

The District Jail has the capacity of holding 135 inmates but there were

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Injured		2	2		4	4
Killing		2	2		3	3
Child Rights	Rape			29		29
	Sexual Abuse			2	1	3
	Total			**31**	**1**	**32**
Women Rights	Witchcraft Allegation			1		1
	Polygamy			4		4
	Rape			9		9
	Total			**14**		**14**
Grand Total		**4**	**4**	**45**	**8**	**53**

528 prisoners, including 43 women. There were four dependent children at the prison. Jaleshwor Jail at Mahottari also had inmates from Dhanusha and Sarlahi. There were no separate cells for prisoners and people in custody. The jail had 10 toilets. The jail lacked adequate space.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 136 criminal cases out of 1,247 and 857 civil cases among 2,653 that were registered in 2020. There were 284 cases (78 criminal and 206 civil) that had not been decided for over two years.

CHILD RIGHTS

Educational Status

The district has 229 elementary schools and 83 secondary schools. There were positions for 1,505 teachers out of which 55 were vacant in the district. There were 42,611 girls and 48,653 boys enrolled this year. This year 2,289 students from Dalit families had received scholarships.

INSEC documented 32 victims of child rights violation- 29 were victims of rape and three of sexual abuse. None of the cases had been decided at the end of 2020. Fifteen of the total 33 accused had been sent to judicial custody. Six of the accused were released on bail, five minors had been sent to the rehabilitation centre, and one was in custody for not being able to deposit the bail amount. Six of the accused had not been arrested at the end of the year. There were three victims of sexual abuse including one boy. One of the accused was released on general bail and two were sent to judicial custody. One child was killed by family members this year.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 259 women registered complaints of domestic violence among which were 144 cases of beating and expulsion from home, 57 of deprivation of food and clothes, eight of deprivation of marriage registration and citizenship, 10 of polygamy, 30 of wife not returning home and one case of alleged witchcraft. Among those cases, 173 were reconciled, 12 were undergoing court procedures, and investigation was underway on 74 cases.

INSEC documented 14 victims of violence against women- nine were of rape, one of witchcraft allegation and four of polygamy. Six accused of rape were sent to judicial custody, four were released on bail and three had not been arrested at the end of the year. Similarly, one accused of polygamy was sent to judicial custody, two were released on bail and three were in custody for failing to deposit the bail amount.

ALLEGATION OF WITCHCRAFT

Police arrested a 23-year-old male on the charge of abusing and beating a 55-year-old woman on August 21, 2020 after accusing her of witchcraft. The victim was treated at Jaleshwor Hospital the next day. A case was filed on September 9. The accused was released the next day on a bail of NRs. 25,000.

HEALTH SERVICES

The district has two government hospitals, five primary health centres, 18 health posts and 52 sub-health posts. A five-bed ventilator service was started at Jaleshwor Hospital with support of the Provincial Government. Jaleshwor Hospital was established two years ago.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Rape	4	25	29
Sexual Abuse		3	3
Total	**4**	**28**	**32**

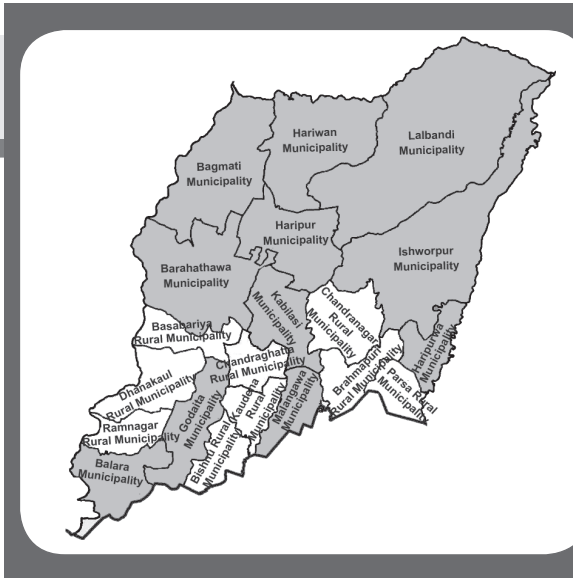
WOMEN RIGHTS

Type of Events	Incomplete	Investigation	Legal Proceeding	Total
Witchcraft Allegation			1	1
Polygamy			4	4
Rape	1	1	7	9
Total	**1**	**1**	**12**	**14**

Number of Incidents

Type of Events	Legal Proceeding	No Legal Proceeding	Total
Killing	3	2	5

2.5 Sarlahi



Total Population	8,31,067
Women	4,14,067
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	1,35,268
No. of Migrant Workers	21,401
Population of Disability	9,585
Literacy above 5 yrs (%)	89
Dependent Population	386,976

There were 11 victims of Human Rights violation and 65 of abuses documented by INSEC among which one was killed, three were beaten and seven were injured by state in 2020. There were two victims of Child Rights violation and both were victims of rape. Similarly, there were four victims of violation against Women Rights and they were victims of attempted trafficking.

CIVIL AND POLITICAL RIGHTS

INJURED IN EXPLOSION

Police had resorted to firing during the clash between cadres of Communist Party of Nepal (CPN) and Nepali Congress (NC) on June 28, 2020. Several of the NC cadres – Ram Chandra Hajari, 65 Nageswor Sahani, 55, Mehboob Ansari, 24, Rakesh Kumar Singh, 25, Ram Binaya Hajari, 23, Bilas Raya, 34, Bijaya Sah, 24, Suraj Kumar Singh, 22, Sunil Mahato, 25, Bijaya Singh, 35, Mohammad Seikh Intaz, 25, Sunil Sah, 19, Nitesh Kumar Singh, 23, Ranjit Yadav, 19 and Arun Yadav, 31, were injured. Similarly, the cadres of CPN injured included Laxman Sah, 55, Radhir Ranjan Varma, 43 and Baidha Nath Sahani, 47. All the injured were treated at the Malangawa Hospital. The clash occurred during the protest rally against the killing of CPN local leader Ram Julum Yadav, 60.

INJURED IN CLASH

The Nepali Congress protested the killing of Mahendra Ram. Several police officers were injured in the clash including DSP Madan Kunwar, 42, DSP Udhav Bhat, 38, Inspector Bikram Sah, 36 and Inspector Ravi Bhusan Yadav, 37. They were treated at the Malangawa Hospital. Similarly, several of the protesters -- Bakhtiyar Ali, 36, Anukhiya Devi, 65, Kirania Devi, 62, Somariya Devi, 57 and Jadunandan Ram, 32 were also injured.

The wife of the deceased Mahendra Ram received compensation of NRs. 500,000 on December 25.

JAIL AND DETENTION

The inmates of Sarlahi had been transferred to Sunsari, Mahottari and Rautahat following damages at the District Jail during an attack by Maoists in 2005 and the earthquake of 2011. The new building now under construction will have a capacity of holding 200 male and 100 female.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with six judges had adjudicated 87 criminal cases out of 308 and 97 civil cases among 308 that were registered in 2020. There were 82 cases (36 criminal and 46 civil) that had not been decided for over two years.

CHILD RIGHTS

Educational Status

The district has 681 elementary schools and 84 Madarasas. There were provisions of books in all the government schools and all children with disability, from Dalit families and backward communities had access to free education till high school.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 196 women registered cases of domestic violence among which were 172 cases were reconciled, six cases were mediated in the village where they had occurred, and 18 had not been decided.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Beatings			3	3		12	12
Injured		3	4	7	1	36	37
Killing			1	1	2	7	9
Threats						1	1
Child Rights	Rape				2		2
	Total				**2**		**2**
Women Rights	Attempt to Trafficking				4		4
	Total				**4**		**4**
Grand Total		**3**	**8**	**11**	**9**	**56**	**65**

Killing by Family Members

Police arrested a 32-year-old male on August 24, 2020 on the charge of killing his 50-year-old mother. The accused was sent to judicial custody. The case had not been decided at the end of 2020.

ECONOMIC SOCIAL AND CULTURAL RIGHTS

Destruction of Infrastructure and Property

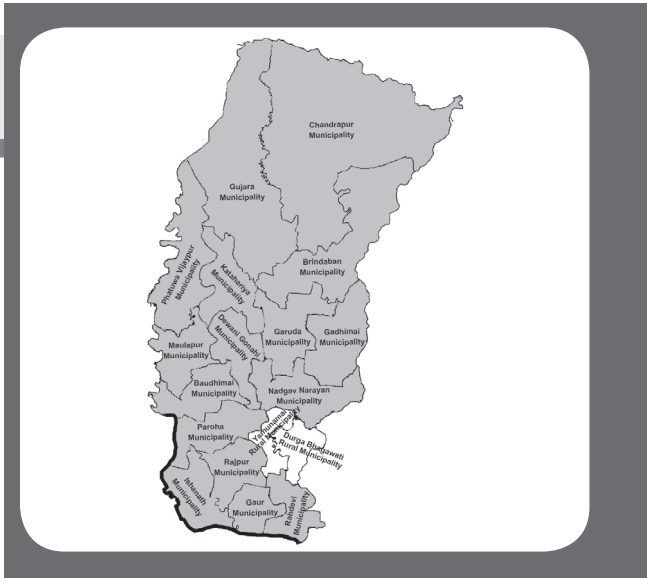
An unidentified group set fire on a telecommunication tower of Ncell Pvt. Ltd at Parwanipur, Lalbandi Municipality-16 on January 26, 2020. The fire damaged the solar panels, power supply and wires. The police had not pressed any charges.

HEALTH SERVICES

The government hospital had distributed about 70 types of free medicines to patients visiting the hospital. The hospital had shortages of medical equipment and supplies.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events		**Legal Proceeding**		**Total**
Rape		2		2
Total		**2**		**2**
WOMEN RIGHTS				
Type of Events		**Legal Proceeding**		**Total**
Attempt to Trafficking		1		1
Total		**1**		**1**
Number of Incidents				
Type of Events	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Killing	2	7	1	10

2.6 Rautahat



Total Population	7,53,205
Women	3,70,102
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	2,27,000
No. of Migrant Workers	9,331
Population of Disability	8,658
Literacy above 5 yrs (%)	47
Dependent Population	2,64,751

There were 10 victims of Human Rights violation and 35 of abuses documented by INSEC among which six were arrested, two were injured, one was killed by the state and one died in custody in 2020. There were 15 victims of Child Rights violation including 10 victims of rape, three of sexual abuse, one of corporal punishment and one of child marriage. Similarly, there were five victims of violation against Women Rights including three of rape, one of sexual abuse, and one of domestic violence.

DEATH BY TORTURE

Bijaya Mahara, 19, of Garuda Municipality – 8 died in police custody. His father filed a complaint on September 9, 2020 in District Police Office, Gaur. Accused of involvement in the case, Inspector Nabin Singh, head constables Hirojmiya Dhuniya and Mannu Kumar Singh were suspended. Other officials, SP Ravi Raj Khadka was transferred to Kathmandu, DSP Gyan Kumar Mahato and SI Birendra Yadav were transferred to Janakpur. The case was not registered in court till the end of the year. Father received the body after post mortem on September 16.

ARREST

INSEC documented the arrest of six cadres of the banned Communist party of Nepal in 2020. Three of the arrested were sent to judicial custody, one was released by District Court and another two by District Administration Office on bail.

JAIL AND DETENTION

The District Jail has the capacity of holding 120 inmates but there were 368 prisoners of which 19 were female. There were four dependent children in the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		2	4	6			
Beatings						4	4
Death in Detention		1		1			
Injured			2	2		1	1
Killing			1	1	3	7	10
Child Rights	Child Marriage				1		1
	Corporal Punishment					1	1
	Rape				10		10
	Sexual Abuse				3		3
	Total				**14**	**1**	**15**
Women Rights	Domestic Violence				1		1
	Rape				3		3
	Sexual Abuse				1		1
	Total				**5**		**5**
Grand Total		**3**	**7**	**10**	**22**	**13**	**35**

library. The inmates had opportunities for income generation activities. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners.

Death in Custody

Rewati Kumari Raut, 30, of Gujara Municiality-2 died in at the custody of the Women, Children and Senior Citizens Service Centre on October 1, 2020. She was found dead on her bed. The police informed that she had a history epilepsy.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 324 criminal cases out of 1,342, and 315 civil cases among 2,276 that were registered in 2020. There were 440 cases (313 criminal and 127 civil) that had not been decided for two over years. There were 1,434 cases that has been carried over from 2019. The court had hired nine employees on contracts.

CHILD RIGHTS

There are 305 elementary schools and 79 secondary schools in the district. There were 1,700 vacant positions for teachers out of 3,706. There were 57,276 girls and 95,152 boys enrolled this year, including 142 girls and 154 boys with disability. There were 62 disability-friendly schools in the district. Three hundred and two children from conflict-affected families had received scholarships. A total of 21,092 girls and 35,000 boys from Dalit families were attending school. Sixty-three children of migrant workers and 20 children of martyrs' family received scholarships.

INSEC documented 15 victims of child rights violation- 10 were victims of rape, three of sexual abuse, one of corporal punishment and one of child marriage. The accused of eight cases of rape were sent to judicial custody and two were under investigation. The accused of two cases of sexual abuse were sent to judicial custody and one – a minor – was handed over to the guardians on general bail.

Honour Killing

Police arrested six persons including father and mother of a 17-year-old girl on November 30, 2020 on the charge of killing their daughter on November 11. The girl was married away by her family after knowing she was in love with a boy of the village. She had returned to her parents after divorce in July 2020 for which the family was suspected to have killed her.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 374 women registered cases of domestic violence among which 90 cases were reconciled and the victims of other cases had not followed up on their complaints.

INSEC documented five victims of violence against women- three were of

rape, one of sexual abuse and one of domestic violence.

HEALTH SERVICES

The district has two government hospitals, four primary health centres, 92 health posts and 33 community hospitals. There were 12 vacant positions of medical consultants, one of auxiliary nurse midwife, and four positions of staff nurses at the district hospital. Five hundred people in the district had enrolled for health insurance. The district had 2,070 COVID-19 positive cases and 10 deaths in 2020.

FOLLOW UP

Police arrested Shesh Saroj, 34 of Rajpur Municipality – 6 on July 2, 2020 from Nepal-India border on the charge of killing a person in brick factory in fire on April 9, 2008. Police transferred him to the District Court on the next day. Aftab Alam, Nepali Congress leader, main accused of the case is in judicial custody. Shesh was sent to jail for jurisdiction on July 12, 2020.

Police arrested head laborer of the brick factory, Badri Sahani, 55 of Simraungadh Municipality – 4 from Bankul Bazaar on October 2, 2020. He was released on October 3, 2020 with bail of NRs. 200,000. The case was not decided till the end of 2020.

Similarly, Police arrested Mahatab Alam, 46 was arrested by common patrolling of Province and district police from Bankul Bazaar on December 7, 2020. He was sent to judicial custody on December 8, 2020. The case was not decided till the end of 2020.

Trilok Pratap Singh, 24 and Osi Akhtar, 22 were killed in that incident. After the incident, father of Trilok and mother of Akhtar filed a complaint against Aftab Alam, Mahatab Alam, Mobin Alam, Sheikh Bhaid, and Sheikh Saroj. District Court, Rautahat decided to halt the case with reference to the report of Attorney General on July 14, 2008. In May 27, 2012, by the decision of Supreme Court Justice Sushila Karki, the case was started from the start. Police arrested Aftab Alam as main convict of the case on October 13, 2019.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Child Marriage			1	1
Corporal Punishment	1			1
Rape		1	9	10
Sexual Abuse			3	3
Total	**1**	**1**	**13**	**15**

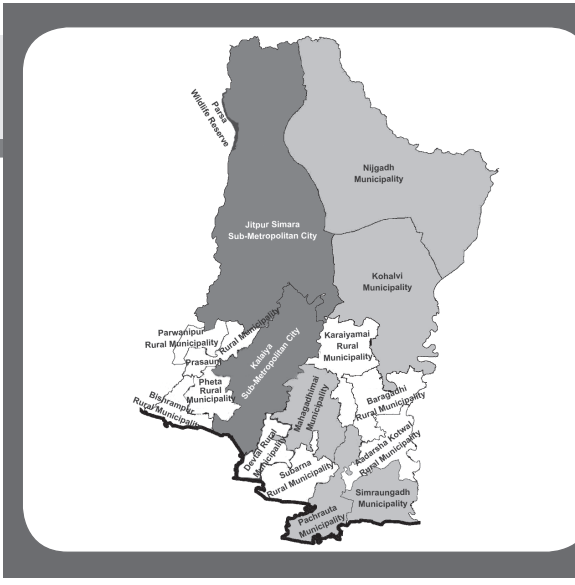
WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence		1	1
Rape		3	3
Sexual Abuse	1		1
Total	**1**	**4**	**5**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	11	11

2.7 Bara



Total Population	7,47,105
Women	3,67,568
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	2,03,484
No. of Migrant Workers	12,530
Population of Disability	11,649
Literacy above 5 yrs (%)	52
Dependent Population	3,43,957

There were four victims of Human Rights violation and 59 of abuses documented by INSEC among which one was arrested, one was beaten and two were injured by the state in 2020. There were 24 victims of Child Rights violation including 18 victims of rape, three of sexual abuse and three of child marriage. Similarly, there were 22 victims of violation against Women Rights including 10 of rape, four of attempted rape, four of polygamy and four of witchcraft allegation.

INJURED IN CLASH

Ranjan Kumar Yadav, 14, and Shiva Nath Yadav, 49, were injured by police bullets in a clash between locals and police at Suwarna Rural Municipality-2, Kawahigoth on October 28, 2020. Similarly, Dharma Bir Yadav was injured by police beatings, and Sanjaya Yadav and Sujit Yadav of the police were injured. Police resorted for firing after the locals had attacked them with stones during a negotiation.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 366 criminal cases out of 1,403, and 1,028 civil cases among 3,299 that were registered in 2020. There were 336 cases (74 criminal and 262 civil) that had not been decided for over two years. The court had 2,626 cases carried over from 2019. The court had hired eight employees on contracts.

CHILD RIGHTS

Educational Status

The district has 523 elementary schools and 75 secondary schools. There were positions for 2,341 teachers in the district out of which 1,623. There were 5,929 girls and 7,514 boys enrolled in 2020. The district had 60 disability-friendly schools. Two children from conflict-affected families had received scholarships.

INSEC documented 24 victims of Child Rights violation- 18 were victims of rape, three of sexual abuse and three of child marriage. Accused of 13 cases of rape were sent to judicial custody and the accused in one case was released on bail.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 2,604 women registered cases of domestic violence, among which 713 complaints were reconciled, and those who had filed 1,539 complaints had not followed up. Another 352 cases of domestic dispute remained to be resolved.

INSEC documented 22 victims of violence against women- 10 were victims of rape, four of attempted rape, four of polygamy and four of witchcraft allegation. Four accused in a rape case were sent to judicial custody and accused of other three cases were also sent to judicial custody. The accused of other two cases were released on bail. Further, the accused in four cases had not been arrested till the end of 2020. Similarly, the accused of two cases of attempted rape were sent to judicial custody, and the accused in one case was released on bail. One person accused in another case had not been arrested till the end of 2020.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				1	1	2
Arrest		1	1			
Beatings		1	1	2	4	6
Injured		2	2			
Killing				2	3	5
Child Rights	Child Marriage			3		3
	Rape			18		18
	Sexual Abuse			3		3
	Total			**24**		**24**
Women Rights	Witchcraft Allegation			4		4
	Polygamy			4		4
	Rape			10		10
	Rape Attempt			4		4
	Total			**22**		**22**
Grand Total		**4**	**4**	**51**	**8**	**59**

HEALTH SERVICES

The district has one government hospital, 119 health posts, five primary health centres and two municipal health centres. There were 43 vacant positions of medical consultants at the district hospital.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Child Marriage		3	3
Rape	5	13	18
Sexual Abuse		3	3
Total	**5**	**19**	**24**

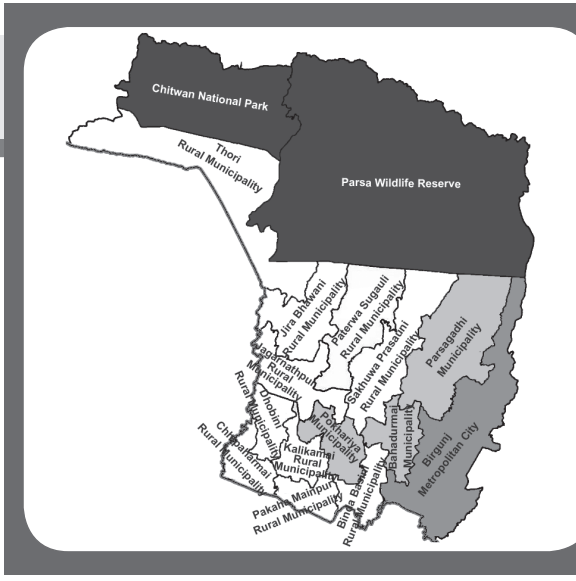
WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Witchcraft Allegation	1		1	2
Polygamy		1	3	4
Rape		4	6	10
Rape Attempt		1	3	4
Total	**1**	**6**	**13**	**20**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	4	5

2.8 Parsa



Total Population	6,48,381
Women	3,12,450
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	1,72,599
No. of Migrant Workers	8,053
Population of Disability	6,215
Literacy above 5 yrs (%)	80
Dependent Population	2,87,578

There were three victims of Human Rights violation and 72 of abuses documented by INSEC among which one was arrested and two beaten by the state in 2020. There were 40 victims of Child Rights violation including 30 victims of rape, nine of sexual abuse and one of trafficking. Similarly, there were 10 victims of violation against Women Rights including seven of rape, two of attempted rape and one of witchcraft allegation.

KILLED IN CLASH

Mukesh Chaurasiya, 37, was killed in a clash during the oath taking ceremony of a committee of Bindabasani Rural Municipality that was organized by Communist Party of Nepal (CPN) on October 22, 2020. He was taken to Birgunj for treatment of injuries where he passed away. Uttam Tiwari, 35 and Chintu Tiwari, 43 were also injured. Police arrested Hanif Ansari, 34 and Dev Sahani, 32 in connection with the clash. Chaurasiya is member of the District Committee of the CPN and secretary of the party committee at Bindabasani Rural Municipality

JAIL AND DETENTION

The District Jail has the capacity of holding 1,000 inmates but there were 1,273 prisoners, including 75 female. Further, 45 of the inmates were above 60 years of age. There were five dependent children at the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates also had opportunities for income generation activities. There was one Assistant Health Worker posted at the jail that also had a health post within the compound. Thirty three COVID-19 positive cases had been detected and all of them recovered.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Janakpur- Birgunj Bench

The court had positions for 12 judges and three positions were vacant. It had received 474 criminal cases and 1,407 civil cases in 2020. The court had 3,247 cases that had been carried over from 2019 among which 1,446 cases were adjudicated. The Court had 74 cases that had not been decided for over two years.

District Court

The District Court with nine judges had adjudicated 557 criminal cases out of 938 and 1,389 civil cases among 1,981 that were registered in 2020. There were 36 cases (15 criminal and 21 civil) that had not been decided for over two years.

CHILD RIGHTS

Educational Status

The district has 367 elementary schools and 51 secondary schools. There were positions for 1,978 teachers in the district out of which 35 were vacant. The district had 33 disability- friendly schools.

INSEC documented 40 victims of child rights violation- 30 were victims of rape, nine of sexual abuse and one of trafficking. Accused of 17 cases of rape were sent to judicial custody, two of the accused – minors – were sent to the rehabilitation centre, and the accused of three cases were released on bail. Accused of eight cases of rape had not been arrested till the end of 2020. None of these cases were decided in 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 487 women registered complaints of domestic violence among which were 250 cases of beating and expulsion from home, 102 cases of deprivation of food and clothes, 15 of deprivation of marriage registration and citizenship, and 115 cases of torture after alcoholism. Among them, 435 cases were reconciled and 52 cases were under review. Some women who had filed the complaints did not follow up.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Beatings		2	2			
Injured				2	8	10
Killing				5	6	11
Threats					1	1
Child Rights	Child Trafficking			1		1
	Rape			30		30
	Sexual Abuse			8	1	9
	Total			**39**	**1**	**40**
Women Rights	Witchcraft Allegation			1		1
	Rape			7		7
	Rape Attempt			2		2
	Total			**10**		**10**
Grand Total		**3**	**3**	**56**	**16**	**72**

INSEC documented 10 victims of violence against women- seven were of rape, two of attempted rape and one of witchcraft allegation. The accused in five cases of rape were sent to judicial custody and two were not arrested till the end of 2020. One accused of the attempted rape – a minor – was sent to the rehabilitation centre.

Killings by Family Members

INSEC documented four killings by family members. Among the four cases, two were girls. The cases did not received verdict at the end of the year and all the accused were sent to judicial custody.

Killing for Dowry

Police arrested father-in-law, mother-in-law and husband of a 20-year-old on June 4, 2020 on the charge of killing her for not bringing adequate dowry. All of those arrested were sent to judicial

custody on July 1, 2020. The victim was burnt by the accused and was taken to Nepal Cleft and Burn Hospital, Kirtipur in Kathmandu. The case had not been decided till the end of the 2020.

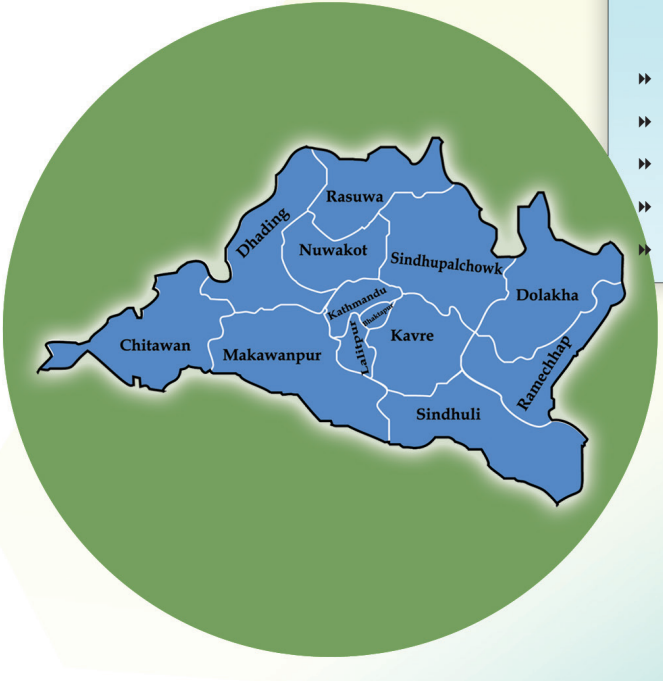
HEALTH SERVICES

The district has one district hospital, one sub-regional hospital, 92 health posts, three primary health centres and four municipal health centres. A total of 12,443 males and 6,993 females had enrolled in the government's health insurance scheme. Likewise, 9,166 senior citizens had also been insured. The district had 3,140 COVID-19 positive and 53 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Child Trafficking	1		1
Rape	5	25	30
Sexual Abuse	1	7	8
Total	**7**	**32**	**39**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Witchcraft Allegation		1	1
Rape	2	5	7
Rape Attempt		2	2
Total	**2**	**8**	**10**
Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	2	9	11

Bagmati Province

- Area: 20,300 sq.km.
- Population: 55,29,452
- Literacy Rate: 68.46
- District: 13
- Electoral Constituency (Parliamentary): 33
- Electoral Constituency (Provincial): 66
- Metropolitan City: 3
- Sub-Metropolitan City: 1
- Municipality: 41
- Rural Municipality: 74
- Total Ward No.: 1,121



Introduction: Bagmati Province

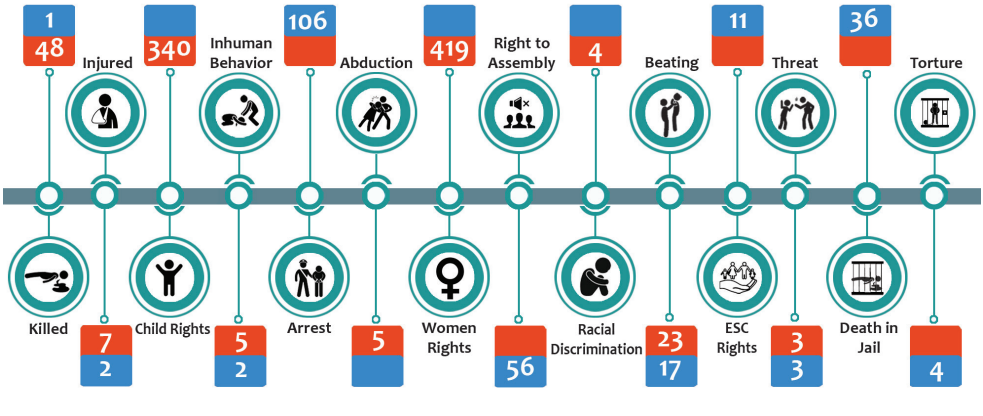
This year, the province government decided on its name and capital. A two-third majority of the Province Assembly decided to name it as Bagmati and declared Hetauda as the capital.

The province government has been running programs of treatment, skill enhancement and employment for the family members of martyrs, disappeared, injured and disabled persons who were involved in the protest for the federal democratic republic under the program 'Province Government with Conflict Victims'. In order to protect the lives and property of the citizens by timely identification and prevention of non-communicable diseases, integrated health care program including public health check-up program has been implemented. In addition, nurses have been assigned in two secondary schools at each local level under the 'One Secondary School One Nurse' program for services such as health care in community schools, child health promotion, reproduction and sexual health counseling. Daughter and daughter-in-law Higher Education Scholarship, Homeless Free Province, Child Marriage Free Province are some of the important programs targeted for the people of Bagmati Province. A total of 7,477 quarantine beds, 4,707 isolation beds, 415 Intensive Care Units and 160 ventilator beds were set up for the control, prevention and treatment of COVID-19 infection. Till the end of 2020, 142,701 people were infected with COVID-19 and 922 died. The foundation of 50 hospital buildings has been laid in the province this year under the 'One Local Level One Hospital' program.

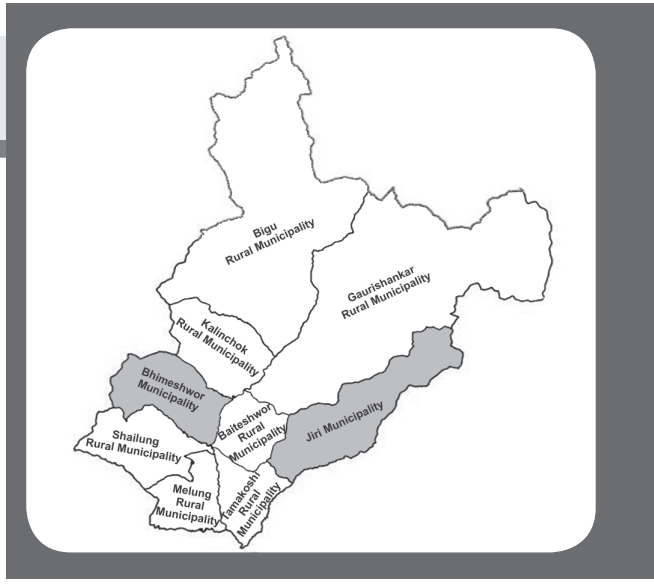
Human Rights Situation in 2020

INSEC documented 1,092 victims of human rights violation and abuses in Bagmati Province. In 2020, 106 were arrested, 419 were victims of violation against women rights, 48 were killed by others, one was killed by the state and 340 were victims of child rights violation.

No. of Victims by Incident (In 2020)



3.1 Dolakha



Total Population	1,80,032
Women	82,302
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	48,064
No. of Migrant Workers	10,121
Population of Disability	5,587
Literacy above 5 yrs (%)	95.41
Dependent Population	86,772

There were 33 victims of Human Rights abuses documented by INSEC in 2020. There were 21 victims of Child Rights violation including 10 victims of rape, and 11 of sexual abuse. Similarly, there were 11 victims of violation against Women Rights including seven of rape, three of attempted rape and one of witchcraft allegation.

JAIL AND DETENTION

The District Jail has the capacity of holding 17 inmates but there were 154 prisoners. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates had opportunities for income generation activities through the trainings of handicrafts. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 70 criminal cases out of 179 and 173 civil cases among 346 that were registered in 2020. There were 14 cases (three criminal and 11 civil) that had not been decided for two years. There were 196 cases that had been transferred from 2019. The court adjudicated 243 cases in total. The court had hired 11 employees in contract.

CHILD RIGHTS

Educational Status

The district has 259 elementary schools and 83 secondary schools. There were positions for 1,854 teachers in the district. There were 20,754 girls and 19,827 boys enrolled this year among which were 278 girls and 317 boys with disability. Nineteen children from conflict-affected families and eight children of migrant workers had received scholarships.

Type of Events		By Others		
		Female	Male	Total
Injured			1	1
Child Rights	Rape	10		10
	Sexual Abuse	10	1	11
	Total	**20**	**1**	**21**
Women Rights	Witchcraft Allegation	1		1
	Rape	7		7
	Rape Attempt	3		3
	Total	**11**		**11**
Grand Total		**31**	**2**	**33**

INSEC documented 21 victims of child rights violation- 10 were victims of rape, and 11 of sexual abuse including one boy. Five accused-minor were sent to rehabilitation centre and accused of three cases of rape were sent to judicial custody and accused of five cases were not arrested till the end of 2020.

Further, accused of two cases of sexual abuse were sent to rehabilitation centre, accused of three cases were released on bail and accused-minor of a case was handed to the guardians. Accused of a case was not arrested till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 16 complaints were filed at the Women, Children and Senior Citizen's Service Centre out of which eight were reconciled, five were on legal process and three were on pending.

INSEC documented 11 victims of violence against women- seven were victims of rape, three of attempted rape and one of witchcraft allegation. Accused of all the cases were sent to judicial custody.

HEALTH SERVICES

The district has two government hospitals, three community hospital, 55 health posts, six municipal health centres, and two primary health posts. There were two vacant positions of specialist doctors at the governmental hospital. The district had 319 COVID-19 positive cases and one death in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Rape	10		10
Sexual Abuse	11		11
Total	**21**		**21**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Witchcraft Allegation	1		1
Rape	1	6	7
Rape Attempt		3	3
Total	**2**	**9**	**11**

3.2 Sindhupalchowk

Total Population	2,80,960
Women	1,47,723
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	72,613
No. of Migrant Workers	19,712
Population of Disability	6,608
Literacy above 5 yrs (%)	98.85
Dependent Population	1,22,789

There were four victims of Human Rights violation and 41 victim of abuses documented by INSEC among which four were arrested in 2020. There were 22 victims of Child Rights violation including 19 victims of rape and three of sexual abuse. Similarly, there were nine victims of violation against Women Rights including six of rape, one of sexual abuse, one of polygamy and one of witchcraft allegation.

JAIL AND DETENTION

The District Jail had 124 prisoners. One of the inmates was above 70 years of age. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates had opportunities for income generation activities. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners. Two COVID-19 positive cases had been detected among the inmates in 2020.

THREAT/BEATING

By Others

Pradip Magar Majhi, 48, of Badegaon in Indravati Rural Municipality-11 was charged of inhumane treatment and for threatening to set fire on the residence of the Bhimtar Health Post. He was also accused of threatening to kill health worker Basudev Neupane, 28 on April 27, 2020. The accused was arrested on May 8. A case was registered against the accused at the District Administration Office, Nawalpur on May 22. A bench of Chief District Officer of the District Administration Office, Umesh Kumar Dhakal, ordered to release the accused on bail of Rs 5,000.

Akash Tamang, 28, of Panchpokhari Thampal Rural Municipaltiy-4 was arrested on May 20, 2020 on the charge of beating and injuring ASI Biga Bahadur Tamag of Manekharka Police

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		4	4			
Beatings					5	5
Killing				2		2
Racial Discrimination					2	2
Threats					1	1
Child Rights	Rape			19		19
	Sexual Abuse			3		3
	Total			**22**		**22**
Women Rights	Witchcraft Allegation			1		1
	Polygamy			1		1
	Rape			6		6
	Sexual Abuse			1		1
	Total			**9**		**9**
Grand Total		**4**	**4**	**33**	**8**	**41**

Station. The accused Akash Tamang threatened ASI and threw stones at him while he asked Akash why he was riding a motorbike without a pass during the lockdown. The injured ASI was treated at Manekharka branch of Dhulikhel Hospital. The accused was arrested by the Melamchi Area Police Office and a case of beating and inhumane was registered in the district court. The District Court released the accused on June 11 on a bail of NRs. 20,000. The case was not decided until the end of 2020.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 12 criminal cases out of 150 and 62 civil cases among 245 that were registered in 2020. There were three cases (one criminal and three civil) that had not been decided for two years.

CHILD RIGHTS

Educational Status

The district has 341 elementary schools and 138 secondary schools. There were positions for 2,466 teachers in the district. There were 46,735 girls and 42,818 boys enrolled this year. Twenty three children from conflict affected families and three children of migrant workers had received scholarships.

INSEC documented 22 victims of child rights violation- 19 were victims of rape, and three were of sexual abuse. Accused of eleven cases of rape were sent to judicial custody, accused of three cases were handed to the parents and accused of two cases were sent to the rehabilitation centre. Accused of a case was not arrested till the end of the year and accused of two other cases were in police investigation.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 84 women victims registered cases of domestic violence among which 59 cases were reconciled and 25 cases were in process of complaint. There were 19 cases of deprivation of food and clothes among which 13 were reconciled and six victims who file complaints were not in contact. Among 36 cases of beatings, 24 cases were reconciled and 12 cases were in process. Similarly, 22 cases of abuse were reconciled and victims who filed complaint in seven cases were not in contact.

INSEC documented nine victims violence against women- six were victims of rape and one each of sexual abuse, witchcraft allegation and polygamy. Accused of four cases of rape were sent to judicial custody. Two accused of a group rape were sent to judicial custody and two were not arrested till the end of the year. An accused of marriage rape was released on bail. Accused of a case of sexual abuse was released on bail.

Killing by Family Members

INSEC documented two of the women killed by their spouse in 2020. Accused of both the cases were sent to judicial custody.

HEALTH SERVICES

The district has one government hospital, three primary health centres and 79 health posts. There were two vacant positions of medical consultants at the government hospital in headquarter. The district had 863 COVID-19 positive cases and 17 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape	3	16	19
Sexual Abuse	1	2	3
Total	**4**	**18**	**22**
WOMEN RIGHTS			
Type of Events		**Legal Proceeding**	**Total**
Witchcraft Allegation		1	1
Polygamy		1	1
Rape		6	6
Sexual Abuse		1	1
Total		**9**	**9**
Number of Incidents			
Type of Events		**Legal Proceeding**	**Total**
Killing		2	2

3.3 Rasuwa

Total Population	42,773
Women	22,007
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	13,324
No. of Migrant Workers	3,108
Population of Disability	1,016
Literacy above 5 yrs (%)	59.9
Dependent Population	18,758

There were 12 victims of Human Rights abuses documented by INSEC in 2020. There were six victims of domestic violence, one of polygamy, and four of attempted rape.

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but there were 124 prisoners of which five were females; further four of the inmates were above 60 years of age. There was lack of enough space in the jail. The inmates had opportunities for income generation activities. There was occasion health checkup of the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated four criminal cases out of 18 and 11 civil cases among 15 that were registered in 2020. There were 39 cases that were transferred from 2019 among which 16 were adjudicated. The court had hired nine employees in contract.

CHILD RIGHTS

Educational Status

The district has 72 elementary schools and 19 secondary schools. There were positions for 547 teachers in the district. There were 13,100 students studying in the District. There were 224 Dalit students who had received scholarships. Similarly, two students from conflict-affected families had received scholarships.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year six women victims registered complaints of domestic violence which included the cases of misbehavior, mental torture, abuse, beatings and physical torture. All of these cases were reconciled.

INSEC documented 11 victims of violence against women- six were victims

of domestic violence, one of polygamy, and four of attempted rape. Accused of attempted rape and polygamy were sent to judicial custody and the cases of domestic disputes were reconciled.

HEALTH SERVICES

The district has one government hospital, 17 health posts and one rural hospital. There were 35 vacant positions in government hospital- 22 of assistant health worker and 13 of nurses. Schemes of health insurance was supposed to be started from February 2021.The district had 189 COVID-19 positive cases among which 156 were recovered in 2020. Three local levels had established COVID-19 special hospitals this year.

Type of Events		By Others	
		Female	Total
Killing		1	1
Women Rights	Domestic Violence	6	6
	Polygamy	1	1
	Rape Attempt	4	4
	Total	**11**	**11**
Grand Total		**12**	**12**

Number of Incident with Status of Legal Proceeding in 2020

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	2	3	1		6
Polygamy			1		1
Rape Attempt			1	3	4
Total	**2**	**3**	**3**	**3**	**11**

Number of Incident

Type of Event	Legal Proceeding	Total
Killing	1	1

3.4 Dhading

Total Population	3,35,188
Women	1,80,456
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	62,621
No. of Migrant Workers	22,537
Population of Disability	7,827
Literacy above 5 yrs (%)	98
Dependent Population	1,48,771

There were five victims of Human Rights violation and 32 victims of abuses documented by INSEC among which five were beaten by the state in 2020. There were 20 victims of Child Rights violation including 15 victims of rape, three of sexual abuse, one of child marriage and one of infanticide. Similarly, there were eight victims of violation against Women Rights including three of rape, two of attempted rape, two of domestic violence and one of polygamy.

JAIL AND DETENTION

The District Jail has the capacity of holding 150 inmates but there were 330 prisoners of which eight were females; further 12 of the inmates were above 65 years of age. There was one dependent child in the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates had no opportunities for income generation activities. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners. Four COVID-19 positive case had been detected among the inmates in 2020.

THREAT/BEATING

By State

Jit Bahadur Ghale, 40, Ashok Shrestha, 35, Kamal Silwal, 33, Raju Upadhyay, 34, Arun Thapaliya, 32, and Ashok Shrestha, 35, of Siddhalek Rural Municipality-5 were beaten by the Armed Police Force on April 1, 2020 for violating the lockdown. Keshav Silwal, chief of Kamal Construction Pvt. Ltd., said that the armed police broke into the site and beat them while they were discussing to send back the workers. They were treated at the local medical hall. Jit Bahadur, who sustained eye injuries, was further treated at the Tripeshwar Eye Hospital in Kathmandu. Chief of the Armed Police Force, Dhading, DSP Dhirendra Raj Ne-

upane said that the Armed Police Force had only tried to convince them but had not beaten him.

By Others

Shambhu Thapa, 30, a member of Tripura Sundari Rural Municipality-5, was attacked by Bal Ram Khadka, 27, of Tripura Sundari Rural Municipality-5 and Keshav Thapa Magar, 27, of the same Rural Municipality-7 while he was returning home from a wedding. The injured was treated at the local health post and further treatment was done at the Grande Hospital in Kathmandu. Police said that search for the accused was underway. The accused were not arrested till the end of this year.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 96 criminal cases out of 507 and 300 civil cases among 722 that were registered in 2020. There were 27 cases (14 criminal and 13 civil) that had not been decided for two years. There were 148 cases that had been transferred from 2019.

CHILD RIGHTS

Educational Status

The district has 446 elementary schools and 150 secondary schools. There were positions for 1,643 teachers in the district out of which 36 were vacant. There were 37,795 girls and 35,393 boys enrolled this year among which were 206 girls and 230 boys with disability. There are five disability-friendly schools in the district. There were 5,691 boys and 6,347 girls from Dalit families enrolled this year. Eleven children from conflict-affected families and 60 children of migrant workers had received scholarships.

INSEC documented 20 victims of child rights violation- 15 were victims of rape, three of sexual abuse including two boys, one of child marriage and one of infanticide. Accused of nine cases of rape were sent to judicial custody, three minor-accused were sent to rehabilitation centre. Similarly, in a case of rape with three accused, one was on run and other two were sent to judicial custody. An accused of a rape case was not arrested till the end of the year.

Type of Events		By State		By Othes		
		Male	Total	Female	Male	Total
Beatings		5	5		1	1
Killing				1	2	3
Child Rights	Child Marriage			1		1
	Infanticide				1	1
	Rape			15		15
	Sexual Abuse			1	2	3
	Total			**17**	**3**	**20**
Women Rights	Domestic Violence			2		2
	Polygamy			1		1
	Rape			3		3
	Rape Attempt			2		2
	Total			**8**		**8**
Grand Total		**5**	**5**	**26**	**6**	**32**

Accused of a case of sexual abuse was sent to judicial custody and an accused-minor was sent to rehabilitation centre. There was a boy victim in a case of sexual abuse whose accused was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 214 women victims registered complaints of domestic violence among which were 83 cases of beating and home expulsion out of which 50 were reconciled, 114 cases of abuse and threats out of which, 71 were reconciled, 17 cases of deprivation of foods and clothes out of which 14 were reconciled.

INSEC documented eight victims of violence against women- three were victims of rape, two of attempted rape, two of domestic violence and one of polygamy. Accused of two cases of rape were sent to

judicial custody and an accused of another case was in police investigation. Accused of two cases of attempted rape were sent to judicial custody.

HEALTH SERVICES

The district has one government hospital, one community hospital, 101 health posts, and two primary health centres. There were 68 vacancies in the government hospital- 11 of specialist doctors, 27 of nurses and 30 of auxiliary nurse midwives. There were 12,600 insured through health insurance out of which 46 were senior citizens. This year, the service of ICU and ventilators were started in the district.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Child Marriage		1	1
Infanticide	1		1
Rape	1	14	15
Sexual Abuse		3	3
Total	**2**	**18**	**20**

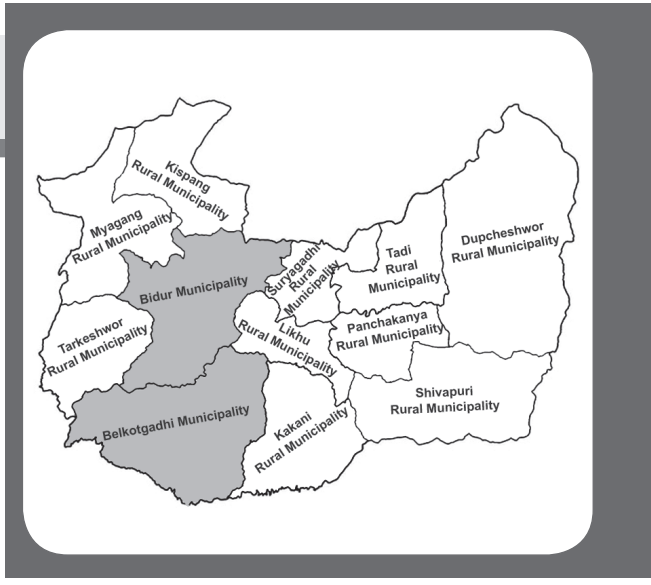
WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	1		1	2
Polygamy		1		1
Rape			3	3
Rape Attempt		1	1	2
Total	**1**	**2**	**5**	**8**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	3	3

3.5 Nuwakot



Total Population	2,73,267
Women	1,44,261
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	55,895
No. of Migrant Workers	14,311
Population of Disability	4,690
Literacy above 5 yrs (%)	98.19
Dependent Population	1,13,582

There were five victims of Human Rights of violation and 41 victims of abuses documented by INSEC among which five were arrested in 2020. There were 16 victims of Child Rights violation including nine victims of rape, six of sexual abuse and one infanticide. Similarly, there were 23 victims of violation against Women Rights including four of rape, two of attempted rape, six of polygamy, 10 of domestic violence and one of witchcraft allegation.

ARREST

INSEC documented the arrest of five cadres of the banned Communist party of Nepal in 2020. Three of the arrested were released on bail by District Administration Office, two were released on bail by District Court.

JAIL AND DETENTION

The District Jail has the capacity of holding 70 inmates but there were 154 prisoners of which 16 were females. The prison also has one Indian citizen. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates had opportunities for income generation activities. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 25 criminal cases out of 238 and 196 civil cases among 409 that were registered in 2020. There were 24 criminal and 19 civil cases that had not been decided for two years. The court had 16 positions of staff vacant.

CHILD RIGHTS

Educational Status

The district has 1,795 elementary schools and 258 secondary schools. This year, 2,182 boys and 2,538 girls from Dalit

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		5	5			
Killing					2	2
Child Rights	Infanticide			1		1
	Rape			9		9
	Sexual Abuse			6		6
	Total			**16**		**16**
Women Rights	Domestic Violence			10		10
	Witchcraft Allegation			1		1
	Polygamy			6		6
	Rape			4		4
	Rape Attempt			2		2
	Total			**23**		**23**
Grand Total		**5**	**5**	**39**	**2**	**41**

families had received scholarships. Twenty-four children from conflict-affected families received scholarship. The reconstruction of 788 class rooms of 217 schools was completed in 2020 out of which only ground floors were disability-friendly.

INSEC documented 16 victims of Child Rights violation- nine were victims of rape, six of sexual abuse and one infanticide. Accused of six cases of rape were sent to judicial custody and an accused was sent to rehabilitation centre. Accused of three case of sexual abuse were released and accused of two cases were sent to judicial custody. Accused of a case was not arrested till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 69 women victims registered complaints of domestic violence among which were six cases of beating and home exile, 11 cases of deprivation of food and clothes, 20 cases of mental torture and 32 cases of domestic disputes. Police reconciled 51 cases, eight cases were in legal procedure and 10 victims were not in contact after the complaint.

INSEC documented 23 victims of violence against women- four were victims of rape, two of attempted rape, six of polygamy, 10 of domestic violence and one of witchcraft allegation. Four accused of a case of rape were sent to judicial custody. Accused of a case was released on bail and one was in police investigation. An accused of rape was not arrested till the end of 2020.

HEALTH SERVICES

The district has one government hospital, three primary health centres, 64 health posts, five community health clinic, 181 village health posts, four municipal health clinics, 240 vaccinations centres and one community eye care centre. There were 14 vacant positions of specialist doctors at the Trishuli District Hospital.

Number of Incident with Status of Legal Proceeding in 2020		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Infanticide	1	1
Rape	9	9
Sexual Abuse	6	6
Total	**16**	**16**

WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	5		5	10
Witchcraft Allegation		1		1
Polygamy		1	5	6
Rape		2	2	4
Rape Attempt			2	2
Total	**5**	**4**	**14**	**23**

Number of Incidents		
Type of Events	**Legal Proceeding**	**Total**
Killing	2	2

3.6 Kathmandu

Total Population	21,11,651
Women	10,13,941
No. of Constituency (HoR)	10
No. of Constituency (PA)	20
Below Poverty Level	1,28,973
No. of Migrant Workers	99,805
Population of Disability	17,122
Literacy above 5 yrs (%)	76.4
Dependent Population	6,03,121

There were 134 victims of Human Rights violation and 297 victims of abuses documented by INSEC among which 66 were arrested, three were beaten, 36 died in jail, two were injured, 27 were deprived of their right to assembly by the state in 2020. There were 108 victims of Child Rights violation including 80 victims of rape, 21 of sexual abuse, six of trafficking and one of corporal punishment. Similarly, there were 183 victims of violation against Women Rights including 94 of rape, 14 of attempted rape, one of trafficking, two of attempted trafficking, 38 of domestic violence, 33 of polygamy and one of witchcraft allegation.

INJURED BY FIRING

Police opened fire at Narayantar Kathmandu Metropolitan City-7 while they were out to arrest Bishnu Lama, 28, of Jugal Rural Municipality-3, Sindhupalchowk, on January 12, 2020. He was being sought for involvement in the attack of medical college students on September 2018, and also for the charge of killing a 17-month-old girl in 2016.

ARREST

INSEC documented the arrest of 61 cadres of the banned Communist Party of Nepal in 2020. Thirty of those arrested were released after habeas corpus writs, three were sent to judicial custody, four were released on bail and one was released on general bail. Similarly, the District Administration Office released 15 cadres, two with dates for appearing at the office and one – a minor – was handed over to the guardians. Four of those who had been released were re-arrested.

JAIL AND DETENTION

Kathmandu District has two jails, Jagannath Dewal and Dillibazar. The Jagannath Dewal jail has the capacity of holding 1,500 inmates but there were 3,142 prisoners, including 373 female.

Further, 105 of the inmates were above 60 years of age. There were 11 dependent children at the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. Seventy-two health workers were posted at the jail to oversee the health of the prisoners. The prison had 73 COVID-19 positive. This year 36 people died in the prison including seven from COVID-19.

The Dillibazar Jail had the capacity to hold 200 inmates but there were 517 male prisoners. Seven of the inmates were above 60 years of age. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners. Thirty-four prisoners had tested positive for COVID-19.

THREAT/BEATING

Rohit Rana, the manager of Lord Buddha Girls and Boys Hostel at Milanchowk, Baneshwor, Kathmandu Metropolitan City-31, was threatened by the locals on August 22 for accommodating health workers. According to Rana, a group of 50-60 people led by Sudarshan Gautam and Dinesh Khadka the chairperson and secretary of Balbhadra Marg Tole Development Committee had blamed and mistreated him of the health workers during the pandemic of COVID-19. The health workers were accommodated there as per the agreement signed with the Civil Hospital on August 20.

RIGHT TO ASSEMBLY

INSEC documented 27 victims of the violation of right to assembly in 2020. There were also documentation of police misbehaving with journalists and civilians for violating the lockdown.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with 36 judges had adjudicated 97 criminal cases out of 2,939, and 544 civil cases among 7,524 that were registered in 2020. There were 1,753 cases (569 criminal and 1,184 civil) that had not been decided for over two years.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		5	61	66			
Beatings			3	3			
Death in Jail		1	35	36			
Inhuman Behaviour						2	2
Injured			2	2	1		1
Killing					2	1	3
Right to Assembly		3	24	27			
Child Rights	Child Trafficking				6		6
	Corporal Punishment					1	1
	Rape				80		80
	Sexual Abuse				20	1	21
	Total				**106**	**2**	**108**
Women Rights	Attempt to Trafficking				2		2
	Domestic Violence				38		38
	Witchcraft Allegation				1		1
	Polygamy				33		33
	Rape				94		94
	Rape Attempt				14		14
	Women Trafficking				1		1
	Total				**183**		**183**
Grand Total		**9**	**125**	**134**	**292**	**5**	**297**

CHILD RIGHTS

Educational Status

The district has 1,703 elementary schools and 922 secondary schools. There were positions for 5,155 teachers in the district. There were 1,47,680 girls and 1,76,960 boys enrolled in 2020, including 2,091 girls and 2,480 boys with disabilities. Thirty-six children of migrant workers and 39 children of martyrs had received scholarships. Similarly, 174 children from conflict-affected families had received scholarships.

INSEC documented 108 victims of Child Rights violation- 80 were victims of

rape, 21 of sexual abuse, six of trafficking and one of corporal punishment. Accused of 70 cases of rape were sent to judicial custody, three – minors – were sent to the rehabilitation centre, the accused in five cases were exonerated, and those in two cases were sentenced to jail. The accused in four cases of rape had not been arrested at the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

INSEC documented 183 victims of violence against women - 94 were victims of rape, 14 of attempted rape, one of trafficking, two of attempted trafficking, 38 of domestic violence, 33 of polygamy and one of witchcraft allegation. The accused in 86 cases of rape were sent to judicial custody. Similarly, the accused of nine cases were exonerated, and those of 10 cases had not been arrested till the end of the year. The accused in two cases of attempted rape among 14 that had been sent to be exonerated. One person accused of sexual abuse had not been arrested at the end of the year.

Killing by Family Members

INSEC documented two cases of killing of spouses by their husbands. The accused of both cases were sent to judicial custody.

HEALTH SERVICES

The district has 299 health institutions, including six primary health centres and three upgraded institutes. There are 58 health posts, 235 vaccinations centres and 142 village clinics. (The large hospitals in Kathmandu are not counted in this report.)

Director of the Public Health Laboratory, Hetauda of Bagmati Province, Dr. Narayan Karki was misbehaved by Uttam Karki at Nagdhunga on May 15, 2020. A video of Uttam misbehaving with the doctor was made. According to Dr. Karki, the police on the spot were the witnesses while he was being mistreated but they did not react to the situation. Uttam Karki was released a few days after the police arrested him.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Incomplete	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Trafficking		1	3		4
Corporal Punishment			1		1
Rape	1	12	66	1	80
Sexual Abuse		2	19		21
Total	**1**	**15**	**89**	**1**	**106**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	Total
Attempt to Trafficking					1	1
Domestic Violence	1	2	8	3	24	38
Witchcraft Allegation					1	1
Polygamy					33	33
Rape				21	73	94
Rape Attempt				1	13	14
Women Trafficking					1	1
Total	**1**	**2**	**8**	**25**	**146**	**182**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	3	3

3.7 Bhaktapur

Total Population	3,43,633
Women	1,69,037
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	36,999
No. of Migrant Workers	10,215
Population of Disability	3,204
Literacy above 5 yrs (%)	96.5
Dependent Population	1,04,688

There were three victims of Human Rights violation and 42 victims of abuses documented by INSEC among which three were arrested in 2020. There were 20 victims of Child Rights violation including 17 victims of rape, two of sexual abuse and one of infanticide. Similarly, there were 13 victims of violation against Women Rights including 12 of rape and one of polygamy.

ARREST

INSEC documented the arrest of three cadres of the banned Communist party of Nepal in 2020. All of them were sent to judicial custody.

CHILD REHABILITATION CENTRE, SANOTHIMI

The rehabilitation was established in 2001, with a capacity of accommodating 110 children but there were 189 children, including 27 were girls. There was a library for children who had appeared in grade-10 examination, and a new building had been added for holding classes up to grade-12. The centre provided trainings on driving, automobiles, wiring, and heavy equipment, among others.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with six judges had adjudicated 188 criminal cases out of 1,149, and 608 civil cases among 2,348 that were registered in 2020. There were 588 cases (221 criminal and 367 civil) that had not been decided for two over years. There were 2,411 cases that had been carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 79 elementary schools, 30 secondary schools, one girl-school, two school for the disabled and one school at the rehabilitation centre. There were positions for 1,407 teachers of elementary level in the district.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				1		1
Arrest		3	3			
Killing				3	5	8
Child Rights	Infanticide			1		1
	Rape			17		17
	Sexual Abuse			2		2
	Total			**20**		**20**
Women Rights	Polygamy			1		1
	Rape			12		12
	Total			**13**		**13**
Grand Total		**3**	**3**	**37**	**5**	**42**

INSEC documented 20 victims of child rights violation- 17 were victims of rape, two of sexual abuse and one of infanticide. Fifteen accused in 14 cases were sent to judicial custody and accused in two cases – minors – were sent to the rehabilitation centre. The accused of three cases had not been arrested till the end of 2020. The accused in both cases of sexual abuse were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 48 women registered cases of domestic violence, which included 27 victims of beating and expulsion from home, 14 of physical and mental torture and seven of mental, economic, physical and sexual violence. Thirty-two cases were reconciled and others were under legal review.

INSEC documented 13 victims of violence against women- 12 were victims of rape and one of polygamy. Nine accused of rape were sent to judicial custody and the accused in one case had not been arrested till the end of the year. There was an accusation of rape in marriage, and the accused was sent to judicial custody. Three others accused in other cases of rape were also sent to judicial custody.

Killing by Family Members

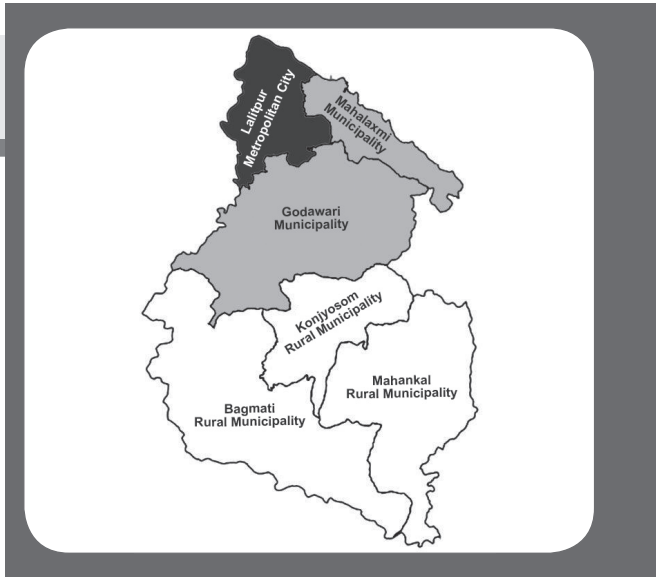
INSEC documented two cases of killing by family members. In one case the husband who was accused was arrested and sent to judicial custody.

HEALTH SERVICES

The district has 16 hospitals including four government hospitals and Bhaktapur hospital is the provincial hospital. There were 54 vacant positions of medical superintendents at Bhaktapur Hospital, a provincial level hospital.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Infanticide		1	1
Rape	2	14	16
Sexual Abuse		2	2
Total	**2**	**17**	**19**
WOMEN RIGHTS			
Type of Events	**Legal Proceeding**	**Total**	
Polygamy	1	1	
Rape	12	12	
Total	**13**	**13**	
Number of Incidents			
Type of Events	**Legal Proceeding**	**Total**	
Killing	8	8	

3.8 Lalitpur



Total Population	5,33,410
Women	2,62,549
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	34,554
No. of Migrant Workers	24,386
Population of Disability	4,934
Literacy above 5 yrs (%)	98.4
Dependent Population	1,62,447

There were 43 victims of Human Rights violation and 46 victims of abuses documented by INSEC among which 13 were arrested, one was beaten, and 29 were deprived of their right to assembly by the state in 2020. There were 17 victims of Child Rights violation including 12 victims of rape, three of sexual abuse, one of trafficking and one of corporal punishment. Similarly, there were 18 victims of violation against Women Rights including 10 of rape, two of sexual abuse, two of trafficking, one of domestic violence and three of polygamy.

ARREST

INSEC documented the arrest of 13 – including five women – cadres of the banned Communist Party of Nepal in 2020. Six of the arrested were released on bail by the District Administration Office. Five others were released by court on bail and four were transferred to respond to charges in Sunsari, and one to Kathmandu.

JAIL AND DETENTION

The District Jail has the capacity of holding 600 inmates but there were male 1,611 prisoners. Twenty-three inmates were above 60 years of age. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates had opportunities for income generation activities. Seven COVID-19 positive cases had been detected among the inmates in 2020 and all of them had recovered.

RIGHT TO ASSEMBLY

INSEC documented seven policemen and a man being injured in the cash during the chariot pulling ceremony of *Rato Matsyendranath* on September 3, 2020. The ceremony took place violating the prohibitory order during COVID-19 lockdown . Police used water cannons and tear gas to disperse the crowd. Police ar-

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction					1		1
Arrest		5	8	13			
Beatings		1		1	2	3	5
Killing					2	3	5
Right to Assembly		3	26	29			
Child Rights	Child Trafficking				1		1
	Corporal Punishment					1	1
	Rape				12		12
	Sexual Abuse				3		3
	Total				**16**	**1**	**17**
Women Rights	Domestic Violence				1		1
	Polygamy				3		3
	Rape				10		10
	Sexual Abuse				2		2
	Women Trafficking				2		2
	Total				**18**		**18**
Grand Total		9	34	43	39	7	46

rested Prithvindu Maharjan, Asoj Kumar Maharjan, Ravi Shakya, and Vin Shakya, Mahesh Bajracharya, Subin Shakya, Dhruvraj Bajracharya, Shyam Shrestha, Yadav Lal Kayastha, Dal Bahadur Deula, Shuk Bahadur Deula, Anish Maharjan, Kaniraj Bade, Prabin Shakya, Ratnalal Shrestha, Naresh Shakya, Anil Khadgi, Karan Deula, Devendra Deula, Suvin Shakya, Poonam Shakya, Laxman Maharjan, Ashok Shakya and Binod Dangol. They were released on bail of Rs 5,000 each on September 10 at the District Administration Office. The issue has not been resolved till the end of 2020.

Kamal Prasad Ghimire, a traffic police officer posted at Lalitpur Metropolitan-3, Pulchowk, was beaten by a group of youths who had participated in pulling *Rato Matsyendranath* chariot violating the prohibitory order on September 3. Ghimire, who sustained head, arm and leg injuries due to the beating, was treated at Alka Hospital, Jawalakhel. Police arrested 24 people on the charge of violating the Transition Act, beating and violating the prohibition order and released them on bail on the order of the District Court on September 10. The case had not been decided till the end of 2020.

THREAT/BEATING

Hema Shrestha, 33, of Sankhuwasabha District, Panchkhapan Municipality-9, temporarily residing in Kageshwari Manohara Municipality-8, Kathmandu, was mistreated by Inspector Devi Prasad Poudel of Metropolitan Police Division, Bungmati, Bhansepati on February 27 while she was walking with a 10-month-old baby.

According to Inspector Poudel, the victim Shrestha went to the house of former General Hem Khatri at Bhainsepati, Lalitpur Metropolitan City-25 and was beaten by the police on the charge of indecent behavior and humiliation. Inspector Poudel said that the situation was like this when a group of women broke into the house and started vandalizing it. Shrestha underwent medical treatment at Green City Hospital, Kathmandu on February 27. The victim had not lodged a complaint against Inspector Poudel till March 1 but had requested the INSEC Lalitpur District Representative to take initiative for justice.

A committee formed under the coordination of SP Durga Singh of the Metropolitan Police Range to investigate the allegation of Shrestha on March 8.

RIGHT TO PROMPT AND FAIR TRIAL

High Court – Patan

The court had positions for 36 judges. It had received 3,230 criminal cases and 1,216 civil cases in 2020. The court had 2,732 criminal cases that had been carried over from 2019.

District Court

The District Court with seven judges had adjudicated 172 criminal cases out of 945, and 381 civil cases among 1,886 that were registered in 2020. There were

567 cases (186 criminal and 379 civil) that had not been decided for over 18 months. There were 1,855 cases that had been carried over from 2019. The court had hired 16 employees on contracts.

CHILD RIGHTS

Educational Status

The district has 115 elementary schools and 75 secondary schools. There were two disability- friendly schools.

INSEC documented 17 victims of child rights violation- 12 were victims of rape, three of sexual abuse, one of trafficking and one of corporal punishment. The accused of nine cases of rape were sent to judicial custody and the accused – minor -- in a case of rape was sent to the rehabilitation centre. Similarly, the accused of two cases of sexual abuse were sent to judicial custody. One person accused in a case of sexual abuse was sent home because he was infected by COVID-19 on the condition that he appeared in the court from home.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 390 women registered cases of domestic violence among which were 361 cases of economic and mental torture and 29 of physical torture. Police reconciled 361 cases and 29 had not been processed at the end of the year.

INSEC documented 18 victims of violence against women- 10 were victims of rape, two of sexual abuse, two of trafficking, one of domestic violence and three of polygamy. Nine accused in nine cases of rape were sent to judicial custody, and one person accused on a case of rape was released on bail. Similarly, the accused in two cases of rape were not arrested at the end of the year.

HEALTH SERVICES

The district has 24 hospitals including those run by government, private and co-operatives. It has one central-level 50-bed mental hospital. A position of medical consultant was vacant at the hospital. Similarly, the district has three medical colleges, one municipal hospital, a temporary COVID-19 hospital, 38 health posts, six urban health centres, and three primary health centres. There are 123 health workers and assistant health workers in the district out of which seven are vacant.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Incomplete	Investigation	Legal Proceeding	Total
Child Trafficking			1	1
Corporal Punishment	1			1
Rape		2	9	11
Sexual Abuse	1		2	3
Total	**2**	**2**	**12**	**16**

WOMEN RIGHTS

Type of Events	Incomplete	Investigation	Legal Proceeding	Total
Domestic Violence			1	1
Polygamy			3	3
Rape	1	1	8	10
Sexual Abuse			2	2
Women Trafficking			1	1
Total	**1**	**1**	**15**	**17**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	4	1	5

3.9 Kavre

Total Population	3,80,504
Women	1,99,919
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	52,018
No. of Migrant Workers	14,531
Population of Disability	6,670
Literacy above 5 yrs (%)	69.8
Dependent Population	1,47,285

There were six victims of Human Rights violation and 55 victims of abuses documented by INSEC among which three were arrested and three were threatened by the state in 2020. There were 17 victims of Child Rights violation including 10 victims of rape and seven of sexual abuse. Similarly, there were 30 victims of violation against Women Rights including 20 of rape, four of sexual abuse, five of polygamy and one of witchcraft allegation.

ARREST

INSEC documented the arrest of three cadres of the banned Communist Party of Nepal in 2020. One person who had been arrested was released after he assured the authorities of abandoning the party activities, and one was released on bail by the District Administration Office. Further, one of the detainees was released following a habeas corpus petition.

JAIL AND DETENTION

The District Jail has the capacity of holding 75 inmates but there were 339 male prisoners. Three of the inmates were above 70 years of age. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates had opportunities to engage in income generation activities. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with three judges had adjudicated 179 criminal cases out of 333, and 464 civil cases among 668 that were registered in 2020. There were 20 cases (16 criminal and four civil) that had not been decided for over two years. There were 1,029 cases that had been carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 372 elementary

schools and 145 secondary schools. There were 1,202 boys and 1,208 girls enrolled in class one at the community schools.

INSEC documented 17 victims of child rights violation- 10 were victims of rape and seven of sexual abuse. The accused of ten cases of rape were sent to judicial custody, those of two cases – minors – were sent to the rehabilitation centre, and of person accused of rape was released on bail. The accused in one case a rape case had not been arrested at the end of the year. The accused of two cases of sexual abuse were released on bail, and three accused in other cases of sexual abuse were released on bail of NRs. 100,000 each.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 96 women registered cases of domestic violence among which included 44 cases of economic and mental torture, and 52 of physical torture. Police reconciled 63 cases.

INSEC documented 30 victims of violence against women- 20 were victims of rape, four of sexual abuse, five of polygamy and one of witchcraft allegation. Thirteen accused of rape were sent to judicial custody, five were released on bail and one was exonerated. Similarly, the accused in two cases of rape were under police investigation, and the accused of three cases had not been arrested till at end of the year. A person accused of sexual abuse was released on bail.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				1	1	2
Arrest		3	3			
Beatings				1	1	2
Killing				2	2	4
Threats		3	3			
Child Rights	Rape			10		10
	Sexual Abuse			7		7
	Total			**17**		**17**
Women Rights	Witchcraft Allegation			1		1
	Polygamy			5		5
	Rape			20		20
	Sexual Abuse			4		4
	Total			**30**		**30**
Grand Total		**6**	**6**	**51**	**4**	**55**

HEALTH SERVICES

The district has one government hospital, one community hospital, 58 health posts and four municipal health centres. The government's health insurance scheme had reached been initiated in 13 local level of the district.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Incomplete	Investigation	Legal Proceeding	Total
Rape	3		7	10
Sexual Abuse	2	2	1	5
Total	**5**	**2**	**8**	**15**

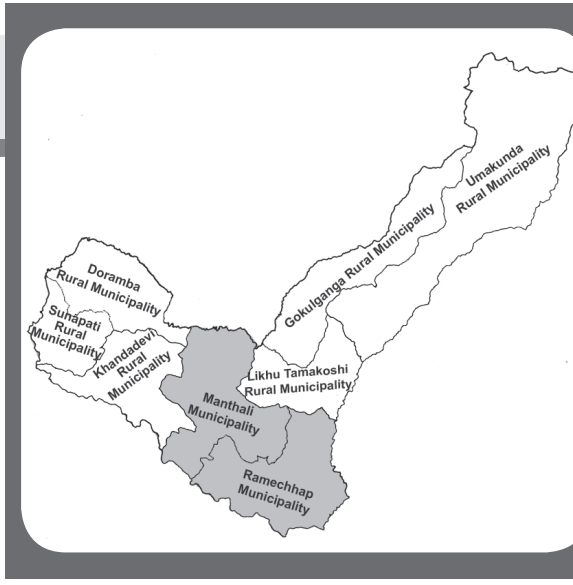
WOMEN RIGHTS

Type of Events	Closed Case	Incomplete	Investigation	Legal Proceeding	Total
Witchcraft Allegation		1			1
Polygamy		2	1	2	5
Rape	1	7	1	11	20
Sexual Abuse		2	1	1	4
Total	**1**	**12**	**3**	**14**	**30**

Number of Incidents

Type of Events	Incomplete	Legal Proceeding	Total
Killing	1	2	3

3.10 Ramechhap



Total Population	1,98,912
Women	1,08,355
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	51,467
No. of Migrant Workers	11,199
Population of Disability	4,418
Literacy above 5 yrs (%)	97
Dependent Population	88,861

There were eight victims of Human Rights violation and 30 victims of abuses documented by INSEC among which one was arrested and seven including one woman was beaten by the state in 2020. There were 16 victims of Child Rights violation including 11 victims of rape and five of sexual abuse. Similarly, there were eight victims of violation against Women Rights including six of rape and two of sexual abuse.

JAIL AND DETENTION

The District Jail has the capacity of holding 100 inmates but there were 342 prisoners, including 22 female. Fourteen inmates were above 60 years of age. This year two women received maternity leave from the prison. The position an Assistant Health Worker at the jail was vacant. One COVID-19 positive case had been detected among the inmates and the person was transferred to Sindhuli.

INJURED IN CLASH

Fourteen people, including two policemen, were injured in a clash between police and locals at Gumdel in Umakunda rural municipality-1 on March 11. Guerme Sherpa, 35, Angbhai Sherpa, 38, Kanchima Sherpa, 32, Dali Sherpa, 30, Fugalje Sherpa, 28 Pemakunga Sherpa, 34, and Pemba Sherpa, 36, were injured in the class. The injured were treated at the local medical centre. It was alleged that a team of Nepal Police and Armed Police Force attacked the locals with boots and gun butts. The clash took place when the locals tried to attack the police while trying to arrest the accused. The locals have complained that they were not compensated and they were not provided employment. Chairperson Sher Bahadur Sunuwar said that the construction company of the project had not shown any in-

terest in the project. Two policemen were injured in the clash.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 50 criminal cases out of 76, and 173 civil cases. There were no cases that had not been decided for two years. There were 173 cases that had been carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 285 elementary schools, 91 secondary schools and one religious elementary school. Twenty-five students from families of migrant workers had received scholarships.

INSEC documented 16 victims of child rights violation- 11 were victims of rape and five of sexual abuse. The accused – minors – of two cases were sent to the rehabilitation centre and accused in six cases were sent to judicial custody. Similarly, the accused of four cases of sexual abuse were sent to judicial custody and accused in one case was released on bail. One person accused of sexual abuse had not been arrested at the end of the year.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 28 women registered complaints of domestic violence among which were 12 cases of economic and mental torture and 16 cases of physical torture. All these cases were reconciled.

INSEC documented eight victims of violence against women- six were victims of rape and two of sexual abuse. The accused of four cases of rape were sent to judicial custody and one person accused in one case had not been arrested at the end of the year. Similarly, the accused of two cases of sexual abuse were sent to judicial custody and accused in another case was under police investigation at the end of the year.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest			1	1			
Beatings		1	6	7		4	4
Killing					1		1
Racial Discrimination					1		1
Child Rights	Rape				11		11
	Sexual Abuse				5		5
	Total				**16**		**16**
Women Rights	Rape				6		6
	Sexual Abuse				2		2
	Total				**8**		**8**
Grand Total		**1**	**7**	**8**	**26**	**4**	**30**

HEALTH SERVICES

The district has one government hospital, one primary hospital and three private hospitals. Similarly, there are five private polyclinics, three primary health centres, 51 health posts, 14 municipal health centres, 10 community health units, and six basic health centres. There were one position of specialist doctors vacant at the district hospital.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events	**Incomplete**	**Investigation**	**Legal Proceeding**	**Total**
Rape	1		9	10
Sexual Abuse	1	1	3	5
Total	**2**	**1**	**12**	**15**
WOMEN RIGHTS				
Type of Events	**Incomplete**	**Investigation**	**Legal Proceeding**	**Total**
Rape	1	1	4	6
Sexual Abuse			2	2
Total	**1**	**1**	**6**	**8**

Number of Incident		
Type of Events	**Legal Proceeding**	**Total**
Killing	1	1

3.11 Sindhuli

Total Population	3,03,114
Women	1,59,838
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,12,302
No. of Migrant Workers	15,287
Population of Disability	6,466
Literacy above 5 yrs (%)	75
Dependent Population	1,41,870

There were one victims of Human Rights violation and 59 victims of abuses documented by INSEC among which one was arrested in 2020. There were 18 victims of Child Rights violation including 10 victims of rape, four of sexual abuse, two of child marriage and two of infanticide. Similarly, there were 35 victims of violation against Women Rights including 10 of rape, one of attempted rape, two of sexual abuse, nine of domestic violence, 10 of polygamy and three of witchcraft allegation.

JAIL AND DETENTION

The District Jail has the capacity of holding 50 inmates but there were 397 prisoners. The prison had new building and other buildings were on construction which would have the capacity to hold 500 prisoners. There are 12 Indian citizens in the prison. There were four dependent children in the prison. There were provisions of drinking water, toilets, means of communication and leisure activities. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 18 criminal cases out of 181 and 87 civil cases among 264 that were registered in 2020. There were 15 cases (five criminal and ten civil) that had not been decided for two years.

CHILD RIGHTS

Educational Status

The district has 281 elementary schools and 120 secondary schools. There were positions for 1,290 teachers in the district. There were 40,998 girls and 38,135 boys enrolled this year among which were 603 children with disability. Eight children from conflict affected families and 58 children of migrant workers had received scholarships.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction					1	1
Arrest		1	1			
Beatings					2	2
Inhuman Behaviour					1	1
Killing				1	1	2
Child Rights	Child Marriage			2		2
	Infanticide			1	1	2
	Rape			10		10
	Sexual Abuse			4		4
	Total			**17**	**1**	**18**
Women Rights	Domestic Violence			9		9
	Witchcraft Allegation			3		3
	Polygamy			10		10
	Rape			10		10
	Rape Attempt			1		1
	Sexual Abuse			2		2
	Total			**35**		**35**
Grand Total		**1**	**1**	**53**	**6**	**59**

INSEC documented 18 victims of child rights violation- 10 were victims of rape, four of sexual abuse, two of child marriage and two of infanticide. Accused of seven cases of rape were sent to judicial custody and two accused of a case were handed to the guardians. Accused of a case of rape was exonerated and that of another case was not arrested till the end of the year. Similarly, an accused of rape was in police investigation. Further, accused of a case of sexual abuse was sent to judicial custody, accused of other case was released on bail and that of the other case was sent to rehabilitation centre.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 54 women victims registered cases of domestic violence among which were 36 cases of physical torture, 17 were of mental torture and one of economic torture. Police reconciled 25 cases, two were sent to court and 27 cases were not given any decision.

INSEC documented 35 victims of violence against women- 10 were victims of rape, one of attempted rape, two of sexual abuse, nine of domestic violence, 10 of polygamy and three of witchcraft allegation. Accused of six cases of rape were sent to judicial custody and accused of a case was handed to the guardians. Accused of three cases of rape were not arrested till the end of 2020. Two were the victims in a case of sexual abuse. Accused of the case was sent to judicial custody.

HEALTH SERVICES

The district has one government hospital, two community hospitals, 51 health posts, four primary health centres, 32 birthing centre, 195 village clinics and 205 vaccination centres. There were 13 cases of mortality of infants in 2020. There were 13 medical consultants working in government hospital in Sindhuli.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events	**Incomplete**	**Investigation**	**Legal Proceeding**	**Total**
Child Marriage	1	1		2
Infanticide	1		1	2
Rape	3		7	10
Sexual Abuse	1	1	2	4
Total	**6**	**2**	**10**	**18**

WOMEN RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Incomplete**	**Legal Proceeding**	**Total**
Domestic Violence	1	7	1		9
Witchcraft Allegation			1	2	3
Polygamy	1		8	1	10
Rape			4	6	10
Rape Attempt				1	1
Sexual Abuse				1	1
Total	**2**	**7**	**14**	**11**	**34**

Number of Incidents		
Type of Events	**Legal Proceeding**	**Total**
Killing	2	2

3.12 Makawanpur

Total Population	4,32,292
Women	2,22,512
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,15,473
No. of Migrant Workers	16,547
Population of Disability	8,467
Literacy above 5 yrs (%)	98
Dependent Population	1,75,737

There were 61 victims of Human Rights abuses documented by INSEC in 2020. There were 19 victims of Child Rights violation including 12 victims of rape, six of sexual abuse and one of trafficking. Similarly, there were 27 victims of violation against Women Rights including 23 of rape, three of attempted rape and one of domestic violence. One person of third gender was killed.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

KILLING

Ajita Bhujel, a thirdgender, of Hetauda Sub-Metropolitan-11 was found dead at the Camp Dada of ward number 5 on January 18, 2020. Police arrested Simon Pariyar, 18, Alisha Pakhrin, 20, Sushil Thapa Magar, 25, Ashish Bal, 24 and Buddha Lama, 21 on February 4 and later charged them of rape and murder at the District Court. Simon Pariyar and Sushil Thapa Magar reportedly had a dispute over the payment of sexual services, and when they were unable to settle it, had killed the victim. Alisha Pakhrin was released on bail of NRs. 100,000 and other accused were sent to judicial custody. But Pakhrin was unable to pay the bail and was later also sent to detention. The case was not decided at the end of the year.

JAIL AND DETENTION

The District Jail has the capacity of holding 1,200 inmates and had 923 prisoners. The water supply at the jail was inadequate. The jail had a health clinic and an Assistant Health Worker to provide health services. The inmates had opportunities to undertake income generation activities. One inmate had died at the jail in 2020.

CHILD REHABILITATION CENTRE

The District has one child rehabilitation centre that had 52 children. The

centre had facilities for the residents to study and play.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Patan – Hetauda Bench

The court had positions for seven judges. It had received 531 cases in 2020 and 408 cases had been carried over from 2019. The Court had adjudicated 130 of these cases.

District Court

The District Court with four judges had adjudicated 138 criminal cases out of 586, and 167 civil cases among 850 that were registered in 2020. There were 16 cases (13 criminal and three civil) that had not been decided for over two years. There were 914 cases that had had been carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 516 community schools, including three for children with disabilities. One hundred and twenty-one children from conflict-affected families had received scholarships. Similarly, 1,663 boys and 1,757 girls from Dalit families had also received scholarships from local governments.

INSEC documented 19 victims of Child Rights violation- 12 were victims of rape, six of sexual abuse and one of trafficking. Two cases of rape had been decided and the accused in other 10 cases were sent to judicial custody. The accused in one case had not been arrested at the end of the year. Similarly, the accused of four cases of sexual abuse were sent to the judicial custody. Two girls had been victimized in a case.

SEXUAL VIOLENCE

Rape

Police arrested 40-years-old father on the charge of raping his 16-year-old daughter on March 7, 2020. The daughter had filed a complaint against the father at the District Police Office. The perpetrator was sentenced to 12 years in jail for rape and life imprisonment for incest on November 26, 2020.

Type of Events		By Others			
		Third Gender	Female	Male	Total
Beatings				3	3
Inhuman Behaviour			1		1
Injured			2	3	5
Killing		1	2	3	6
Child Rights	Child Trafficking		1		1
	Rape		12		12
	Sexual Abuse		6		6
	Total		**19**		**19**
Women Rights	Domestic Violence		1		1
	Rape		23		23
	Rape Attempt		3		3
	Total		**27**		**27**
Grand Total		**1**	**51**	**9**	**61**

Killing after Rape

Police arrested a 14-years-old boy on the charge of raping and killing a four-years-old child. The court sent him to the rehabilitation centre.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 314 women registered cases of domestic violence among which 284 cases were reconciled and 30 were under legal review. There were 58 victims of violence against women among which were 37 cases of rape, 11 cases of sexual abuse and two cases of killing by family members.

INSEC documented 27 victims of violence against women- 23 were victims of rape, three of attempted rape and one of domestic violence. One person of third gender was killed. Two cases of rape were decided by the District Court and the accused of nine cases were sent to judicial custody. Similarly, the accused in both the cases of attempted rape were sent to judicial custody.

SEXUAL VIOLENCE

Rape

Police arrested Keshav Chaulagain, 32, of Hetauda Sub-Metropolitan-11 on March 6, 2020 on the charge of raping a 19-years-old girl on Febraury 23. The victim filed a complaint on March 6 and the police charged Chaulagain of rape the next day. On November 30, the court sentenced Chaulagain to 18 months in jail and a fine NRs. 15,000. The court had also ordered him to pay a compensation of NRs. 50,000 to the victim.

Killing by Family Members

INSEC documented two cases of killing by family members in 2020 year. In one case the accused husband was sent to judicial custody. In another case the father, mother, and sisters-in-laws of the victim were sent to judicial custody.

HEALTH SERVICES

The district has one government hospital, two community hospitals, one eye hospital, four private hospitals, 40 health posts, 10 municipal level health centres, and 18 municipal health centres. The district had 4,339 COVID-19 positive cases and 32 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Child Trafficking		1	1
Rape	1	11	12
Sexual Abuse		5	5
Total	**1**	**17**	**18**

WOMEN RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Domestic Violence			1	1
Rape	1	5	16	22
Rape Attempt			3	3
Total	**1**	**5**	**20**	**26**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	6	6

3.13 Chitwan

Total Population	6,29,978
Women	3,31,064
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	50,494
No. of Migrant Workers	50,421
Population of Disability	12,937
Literacy above 5 yrs (%)	97.5
Dependent Population	2,30,373

There were 25 victims of Human Rights violation and 105 victims of abuses documented by INSEC among which 10 were arrested, one was beaten, 11 were deprived of their economic, social and cultural rights, two were victims of inhumane behaviour and one was killed by the state in 2020. There were 46 victims of Child Rights violation including 30 victims of rape and 16 of sexual abuse. Similarly, there were 43 victims of violation against Women Rights including 15 of rape, five of attempted rape, two of trafficking, three of attempted trafficking, three of domestic violence and 15 of polygamy.

ARREST

INSEC documented the arrest of ten cadres of the banned Communist Party of Nepal in 2020. Three of those arrested were sent to judicial custody and four were released on bail. Police arrested Anil Sharma Birahi, a politburo member of the party on May 6, 2020 and transferred him to face a charge in Dhanusha District.

CIVIL AND POLITICAL RIGHTS
RIGHT TO DIGNIFIED LIFE
KILLING
By State

Raj Kumar Chepang, 24, of Rapti Municipality-1 went to the Judi River in Rapti Municipality-1 in the afternoon on July 16, 2020 for picking *Ghongi* (a type of snail). He was brutally beaten by Chiran Budha of Nepal Army, Liglige Post and was severely injured. The victim died at Bharatpur Hospital on July 23. An anonymous complaint was registered by the family of the victim at the District Police Office on Chitwan on July 23 and a written complaint was filed on September 10. The postmortem of the body was conducted at the Teaching Hospital, Kathmandu on July 27 and the family members took charge of the body on July 31. Police arrested the accused on September

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		10	10			
Beatings		1	1		1	1
Economic,Social & Cultural Rights		11	11			
Inhuman Behaviour		2	2		1	1
Killing		1	1	4	7	11
Racial Discrimination					1	1
Threats					2	2
Child Rights	Rape			30		30
	Sexual Abuse			14	2	16
	Total			**44**	**2**	**46**
Women Rights	Attempt to Trafficking			3		3
	Domestic Violence			3		3
	Polygamy			15		15
	Rape			15		15
	Rape Attempt			5		5
	Women Trafficking			2		2
	Total			**43**		**43**
Grand Total		**25**	**25**	**91**	**14**	**105**

20. A case of attempted murder was filed at the district court October 12 on against the accused. District Court remanded the accused to judicial custody on October 13. The case has not been decided by the end of this year.

In the same case, Purna Chepang, 26, Santa Lal Praja, 32, Bam Bahadur Magar, 32 and Gopiram Praja, 32 of Rapti Municipality-2 Milantole were also beaten and injured by Nepal Army. The injured were treated at Bharatpur hospital on 29 July 2020.

JAIL AND DETENTION

The District Jail has the capacity of holding 255 inmates but there were 693 prisoners, including 57 female; further 32 inmates there were above 60 years of age. There were four dependent children at the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates had opportunities for income generation activities. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners. One COVID-19 positive case had been detected among the inmates in 2020.

THREAT/BEATING

By Others

The locals of Bharatpur metropolitan city- 4 hung a banner at the house of Dr. Bishwabandhu Bagale. The banner mentioned- This is the house of a corona infected person. Medical superintendent of Bakulahar hospital, Dr. Bagale and his wife had tested positive for COVID-19 and were in isolation. Lok Bahadur Sedhai, chairperson of the Nepal Medical Association, Chitwan, said that the work done by the locals to discourage the health workers was regrettable.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with six judges had adjudicated 597 criminal cases out of 932, and 821 civil cases among 1,107 that were registered in 2020. There were 10 cases (three criminal and seven civil) that had not been decided for over two years. There were 303 cases that had been carried over from 2019. The court had hired eight employees on contracts.

CHILD RIGHTS

Educational Status

The district has 208 elementary schools and 222 secondary schools. There were positions for 2,466 teachers in the district out of which 125 were vacant. There were 19,000 girls and 26,000 boys enrolled in 2020, including 33 girls and 47 boys with disabilities. Fifty-five children from conflict-affected families had received scholarships, along with 15 children of migrant workers.

INSEC documented 46 victims of Child Rights violation- 30 were victims of rape and 16 of sexual abuse including

two boys. The accused of 17 cases of rape were sent to judicial custody and six were decided. Similarly, those accused in four cases – all minors – were handed over to the guardians, the accused in one case – a minor – was sent to the rehabilitation centre, and accused of seven cases were exonerated. Further, accused of three cases of rape were under police investigation and those of two cases had not been arrested till the end of the year. Similarly, accused of six cases of sexual abuse were sentenced to jail and those of two cases were exonerated. Accused of a case of sexual abuse was under police investigation, the accused in five cases of sexual abuse were sent to judicial custody.

SEXUAL VIOLENCE

Sexual Abuse

Police arrested Gangadhar Kandel, 60, of Bharatpur Metropolitan City-9 on the charge of sexually abusing a 17-year-old girl on January 21, 2020. The victim filed a complaint on January 27 and following arrest, the accused was sent to judicial custody on February 18. On September 15 the court sentenced Kandel to seven years in jail.

Police arrested a 28-years-old father, on the charge of raping his seven-years-old daughter on March 8, 2020. A case was filed on April 6 and the accused was sent to judicial custody the same day. On November 5, the court sentenced the father to lifetime in jail.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 83 women registered cases of domestic violence among which 23 were cases of beating and expulsion from home, 35 of deprivation of food and clothes, and 25 of other types of abuses. All these cases were reconciled.

INSEC documented 43 victims of violence against women- 15 were victims of rape, five of attempted rape, two of trafficking, three of attempted trafficking, three of domestic violence and 15 of polygamy. Four cases of rape had been decided. The accused in five cases of rape were sent to judicial custody and that of two cases were exonerated. Similarly, the accused in three cases of attempted rape were sent to judicial custody, one was exonerated and the accused in another a case was sent to jail. One person accused of attempted had not been arrested at the end of the year.

SEXUAL VIOLENCE

Rape

Police arrested Bel Bahadur Gandharva, 27, of Bharatpur-27 on the charge of raping a 70-years-old woman on February 22, 2020. The case was was filed on March 17 and the accused was sent to judicial custody the same day. On October 1, the court sentenced Gandharva to lifetime in jail.

Killing by Family Members

Police arrested a person on the charge of killing his wife with sharp weapon. He was sent to judicial custody.

Fire a National Park

Chitwan National Park Administration had demolished 10 houses of Madi Municipality-9 on Srawan 3, 2077 using elephants. The demolished houses were of Kajiman Chepang, 52, Jit Bahadur Chepang, 47, Raj Kumar Chepang, 50, Bala Ram Chepang, 48, Ajit Kumar Chepang, 51, Jitralal Chepang, 47, Jhamak Bahadur Chepang, 46, Bishnu Hari Chepang, 44, Bam Bahadur Chepang, 52 and Netra lal Chepang, 39. The park administration had given a week time to evacuate the place but they were living there. The Supreme Court had given interim order to stop the evacuation.

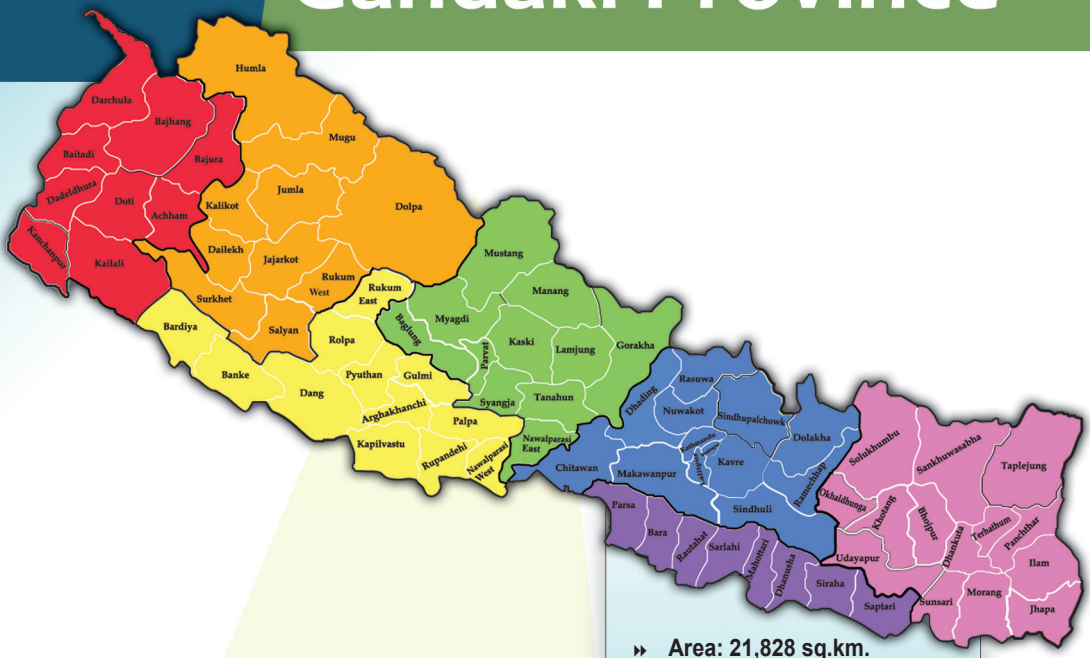
HEALTH SERVICES

The district has one central level hospital- Bharatpur Hospital, national level hospital- BP Koirala Memorial Hospital, four district-level hospitals, govern-

ment owned Ratnanagar Hospital, Jutpani, Bhandara and Bhagoda Hospital, 36 health posts and four primary health centres. There were six positions of doctors vacant in the district. There were 1,20,000 people enrolled in the health insurance scheme. The district had 6,381 COVID-19 positive cases and 101 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Rape	6	1	23	30
Sexual Abuse	4	3	7	14
Total	**10**	**4**	**30**	**44**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Attempt to Trafficking			1	1
Domestic Violence			3	3
Polygamy		1	14	15
Rape	4	5	6	15
Rape Attempt	1		4	5
Women Trafficking			2	2
Total	**5**	**6**	**30**	**41**
Number of Incidents				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Killing	3	1	8	12

Gandaki Province



- Area: 21,828 sq.km.
- Population: 24,13,908
- Literacy Rate: 73.33
- District: 11
- Electoral Constituency (Parliamentary): 18
- Electoral Constituency (Provincial): 36
- Metropolitan City: 1
- Municipality: 26
- Rural Municipality: 58
- Total Ward No.: 759

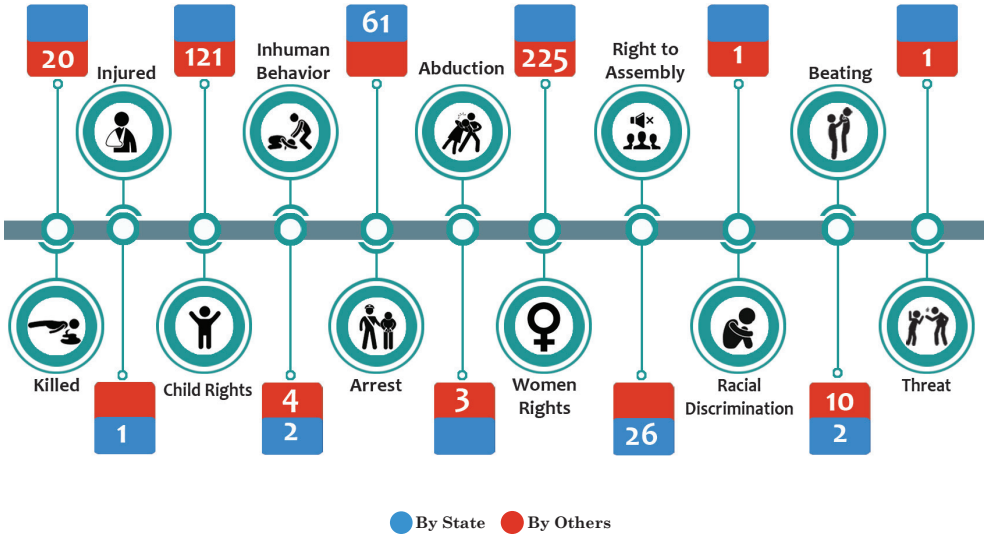
Introduction: Gandaki Province

This year, the province assembly had passed 46 laws. The province government has adopted a policy of assistance in the protection of basic human rights, protection and promotion of civil liberties. It has introduced a policy for the management of provincial prisons and detention, security, and protection of the human rights of detainees and prisoners. There were 285 quarantines for COVID-19 infection control, prevention and treatment, 30 isolations and 17 hospitals in the province for the treatment of those infected by it. Till the end of 2020, 14,588 people were infected with COVID-19 and 192 died. The foundation of hospital buildings has been laid in 53 municipalities in the province this year under the 'One Local Level One Hospital' program.

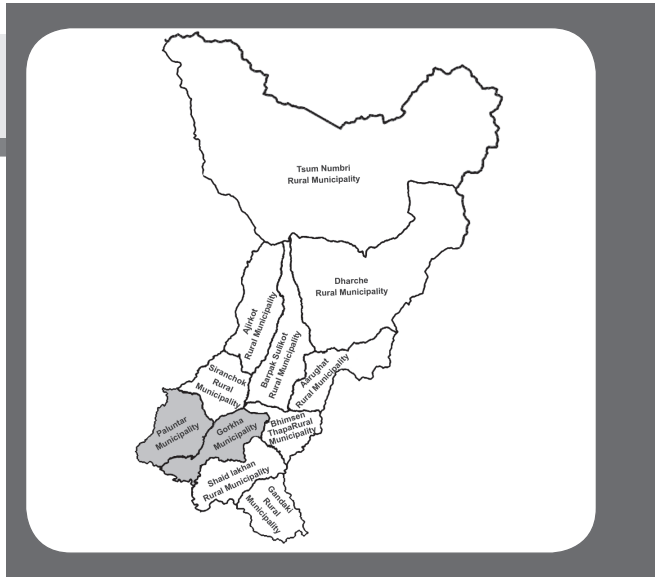
Human Rights Situation in 2020

INSEC documented 477 victims of human rights violation and abuses in Gandaki Province. In 2020, 61 were arrested, 225 were victims of violation against women rights, 20 were killed by others and 121 were victims of child rights violation.

No. of Victims by Incident (In 2020)



4.1 Gorkha



Total Population	2,64,637
Women	1,48,562
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	54,875
No. of Migrant Workers	28,104
Population of Disability	12,937
Literacy above 5 yrs (%)	66.03
Dependent Population	1,19,334

There were 12 victims of Human Rights violation and 50 of abuses documented by INSEC among which 12 were arrested in 2020. There were 16 victims of Child Rights violation including 12 victims of rape and four of sexual abuse. Similarly, there were 31 victims of violation against Women Rights including 26 victims of domestic violence, two of rape, two of attempted rape, one of sexual abuse.

ARREST

INSEC documented the arrest of 12 cadres of the banned Communist Party of Nepal, including a woman. Chief District Administration office released five of those arrested on bail, and six were released by the District Court on bail. However, police immediately re-arrested one among them immediately after release.

RE-ARREST

Police arrested central member of the banned Communist Party of Nepal Uma Bhujel, 42, on June 2, 2020 from Gorkha Municipality-13. A case of disturbing public peace was filed against her on June 3. Bhujel was released on June 4 on a bail of NRs. 5,000. However, she was re-arrested the same day from the premise of the District Court and was sent to Lalitpur to face another charge of illegal possession of weapons.

JAIL AND DETENTION

The District Jail had the capacity of holding 55 inmates but there were 113 prisoners of which eight are female; 13 of the prisoners at the jail were over 60 years of age. There were provisions of drinking water, toilets, means of communication and leisure activities at the jail and the inmates also had opportunities for income generation. One Assistant Health Worker (AHW) was posted at the jail.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	11	12			
Inhuman Behaviour						2	2
Threats						1	1
Child Rights	Rape				12		12
	Sexual Abuse				4		4
	Total				**16**		**16**
Women Rights	Domestic Violence				26		26
	Rape				2		2
	Rape Attempt				2		2
	Sexual Abuse				1		1
	Total				**32**		**31**
Grand Total		**1**	**11**	**12**	**47**	**3**	**50**

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 14 criminal cases out of 149, and 65 civil cases out of 308. There were 14 cases whose decision had been pending for over two years; and 60 cases had not been decided for over 18 months. Thirty-six of the total cases that had been carried over from 2019 had been decided.

CHILD RIGHTS

Educational Status

There are 232 community schools and 112 elementary schools in the district. The district had positions for 2,069 teachers. A total of 30,967 boys and 30,739 girls were enrolled in 2020, including 172 girls and 157 boys with disabilities. Sixteen students of conflict-affected families received scholarship

INSEC documented 16 victims of child rights violation- four were victims of sexual abuse and 12 of rape. The accused in two cases of rape – minors – were sent to child rehabilitation centre, one was handed over to the guardians, and one was exonerated. The accused of seven cases of sexual abuse were sent to judicial custody and that in one case had not been arrested. Similarly, the accused of two cases of sexual abuse were sent to judicial custody and those in two cases had been released on bail of NRs. 60,000 and NRs. 50,000, respectively.

ALL KINDS OF VIOLENCE AGAINST WOMEN

There were 74 complaints register by women of domestic violence at the Women, Children and Senior Citizens' Service Centre. The cases included 32 victims of beating, 13 of deprivation of food and clothes, and five of polygamy. Five cases were under legal review, and 26 were in court. Four cases of polygamy had been decided and all cases of expulsion from home had been reconciled.

INSEC documented 31 victims of violence against women- 26 were victims of domestic violence, two of rape, two of attempted rape, one of sexual abuse.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Damage of Property

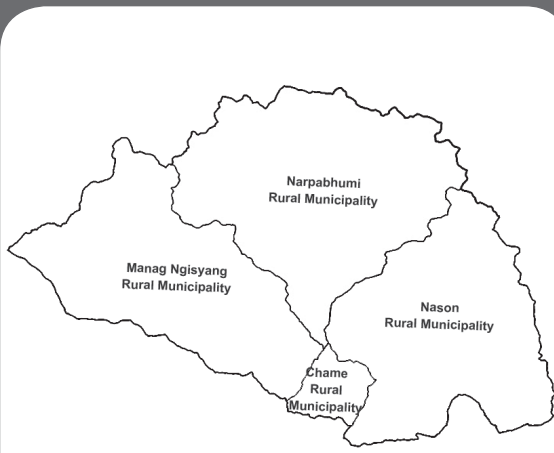
An unidentified group set fire on the telecommunication tower of Ncell Pvt. Ltd located at Sahid Lakhan Rural Municipality-1 on January 10, 2020. The case was still under investigation at the end of 2020.

HEALTH SERVICES

The district has two government hospitals, 66 health posts, and three primary health centres. The Gorkha District Hospital has positions for nine specialist doctors. Four positions at the hospital were vacant – one each of radiologist, medical superintendent, assistant health worker and auxiliary health worker.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape	1	11	12
Sexual Abuse		4	4
Total	**1**	**15**	**16**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	26		26
Rape		2	2
Rape Attempt		2	2
Sexual Abuse		1	1
Total	**26**	**5**	**31**

4.2 Manang



Total Population	5,618
Women	2,394
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	2,150
No. of Migrant Workers	204
Population of Disability	794
Literacy above 5 yrs (%)	74.8
Dependent Population	1,747

JAIL AND DETENTION

The District Jail had the capacity to hold 35 inmates and had seven male prisoners. They had provisions for some indoor games but no access to communication facilities.

RIGHT TO PROMPT AND FAIR TRIAL

There were no criminal cases registered in the district in 2020. Out of two civil cases at the court one was adjudicated.

CHILD RIGHTS

Educational Status

There are 23 elementary and four secondary schools in the district. The district has positions for 200 teachers. A total of 300 boys and 351 girls were enrolled this year, and 58 Dalit students had received scholarship.

ALL KINDS OF VIOLENCE AGAINST WOMEN

No cases of domestic violence were filed in the district in 2020.

HEALTH SERVICES

The district has a government hospital with positions for three doctors. There are basic health units at three local levels but not in Chame. There were 75 health worker's positions in the District of which 35 were vacant. There were 15 COVID-19 positive cases in Manang in 2020.

4.3 Mustang

Total Population	12,890
Women	6,190
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	4,632
No. of Migrant Workers	1,425
Population of Disability	204
Literacy above 5 yrs (%)	66.2
Dependent Population	4,342

There were three victims of Human Rights abuses documented by INSEC in 2020. There were two victims of Child Rights violation, both were victims of rape. Similarly, there was one victim of violation against Women Rights which was a victim of rape.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates and there were 11 male prisoners in 2020. Since, there is no compound in the jail, inmates stay in the room and are allowed to come out only when they need to go to the toilet. The jail has a television set and a board game for entertainment.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge adjudicated two criminal cases out of four in 2020. There were no cases exceeding two years. The district does not have law professionals.

CHILD RIGHTS

Educational Status

There are 53 community schools, and eight *Gumba* (monastic) schools. A total of 3,091 students were in school in the district. The district had positions for 322 teachers. All the students covered by the scholarship programs had received the support.

Rape

INSEC documented two victims of rape in the district. Accused of both cases were sent to judicial custody.

Type of Events		By Others	
		Female	Total
Child Rights	Rape	2	2
	Total	**2**	**2**
Women Rights	Rape	1	1
	Total	**1**	**1**
Grand Total		**3**	**3**

ALL KINDS OF VIOLENCE AGAINST WOMEN

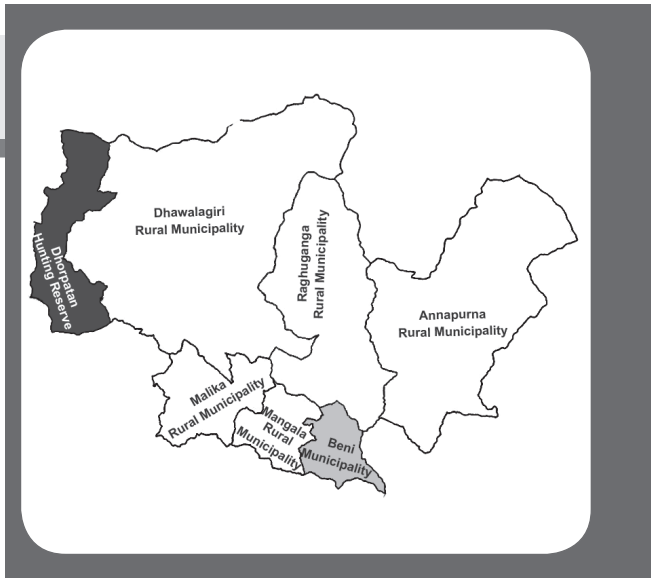
INSEC documented one victim of rape and the court sent the accused to judicial custody.

HEALTH SERVICES

The district has a government hospital, 15 health posts and one primary health centre. There were positions for 18 health workers in the district and five of these were vacant. The district lacked specialist doctors and therefore patients were sent to Kathmandu or Pokhara for cases requiring specialist treatment. The program on safe abortion was halted in the district due to the lack of qualified health workers. The district had 32 COVID-19 positive cases in 2020.

Number of Incident with Status of Legal Proceeding in 2020		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	2	2
Total	**2**	**2**
WOMEN RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	1	1
Total	**1**	**1**

4.4 Myagdi



Total Population	1,13,340
Women	62,641
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	31,323
No. of Migrant Workers	14,314
Population of Disability	6,122
Literacy above 5 yrs (%)	71.9
Dependent Population	52,157

There were seven victims of Human Rights violation and 15 of abuses documented by INSEC among which seven were arrested in 2020. There were six victims of Child Rights violation including four victims of rape, one of sexual abuse and one of child marriage. Similarly, there were seven victims of violation against Women Rights including one victim of domestic violence, three of rape, one of attempted rape and two of sexual abuse.

ARREST

INSEC documented the arrest of seven cadres of the banned Communist Party of Nepal. Two of the arrested were freed on habeas corpus petition by the order of Supreme Court, one was sent to judicial custody, three were released on bail of NRs. 15,000 and two were released on bail on the order of the District Administration Office.

JAIL AND DETENTION

The District Jail has the capacity of holding 32 inmates but there were 125 prisoners of which 10 were female, and one of the 115 male inmates was above the age of 70 years. The jail had provisions for drinking water, toilets, and means of communication, leisure activities and a library but lacked enough living space. There was one Assistant Health Worker (AHW) posted at the jail.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 19 criminal cases out of 97 and 78 civil cases among 168 from 2020. There were no cases exceeding two years. The court had hired eight contractual employees.

CHILD RIGHTS

Educational Status

There are 174 elementary schools and 60 secondary schools; and 1,280

Type of Events		By State		By Others	
		Male	Total	Female	Total
Arrest		7	7		
Killing				2	2
Child Rights	Child Marriage			1	1
	Rape			4	4
	Sexual Abuse			1	1
	Total			**6**	**6**
Women Rights	Domestic Violence			1	1
	Rape			3	3
	Rape Attempt			1	1
	Sexual Abuse			2	2
	Total			**7**	**7**
Grand Total		**7**	**7**	**15**	**15**

teachers at the schools. There are no disability friendly schools in the district. However, classes for disabled children were run at three schools.

INSEC documented six victims of child rights violation- four were victims of rape, one of sexual abuse and one of child marriage. Three accused in the rape cases were sent to judicial custody and one was in detention. The District Court had sentenced the accused in the sexual abuse to jail for 25 days and a fine of NRs. 3,000. Another person accused of sexual abuse had been released on bail of NRs. 200,000. Similarly, two accused of child marriage were released on bail of NRs. 200,000 and NRs. 100,000.

SEXUAL VIOLENCE

Sexual Abuse

Police arrested Sanjeev Hamal, 23 of Beni Municipality-6 on July 13 on the charge of sexually abusing a girl of 14 years the same day. The case against him was filed on August 6. The court sentenced Hamal to to jail for 25 days and a fine of NRs. 3,000 on December 17.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 45 women registered complaint of domestic violence among which 41 cases were reconciled and four were undergoing court procedures.

INSEC documented seven victims of violence against women- one was victim of domestic violence, three of rape, one of attempted rape and two of sexual abuse. Three accused of rape and one accused of attempted rape were sent to judicial custody. The case of sexual abuse was forwarded to the Kathmandu District Court.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property and Infrastructure

An unidentified group set a construction equipment including an excavator on fire at Malika Rural Municipality-6 on March 15, 2020. The vehicles belonged to Caravan Construction. The damage was estimated at around NRs. 15 million.

HEALTH SERVICES

The district has a government hospital, 40 health posts, and one primary health centre. The government hospital had 103 vacant positions – 11 for doctors, one for gynecologist, 58 paramedics, and 33 nurses. The district has a temporary COVID hospital with 20 beds. Three persons in the district had died due to COVID-19 in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Child Marriage		1	1
Rape		4	4
Sexual Abuse	1		1
Total	**1**	**5**	**6**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	1		1
Rape		3	3
Rape Attempt		1	1
Sexual Abuse		2	2
Total	**1**	**6**	**7**
Number of Incidents			
Type of Events	**Legal Proceeding**	**Total**	
Killing	2	2	

4.5 Kaski

Total Population	5,45,424
Women	2,84,686
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	19,330
No. of Migrant Workers	57,305
Population of Disability	9,219
Literacy above 5 yrs (%)	82.04
Dependent Population	1,96,519

There were 26 victims of Human Rights violation and 48 of abuses documented by INSEC among which 20 were arrested, one was victim of inhumane behavior and five were deprived of their right to assembly by the state in 2020. There were 23 victims of Child Rights violation including seven victims of rape, fourteen of sexual abuse, one of child marriage and one of child trafficking. Similarly, there were 19 victims of violation against Women Rights including ten victims of domestic violence, six of rape, one of sexual abuse and two of trafficking.

ARREST

INSEC documented the arrest of 20 cadres of the banned Communist party of Nepal in 2020. Three of the arrested were released on bail of NRs. 5000 each, three others on NRs. 50,000, NRs. 40,000 and NRs. 30,000, respectively. Two others were released on bail of NRs. 3000 each by the District Administration Office.

BEATING/THREAT

INSEC documented a case of beating in the district. The accused of the case was released by the District Administration Office on bail NRs. 6,000.

JAIL AND DETENTION

The District Jail has the capacity of holding 420 inmates but there were 916 prisoners of which 70 are female; further 14 of the inmates were above 65 years of age. There were four dependent children in the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates had opportunities for income generation activities. One Assistant Health Worker (AHW) was posted at the jail to oversee the health of the prisoners. One CO-

VID-19 positive case had been detected among the inmates in 2020.

RIGHT TO ASSEMBLY

Police arrested Nirdosh Bikram Poudel, 21, and Ashim Subedi, 22, both members of the Nepal Students Union on 24 February 2020 on the charge of waving a black flag during the Prime Minister's visit at the airport in Pokhara. They were released on the same day.

Police also arrested Netra Chapagain, 32, Resham Sapkota, 31, and Bishal Timalsina, 25, for waving black flags to Prime Minister KP Oli on February 21, 2020. They were held at the Baidam Police Office and were released in evening the same day.

Police arrested member of National Youth Union, Basanta Bastola, 29, on December 28, 2020 in a clash during a protest. The protest with flaming torches was organized by the supporters of Prachanda-Madhav Nepal group of the Nepal Communist Party to oppose the dissolution of parliament by the Prime Minister. He was released after one hour.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Pokhara

The court had positions for seven judges. It had received 641 criminal cases and 178 civil cases in 2020. The court had 786 cases that had been carried over from 2019.

District Court

The District Court with seven judges had adjudicated 157 criminal cases out of 874 and 519 civil cases among 1097 that were registered in 2020. There were 135 cases (62 criminal and 73 civil) that had not been decided for two years. The court had hired 16 employees in contract.

CHILD RIGHTS

Educational Status

The district has 345 elementary schools and 287 secondary schools. There were positions for 2,388 teachers in the district. There were 28,924 girls and 32,541 boys enrolled this year. Thirty-four children from conflict affected families and 44 children of migrant workers had received scholarships.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction						1	1
Arrest		1	19	20			
Beatings						1	1
Inhuman Behaviour			1	1			
Killing						3	3
Racial Discrimination						1	1
Right to Assembly			5	5			
Child Rights	Child Marriage				1		1
	Child Trafficing				1		1
	Rape				7		7
	Sexual Abuse				11	3	14
	Total				**20**	**3**	**23**
Women Rights	Domestic Violence				10		10
	Rape				6		6
	Sexual Abuse				1		1
	Women Trafficking				2		2
	Total				**19**		**19**
Grand Total		**1**	**25**	**26**	**39**	**9**	**48**

INSEC documented 23 victims of child rights violation- seven were victims of rape, fourteen of sexual abuse, one of child marriage and one of child trafficking. Eight of those accused of sexual abuse were sent judicial custody, one – a minor – was sent to the rehabilitation centre, one was released on a bail of NRs. 200,000, three on NRs. 50,000 each and one on NRs. 30,000. Eight accused of rape cases were sent to judicial custody and two were released on bail of NRs. 450,000 each. One person accused of child marriage was sent

to judicial custody. Likewise, two accused of trafficking were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 141 women victims registered complaint of domestic violence among which were 20 cases of beating and home expulsion, 40 cases of deprivation of food and clothes, 14 cases of deprivation of marriage registration and citizenship, 12 cases of polygamy and 55 cases of domestic disputes. Most of the cases were reconciled and cases with criminal nature were sent for court procedures. There were few cases of reconciliation in which the victims returned back for complaints

INSEC documented 19 victims of violence against women- ten were victims of domestic violence, six of rape, one of sexual abuse and two of trafficking

ALL KINDS OF CASTE-BASED DISCRIMINATION

Mohan Sunar, 60, of Pokhara metropolitan-16 filed a case against Janak Thapa, 40, Dev Bahadur Thapa, 43 and Ram GC, 48, on the charge of preventing the Dalit community using a venue to perform death rituals on April 30. Police arrested the accused on May 5, 2020. The accused had also mistreated Sunar. The case of racial discrimination was filed on May 8. The court released the accused on bail of NRs 170,000 each. The case had not been decided at the end of 2020.

HEALTH SERVICES

The district has four government hospitals, one community hospital, 43 health posts, 18 municipal health centres and four primary health posts. There were 26 vacant positions of medical consultants at the Pokhara Institute of Health Sciences. The district had 6,744 COVID-19 positive cases in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Marriage	1	1
Child Trafficking	1	1
Rape	7	7
Sexual Abuse	12	12
Total	**21**	**21**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	10		10
Rape		6	6
Sexual Abuse		1	1
Women Trafficking		1	1
Total	**10**	**8**	**18**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	3	3

4.6 Lamjung

Total Population	1,64,157
Women	91,049
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	27,895
No. of Migrant Workers	21,161
Population of Disability	4,745
Literacy above 5 yrs (%)	71.1
Dependent Population	71,899

There were six victims of Human Rights violation and 34 of abuses documented by INSEC among which six were arrested in 2020. There were 14 victims of Child Rights violation including nine victims of rape, four of sexual abuse and one infanticide. Similarly, there were 17 victims of violation against Women Rights including 13 victims of domestic violence, one of rape, two of sexual abuse and one of witchcraft allegation.

ARREST

INSEC documented the arrest of six cadres of the banned Communist Party of Nepal. Police re-arrested them immediately after they had been released on bail by the District Court.

Police arrested Junga Bahadur Bhandari, Bil Bahadur Gurung, Narayan Bahadur Kunwar, Rabindra Nakhola, Durgalal Tamang and Sujan Thapa, all cadres of banned Communist Party of Nepal on November 23, 2020 on the charge of possessing explosives, receipts for illegal donations and glass shrapnel. The case against them was taken to court on December 15 that released them on December 26. They were rearrested on the day.

JAIL AND DETENTION

The District Jail had the capacity of holding 35 inmates but there were 85 prisoners, including nine female inmates. The jail had provisions for drinking water, toilets, means of communication, and that for leisure activities, and a library. But it lacked enough living space. The inmates had opportunities to engage in income generation activities. One Assistant Health Worker was posted at the jail. There were no COVID-19 positive cases among the inmates.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		6	6			
Inhuman Behaviour					1	1
Killing				2		2
Child Rights	Infanticide				1	1
	Rape			9		9
	Sexual Abuse			4		4
	Total			**13**	**1**	**14**
Women Rights	Domestic Violence			13		13
	Witchcraft Allegation			1		1
	Rape			1		1
	Sexual Abuse			2		2
	Total			**17**		**17**
Grand Total		**6**	**6**	**32**	**2**	**34**

RIGHT TO PROMPT AND FAIR TRIAL

The District Court adjudicated 125 out of the 181 cases that had been carried over from 2019. The court with one judge had adjudicated 52 criminal cases out of 80 and 229 civil cases among 249 from 2020 case files. There were 63 cases (16 criminal and 47 l) at the court that exceeded two years. The court had hired three employees on contracts.

CHILD RIGHTS

Educational Status

There are 268 elementary schools and 123 secondary schools. Out of the 1,990 teacher positions, 97 were vacant. There were 21,856 girls and 19,769 boys enrolled in 2020 of which 30 had some form of disability. There are 58 disability-friendly schools in the district. Fifteen children from conflict-affected families had received scholarship. There were provisions for free education for Dalits and children with disability. This year, 4,957 girls and 5,308 girls from Dalit families were enrolled in the schools.

INSEC documented 14 victims of violation of child rights- nine were victims of rape, four of sexual abuse and one infanticide. Seven accused of rape and five of sexual abuse had been sent to judicial custody. Two accused of killing an infant were also remanded to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 41 women victims registered cases of domestic violence among which nine were victims of home exile/ abandonment, 18 of deprivation of food and clothes and 14 of beatings and mental torture. Eleven of the cases of deprivation of food and clothes and nine related to beatings had been reconciled.

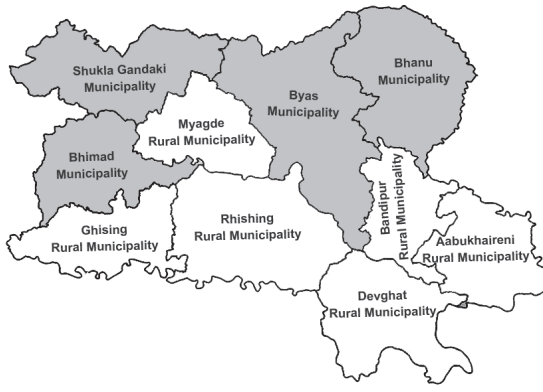
INSEC documented 17 victims of violence against women- 13 were victims of domestic violence, one of rape, two of sexual abuse and one of witchcraft allegation. Two accused of rape were sent to judicial custody.

HEALTH SERVICES

The district has two government hospitals, two community hospitals, 59 health posts, 16 municipal health centres, 11 primary health centres and eight community health units. There were three positions for doctors vacant at the district hospital. The government hospital didn't have the position for a specialist doctor. There were 31 vacant positions for staff nurses and auxiliary nurse midwives. The district hospital had 41 vacant positions of health assistants and assistant health workers. There was no provision for health insurance in the district.

Number of Incident with Status of Legal Proceeding in 2020					
CHILD RIGHTS					
Type of Events	**Legal Proceeding**			**Total**	
Infanticide	1			1	
Rape	7			7	
Sexual Abuse	4			4	
Total	**12**			**12**	
WOMEN RIGHTS					
Type of Events	**Compromise**	**Incomplete**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	10	1		2	13
Witchcraft Allegation	1				1
Rape			1		1
Sexual Abuse			2		2
Total	**11**	**1**	**3**	**2**	**17**
Number of Incidents					
Type of Events	**Legal Proceeding**			**Total**	
Killing	2			2	

4.7 Tanahun



Total Population	3,26,745
Women	1,84,664
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	47,535
No. of Migrant Workers	46,387
Population of Disability	6,668
Literacy above 5 yrs (%)	74.08
Dependent Population	1,41,300

There were 27 victims of Human Rights violation and 63 of abuses documented by INSEC among which three were arrested, two were beaten, one was victim of inhumane behavior and 21 were deprived of their right to assembly by the state in 2020. There were 20 victims of Child Rights violation including 15 victims of rape, three of sexual abuse, one of child marriage and one of corporal punishment. Similarly, there were 34 victims of violation against Women Rights including 30 victims of domestic violence and four of rape.

ARREST

INSEC documented the arrest of three cadres of the banned Communist Party of Nepal. They were released by District Administration Office on bail of NRs. 5,000 each. One was re-arrested immediately after release and sent to Gorkha.

Police arrested district in-charge of the banned Communist Party of Nepal Purnajit Pun, 40, and member Parbat Sedhai, 18, from Myagde Rural Municipality, Jamune on February 11, 2020. They were arrested on the charge of pasting pamphlets to mark their armed-conflict day on February 11. The District Administration Office released them with bail of NRs. 5,000 each on March 11. However, Sedhai was re-arrested the same day and sent to Gorkha to face another charge.

JAIL AND DETENTION

The District Jail has the capacity of holding 105 inmates but there were 269 male prisoners being held there. Eighteen of them were above 60 years. There was provision of drinking water, toilets, means of communication, leisure activities and a library, but the jail lacked enough living space. The jail did not have a health worker on staff.

RIGHT TO ASSEMBLY

Police arrested leader of the Nepali Congress Ram Chandra Poudel, 76, Jit Prakash Ale, 55; Ananda Dev Shrestha, 40; Chitra Rana, 38; Arbin Shrestha, 37; Gaurav Panta, 28; Sunil Shrestha, 25; Narayani Adhikari, 40; Kalpana Lamsal, 40; Suraj Lamsal, 26; Suresh Wagle, 40; on December 2, 2020 from Talghare of Vyas Municipality-1. They were arrested on their way to inaugurate a bridge connecting two wards of Vyas Municipality. They were released after three hours. Some supporters of the Nepali Congress party were injured in the clash with supporters of the ruling Communist Party of Nepal on whether or not Poudel should be inaugurating the bridge.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court adjudicated 429 out of 894 cases, of which 215 had been carried over from 2019. The court with two judges adjudicated 29 criminal cases out of 230 and 297 civil cases among 625 in 2020. There court had 34 cases (10 criminal and 24 civil) pending a decision for over two years. The court had hired 19 contractual employees.

CHILD RIGHTS

Educational Status

There are 388 elementary schools and 108 secondary schools in the district.

INSEC documented 20 victims of child rights violation- 15 were victims of rape, three of sexual abuse, one of child marriage and one of corporal punishment. Three accused of sexual abuse were released on bail of NRs. 100,000, NRs. 45,000 and NRs. 50,000, respectively. Ten accused in cases of rape had been sent to judicial custody, one was handed over to parents, one – a minor – was sent to the rehabilitation centre, and one remained in detention at end 2020.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction						1	1
Arrest			3	3			
Beatings			2	2		2	2
Inhuman Behaviour			1	1			
Killing					3	3	6
Right to Assembly		3	18	21			
Child Rights	Child Marriage				1		1
	Corporal Punishment				1		1
	Rape				15		15
	Sexual Abuse				3		3
	Total				**20**		**20**
Women Rights	Domestic Violence				30		30
	Rape				4		4
	Total				**34**		**34**
Grand Total		**3**	**24**	**27**	**57**	**6**	**63**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 42 women victims registered complaints of domestic violence among which 35 were victims of beatings. Police reconciled 28 cases, five were under court procedure and two were pending.

INSEC documented 34 victims of violence against women- 30 were victims of domestic violence and four of rape. An accused of rape case was sentenced to jail for seven and half years and fined of NRs. 50,000 and the other was sentenced to life in prison. One of the accused was being held in judicial custody and another one – a minor – had been sent to the rehabilitation centre.

Rape

Police arrested a 30-year-old male on October 5, 2020 on the charge of rap-

ing his 47-year-old mother on September 21. The victim had filed a complaint on September 23 and the case was taken to court on October 5. The accused was sent to judicial custody on October 31 and on December 29 the court sentenced the perpetrator to life in prison.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Infrastructure and Property

An unidentified group set fire on the telecommunication tower of Ncell Pvt. Ltd. at Bhimad Municipality-5, Mirchhulung on January 11, 2020. The fire damaged all equipment. The group responsible for the incident had not been identified at the end of the year.

HEALTH SERVICES

The district has three hospitals, two primary health centres, 50 health posts and 113 elementary health centres. The government hospital had 16 vacancies for positions of doctors. The district had 1,382 COVID-19 positive cases and 24 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Legal Proceeding	No Legal Proceeding	Total
Child Marriage	1		1
Corporal Punishment		1	1
Rape	12		12
Sexual Abuse	3		3
Total	**16**	**1**	**17**

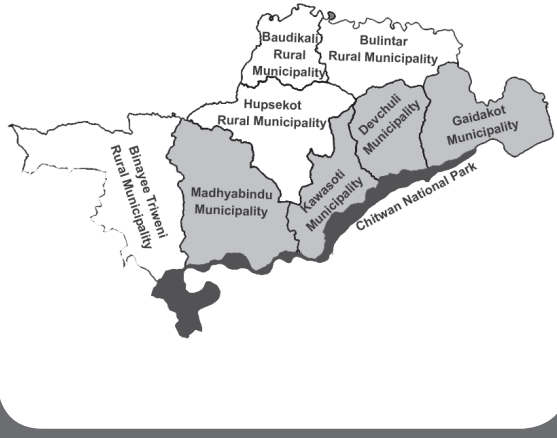
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence	1	25	4	30
Rape	2		2	4
Total	**3**	**25**	**6**	**34**

Number of Incidents

Type of Events	Closed Case	Legal Proceeding	Total
Killing	2	4	6

4.8 Nawalparasi East



Total Population	3,21,755
Women	1,69,917
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	Not Available
No. of Migrant Workers	Not Available
Population of Disability	Not Available
Literacy above 5 yrs (%)	70.76
Dependent Population	Not Available

There were five victims of Human Rights violation and 40 of abuses documented by INSEC among which four were arrested and one was injured by the state in 2020. There were 18 victims of Child Rights violation including 12 victims of rape, four of sexual abuse, one of corporal punishment and one of child marriage. Similarly, there were 18 victims of violation against Women Rights including 11 victims of domestic violence, six of rape, and one of sexual abuse.

INJURED BY FIRING

By State

Prem Mahato, 34 of Madhya Bindu Municipality-2 was injured in firing by Sub-Inspector Gangaram Koiri of Kolhuwa Police Office on March 7, 2020. The injured received bullets in leg and lower chest. He had his treatment in Old Medical College in Chitwan from March 7 to March 24. The firing was opened for self-protection during a clash with the protester who attached the police on patrolling with stones and weapons. The protester were in a motorbike and were checked as suspects. When the police had requested for search, they attacked and for self-protection the police opened fire. A *Khukuri* and motorbike was seized from them. The expenditure of the treatment was not deposited till the end of the year even though the bill was forwarded to the Home Ministry.

ARREST

INSEC documented the arrest of four cadres of the banned Communist party of Nepal in 2020. One of the arrested was released on bail of NRs. 2,000 and was arrested again, one was released on NRs 7000 and the other was released on general bail.

BEATING

Police arrested Dipak Kunwar,

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	3	4			
Beatings						2	2
Injured			1	1			
Killing					1	1	2
Child Rights	Child Marriage				1		1
	Corporal Punishment					1	1
	Rape				12		12
	Sexual Abuse				3	1	4
	Total				**16**	**2**	**18**
Women Rights	Domestic Violence				11		11
	Rape				6		6
	Sexual Abuse				1		1
	Total				**18**		**18**
Grand Total		**1**	**4**	**5**	**35**	**5**	**40**

Principal of Ujwal Shishu Secondary School on October 6, 2020 on the charge of beating Krishna Prasad Acharya of Susta Rural Municipality-3 on August 12. Acharya was beaten for not clearing the due in school. The victim filed a complaint in Area Police Office on August 15. Kunwar had absconded after the incident. The victim's joints were injured and dislocated. The perpetrator was released by the District Court Nawalpur on October 13 with bail NRs. 150,000. The case was not decided till the end of 2020.

JAIL AND DETENTION

The District has no jail. The people sent to jail are transferred to Chitwan and Nawalparasi West.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 75 criminal cases out of 460 and 221 civil cases among 769 that were registered in 2020. There were 784 cases transferred from 2019. The court had hired nine employees in contract.

CHILD RIGHTS

Educational Status

The district has 585 elementary schools and 77 secondary schools on community schools. There were positions for 1,787 teachers in the district. There were 43,145 girls and 48,184 boys enrolled this year. There were only 151 disability friendly schools in the district.

INSEC documented 18 victims of child rights violation- 12 were victims of rape, four of sexual abuse, one of corporal punishment and one of child marriage. Two of the accused of sexual abuse were handed to family, two were sent to judicial custody, one was released on bail of NRs. 60,000 and one was exonerated due to lack of proof. Ten of the accused of rape case were sent to judicial custody, two-minors were sent to rehabilitation centre and on was not arrested till the end of the year.

Corporal Punishment

Mother of victim child Rejan Khamha, 16 filed a complaint against Shiva KC on February 4, 2020 on the charge of beating her son in school on January 28. The accused was computer teacher. The victim had injuries on his ear. With the request from victim family, the teacher was suspended from April 10 for the academic year 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 98 women victims registered cases of domestic violence among which 86 cases were reconciled and 12 cases were in process.

INSEC documented 18 victims of violence against women- 11 were victims of domestic violence, six of rape, and one of sexual abuse. Accused of the rape cases and one of sexual abuse were sent to judicial custody. Two accused of rape were in police custody and one was not arrested till the end of year.

SEXUAL VIOLENCE

Sexual Abuse

Police arrested Lila Raj Pokharel, 40 of Madhya Bindu Municipality-4 on March 12, 2020 on the charge of sexually abusing a 70-years-old woman on the same day. The written complaint was filed in the District Police Office on March 13 by the victim. The case of misbehavior on March 22. The accused was released on March 25 on bail of NRs. 10,000. The case received verdict on September 3 and the perpetrator was sentenced to 12 days of jail and fined NRs. 10,000.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Infrastructure and Property

An unidentified group set fire on the telecommunication tower Ncell in Boudikali Rural Municipality-2 on January 26, 2020. The incident caused damage in power socket of the tower. The involved group in the incident was not identified till the end of the year.

HEALTH SERVICES

The district has one government hospital, four primary health centres and 33 health posts. The work of upliftment of primary health centre of Devchuli Municipality and one health post of Gaidakot Municipality is in progress. The government hospital had six vacancies- one each of medical officer, public health officer, medical record supervisor, lab technician and two staff nurse working. The district had 2,472 COVID-19 positive cases and 30 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Marriage			1	1
Corporal Punishment	1			1
Rape		1	11	12
Sexual Abuse			4	4
Total	**1**	**1**	**16**	**18**

WOMEN RIGHTS

Type of Events	Compromise	Incomplete	Investigation	Legal Proceeding	Total
Domestic Violence		9		2	11
Rape			1	5	6
Sexual Abuse	1				1
Total	**1**	**9**	**1**	**7**	**18**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

4.9 Syangja

Total Population	2,78,688
Women	1,59,337
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	33,909
No. of Migrant Workers	50,476
Population of Disability	4,451
Literacy above 5 yrs (%)	76.6
Dependent Population	1,21,823

There were 32 victims of Human Rights abuses documented by INSEC in 2020. There were six victims of Child Rights violation, all were victims of rape. Similarly, there were 22 victims of violation against Women Rights including ten victims of domestic violence, four of rape, one of attempted rape, one of sexual abuse and six of polygamy.

JAIL AND DETENTION

The District Jail had the capacity of holding 50 inmates but there were 148 prisoners of which 10 were female. Five of 138 male inmates were above 65 years of age. The infrastructure of the jail was very old; there was scarcity of drinking water and lacked adequate toilets.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 56 criminal cases out of 182 and 127 civil cases among 339 of 2020. There were 182 cases that had been carried over from 2019 among which 56 were adjudicated. There were 117 cases (48 criminal and 69 civil) that had not been decided for over two years. The court had hired 18 contractual employees.

CHILD RIGHTS

Educational Status

There are 382 elementary schools and 167 secondary schools. The district had positions for 2,649 teachers. There were 26,285 girls and 28,908 boys enrolled in 2020. There were no disability-friendly schools in the district. There was provision of free education to children with disability, and from Dalit families. This year, 5,188 girls and 5,147 boys from Dalit families were enrolled.

INSEC documented six victims of rape in 2020. Five of those accused of rape were sent to judicial custody. Another accused was sentenced to jail for 18 years and fined of NRs. 50,000.

SEXUAL VIOLENCE

Rape

Police arrested Rajan B.K., 21, of Galyang Municipality-7 on January 19, 2020 on the charge of raping a 15-year-old girl on January 6. The victim's family had filed the complaint at the District Police Office the same day. The case was taken to court on January 20, which sentenced B.K., to jail for 18 years and imposed a fine of NRs. 50,000. He was also asked to deposit NRs. 2,050 in the victim relief fund.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 58 women registered complaint of domestic violence among which 38 cases were reconciled, eight cases were sent to court and 12 cases were under legal review.

INSEC documented 22 victims of violence against women- ten were victims of domestic violence, four of rape, one of attempted rape, one of sexual abuse and six of polygamy. Four accused in rape cases, one of attempted rape attempt and one of sexual abuse were sent to judicial custody.

Type of Events		By Others		
		Female	Male	Total
Beatings		1		1
Killing		1	2	3
Child Rights	Rape	6		6
	Total	**6**		**6**
Women Rights	Domestic Violence	10		10
	Polygamy	6		6
	Rape	4		4
	Rape Attempt	1		1
	Sexual Abuse	1		1
	Total	**22**		**22**
Grand Total		**30**	**2**	**32**

HEALTH SERVICES

The district has a government hospital, 64 health posts and one local hospital. There were 10 doctors at the government hospital, including seven on contracts. The district had 812 COVID-19 positive cases of which 14 had died in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Rape	1	4	5
Total	**1**	**4**	**5**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	10		10
Polygamy		6	6
Rape		4	4
Rape Attempt		1	1
Sexual Abuse		1	1
Total	**10**	**12**	**22**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	3	3

4.10 Parvat

Total Population	1,42,374
Women	79,894
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	18,426
No. of Migrant Workers	21,735
Population of Disability	3,653
Literacy above 5 yrs (%)	73.8
Dependent Population	62,488

There were five victims of Human Rights violation and 36 of abuses documented by INSEC among which five were arrested in 2020. There were 11 victims of Child Rights violation including five victims of rape and six of sexual abuse. Similarly, there were 20 victims of violation against Women Rights including 18 victims of domestic violence and two of rape.

ARREST

INSEC documented the arrest of five cadres of the banned Communist Party of Nepal. Four of them were released following a habeas corpus petition and order by the Supreme Court. One of them was sent to detention after he was unable to deposit the bail amount of NRs. 50,000. According to the documentation at INSEC, he died during treatment while in detention.

Police arrested Jagendra Bahadur Pun, 54, of Myagdi Rural Municipality-3 and a member of the banned Communist Party of Nepal, on October 21, 2020 at Kushma Municipality-1. The case against him was filed on November 1, 2020 and he was released on November 18 on a bail of NRs. 50,000. However, unable to deposit the amount, he had been sent to detention. Pun died on December 14 at the Western Regional Hospital, Pokhara. His family had not received the dead body at the end of the year.

BEATING/THREAT

Police arrested Bimal Parajuli, 28 and Ganesh Parajuli, 26 on March 13, 2020 on the charge of beating Krishna Dhakal, 36, a teacher at Ambari Secondary School in Bihadi Rural Municipality-2. He was beaten while on his way back from work. The District Administration Office released the assailants on July 24 on a bail of NRs. 3,500 for Bimal Parajuli and NRs. 6,500 for Ganesh Parajuli.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but it had 94 male prisoners. The jail had three persons above the age of 60 years. There were adequate provisions of drinking water and toilets, and the inmates also had access to means of communication, leisure activities, and a library. The prison had two COVID-9 positive inmates who had recovered.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court adjudicated 21 criminal cases out of 49 and 28 civil cases among 79 cases registered in 2020. The court with one judge had 67 cases (28 criminal and 39 civil) exceeding one year.

CHILD RIGHTS

Educational Status

There are 210 elementary schools and 78 secondary schools in the district. The district had positions for 1,699 teachers of which 206 positions were vacant. The district had five disability-friendly schools. Two children of migrant workers had received scholarships in 2020. The district had provisions for free education for Dalits and children with disability.

INSEC documented 11 victims of child rights violation- five were victims of rape and six of sexual abuse. Two accused of sexual abuse were sent to judicial custody, and two had been released on bail of NRs. 100,000 and NRs. 170,000, respectively. Three of the accused were sentenced to jail for 18 months and fined NRs. 10,000. The two persons accused of rape were sent to judicial custody and two – minors – were sent to rehabilitation centre.

SEXUAL VIOLENCE

Sexual Abuse

Police arrested Sarva Lal Pariyar, 50, on June 27, 2020, on the charge of raping a 13-year-old girl on June 26. The case was filed on June 27. The court released the accused on bail of NRs. 80,000 on July 8. Later, on December 31 Pariyar was sentenced to 18 months in jail and fined NRs. 10,000.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		5	5			
Beatings				1	2	3
Inhuman Behaviour					1	1
Killing				1		1
Child Rights	Rape			5		5
	Sexual Abuse			6		6
	Total			**11**		**11**
Women Rights	Domestic Violence			18		18
	Rape			2		2
	Total			**20**		**20**
Grand Total		**5**	**5**	**33**	**3**	**36**

ALL KINDS OF VIOLENCE AGAINST WOMEN

INSEC documented 20 victims of violence against women- 18 were victims of domestic violence and two of rape. Two accused of rape were sent to judicial custody. This year, there was one case of killing by family members and the accused was sent to judicial custody at the end of 2020.

HEALTH SERVICES

The district has a government hospital, 52 health posts, four municipal health centres, and two primary health centres. The government hospital has 10 vacant positions- five each for staff nurses and auxiliary nurse midwives. The district had diagnosed 192 COVID-19 positive cases and had one death in 2020.

Number of Incident with Status of Legal Proceeding in 2020					
CHILD RIGHTS					
Type of Events	**Closed Case**	**Legal Proceeding**			**Total**
Rape		5			5
Sexual Abuse	3	3			6
Total	**3**	**8**			**11**
WOMEN RIGHTS					
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	13	1	2	2	18
Rape			2		2
Total	**13**	**1**	**4**	**2**	**20**
Number of Incident					
Type of Events	**Legal Proceeding**				**Total**
Killing	1				1

4.11 Baglung

Total Population	2,68,605
Women	1,52,751
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	61,163
No. of Migrant Workers	42,623
Population of Disability	6,179
Literacy above 5 yrs (%)	71.9
Dependent Population	1,21,935

There were four victims of Human Rights violation and 64 of abuses documented by INSEC among which four were arrested in 2020. There were five victims of Child Rights violation including two victims of rape and two of sexual abuse. Similarly, there were 56 victims of violation against Women Rights including 43 victims of domestic violence and seven of rape.

ARREST

INSEC documented the arrest of four cadres of the banned Communist Party of Nepal. Four of them were released following a habeas corpus petition and order by the Supreme Court. One of them was sent to detention after he was unable to deposit the bail amount of NRs. 50,000. According to the documentation at INSEC, he died during treatment while in detention.

Police arrested Jagendra Bahadur Pun, 54, of Myagdi Rural Municipality-3 and a member of the banned Communist Party of Nepal, on October 21, 2020 at Kushma Municipality-1. The case against him was filed on November 1, 2020 and he was released on November 18 on a bail of NRs. 50,000. However, unable to deposit the amount, he had been sent to detention. Pun died on December 14 at the Western Regional Hospital, Pokhara. His family had not received the dead body at the end of the year.

BEATING/THREAT

Police arrested Bimal Parajuli, 28 and Ganesh Parajuli, 26 on March 13, 2020 on the charge of beating Krishna Dhakal, 36, a teacher at Ambari Secondary School in Bihadi Rural Municipality-2. He was beaten while on his way back from work. The District Administration Office released the assailants on July 24 on a bail of NRs. 3,500 for Bimal Parajuli and NRs. 6,500 for Ganesh Parajuli.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				1		1
Arrest		4	4			
Beatings					1	1
Killing					1	1
Child Rights	Child Marriage			1		1
	Rape			2		2
	Sexual Abuse			2		2
	Total			**5**		**5**
Women Rights	Domestic Violence			43		43
	Witchcraft Allegation			1		1
	Polygamy			3		3
	Rape			7		7
	Rape Attempt			1		1
	Sexual Abuse			1		1
	Total			**56**		**56**
Grand Total		**4**	**4**	**62**	**2**	**64**

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but it had 94 male prisoners. The jail had three persons above the age of 60 years. There were adequate provisions of drinking water and toilets, and the inmates also had access to means of communication, leisure activities, and a library. The prison had two COVID-9 positive inmates who had recovered.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court adjudicated 21 criminal cases out of 49 and 28 civil cases among 79 cases registered in 2020. The court with one judge had 67 cases (28 criminal and 39 civil) exceeding one year.

CHILD RIGHTS

Educational Status

There are 210 elementary schools and 78 secondary schools in the district. The district had positions for 1,699 teachers of which 206 positions were vacant. The district had five disability-friendly schools. Two children of migrant workers had received scholarships in 2020.

INSEC documented five victims of child rights violation- two were victims of rape, two of sexual abuse and one of child marriage. Two accused of sexual abuse were sent to judicial custody, and two had been released on bail of NRs. 100,000 and NRs. 170,000, respectively. Three of the accused were sentenced to jail for 18 months and fined NRs. 10,000. The two persons accused of rape were sent to judicial custody and two – minors – were sent to rehabilitation centre.

SEXUAL VIOLENCE

Sexual Abuse

Police arrested Sarva Lal Pariyar, 50, on June 27, 2020, on the charge of raping a 13-year-old girl on June 26. The case was filed on June 27. The court released the accused on bail of NRs. 80,000 on July 8. Later, on December 31 Pariyar was sentenced to 18 months in jail and fined NRs. 10,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

INSEC documented 56 victims of violence against women- 43 were victims of domestic violence, three were polygamy, one each of attempted rape and sexual abuse and seven of rape. Two accused of rape were sent to judicial custody. This year, there was one case of killing by family member and the accused was sent to judicial custody at the end of 2020.

HEALTH SERVICES

The district has a government hospital, 52 health posts, four municipal health centres, and two primary health centres. The government hospital has 10 vacant positions- five each for staff nurses and auxiliary nurse midwives. The district had diagnosed 192 COVID-19 positive cases and had one death in 2020.

Number of Incident with Status of Legal Proceeding in 2020					
CHILD RIGHTS					
Type of Events	**Investigation**	**Legal Proceeding**	**Total**		
Child Marriage		1	1		
Rape		2	2		
Sexual Abuse	1	1	2		
Total	**1**	**4**	**5**		
WOMEN RIGHTS					
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	33		4	6	43
Witchcraft Allegation		1			1
Polygamy			3		3
Rape			7		7
Rape Attempt			1		1
Sexual Abuse			1		1
Total	**33**	**1**	**16**	**6**	**56**
Number of Incident					
Type of Events	**Legal Proceeding**	**Total**			
Killing	1	1			

Lumbini Province

- Area: 19,737 sq.km.
- Population: 44,88,955
- Literacy Rate: 67.67
- District: 12
- Electoral Constituency (Parliamentary): 26
- Electoral Constituency (Provincial): 52
- Sub-Metropolitan City: 4
- Municipality: 32
- Rural Municipality: 73
- Total Ward No.: 983

Introduction: Lumbini Province

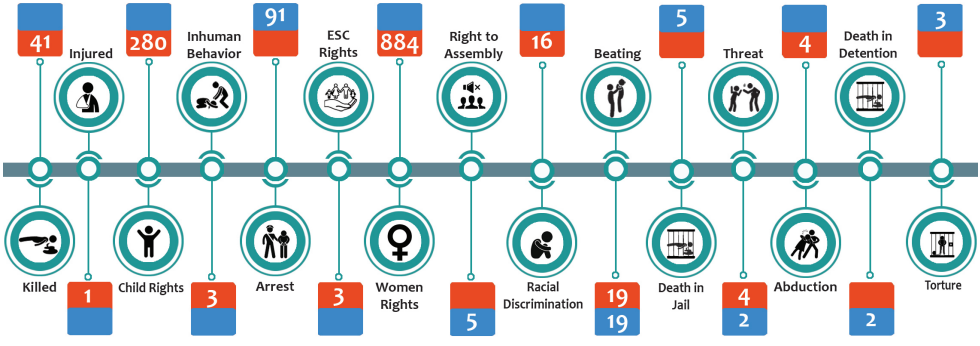
This year, the province government decided on its name and capital. A two-third majority in the province assembly named the province Lumbini and the capital Dang, Bhaluwang.

The Government of Lumbini Province has decided to declare it as a completely literate province within the Fiscal Year 2020/21 and to end the inequality of geography, gender, physical, ethnic and class division. It has announced to cooperate with social organizations to ensure civic responsibility and accountability of the government through awareness of human rights. They have also declared to conduct necessary reform programs by studying the condition of prisons, detention cells and juvenile rehabilitation centres. This year, 3,300 houses constructed and handed over under the public housing program. Till the end of 2020, 26,143 people were infected with COVID-19 and 351 died. The foundation of 35 hospital buildings were laid in the province this year under the 'One Local Level One Hospital' program.

Human Rights Situation in 2020

INSEC documented 1,382 victims of human rights violation and abuses in Lumbini Province. In 2020, 91 were arrested, 884 were victims of violation against women rights, 41 were killed by others and 280 were victims of child rights violation.

No. of Victims by Incident (In 2020)



5.1 Rukum East

Total Population	53,018
Women	27,812
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	Not Available
No. of Migrant Workers	Not Available
Population of Disability	Not Available
Literacy above 5 yrs (%)	62.09
Dependent Population	Not Available

There were nine victims of Human Rights abuses documented by INSEC in 2020. There was one victim of Child Rights violation which was a victim of rape. Similarly, there were seven victims of violation against Women Rights including two of rape, and five of domestic violence.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated five criminal cases out of 22, and 23 civil cases among 49 that were registered in 2020.

CHILD RIGHTS

Educational Status

The district has 92 elementary schools and 24 secondary schools. There were positions for 421 teachers in the district out of which 20 were vacant. There were 17,604 students enrolled this year. Children from conflict-affected families and martyr's families had received scholarships.

INSEC documented one victim of rape. The court found the accused guilty of rape.

SEXUAL VIOLENCE

Rape

Police arrested Tikaram Shrish, 31, and Kamal Regmi, 30, on June 26, 2020 on the charge of repeated raping a 13-year-old girl on June 21 and June 23. The victim received treatment in District hospital in Rukum West. The accused was proven guilty but the court had not sentenced him at the end of the year.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 15 women victims registered cases of domestic violence among

Type of Events		By Others	
		Female	Total
Killing		1	1
Child Rights	Rape	1	1
	Total	**1**	**1**
Women Rights	Domestic Violence	5	5
	Rape	2	2
	Total	**7**	**7**
Grand Total		**9**	**9**

which 11 cases were reconciled and other were under legal review.

INSEC documented seven victims of violence against women- two were victims of rape, and five of domestic violence. *Two of those accused of rape were sent to judicial custody.*

Killing by Family Members

Police arrested Nara Bahadur Pun, 79, of Bhume Rural Municipality-3 on the charge of killing his wife Dilmaya Pun, 60, on February 9, 2020. The victim's family filed a complaint the same day at the District Police Office, East Rukum. Dilmaya died at the District hospital, Rukumkot on February 10. The husband was sentenced to life in prison by the District Court.

HEALTH SERVICES

The district has one government hospital, one primary health centre, 15 health posts and 22 community health units. There were three positions vacant in government hospital- one each of doctor, nurse and health assistant. The district had 94 COVID-19 positive cases in 2020 and all of them had recovered.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Rape	1		1
Total	**1**		**1**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	5		5
Rape		2	2
Total	**5**	**2**	**7**
Number of Incident			
Type of Events	**Closed Case**		**Total**
Killing	1		1

5.2 Rolpa

Total Population	2,30,739
Women	1,27,030
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	57,504
No. of Migrant Workers	23,597
Population of Disability	7,458
Literacy above 5 yrs (%)	98.3
Dependent Population	1,13,903

There were five victims of Human Rights violation and 36 victims of abuses documented by INSEC among which five were arrested in 2020. There were five victims of Child Rights violation which were of rape. Similarly, there were 26 victims of violation against Women Rights including nine victims of rape, and 17 of domestic violence.

DEATH IN EXPLOSION

Lokiram Dangi, 14, Bimala Dangi, 11, Gaurav Nepali, 13 and Bijaya Khatri, 5 of Triveni Rural Municpality-7 were killed in a bomb blast in their village on April 30, 2020. The explosion might have occurred when the children were playing with an unidentified object they had found. The bodies of the children were handed over to their families after post mortem on May 1. The federal government and the provincial government provided NRs. 500,000 and NRs. 100,000, respectively to the families of deceased children. The families had wanted NRs. 1 million as compensation therefore they did not receive the given compensation.

ARREST

INSEC documented the arrest of five of the banned Communist party of Nepal in 2020. An accused among those arrested was sent to the judicial custody, and another was sent to Arghakhachi jail after he was re-arrested. Similarly, on those two arrested were released on a bail of NRs. 1000 and another was released on a bail of NRs. 45,000.

JAIL AND DETENTION

The District Jail has the capacity of holding 50 inmates but there were 90 prisoners, including 10 female; further, five inmates were above 60 years of age.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 23 criminal cases out of 68 and 122 civil cases among 267 those

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		5	5			
Beatings					1	1
Killing				1	3	4
Child Rights	Rape			5		5
	Total			**5**		**5**
Women Rights	Domestic Violence			17		17
	Rape			9		9
	Total			**26**		**26**
Grand Total		**5**	**5**	**32**	**4**	**36**

registered in 2020. Among 63 cases of 2019, 24 were adjudicated.

CHILD RIGHTS

Educational Status

The district has 320 elementary schools and 93 secondary schools. There were positions for 1,335 teachers in the district. There were 38,398 girls and 37,279 boys enrolled in 2020, and among them were 1,977 children with disabilities. There were 7,112 girls and 7,032 boys from Dalit families in the schools.

INSEC documented five victims of rape. Three accused of rape were sent to judicial custody and three had not been arrested till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 96 women registered complaints of domestic violence among which were 45 cases of beating and expulsion from home, and 51 cases of deprivation of food and clothes. Police reconciled 50 cases and 25 cases were transferred to court, while 19 complaints were under review.

INSEC documented 26 victims of violence against women- nine were victims of rape, and 17 of domestic violence. Five accused of rape were sent to judicial custody, and four were in police custody for investigation till the end of 2020.

HEALTH SERVICES

The district has one government hospital, 49 health posts, two primary health centres, 19 basic health centres, 13 community health units and four urban health centre. There were two vacant position in the government hospital- one each for specialist doctor and nurse. There were 22,872 people enrolled in the health insurance scheme, including 3,620 senior citizens whose insurance is done free of cost.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Rape	2	3	5
Total	**2**	**3**	**5**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	2	10		5	17
Rape			1	8	9
Total	**2**	**10**	**1**	**13**	**26**

Number of Incident

Type of Events	Closed Case	Total
Killing	1	1

5.3 Pyuthan

Total Population	2,34,824
Women	1,34,098
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	72,791
No. of Migrant Workers	36,858
Population of Disability	5,930
Literacy above 5 yrs (%)	97.77
Dependent Population	1,19,361

There were nine victims of Human Rights violation and 20 victims of abuses documented by INSEC among which eight were arrested and one died in jail in 2020. There were four victims of Child Rights violation which were victims of rape. Similarly, there were 10 victims of violation against Women Rights including two of rape, and eight of domestic violence.

ARREST

INSEC documented the arrest of eight cadres of the banned Communist Party of Nepal in 2020. Seven of the arrested were released on bail of NRs. 2,000 each by the District Administration Office and one was released following a habeas corpus petition at the Supreme Court.

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but there were 75 prisoners, including 10 female. There were two dependent children at the prison. Khagiram Ramjali, 72, who was in jail for murder died of heart attack on June 10, 2020.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 34 criminal cases out of 107, and 64 civil cases among 193 that were registered in 2020. There were adjudicated 46 cases out of 148 cases in 2020.

CHILD RIGHTS

Educational Status

The district has 323 elementary schools and 72 secondary schools. There were positions for 1,511 teachers in the district out of which two were vacant. There were 35,608 girls and 33,881 boys enrolled in 2020. Twelve children from

Type of Event		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	7	8			
Beatings						1	1
Death in Jail			1	1			
Killing					2	3	5
Child Rights	Rape				4		4
	Total				**4**		**4**
Women Rights	Domestic Violence				8		8
	Rape				2		2
	Total				**10**		**10**
Grand Total		**1**	**8**	**9**	**16**	**4**	**20**

conflict-affected and martyrs' families, and 14 of migrant workers had received scholarships.

INSEC documented four victims of rape. Four accused of rape were sent to judicial custody. One person accused of killing a child was also sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 29 women registered complaints of domestic violence among which 24 cases were reconciled and five cases were under legal review.

INSEC documented 10 victims of violence against women- two were victims of rape, and eight of domestic violence. Two accused of rape were sent to judicial custody. A person accused of killing a family member was also sent to judicial custody.

HEALTH SERVICES

The district has one government hospital, one community hospital, 46 health posts, and two primary health centres. There were eight vacant positions of specialist doctors at the district hospital. There were 37,956 enrolled in the government's health insurance scheme and 3,705 senior citizens had been insured under the government's free insurance scheme for senior citizens. The district had 899 COVID-19 positive cases and six deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Rape	4		4
Total	**4**		**4**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	8		8
Rape		2	2
Total	**8**	**2**	**10**
Number of Incidents			
Type of Events	**Legal Proceeding**		**Total**
Killing	5		5

5.4 Gulmi

Total Population	2,73,935
Women	1,57,702
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	71,369
No. of Migrant Workers	58,561
Population of Disability	7671
Literacy above 5 yrs (%)	72.6
Dependent Population	1,29,224

There were four victims of Human Rights violation and 75 victims of abuses documented by INSEC among which four of arrested in 2020. There were 15 victims of Child Rights violation of which 11 were victims of rape, four of sexual abuse. Similarly, there were 57 victims of violation against Women Rights including two of rape, one of attempted rape, two of sexual abuse, three of polygamy and 49 of domestic violence.

ARREST

INSEC documented the arrest of four cadres of the banned Communist party of Nepal in 2020. Two of those arrested were released on bail of NRs. 10,000 each and one was sentenced to 12 days in jail. One was released by District Administration Office after the person committed to abandon party activities.

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but there were 80 prisoners, including seven female; further two of the inmates was above 60 years of age. There were two dependent children at the prison. There were provisions of drinking water, toilet, means of communication and leisure activities and the jail also had a library.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge adjudicated 21 criminal cases out of 96, and 102 civil cases among 233 that were registered in 2020. There were two civil cases that had not been decided for over two years. There were 166 cases that had carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 420 elementary schools and 145 secondary schools. There

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		4	4			
Killing				2		2
Racial Discrimination					1	1
Child Rights	Rape			11		11
	Sexual Abuse			3	1	4
	Total			**14**	**1**	**15**
Women Rights	Domestic Violence			49		49
	Polygamy			3		3
	Rape			2		2
	Rape Attempt			1		1
	Sexual Abuse			2		2
	Total			**57**		**57**
Grand Total		**4**	**4**	**73**	**2**	**75**

were 34,611 girls and 35,207 boys enrolled in 2020. There were 10,245 girls and 9,458 boys from Dalit families and 1,006 children with disabilities at school. The district had 37 disability-friendly schools. Eight children from conflict-affected families had received scholarships.

INSEC documented 15 victims of child rights violation- 11 were victims of rape, four of sexual abuse including one boy. Thirteen accused of rape were sent to judicial custody and one – a minor – was sent to the rehabilitation centre in Bhairahawa. Similarly, an accused had not been arrested till the end of the 2020. An accused of sexual abuse– a minor – was handed over to the parents and one was released on a bail of NRs. 100,000. One person accused of sexual abuse had not been arrested till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 33 women registered cases of domestic violence among which 27 cases were reconciled and four cases were under legal review.

INSEC documented 57 victims of violence against women- two were victims of rape, one of attempted rape, two of sexual abuse, three of polygamy and 49 of domestic violence. One person accused of rape was sent to judicial custody and another was released on bail of NRs. 10,000. Two accused of attempted rape were sent to judicial custody. Similarly, two persons accused of killing family members were sent to judicial custody together with the three accused of polygamy.

ALL KINDS OF CASTE-BASED DISCRIMINATION

Shyam Bahadur Pariyar was fined NRs. 1,005 by the locals for entering the house of Netra Kauchha of Kaligandaki Rural Municipality-5 on May 18, 2020. The family of the victim had filed a complaint against Kauchha on May 19. Police arrested Kauchha on May 21 and filed a case of discrimination on June 12. Kauchha was released on June 14 on bail of NRs. 60,000. On August 13, Kauchha was sentenced to three months in jail, fined NRs. 50,000 and was ordered to pay compensation of NRs. 10,000 to the victim.

HEALTH SERVICES

The district has one government hospital, 76 health posts, 30 community health units, four municipal health centres, four primary health centres and 11 basic health service centres. There were nine vacant positions of specialist doctors and six vacant positions of nurses at the government hospital. There were 34,000 people covered under the health insurance scheme. The district had 936 COVID-19 positive cases and 13 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape	1	10	11
Sexual Abuse	1	3	4
Total	**2**	**13**	**15**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	48	1	49
Polygamy		3	3
Rape		2	2
Rape Attempt		1	1
Sexual Abuse		2	2
Total	**48**	**9**	**57**

Number of Incidents		
Type of Events	**Legal Proceeding**	**Total**
Killing	2	2

5.5 Arghakhanchi

Total Population	1,93,631
Women	1,11,097
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	56,739
No. of Migrant Workers	39,929
Population of Disability	5,165
Literacy above 5 yrs (%)	72.6
Dependent Population	91,824

There were three victims of Human Rights violation and 51 of abuses documented by INSEC among which three were arrested in 2020. There were six victims of Child Rights violation which were victims of rape. Similarly, there were 41 victims of violation against Women Rights including three of rape, two of polygamy and 36 of domestic violence.

ARREST

INSEC documented the arrest of three cadres of the banned Communist party of Nepal in 2020. One detainee were released on the order of the High Court, Butwal Bench and another by Tulsipur-Butwal Bench following habeas corpus petition. The third detainee was released after he committed to abandon the party's activities.

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but there were 64 prisoners, including four female; further, five of the inmates were above 60 years of age. There was one toilet for use by 60 inmates, which was poor even compared to other jails.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 18 criminal cases out of 67 and 73 civil cases among 191 that were registered in 2020. There were 149 cases that had been carried over from 2019. The court had hired 12 employees on contracts.

CHILD RIGHTS

Educational Status

The district has 314 elementary schools and 82 secondary schools. There were positions for 2,050 teachers in the district out of which 261 were vacant. There were 21,185 girls and 22,062 boys enrolled in 2020, including 6,363 girls

and 6,131 boys from Dalit families. Six children from conflict-affected families and 26 children of migrant workers had received scholarships.

INSEC documented six victims of child rights violation which were victims of rape. Two accused of rape were sent to judicial custody. One was sent to the rehabilitation centre. Three of the accused were released on bail of NRs. 50,000 each.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 66 women registered complaints of domestic violence among which 65 cases were reconciled and one case was transferred to the court.

INSEC documented 41 victims of violence against women- three were victims of rape, two of polygamy and 36 of domestic violence. One accused of rape was sent to judicial custody and one was in police custody at the end of the year. Two accused of polygamy were released on general bail, one accused was released on a bail of NRs. 120,000 and another on a bail of NRs. 20,000.

Type of Events		By State		By Others			
		Male	Total	Female	Male	N/A	Total
Arrest		3	3				
Beatings					1		1
Economic, Social & Cultural Rights						1	1
Killing				1			1
Racial Discrimination					1		1
Child Rights	Rape			6			6
	Total			**6**			**6**
Women Rights	Domestic Violence			36			36
	Polygamy			2			2
	Rape			3			3
	Total			**41**			**41**
Grand Total		**3**	**3**	**48**	**2**	**1**	**51**

HEALTH SERVICES

The district has one government hospital, 40 health posts, and two primary health centres. The District Hospital was upgraded to a 50-bed hospital from 15-bed. The government's free insurance scheme had insured 1,364 senior citizens.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Rape	1	5	6
Total	**1**	**5**	**6**

WOMEN RIGHTS

Type of Events	Investigation	Compromise	Legal Proceeding	Total
Domestic Violence		35	1	36
Polygamy			2	2
Rape	1		2	3
Total	**1**	**35**	**5**	**41**

Number of Incident

Type of Events	Legal Proceeding	Total
Killing	1	1

5.6 Palpa

Total Population	2,58,429
Women	1,46,087
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	55,910
No. of Migrant Workers	38,504
Population of Disability	6,537
Literacy above 5 yrs (%)	76.2
Dependent Population	1,10,597

There were three victims of Human Rights violation and 63 victims of abuses documented by INSEC among which three were arrested in 2020. There were 13 victims of Child Rights violation which eight were victims of rape, four of sexual abuse and one infanticide. Similarly, there were 48 victims of violation against Women Rights including five of rape, three of attempted rape, one of sexual abuse and 39 of domestic violence.

JAIL AND DETENTION

The District Jail has the capacity of holding 300 inmates but there were 269 prisoners, including 50 female and five who were above the age of 60 years. There were six dependent children at the prison. The jail had separate buildings for male and female prisoners.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 53 criminal cases out of 161, and 131 civil cases among 274 that were registered in 2020.

CHILD RIGHTS

Educational Status

The district has 288 elementary schools and 115 secondary schools. There were vacant positions of teachers at 12 schools in the district. The district had buildings of 345 schools under construction that would be disability-friendly.

INSEC documented 13 victims of child rights violation- eight were victims of rape, four of sexual abuse and one of infanticide. Seven accused of rape were sent to judicial custody and two were released on bail of NRs.50,000 each. Similarly, one of the accused – a minor – was sent to the rehabilitation centre and one had not been arrested at the end of the year. Two accused of sexual abuse were sent to judicial custody and one was released on a bail of

NRs. 30,000. Another person accused of abuse had not been arrested at the end of the year.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 36 women registered cases of domestic violence among which 31 cases were reconciled and five cases were under legal review.

INSEC documented there were 48 victims of violence against women- five were victims of rape, three of attempted rape, one of sexual abuse and 39 of domestic violence. One person accused of rape was sent to judicial custody and one was released on a bail of NRs. 200,000. Another person accused of rape had not been arrested at the end of the year and one was in police custody.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Damage of Infrastructure and Property

An unidentified group set fire at a telecom tower of Ncell Pvt. Ltd. at Baganaskali Rural Municipality-9 on January 26, 2020. The fire damaged generator, BTS system, GSM antenna, batteries and other equipment.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		3	3			
Racial Discrimination				1	1	2
Child Rights	Infanticide				1	1
	Rape			8		8
	Sexual Abuse			4		4
	Total			**12**	**1**	**13**
Women Rights	Domestic Violence			39		39
	Rape			5		5
	Rape Attempt			3		3
	Sexual Abuse			1		1
	Total			**48**		**48**
Grand Total		**3**	**3**	**61**	**2**	**63**

HEALTH SERVICES

The district has two government hospitals, 62 health posts, two primary health centres and five municipal health centres. There was one vacant position of specialist doctor at the government hospital. There were 1,91,745 people enrolled in the government's health insurance scheme. The district had 1,752 COVID-19 positive cases and 29 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

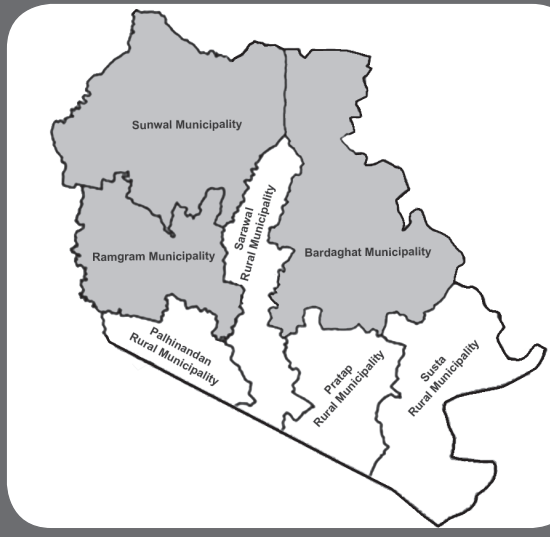
CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Rape	1	6	7
Infanticide		1	1
Sexual Abuse		4	4
Total	**1**	**11**	**12**

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	35		4	39
Rape		1	4	5
Rape Attempt		1	2	3
Sexual Abuse			1	1
Total	**35**	**2**	**11**	**48**

5.7 Nawalparasi West



Total Population	3,21,753
Women	1,69,926
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	Not Available
No. of Migrant Workers	Not Available
Population of Disability	Not Available
Literacy above 5 yrs (%)	70.76
Dependent Population	Not Available

There were 25 victims of Human Rights violation and 103 of abuses documented by INSEC among which eight were arrested, 14 were beaten, one was tortured and two died in jail in 2020. There were 27 victims of Child Rights violation including 22 of rape, three of sexual abuse and two of trafficking. Similarly, there were 58 victims of violation against Women Rights including nine of rape, four of attempted rape, three of sexual abuse, four of polygamy, five of attempted trafficking, two of trafficking and 31 of domestic violence.

ARREST

INSEC documented the arrest of six cadres of the banned Communist party of Nepal in 2020. Four of those arrested were released after habeas corpus petition, one was released on bail of NRs. 55,000 and one unable to deposit the bail of NRs. 25,000 was sent to jail.

JAIL AND DETENTION

The District Jail has the capacity of holding 175 inmates but there were 455 prisoners, including 66 female; further, three inmates were above 70 years of age. There were two dependent children at the prison.

DEATH IN JAIL

Shiva Pariyar, 35, of Sainamaina Municipality-1 died at the Prithivi Chandra District Hospital on April 8, 2020 due to jaundice. He had been brought there from prison where he was serving time for human trafficking. He was a patient of diabetes.

Shibalak Kohar, 70, of Palhinandan Rural Municipality-3 died on October 28, 2020. He was serving time for murder and was also a patient of diabetes and high blood pressure.

CLASH

Cham Bahadur Oli, 35, was in-

jured in an attack of locals while he was on his way to unlock the office of Ramgram Municipality-17 on April 24, 2020. The office had been locked in a dispute over distribution of relief materials in the ward. Police arrested Ramesh Giri, 48, Umesh Giri, 45, Manju Devi Harijan, 48, Shankar Baniya, 42, and Dipenra Giri, 44 for involvement in the assault. All of them were released on bail of NRs. 4,500.

There was a clash between locals and personnel of the Armed Police Force on June 7, 2020 at Pratappur Rural Municipality-5 in a dispute over chemical fertilizers. The locals were Binda Devi Chamar, 34, Ramesh Kurmi, 23, Laxman Rajbhar, 45, Ram Ashreya Kurmi, 60, Sandip Kurmi, 35, Anup Kurmi, 18. The injured police were Ishwori Pun, 28, Dhan Bahadur Phalal, 32, Dipendra Baniya, 26, Komal Rawal, 33, Mukunda Ghimire, 25, and Ganesh Gyawali, 29.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with five judges had adjudicated 158 criminal cases out of 214, and 757 civil cases among 954 that were registered in 2020. There were 41 cases (12 criminal and 29 civil) that had not been decided for over two years. There were 1,050 cases carried over from 2019. The court had hired eight employees on contracts.

CHILD RIGHTS

Educational Status

The district has 221 elementary schools and 115 secondary schools. There were positions for 1,257 teachers in the district. There were 41,280 girls and 42,244 boys enrolled in 2020. Thirty-three children from conflict-affected families had received scholarships.

INSEC documented 27 victims of child rights violation- 22 were victims of rape, three of sexual abuse, two of trafficking. Thirteen accused of rape were sent to judicial custody, one was released on a bail of NRs. 160,000, and six others were released on bail. Four accused – minors – were handed over to their guardians. An accused was in judicial custody and one had not been arrested till the end of 2020. One person accused of abduction was sent to judicial custody. One person accused of trafficking was sent to judicial custody.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction					3		3
Arrest			8	8			
Beatings		3	11	14		1	1
Death in Jail			2	2			
Killing					4	4	8
Racial Discrimination					4	2	6
Torture			1	1			
Child Rights	Child Trafficking				2		2
	Rape				22		22
	Sexual Abuse				3		3
	Total				**27**		**27**
Women Rights	Attempt to Trafficking				5		5
	Domestic Violence				31		31
	Polygamy				4		4
	Rape				9		9
	Rape Attempt				4		4
	Sexual Abuse				3		3
	Women Trafficking				2		2
	Total				**58**		**58**
Grand Total		**3**	**22**	**25**	**96**	**7**	**103**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 121 women registered cases of domestic violence among which 101 cases were reconciled and 20 cases were under legal review.

INSEC documented 58 victims of violence against women- nine were victims of rape, four of attempted rape, three of sexual abuse, four of polygamy, five of attempted trafficking, two of trafficking and 31 of domestic violence. Four accused of rape were sent to judicial custody, one was sentenced to jail for eight years and

fined NRs. 30,000, and two had not been arrested till the end of the year. Similarly, one person accused of rape was sent to judicial custody, and two were released on bail of NRs. 25,000 and NRs. 20,000, respectively. One person accused of sexual abuse had not been arrested at the end of the year.

One person accused of killing a family member was sent to judicial custody, one was released on general bail and one was released on a bail of NRs. 50,000. One of the accused who was unable to deposit the bail of NRs. 200,000 was sent to jail and three accused had not been arrested till the end of 2020. Six accused of polygamy were sent to judicial custody and two were exonerated. Four accused of trafficking were sent to judicial custody and one was released on the condition of presenting himself when required as a precaution against COVID-19. Three of the accused had not been arrested at the end of the year.

SEXUAL VIOLENCE

Rape

Police arrested Bhual Bahadur Tarami, 37, of Bardaghat Municipality-2 on the charge of raping of a 53-years-old disable woman on July 7, 2020. The victim's family had filed a complaint on July 8, 2020 and the case was filed on July 31. On August 22 Tarami was sentenced to jail for eight years in and fined him NRs. 30,000.

HEALTH SERVICES

The district has two government hospitals, two community hospitals, 40 health posts, two primary health centres, and three municipal health centres. There was one vacant position of specialist doctor at the Government hospital. The district had 1,403 COVID-19 positive cases and 31 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Trafficking	2	2
Rape	22	22
Sexual Abuse	3	3
Total	**27**	**27**

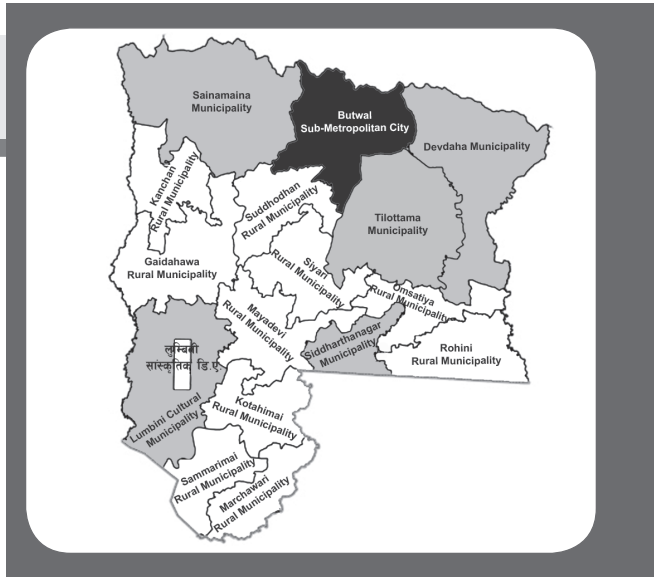
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Legal Proceeding	Total
Attempt to Trafficking				2	2
Domestic Violence		28		3	31
Polygamy				4	4
Rape	1		2	6	9
Rape Attempt				4	4
Sexual Abuse			1	2	3
Women Trafficking			1		1
Total	**1**	**28**	**4**	**21**	**54**

Number of Incident

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	7	8

5.8 Rupandehi



Total Population	9,60,411
Women	4,95,836
No. of Constituency (HoR)	5
No. of Constituency (PA)	10
Below Poverty Level	1,51,171
No. of Migrant Workers	62,904
Population of Disability	9,890
Literacy above 5 yrs (%)	69.8
Dependent Population	3,84,643

There were 17 victims of Human Rights violation and 395 victims of abuses documented by INSEC among which 15 were arrested, one was beaten and one was threatened by the state in 2020. There were 56 victims of Child Rights violation including 37 of rape, 16 of sexual abuse one of trafficking, two of corporal punishment and one of trafficking. Similarly, there were 329 victims of violation against Women Rights including 27 of rape, five of attempted rape, one of sexual abuse, two of polygamy, three of attempted trafficking, two of trafficking and 289 of domestic violence.

KILLING

Police arrested Jhasendra Sinjali Magar, 32, of Lekhbesi Municipality-5 on June 9, 2020 on the charge of group killing Madhav Muahar, 40, Janaki Musahar, 37, Pokharaj Musahar, 14 and Karan Chaudhari, 16 and Ashish Chauhari, 15 at the Ganga Devi Agricultural Farm in Tilotama Municipality-10. Relative of the victims, Karan Musahar filed a complaint against him on June 10. Magar was sentenced to life in prison on December 18.

ARREST

INSEC documented the arrest of 13 cadres of banned Communist Party of Nepal in 2020. Three of those arrested were released following habeas corpus petitions by the High Court Tulsipur- Butwal bench. Another eight were released on bail of NRs. 7,000 each and two were sent to judicial custody.

JAIL AND DETENTION

The District Jail has the capacity of holding 150 inmates but there were 438 prisoners. Further, one inmate was above 70 years of age. There was lack of enough living space and prisoners said they took turns to sleep.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	14	15			
Beatings			1	1			
Killing					4	4	8
Racial Discrimination					2		2
Threats			1	1			
Child Rights	Child Trafficking				1		1
	Corporal Punishment					2	2
	Rape				37		37
	Sexual Abuse				16		16
	Total				**54**	**2**	**56**
Women Rights	Attempt to Trafficking				3		3
	Domestic Violence				289		289
	Polygamy				2		2
	Rape				27		27
	Rape Attempt				5		5
	Sexual Abuse				1		1
	Women Trafficking				2		2
	Total				**329**		**329**
Grand Total		**1**	**16**	**17**	**389**	**6**	**395**

Child Rehabilitation Centre

The child rehabilitation centre had 79 children among which 37 had been accused of rape. Other detainees faced charges of involvement in robbery and drug addiction. The centre did not have adequate facilities for being a good rehabilitation centre.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Tulsipur-Butwal Bench

The court had positions for 12 judges. It had received 641 criminal cases and 178 civil cases in 2020. The court had 786 cases that had been carried over from 2019.

District Court

The District Court with eight judges had adjudicated 437 criminal cases and 637 civil cases that were registered in 2020. There were 586 cases (151 criminal and 435 civil) that had not been decided for over two years. There were 1,435 cases that had been carried over from 2019. The court had hired 10 employees on contracts.

CHILD RIGHTS

Educational Status

The district has 219 elementary schools and 170 secondary schools. There were positions for 2,872 teachers in the district. There were 1,10,212 girls and 90,610 boys enrolled in 2020, including 12 girls and 11 boys with disabilities. There was free education for Dalits and disabled students. Forty-three children of migrant workers' families had received scholarships. Similarly, two children from martyr's families and 18 children from conflict-affected families had received scholarships.

INSEC documented 56 victims of child rights violation- 37 were victims of rape, 16 of sexual abuse, two of corporal punishment and one of trafficking. Thirty-three accused of rape cases were sent to judicial custody and three – minors – were sent to the rehabilitation centre. Twelve accused of rape had not been arrested at the end of the year. Further, 12 accused of sexual abuse were sent to judicial custody. Similarly, one person accused of sexual abuse – a minor – was sent to the rehabilitation centre, one was in police custody and seven had not been arrested till the end of 2020. One person accused of human trafficking was sent to judicial custody, together with the person of killing a family member.

SEXUAL VIOLENCE

Killing after Rape

A complaint of killing after rape of a 13-year-old girl was filed on May 22, 2020 by the victim's family against a 25-year-old man, his mother, 50, and his aunt, 55. The villagers who saw the case later in the presence of ward chairperson

handed the victim child to the accused. The girl, from the so-called low caste had been prevented entry into the house and was beaten by his mother. The girl was found hanging near the home later with bruises, torn clothes and the chain of the accused in her clothes. Police arrested the accused on May 28 and pressed charges. The accused were sent to judicial custody on June 25. The accused filed a habeas corpus writ at the High Court on July 10, 2020. Later two of the accused woman were released on a general bail. The case had not been decided till the end of 2020.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 359 women victims registered cases of domestic violence among which were 252 cases of beating, 92 of deprivation of food and clothes, four of deprivation of marriage registration and citizenship, three of polygamy and six of dowry. Among them, 210 cases were reconciled, 44 were under legal review, 44 cases were transferred to the court and 58 victims had not followed up on their complaints.

INSEC documented 329 victims of violence against women- 27 were victims of rape, five of attempted rape, one of sexual abuse, two of polygamy, three of attempted trafficking, two of trafficking and 289 of domestic violence. Fifteen accused of rape were sent to judicial custody and seven of those accused had not been arrested at the end of the year. Two accused of attempted rape were sent to judicial custody and three had not been arrested. Two accused of polygamy and three accused of trafficking were sent to judicial custody. Two accused of killing family members were sent to judicial custody, and one was sentenced to jail.

ALL KINDS OF CASTE-BASED DISCRIMINATION

Police arrested Santa Ram Lonia, 40, Ramkesh Lonia, 35, Bihari Mallaha, 37, Srikanti Mallaha, 39, and Narmada Mallaha, 30 on October 8, 2020 on the charge of abusing Shova Harijan, 24, of Suddhodhan Rural Municipality-1 on the grounds of caste. The victim had filed a complaint against the accused. The accused were released on bail of NRs. 20,000 each on October 15. The case had not been decided till the end of 2020.

HEALTH SERVICES

The district has one provincial hospital, one district hospital, five primary health centres, 64 sub health posts, 13 urban health centres, five community units, and 20 private health institutes.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Child Trafficing			1	1
Corporal Punishment	1		1	2
Rape		3	34	37
Sexual Abuse		1	15	16
Total	**1**	**4**	**51**	**56**

WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Attempt to Trafficking			2	2
Domestic Violence	262		27	289
Polygamy			2	2
Rape		2	24	26
Rape Attempt		1	4	5
Sexual Abuse			1	1
Women Trafficking			2	2
Total	**262**	**3**	**62**	**327**

Number of Incidents			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing	1	3	4

5.9 Kapilbastu

Total Population	6,22,955
Women	3,10,361
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	2,01,772
No. of Migrant Workers	29,792
Population of Disability	7,333
Literacy above 5 yrs (%)	54.9
Dependent Population	2,77,834

There were two victims of Human Rights violation and 163 victims of abuses documented by INSEC among which one was arrested and one died in the custody in 2020. There were 49 victims of Child Rights violation including 32 of rape and 17 of sexual abuse. Similarly, there were 107 victims of violation against Women Rights including 12 of rape, four of attempted rape, six of polygamy, five of trafficking and 80 of domestic violence.

ARREST

INSEC documented the arrest of one cadre of the banned Communist party of Nepal in 2020. He was released on general bail by District Administration Office.

JAIL AND DETENTION

The District Jail has the capacity of holding 352 inmates but there were 397 prisoners. There were six inmates above 60 years of age. The jail lacked enough space for living and it also had the problems of drinking water and toilet.

Death in Custody

Raju Shrestha, 38 of Barganga Municipality – 8 was found hanged in police station on April 2, 2020 while he was in custody. He was arrested by police on March 31. The body was handed to the family after post-mortem. Complaint on the issue was not file anywhere.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with five judges had adjudicated 161 criminal cases out of 333 and 802 civil cases among 1,755 that were registered in 2020. There were 10 cases that had not been decided for two years.

CHILD RIGHTS

Educational Status

The district has 392 elementary

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Death in Detention		1	1			
Injured				1		1
Killing				2	3	5
Racial Discrimination				1		1
Child Rights	Rape			32		32
	Sexual Abuse			17		17
	Total			**49**		**49**
Women Rights	Domestic Violence			80		80
	Polygamy			6		6
	Rape			12		12
	Rape Attempt			4		4
	Women Trafficking			5		5
	Total			**107**		**107**
Grand Total		**2**	**2**	**160**	**3**	**163**

schools and 139 secondary schools. There were positions for 1,992 teachers in the district. There are 151 disability-friendly schools. There were 58,274 girls and 60,615 boys enrolled this year. Twenty eight children from conflict affected families had received scholarships.

INSEC documented 49 victims of child rights violation- 32 were victims of rape and 17 of sexual abuse. Twenty three accused of the rape were sent to the judicial custody, two accused-minors were sent to rehabilitation centre. Similarly, four accused were released on bail of NRs 200,000 and three were handed to the guardians. Further, two accused were sentenced to jail of 2 years and 12 years respectively and five were not arrested till the end of 2020. Eight accused of the sexual abuse were released on bail and four were sent to the custody. One-minor accused was sent to the rehabilitation centre and one was handed to the guardians. An accused was released on general bail and one was not arrested till the end of the 2020.

SEXUAL VIOLENCE

Rape

Police arrested Akwal Miya, 20 of Kapilvastu Municipality – 6 on the charge of raping a 15-year-old girl on March 8, 2020. The complaint was filed on October 7 and he was arrested on October 8. The perpetrator was sentenced to 12 years of jail, fined NRs. 1,008 and a compensation amount of NRs. 50 thousands was ordered to be paid to the victim on December 11.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 215 women victims registered cases of domestic violence among which 117 cases were reconciled, 13 were sent to the court and 85 were on legal procedures.

INSEC documented 107 victims of violence against women- 12 were victims of rape, four of attempted rape, six of polygamy, five of trafficking and 80 of domestic violence. Three accused of rape were released on bail, one was sent to rehabilitation centre in Nepalgunj, three were sent to judicial custody and six were not arrested till the end of the 2020. Three accused of rape attempt were released on bail. Two accused of trafficking were not arrested till the end of 2020. An accused of acid attack was sent to judicial custody. Six accused of polygamy were released on bail, and one was sent to judicial custody. Similarly, two accused were sent to jail after being unable to deposit the bail and two were not arrested till the end of 2020.

Injury due to Acid Attack

Hari Narayan Barai, 39 attacked Bemati Devi Gupta, 62 of Maharajgunj Municipality – 1 with acid on March 6, 2020. Twenty-one years old son of the victim file a complaint on March 8. The victim had her medical treatment in Shivarja hospital and Universal Medical College, Bhairahawa. Police arrested the accused on March 7 and filed a case of killing on March 8. The accused was sent to judicial custody.

HEALTH SERVICES

The district has three government hospitals, three community hospitals, 73 health posts, five municipal health centres and three primary health centres. There were 38,000 people with health insurance in the district including 1,931 senior citizens were insured. The district had 1,995 COVID-19 positive cases and 23 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	No Legal Proceeding	Total
Rape	2	3	27		32
Sexual Abuse		1	13	1	15
Total	**2**	**4**	**40**	**1**	47

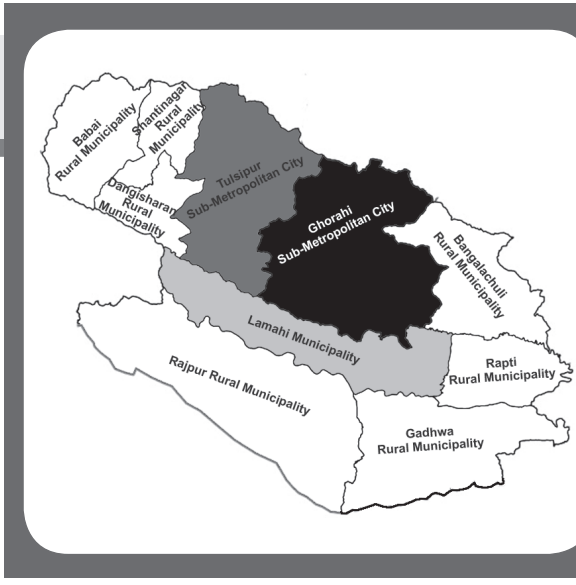
WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	78		2	80
Polygamy		1	5	6
Rape		5	7	12
Rape Attempt		1	3	4
Women Trafficking			1	1
Total	**78**	**7**	**18**	**103**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	4	5

5.10 Dang



Total Population	5,93,757
Women	3,18,630
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	1,37,255
No. of Migrant Workers	43,160
Population of Disability	12,881
Literacy above 5 yrs (%)	96.8
Dependent Population	2,47,368

There were 43 victims of Human Rights violation and 180 victims of abuses documented by INSEC among which 33 were arrested, three were beaten, one was tortured, one was threatened and five were deprived of their right to assembly by the state in 2020. There were 49 victims of Child Rights violation including 25 of rape, 20 of sexual abuse, one of child marriage and three of corporal punishment. Similarly, there were 106 victims of violation against Women Rights including 20 of rape, eight of attempted rape, three of sexual abuse, three of polygamy, 11 of witchcraft allegation and 61 of domestic violence.

ARREST

INSEC documented the arrest of 33 cadres of banned Communist party of Nepal in 2020. Two of the arrested were released on bail of NRs. 25,000 each by the District Administration Office, four were released on general bail, and 13 were released on the order of habeas corpus petition of the Supreme Court. Similarly, three of them were released after the assurance of leaving party activities. Four were released after re arrest. One was released by District Court on bail and three on bail.

JAIL AND DETENTION

Ghorahi Jail

The District Jail has the capacity of holding 70 inmates but there were 274 prisoners. Four of the inmates were above 60 years of age. There were four dependent children in the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also legal assistance centre.

Tulsipur Jail

The District Jail has the capacity of holding 320 inmates but there were 468 prisoners amon which 30 were females. Seventeen of the inmates were above 60

years of age. There were four dependent children in the prison. There were provisions of drinking water, toilets, means of communication and leisure activities.

BEATING

Police arrested father and son, Chitra Bahadur Dangi, 49 and Hem Raj Dangi, 27 on the charge of beating Inspector Mohan Bikram KC working at Area Police Office, Khilatpur, on June 4, 2020. KC was on his way to control the noise in quarantine. The accused father and son were released on bail of NRs. 50,000 each on June 21, 2020.

Ward chairperson of Shantinagar Rural Municipality-2, Pharsaram Dangi, 43 was beaten by a group of 6/7 unidentified people on June 30, 2020. He had carried injury in his head and left hand. He was airlifted to Kathmandu for the medical treatment. The responsibility of the case was taken by banned Communist Party of Nepal. The chairperson was accused of corruption and hooligan in the press note of the party. Police arressted Arjun Shahi, Indra Bahadur Oli and Resham Bahadur BK for the involvement in the case. They were all released on bail of NRs 25,000. The case had not received verdict till the end of the year.

Police arrested Sajan Bhandari, 37 of Ghorahi Sub-Metropolitan-15 on the charge of abusing president of Federation of Nepalese Journalists, Dang, Sabin Priyasan, 40 on June 11, 2020. The accused was released on fine of NRs. 9,000.

CASE OF TENANT EXPULSION

Sirjana Khadka, 20, staff nurse at Buddha International Hospital in Ghorahi was pulled out of the house by her house owner in the fear of transmission of corona on March 28, 2020. The house owner was the secretary of Ghorahi-2. He was arrested after the news was published but victim Khadka had not filed the complaint.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		3	30	33			
Beatings			3	3	2	11	13
Economic,Social & Cultural Rights					2		2
Inhuman Behaviour					1	2	3
Killing					2		2
Racial Discrimination					1		1
Right to Assembly			5	5			
Threats			1	1	1	3	4
Torture			1	1			
Child Rights	Child Marriage				1		1
	Corporal Punishment					3	3
	Rape				25		25
	Sexual Abuse				20		20
	Total				**46**	**3**	**49**
Women Rights	Domestic Violence				61		61
	Witchcraft Allegation				11		11
	Polygamy				3		3
	Rape				20		20
	Rape Attempt				8		8
	Sexual Abuse				3		3
	Total				**106**		**106**
Grand Total		**3**	**40**	**43**	**161**	**19**	**180**

RIGHT TO PROMPT AND FAIR TRIAL
High Court Tulsipur

The court had positions for four judges. The court had 172 cases out of 424.

District Court

The District Court with four judges had adjudicated 173 criminal cases out of 878 and 316 civil cases among 1,355 that were registered in 2020. There were 76 cases that had not been decided for two years.

TORTURE

Roshan Rana, 23 of Ghorahi Sub-Metropolitan – 15 was tortured by police

constable Indra Khatri, 30 to accept the accusation on November 18. Khatri forced Rana to accept the charge of theft in Fulbari Guest House, at the vicinity of which Rana carried his business of fresh house. The complaint was orally filed by the victim. The case was dismissed after police apologized and assured for the suspension of involved constable on November 20.

CHILD RIGHTS

Educational Status

The district has 325 elementary schools and 98 secondary schools. There were positions for 2,510 teachers in the district. There were 45,849 girls and 41,839 boys enrolled this year. Thirty-one children from conflict-affected families and 51 children of migrant workers had received scholarships.

INSEC documented 49 victims of child rights violation- 25 were victims of rape, 20 of sexual abuse, one of child marriage and three of corporal punishment. Twenty-one accused of rape were sent to judicial custody and a minor was handed over to the parents. Similarly, an accused was released on bail of NRs. 150,000 and the other on bail of NRs. 50,000. Four were released on the condition to be present in need. An accused was released on general bail by High Court, Tulsipur. Further, an accused was in police custody and seven accused were not arrested till the end of 2020.

Five accused of sexual abuse were sent to judicial custody, two were handed to the guardians, two were released on bail of NRs. 50,000 each, one on bail of NRs. 40,000 and one on NRs 20,000. An accused was released on general bail by High Court, Tulsipur. Further, an accused was in police custody and another four were not arrested till the end of 2020.

In the case of child marriage, bride groom and father of bride were released on bail of NRs 30 thousands each and bride on NRs. 20,000. Two other accused of child marriage were given the decision of exoneration. An accused of trafficking was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 183 women victims registered complaints of domestic violence among which 117 cases were reconciled, 39 cases were referred to court and 27 were in process. There were 56 cases of deprivation of birth registration and citizenship certificate, 12 of divorce and 26 of deprivation of food and clothes- 11 were reconciled and 15 were sent to court. Forty-two cases were reconciled.

INSEC documented 106 victims of violence against women- 20 were victims of rape, eight of attempted rape, three of sexual abuse, three of polygamy, 11 of witchcraft allegation and 61 of domestic violence. Eleven accused of rape were sent to judicial custody, two were handed to the guardians, one was released on general bail, one on bail of NRs 100,000 and one was released on bail of NRs. 125,000. Similarly, two accused were in police custody and seven were not arrested till the end of 2020.

Further, four accused of attempted rape were sent to judicial custody, one was released on bail of NRs. 25,000, other on NRs. 50,000 and other on guarantee bail. An accused was released with the assurance of not repeating such evil case and one was not arrested till the end of the year. Similarly, an accused of sexual abuse was sent to judicial custody, one was released on bail of NRs. 1,000 and other on NRs. 10,000. One accused was exonerated. Likewise, four accused of polygamy were released on bail of NRs. 25,000, 10,000, 40,000 and 140,000 respectively. Two accused of killing by family members were sent to judicial custody. Three accused of case of witchcraft were released on bail of NRs. 30,000 each and three other were released on bail of NRs. 25,000 each. An accused was not arrested till the end of 2020.

HEALTH SERVICES

The district has two provincial hospitals, two district hospitals, two primary health centres, 33 health posts, three urban health centres, 31 municipal health centres, 12 community health units, two health units, 21 basic health centres and 33 private health institutes. There were six vacant positions of specialist doctors at the government hospitals in the District.

Establishment of Corona Special Hospital

A corona special hospital was set up after the onset of pandemic of COVID-19. It has 10-ICU beds, 85 general beds, seven specialist, seven medical officers, 13 staff nurses, three lab technicians, one paramedic and seven office helpers. There were 3,371 positive case and 44 deaths of COVID -19.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage			1		1
Corporal Punishment	2				2
Rape		5	19	1	25
Sexual Abuse		3	11		14
Total	**2**	**8**	**31**	**1**	**42**

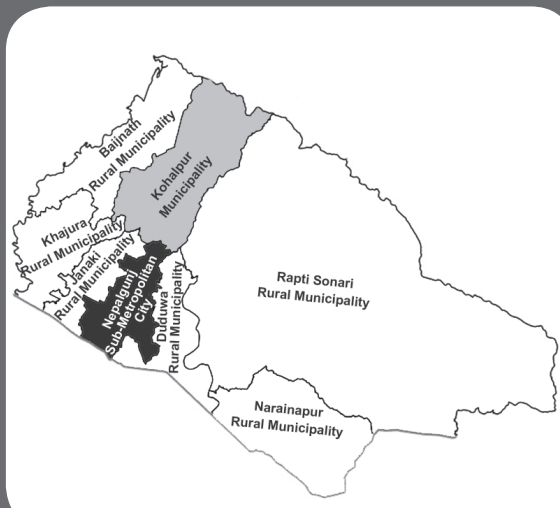
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence		54	1	4	1	60
Witchcraft Allegation		2	1	4	1	8
Polygamy				3		3
Rape			5	15		20
Rape Attempt			1	7		8
Sexual Abuse	1			2		3
Total	**1**	**56**	**8**	**35**	**2**	**102**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

5.11 Banke



Total Population	5,41,344
Women	2,75,814
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	1,27,690
No. of Migrant Workers	21,359
Population of Disability	7,468
Literacy above 5 yrs (%)	91
Dependent Population	2,24,839

There were nine victims of Human Rights violation and 94 victims of abuses documented by INSEC among which four were arrested, one was beaten, one died in custody, two died in jail and one was tortured by the state in 2020. There were 22 victims of Child Rights violation including 13 of rape, three of sexual abuse, and six of trafficking. Similarly, there were 65 victims of violation against Women Rights including 11 of rape, one of trafficking, one of witchcraft allegation and 51 of domestic violence.

ARREST

INSEC documented the arrest of four cadres of banned Communist party of Nepal in 2020. The bail for one detainee was fixed at NRs. 20,000 and failure to pay caused him to be sent to detention. Another person who had been arrested was released on bail of NRs. 20,000.

TORTURE

Victim's side filed a complaint in National Human Rights Commission, Nepalgunj accusing District Police Office torturing Dipak Yadav, 18 of Kohalpur Municipality – 15. Police arrested the driver of bus of which Dipak was conductor and another conductor for the loss of bag of a woman travelling by their bus. Dipak was haphazardly beaten in the police office which injured him in his back, legs, and head. The victim was treated in Nepalgunj Nursing Home.

BEATING/THREAT

INSEC documented a case of beating in Banke District. Three persons accused in the case were released by the District Administration Office on bail of NRs. 100,000 each.

Death in Custody

Astak Ahmad Siddhiqi, 60, of

Nepalgunj Sub-Metropolitan-8 died in Banke Jail on March 30, 2020. He had been there for last three years and was a diabetic. He had collapsed suddenly and was taken to Bheri Hospital where he died. His body was handed to the family on March 31.

Sitaram Baishya, 61, of Nepalgunj Sub-Metropolitan-4, an inmate at Banke Jail died at the Bheri Hospital on May 7, 2020, where he had been taken for treatment. He was a diabetic and was being treated for jaundice. His body was handed to the family on the same day after a post mortem.

Suicide in Custody

Babulal Raidas, 35, of Bankatti, Duduwas Rural Municipality-3 was found hanging in police custody on November 19, 2020. He was in custody facing charges of killing after abduction of a 12-years-old boy, Sunil Harijan. The body was handed to the family on November 20 after post mortem.

JAIL AND DETENTION

The District Jail has the capacity of holding 300 inmates but there were 787 prisoners. The jail lacked adequate living space. Eight COVID-19 positive cases were detected at the jail in 2020.

CHILD REHABILITATION CENTRE

The child rehabilitation centre in Duduwa Rural Municipality-6 has the capacity of holding 75 children but had 126 residents. The problem of water supply at the centre had been resolved.

RIGHT TO PROMPT AND FAIR TRIAL

High Court Tulsipur – Nepalgunj Bench

The court had positions for six judges. It had received 300 criminal cases and 138 civil cases in 2020. The court had adjudicated 515 cases that had been carried over from 2019.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction					1	1
Arrest		4	4			
Beatings		1	1		2	2
Death in Detention		1	1			
Death in Jail		2	2			
Killing				2	2	4
Torture		1	1			
Child Rights	Child Trafficking			6		6
	Rape			13		13
	Sexual Abuse			3		3
	Total			**22**		**22**
Women Rights	Attempt to Trafficking			1		1
	Domestic Violence			51		51
	Witchcraft Allegation			1		1
	Rape			11		11
	Women Trafficking			1		1
	Total			**65**		**65**
Grand Total		**9**	**9**	**89**	**5**	**94**

District Court

The District Court with eight judges had adjudicated 412 criminal cases out of 1,604 and 676 civil cases among 2,807 that were registered in 2020. There were 3,016 cases that had been carried over from 2019. There were 363 cases (128 criminal and 235 civil) that had not been decided for over two years.

CHILD RIGHTS

Educational Status

The district has 80 elementary schools, 82 secondary schools and 106 Madrasas. There were positions for 1,825 teachers in the district. There were five disability-friendly schools in the district.

INSEC documented 22 victims of child rights violation - 13 were victims of rape, three of sexual abuse, and six of

trafficking. Two accused of sexual abuse were sent to judicial custody and one was released on bail of NRs. 150,000. Seven accused in rape cases were sent to judicial custody and one – a minor – was sent to the rehabilitation centre. Two accused of rape had not been arrested at the end of the year. Four accused of trafficking were sent to judicial custody and one was released on bail of NRs. 50,000. One person accused of abduction of a child was also sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 378 women registered complaints of domestic violence among which 225 were reconciled by police, 36 cases were sent to court and eight victims were out of contact, 118 cases are pending.

INSEC documented 65 victims of violence against Women- 11 were victims of rape, one of trafficking, one of witchcraft allegation and 51 of domestic violence. Five accused of rape were sent to judicial custody and one was released on a bail of NRs. 50,000. One person accused of rape had not been arrested at the end of the year. Two accused in cases of allegation of witchcraft were released on bail of NRs. 60,000. Two accused of killing family members were sent to judicial custody and one person accused of trafficking had not been arrested at the end of the year.

HEALTH SERVICES

The district has one central hospital, 17 basic health centres, 10 municipal health centres and three primary health centres. There are provisions of six health workers in health posts, three in basic health centres and 13 in primary health centres in all eight local bodies in the District.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Child Trafficking		4	4
Rape	3	9	12
Sexual Abuse		2	2
Total	**3**	**15**	**18**

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	48		3	51
Witchcraft Allegation			1	1
Rape		2	8	10
Women Trafficking		1		1
Total	**48**	**3**	**12**	**63**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	3	4

5.12 Bardiya

Total Population	4,45,785
Women	2,35,514
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,21,178
No. of Migrant Workers	25,044
Population of Disability	8,197
Literacy above 5 yrs (%)	98
Dependent Population	1,78,005

There were seven victims of Human Rights violation and 66 of abuses documented by INSEC among which seven were arrested in 2020. There were 33 victims of Child Rights violation including 22 of rape, six of sexual abuse, one child marriage and four of trafficking. Similarly, there were 30 victims of violation against Women Rights including 13 of rape, five attempted rape, two sexual abuse, one of trafficking, two of witchcraft allegation, five of polygamy and two of domestic violence.

ARREST

INSEC documented the arrest of seven cadres of banned Communist party of Nepal in 2020. Five of those arrested were released on general bail by District Administration Office. One was sent to judicial custody and one was sent to jail for failing to deposit the bail of NRs. one million.

JAIL AND DETENTION

The District Jail has the capacity of holding 125 inmates but there were 315 prisoners of which 33 were female; further three of the inmates were above 70 years of age. There were two dependent children at the prison. The position of an assistant health worker at the jail was vacant and a health worker from the health department of Gulariya Municipality was providing the services on a contract.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 58 criminal cases out of 252 and 153 civil cases among 656 that were registered in 2020. There were 28 cases (two criminal and 26 civil) that had not been decided for over two years. The court had hired five employees on contracts.

Type of Events		By State			By Others	
		Female	Male	Total	Female	Total
Arrest		1	6	7		
Killing					1	1
Racial Discrimination					2	2
Child Rights	Child Marriage				1	1
	Child Trafficking				4	4
	Rape				22	22
	Sexual Abuse				6	6
	Total				**33**	**33**
Women Rights	Domestic Violence				2	2
	Witchcraft Allegation				2	2
	Polygamy				5	5
	Rape				13	13
	Rape Attempt				5	5
	Sexual Abuse				2	2
	Women Trafficking				1	1
	Total				**30**	**30**
Grand Total		**1**	**6**	**7**	**66**	**66**

CHILD RIGHTS

Educational Status

The district has 277 elementary schools and 109 secondary schools. There were positions for 1,199 teachers in the district. There were 28,863 girls and 43,642 boys enrolled in 2020. Sixty-one children from conflict-affected families had received scholarships.

INSEC documented 33 victims of Child Rights violation- 22 were victims of rape, six of sexual abuse, one child marriage and four of trafficking. Thirteen accused of rape were sent to judicial custody and seven – minors – were sent to the rehabilitation centre. Three of the accused – also minors – were handed over to the parents, one was released on a bail of NRs. 250,000, one on NRs. 50,000 and one on NRs. 175,000. One person accused of rape had not been arrested at the end of the year and one case of rape was resolved before legal action upon payment NRs.110,000 as compensation to the victim. Two persons accused of sexual abuse, and four accused of trafficking, were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 52 women registered cases of domestic violence among which were 13 cases of beating and expulsion from home, 25 of deprivation of food and clothes, three of deprivation of marriage registration and citizenship and 13 cases of domestic disputes. Police reconciled 48 cases and four cases were under legal review.

INSEC documented 30 victims of violation against women- 13 were victims of rape, five attempted rape, two sexual abuse, one of trafficking, two of witchcraft allegation, five of polygamy and two of domestic violence. Nine accused of rape were sent to judicial custody, one was released on bail of NRs.109,500 and one on a bail of NRs. 120,000. Two of the accused had not been arrested at the end of 2020. Similarly, two accused of attempted rape were sent to judicial custody and one of the accused unable to deposit the bail and sent to jail. One person accused of attempted rape had not been arrested at the end of the year. Two accused in the case of accusation of witchcraft were released on bail of NRs. 109,000 each and another person who was unable to deposit bail was sent to detention. Two accused of polygamy unable to deposit bail of NRs. 220,000 each were sent to judicial custody and two were released on bail of NRs. 125,000 each. Three persons accused of trafficking were released on bail of NRs. 250,000 each.

ALL KINDS OF CASTE-BASED DISCRIMINATION

INSEC documented two victims of caste-based discrimination. Six accused in the cases had not been arrested at the end of the year.

HEALTH SERVICES

The district has one government hospital, three primary health centres, 23 health posts and 40 basic health centres. There were nine vacant positions of medical consultants at the Bardiya Hospital. There were 94,197 people enrolled in the free health insurance and the senior citizens' insurance scheme had 14,260 enrolled. The district had 1,467 COVID-19 positive cases 19 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage			1	1
Child Trafficing		4		4
Rape	1	20	1	22
Sexual Abuse		4	2	6
Total	**1**	**28**	**4**	**33**

WOMEN RIGHTS

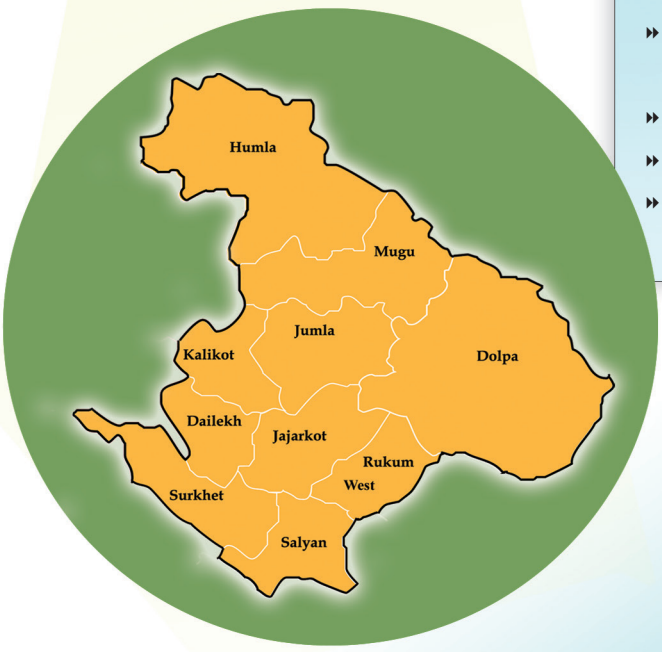
Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence			1	1		2
Witchcraft Allegation		1		1		2
Polygamy			1	4		5
Rape			2	10	1	13
Rape Attempt				4	1	5
Sexual Abuse	2					2
Women Trafficking				1		1
Total	**2**	**1**	**4**	**21**	**2**	**30**

Number of Incident

Type of Events	Legal Proceeding	Total
Killing	1	1

Karnali Province

- Area: 30,211 sq.km.
- Population: 15,70,584
- Literacy Rate: 58.49
- District: 10
- Electoral Constituency (Parliamentary): 12
- Electoral Constituency (Provincial): 24
- Municipality: 25
- Rural Municipality: 54
- Total Ward No.: 718



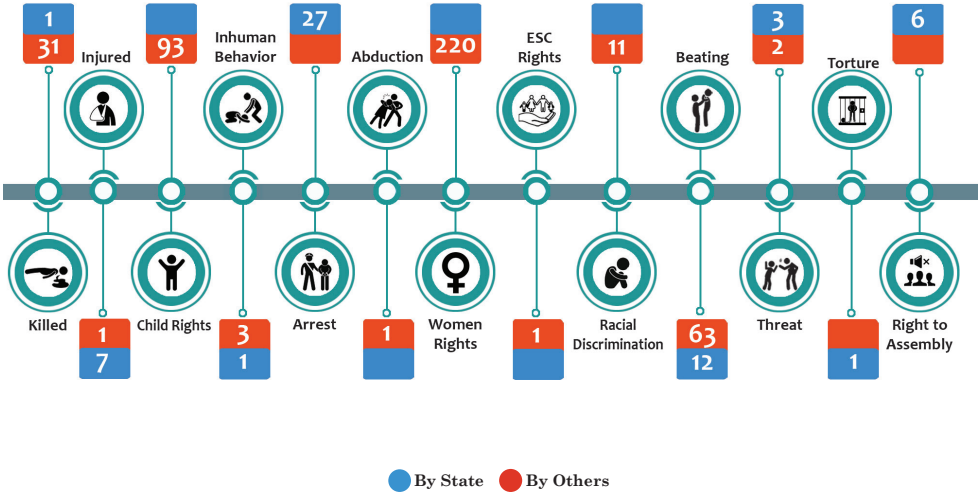
Introduction: Karnali Province

By the end of 2020, the Province Assembly has made four laws. Their vision is end the inequality of geography, gender, physical, ethnic and class division. It has announced to cooperate with social organizations to ensure civic responsibility and accountability of the government through awareness of human rights. They have also declared to conduct necessary reform programs by studying the condition of prisons, detention cells and juvenile rehabilitation centres. A total of 1,900 quarantines, 400 isolations and five COVID-19 specialized hospital were built for the control, prevention and treatment of COVID-19 infection. Till the end of 2020, 6,445 people were infected with COVID-19 and 25 died. The foundation of 17 hospital buildings were laid in the province this year under the 'One Local Level One Hospital' program.

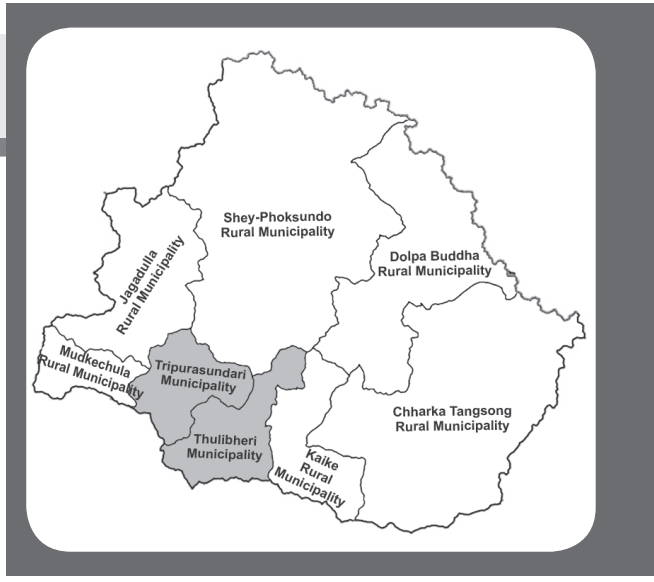
Human Rights Situation in 2020

INSEC documented 484 victims of human rights violation and abuses in Karnali Province. In 2020, 27 were arrested, 220 were victims of violation against women rights, 31 were killed by others and one was killed by the state, and 93 were victims of child rights violation.

No. of Victims by Incident (In 2020)



6.1 Dolpa



Total Population	36,700
Women	18,462
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	15,455
No. of Migrant Workers	447
Population of Disability	7,458
Literacy above 5 yrs (%)	54.15
Dependent Population	21,035

There were ten victims of Human Rights abuses documented by INSEC in 2020. There were three victims of violation against Women Rights including two victims of domestic violence and one attempt of trafficking.

JAIL AND DETENTION

The District Jail had the capacity of holding 100 inmates but had only 34 male prisoners. There were provisions of drinking water, toilets, means of communication and leisure activities, and the jail also had a library. The position for one health worker at the jail was vacant.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated four criminal cases out of 34 and eight civil cases among 12 that had been registered in 2020. There were nine civil cases that remained undecided for over nine years.

CHILD RIGHTS

Educational Status

The district has 99 elementary schools and 15 secondary schools. There were positions for 473 teachers in the district. This year 8,150 girls and 10, 521 boys were enrolled out of which 50 girls and 230 boys had some form of disability. Thirty children of conflict-affected families had received scholarships.

ALL KINDS OF VIOLENCE AGAINST WOMEN

Domestic Violence

Chhewang Lama, 40, of Shey Phoksundo rural municipality-4 filed a complaint against her husband Kungka Lama at the District Police Office on December 15, 2020 accusing him beating her after alcohol consumption on December 5, 2020. The victim was severely injured and was taken to district hospital after

Type of Events		By Others		
		Female	Male	Total
Beatings			4	4
Racial Discrimination		2		2
Threats			1	1
Women Rights	Attempt to Trafficking	1		1
	Domestic Violence	2		2
	Total	3		3
Grand Total		**5**	**5**	**10**

primary treatment at the local health post. Since the victim lived in a distant rural area, the police informed her ward chairperson about the incident. The local police stations had shut down. Due to the extreme weather no action had been taken at the end of 2020.

HEALTH SERVICES

The district has one government hospital, eight community health centres and 23 health posts. There were 11 vacant positions – four each of specialist doctors and nurses and three of auxiliary nurse midwives. There were 1,000 people enrolled in the government's health insurance scheme in the district. The district had 26 COVID-19 positive and two deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020				
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**No Legal Proceeding**	**Total**
Attempt to Trafficking	1			1
Domestic Violence		1	1	2
Total	**1**	**1**	**1**	**3**

6.2 Mugu

Total Population	55,286
Women	27,261
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	25,784
No. of Migrant Workers	699
Population of Disability	1,917
Literacy above 5 yrs (%)	51.25
Dependent Population	35,401

There was one victim of Human Rights violation and 20 victims of abuses documented by INSEC among which one was arrested by the state in 2020. There were four victims of Child Rights violation including three victims of rape, and one of child marriage. Similarly, there were 11 victims of violation against Women Rights including two victims of domestic violence, one of rape, five of attempted rape, one of witchcraft allegation and two of polygamy.

ARREST

INSEC documented the arrest of one cadre of the banned Communist party of Nepal in 2020. He was sent to judicial custody on August 16, 2020.

BEATING/THREAT

Chief Administrative Officer of Rara Municipality, Ramakanta Pandey, 56, of was beaten by Chandra Prakash Malla, 29 and Rabin Malla, 27 of ward number 1 on June 12, 2020. They accused Pandey of keeping information of contracts confidential. Police had denied to register the complaint when the victim attempted to make one on June 16.

JAIL AND DETENTION

The District Jail had the capacity of holding 16 inmates but due to ongoing construction of the jail, inmates were being held in Jumla, Surkhet and Nepalgunj.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 13 criminal cases out of 50 and six civil cases among 26 that were registered in 2020. There were two cases (one criminal and one civil) that had not been decided for over two years.

CHILD RIGHTS

Educational Status

The district has 126 elementary schools and 24 secondary schools. There were positions for 483 teachers in the district. There were 1,257 girls and 1,521 boys enrolled this year. Among them were 150 girls and 114 boys with disability. Twelve children from conflict-affected families had received scholarships. There were 254 girls and 554 boys from Dalit families enrolled in the schools.

INSEC documented four victims of violence against children – three were victims of rape and one of child marriage. Two accused of rape were sent to judicial custody, one was released on bail of NRs. 50,000, a minor was sent to the rehabilitation centre and one had not been arrested at end of the year. One accused of the child marriage was sent to judicial custody.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Beatings				3	1	4
Inhuman Behaviour					1	1
Child Rights	Child Marriage			1		1
	Rape			3		3
	Total			**4**		**4**
Women Rights	Domestic Violence			2		2
	Witchcraft Allegation			1		1
	Polygamy			2		2
	Rape			1		1
	Rape Attempt			5		5
	Total			**11**		**11**
Grand Total		**1**	**1**	**18**	**2**	**20**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year five women registered cases of domestic violence among which was one case of beating, two of polygamy and two cases of domestic dispute. All five cases were reconciled.

INSEC documented 11 victims of violence against women – two were victims of domestic violence, one of rape, five of attempted rape, one of witch-craft allegation and two of polygamy. Two accused of rape were sent to judicial custody and one, a minor, was sent to the rehabilitation centre. Two accused of attempted rape were sent to judicial custody, one was released on bail of NRs. 150,000, three were handed over to the guardians, and one was exonerated.

ALLEGATIONS OF WITCHCRAFT

A woman, 26 of Chhayanath Rara Municipality-7 filed a complaint on January 11, 2020 against Lokjung Nepali, 28, and Jaya Bahadur Shahi, 36, who had reportedly misbehaved with her and accused her of witchcraft on January 10. Police arrested the Lokjung Nepali on January 11 and the other accused had not been arrested at the end of the year. A filed a of accusation of witchcraft was filed against Lokjung Nepali at the District Court. The accused was released on January 26 on bail of NRs. 50,000. The case was not decided at the end of the year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The failure of the contractor to transport food to the District had deprived people from obtaining subsidized supplies from depots at Soru and Pulu and the Kalai sales centre. Sharma Transport was the contractor of the Nepal Food Corporation, Surkhet branch. Due to shortage in supply at the depots, people were forced to buy food at higher prices from the market.

HEALTH SERVICES

The district has one Government hospital, one community hospital and one primary health centre. There was shortage of machinery and human resources at the community hospital and primary health centre. There were five doctors including two specialists working at the Government hospital. The District Hospi-

tal had purchased NRs. 1.5 million worth of 70 types of essential medicines because of short supply. The district had 40 COVID-19 positive cases in 2020 and all of those infected had recovered.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Child Marriage	1		1
Rape	3		3
Total	**4**		**4**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	1	1	2
Witchcraft Allegation		1	1
Polygamy		2	2
Rape		1	1
Rape Attempt		5	5
Total	**1**	**10**	**11**

6.3 Humla

Total Population	50,858
Women	25,025
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	27,962
No. of Migrant Workers	682
Population of Disability	2,411
Literacy above 5 yrs (%)	47.82
Dependent Population	27,016

There were six victims of Human Rights violation and 30 victims of abuses documented by INSEC among which two were arrested, one was beaten and three were threatened by the state in 2020. There were six victims of violation against Women Rights including three victims of domestic violence and three of polygamy.

BEATING/THREAT

Balak Bhandari, 24, Akil Bhandari, 21, Dhirendra Budha, 21, Bharat Bhandari, 14, Man Bhandari, 23, Bishnu Bhanari, 21, and other two others beat up Surendra Phadera, 24, Kamal Nepali, 24 and Mohan Phadera, 35 on May 22, 2020. Surendra Phadera and Kamal Nepali were the staff of Adanchuli Rural Municipality. The victims filed a complaint at the District Police Office on May 31. Police arrested four of the accused on August 10 and charged them with misbehavior against on August 19. Two of the accused – minors – were handed to the families and the remaining four were released on bail of NRs. 55,000 each.

JAIL AND DETENTION

The District Jail had the capacity of holding 110 inmates but due to ongoing construction the 13 inmates were being detained in police custody. The jail had three dependent children.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 11 criminal cases out of 50 and 10 civil cases among 40 that were registered in 2020. There were 25 cases (12 criminal and 13 civil) that had not been decided for over a year. The Court had adjudicated 10 civil cases transferred from 2019.

CHILD RIGHTS

Educational Status

The district has 114 elementary schools and 28 secondary schools. There were positions for 418 teachers in the district. There were 10,166 girls and 9,421 boys enrolled this year among which 268 girls and 328 boys had some form of disability. Forty-two children from conflict-affected families and 100 from martyr's families had received scholarships. There were 1,145 girls and 1,285 boys of Dalit families enrolled in different schools.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 14 women registered complaints of domestic violence among which two were cases of beating and expulsion from home, eight of deprivation of food and clothes, three of polygamy and one case of domestic dispute. Police had reconciled 11 of those cases.

INSEC documented six victims of violence against women- three were victims of domestic violence and three of polygamy. The accused in a case of killing by family members were sent to judicial custody.

ALL KINDS OF CASTE-BASED DISCRIMINATION

Gadke Damai, 48, and his son Rajendra Damai, 25, of Kharpunath Rural Municipality-2 filed a complaint at the District Police Office accusing Lalu Rawal, 30, Bhakti Rawal, 40, and Buddhi Rawal, 30, of beating, misbehaving and discriminating the father and son on April 12. The victims were attacked with stone and wood and had several injuries. The accused had not been arrested at the end of the year.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		2	2			
Beatings		1	1	3	14	17
Inhuman Behaviour					2	2
Killing				2	1	3
Racial Discrimination					2	2
Threats		3	3			
Women Rights	Domestic Violence			3		3
	Polygamy			3		3
	Total			**6**		**6**
Grand Total		**6**	**6**	**11**	**19**	**30**

HEALTH SERVICES

The district has one government hospital, one community hospital and 26 health posts. There were seven vacant positions of medial consultants and three vacant positions of staff nurses at government hospital. There were 250 enrolled in the government's health insurance scheme, including 100 senior citizens. The district had 82 COVID-19 positive cases in 2020.

Number of Incident with Status of Legal Proceeding in 2020

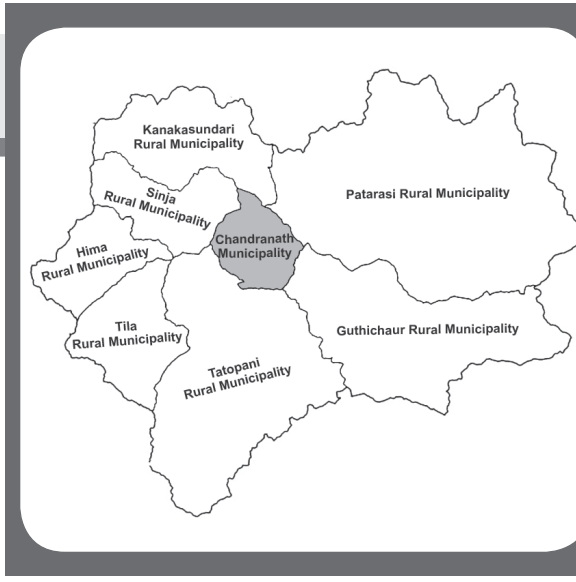
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence		2	1	3
Polygamy	1		2	3
Total	**1**	**2**	**3**	**6**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	3	3

6.4 Jumla



Total Population	1,08,921
Women	54,023
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	52,602
No. of Migrant Workers	1,463
Population of Disability	3,248
Literacy above 5 yrs (%)	54.66
Dependent Population	61,916

There were 11 victims of Human Rights violation and 19 of abuses documented by INSEC among which five were arrested and six were deprived of their right to assembly by the state in 2020. There were eight victims of Child Rights violation including five victims of rape and three of sexual abuse. Similarly, there were four victims of violation against Women Rights including three of polygamy and one of rape.

ARREST

INSEC documented the arrest of five cadres of the banned Communist Party of Nepal in 2020. One of those arrested was released on bail of NRs. 5,500, three were released on bail of NRs 100,000, NRs. 50,000 and NRs. 7,000, respectively. One of the detainee was a minor who was sent home with NRs. 600 for his bus fare.

BEATING/THREAT

Devi Krishna Sharma, 60, misbehaved and beat Dewal Singh Rawal, 52, chairperson of Sinja Rural Municipality on March 17, 2020. The victim filed a complaint at the District Police Office the same day following which the accused was arrested. The accused was released on a bail of NRs. 1,100 on March 23. The case was not decided at the end of 2020.

Sujit Gharti, 42, Prem Khatri, 36, Dan Bahaur Bohora, 30, Satya Devi Bohora, 26, and Khagendra Khatri, 28, beat police constable Kamal Singh Bista, 28, working at the station in Kanaka Sundari Rural Municipality on October 25, 2020. Police arrested the accused and a case was of misbehavior was registered the same day. The victim received medical treatment at the Karnali Institute of Health Science. The accused were released on November 10 on a bail of NRs. 15,000 each.

ENFORCED DISAPPEARANCE

The whereabouts of Dhan Giri, 25, a tractor driver of Chandan Nath Municipality-9 was not known from October 1, 2020. He had disappeared from Guthi Chaur Rural Municipality-5. The brother of Giri had filed a complaint of disappearance accusing Bimal Mahat, 23, Dwanda Bahadur Shahi, 18, Sagar Giri, 18 and Binod Giri, 21 of being behind the act on October 3. Police arrested the accused on October 2. Tractor owner Renu Shahi was also arrested on October 29. Giri had disappeared on his way to Khalanga. Police filed a case of abduction on November 4. Among those arrested Dwanda and Sagar were released as they were minors and Renu Shahi was released on bail of NRs. 50,000. Similarly, Bimal and Binod were released on bail of NRs. 225,000 each. Failing to pay the bail both of them were sent to judicial custody. Later Bimal was released on November 13 and Binod on November 22. The case had not been decided at the end of 2020.

RIGHT TO ASSEMBLY

Police clashed with protesters demanding justice of Babina Rokaya, 16 who had been killed on November 4, 2020. Three police personnel (one from the Armed police) Nimesh Rokaya, 22, Udaya Bahadur Khatri, 22 and Raj Bahadur Rawat, 30, were injured in the clash. Similarly, Khamba Rokaya, 40, Hara Bhakta Kathayat, 42, and Subi Kathayat, 28, among the protesters were injured. The injured were treated at the Karnali Institute of Health Sciences. Police later arrested Purna Rokaya, Hari Bhakta Rokaya and Gagan Bahadur Rawat from the District Administration Office premises on suspicion of their involvement in the clash.

JAIL AND DETENTION

The District Jail has the capacity of holding 200 inmates but there were 112 prisoners, including three women. One inmate was above 60 years of age. There were four dependent children at the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The inmates also had opportunities for income generation activities. One Assistant Health Worker was posted at the jail.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction						1	1
Arrest		1	4	5			
Beatings						2	2
Killing					1	3	4
Right to Assembly		1	5	6			
Child Rights	Rape				5		5
	Sexual Abuse				3		3
	Total				**8**		**8**
Women Rights	Polygamy				3		3
	Rape				1		1
	Total				**4**		**4**
Grand Total		**2**	**9**	**11**	**13**	**6**	**19**

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 11 criminal cases out of 79 and 17 civil cases among 78 that were registered in 2020. There were eight cases (three criminal and five civil) that had not been decided for two years. There were 119 cases carried over from 2019 at the court.

HIGH COURT SURKHET - JUMLA

The court had positions for four judges. It had received 145 criminal cases in 2020. The court had 25 criminal cases that had been carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 123 elementary schools and 47 secondary schools. There

were positions for 557 teachers in the district. There were 16,646 girls and 14,079 boys enrolled this year among which 560 children had some form of disability. One hundred three children from conflict-affected families and martyrs' families had received scholarships.

INSEC documented eight victims of child rights violation, five were victims of rape and three of sexual abuse. Three accused of rape were sent to the rehabilitation centre as they were minors, and three were sent to judicial custody. Two accused in the rape cases had not been arrested at the end of the year. Two accused of the sexual abuse were released on bail of NRs. 150,000 each and one – a minor – was released on general bail and handed over to the parents.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 38 women registered cases of domestic violence among which 29 were cases of domestic disputes, one of beating and expulsion from home, two of deprivation of food and clothes, three of deprivation of marriage certificate and citizenship, one of deprivation of birth certificate and two of polygamy. Twenty nine cases were reconciled.

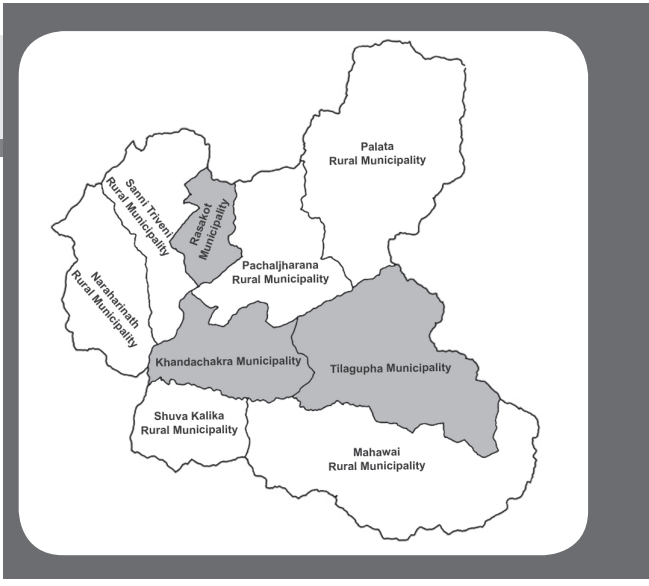
INSEC documented four victims of violence against women- one was a case of rape of a foreign woman, and three were cases of polygamy. A person accused of rape case was sent to judicial custody.

HEALTH SERVICES

The district has one government hospital (Karnali Institute of Health Sciences). The district has 29 community hospitals, one health post, one primary health centre and seven health units. There were 47,882 people registered in the government's health insurance scheme, including 1,978 senior citizens. The district had 463 COVID-19 positive cases in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape	2	3	5
Sexual Abuse		3	3
Total	2	6	8
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Polygamy	1	2	3
Rape		1	1
Total	**1**	**3**	**4**
Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	3	4

6.5 Kalikot



Total Population	1,36,948
Women	68,115
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	78,749
No. of Migrant Workers	2,096
Population of Disability	5,262
Literacy above 5 yrs (%)	56.83
Dependent Population	20,912

There were three victims of Human Rights violation and 43 victims of abuses documented by INSEC among which three were arrested in 2020. There were 10 victims of Child Rights violation including three victims of child marriages, two of rape and five of sexual abuse. Similarly, there were 24 victims of violation against Women Rights including 14 victim of domestic violence, four of witchcraft allegation, four of rape, one of attempted rape and one of sexual abuse.

ARREST

INSEC documented the arrest of three cadres of the banned Communist Party of Nepal. Two of the arrested cadres were released on habeas corpus and one was in police custody till the end of 2020.

BEATING/THREAT

Nandakesh Adhikari, 32, of Shubhakalika Rural Municipality-5 filed a complaint at the District Police Office, against Khadananda Chaulagain, 45, on Shrawan 11 alleging that Chaulagain had threatened to kill Adhikari. The victim had posted the news of the rural municipality on social media and Chaulagain had threatened of killing him wherever he was found. The Kalikot branch of the Federation of Nepali Journalists (FNJ) had issued a press statement on July 26 demanding the accused to withdraw his irresponsible statement and create a conducive environment for journalists. Chaulagain denied the accusation. No hearing was held on the complaint lodged by the victim.

By Others

Paras Neupane, 20, Umesh Neupane, 22, Tilak Neupane, 21, Kala Neupane, 19, and Kamal Neupane, 23, members of Tarun Party from Pachaljharana Rural Municipality-1 attacked the ward chairperson of the same place, Ratna Lal Neupane, 52. The victim filed a complaint

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest		1	2	3			
Beatings					1	4	5
Racial Discrimination						3	3
Threats						1	1
Child Rights	Child Marriage				3		3
	Rape				2		2
	Sexual Abuse				5		5
	Total				**10**		**10**
Women Rights	Domestic Violence				14		14
	Witchcraft Allegation				4		4
	Rape				4		4
	Rape Attempt				1		1
	Sexual Abuse				1		1
	Total				**24**		**24**
Grand Total		**1**	**2**	**3**	**35**	**8**	**43**

against the accused at the District Police Office on Baishakh 17. The injured were treated at Kohalpur Medical College on Baishakh 19. Police arrested all the accused on Baishakh 17. All the accused were sent to judicial custody. The case wasn't decided till the end of 2020.

Laxman Bahadur Bam, the chairperson of Palata Rural Municipality-8 and his wife Gorikala Bam, were beaten on May 9, 2020. They were beaten and injured by CPN Palata Rural Municipality Committee's chairperson Indra Rokaya, Ward-2's Chairperson Man Bahadur Bhandari and their team. They were beaten during the meeting of Consumer Committee formation for Rural Road Planning. Bam, his wife, and nephew were slightly injured. Injured Bam was treated in the local health post and his wife was treated at the Karnali Provincial Hospital on Baishakh 27. The accused were arrested by the police on May 14. The accused were released on a general bail on Jestha 15.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 62 prisoners, including 55 male. There were two dependent children. There were provisions of drinking water, toilets, means of communication and leisure activities, and the jail also had a library but it lacked adequate space.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court adjudicated 143 cases this year among which 11 were those carried over from 2019. The court with one judge adjudicated 44 criminal cases out of 163 and 99 civil cases among 203. There were 10 (four criminal and six civil) cases that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 76 elementary schools and 69 secondary schools. There were positions for 598 teachers in the district. This year 25,015 girls and 24,094 boys were enrolled among which two girls and thirteen boys were with disability. There were 15 disability friendly schools in elementary level and ten in secondary level. Seventy-six children of conflict-affected families had received scholarships. There is provision of free education for Dalit and for children with disabilities.

INSEC documented 10 victims of child rights violation- three were victims of child marriages, two of rape and five of sexual abuse.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 20 victims filed complaints at the Women, Children and Senior Citizen's Service Centre and 17 cases were reconciled while three were sent to court for legal proceedings.

INSEC documented 24 victims of violence against women- 14 were victim of domestic violence, four of witchcraft allegation, four of rape, one of attempted rape and one of sexual abuse. Nine accused of

rape and one of attempted rape were sent to judicial custody. One accused of attempted rape had not been arrested at the end of 2020.

ALLEGATION OF WITCHCRAFT

Kamala Khadka, 24, of Khandachakra Municipality-2 had been evicted from her house by her brother-in-law Tapendra Khadka, 16, on March 26 on the charge of 'witchcraft'. The victim lodged a complaint at the District Police Office on March 27 alleging eviction. According to the victim, her husband insulted her by saying that the witch did not have the right to stay at home after her husband had committed polygamy. The victim underwent medical examination at the District Hospital on March 25. The case was registered under the heading of beating. A bench of District Court Judge ordered the release of the accused on a common date.

Janaki Khatri, 20, of Khandachakra Municipality-1 was beaten and evicted by her husband Kaviraj Khatri, 50, on March 20. The victim lodged a complaint at the District Police Office on March 15 but no hearing was held.

CASTE-BASED DISCRIMINATION

The victim lodged a complaint at the District Police Office, Kalikot on March 7 alleging that Ram Prasad Sanjyal, 39, an office assistant at the ward office had discriminated against Rangraj Sarki, 45, a resident of Sannitriveni Gaonpalika-6. Speaking at a press conference in Manma on March 7, Ward Chairman Sarki said that he was insulted and discriminated against as the ward assistant Sanjyal used to come to the office after consuming alcohol and obstructing the work of the office. The accused were not arrested till the end of this year.

Police have arrested Arjun Shahi, Kamal Shahi and Yuvaraj Shahi of Shubhakalika Gaonpalika-8 on August 20 on charge of beating 25-year-old Pankh BK from entering the temple. The accused were released on bail by the district court on August 25.

HEALTH SERVICES

The district has two government hospital, one community hospital, 28 health posts, one primary health centres. The government hospital had four vacancies of specialist doctors. There were 34,600 people enrolled in the government's health insurance and 900 of them are senior citizens. The district had 523 COVID-19 positive cases and one death in 2020.

Number of Incident with Status of Legal Proceeding in 2020

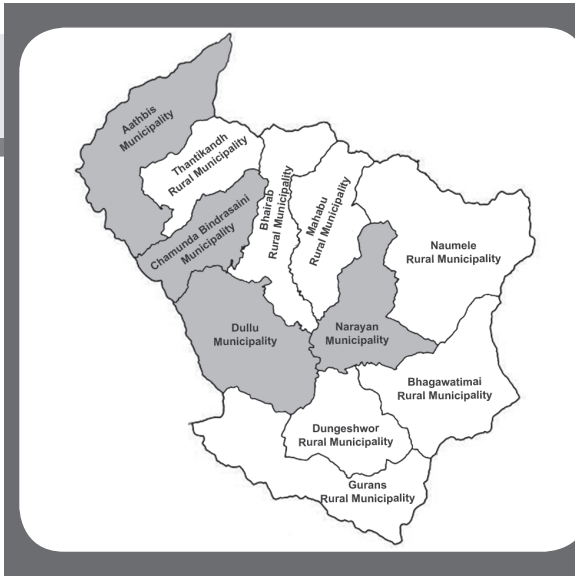
CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Marriage	3	3
Rape	2	2
Sexual Abuse	5	5
Total	**10**	**10**

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	9		5	14
Witchcraft Allegation	1	2	1	4
Rape			4	4
Rape Attempt			1	1
Sexual Abuse			1	1
Total	**10**	**2**	**12**	**24**

6.6 Dailekh



Total Population	2,61,770
Women	1,34,780
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	93,428
No. of Migrant Workers	11,221
Population of Disability	7,607
Literacy above 5 yrs (%)	62.47
Dependent Population	1,37,409

There were eight victims of Human Rights violation and 71 victims of abuses documented by INSEC among which one was arrested and seven were beaten by the state in 2020. There were 21 victims of Child Rights violation including seven victims of child marriages, 12 of rape and two of sexual abuse. Similarly, there were 38 victims of violation against Women Rights including nine victims of domestic violence, one of rape, nine of sexual abuse and 19 of polygamy.

ARREST

INSEC documented the arrest of one cadre of the banned Communist Party of Nepal. Two of the arrested cadres were released on habeas corpus petition and one was in police custody till the end of 2020.

THREAT/BEATING

By State

Goma Dhakal, 46, Ramesh Prasad Rokaya, 36, and Maniram Jaisi, 43, of Mahabu Rural Municipality-1 were charged with inciting a quarantine officer on Jestha 19. A 15-member team led by Ain Bahadur Gurung, the captain of Indra Dal Gulma. The victims said they were beaten with sticks and 20 mm pipes. The victims were beaten at Mahabu Rural Municipality -4, 6 km away from Kharigaira to go to the rural municipality office to discuss quarantine management. The victim alleged that the security team of the Nepal Army had beaten them under the direction of Hari Prasad Upadhyaya. Ward member Goma Dhakal had gone to Ahmedabad for treatment, and was stuck due for three months due to lockdown. The victims were not treated. The victims filed a complaint at the Human Rights Situation Monitoring Committee formed by the National Human Rights Commission (NHRC) in the district. NHRC sought information from the rural municipality and the Nepal Army about the incident. However, Ramesh Kumar Thapa, head

of the Karnali Provincial Office of the NHRC, said that neither of them had sent a reply. No actions were taken till the end of 2020.

Rajan Nepali, 28, Devendra Prasad Regmi, 27, Bivek Soni, 21, of Narayan Municipality-6, Nirak Nepali, 16, of Dewalkanda of Narayan Municipality-4 were beaten by the police on Jestha 31 for protesting in the quarantine. The injured were treated at the isolation ofs Saraswati Higher Secondary School, Tartang on the same day. The victims filed a complaint at the Human Rights Situation Monitoring Committee formed by the National Human Rights Commission (NHRC) on Asar 11 through the Human Rights Situation Monitoring Committee formed in the district. According to the Karnali Provincial Office of the NHRC, sent a letter to the police on Shrawan 6 but no reply was received. No actions were taken till the end of 2020.

JAIL AND DETENTION

The District Jail had the capacity of holding 100 inmates but there were 185 prisoners, including 43 female. There were two males above the age of 60 years. There were provisions of drinking water, toilets, means of communication and leisure activities, and the jail also had a library but it lacked adequate space.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 65 criminal cases out of 132, and 219 civil cases among 303 that were registered in 2020. There were no cases exceeding two years.

CHILD RIGHTS

Educational Status

The district has 432 elementary schools and 91 secondary schools. There were positions for 1,864 teachers, 17 were vacant. This year 35,739 girls and 37,913 boys were enrolled among which 148 girls and 219 boys were with disability. There were two disability-friendly residential schools in elementary level. Twenty-six children of conflict-affected families and four of migrant workers' family had received scholarships. There is provision of free education for Dalit and for children with disabilities.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest			1	1			
Beatings		1	6	7	3	1	4
Killing					2	3	5
Racial Discrimination					2	1	3
Child Rights	Child Marriage				7		7
	Rape				12		12
	Sexual Abuse				1	1	2
	Total				**20**	**1**	**21**
Women Rights	Domestic Violence				9		9
	Polygamy				19		19
	Rape				1		1
	Sexual Abuse				9		9
	Total				**38**		**38**
Grand Total		**1**	**7**	**8**	**65**	**6**	**71**

INSEC documented 21 victims of child rights violation- seven were victims of child marriages, 12 of rape and two of sexual abuse.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 173 victims filed complaints at the Women, Children and Senior Citizen's Service Centre of which 27 were victims of home expulsion, 13 were victims of deprivation of food and clothing, 21 were deprived of marriage registration and citizenship, 27 of polygamy, 85 of domestic dispute, and 133 cases were reconciled while 40 were sent to court for legal proceedings.

INSEC documented 38 victims of violence against women- nine were victims of domestic violence, one of rape, nine of

sexual abuse and 19 of polygamy. Nine accused of rape and one of attempted rape were sent to judicial custody. One accused of attempted rape had not been arrested at the end of 2020.

SEXUAL VIOLENCE

Sexual abuse

A complaint was filed at the District Police Office on Magh 10 against Man Bahadur Thapa, 61, of Bhagwatimai Rural Municiplaity-1 on the charge of sexually abusing a 39-year-old verbal disability on Magh 7. He was arrested on Magh 12. The case of attempted rape was filed against him and he was sent to judicial custody on February 14. The perpetrator was sentenced to jail for four years and was fined NRs. 50,000.

HEALTH SERVICES

The district has two government hospital, 56 health posts and two primary health centres. The government hospital had seven vacancies of specialist doctors. There were 34,600 people enrolled in the government's health insurance and 900 of them are senior citizens. The district had 1,493 COVID-19 positive cases and eight deaths in 2020.

Parbati Shahi, 23, of Thatikandh rural municipality-1 lost her life while being taken to the hospital. She was in her postpartum.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage		5	2	7
Rape	1	11		12
Sexual Abuse		2		2
Total	**1**	**18**	**2**	**21**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence		1	3	4	1	9
Polygamy	1		5	13		19
Rape			1			1
Sexual Abuse	1	2	1	2		6
Total	**2**	**3**	**10**	**19**	**1**	**35**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	5	5

6.7 Jajarkot

Total Population	1,71,304
Women	85,767
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	64,175
No. of Migrant Workers	4,174
Population of Disability	6,848
Literacy above 5 yrs (%)	57.27
Dependent Population	98,512

There were 30 victims of Human Rights abuses documented by INSEC in 2020. There were 10 victims of Child Rights violation including six victims of rape, three of sexual abuse, one of corporal punishment. Similarly, there were seven victims of violation against Women Rights including two victims of domestic violence, two of polygamy, two of rape and one of attempted rape.

BEATING

A group led by Dipendra Shahi of Bheri Municipality-7, beat up Chandra Prakash Gharti, 38, the Mayor of municipality, on April 25, 2020. The victim was treated at the district hospital. The assailant surrendered to the police on April 30 and a case against them was filed at the District Administration Office on May 5. The administration office released all of the accused on bail of NRs. 10,000 on May 29.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but had 58 inmates – all male – and one was over the age of 70 years. There were provisions of drinking water, toilets, means of communication and leisure activities, and the jail also had a library but they lacked adequate living space.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court had adjudicated 115 cases in 2020 among which were 16 that had been carried over from 2019. The court with one judge had adjudicated 41 criminal cases out of 114 and 92 civil cases among 197.

CHILD RIGHTS

Educational Status

The district has 369 elementary schools and 128 secondary schools. There were positions for 799 teachers in the dis-

Type of Events		By Others		
		Female	Male	Total
Beatings		1	2	3
Injured			1	1
Killing		1	7	8
Racial Discrimination		1		1
Child Rights	Corporal Punishment	1		1
	Rape	6		6
	Sexual Abuse	3		3
	Total	**10**		**10**
Women Rights	Domestic Violence	2		2
	Polygamy	2		2
	Rape	2		2
	Rape Attempt	1		1
	Total	**7**		**7**
Grand Total		**20**	**10**	**30**

trict and 14 were vacant. There were no school enrollments this year due to COVID-19. The district has two disability friendly schools, one each at the elementary and secondary levels.

INSEC documented 10 victims of child rights violation- six were victims of rape, three of sexual abuse, one of corporal punishment. Five accused of rape were sent to judicial custody and four – minors – were sent to the rehabilitation centre. One of the accused was still in detention. Of the accused of other forms of sexual abuse, two were released on general bail and one was sentenced to one year in prison.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 44 complaints were registered at the Women, Children and Senior Citizen's Service Centre among which 35 were victims of beating and home expulsion, five had been deprived of food and clothing, three cases related to non-registering of marriage and citizenship certificate, one was a case of land dispute. Of these, the Centre reconciled 31 complaints, eight had been referred to other agencies and five remained to be discussed.

INSEC documented seven victims of violence against women- two were victims of domestic violence, two of polygamy, two of rape and one of attempted rape. Two accused of rape were sent to judicial custody, and one was sent to detention after not being able to pay the bail of NRs. 500,000. One person accused of attempted rape was exonerated for lack of evidence.

ALL KINDS OF CASTE-BASED DISCRIMINATION

Sangita Sunar, 30, of Bheri Municipality-3, filed a complaint at the District Police Office on October 14, 2020 against Manoj Shah, 38, and his wife Ashmita Singh Shah, 33, accusing them of verbally harassing and discriminating against her on October 13. The two were arrested the same day and a case against them was taken to the District Court on October 22, 2020. The accused were released on bail of NRs. 100,000 each on November 5 and the case had not been decided at the end of 2020.

HEALTH SERVICES

The district has one government hospital, 31 community health units, and three primary health centres. The government hospital had 17 vacancies – one manager, one public health officer, five senior doctors, one dental surgeon, one Ayurvedic doctor, one assistant physiotherapist, and seven staff nurses. There were 37,990 people enrolled in the government's health insurance scheme in the district. The district had 4,783 COVID-19 positive cases in 2020.

Number of Incident with Status of Legal Proceeding in 2020					
CHILD RIGHTS					
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Corporal Punishment				1	1
Rape		3	3		6
Sexual Abuse	1		2		3
Total	**1**	**3**	**5**	**1**	**10**

WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence		1	1	2
Polygamy	1		1	2
Rape			2	2
Rape Attempt			1	1
Total	**1**	**1**	**5**	**7**

Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	3	5	8

6.8 Rukum West

Total Population	1,55,549
Women	81,596
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	Not Available
No. of Migrant Workers	Not Available
Population of Disability	Not Available
Literacy above 5 yrs (%)	62.09
Dependent Population	Not Available

There were eight victims of Human Rights violation and 69 victims of abuses documented by INSEC among which seven were arrested and one was beaten by the state in 2020. There were four victims of Child Rights violation including three victims of rape and one of child marriage. Similarly, there were 34 victims of violation against Women Rights including 18 of domestic violence, six of polygamy, five of rape, one of rape attempt, and four of sexual abuse.

KILLING

Nawaraj BK of Jajarkot District Bheri Municipality-4 along with 17 of his friends were headed to Chaurjahari Municipality of Rukum West to bring back a bride on 23 May 2020 and were attacked and chased by a group of 50/60 people to the bank of the Bheri River. Six persons were killed in the attack. Those who lost their lives were Nawaraj B.K. (21) of Bheri Municipality-4, Tika Ram Nepali (20) of Bheri Municipality-4, Sanju B.K. (20) of Bheri Municipality-4, Ganesh B.M. (17), of Bheri Municipality-4 Ranagau; Lokendra Sunar (18) and Govinda Shahi (18) of Bheri Municipality-11. Among those injured were Madan Shahi, 19; Sudip Khadka, 19; Lal Bahadur Khadka, 17; Saroj Bhandel, 17; Indra Jung Shahi, 18; Dilli Sunar, 21; Bibhag Pun, 18; Govinda B.K., 15; Bhola BK, 17; Saroj Khadka, 17; Manish Karki, 18; and Govinda Sunar, 17. The bodies of the dead were recovered from the Bheri River.

Five policemen from Area Police Office had reached site of the clash within 30 minutes and rescued 12 others. Among those rescued by the police, Sudip Khadka had wounds on the head and chest, and others also had various injuries. All of these injured were treated at the Mission Hospital at Chaurjahari and were handed over to their families on 24 May 2020.

Post mortem of the bodies recovered from the river were conducted at Ja-

jarkot Health Service Office. The families of the victims filed a complaint against 20 of the assailants on 26 May 2020 at the District Police Office, Jajarkot after which the police arrested 18, including the ward chairperson of Chaurajahari Municipality-8 for being involved in the incident while two were still absconding. Based on the statements of those arrested, police arrested another 12 persons for investigation. A case of murder was filed against 34 persons at the District Court on June 14. On June 24, the court remanded 23 of the accused to judicial custody. The mother of the girl, Prakashi Malla, 39, was released on bail of NRs. 100,000. Similarly, three of the accused were released on general bail. One minor involved in the incident was sent to rehabilitation centre in Kathmandu and another one to the centre at Nepalgunj. The federal government decided to provide NRs.1 million each to the families of victims but the families had not received the money at the end of 2020.

Human rights organizations including INSEC had carried out fact-finding missions from 26 May to 28 May 2020 and published a report on June 9. Their report said it was an instance of premediated murder by a group. Not satisfied by the decision of the District Court the victims have also filed a complaint at the High Court, Surkhet. Of 34 accused, four Bhim Bahadur Budha, Dilli Gharti, Lokendra Gharti, and Saurav Pun were released on bail of NRs. 100,000 each after following evidence on their absence at the place of the attack. The case had not been decided at the end of 2020.

ARREST

INSEC documented the arrest of seven cadres of the banned Communist party of Nepal in 2020. Four of the arrested were released on bail of NRs. 10,000 each by District Administration Office. Three were in police custody at the end of the year.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest			7	7			
Beatings		1		1	1	21	22
Killing						9	9
Child Rights	Child Marriage				1		1
	Rape				3		3
	Total				**4**		**4**
Women Rights	Domestic Violence				18		18
	Polygamy				6		6
	Rape				5		5
	Rape Attempt				1		1
	Sexual Abuse				4		4
	Total				**34**		**34**
Grand Total		**1**	**7**	**8**	**39**	**30**	**69**

BEATING/THREAT

Police arrested Roshan Gharti, 21, Tika Ram Oli, 22, Gopal Budhathoki, 21, and Bhaskar Basnet, 22, on the charge of beating police head constables Mohan Pariyar, 38, and Purna Bahadur Thapa, 38, of the Area Police Office, Chaurjahari on August 19, 2020. The accused were inebriated at the time of the incident. The complaint was filed on August 20 and the case of attempted murder was filed at the District Court on September 8. Roshan Gharti was released on bail of NRs. 100,000 and the other three on bail of NRs. 50,000 each. The case had not been decided at the end of 2020.

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but there were 147 prisoners, including 12 women. Further, five of the inmates were above 65 years of age. There were two dependent children at the prison. The jail had the inadequate toilets and living space.

TORTURE

A video of police beating Neha Bista, 21, of Aathbiskoti Municipality-9 was

publicized through social media on June 5, 2020. Three of the policemen and woman involved – Prithvi Bahadur Agri, 35, Shakti Bahadur Pariyar, 32 and Nirmala B.K., 21, were suspended. The victim had a minor injury and did not file a formal complaint.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judges had adjudicated 16 criminal cases out of 131 and 84 civil cases among 299 that were registered in 2020.

CHILD RIGHTS

Educational Status

The district has 211 elementary schools and 77 secondary schools. There were positions for 1,101 teachers in the district. Twenty three children from conflict-affected families and 44 children of migrant workers had received scholarships.

INSEC documented four victims of child rights violations – three were victims of rape and one of child marriage. An accused in the rape case – a minor – was handed over to the parents, one was sent to the rehabilitation centre and one had not been arrested at the end of the year. The person accused of child marriage was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 16 women registered cases of domestic violence among which were two cases of beating and home exile, one of deprivation of food and clothes, six of polygamy and 13 cases of domestic disputes. Nine of the cases were reconciled and five were under review. One case had not been discussed.

INSEC documented 34 victims of violence against women – 18 were victims of domestic violence, five of rape, one of attempted rape, four of sexual abuse and six of polygamy. Four of those accused of rape were sent to judicial custody and two were exonerated. One of the accused was released on bail of NRs. 100,000. Three of the accused had not been arrested at the end of the year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Damage to Infrastructure and Property

A group led by ward chairperson of Musikot Municipality-13, Dipak KC, vandalized a temporary police station in Chhiwang of Ward no. 14 on June 2, 2020. The group also damaged materials at the check point. A complaint was filed at the District Administration Office on June 19. K.C. was fined NRs. 5,000 and was asked to make a deposit NRs. 5,200 as compensation to the damage on police post on September 23.

An unidentified group set fire on the ward office of Bafikot Rural Municipality-9 on January 25, 2020. The incident damaged a computer, printer, and camera worth about NRs. 300,000. The police had not arrested any one for the crime at the end of 2020.

HEALTH SERVICES

The district has one government hospital, two municipal health centres, 27 health posts and one primary health centre. The district had the positions for two doctors of which one was vacant. There were seven doctors working on contracts. All the three positions of health assistants at the hospital were vacant.

Number of Incident with Status of Legal Proceeding in 2020						
CHILD RIGHTS						
Type of Events		**Closed Case**	**Investigation**	**Legal Proceeding**		**Total**
Child Marriage				1		1
Rape		1	1	1		3
Total		**1**	**1**	**2**		**4**
WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence		10		6	2	18
Polygamy	1			4	1	6
Rape			2	3		5
Rape Attempt				1		1
Sexual Abuse			1	3		4
Total	**1**	**10**	**3**	**17**	**3**	**34**
Number of Incidents						
Type of Events			**Legal Proceeding**		**Total**	
Killing			4		4	

6.9 Salyan

Total Population	2,42,444
Women	1,26,475
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	69,605
No. of Migrant Workers	14,213
Population of Disability	6,233
Literacy above 5 yrs (%)	64.04
Dependent Population	20,174

There were six victims of Human Rights violation and 49 victims of abuses documented by INSEC among which six were arrested in 2020. There were 25 victims of Child Rights violation including one victim of attempted killing, six of child marriages, one of child trafficking, 14 of rape, two of sexual abuse, and one of corporal punishment. Similarly, there were 21 victims of violation against Women Rights including one victim of domestic violence, three of witchcraft allegation, six of polygamy, ten of rape and one of attempted rape.

ARREST

INSEC documented the arrest of three cadres of the banned Communist Party of Nepal. The District Administration Office released two of those on bail of NRs. 100,000 each and NRs. 50,000. One of them was handed over to the family members and two were released on bail of NRs. 10,000 each.

JAIL AND DETENTION

The District Jail had the capacity of holding 35 inmates but there were 154 prisoners, including 25 women. There were provisions of drinking water, toilets, means of communication and leisure activities, and the jail also had a library but it lacked adequate space. The position for one health worker there was vacant.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court adjudicated 143 cases this year among which 11 were those carried over from 2019. The court with one judge adjudicated 44 criminal cases out of 163 and 99 civil cases among 203. There were 10 (four criminal and six civil) cases that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 427 elementary schools and 77 secondary schools. There were positions for 542 teachers in the district. This year 29,262 girls and 28,461 boys were enrolled. Twenty-eight children of conflict-affected families had received scholarships. There is provision of free education for Dalit and for children with disabilities. There are 6,240 boys and 5,396 girls belonging to Dalit families.

INSEC documented 25 victims of child rights violation- one was victim of attempted killing, six of child marriages, one of child trafficking, 14 of rape, two of sexual abuse, and one of corporal punishment.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 20 victims filed complaints at the Women, Children and Senior Citizen's Service Centre and 17 cases were reconciled while three were sent to court for legal proceedings.

INSEC documented 21 victims of violence against women; one was victim of domestic violence, three of witchcraft allegation, six of polygamy, ten of rape and one of attempted rape. Nine accused of rape and one of attempted rape were sent to judicial custody. One accused of attempted rape had not been arrested at the end of 2020.

ALLEGATION OF WITCHCRAFT

Sarita Khadka, 21, Geeta Khadka, 24, Jayanti Rokka 23, of Sharada Municipality-1 were arrested on September 28, 2020 on the charge of accusing Parbati Thapa, 60, of witchcraft. A case was filed against them on November 30. Both Sarita and Geeta were released on bail of NRs. 40,000 each and Jayanti was released on bail of NRs. 50,000 on December 1. On December 6, Rokka was sentenced to jail for six months and fined NRs. 5,000 while the other two were sentenced to three months of jail and fined NRs. 2,500.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		6	6			
Economic, Social & Cultural Rights				1		1
Killing				1	1	2
Child Rights	Attempt To Kill				1	1
	Child Marriage			4	2	6
	Child Trafficking			1		1
	Corporal Punishment				1	1
	Rape			14		14
	Sexual Abuse			2		2
	Total			**21**	**4**	**25**
Women Rights	Domestic Violence			1		1
	Witchcraft Allegation			3		3
	Polygamy			6		6
	Rape			10		10
	Rape Attempt			1		1
	Total			**21**		**21**
Grand Total		**6**	**6**	**44**	**5**	**49**

SOCIAL, ECONOMIC AND CULTURAL RIGHTS

Destruction of Infrastructure and Property

The ward office of Kapurkot Rural Municipality-5 was set on fire by a group of unidentified people on January 29, 2020. The arson attack destroyed important documents and property valued at NRs. 700,000. The municipality filed a complaint at the Area Police Office of Luham on February 9; police had not arrested any one in the case at the end of the year.

HEALTH SERVICES

The district has one government hospital, 13 community health units, 45 health posts, two primary health centres, 26 elementary health centres, three municipal health departments, and seven rural municipal health departments. The

government hospital had 15 vacancies – six of specialist doctors, seven of staff nurses and two of auxiliary nurse midwives. The district had 724 COVID-19 positive cases and one death in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Attempt To Kill			1		1
Child Marriage		1	4		5
Child Trafficking				1	1
Corporal Punishment	1				1
Rape		4	10		14
Sexual Abuse			2		2
Total	**1**	**5**	**17**	**1**	**24**

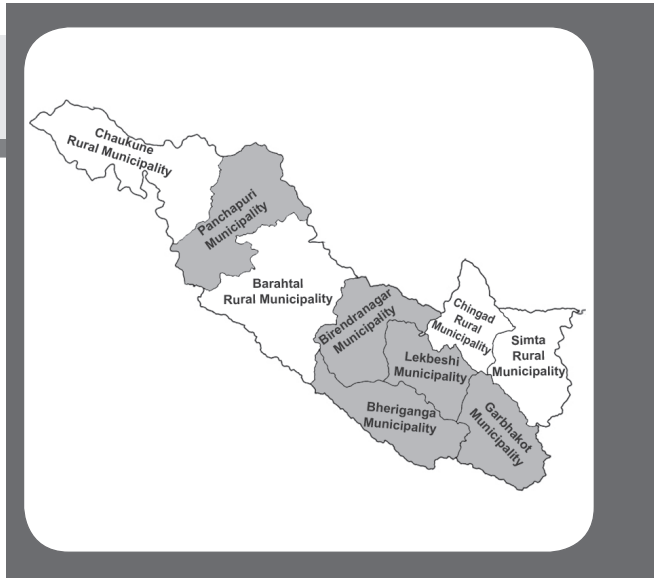
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence		1			1
Witchcraft Allegation	1			2	3
Polygamy			3	3	6
Rape				10	10
Rape Attempt			1		1
Total	**1**	**1**	**4**	**15**	**21**

Number of Incident

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	1	2

6.10 Surkhet



Total Population	3,50,804
Women	1,81,383
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,04,492
No. of Migrant Workers	23,197
Population of Disability	10,291
Literacy above 5 yrs (%)	73.12
Dependent Population	1,73,258

There were 15 victims of Human Rights violation and 85 victims of abuses documented by INSEC among which two were arrested, one was victim of inhumane behaviour, one were beaten, seven were injured and was killed by the state in 2020. There were 11 victims of Child Rights violation including two victims of child marriages, three of rape, five of sexual abuse, and one of corporal punishment. Similarly, there were 72 victims of violation against Women Rights including 60 victim of domestic violence, two of polygamy, six of rape and four of attempted rape

BEATING/THREAT

Two policemen in without uniforms beat Kamala Shahi, 63, of Panchapuri Municipality-8 on January 2, 2020 at the forest of Chuneri Taal. The husband of Shahi was allegedly a member of the banned Communist Party of Nepal. She was beaten for obstructing the arrest of her husband. Police fired two round of bullets on air following the clash between police and Shahi who was injuried in her right eye and lower chest. Kamala was arrested on January 2 and her husband was released on the following day. A fact-finding study by human rights organizations found the police at fault for the beating and injuries.

Police Assistant Sub Inspector, Bijaya Pun, 35, beat a 28-years-old COVID-19 positive youth of Simta Rural Municipality on July 14, 2020. Pun was found to be guilty of the act and had his promotion put away for one year and was asked to pay a compensation of NRs. 15,000 to the victim.

CLASH

Kesha Bahadur Singh, 21, of Mahabai Rural Municipality-3 died on an accident when his motorbike was hit by a tripper on January 28, 2020. The victim's

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest			2	2			
Beatings		1	2	3		2	2
Inhuman Behaviour		1		1			
Injured			7	7			
Killing			1	1			
Torture			1	1			
Child Rights	Child Marriage				1	1	2
	Corporal Punishment				1		1
	Rape				3		3
	Sexual Abuse				5		5
	Total				**10**	**1**	**11**
Women Rights	Domestic Violence				60		60
	Polygamy				2		2
	Rape				6		6
	Rape Attempt				4		4
	Total				**72**		**72**
Grand Total		**2**	**13**	**15**	**82**	**3**	**85**

family protested against the truck owner on 28 and 29 January, which then turned into a clash between the protesters and the police. Several people were injured after the police resorted to firing. The injured were Dil Bahadur Shahi,18; Narendra Shahi, 19; Kaman Singh, 22; Mahesh Gautam, 25; Hibesh Kumar Shahi, 16; Krishna Thapa, 16 and Gokul Giri, 17. The injured were treated at the Karnali Provincial Hospital in Surkhet on January 29. Following the clash, the District Administration Office imposed curfew in some regions of Birendranagar between 6 P.M. of January 29 and 6 A.M. of January 30. The family of the deceased was provided NRs. 500,000 by the insurance company.

JAIL AND DETENTION

The District Jail has the capacity of holding 100 inmates but there were 285 prisoners, including 22 women. There were two dependent children at the prison. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library. The position of Assistant Health Worker at the jail was vacant.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 171 criminal cases out of 227 and 179 civil cases among 245 that were registered in 2020. There were 18 cases (10 criminal and eight civil) that had not been decided for over two years. There were 18 cases that had been carried over from 2019. The court had hired two employees on contracts.

HIGH COURT SURKHET

The court had positions for four judges. It had received 237 criminal cases and 35 civil cases in 2020. The court had 786 cases that had been carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 487 elementary schools and 105 secondary schools. There were positions for 2,156 teachers in the district. There were 53,428 girls and 51,444 boys enrolled this year, including 28 girls and 25 boys with various disabilities. Forty-two children from conflict-affected families and 27 children from martyr's families had received scholarships.

INSEC documented 11 victims of child rights violation- two were victims of child marriages, three of rape, five of sexual abuse, and one of corporal punishment. Two accused of rape were sent to judicial custody, one was exonerated and one was sentenced to lifetime in jail and compensation of NRs 150,000 to the victim. Three of the accused – minors – were sent to the rehabilitation centre. Four accused of sexual abuse had not been arrested.

SEXUAL VIOLENCE

Rape

Police arrested Raj B.K., 24, of Bheriganga Municipality-10 on May 28, 2020 on the charge of raping a four-year-

old girl the same day. Family of the victim filed a complaint on May 29. Police kept the accused in custody for 14 days and another nine days for investigation. A case of rape was filed and the accused was sent to judicial custody on June 22. The case was decided on December 17 and B.K. was sentenced to jail lifetime in jail and ordered to pay NRs. 150,000 as compensation.

Beating

Purna Bahadur Rana, 45, incharge of Ramghat Police Station beat a 12-year-old boy of Bheriganga Municipality-11 at the police station on March 16, 2020, under the pretext of counseling. According to Ratna Bahadur Pariyar, the father of the victim, sub-inspector Rana had stabbed his 12-year-old son in the head and in the abdomen and the boy was disturbed after the incident. He boy was still undergoing treatment at the Karnali Provincial Hospital, Surkhet at the end of this year. According to victim's father, his son had lost mental balance since August 26. According to the victim's father, sub-inspector Rana had provided NRs. 20,000 to the victim on September 21.

ALL KINDS OF VIOLENCE AGAINST WOMEN

INSEC documented 72 victims of violence against women – 60 were victim of domestic violence, two of polygamy, six of rape and four of attempted rape. A person accused of rape was sent to judicial custody and three had not been arrested at the end of the year. Four accused of attempted rape had not been arrested.

HEALTH SERVICES

The district has two government hospitals, seven community hospitals, 47 health posts, and four primary health posts. There were 45 vacant positions of medical consultants and 27 positions of staff nurses at government hospital. There were 25,746 people enrolled in the government's health insurance scheme, and the enrolment of senior citizens in the free insurance was 7,554. The district had 6,553 COVID-19 positive cases and 12 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage		1				1
Corporal Punishment					1	1
Rape	1			2		3
Sexual Abuse			3	2		5
Total	**1**	**1**	**3**	**4**	**1**	**10**

WOMEN RIGHTS

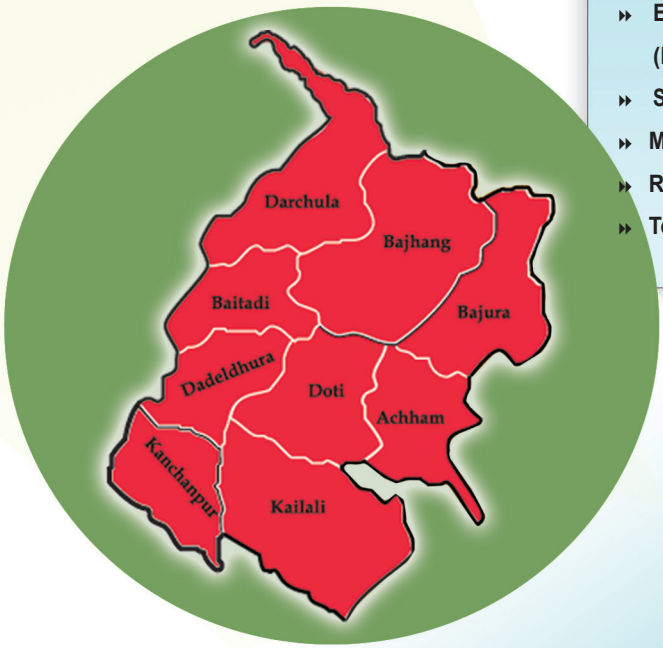
Type of Events	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	45		10	5	60
Polygamy		2			2
Rape		2	4		6
Rape Attempt		3	1		4
Total	**45**	**7**	**15**	**5**	**72**

Number of Incident

Type of events	Investigation	Total
Killing	1	1

Sudurpashchim Province

- Area: 19,539 sq. km.
- Population: 25,52,517
- Literacy Rate: 6154
- District: 9
- Electoral Constituency (Parliamentary): 16
- Electoral Constituency (Provincial): 32
- Sub-Metropolitan City: 1
- Municipality: 33
- Rural Municipality: 54
- Total Ward No.: 734



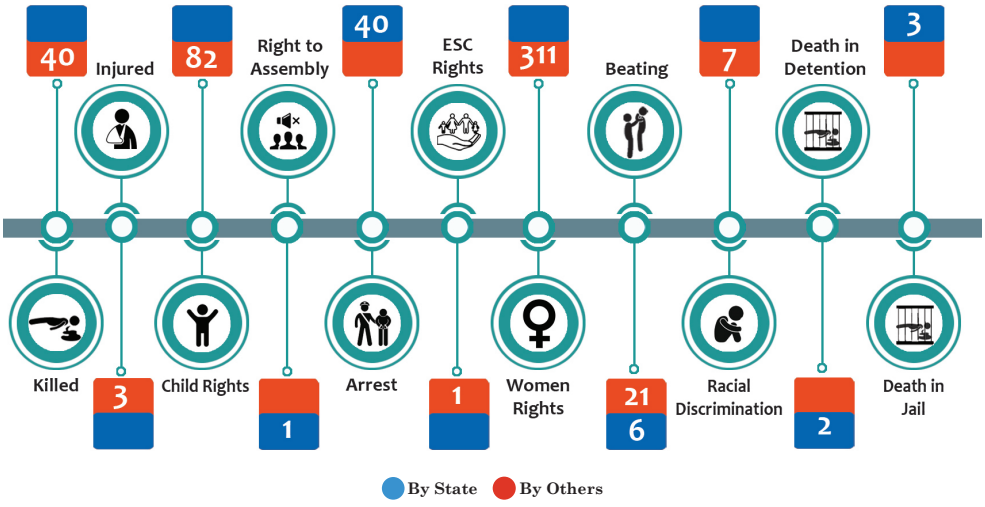
Introduction: Sudurpashchim Province

This year, Sudurpashchim Government announced a policy to cover all households in the province, including the elimination of all forms of discrimination, protection of civil rights, protection of human rights, guarantee of fundamental rights, establishment of values and values of the rule of law. The province government has also taken the policy of conducting social transformation campaign to eradicate violence against women, Chhaupadi practice, witchcraft allegation and caste-based discrimination. By the end of the year, the province assembly has made 14 laws. Nine hospitals have been upgraded in the district through the Health Service Strengthening Program. Provision of medical equipment, modern laboratories and efficient human resources, increasing access of senior citizens to basic health services through CM Senior Citizen Health Program, schools with one nurse and one yoga instructor program have been launched. 331 quarantine, 97 isolation and 3 covid hospitals have been constructed for the control, prevention and treatment of corona virus infection. By the end of the year, 50 of the 13,400 infected had died. The foundation stone of 52 hospital buildings has been laid in the state this year under the 'One Local Level One Hospital' program. A total of 331 quarantines, 97 isolations and three COVID-19 specialized hospital were built for the control, prevention and treatment of COVID-19 infection. Till the end of 2020, 13,400 people were infected with COVID-19 and 50 died. The foundation of 52 hospital buildings were laid in the province this year under the 'One Local Level One Hospital' program.

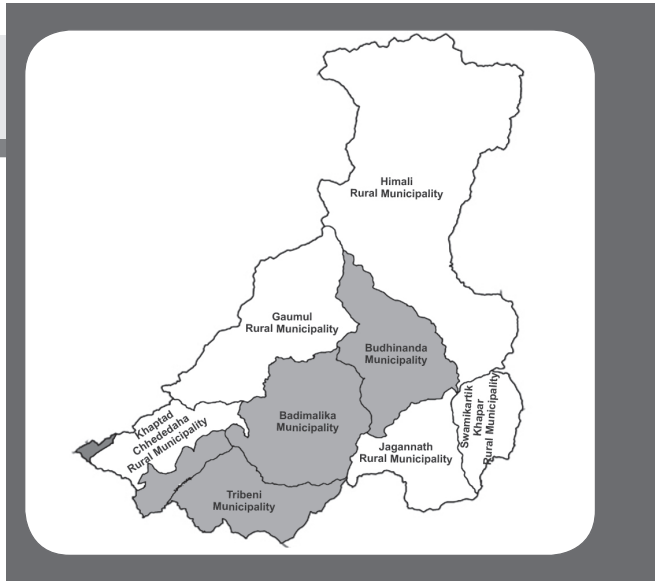
Human Rights Situation in 2020

INSEC documented 517 victims of human rights violation and abuses in Sudur Paschim Province. In 2020, 40 were arrested, 311 were victims of violation against women rights, 40 were killed by others and 82 were victims of child rights violation.

No. of Victims by Incident (In 2020)



7.1 Bajura



Total Population	1,47,053
Women	75,743
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	85,867
No. of Migrant Workers	8,054
Population of Disability	5,855
Literacy above 5 yrs (%)	55.07
Dependent Population	79,699

There were 43 victims of Human Rights abuses documented by INSEC in 2020. There were seven victims of Child Rights violation including four victims of rape and three of sexual abuse. Similarly, there were 33 victims of violation against Women Rights including 29 victims of domestic violence, two of rape and two of attempted rape.

BEATING

Police arrested Bhim Mijar, 45 of Triveni Municipality-1 on June 10, 2020 on the charge of beating Ram Bahadur Nepali, 28, Health Assistant at Chhatara elementary health centre on June 9. A case of misbehaviour was filed on June 11 and the accused was released the same day on a bail of NRs. 4,000 by the District Administration Office. The case had not been decided till the end of 2020.

Police arrested Bharat Bhat, 24, Keshav Bhat, 26, and Upendra Shahi, 30, on July 27, 2020 on the charge of beating Singha Raj Giri, 38, Health Assistant at the Kolti primary health centre on July 26. The victim filed a complaint on July 27 at the District Police Office. A case of misbehavior was filed at the District Administration Office on August 6 and the accused was later released on bail of NRs. 20,000. The case had not been decided in end 2020.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 53 male prisoners at the end of the year. There were adequate provisions of drinking water and toilets. The detainees also had access to means of communication and leisure activities, and a library. However, the jail did not have enough living space.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 18 criminal cases out of 45, and 13 civil cases among 18 that were

Type of Events		By Others		
		Female	Male	Total
Beatings			3	3
Child Rights	Rape	4		4
	Sexual Abuse	3		3
	Total	**7**		**7**
Women Rights	Domestic Violence	29		29
	Rape	2		2
	Rape Attempt	2		2
	Total	**33**		**33**
Grand Total		**40**	**3**	**43**

registered in 2020. There were 24 cases exceeding one year and seven exceeding two years. The court had adjudicated 44 cases out of 193 cases among which 65 cases had been carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 186 elementary schools and 65 secondary schools. There were positions for 1,192 teachers. There were 3,015 girls and 2,900 boys enrolled this year. There were no disability friendly schools in the district. Twenty-one children of conflict-affected families had received scholarships.

INSEC documented seven victims of child rights violation- four were victims of rape and three of sexual abuse. Five of the accused were sent to judicial custody, one – a minor – was handed over to the guardians on general bail and another minor was sent to rehabilitation centre. One of the accused was released on a bail of NRs. 60,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 46 women registered complaints of domestic violence among which three cases were of polygamy, 39 cases of beating and four cases of deprivation of food and clothes. All cases were reconciled.

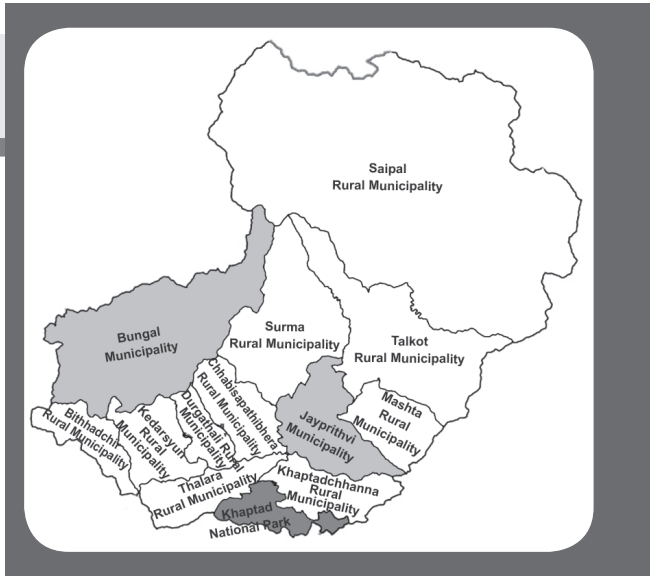
INSEC documented 33 victims of violence against women- 29 were victims of domestic violence, two of rape and two of attempted rape An accused in a rape case was sent to judicial custody, one was released on bail of NRs. 100,000, one was released on general bail, two were released on bail of NRs 50,000 each of which one was detained for failing to deposit the bail amount.

HEALTH SERVICES

The district has a government hospital, 26 health posts, one primary health centre, 11 community health centres, 10 municipal health units and 28 elementary health service centres. There were three positions vacant at the government hospital – one each of specialist doctor, staff nurse and auxiliary nurse midwife. There were 30,423 people enrolled in the government's health insurance scheme. The district had 630 COVID-19 positive cases and two deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Event	**Legal Proceeding**		**Total**
Rape	4		4
Sexual Abuse	3		3
Total	**7**		**7**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	29		29
Rape		2	2
Rape Attempt		2	2
Total	**29**	**4**	**33**

7.2 Bajhang



Total Population	2,07,710
Women	1,09,574
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	1,10,465
No. of Migrant Workers	22,845
Population of Disability	4,976
Literacy above 5 yrs (%)	55.6
Dependent Population	1,10,406

There were six victims of Human Rights violation and 26 of abuses documented by INSEC among which six were arrested in 2020. There were two victims of Child Rights violation and they were victims of rape. Similarly, there were 19 victims of violation against Women Rights including 15 victims of domestic violence, two of polygamy, one of rape and one of sexual abuse.

ARREST

INSEC documented the arrest of six cadres of the banned Communist Party of Nepal in 2020. Two of the arrested were released by the District Court on bail of NRs. 100,000, the other on NRs. 225,000 and one was sent to judicial custody.

Police arrested Binod Thapa, 22, and Suraj Bhandari, 22, of the banned Communist Party of Nepal's student union on March 19, 2020. A case was filed against them for vandalizing the telecommunication tower of Ncell Pvt. Ltd. On March 22, the district court released both of them on the bail of NRs. 100,000 each.

JAIL AND DETENTION

The District Jail has the capacity of holding 24 inmates but there were 64 prisoners of which all were male. There were two inmates above 60 years of age. There were provisions of drinking water, toilet, means of communication and leisure activities and the jail also had a library but lacked enough living space. One health worker was posted at the jail to oversee the health of the prisoners; as required, the prisoners were also taken to the District Hospital. Two COVID-19 positive cases had been detected among the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 30 criminal cases out of 101, and 13 civil cases among 50 that were registered in 2020. There were 28

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		6	6			
Beatings					2	2
Economic,Social & Cultural Rights					1	1
Killing					1	1
Racial Discrimination				1		1
Child Rights	Rape			2		2
	Total			**2**		**2**
Women Rights	Domestic Violence			15		15
	Polygamy			2		2
	Rape			1		1
	Sexual Abuse			1		1
	Total			**19**		**19**
Grand Total		**6**	**6**	**22**	**4**	**26**

cases (12 criminal and 16 civil) that had not been decided for over a year. There were 116 cases carried over from 2019 and 98 were of 2020 out of which 40 were adjudicated.

CHILD RIGHTS

Educational Status

The district has 360 elementary schools and 82 secondary schools. There were positions for 2,156 teachers in the district. There were 32,960 girls and 34,193 boys enrolled this year. There were only four disability-friendly schools at the elementary level in the district. This year 4,820 girls and 5,403 boys from Dalit families were enrolled. Five children from conflict-affected families had received scholarships.

INSEC documented two victims of rape in the district. One of the accused was sent to judicial custody, two were released on bail NRs. 10,000 each, and seven of those accused in one case were released on bail of NRs. 30,000 each.

SEXUAL VIOLENCE

Killed after Rape

Police arrested a 16-year-old boy on September 24, 2020 on the charge of raping and killing of a 12-year-old girl on September 23. The deceased's grandfather had filed a complaint at the District Police Office on September 24. Post-mortem of the body was conducted on October 2. The case was taken to court on September 24. The court found the minor guilty and sent him to the rehabilitation centre on October 16.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 62 women registered complaints of domestic violence. These included cases of expulsion from home, mental torture and deprivation of food and clothing. The cases were reconciled in the presence of the victim and the accused.

INSEC documented 19 victims of violence against women- one was victim of rape, one of sexual abuse, two of polygamy and 15 of domestic violence. An accused in a rape case was exonerated, two were sent to judicial custody and one had not been arrested till the end of 2020.

ALL KINDS OF CASTE-BASED DISCRIMINATION

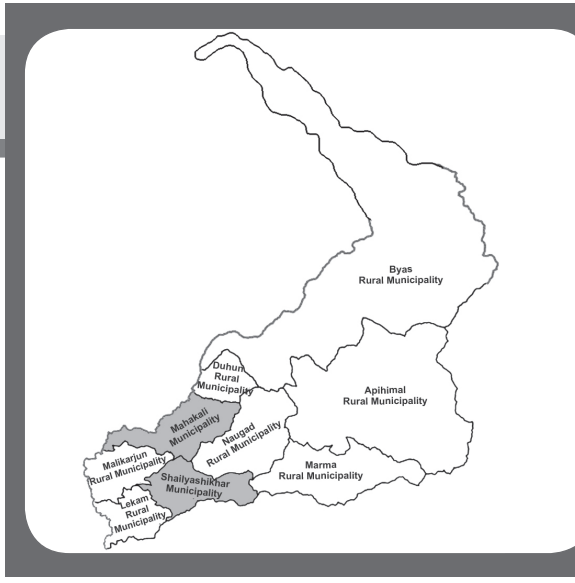
Harku Devi Parmi filed a complaint at the District Police office against Karna Khatri, 40, and Dev Khatri, 38, of Thalara Rural Municipality-3 by on September 27, 2020 saying that the two had discriminated against her. The case was filed at the District Court on October 13, 2020. Karna Khatri was released on bail of NRs. 50,000 and Dev Khatri on NRs. 25,000.

HEALTH SERVICES

The district has a government hospital, one community hospital, 47 health posts, and two municipal health centres. Three positions at the hospital were vacant – one of specialist doctor and two of auxiliary nurse midwives. There were total of 34,608 people with health insurance in the district, including 3,408 senior citizens.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Rape	2		2
Total	**2**		**2**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	15		15
Polygamy		2	2
Rape		1	1
Sexual Abuse		1	1
Total	**15**	**4**	**19**
Number of Incidents			
Type of Events	**Legal Proceeding**		**Total**
Killing	1		1

7.3 Darchula



Total Population	1,38,097
Women	72,900
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	70,003
No. of Migrant Workers	6,864
Population of Disability	3,669
Literacy above 5 yrs (%)	65.4
Dependent Population	66,405

There were four victims of Human Rights violation and 30 of abuses documented by INSEC among which four were arrested in 2020. There were five victims of Child Rights violation including four victims of rape and one of sexual abuse. Similarly, there were 16 victims of violation against Women Rights including 15 victims of domestic violence, and one of rape.

ARREST

INSEC documented the arrest of four cadres of the banned Communist Party of Nepal. All of them were released.

JAIL AND DETENTION

The District Jail had the capacity of holding 40 inmates but there were 56 prisoners, including three female prisoners. There were 32 COVID-19 positive inmates and all had recovered.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 22 criminal cases out of 40 and 11 civil cases among 45 that were registered in 2020. The court had adjudicated five cases out of 41 cases carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 298 elementary schools and 69 secondary schools. There were positions for 1,336 teachers. There were 16,121 girls and 17,105 boys enrolled this year. Ten children of conflict- affected families had received scholarships. The district had free education for Dalit children and children with disability. There were 2,634 girls and 2,649 boys from Dalit families enrolled in the schools.

INSEC documented five victims of child rights violation- one was victim of sexual abuse and four of rape. An accused in a rape case was sentenced to four years

in jail, another was sentenced to 18 months in jail and fined NRs. 10,000. Similarly, another accused of rape was sentenced to 15 years of jail and fined NRs. 60,000. One of the accused was sent to judicial custody and a minor was sent to the rehabilitation centre. The accused of sexual abuse was sentenced to five months of jail, fined NRs 5,000 and was also required to pay NRs. 10,000 as compensation.

SEXUAL VIOLENCE

Sexual Abuse

Police arrested Ujwal Singh Dhami, 57 of Naugad Rural Municipality-5 on July 11, 2020 on the charge of sexually abusing a 15-year-old girl on July 28. The victim's family had filed the complaint against Dhami at the District Police Office on July 11. Dhami was sentenced to jail for five months, fined NRs. 5,000, and was also required to pay NRs. 10,000 as compensation.

Rape

Police arrested Ganesh Singh Lothyal, 29 of Duhu Rural Municipality-4 on May 12, 2020 on the charge of raping a 16-year-old girl with disability on May 11. The victim's family had filed the complaint at the District Police Office on May 12; the case was taken to court the same day. Lothyal was sentenced to jail for four years on August 3.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 33 women registered complaint of domestic violence, and all the complaints were reconciled. The judicial committee at Khalanga was largely ineffective and women had to travel to the district headquarter to file such complaints.

INSEC documented 16 victims of violence against women- 15 were victims of domestic violence and one of rape. Two of those accused of rape were sent to judicial custody. There were two cases of killing by family members in the district.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		4	4			
Beatings					1	1
Injured					1	1
Killing				3	4	7
Child Rights	Rape			4		4
	Sexual Abuse			1		1
	Total			**5**		**5**
Women Rights	Domestic Violence			15		15
	Rape			1		1
	Total			**16**		**16**
Grand Total		**4**	**4**	**24**	**6**	**30**

Killing by Family Members

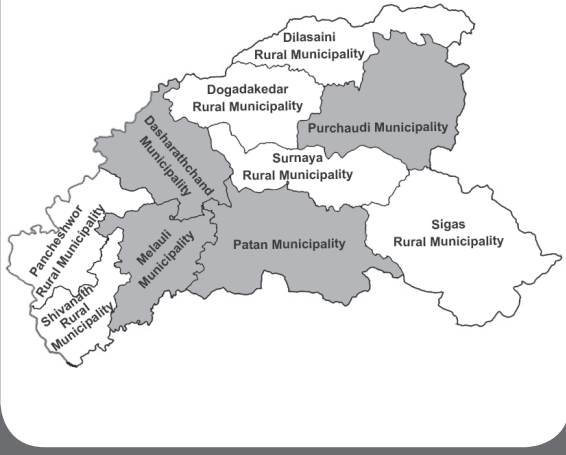
Isha Kunwar, 20 of Vyas Rural Municipality-5, was found hanging at her home on April 19, 2020. Her parents filed a complaint against her husband 22-years-old Ankit Kunwar on May 1 suspecting him to be involved in the murder. Police arrested the husband on May 20 and took the case to court on May 27. Kunwar was sentenced to jail for 13 years and fined NRs. 5,000.

HEALTH SERVICES

The district has two government hospitals, 40 health posts, 26 community health units, four municipal health centres and 14 elementary health centres. There were two vacancies in the government hospital – one medical superintendent and one medical officer. There were 939 people who had enrolled in the government's health insurance scheme. The district had 302 COVID-19 positive cases and two deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Rape	1	3	4
Sexual Abuse	1		1
Total	**2**	**3**	**5**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	12	3	15
Rape		1	1
Total	**12**	**4**	**16**
Number of Incidents			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing	2	5	7

7.4 Baitadi



Total Population	2,57,888
Women	1,38,896
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	1,14,355
No. of Migrant Workers	21,039
Population of Disability	7,788
Literacy above 5 yrs (%)	63
Dependent Population	1,27,826

There was one victim of Human Rights violation and 64 of abuses documented by INSEC among which one was arrested in 2020. There were eight victims of Child Rights violation including three victims of rape, one of sexual abuse, one of child marriage, two of child trafficking and one of infanticide. Similarly, there were 51 victims of violation against Women Rights including 44 victims of domestic violence, six of rape and one of attempted rape.

BEATING

Police arrested seven persons – Arjun Madai, 71, Nawaraj Madai, 38, Bharat Bahadur Madai, 28, Narendra Bahadur Bista, 28, Nar Bahadur Madai, 32, Dharma Singh Madai, 25 and Bhan Bahadur Madai, 35 – on the charge of beating Bir Bahadur Bista, 45, the chairperson of Sunarya Rural Municipality. The victim had filed a complaint in District Police Office, Baitadi, on October 15, 2020. Police arrested Arjun Madai and Bharat Madai were arrested on October 18, who were released later by the court on bail of NRs. 140,000 Similarly, Dharma Singh Madai and Nara Bahadur Madai were arrested on November 24, and Narendra Bahaur Bista and Nawaraj Madai on November 26. Bhan Bahadur Madai was present voluntarily present at the court on the same day. They were all released on bail NRs. 140,000 each. The case had not been decided in December 2020.

Police arrested Narendra Jaagari, 50 of Purchaudi Municipality-5 on March 25, 2020 on the charge of misbehaving with the Ransingh Dhami, 30, the Health Assistant. The dispute began after Jaagari accused Dhami of keeping his relatives at the quarantine established in Kuwakot. The accused was released on April 8 on a bail of NRs. 10,000. The case had not been decided in December 2020.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Beatings					3	3
Killing				1	1	2
Child Rights	Child Marriage			1		1
	Child Trafficking			2		2
	Infanticide				1	1
	Rape			3		3
	Sexual Abuse			1		1
	Total			**7**	**1**	**8**
Women Rights	Domestic Violence			44		44
	Rape			6		6
	Rape Attempt			1		1
	Total			**51**		**51**
Grand Total		**1**	**1**	**59**	**5**	**64**

JAIL AND DETENTION

The District Jail has the capacity of holding 25 inmates but there were 72 prisoners, all male. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library but lacked enough living space. One health worker was posted at the jail, and in critical cases, the inmates were taken to Kathmandu for treatment.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated three criminal cases out of 68 and four civil cases among 18 that were registered in 2020. There were 69 cases carried over from 2019 and 83 were of 2020 out of which 34 were adjudicated.

CHILD RIGHTS

Educational status

The district has 438 elementary schools and 124 secondary schools. There were positions for 2,032 teachers in the district. There were 33,724 girls and 32,295 boys enrolled in 2020. Among them were 161 girls and 205 boys with disabilities. Twenty seven children of conflict-affected families had received scholarships. A total of 7,780 girls and 10,962 boys from Dalit families were enrolled in the schools.

INSEC documented eight victims of child rights violation- one was victim of sexual abuse, three were of rape, one was of child marriage and two were of child trafficking. Two of those accused of rape were sent to judicial custody, one was sent to rehabilitation centre and other six were released on bail of NRs. 50,000. The accused in the case of sexual abuse was released on general bail. The girl accused of child marriage was released on general bail and the boy was released on a bail of NRs. 25,000. The accused in the case of trafficking was sent to judicial custody, a minor among them was released on general bail, and woman was released on a bail of NRs. 50,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 91 women victims registered complaints of domestic violence among which 86 cases were reconciled, two were transferred to the District Administration Office and court, respectively, and three cases were pending review.

INSEC documented 51 victims of violence against women- 44 were victims of domestic violence, six of rape, and one of attempted rape. Three accused in the rape case were sent to judicial custody and one was diagnosed with mental illness. The person accused of attempted rape was released on bail of NRs. 100,000.

HEALTH SERVICES

The district has a government hospital, two primary health centres, 65 health posts, 15 elementary health centres, 17 municipal health centres and 10 community health units. There were

three vacancies at the government hospital – one of specialist doctor and two of staff nurses. There were 42,000 people enrolled in the government's health insurance scheme, including 6,270 senior citizens. The district had 622 COVID-19 positive cases and one death in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILDRIGHTS

Type of Events	Legal Proceeding	Total
Child Marriage	1	1
Child Trafficking	1	1
Infanticide	1	1
Rape	3	3
Sexual Abuse	1	1
Total	**7**	**7**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	43	1	44
Rape		6	6
Rape Attempt		1	1
Total	**43**	**8**	**51**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

7.5 Dadeldhura

Total Population	1,49,053
Women	80,120
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	60,915
No. of Migrant Workers	11,670
Population of Disability	5,150
Literacy above 5 yrs (%)	65.3
Dependent Population	71,827

There were 32 victims of Human Rights abuses documented by INSEC in 2020. There were six victims of Child Rights violation and they were victims of rape. Similarly, there were 23 victims of violation against Women Rights including 20 victims of domestic violence and three of rape.

BEATING

Cadres of the banned Communist Party of Nepal beat up Gyanendra Joshi, the committee chairperson of Nepal Communist Party of Alital Rural Municipality on January 31, 2020 while Joshi was headed to a meeting at the municipality. His motorbike was vandalized and he was injured. Later, he was treated at the Institute of Medicine, Tribhuwan University on February 1. No one had been arrested at the end of 2020.

JAIL AND DETENTION

The District Jail had the capacity of holding 125 inmates but there were 95 prisoners, including 11 women. There was a dependent child at the jail. There were adequate provisions of drinking water and toilets. The detainees also had access to means of communication and leisure activities, and a library. One health person was posted to provide health services. The prison had one COVID19 positive case who had recovered.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 25 criminal cases out of 69 and 28 civil cases among 63 that were registered in 2020. There were 64 cases carried over from 2019 and 68 were of 2020 out of which 53 were adjudicated.

CHILD RIGHTS

Educational Status

The district has 131 elementary

schools and 29 secondary schools. There were positions for 1,153 teachers. There were 24,055 girls and 19,357 boys enrolled in 2020. Eleven children of conflict-affected families had received scholarships. There was provision of free education for children with disability and from Dalit families.

INSEC documented six victims rape. Eight persons accused of rape were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 60 women registered complaint of domestic violence among which 57 were cases of beating and domestic disputes, one of woman trafficking and two of rape. Police reconciled the cases of beating and domestic disputes.

INSEC documented 23 victims of violence against women- 20 were victims of domestic violence and three of rape. Two accused of rape were sent to judicial custody. INSEC also documented a case of killing of a woman by family members.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Infrastructure and Property

Cadres of the banned Communist Party of Nepal set fire on the Infrastructure Development Office of Sudurpaschim Province at Kirtipur, Amargadi Municipality-5, on January 26, 2020. The district in-charge of the party had released a press statement on January 28 claiming responsibility for the fire. The fire had damaged property worth NRs. 5,000. No one had been arrested at the end of 2020.

Type of Events		By Others		
		Female	Male	Total
Beatings			1	1
Killing		2		2
Child Rights	Rape	6		6
	Total	**6**		**6**
Women Rights	Domestic Violence	20		20
	Rape	3		3
	Total	**23**		**23**
Grand Total		**31**	**1**	**32**

HEALTH SERVICES

The district has two government hospitals, 24 health posts and two municipal health centres. There were 19 positions of specialist doctors and 15 positions of staff nurses vacant at the government hospital.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Rape	6		6
Total	**6**		**6**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	20		20
Rape		3	3
Total	**20**	**3**	**23**
Number of Incidents			
Type of Events	**Legal Proceeding**		**Total**
Killing	2		2

7.6 Doti

Total Population	2,14,043
Women	1,19,191
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	1,01,000
No. of Migrant Workers	23,544
Population by Disability	7,302
Literacy above 5 yrs (%)	56.3
Dependent Population	1,12,750

There were 33 victims of Human Rights abuses documented by INSEC in 2020. There were eight victims of Child Rights violation including five victims of rape, one of sexual abuse and two of child marriage. Similarly, there were 21 victims of violation against Women Rights including 15 victims of domestic violence, two of polygamy, three of rape and one of sexual abuse.

BEATING

Police arrested Roshan Khatri, 19, Nabin Khatri, 20, and Tej Bahadur Luhar, 24, of Shikhar Municipality on June 2, 2020 on the charge of beating Ramesh Kunwar, 20, Health Assistant working at the Dankot health post on May 31. Kunwar had a complaint at the District Police Office on May 31 and was taken to Kathmandu for treatment. The case was taken to the District Administration Office on June 2. The Office released the alleged assailants on bail of NRs. 7,000 each on June 22. The assailants were released on September 14 and fined of NRs. 3,000 each.

Police arrested Lok Bahadur Karki, 20, and Mohan Bahadur Karki, 22, of KI Singh Rural Municipality-4 on April 29, 2020 on the charge of beating and misbehaving with Jaya Bahadur Dhami, the ward chairperson. The victim filed a complaint on April 29 and the case was taken to the District Administration Office on April 30. Both of the accused were released on general bail on May 5, later they were released after they were fined NRs. 2,000 each.

JAIL AND DETENTION

The District Jail had the capacity of holding 30 inmates but there were 59 prisoners – all male. The jail had two inmates above the age of 60 years. The jail had five dependent children. There were provisions of drinking water, toilet, means of communication and leisure ac-

tivities and the jail also had a library but lacked enough living space. The prisoners could also engage in skill enhancement trainings. One health worker was posted to oversee the health condition of the prisoners.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 21 criminal cases out of 64 and 13 civil cases among 31 that were registered in 2020. The court had adjudicated 34 cases out of 95 including those carried over from 2019.

High Court-Dipayal

The court had position for seven judges but three positions were vacant. A total of 307 cases were transferred to the High Court and 120 criminal cases were adjudicated.

Child Rehabilitation Centre

The child rehabilitation centre in Doti was established in 2018 and had the capacity to hold 25 persons but it had 42 children among which 16 had been sentenced to imprisonment and 26 were in judicial custody. Twenty-one children had been handed over to the parents in the condition that they would be present in court during trial. The centre lacked enough space and facilities for recreation and leisure.

CHILD RIGHTS

Educational Status

The district has 242 elementary schools and 95 secondary schools. There were positions for 1,496 teachers. There were 34,168 girls and 32,872 boys enrolled this year. Among them were 62 girls and 86 boys with disabilities. There were 7,073 girls and 5,952 boys from Dalit families were enrolled this year.

INSEC documented eight victims of child rights violation- five were victims of rape, one of sexual abuse and two of child marriage. All of those accused in these cases had been sent to judicial custody.

Type of Events		By Others		
		Female	Male	Total
Beatings			2	2
Killing		2		2
Child Rights	Child Marriage	2		2
	Rape	5		5
	Sexual Abuse	1		1
	Total	**8**		**8**
Women Rights	Domestic Violence	15		15
	Polygamy	2		2
	Rape	3		3
	Sexual Abuse	1		1
	Total	**21**		**21**
Grand Total		**31**	**2**	**33**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 17 women registered complaint of violence and all the complaints were reconciled. The complaints included 15 of domestic violence.

INSEC documented 21 victims of violence against women- 15 were victims of domestic violence, three were of rape, one of sexual abuse and two were of polygamy. Two accused of rape were sent to judicial custody and one was released on bail of NRs. 300,000. Two accused of polygamy were sent to judicial custody and two others had not been arrested at the end of 2020. Two women were killed by family members. The accused of the murders were in custody.

HEALTH SERVICES

There is a government hospital, four community hospitals, 52 health posts, two primary health centres, 14 elementary health units, four municipal health units and 39 community health centres in the district. There was one position of specialist doctor vacant at the government hospital. The government health insurance scheme had covered 2,010 persons, including 995 senior citizens.

Number of Incident with Status of Legal Proceeding in 2020				
CHILD RIGHTS				
Type of Events		**Legal Proceeding**		**Total**
Child Marriage		2		2
Rape		5		5
Sexual Abuse		1		1
Total		**8**		**8**
WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	15			15
Polygamy		1	1	2
Rape			3	3
Sexual Abuse	1			1
Total	**16**	**1**	**4**	**21**
Number of Incidents				
Type of Event		**Legal Proceeding**		**Total**
Killing		2		2

7.7 Achham

Total Population	2,68,774
Women	1,45,057
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,20,931
No. of Migrant Workers	31,015
Population of Disability	8,602
Literacy above 5 yrs (%)	55.7
Dependent Population	1,44,565

There were five victims of Human Rights violation and 27 of abuses documented by INSEC among which four were arrested and onedied in jail in 2020. There were three victims of Child Rights violation including two victims of rape and one of sexual abuse. Similarly, there were 13 victims of violation against Women Rights including six victims of domestic violence, three of polygamy, one of rape and three of attempted rape.

ARREST

INSEC documented the arrest of four cadres of the banned Communist Party of Nepal in 2020. One of the detainees was released on general bail and two were released on bail of NRs. 20,000.

JAIL AND DETENTION

The District Jail had the capacity of holding 75 inmates but there were 93 prisoners of which 20 were female. The jail had one inmate above the age of 70 years. There were four dependent children. There were provisions of drinking water, toilets, means of communication and leisure activities and the jail also had a library but lacked enough living space. The jail had one COVID-19 positive inmate.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 72 criminal cases out of 115 and 18 civil cases among 19 that were registered in 2020. The court had adjudicated 16 cases out of 46 which had been carried over from 2019. The court has 10 contractual employees.

CHILD RIGHTS

Educational Status

The district has 352 elementary schools and 158 secondary schools. There were positions for 1,046 teachers in the district. There were 44,900 girls and 41,060 boys enrolled this year, including seven girls and eight boys with disabili-

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		4	4			
Beatings					1	1
Death in Jail		1	1			
Injured					1	1
Killing				2	5	7
Racial Discrimination					2	2
Child Rights	Rape			2		2
	Sexual Abuse			1		1
	Total			**3**		**3**
Women Rights	Domestic Violence			6		6
	Polygamy			3		3
	Rape			1		1
	Rape Attempt			3		3
	Total			**13**		**13**
Grand Total		**5**	**5**	**18**	**9**	**27**

ties. There were three disability friendly schools in the district. A total of 1,474 girls and 1,560 boys of Dalit families were enrolled in schools.

INSEC documented three victims of child rights violation- two were victims of rape and one of sexual abuse. Two of the accused were sent to judicial custody, four were exonerated, and one was sentenced to jail for 20 years and fined of NRs. 100,000.

SEXUAL VIOLENCE

Rape

Police arrested a Jhupa Kami, 34 of Dhakari Rural Municipality-6 on May 4, 2020 on the charge of raping a 13-years-old girl. The case was taken to court on May 24, 2020. The court sent the accused to judicial custody on May 27 and later sentenced him to jail for 20 years, and a fine of NRs. 100,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 68 women victims registered complaints of domestic violence – all cases of beating. All the cases were reconciled.

INSEC documented 13 victims of violence against women – six were victims of domestic violence, three of polygamy, one of rape, and three attempted rape. An accused of rape and two of those accused of attempted rape were sent to judicial custody, and one was released on general bail.

HEALTH SERVICES

The district has a government hospital, one community hospital, 72 health posts and two primary health centres. Two positions of specialist doctors were vacant at the Government hospital. There were 37,395 people enrolled in the government's health insurance scheme, 2,015 were senior citizens. The district had 1,649 COVID-19 positive cases and five deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Rape	1	1	2
Sexual Abuse		1	1
Total	**1**	**2**	**3**

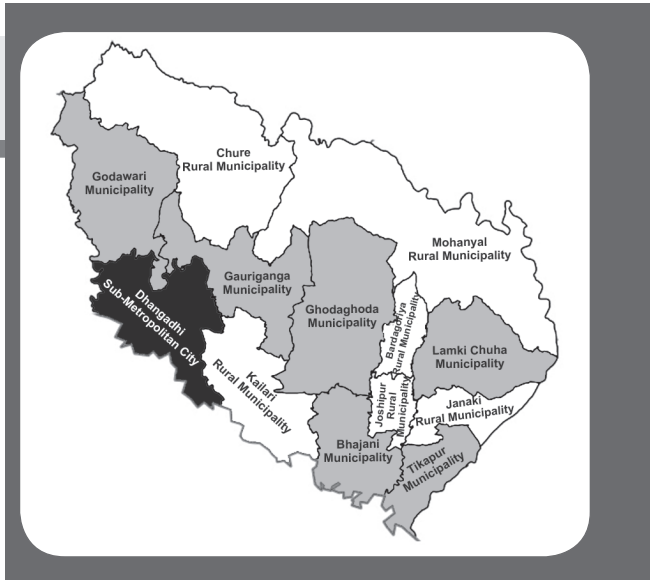
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence		4		2	6
Polygamy	1		1	1	3
Rape				1	1
Rape Attempt				3	3
Total	**1**	**4**	**1**	**7**	**13**

Number of Incidents

Type of Events	Closed Case	Legal Proceeding	Total
Killing	1	6	7

7.8 Kailali



Total Population	8,50,584
Women	4,41,961
No. of Constituency (HoR)	5
No. of Constituency (PA)	10
Below Poverty Level	2,56,821
No. of Migrant Workers	62,644
Population of Disability	15,378
Literacy above 5 yrs (%)	66.3
Dependent Population	3,52,660

There were 22 victims of Human Rights violation and 182 of abuses documented by INSEC among which 18 were arrested, two died in custody and two died in jail in 2020. There were 35 victims of Child Rights violation including 25 victims of rape, nine of sexual abuse and one of child marriage. Similarly, there were 130 victims of violation against Women Rights including 82 victims of domestic violence, two of witchcraft allegation, three of polygamy, 25 of rape, nine of attempted rape and two of trafficking.

ARREST

INSEC documented the arrest of 18 cadres of the banned Communist party of Nepal in 2020. Two of the arrested were released on general bail, one was set free, one was sent to custody, and three were released without conditions. One was released on bail of NRs. 50,000 and one was released on general bail. Two were released on bail of NRs. 20,000 each. However, the one who had been released on general bail was rearrested. This suspect had tested COVID-19 positive and was released in the care of his wife on the condition that he would be brought back to the police office after he had recovered.

BEATING

Police arrested Harka Bahadur Deuba, 70 and Thakkar Deuba, 36 on July 6, 2020 on the charge of misbehaving with and beating Kamal Saud, 21, a journalist working at Dinesh FM. The journalist had filed a complaint at the District Police Office, Kailali. A case of public disorder was filed against the accused on July 7 at the District Court. The accused were released on July 11 on a bail of NRs. 7,000 each. The case had not been decided at the end of 2020.

Type of Events		By State			By Others		
		Femal	Male	Total	Female	Male	Total
Arrest		3	15	18			
Beatings					2	3	5
Death in Detention			2	2			
Death in Jail			2	2			
Killing					3	5	8
Racial Discrimination						4	4
Child Rights	Child Trafficking				1		1
	Rape				25		25
	Sexual Abuse				9		9
	Total				**35**		**35**
Women Rights	Attempt to Trafficking				7		7
	Domestic Violence				82		82
	Witchcraft Allegation				2		2
	Polygamy				3		3
	Rape				25		25
	Rape Attempt				9		9
	Women Trafficking				2		2
	Total				**130**		**130**
Grand Total		**3**	**19**	**22**	**170**	**12**	**182**

JAIL AND DETENTION

The District Jail had the capacity of holding 150 inmates but there were 542 prisoners of which 34 were female. There were two dependents in the prison. There were provisions of drinking water, toilets, means of communication and leisure activities, and the jail also had a library.

Death in Police Custody

There were two deaths in police custody. Police took control Amar Bahadur Chand, 45, and kept him in custody on August 11, 2020. He had been detained engaging in a dispute after consuming alcohol. He was found hanging in the toilet on August 12. The body was handed to the relatives on August 13 after post mortem.

In another case, Roshan BK, 19, of Dhangadi Sub-Metropolitan-14 was found hanging in the toilet at the District Police Office on September 11. The body was handed to the family after post mortem on the same day. BK had been in custody after being accused of theft on September 7.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with four judges had adjudicated 245 criminal cases out of 765 and 163 civil cases among 456 that were registered in 2020. There were 47 cases (20 criminal and 27 civil) that had not been decided for two years. The court had hired 10 contractual employees.

CHILD RIGHTS

Educational Status

The district has 692 elementary schools and 161 secondary schools. There were positions for 1,416 teachers in the district. There were 218,412 students in the district.

INSEC documented 35 victims of child rights violation- 25 were victims of rape, nine of sexual abuse, and one of trafficking. Twenty-six accused of rape were sent to judicial custody, three – minors – to rehabilitation centre in Doti, three were exonerated, one was released on bail, one was sent to the rehabilitation centre for two months, and one was sentenced to three months in jail and bail of NRs. 10,000. Two accused had not arrested till the end of the year. Similarly, four of the accused were exonerated and one was sentenced to 20 years of jail and fine of NRs. 100,000. Eight accused of sexual abuse were sent to judicial custody, two were exonerated, four were released on general bail and one was released on bail of NRs. 50,000. One accused had not been arrested till the end of the year. Further, three accused of trafficking were sent to judicial custody and one was exonerated. Two were in police custody at the end of the year.

SEXUAL VIOLENCE

Rape

Police arrested a 17-year-old and Chandra Saud, 19 of Gauriganga Municipality-4 on June 18, 2020 on the charge of raping a 12-year-old girl on May 25. The family of the victim had attempted to register a complaint but were denied by the police. Thereafter they filed a complaint at the Judicial Committee on June 18, 2020. Anchala Chaudhary, Coordinator of the committee took the complaint at the District Police Office of behalf of the victim's family on June 18. A case of rape was filed at the District Court the same day. The accused were sent to judicial custody on July 10. On October 6, the accused – minor – was sent to child rehabilitation centre for two months, and he was also fined NRs. 6,600, and Chandra Saud was sentenced to jail and fined NRs. 10,000.

Police arrested Umesh Kathariya, 20, of Kailari Rural Municipality on June 29 on the charge of raping a 17-year-old girl on May 20. The family of the victim had filed a complaint at the District Police Office on June 28. The case of rape was filed on June 28 at the District Court and the accused was sent to judicial custody the same day. Kathariya was sentenced to jail for 10 years on July 6 and was also required to pay a compensation of NRs. 50,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 71 women registered complaints of domestic violence among which 56 cases were reconciled, eight were transferred to concerned agencies, the victims of six cases were out of contact and victim had withdrawn the complaint on the condition that the dispute would be reconciled at in the village.

INSEC documented 130 victims of violence against women- 82 were victims of domestic violence, two of witchcraft allegation, 25 of rape, nine of attempted rape, two of trafficking and three of polygamy. Twenty-two of those accused of rape were sent to judicial custody, three were exonerated, one was released on general bail and three had not been arrested till the end of 2020. Five accused of the attempted rape were sent to judicial custody, two were exonerated, one was released on general bail, and one was sentenced to two years in jail and was required to pay NRs. 25,000 as compensation. Two of the accused had not been arrested till the end of the year. Similarly, six accused of trafficking were sent to judicial custody and two were in police custody at the end of 2020. One accused of polygamy was released on bail; one was released on a bail of NRs. 20,000 and one was sent to judicial custody. Four women were killed by family members and two were accused of witchcraft.

HEALTH SERVICES

The district has four government hospitals, one provincial hospital, 16 community health posts and 22 primary health centres. There were 16 vacant positions of specialist doctors at the Seti Provincial Hospital. There were 45,700 people enrolled in the government's health insurance scheme in the district. The district had 5,597 COVID-19 positive cases and 40 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Trafficking			1	1
Rape	3	2	17	22
Sexual Abuse		1	7	8
Total	**3**	**3**	**25**	**31**

WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Attempt to Trafficking			4	4
Domestic Violence	75		5	80
Witchcraft Allegation			2	2
Polygamy			3	3
Rape		3	22	25
Rape Attempt		2	7	9
Women Trafficking			1	1
Total	**75**	**5**	**44**	**124**

Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	6	7

7.9 Kanchanpur

Total Population	4,84,889
Women	2,58,365
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	1,40,381
No. of Migrant Workers	38,398
Population of Disability	9,072
Literacy above 5 yrs (%)	70.7
Dependent Population	2,08,222

There were 14 victims of Human Rights violation and 28 of abuses documented by INSEC among which seven were arrested, six were beaten and one was deprived of the right to assembly by the state in 2020. There were eight victims of Child Rights violation including six victims of rape, one of sexual abuse and one of child trafficking. Similarly, there were five victims of violation against Women Rights including two victims of domestic violence and three of rape.

INJURY IN BOMB EXPLOSION

Mahendra Nepali, 9, of Mahakali Muncipality-3 was injured when an unidentified object he was playing with exploded on May 7, 2020. He had found the object at Shanti Tole, a neighboring settlement. Both of his hands were injured. He was treated at the Seti Provincial Hospital, Dhangadi. The investigation of the incident had not been completed in end-2020.

ARREST

INSEC documented the arrest of seven cadres of the banned Communist Party of Nepal. Three of them were released on bail of NRs. 2,000, one on NRs. 10,000, other two on NRs. 20,000 by District Administration Office.

Police arrested Biranedra Luhar, 26, Bharat Luhar, 24 and Arjun Luhar, 24 on February 13, 2020 from Bhimdatta Municipality-18, Katan. They were the members of student union associated with the banned CPN. The case was filed for involvement in activities hampering public peace on March 3. District Administration Office released them on the same day with the bail of NRs. 2,000 each. The case was not decided till the end of the year.

Police arrested Shankar Singh Mahara, 27, secretary of District office of banned CPN on October 29, 2020 for his

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		7	7			
Beatings		6	6	1	2	3
Injured					1	1
Killing				7	4	11
Right to Assembly		1	1			
Child Rights	Child Trafficking			1		1
	Rape			6		6
	Sexual Abuse			1		1
	Total			**8**		**8**
Women Rights	Domestic Violence			2		2
	Rape			3		3
	Total			**5**		**5**
Grand Total		**14**	**14**	**21**	**7**	**28**

involvement in collecting illegal donations. He was released on November 2 by the order of the District Judge.

Police arrested Dipendra Singh Airi, 22 of Bhimdatta Muncipality-9 on November 23, 2020 on the charge of distribution of pamphlets of the banned CPN. A public case was filed against him in District Administration Office on December 13. He was released on fine NRs. 10,000 and released.

Police arrested Sanjaya Rana, 22 of Bedkot Municipality – 6 during a fire procession before the onset of two days Terai strike by Tharuwan Rastriya Morcha on March 2, 2020. He was released on the same day.

Police arrested Bhuwan Bista, 25 and Narendra Bhat, 29 of Bhimdatta Municipality – 4 on April 25, 2020 on the charge of distributing relief in Kanchan Bidya Mandir Community College without any permission. They violated the one door policy of relief distribution. They were released on the same day without any condition.

BEATINGS

By State

Police constable Shivaraj Bhatta beat up Sunil Chaudhary, 15, of Krishnapur Municipality-2 who was fishing in the river on August 20, 2020. Chaudhary's ear was injured in the scuffle that had started with a dispute. Chaudhary was treated at Maya Metro in Dhangadhi and the Seti Hospital. The family did not file a formal charge and the Bhatta had covered the cost of the treatment of the minor.

By Others

Police arrested Agni Bista, 55, and his son Lokendra Bista, 28, on the charge of beating ward Dil Bahadur Buda, chairperson of Shuklaphata Municipality-11 on January 7, 2020. Buda had filed a case against them. The conflict arose after the locals were asked to pay for controlling stray animals. They two were fined NRs. 5,000 each on September 2020.

Police arrested ward chairperson of Nepal Tarun Dal, Narad Thagunna, 32; Binod Thagunna, 24; Lokendra Thagunna, 18; Basanta Thagunna, 24; Nabin Thagunna, 21; Kaman Thagunna, 30 and Ananda Thagunna, 18 on July 27, 2020 on the charge of beating Bahadur Singh Mahara, 34, ward chairperson of Shuklaphata Municipality-8. All of them were fined NRs. 5,000 each by District Administration Office.

JAIL AND DETENTION

The District Jail had the capacity to hold 90 inmates but it had 285 prisoners, including 21 women. The jail had one inmate above the age of 60 years. There were five dependent children at the jail. There were adequate provisions of drinking water and toilets. The detainees also had access to means of communication and leisure activities, and a library. The jail also provided skill enhancement trainings and had a health worker for providing health services. There were 10 COVID-19 positive inmates of which eight had recovered in December 2020.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 129 criminal cases out of 343 and 121 civil cases among 371 that were registered in 2020. There were 71 cases (20 criminal and 51 civil) that had not been decided for over a year. The court had adjudicated 279 cases out of 832 cases, among which 430 cases had been carried over from 2019.

High Court-Mahendranagar

The High Court bench had four judges. This year 69 cases were referred to the High Court. It also had 157 cases that had been carried over from 2019.

CHILD RIGHTS

Educational Status

There are 300 elementary schools and 203 secondary schools in the district. The district had positions for 1,192 teachers. There were 46,680 girls and 44,712 boys enrolled this year. Among them were 206 girls and 219 boys with disabilities. Thirty-four children of conflict-affected families had received scholarships. Similarly, 35 children of migrant workers had also received scholarships.

INSEC documented eight victims of child rights violation- one was victim of sexual abuse, six of rape and one of child trafficking. Four accused of rape were sent to judicial custody, one of the accused was released on bail of NRs. 150,000, three on bail of NRs. 30,000, one on NRs. 50,000 and other three were exonerated. One of the accused was sentenced to 15 months in jail and fined NRs. 10,000. Similarly, a person accused of sexual abuse was sentenced to 12 days of jail time, fined NRs. 10,000 and was required to pay a compensation of NRs. 10,000. One person accused of the child trafficking was sent to judicial custody.

SEXUAL VIOLENCE

Sexual Abuse

Police arrested Chandrakanta Luhar, 55 of Laljhadi Rural Municipality-2 on October 3, 2020 on the charge of sexually abusing a 15-years-old girl on October 2. Luhar was sentenced to 12 days in jail and fined NRs.10,000. He was also required to pay the victim a compensation of NRs. 10,000.

Rape

Police arrested a 40-years-old father on July 23, 2020 on the charge of raping an 11-years-old girl. The mother of the victim had filed the complaint on July 24and the case was filed on August 23. The court sentenced the perpetrator to 15 months in jail and a fine of NRs.10,000 on September 22.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 173 women registered cases of domestic violence among which 124 cases were reconciled, 14 were sent to the court, and seven remained to be decided. Twenty-eight victims had not been in contact with the police unit looking into such cases.

INSEC documented five victims of violence against women- two were victims of domestic violence and three were of rape. A person accused of rape was sent to judicial custody, and another was released on bail of NRs.150,000. One of the accused had not been arrested at the end of the year.

ALLEGATIONS OF WITCHCRAFT

Police arrested Prakash Aire, 53, of Belauri Municipality-7 on August 4, 2020 on the charge of paying NRs. 400,000 for killing Ghanshyam Khati, 62, and his wife Bala Devi Khati, 57, of same place and accusing them of witchcraft. Both of the victims had died and police arrested Dinesh Rana, 35, Ravi Rana, 50, and Hari Rana, 36, for killing the couple. All four were sent to judicial custody on September 1. The case had not been decided at the end of the year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Ward office of Shuklaphata Municipality-7 was vandalized by an unidentified group on July 22, 2020. The office suffered some damages and the suspects had not been arrested at the end of the year.

HEALTH SERVICES

There is a government hospital, three community hospitals, 18 health posts, 14 municipal health centres, and three primary health centres in the district. There was eight positions of specialist doctors vacant at the Government hospital. About 23,000 people were covered under the health insurance scheme of the government. The district had 1,610 COVID-19 positive cases and 13 deaths in 2020.

Number of Incident with Status of Legal Proceeding in 2020			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Child Trafficking		1	1
Rape	1	5	6
Sexual Abuse	1		1
Total	**2**	**6**	**8**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	2		2
Rape		3	3
Total	**2**	**3**	**5**
Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	8	9

Annex 2

Statistics of Human Rights Violations in 2020

Annex 2.1 Incidents and Number of Victims

Type of Events	Human Rights Violation By State			Human Rights Abuses By Others					Grand Total
	Female	Male	Total	Third Gender	Female	Male	M/F N/A	Total	
Abduction									
Abduction					9	8		17	17
Arrest									
Arrest	31	339	370						370
Beatings									
Beatings	9	84	93		39	188		227	320
Child Rights									
Attempt To Kill						1		1	1
Child Labor					5	3		8	8
Child Marriage					40	3		43	43
Child Trafficing					34			34	34
Corporal Punishment					3	16		19	19
Killing of New born Baby					4	7		11	11
Rape					989			989	989
Sexual Abuse					335	21		356	356
Total					**1410**	**51**		**1461**	**1461**
Death in Detention									
Death in Detention	1	5	6						6
Death in Jail									
Death in Jail	1	44	45						45
Economic, Social & Cultural Rights									
Denied Wages						2		2	2
Discrimination in wages					1			1	1
Expel From The Job					2			2	2
Right to own Property		11	11				1	1	12
Total		**11**	**11**		**3**	**2**	**1**	**6**	**17**
Inhuman Behaviour									
Witchcraft Allegation						1		1	1
Others	2	5	7		1	10		11	18

Annex 2.1 Incidents and Number of Victims

Type of Events	Human Rights Violation By State			Human Rights Violation By Others					Grand Total
	Female	Male	Total	Third Gender	Female	Male	M/F N/A	Total	
Rubbing Soot on the Face					1	4		5	5
Shoes-garlanded						1		1	1
Total	**2**	**5**	**7**		**2**	**16**		**18**	**25**
Injured									
Acid Attack					4			4	4
Injured By Bomb Blast						6		6	6
Injured By Firing		19	19			23		23	42
Injured by using sharp weapons					5	21		26	26
Injured in Clash	3	1	4		12	56		68	72
Total	3	20	23		21	106		127	150
Killing									
Beaten to Death		2	2		86	105		191	193
By Hanging					6			6	6
By Bomb Blast					1	4		5	5
By Giving Poison					2	1		3	3
By Torture		1	1						1
By Using Sharp Weapons					37	52		89	89
Crushing with Stone					1	2		3	3
Hacked to Death					5	2		7	7
Killed After Rape				1	9	2		12	12
Killed by Firing		4	4		2	3		5	9
Pushing Down from the Landscape/Hill					1	1		2	2
Setting Fire					5			5	5
Slitting Throat to Death						2		2	2
Squeezed to Death						1		1	1
Striking Hammer					2	8		10	10
Striking Lathi					1	1		2	2
Total		7	7	1	158	184		343	350
Racial Discrimination									
Untouchability					23	25		48	48
Total					23	25		48	48
Right to Assembly									
Right to Assembly	10	84	94						94

Annex 2.1 Incidents and Number of Victims

Type of Events	Human Rights Violation By State			Human Rights Violation By Others					Grand Total
	Female	Male	Total	Third Gender	Female	Male	M/F N/A	Total	
Threats									
Threat		9	9		1	15		16	25
Torture									
Torture		9	9						9
Women Rights									
Attempt to Trafficking					32			32	32
Domestic Violence					1,346			1346	1346
Witchcraft Allegation					58			58	58
Polygamy					282			282	282
Lack of Pre and Post Partum Services	1		1						1
Rape					648			648	648
Rape Attempt					152			152	152
Sexual Abuse					62			62	62
Women Trafficking					25			25	25
Total	1		1		2605			2605	2606
Grand Total	**58**	**617**	**675**	**1**	**4271**	**595**	**1**	**4868**	**5543**

Annex 2.2.1 Incidents and Number of Victims

Province 1

Type of Events	By State			By Others		
	Female	Male	Total	Femal	Male	Total
Abduction				1		1
Arrest	4	27	31			
Beatings		14	14	7	21	28
Child Rights				288	11	299
Death in Jail		1	1			
Economic, Social & Cultural Rights					1	1
Injured				4	17	21
Killing		1	1	39	42	81
Racial Discrimination				5	4	9
Threats					1	1
Women Rights	1		1	324		324
Total	**5**	**43**	**48**	**668**	**97**	**765**

Annex 2.2.2 Incidents and Number of Victims

Province 2

Type of Events	By State			By Others		
	Female	Male	Total	Femal	Male	Total
Abduction				1	2	3
Arrest	3	11	14			
Beatings	1	22	23	10	53	63
Child Rights				236	10	246
Death in Detention	1	1	2			
Inhuman Behaviour	1	1	2		3	3
Injured	3	10	13	13	81	94
Killing		4	4	38	44	82
Threats		1	1		5	5
Torture		1	1			
Women Rights				222		222
Total	**9**	**51**	**60**	**520**	**198**	**718**

Annex 2.2.3 Incidents and Number of Victims

Bagmati Province

Type of Events	By State			By Others			
	Female	Male	Total	Third Gender	Femal	Male	Total
Abduction					3	2	5
Arrest	10	96	106				
Beatings	2	15	17		3	20	23
Child Rights					330	10	340
Death in Jail	1	35	36				
Economic,Social & Cultural Rights		11	11				
Inhuman Behaviour		2	2		1	4	5
Injured		2	2		3	4	7
Killing		1	1	1	22	25	48
Racial Discrimination					1	3	4
Right to Assembly	6	50	56				
Threats		3	3			3	3
Torture		4	4				
Women Rights					419		419
Total	**19**	**219**	**238**	**1**	**782**	**71**	**854**

Annex 2.2.4 Incidents and Number of Victims

Gandaki Province

Type of Events	By State			By Others		
	Female	Male	Total	Femal	Male	Total
Abduction				1	2	3
Arrest	3	58	61			
Beatings		2	2	2	8	10
Child Rights				115	6	121
Inhuman Behaviour		2	2		4	4
Injured		1	1			
Killing				10	10	20
Racial Discrimination					1	1
Right to Assembly	3	23	26			
Threats					1	1
Women Rights				225		225
Total	**6**	**86**	**92**	**353**	**32**	**385**

Annex 2.2.5 Incidents and Number of Victims

Lumbini Province

Type of Events	By State			By Others			
	Female	Male	Total	Femal	Male	M/F N/A	Total
Abduction				3	1		4
Arrest	6	85	91				
Beatings	3	16	19	2	17		19
Child Rights				273	7		280
Death in Detention		2	2				
Death in Jail		5	5				
Economic,Social & Cultural Rights				2		1	3
Inhuman Behaviour				1	2		3
Injured				1			1
Killing				22	19		41
Racial Discrimination				11	5		16
Right to Assembly		5	5				
Threats		2	2	1	3		4
Torture		3	3				
Women Rights				884			884
Total	**9**	**118**	**127**	**1200**	**54**	**1**	**1255**

Annex 2.2.6 Incidents and Number of Victims (Karnali Province)

Type of Events	By State			By Others		
	Female	Male	Total	Femal	Male	Total
Abduction					1	1
Arrest	2	25	27			
Beatings	3	9	12	12	51	63
Child Rights				87	6	93
Economic,Social & Cultural Rights				1		1
Inhuman Behaviour	1		1		3	3
Injured		7	7		1	1
Killing		1	1	7	24	31
Racial Discrimination				5	6	11
Right to Assembly	1	5	6			
Threats		3	3		2	2
Torture		1	1			
Women Rights				220		220
Total	**7**	**51**	**58**	**332**	**94**	**426**

Annex 2.2.7 Incidents and Number of Victims (Sudurpashchim Province)

Type of Events	By State			By Others		
	Female	Male	Total	Femal	Male	Total
Arrest	3	37	40			
Beatings		6	6	3	18	21
Child Rights				81	1	82
Death in Detention		2	2			
Death in Jail		3	3			
Economic, Social & Cultural Rights					1	1
Injured					3	3
Killing				20	20	40
Racial Discrimination				1	6	7
Right to Assembly		1	1			
Women Rights				311		311
Total	**3**	**49**	**52**	**416**	**49**	**465**

Annex 2.3 Number of Victims by Occupation

Occupation	By State			By Others				
	Female	Male	Total	Third Gender	Female	Male	M/F N/A	Total
Agriculture	10	72	82		1254	221		1475
Artist		1	1					
Business		24	24		34	14		48
Civil/Private Service	2	5	7		17	34		51
Engineer						2		2
Housewife	6		6		1245			1245
Indian Civilian		4	4					
Journalist	2	17	19		5	25		30
Labour		23	23		126	38		164
Medical Professional		3	3		20	16		36
Police		1	1		2	45		47
Political Worker	33	351	384		1	51		52
Priest						3		3
Prisoner	1	42	43					
Social Worker		7	7	1	2	3		6
Student	4	61	65		1469	105		1574
Teacher		1	1		8	15		23
Underage					42	11		53
N/A		5	5		46	12	1	59
Total	**58**	**617**	**675**	**1**	**4271**	**595**	**1**	**4868**

Annex 2.4 Number of Victims by Type and Month

Type of Events	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Child Rights	121	124	99	80	107	91	125	101	134	152	182	145	1461
Beatings	12	22	42	41	75	30	15	21	13	21	15	13	320
Racial Discrimination		2	3	6	4	8	3	4	2	4	7	5	48
Women Rights	246	265	179	80	134	138	192	188	192	347	383	262	2606
Arrest	50	80	39	13	7	36	23	24	4	13	59	22	370
Killing	27	25	20	26	37	17	25	23	29	47	44	30	350
Injured	10	5	2	22	1	57	3	2	21	14	8	5	150
Inhuman Behaviour	3			3	2	2	3	3		1	3	5	25
Death in Detention				1		1		1	1	1	1		6
Torture	1		2				4	1			1		9
Abduction	3	1	1	1				2	1	5	2	1	17
Death in Jail	2	3	1	1	3	4	2	7	7	3	6	6	45
Threats	3	2	1	3	5	2	2	1			2	4	25
Economic, Social & Cultural Rights	3	1		2			11						17
Right to Assembly		23	1				13		25		11	21	94
Total	**481**	**553**	**390**	**279**	**375**	**386**	**421**	**378**	**429**	**608**	**724**	**519**	**5543**

Annex 2.5 Number of Victims by Caste/Ethnic Group

Caste	By State			By Others				
	Female	Male	Total	Third Gender	Female	Male	M/F N/A	Total
ADHIBASI		16	16		51	7		58
BANIYA					12	4		16
BRAHMAN	10	119	129		408	73		481
CHHETRI	20	156	176		820	128		948
DALIT	8	96	104		1056	112		1168
JANAJATI	20	175	195	1	1332	129		1462
KOIRI		2	2		23	6		29
MANDAL		10	10		62	13		75
MUSLIM		7	7		180	31		211
SANYASI		3	3		40	1		41
TELLI		13	13		86	37		123
YADAV		16	16		128	44		172
N/A		4	4		73	10	1	84
Total	**58**	**617**	**675**	**1**	**4271**	**595**	**1**	**4868**

Annex 2.6 Destruction of Property

Type of Events	Total
Ambulance	2
College	4
Communication Tower	21
Government Offices	11
Government Vehicle	3
Health post	3
Hydro Power Project	1
Police Post	1
Private Home	4
Private Vehicle	30
School	6
Total	**86**

Annex 2.7 No. of Inmates in Jail at the End of 2020

Province	S.N.	District	Capacity	Total	Male	Female	Dependent Children
PROVINCE 1	1	Taplejung	25	138	138		
	2	Sankhusabha	25	139	128	11	1
	3	Solukhumba	25	86	81	5	
	4	Okhaldhunga	25	78	73	5	
	5	Khotang	99	147	143	4	
	6	Bhojpur	40	105	94	11	
	7	Dhankuta	25	73	66	7	2
	8	Terhathum	35	81	78	3	
	9	Panchthar	25	166	150	16	
	10	Illam	125	180	163	17	
	11	Jhapa	400	1095	1045	50	2
	12	Morang	300	919	832	87	2
	13	Sunsari	1600	1734	1734		
	14	Udayapur	50	140	132	8	3
PROVINCE 2	1	Saptari	125	370	353	17	1
	2	Siraha	150	613	592	21	2
	3	Mahotari	135	538	485	43	4
	4	Sarlahi					
	5	Rautahat	120	368	349	19	
	6	Parsa	1000	1265	1190	75	5
BAGAMATI PROVINCE	1	Dolakha	17	154	154		
	2	Sindhupalchok	7	124	124		
	3	Rasuwa	25	124	119	5	
	4	Dhading	150	330	322	8	1
	5	Nuwakot	70	154	138	16	
	6	Kathmandu (Jagannath Dewal)	1500	3142	2772	373	11
	7	Kathmandu (Dillibazar)	200	517	517		
	8	Lalitpur	600	1652	1652		
	9	Kavre	75	239	239		
	10	Ramechhap	100	364	342	22	
	11	Sindhuli	50	397	397		
	12	Makwanpur	1200	923	923		
	13	Chitwan	255	696	635	61	2

Annex 2.7 No. of Inmates in Jail at the End of 2020

Province	S.N.	District	Capacity	Total	Male	Female	Dependent Children
GANDAKI PROVINCE	1	Gorkha	55	116	107	9	
	2	Manang	25	7	7		
	3	Mustang	25	11	11		
	4	Myagdi	32	125	115	10	
	5	Kaski	420	916	862	70	6
	7	Lamjung	35	85	76	9	
	8	Tanahu	105	269	269		
	10	Syanja	50	148	138	10	
	11	Parvat	25	94	94		
	12	Baglung	35	139	124	15	
LUMBINI PROVINCE	2	Rolpa	50	90	80	10	
	3	Pyuthan	25	75	65	10	2
	4	Gulmi	25	85	78	7	2
	5	Arghakhanchi	25	64	49	15	
	6	Palpa	300	269	219	50	
	7	Nawalparasi West	175	455	389	66	2
	8	Rupandehi	150	438	438		
	9	Kapilvastu	252	397	397		
	10	Dang (Ghorahi)	70	274	274		
	11	Dang (Tulsipur)	320	438	408	30	4
	12	Banke	300	787	787		
	13	Bardiya	125	313	280	33	2
KARNALI PROVINCE	1	Dolpa	100	34	24	10	
	2	Mugu	16	16	15	1	
	4	Jumla	200	112	109	3	
	5	Kalikot	25	41	55	7	2
	6	Dailekh	100	185	142	43	2
	7	Jajarkot	25	58	58		
	8	Rukum West	25	147	135	12	2
	9	Salyan	35	158	133	25	5
	10	Surkhet	100	285	263	22	2
SUDURPASHCHIM ROVINCE	1	Bajura	25	53	53		
	2	Bajhang	24	64	64		
	3	Darchula	40	56	53	3	
	4	Baitadi	25	72	72		
	5	Dadeldhura	125	85	73	11	1
	6	Doti	30	59	59		
	7	Achham	75	93	73	20	4
	8	Kailali	150	540	506	34	2
	9	Kanchanpur	90	385	364	21	3
Total			**12437**	**25120**	**23578**	**1440**	**77**

Annex 2.8 No. of Children in Rehabilitation Centre in 2020

Provinces	S.No	Distirct	Boys	Girls
1	1	Morang	184	
2	2	Parsa	64	
Bagmati	3	Makwanpur	52	
Bagmati	4	Bhakatpur	162	27
Gandaki	5	Kaski	89	
Lumbini	6	Rupandehi	79	
Lumbini	7	Banke	75	
Sudur Paschim	8	Doti	45	
Total			**750**	**27**

Annex 3

Views of Political Parties on Human Rights Situation in 2020

Nepal Communist Party

1. **Background**

The year 2020 has remained difficult for the nation. Every sectors were disturbed and affected by the COVID-19 pandemic. The pandemic outbreak challenged the global power states and Nepal has also faced its threats. It was a challenge for the state to safeguard the human rights during the crisis. The human rights criteria of this year is measured by the difficulties faced by the citizens and roles of the Government in mediating to solve those challenges. Here, we discuss the role of Nepal Government lead by Communist Party of Nepal to safeguard the human rights of people with easy accesses to health, education, food, employment and security and other sectors.

2. **Context of Covid and Nation's Human Rights**

The country was bound to face three months of lockdown from March 24, 2020 to control the transmission of COVID-19. During that period, transportation, businesses, and all activities apart from fundamental requirement were halted. To manage the situation, the Government has formed High-Level Coordination Committee for the Prevention and Control of COVID-19 and set up important infrastructures in District, Province and local levels.

Nepal Government, Home Ministry has passed security criteria to organize the lockdown. Similarly, to organize the informal sectors, relief criteria were made and implemented. The Government through Ministry of Federal Affairs and General Administration has formed Crisis Management Information System (CMIS) to act as the bridge between federal and local level bodies.

The Government has conducted awareness programs for control and reduction of COVID-19 infection spread. It has also distributed relief packages to the workers working on daily wages, disables and helpless. Through the local governments, holding centres, isolations centres and quarantines were set up. Crisis management fund was set up and utilized.

3. **Rights of Health**

The situation of civil and political rights was normal in the country. Nationwide lockdown was enforced to keep the citizens safe from the pandemic of COVID-19. All the services apart from most important were all closed.

In the period of lockdown, the Government had setup quarantine in all local level governments and new comers from abroad were compulsorily kept in those quarantines for 14 days. The government established COVID-19 special hospitals, mobilized its machineries for contract tracing of the infected, and increased the limit of PCR test within this period. The Government arranged the free treatment

of the infected persons. After the end of the lockdown, the effects of COVID-19 increased. This resulted in increase in number of infections. The infections could not get widespread with the increase in number of testing centres, number of PCR tests and arrangements for isolation.

The Government is focused on easy availability health kits and vaccines through Government to Government procurement procedure.

Within this period, the Government has inaugurated the construction of five to fifteen bedded 209 hospitals in local levels.

4. **Rights to Food and Land**

In Nepal, 35 out of 77 Districts remain as food unsecured Districts and 13 % people are food unsecured. For the food and nutrition security, the Government has been carrying out the tasks of using land unused before for cultivation and formulating land use policies. The Government is working for providing land to landless people forming high level commission even in the chaotic time of crisis of COVID-19. The Government aims to form the commission in all the Districts and work effectively.

5. **Rights to Education**

Educational institutions were shut down by the pandemic. SEE exam was halted before the start. There were complete shutdown of schools from March 23 to throughout 2020. Universities and schools started online education. The Government continued to work for conducting classes through alternative medium.

6. **Rights to Movement**

Transportation was shut down during lockdown. Migrant workers in India returned to their home. They were kept in quarantines in border by the mutual understanding between two nations. People in Kathmandu were bound to move back to their respective places out of valley. Many walked for weeks to reach their home. To end such situation, all three tiers of Governments cooperated and played crucial roles to take people to their respective places. Similarly, the Government facilitated to bring Nepalese from abroad and send foreigners to their respective countries.

7. **Rights to Professions and Employment**

Due to the basic protocols of public health, public transportation could not be operated due to pandemic. Industries were shut down, businesses were closed. Employment of daily waged workers, laborers in transportation sectors and families dependent upon them were affected. Government formed criteria and lists of those people for distribution of reliefs.
This work of the Government was praiseworthy.

8. **Child Rights and Women Rights**

There was direct impact on child and women rights due to COVID-19. School enrollment campaign could not be carried out this year. Children could not go to schools. Even though many schools conducted online classes, those were out of access to the students of remote places. There were news of increment in cases of domestic violence, women violence, and sexual violence during the period of lockdown. The party was serious and sensitive to such situation. The party made efforts for health and psychological consultations to the communities affected by the loss due to COVID-19.

9. **Rights against Racial Discrimination**

There were cases of racial discrimination and inhuman behaviors in the Country. The inhuman killings of group of Nawa Raj BK in Rukum West happened this year. The Government published the report through the field studies forming parliamentary committee. NCP is determined to punish he convicts in such cases of inhuman natures.

10. **Constitutional Commissions and Human Rights**

The Constitutional Council recommend members for constitutional commissions which were vacant for long time. With this task, we can believe the constitutional commissions, National Human Rights Commission, National Women Commission, Madhesi Commission, Dalit Commission, Inclusion Commission would be more effective towards their goals.

At last,

NCP is committed to guarantee human rights, freedom of expression, rule of law and ending impunity. Citizens can realize the use of human rights only when there is peace and rule of law in the country. There must be preparedness to stay safe from disasters and pandemics. To realize the guarantee of services and rights to all the citizens, there must be plans of developments, special programs, enough budgets and address from the concerned communities. NCP believes person with disability, senior citizens, and discriminated social groups, and persons, people from remote places must get special attentions for realization of their human rights. Right of responsible life is important for all the citizens. The human rights can be realized only if life of every citizen is secured, construction of favourable environment for responsible life, effects of pandemics are reduced and works for controlling them in future are executed. Our party is seriously contributing for it.

Ishwor Bahadur Rijal
Secretary, Central Office

Nepali Congress

After the Communist Party of Nepal formed government through the general election, serious human rights violation cases continued in the year 2020. Excluding the human rights situation during the armed conflict period, the cases of human rights violation in this year are severe ever after the restoration of democracy in 1990. The Government has started direct interventions on judiciary and other constitutional bodies interfering the check and balance relation among the organs of the state. It has also terrorized media sector which has been considered as the watchdog of the state.

The Communist Government has implanted the feeling of fear and tried to confine the freedom of people bringing the law which provisioned five years of imprisonment and fine of NRs. 1.5 million even for simple trolling to someone in social media.

The Communist Government was unaware about the case of mysterious death of ward chairperson of Panchadewal Binayak Municipality – 2 of Achham, Padam Bahadur Dhami on February 3, 2020.

Even in Kathmandu, murder of wife of the former Secretary, Ambassador, two cases of killing after abduction of children, chained bomb explosions, and killing of two children in the name of two way clash have been proven as the deteriorated commitment of communist Government.

The registration of 434 cases of murders and 1,075 cases of rapes in fiscal year 2019/20 shows the poor situation of human rights. In the period of communist party lead government, the situation of peace and security is being declied which is the serious concern for human rights even in the phase of political stability.

In the peace rally on February 20, 2020, chairperson of the Nepal Students Union, Rajiv Dhungana, general secretary Urmila Thapaliya, Maheswor Kunwar, Yuvraj Pandey and student leaders Suraj Saijuwal, Hari Acharya, Dipak Rimal, Ramji Basnet, Sunil Pant, Tilak Batala, Ramit Khadka were injured. On the same day, in a peaceful protest at Tribhuvan International Airport, Rabindra Rokaya, Rakesh Siwakoti, Bipin

Budhathoki, Bishnu Hari Khadka, Anil Khanal, Gopi Bhandari, Bibek Upreti and dozens of students were injured. Arresting injured Bishnu Hari Khadka was against the fundamental rights as mentioned in the Constitution.

The government has been numb to the issues of availability of all requirements to fight against the impacts of COVID-19. There were various challenges like lack of safety measures, testing kits in National Public Health Lab. This made public intimidated with the psychology of infection. National prestige was defamed due to the irregularity in the purchase of health equipment required for fighting COVID-19. The cases of purchase of low quality goods not meeting the WHO guidelines is unforgivable. I request the respected Prime Minister to help in the investigation and punishment of those involved in the delay and irregularity. There was misuse of human rights when the member of parliament Mahesh Basnet, Kishan Shrestha and former IGP brought another member of parliament Dr. Surendra Kumar Yadav from Dhanusha in a way of abduction during lockdown.

There were quarantines in many places without specified criteria made by the Government. Quarantines were made in simple grounds without basic facilities and people were kept in crowd.

There was direct violation of human rights when four children, Bimala Khatri, Bijaya Khatri, Gaurab Khatri and Nokhiram Dangi were killed in an explosion in Rolpa on May 1, 2020. Such cases amid the freshness of war are heart shattering. Government is not serious to solve these issues left by the war.

The members of the Nepal Students Union along with its chairperson Rajiv Dhungana, Secretaries Prabhat Dahal, Urmila Thapaliya, Dipak Bhattarai, Baldev Timilsina, and Yuvraj Pandey were arrested while protesting to pressurize the Government to bring back encroached Nepali land. This is another example of human rights violation by the communist Government.

There was serious violation of human rights when Nawa Raj BK, Tikaram BK, Sanju BK, Ganesh Buda, Lokendra Sunar and Govnda Shahi were killed with the involvement of ward chairperson elected from Nepal Communist Party. The case occurred in Rukum West on May 23, 2020. The case has raised three questions; question on social discrimination and evil practice, question on the role of Government and question on situation of impunity. All three questions have exposed the commitments of Communist Government among people.

There was suspicious death of Shambhu Sada in the custody of Area Police Office of Sabaila in Sabaila Municipality-12 on June 10, 2020. There was inhuman cases of abuse, beating, and troubles to the government officials, Congress representatives, and members of security bodies by the order of Communist Government which shows the directed aristocracy of the Government.

The episodes of press council proves the efforts of the present Government towards confinement of freedom of press. The Government's intention of intervening in the activities of press council through media bill was seen.

The attention of Nepali Congress is drawn towards suspicious death of two youths under the control of Government in Morang and Rautahat. Bijaya Mahara, 19 of Rautahat in police cutody died suspiciously in a hospital of Birgunj and Nirajan Yadav, 26 of Morang died in Koshi Hospital. Further, the death of Shambhu Sada in Dhanusha and murder of priest of a temple of Rautahat, Ram Sah proves the direct violation of human rights.

Similarly, there was violation of human rights when the cadres of Nepali Congress were used force when they were on their way to submit a report based on a local case in Gulmi on September 21, 2020.

Police denied to register the complaint for death of Mahendra Ram of Sarlahi. He died in clash with police during a peaceful protest. There was abuse of police to the protesters which prove the violation of human rights by the present Communist Government.

Even after two days of beating Bir Bahadur Bista, Chairperson of Sunarya Rural Municipality of Baitadi, the administration did not show interest to punish the accused which shows the biasness of the Government towards public.

There was a clash between two local groups of the ruling Communist Party in Parsa on September 2, 2020 in which a person was killed. The news of denial by police to register the case which caused delay in funeral of the dead body even after two days of death shows the violation of human rights.

The arrest of senior leader of Nepali Congress, Ram Chandra Paudel on his way to inaugurate the bridge joining ward number one with 11 of Vyas Municipality of Tanahun was the direct violation of human rights.

Nepali Congress demands the release of its member Dilli Bahadur Chand who was arrested in Nepalgunj and transferred to Kathmandu.

Thousands like Dilli Bahadur Chand shared their views against the ordinance issued for political party separation, abduction of Member of Parliament, and pressure to police for not filing cases. If it was illegal, there is National Civil Code Act to ensue punishment. But, he was arrested against all those procedures.

Chand, who was also an ex-police has been working as security guard in a private office. Nepali Congress demands the prompt release of Chand and for recommend the government to be cautious about such actions.

Krishna Prasad Paudel
Chief Secretary

People's Socialist Party, Nepal

The issue of human rights is critical and has often been problematic in developing country like Nepal. The year 2020 did not see much noteworthy progress on human rights issues. There have been many murders, violent acts and rape, to list a few. Further, the government did not take any major steps for the promotion and protection of human rights. There were many instances where security forces used excessive force on peaceful processions and protests including firing and injuring the protesters. The government is expected to take an impartial approach for ensuring human rights. However, the behavior and actions of the government suggest a partisan approach that has created a situation where those accused of violations have not been brought to justice while innocent citizens have been victimized. Further, with protection of the government those who are involved in anti-social unsocial activities have continued to operate are while the people in general have had to bear the brunt. Further still, innocent people have continued to be framed for false allegations and sentenced to prison. The general people will be able to realize their human rights only when security agencies prioritize the principles of human rights. The National Human Rights Commission has also not been able to fulfilling its responsibility as it has remained more or less ineffective.

Human rights can be fully realized only when there is political stability. The government led by KP Sharma Oli had promised voters of stability and had emerged with a two-third majority in the parliament. It has not only failed to assure human rights but has by dissolving the parliament pushed the country towards more instability and conflict. This could result in more difficult times to ensuring human rights.

Further, federalism is being implemented not as a political arrangement but as an administrative mechanism. It is necessary to institutionalize legal and constitutional provisions for establishment of social justice, ending all forms of discrimination, ensuring social justice and address the important issues related to the governance structure, election system, and state restructuring. Human rights will remain mere lip service until all are able to acquire and exercise equal rights. This is reason why the People's Socialist Party has been making demands on the need to amend the Constitution. Political stability cannot be ensured until the stability discriminatory articles are amended and identity-based federalism is established. There is danger that the human rights would become more challenging if the major political parties are not serious about our demands for amending the Constitution. We hope INSEC that has been working on human rights for a long time will continuously work for ending discrimination and establishing social justice and also congratulate it on the publication of Nepal Human Rights Year Book.

Prakash Adhikari
Central Executive Committee,
Central Office

Annex 4

Views of Institutions on Human Rights Situation in 2020

National Human Rights Commission

Informal Sector Service Centre (INSEC) has made a commendable identity for itself in the human rights sector. Each year, the organization has been publishing the "Nepal Human Rights Year Book" that provides exposure of cases of human rights violation. The prosperity of society and people is possible only through respect of human rights. It is a matter of concern for all as every individual is responsible for upholding the rights. Where there is no respect to human rights, there is chaos and a civilized society cannot be imagined, without the development of the culture of human rights.

Nepal is member of UN and party to different international treaties on human rights. It is also an elected member state at the Human Rights Council. A nation can be fully democratic only if it can accept and uphold human rights. Governments are guardians in democratic nations elected by representatives of the people. This is what makes the Government responsible for respecting, protecting and abiding by human rights. Such responsibilities have national, regional and international implications. Governments, thus, must be made responsible if they stray from the responsibility of ensuring human rights of the people. The Nepal Human Rights Commission has had this responsibility since its establishment.

Nepal's federal governance structure is now under implementation. The parliament has enacted various laws on fundamental rights Fifth National Plan on Human Rights is also being prepared following consultations with stakeholders.

Despite positive efforts, there are numerous challenges with respect to protection and implementation for ensuring human rights of all citizens. Political developments, particularly the dissolution of parliament in December 2020, points to the possibility instability in the country which can dampen progress made in the human rights front. The commitments of Government to conclude the transitional justice process remains work-in-progress and the victims have not yet received justice, even 14 years after the signing of the Comprehensive Peace Accord.

NHRC has been continuously working for ensuring respect, protection, promotion of human rights. Its work is guided by provisions in the Constitution of Nepal, 2015 [Article 249 (1) (2) (3)] and National Human Rights Commission Act, 2012. The organizational structure of Commission to align it to the federal system has not yet received approval by the Office of Prime Minister and Council of Ministers. The proposed amendment bill for amending the National Human Rights Commission Act, 2012 does not include the same levels of freedom and autonomy provided by the original law.

There is much to be improved in terms of the assurance of civil and political rights, economic, social and cultural rights and overall human rights of citizens. There still remain obstacles for people to fully enjoy fundamental human rights as guaranteed in the Constitution. Exploitation of laborers working abroad and increasing domestic violence are some serious concerns. The Government has largely been unable to focus on the rights of marginalized people, poor people, tribal communities, people with disability, Dalits, women, minorities and senior citizens. Consequently, the rights of these people remain to be secured.

The Commission has carried out a number of activities and programs for improving the situation of human rights in the present fiscal year. It received 132 complaints of human rights violations in the present fiscal year. The Commission has completed investigations on 795 cases, including old cases. It also followed up on 128 human rights issues. The commission conducted 112 programs, and 56 programs on collaboration with stakeholders, for the realization of its slogan, "Human rights for all at their doorstep: base for peace and development". The Commission also participated in 30 programs as resource person. It also broadcast programs on radio in all the seven provinces, in 11 languages, on the health, security and citizen's rights during COVID-19 lockdowns.

The Commission also organized an international conference on situation of human rights of migrant workers and their families. The conference had the participation of 140 representatives from 28 nations. In 2020, the Commission has renewed its letter of understanding with the Human Rights Council of Malaysia, which is a destination country for many migrant workers.

This year the Commission has issued 69 press notes and published 18 publications. Similarly, to aid Government and concerned stakeholders in law making process, it reviewed various bills from the human rights perspective and made recommendations.

Despite the achievements discussed above, there still are challenges as recommendations made by the Commission in the past remain to be effectively implemented, owing to low Government response. The Commission has 288 on its list of human rights violators but the state of recommended legal actions against them remains unsatisfactory. Instead, many on the list have been rewarded. Further, the office of the Commission that was damaged by the earthquake of 2015 remains to be rebuilt.

The Nepal Human Rights Commission commits to continue its efforts to ensure human rights of all and welcomes cooperation of civil society organizations like INSEC that have been working in the sector. The Commission looks forward to continued collaboration.

Finally, I congratulate INSEC for its commendable efforts to document human rights violations.

Bed Prasad Bhattarai
Secretary

Office of the Prime Minister and Council of Ministers

It's a pleasure to know about the publication of Human Rights Year Book, 2021. I believe the book will be useful to inform all about the progress and overall situation of human rights in the country. The Government of Nepal is committed to respect, protect and promote fundamental rights, laws to enforce them, and Nepal's international commitments.

COVID-19 has created challenges to Nepal and the whole world for ensuring human rights. The work of Nepal in controlling, reducing and adopting treatment of COVID-19, has produced effective results. The work of providing free vaccination against COVID-19 to all citizens,

prioritized on the basis of vulnerability, has already commenced.

Nepal submitted its report of Universal Periodic Review third cycle in October 2020 at the Human Rights Council of the United Nations and its review was concluded by the Council on January 21, 2021. The world, during the review, has praised the progress of Nepal in the protection and promotion of human rights in the last four and half years. The review has provided recommendations and the Government is committed to fulfill them. The Government has accepted and implemented the fifth national action plans on human rights in 2020. The action plans were prepared specifying the responsibilities and time frame of all three tiers of governments regarding Constitution of Nepal, laws made for implementation of fundamental rights, UPR recommendations accepted by Nepal, recommendations from treaties to which Nepal is a party, provisions of Nepal's 15th national development work plans, decisions of the Supreme Court and the National Human Rights Commission. Similarly, the Common Core Document, which is an inseparable component of reports submitted to various bodies on human rights is in the process of acceptance.

I want to mention the widespread collaboration with civil society for the preparation of the report of the Universal Periodic Review, Fifth National Action Plans on Human Rights and Common Core Document, based on the practice of consultations with the National Human Rights Commission and other civil society bodies for preparing laws, policies, plans and programs regarding human rights. On behalf of the Office of the Prime Minister and Council of Ministers, I would like to thank civil society organizations, particularly INSEC for its collaboration, during the consultations and discussions with civil societies. I expect that similar collaboration will continue in the future.

Finally, I would like to wish for increased trust and utility of the yearbook and its acceptance as a reference by concerned stakeholders. Once again, congratulations for the publication!

Bishwadeep Besra
Section Officer

Ministry Foreign Affairs

The Ministry of Foreign Affairs is happy to learn that Informal Sector Service Centre (INSEC) is publishing "Nepal Human Rights Year Book 2021." The Ministry would like to appreciate INSEC for the endeavour and wish for the success of the publication.

The Constitution of Nepal enshrines a comprehensive set of human rights that include of this continuity both civil and political rights as well as economic, social and cultural rights as the fundamental rights of the people. Equality, non-discrimination, dignity, identity, inclusion and proportional representation forms the basis of those rights. Necessary laws for the implementation of fundamental rights have already been enacted. Principles of human rights have been mainstreamed in the national plans and programs.

The judicial system of Nepal comprising three tiers of courts acts as the guardian to ensure the enforcement of the fundamental rights. The National Human Rights Commission has been established as a constitutional body with a commensurate mandate, competence and independence. Accredited as the "A" Category national human rights institution by GANHRI, the Commission fully embraces the Paris Principles, and has been working as an umbrella organization of human rights in the country. It exercises a wide range of investigatory, supervisory, directive, and recommendatory powers for the promotion and protection of human rights.

National Women Commission, National Dalit Commission, National Inclusion Commission, Indigenous Nationali-

ties Commission, Madhesi Commission, Tharu Commission and Muslim Commission are other constitutional bodies established for the protection of human rights.

Nepal continues to implement the National Human Rights Action Plan on a time-bound manner. Security agencies have established human rights wings to adhere the promotion and protection of human rights. Condition of the prisons have been improved.

The Truth and Reconciliation Commission (TRC) and the Commission of Investigation of Enforced Disappeared Persons (CIEDP) are working to conclude the pending issues of transitional justice.

Reiterating Nepal's total and unwavering commitment to human rights, Right Honourable Prime Minister Mr. K P Sharma Oli, in his address to the 75th UNGA, expressed full commitment to the conclusion of ongoing transitional justice process while addressing the concerns of the victims.

Nepal's commitment to the protection and promotion of human rights remains total and unflinching. Nepal has abiding faith and commitments in the principles and purposes of the UN Charter.

Nepal is a state party to twenty - four various human rights related international instruments including seven out of nine core Conventions. Nepal acceded to the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo Protocol) in June 2020. In spite of not being party to the 1951 UN Convention on Refugees and its protocol, Nepal has been providing shelter to thousands of refugees for years.

Nepal also fulfilled, with high priority, its reporting obligations on the implementation of human rights norms as per the treaty provisions that we are a State party to. Nepal submitted its national report to the UPR Secretariat highlighting the implementation of the outcome of Nepal's second cycle of UPR.

Nepal attaches great importance to the work of Special Procedures mandate-holders and continues responding to the questionnaires sent by different human rights mechanisms and Special Rapporteurs. Invitations have been extended for country visits to the Special Rapporteur on the Right to Food, and Special Rapporteur on Extreme Poverty and Human Rights.

The year 2020 marked the 25th Anniversary of the Fourth World Conference on Women (Beijing+25). Addressing the high level event organized in its commemoration, Right Honourable President of Nepal Mrs. Bidhya Devi Bhandari emphasized gender equality as the essential and important right for the continuity of life and the world, and as the only path to justice, peace and progress. The President further stressed on ensuring the timely medical care, equal access to vaccines and robust recovery plans for taking care of the economic and social needs of women and girls.

Participating in the peace-keeping operations, Nepal continued its exemplary performance for the protection of human rights and prevention of atrocities against children, women and civilians as per the UN mandates.

Nepal remained constructively engaged with the UN human rights mechanism during the year in its national capacity as well as a member of the Human Right Council (HRC). Nepal participated in major human rights related international sessions, dialogues and conferences and shared its experiences and efforts in the promotion of human rights in the country.

Nepal has been successfully discharging its constructive, impartial and objective role in the HRC advocating for the protection and promotion of human rights throughout the world. In 2020, Nepal was re-elected as a member of the Human Rights Council for the term 2021-23 and to the Committee on the Elimination of Discrimination against Women

(CEDAW) for term 2021-24. This reflects the recognition by the international community to Nepal's continuous efforts and commitments towards the promotion and protection of human rights. Nepal also served as a Member of UN Peace Building Commission for the term 2018-2020.

Minister for Foreign Affairs Hon. Mr. Pradeep Kumar Gyawali led the Nepali delegation to the 43rd Session of the Human Rights Council in February 2020. Addressing the high-level segment of the Council, Hon. Foreign Minister reiterated Nepal's commitment to the promotion and promotion of human rights.

The year 2020 remained challenging due to the outbreak of COVID-19 pandemic. Like many other countries, Nepal too felt impacts of the pandemic on the livelihood, economy, and public health system. The Government of Nepal responded to the pandemic through measures, such as prevention, control, isolation, quarantine and treatment and has adopted various health and safety protocols in compliance with WHO guidelines. Free testing and treatment services have been provided to the needy people. Nepal thus, has been able to keep low mortality and higher recovery rates among the COVID-19 patients.

Strengthening the health care system, protecting people's lives, and building a sustainable and resilient recovery remained priorities of the government throughout the year. Nepal has already initiated necessary preparation and coordination to ensure availability of vaccines. Focus has also been given to mitigating the adverse socio-economic impacts of the pandemic and maintaining the conducive environment for people to enjoy all human rights, including the economic, social and cultural rights.

Amidst the global crisis of COVID-19 pandemic, Nepal supported the "Appeal for Global Ceasefire" made by the UN Secretary General António Guterres. Nepal also endorsed "Water, Sanitation and Hygiene: World Leaders' Call to Action on COVID-19" on 14 May 2020, calling for the need of coordinated efforts in making water, sanitation and hygiene for all, eliminating inequalities and leaving no one behind.

Nepal remained engaged at the regional and multilateral levels to promote cooperation and collaboration in dealing with the pandemic. Right Honourable Prime Minister addressed the "Virtual NAM Summit on the COVID-19"; high level event on "Financing for Development in the era of COVID-19 and Beyond"; "Global Summit on COVID-19 and the World of Work: Building a Better Future of Work"; and the "31st Special Session of the United Nations General Assembly in response to COVID-19 Pandemic" and called for the genuine commitment to fend off the crisis, save lives, and protect societies.

Attending the video conference of the SAARC leaders, held in the wake of the pandemic on 15 March 2020, Right Honourable Prime Minister underlined the importance of regional efforts to contain the spread of the pandemic. Nepal contributed NRs 10 Crores to the SAARC COVID-19 Emergency Fund.

The Ministry along with Nepali diplomatic and consular missions abroad remained assiduous in the process of protection, relief and repatriation of Nepali nationals in distress through coordination with the foreign governments and Nepali Diaspora community organizations.

The Nepali diplomatic missions continued offering uninterrupted consular and diplomatic services to the migrant workers and facilitated the safe repatriation of trafficked and stranded Nepali citizens, while also extending necessary legal assistance, awareness campaigns and counselling services to the migrant workers as the case may be. Thousands of stranded Nepalis were brought to home from 25 countries.

In 2020, Nepal got elevated to a lower-middle income country and also made some improvements in the HDI value as reflected in the Human Devel-

opment Report, 2020. Nepal aspires to graduate from the LDC status as early as possible and achieve a middle - income country status by 2030, and realise Sustainable Development Goals to fulfill the national aspiration of "Prosperous Nepal, Happy Nepali".

To conclude, the year 2020 remained a challenging yet fulfilling year leaving positive imprints in the realm of promotion and protection of human rights in Nepal.

Ministry of Home Affairs

a. Fiscal Year 2076/2077 (CONVERT DATE)
   1. The goal was to conduct seminars, workshops and discussions on human rights promotion in seven districts, representing all seven provinces as per the accepted annual programs of fiscal year 2076/77. The expected progress was not realized.

b. Fiscal Year 2077/2078 (till end of December/January)
   1. Provincial level interactive programs were held in Pokhara of Kaski and Butwal of Rupandehi in second quarter of fiscal year.
   2. "Order regarding security and protection of human rights activists, 2077" was implemented.
   3. Required procedures were taken and sent to the concerned department for the punishment of human rights violators, and compensation of the victims as recommended by the Office of the Prime Minister and Council of Ministers and National Human Rights Commission. Relief and compensation were provided while remaining within the boundary of accepted criteria.
   4. The report of Universal Periodic Report 3rd Cycle was prepared by the Ministry of Home Affairs and sent to the office of the Human Rights Council of the UN in Geneva.

Hari Chandra Buda
Section Officer

National Women Commission

The National Women Commission has been continuously working on the rights of women based on Constitution of Nepal, international commitments and national. The Commission operates a helpline service for reducing and controlling violence against women. It has aided also supported and encouraged women to register complaints using the toll-free number 1145 for legal assistance.

The Commission continued the helpline service during the Covid-19 pandemic. It has also been coordinating and collaborating with all agencies and organizations working for controlling and reducing violence against women, and the promotion of women rights. INSEC has been assisting the Commission's work in the areas of women rights and for addressing gender-based discrimination.

The support of INSEC in the realization of inclusive development through participation of women was noteworthy. I also expect continued collaboration with the organization while the Commission works to ensure women rights and address the challenges associated with reducing violence against women.

Finally,, INSEC's efforts to report human rights violations through the Human Rights Year Book every year is praiseworthy. I expect, INSEC to continue this work and congratulate the team there for the publication of the 2020 yearbook.

Shanta Adhikari Bhattarai
Secretary

National Inclusive Commission

I am pleased to understand INSEC is publishing Nepal Human Rights Year Book 2020 like it has done in the past on the human rights situation. I would also like to thank INSEC for providing me opportunity to express the perceptions of Inclusive Commission, and also congratulate INSEC and wish the yearbook will be useful for all.

Article 259 of section 27 of the Constitution of Nepal, 2015 and the National Inclusive Commission Act, 2017 have specified the work, responsibilities and rights of the Commission. It has been conducting studies and providing recommendations to concerned departments regarding the rights and protection of rights of people of Khas Arya, marginalized, disabled, senior citizens, laborers, farmers, marginalized and people of the Karnali Province who are economically marginalized. As a body working for the protection of rights of vulnerable people, it has been carrying out studies and providing recommendations for the protection of human rights of such people. The Government of Nepal has been doing its best to ensure rights of such people. However, there is need of separate and prioritized programs for the deprived populations. There is need for inclusion of such programs in policies, annual plans and budgets of the federal, provincial and local governments.

Nepal and the whole world were terrorized by the Covid 19 pandemic in 2020. COVID-19 has further marginalized people with disability, senior citizens, workers, farmers and people from vulnerable groups in more vulnerability. During the difficult time, the Commission has organized discussions on different issues of rights of those people and recommended the outcomes to the concerned departments. Studies on the problems faced by vulnerable groups were also carried out disseminated.

Even though all levels of government have provided relief for protection of basic human rights of vulnerable people, the support was not adequate. This Commission expects assistance of all tiers of governments, media, private and non-governmental organizations, civil society and all citizens for supporting vulnerable people from different social groups.

Puskar Bhattarai
Under-secretary and Spokesperson

Tharu Commission

1. Like many countries around the world Nepal had to enforce lockdowns to prevent the spread of COVID-19. The lockdowns posed difficulties to the Tharu Community as well. Many youths of the Tharu community work as construction laborers and the lockdown deprived them of employment and timely wages leading to problems of food and shelter. Many were forced to travel home on foot from the cities where they worked.
2. The Tharu community is mainly dependent on agriculture and delays in the supply of fertilizers resulted in lower production that could push the community towards poverty.
3. Many non-Tharu have used land belonging to the Tharu as collateral in banks and have absconded without repaying the loans. The banks have begun seizure of the collateral and this has created problems for the original land owners.
4. The tradition of accusing women of witchcraft runs deep in the community and women have been severely affected.
5. Most of the clan deities of the Tharu are located in Government's land and in forest areas that where the Tharu are not permitted to enter. This has threatened traditional practices.
6. There is ban on collection of herbs from buffer zones of National Parks has affected the Tharu practice of traditional medicine.

Nisha Laudari
Section Officer

Madhesi Commission

Madhesi Commission as a constitutional body, based on Madhesi Commission Act, 2017, has been continuously working for recommending, investigating and evaluating of status of Madhesi people from birth to death through the lens of human rights.

The receipt of around 200 complaints at the Commission from districts in Madhesh and all over Nepal shows widespread prevalence of human rights violations of the Madhesi community. There are cases of murder, violence, rape, child marriage, allegations of witchcraft and so on. There was a case of child sacrifice at Dhalkebar, Mithila Municipality of Dhanusha District. There was also case of killing of a protester of illegal crushers factories by a bulldozer. Similarly, there were murders in the name of suicides. A similar case was suspected by locals of Videha Municipality-2 of Dhanusha after ghost fair (Bhoot mela). There are more challenges than opportunities due to open border. There is supply of liquor in the border areas and Nepali youths cross the border to obtain drugs.

There has been an increase of domestic violence, murders, child marriage and other evil social practices. In many cases the administration has not been sensitive. There is prevalence of violation of economic, social, cultural and civil rights of Dalit, the poor, and other marginalized people. There is need of more effectiveness of efforts of the Government. This Commission is active for controlling and reducing different social malpractices on the grounds of religion, and community even in adverse conditions. Similarly, recommendations of the Commission have generally been implemented.

After being recognized as constitutional body by article 232 of Constitution of Nepal, 2015, the Commission has been performing its tasks based on Madhesi Commission Act 2017.

The Commission provides recommendations and suggestions to the Government regarding protection of rights of the Madhesi community to live respectfully in all regions of the state. It also provides recommendations on actions on cases of discriminatory acts against the Madhesi community. So, in this sense the Commission bridges the Madhesi community and the Government.

The works of Madhesi Commission in a period of 1 year 3 months are as follows:

Publication of a profile on the identity of Madhesi community has begun and work on collecting and publishing data on the community is underway.

1. The work of collecting and publishing data of Madhesi community is going on.
2. Classes for taking the Public Service Commission (PSC) exams have been conducted to motivate people from the community to join government service.
3. The Commission has carried out investigation in District with Madhesi community and the report on their status, with recommendations is submitted to the Government.
4. There have been motivational acttivities organized by the local levels for creating awareness among Madhesi community on various issues.
5. Suggestions were collected through discussions with civil society, experts, law practioners, political leaders, and parliamentarians for the enhancement, and institutional upliftment of the Commission.
6. The Commission has made recommendations to the Government through a report on grassroot level status of the Madhesi community in Sudurpaschim Province, Bagmati Province, and Provinces 1 and 2. Similarly, programs have been conducted in Saptari, Dhanusha, Siraha

and Banke in collaboration with local bodies there.

7. Different awareness programs for the upliftment and protection of backward people in Madhes were conducted. The complaints were summarized in a report, which has been submitted to the Government with recommendations.
8. Recommendations were made to concerned departments for protection and identification of language, script, culture, history and traditions of Madhes. Discussion was held with language commission and relevant recommendations have been provided.
9. The Commission organized community level awareness programs against dowry, accusation of witchcraft, superstitions, and all kinds of domination in Madhesi community.
10. The Commission has provided recommendations to the Government for the formation of committee and work group for enforcement of international treaties and provisions of conventions meant for protection of rights of the Madhesi community. The work group has not yet been formed.
11. The Commission has made suggestions to Government for adopting effective steps to minimize the effects of dam and highway construction along the border with India on the Madhesi community.
12. Appreciating the efforts of Madhesi community for the protection of national borders, the Commission investigated the situation of encroached areas in the borders at Ilam, Darchula and Susta, and submitted suggestions to the Government for protection of Nepali territory.
13. The Commission has fully addressed around 200 complaints received through written and oral means, and on its Helpline Service (1152).
14. The work on listing surnames of Madhesi people has commenced Circulars to this effect has been sent to all local bodies. Discussions were held with other commissions and suggestions have also been collected from experts. It also carried out on-site investigations at Mechinagar Municipality.
15. The Commission has conducted awareness program in Rangeli of Morang District, Province-2, Kapilvastu, Nepalgunj and Sudurpaschim.
16. Different work plans required for improvement of the Commission have been prepared; it has also designed its logo, and a citizen information board has been set up.
17. The Commission has a website for publicizing its activities. It has also setup messenger, viber and Helpline number (1152) and a toll free no (16600116185).
18. There is provision made for receiving accepta nce from National Planning Commission and Finance Ministry on annual action plans of the Commission.
19. The Commission consults with other Constitutional Bodies, concerned stakeholders, and organizations in the time of need.
20. Since there is prepared roster of experts, the expert service is easy to grasp.
21. A high-level investigation committee was formed for investigating relief for people terrorized by the COVID-19 pandemic. The Commission has forwarded its recommendations to the Government through regular meetings. The Committee has the participants from the Bar Association, FNJ, and Medical Association, women activists, civil society, Nepal Army, Armed Police Force, Nepal, Central Investigation Bureau and high-level officials of the Madhesi Commission.
22. A provision has been made for sending the Commissions annual action plan to the National Planning Commission and Finance Ministry.

23. There is easy access to information due to direct communication through social media with the rights activists of Province 1, Province 2, Bagmati Province, Lumbini Province and Sudurpaschim Province.
24. The Commission has collected recommendations from nine meetings of experts on citizenship bill. Similarly, have been held with the Central Bureau of Statistics to reduce errors in the 2021 census. .
25. The Commission has celebrated its establishment day on March 20, 2020 in the presence of renowned persons and rewarded its best-performing staff members.
26. The Commission meets with staff every month to ensure joint efforts, discipline and to make them dedicated to the work. There is provision of e-attendance.
27. The Commission has conducted its regular works with devotion keeping in focus the mutual collaboration and coordination.
28. The survey report of organizational and management aspects of the Commission is sent to Ministry of Federal Affairs and General Administration for approval.
29. The Commission has presented its annual report of 2020/2021 to the respected President.
30. The work plans necessary for the Commission is under construction.

From the above mentioned activities, the works of the Commission is going forward effectively. However, the Commission has following challenges improvements of which are expected:

1. Even though there is provision of one chairperson and four members in the Commission, the positions of the members have remained vacant. They must be filled promptly.
2. The staff at the Commission are not permanent and this hampered the work and staff have been transferred without the consent of the Commission.
3. The budget allocated for the Commission by the Ministry of Finance is less than that specified by National Planning Commission, and this has hampered its work. We expect a budget of NRs. one hundred million for the year 2020/21.
4. The Madhesi Commission must be renamed as the National Madhesi Commission.
5. There must be provision of a senior Secretary at the Commission.
6. The Commission functions from a rented building and must be provided an office of its own.
7. There must be clear identification of Madhesi in regard to caste and creed.
8. There must be provision of Government living quarters for the Chairperson and members of the Commission.
9. There must be a private secretary for the Chairperson. Further, there is need for a legal advisor and computer operator.
10. The Commission has proposed NRs. two hundred million for undertaking studies on different topics but the budget has not been allocated by Ministry of Finance and the National Planning Commission.
11. The contact agency for for the Commission must be Office of the Prime Minister and the Council of Ministers. Currently, it is Ministry of Federal Affairs and General Administration.
12. Delays in the allocation of budget, has affected the Commission's work.
13. Recommendations of the Commission must be implemented fully. There is no mention of the implications if the recommendations are not implemented.
14. The Commission must be made powerful by amending the existing law.
15. The law must be amended to force the concerned departments and Govern-

ment to implement the recommendations made by the Commission.

16. There must be addition of staff, and the Commission must be strengthened.
17. The Government must be attentive towards establishing provincial offices of the Commission.
18. As per Section 8 of the Madhesi Commission Act, 2017, the Commission has been consulting with the vice president, speaker, chairperson of the National Assembly, Ex-president, Prime Ministers, Deputy Prime Ministers, chairpersons of the constitutional bodies and officials of the Ministries.
19. The Commission had received assurances that the problems it had identified would be resolved from the Secretary of Office of the Prime Minister and the Council of Ministers. But there has been no progress.
20. The Commission requires improved infrastructures and vehicles to be able to operate effectively.
21. The existence of the Commission can be meaningful only if the Government and the parliament focus on its activities.

Bindu Devi Sharma
Section Officer

Nepali Army

1. Nepal Army is committed to accept the universality of human rights and international humanitarian laws accepted by the state, its provisions in the Constitution and legal provisions.
2. Nepal army is conducting training, including on human rights and international laws, as per the provisions in Constitution of Nepal and Army Act 2063 (2006) to realize the aim of developing Nepal Army as a modern and professional army. Accordingly, the overall ranks of the Nepal Army have been trained on human rights and international humanitarian law, including the subject of human rights in all training syllabi.
3. With reference to implementation of the guidance of the Chief of Army Staff, to educate army staff about human rights and international laws, one three months class is conducted in all units. So far 45, 571 army personnel have been trained.
4. For the respect, protection, promotion and effective implementation of human rights, human rights departments have been set up in every divisional headquarter. There are regular inspection visits from the Human Rights Directorate at all the human rights departments of divisional headquarters to monitor awareness of the army staff of human rights and international laws.
5. To completely enforce human rights in the Nepal Army, handbooks and DVDs have been distributed by this directorate in all units of the army.
6. All army staff deployed for UN missions on the call of the UN for establishment of peace, are sent after training them on human rights and international humanitarian laws.
7. Finally, the Nepal Army wishes for the progress of INSEC and congratulates it on its work of publishing the "Nepal Human Rights Year Book, 2021".

Jiwan Prasad Dahal
Brigadier General, Director
Directorate of Human Rights

Nepal Police

We are happy to learn about the publication of the Human Rights Year Book 2021 by INSEC. Human rights has become the yardstick for assessing progress of all civilized societies. It is the first priority of the State to guarantee human rights of citizens.

Nepal Police is an agency that ensures the implementation of rights and laws of the land. Being at the frontline in maintaining security and peace in society for the promotion, protection and fulfillment of human rights, it has prioritized coordination and collaboration with government and non-government bodies.

Upholding the values and principles of human rights and to ensure that citizens enjoy their rights, Nepal Police set up its Human Rights Violation Investigation Unit in 2059 under the direct supervision of Inspector General of Police. Nepal Police has the aim of adopting a zero-tolerance policy on violations of human rights and to make the organization human rights friendly. It has also established human rights violation investigation units at the provincial level the district police plan of action has a contact person assigned for the purpose. The police force is engaged in protection of human rights of citizens by discouraging violations and through investigations, research, trainings, fines and rewards for its staff.

Nepal Police had implemented for following activities for the promotion and protection of human rights in the past fiscal year.

- Nepal Police provided security and protection to victims, the helpless, women, children and senior citizen during the COVID-19 lockdowns for controlling and preventing the spread of the virus.
- It has ordered implementation of decisions, complaints and recommendations through research and investigation received from the Office of Prime Minister and Council of Ministers, Home Ministry, National Human Rights Commission, and Commission of Investigation on Enforced Disappeared Persons.
- It has made provision for posting a complaints officer at its offices. Complaints can also be registered through email, telephone and the Nepal Police website.
- In this fiscal year Nepal Police took departmental action against 787 staff members after finding them guilty of human rights violations through its own investigation, and based on complaints, recommendations and information in media.
- It has protected citizens human rights through crime prevention by adopting evidence -based investigations.
- It has issues circulars to police offices for making services they render more human rights and victim friendly.

Training and capacity building

- The curricula for advanced trainings in the force have human rights as a compulsory subject. A total of 1,633 police staff were trained on human rights in this fiscal year taking the total number of personnel trained so far to 19,955.
- Nepal police has instituted rewards and appreciations for making its staff more sensitive about the values and beliefs of human rights. This fiscal year, it rewarded 1,675 staff members for exemplary work.
- Nepal Police has formed 25,490 committees and conducted 29,164 programs at the local level in collaboration of concerned stakeholders through the community-police collaboration program. These engagements reached out to 7,867,565 people. It has organized 8,617 programs against the Chhaupadi practice, 186 programs on accusations of witchcraft, 261 on dowry, 249 on untouchability and other traffic awareness programs.

Towards fulfillment of human rights

- Although the police is in the forefront of implementing the Nepal Government's lockdown order to curb the global spread of corona virus facing additional challenges, it has successfully carried out its responsibilities

by preventing possible unwanted activity and preventing and investigating crime, health workers, hospitals, quarantine management and other places.

- Decisions made by respected courts, constitutional bodies and other judicial/quasi-judicial bodies have been implemented.

Basanta Bahadur Kunwar
Central Police Spokesperson/
Information Officer
SSP

Armed Police Force

Armed Police Force (APF), Nepal has adopted the policy of no support for impunity and violation of human rights. If it receives any complaint on the violation of human rights by its staff, it promptly takes action and proceeds with departmental punishment. The APF has made protection of human rights and serving people part of its professional identity. It has taken the responsibility of enforcing law in society, and has been coordinating and collaborating with concerned stakeholders for salvation of victims of human trafficking and critical crimes occurring at the nation's border.

The APF has been working towards building an environment of the zero-tolerance policy of the Government with regard to human rights protections. As part of its efforts, the force had been conducting human rights and awareness trainings of staff, in accordance with its calendar through trainers from the Human Rights Cell, and different government and non-government organizations. APF is committed to control and reduce human rights violations in Nepal. For realizing these commitments, it established its Human Rights Cell on January 13, 2003 at its headquarters at Halchowk, Kathmandu. The staff of the APF are also sent to participate in advanced trainings on laws and provisions regarding human rights at national and international levels. This has aided in building a pool of in-house trainers. In 2020, the APF trained 5,535 staff on human rights.

Finally, we express our belief that this organization will continuously make significant contributions to protecting and promoting human rights, which is documented and published annually by the Informal Sector Service for Social Justice (INSEC).

Kamal Giri
Deputy Inspector General

Nepal Bar Association

It is a pleasure of Nepal Bar Association to get the information of the publication of Nepal Human Rights Year Book 2021 by your organization like in the previous years. We believe, the organization has publicized truths and facts of situation of human rights with the primary data collected through the field based monitoring conducted during 2020.

Nepal Bar Association's evaluation and observation of human rights situation during the year 2020 reveal that the situation of rule of law, access to the justice, individual freedoms, and human rights were not found satisfactory. The cases of prevalence of murders, critical criminal cases, voluntarily carried prosecutions, abduction, sexual abuse, increase in rape cases, confinement in rights to expression, arrests against the orders of court, contempt to the interim orders, forceful interventions and with the changed situations due to Covid-19, Nepal Bar Association realized that the state's performance and commitment towards human rights protection is inadequate and declined.

Advocate Lila Mani Poudel
Secretary General

Federation of Nepalese Journalists

Federation of Nepalese Journalists (FNJ) is an organization of journalists working to defend the Freedom of Expression and media freedoms. FNJ respects efforts of other organizations working for the protection and advocacy of human rights. INSEC has been doing commendable work in collecting data on human rights violations. I want congratulate INSEC on the publication of "Nepal Human Rights Year Book 2021" that brings together data on human rights violations in the past year.

FNJ has been continuously monitoring the press freedom situation in Nepal. It regularly follow up incidents of threats, attack, arrest of journalists. In 2020 too journalists faced various challenges and barriers in their professional practice. The federal and provincial governments enacted various media laws without consulting concerned stakeholders. These laws have shrunk the space for free expression and added more challenges on the professional security of the journalists.

There were three main media laws registered or under discussion in federal parliament. Nepal Government had drafted new law on the 'Nepal Media Council' in April, 2019. FNJ realized that the law would restrict freedom of the press and infringe into the freedom and autonomy of the Council and organized protests demanding amendments in the provisions. This led the Government to amend some provisions and the new version was sent to parliament. However, provisions in the bill are still restrictive and seek to keep the Council under government control, which is something that needs to be opposed and discouraged.

Similarly, the Development and Technology Committee of parliament has already prepared its report on a bill regarding information technology after discussions in the committee. However, the report has not been registered in parliament. This bill also has many provisions against freedom of expression and media, particularly in terms of controls on online media. Another bill taken to the National Assembly by the government concerns public service broadcasting. The bill also includes provisions that give government more control on public media.

S.No	Nature of Incidents	Number
1	Death/ killing	
2	Missing	
3	Arrest	5
4	Capture/Obstruction	4
5	Attack	9
6	Gender Violence	
7	Misbehavior/Threats	32
8	Displacement	
9	Professional Insecurity	2z
10	Ban through Policy	
Total		**52**

Source 1: Federation of Nepalese Journalists, Freedom of Press Follow up Unit, December 31, 2020

Provincial governments have also been enacting different laws on media and many bills are being readied for discussion in the provincial legislatures. All of the new local laws restrict media freedoms and also largely disregard Nepal's international commitments relating to such laws.

FNJ recorded 52 violations of freedom of the press between 1 January 2020 to 31 December 2020. There were 50 such violations in 2019.

In 2020, FNJ reported 32 cases of misbehavior and threats against journalists. Similarly, there were nine cases of attack on journalists, and five arrests of journalists. Additionally, there were four cases recorded were of disruption/obstruction and disturbances to media work and two cases related to professional insecurity.

Annex 5

Name of Contributors in Course of Preparation of Year Book 2021

CONTRIBUTORS TO CHAPTERS

Chapter 1:

Situation of Human Rights in 2020: Overall Assessment

Accountability Towards Commitment

Writer: Bijay Raj Gautam
Executive Director, INSEC

Review of the Social and Political Issues Raised in the Last 29 Years of Nepal Human Rights Year Book

Chapter 2:

State and Human Rights

2.1 Judiciary
Writer: Samjah Shrestha

2.2 Executive
Writer: Achut Acharya

2.3 Legislature
Writer: Madan Paudel

Chapter 3:

3.1 Status of Implementation of the Labor Act at Tea Gardens of Province 1
Writer: Kokila Dhakal/Naresh Khati

3.2 Witchcraft, an Evil Practice: Continuation of Violence against Women
Writer: Raju Paswan/Ajay Kumar Sah

3.3 Natural Disasters in Sindhupalchok and Their Effects on Economic and Social Rights
Writer: Ganesh Bhandari/Natibabu Dhital

3.4 Problems and Challenges of Sugarcane Farmers
Writer: Narayan Parajuli/Parwati Acharya

3.5 Child Marriage and Violations of Child Rights in Karnali Province
Writer: Meena Budhathoki

36 Socio-economic Situation of Citizens Returned from India Due to COVID-19
Writer: Krishna BK/Komal Niranjan Bhat

DISTRICT REPRESENTATIVES

Province 1

1.1	Taplejung	- Dev Raj Gurung
1.2	Sankhuwasabha	- Bhabin Karki
1.3	Solukhumbu	- Bhoj Raj Karki
1.4	Okhaldhunga	- Shiva Prasad Dhungana
1.5	Khotang	- Ramdhan Rai
1.6	Bhojpur	- Ganesh Bista
1.7	Dhankuta	- Ishwar Thapa
1.8	Tehrathum	- Bhagishwor Limbu
1.9	Panchthar	- Mangal Begha
1.10	Ilam	- Kokila Dhakal
1.11	Jhapa	- Naresh Khati
1.12	Morang	- Netra Prasad Adhikari
1.13	Sunsari	- Jay Krishna Yadav
1.14	Udaypur	- Bharat Khadka

Province 2

2.1	Saptari	- Manohar Kumar Pokharel
2.2	Siraha	- Durga Pariyar
2.3	Dhanusha	- Dipendra Prasad Singh
2.4	Mahottari	- Ajay Sah
2.5	Sarlahi	- Budhan Sah
2.6	Rautahat	- Kopila Timalsina
2.7	Bara	- Bholanath Paudel
2.8	Parsa	- Krishna Chandra Lamichhane

Bagmati Province

3.1	Dolakha	- Uddhav Pokhrel
3.2	Sindhupalchok	- Natibabu Dhital
3.3	Rasuwa	- Hemnath Khatiwada
3.4	Dhading	- Sitaram Adhikari
3.5	Nuwakot	- Nawadip Shrestha
3.6	Kathmandu	- Bimala Paudel
3.7	Bhaktapur	- Ramesh Giri
3.8	Lalitpur	- Dipak Prasad Ghimire
3.9	Kavrepalanchok	- Hira Man Tamang
3.10	Ramechhap	- Nava Raj Ghimire
3.11	Sindhuli	- Bimala Pandey
3.12	Makawanpur	- Pushpa Raj Adhikari
3.13	Chitwan	- Dipendra Adhikari

Gandaki Province

4.1	Gorkha	- Hari Ram Upreti
4.2	Manang	-
4.3	Mustang	-
4.4	Myagdi	- Amrit Kumar Paudel
4.5	Kaski	- Susan Ghimire
4.6	Lamjung	- Dal Bahadur Majkoti
4.7	Tanahun	- Prakash Chandra Bhattarai
4.8	Nawalparasi East	- Tirtha Raj Dumre
4.9	Syangja	- Til Kumari Thapa
4.10	Parvat	- Santosh Thapa
4.11	Baglung	- Sirjana Panta

Lumbini Province

5.1	Rukum East	- Jay Man Budha
5.2	Rolpa	- Harisara Gharti
5.3	Pyuthan	- Rabindra Pandey
5.4	Gulmi	- Toplal Aryal
5.5	Arghakhanchi	- Narayan Prasad Bhusal
5.6	Palpa	- Yagyamurti Timalsina
5.7	Nawalparasi West	- Narayan Parajuli
5.8	Rupandehi	- Reema BC
5.9	Kapilbastu	- Parbati Achharya
5.10	Dang	- Jay Narayan Pun
5.11	Banke	- Smriti Devkota
5.12	Bardiya	- Man Bahadur Chaudhary

Karnali Province

6.1	Dolpa	- Bishnu Prasad Devkota
6.2	Mugu	- Jivan Sejuwal
6.3	Humla	- Nanda Singh
6.4	Jumla	- Man Datta Rawal
6.5	Kalikot	- Kali Bahadur Malla
6.6	Dailekh	- Amar Sunar
6.7	Jajarkot	- Dinesh Kumar Shrestha
6.8	Rukum West	- Manisha KC
6.9	Salyan	- Meena Budhathoki
6.10	Surkhet	- Durga Thapa

Sudurpashchim Province

7.1	Bajura	- Padam Bahadur Singh
7.2	Bajhang	- Ramesh KC
7.3	Darchula	- Narendra Singh Karki
7.4	Baitadi	- Nari Datta Badu
7.5	Dadeldhura	- Bhupendra Bista
7.6	Doti	- Bashudev Joshi
77	Achham	- Shiva Raj Dhungana
7.8	Kailali	- Mainamoti Chaudhary
7.9	Kanchanpur	- Komal Niranjan Bhat

Provincial Office

Province 1: Somraj Thapa, Punya Prasad Adhikari
Province 2: Raju Pasawan, Sarbesh Raj Sharma
Bagmati Province: Krishna Gautam, Ganesh Bhandari
Gandaki Province: Shiva Khakurel, Nupur Gupta
Lumbini Province: Bhola Mahat, Binod Pande
Karnali Province: Narayan Subedi, Tika Bista
Sudurpashchim Province: Khadak Raj Joshi, Krishna Bahadur BK

Photos: INSEC

BEST DISTRICT REPRESENTATIVES

As per the decision to award "Best District Representative" of the year from each province, following district representatives have been selected. The "Best District Representative" will be falicitated with letter of appreciation along with Rs. 7,000 as cash prize.

Best Representatives

Dev Raj Gurung, Taplejung, **Province 1**

Durga Pariyar, Siraha, P**rovince 2**

Dipendra Adhikari, Chitwan, **Bagmati Province**

Sushan Ghimire, Kaski, **Gandaki Province**

Yagya Murti Timalsina, Palpa, **Lumbini Province**

Dinesh Kumar Shrestha, Jajakot, **Karnali Province**

Maina Moti Chaudhary, Kailali, **Far-West Province**

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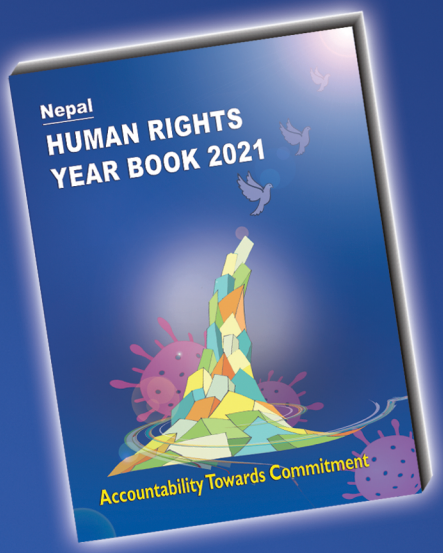

The social and political changes in Nepal have transformed the fundamental structure of the state. In democracy, Social justice can be ensured through the human rights friendly rule of law and accountability of the state. The issues of Nepal's peace process and political transformation profounded on the basis of 12-Points Agreement and Comprehensive Peace Accord seems to be ignored.

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