

A Propitious Year

We are delighted to present the 26th issue of the Human Rights Year Book. Our purpose of documenting the situation of human rights in the country is to inspire both citizens and the state to make informed efforts towards safeguarding people's dignity and freedoms. The year 2017 was marked by uncertainty resulting from a number of reasons. We largely failed to build an atmosphere to inspire the civil society as a whole to make collective efforts for progress by involving people in nation building, facilitated by national policies and programs to assist their implementation.

Elections are the foundation of a democracy. They represent the periodic expression of the inherent desires of the people. Nepal is a nation of many minority communities that have lived peacefully; also all of these communities have their own pains and sufferings. Despite this, we have however made some progress in some areas related to human development and our commitment to achieving the Sustainable Development Goals is also commendable. Throughout 2017 the people were concerned and uncertain about the kind of governance structure that the elections would return. Nevertheless, despite the uncertainties, 2018 has begun with a ray of hope to assuage the doubts people had earlier.

The Constitution of Nepal is sound from the perspective of social justice and inclusiveness, but its misinterpretation and poor understanding of inclusion has resulted in diversion of all attention towards ethnic representation. The inability of the civil administration to comply with the provisions of the Constitution caused many citizens to knock the doors of the courts even to acquire citizenship certificates as provided in the statute. Because civil society has continued to give voice to the problems faced by the people they have become targets of politicians. Further, the government administrators and rulers were infuriated with civil society, particularly human rights workers, who have continued to prepare and submit parallel reports reflecting the realities at different United Nations platforms. The Government agencies have not been able to develop capacity to regulate and facilitate change and have instead resorted to accusations against civil society as an attempt to mask their weakness and shortcomings.

Transitional institutions set up by the State have largely failed in their duties. The Commissions entrusted with the responsibility of establishing truth and recommending reparations with circumstantial evidence spent years without results and have instead blamed lack of legislation, rules and resources for their non-performance. As result, the survivors could not fully trust the transitional justice institutions as their well-wishers. This non-performance assists the perpetrators to be successful in manipulating public opinion by accusing the human rights workers of conspiring to send everyone to jail.

We are yet to arrive at a stage where political parties would compete for achieving the social, cultural and economic goals of the country, as envisaged in the Constitution.

We have also not reached the stage where plans are prepared to amend the constitution based on the experience gained during implementation to remove the legal complexities and facilitate the formulation of programmatic plans for the betterment of the people. But the universal truth is that we have no choice but to reach to that stage.

The Year Book for 2018 makes an assessment of the human rights situation on the basis of the experience of 2017 and previous years. It has attempted to make the themes covered relevant to the context. The Year Book has adapted a new structure for reporting by including all 77 districts, including two new districts that were created, as well as the seven provinces now in the country. The INSEC has also made an effort to adapt to the new context where local governments as envisaged by the constitution have become real, which is also validated by the Year Book.

As in previous years, our colleagues are stationed at all districts to collect data in a reliable manner. This documentation has been possible only because of the strong commitment of the individual members of the INSEC family to ensure that no one is subjected to injustice and that all citizens are aware of not only of their rights but are also accountable towards others rights as well.

Though called a Year Book, the compilation is not simply a book but documentation of the pains, possibilities and conscious endeavors of all involved. It has been possible to give continuity to the publication because there has been overwhelming support of the ordinary citizens, human rights workers, local administration officials and the media sector, among others. This initiative has also been receiving continuous support of the Norwegian government since inception and hence I would like to express my heartfelt gratitude to the Norwegian Embassy, and all others who have collaborated with us in the effort for all the 26 years. Special thanks also goes to the members of the INSEC family who have worked day in and day out to make the publication possible, and to the INSEC Executive Committee and Secretariat that have supported me to ensure the Year Book is published every year on Democracy Day, which falls on Falgun 7 of the lunar calendar.

Thank You

Subodh Raj Pyakurel
Chairperson