

SITUATION OF HUMAN RIGHTS THIS FORTNIGHT



In this fast-paced world, people seldom have time to read the news every day. Fortnight Human rights update is a new INSECOnline series aimed at disseminating a brief overview of National and International Human rights situation once in every two weeks. The series will be covering severe cases of Human rights violations Nationally and Internationally.

Human rights violations noted this fortnight have been enlisted below:

NATIONAL UPDATES

1. TORTURE INFLICTED UPON A SIX-YEAR-OLD BOY IN THE HOSTEL

A six-year-old boy staying in the hostel of New Life School in Pokhara Metropolitan City-15, has been tortured by a hostel warden, Januka Nepali, 27. The accused had tied rubber on the genital of the child so that he would not urinate in the bed. According to DSP Deepak KC, the operator of the hostel had filed a complaint against the accused on December 21. Accused has been arrested by Police on the charge of physically torturing the boy. The victim was treated at the Paschimanchal Regional Hospital.

2. CASES OF SEXUAL ABUSE GO UNREPORTED

According to the Police authority, the cases of sexual abuse in Banke often go unreported. Complaints are seemingly weak and the accused are usually let free following withdrawal of the complaints by the victims on their own will or pressure from the family. Dilsara Rana, Chief at the woman cell of the District Police in Banke stated that around 90% of the cases of sexual violence against women end in agreement between the parties.

Bashanta Gautam, a Human rights advocate informed that there is no law to settle the cases of sexual abuses once they are registered in the police, however, in most of the cases, victims are forced to settle the case before the legal procedure begins.

3. WOMEN AND GIRLS HAVE STARTED RETURNING TO CHHAU SHEDS

Following the death of Parbati Budha Rawat, 20, in the Chhau shed two years ago, the Ministry of Home Affairs had instructed 19 districts of Sudurpaschim and Karnali Provinces to put this evil practice to an end. District Administration Office in each districts were asked to demolish the Chhaupadi Sheds, raise awareness among the people and take legal action against those who act contrary to the directives. Following the instruction, District Police Office in Achham did launch a drive to demolish Chhau Sheds in all 91 wards of 10 local units and destroyed more than 10,000 Chhau Sheds. However, according the women of Achham, the campaign is losing its grip lately and is not being implemented effectively.

Puja Shah from Bannigadhi Jayagadh Rural Municipality-6 stated that the anti-chhaupadi campaign launched by the authorities is losing its stem and women and girls, not just from the rural area but also from the district headquarters (Mangalsen) have started returning back to the chhau sheds during their menstruation.

4. LAWS OF NEPAL ARE HIGHLY DISCRIMINATORY TOWARDS THE PEOPLE WITH DISABILITIES

According to the Senior Advocate Dr. Chandrakanta Gyawali, out of existing 345 Acts and 288 Regulations, 69 Acts and 12 Regulations of Nepal are discriminatory towards the people with psycho-social disabilities. This has led to the violation of civil, economic and political rights of people with disabilities along with the use of derogatory words and phrases.

According to the Executive Director of KOSHISH, Matrika Prasad Devkota, society's attitude towards the people with psycho-social disabilities has increased the rate of suicide in such people. KOSHISH has filed a case at the Supreme Court recently seeking annulment of the discriminatory provisions and use of derogatory terms against the people with disabilities and has also asked for the assurance of voting rights to them.

5. LOWER HOUSE HAS ENDORSED TWO ORDINANCES

The House of Representative has endorsed two ordinances, 'Ordinance to Amend Some Acts related to Sexual Violence and Ordinance to regulate acid and other hazardous chemicals' on December 22, 2021. The proposal of those ordinances were submitted by the government for approval in the Parliament during the meeting of the Lower House.

Inter alia, amendment related to sexual violence has mandated half punishment of the perpetrator upon initiating false rape allegations and has prescribed that if the victim appears in the court on the day of the registration of the case of rape, s/he or they shall be testified on the same day.

The 'Ordinance to Amend Some Acts Against Sexual Violence-2078' and the 'Ordinance to Amend Some Acts Related to Criminal Offenses and Criminal Procedure-2078' were both passed with a majority of votes at the meeting.

Similarly, Amendment relating to acid and other hazardous chemical includes increment in the punishment to the offenders of acid attack among others.

6. SITUATION OF JUVENILE JUSTICE WORSENS

According to the research report presented by Ajay Shankar Jha, Executive Director of PDS Nepal, out of 917 juvenile delinquents in eight correction homes across Nepal, 322 belonged to indigenous Nationalities, 183 were Dalits, 169 were Madhesi, 181 were Chhetris and 41 were Bhahmins.

As per Jha, almost all the correction homes are overcrowded. Biratnagar Correction Home housed 190 juvenile delinquents contrary to the capacity of 50. Rupandehi housed 150 juveniles contrary to the capacity of 60. He further clarified that the Police often keeps juveniles with the adult accused and bring them to the surveillance centre claiming that they are being kept there when the right activists visit them.

7. **INSEC AND NHRC SUBMITTED HRDs' PROTECTION DRAFT BILL TO THE CHAIRPERSON OF LAW, JUSTICE AND HUMAN RIGHTS COMMITTEE**
INSEC along with NHRC submitted the Human Rights Defenders' Protection Draft Bill 2078 to Honourable Krishna Bhakta Pokhrel, the Chairperson of Law, Justice and Human Rights Committee. Pokhrel has expressed his interest in the issue and have stated that he will be tabling the bill in the parliament after a review.
In past two years, INSEC has documented 280 cases of Human rights violations faced by the Human Rights Defenders hence, Human Rights Defenders' protection act has become crucial for enabling safe working environment to them.
According the Acting Secretary of NHRC, Mr. Murari Prasad Kharel, NHRC is collecting the information about the Human Rights abuses faced by the HRDs from all the provinces at present.

Sources: INSECOOnline, The Himalayan Times, Kathmandu Post & eKantipur

INTERNATIONAL UPDATES

1. **UN CALLS TO RESOLVE ROHINGYA CRISIS**

Tom Andrews, UN special rapporteur on Myanmar has urged the International community to build a better partnership with Bangladesh and cut off the Myanmar military leadership in dealing with the Rohingya refugee crisis. He further stated that Bangladesh shouldn't bear this responsibility alone.

More than 7000,000 Rohingyas fled persecution and violence in neighboring Myanmar in August 2017 and Bangladesh has been sheltering over a million refugees in crowded camp since then. Official of Bangladesh expressed that the crowded Nation of more than 160 million people is over-burdened because of this refugee crisis.

2. **US SANCTIONS CHINA OVER UIGHUR'S ABUSE**

The Biden administration has imposed a trade sanction on several Chinese companies and institutions over China's oppression of its Muslim Uighur minorities. According to the US Commerce Department, they have been blackmailing number of Chinese technology companies accusing the government for inflicting high-tech surveillance against the Uighurs.

UN experts along with Human rights groups have estimated that more than one million people, mainly Uighurs and members of other Muslim minorities have been imprisoned in a camps in Xinjiang and are kept under strict surveillance. China however denies these accusations.

3. **INFLECTION OF ABUSE AGAINST TIGRAYANS IN ETHIOPIA**

According to Amnesty International and Human Rights Watch, Armed forces from Ethiopia's Amhara region have stepped up killings, mass detentions and expulsions of ethnic Tigrayans in neighbouring western Tigray.

Conflict between Amhara and Tigray arose due to the claim in fertile fields of western Tigray, which is now under the control of Amhara forces and Ethiopian military. According to the UN Office for Humanitarian Affairs, 1.2 million people have been forced to move out of western Tigray since the conflict began.

As per the survey conducted among 31 people in western Tigray by Amnesty International and HRW, Tigrayan civilians attempting to escape the new wave of violence have been attacked and killed. Detainees are reportedly facing life-threatening conditions like torture, starvation, and denial of medical care.

4. **UN CALLS FOR INVESTIGATION ON HORRIFYING MYANMAR MASSACRE**

According to UN Under Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths, a credible report has revealed that at least 35 civilians including one child have been killed and their bodies have been burned in eastern Myanmar. The incident reportedly took place on December 24 in the eastern Kayah state.

Two workers of a non-profit group, Save the Children remained missing after their vehicle was reportedly attacked and burned in the Kayah state. Griffiths has urged the authorities to immediately commence a thorough and transparent investigation on this incident and provide justice to the victims swiftly.

5. **MOVEMENT OF WOMEN RESTRICTED IN AFGHANISTAN**

Taliban authorities have imposed restriction upon women's movement. According to them, women seeking to travel long distance (more than 72 km) should not be allowed on road transport unless they are accompanied by a close male relative. According to Sadeq Akif Muhajir, spokesperson of Ministry for the Promotion of Virtue and Prevention of Vice, women travelling are also required to put on hijab mandatorily.

6. **WOMEN IN AFGHANISTAN GATHERS TO PROTEST AGAINST TALIBAN**

More than 30 women in Afghanistan gathered near a mosque in the centre of Kabul and marched a few hundred meters chanting 'Justice, justice' who were later stopped by the Taliban forces. They also accuses Taliban authorities of covertly killing soldiers who served the formed US backed government. The protest reportedly came weeks after a report released by United Nations, Amnesty International and Human Rights Watch which revealed that more than 100 extrajudicial killings has been occurred in Afghanistan since Taliban's takeover.

Taliban further tried preventing journalists from covering the march organized against the mysterious murder of country's former soldiers. They also detained a group reporters and confiscated equipment from some photographers, deleting images from their cameras before returning them.

7. **BODIES OF AROUND 27 REFUGEES FOUND IN LIBYA**

According to the country's Red Crescent, the bodies of at least 27 Europe-bound refugees, including a baby and two women have been found in two separate location in the coastal town of Khoms.

As per a security official, the bodies are in the advanced state of decomposition which indicated that the shipwreck happened several days ago. Official further stated that the death toll could rise.

International Organization for Migration (IOM) have stated that around 1,500 refugees have drowned in numerous boat mishaps and shipwrecks in the Central Mediterranean route this year.

Sources: Aljazeera, BBC and CNN

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