

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 NHRYP.

Dr. Indira Shrestha
Chairperson
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