

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. DALITS HESITANT TO REVEAL THEIR SURNAME DURING CENSUS

Laxman Lal (name changed), who is residing in a rented room in Baneshwor was hesitant to reveal his family name to the census team due to the fear of being asked to vacate the room if their landlords find out the real surname. According to him, many other Dalits in Kathmandu living in rented homes fear the same.

He further added that, 'they usually don't disclose their surnames or use some other 'so called upper-caste's surnames' instead of their own.

Sundar Purkuti, a member of the National Dalit Commission stated that 'because of the compulsion faced by Dalits in urban area, it might be difficult to get the exact details. We had hence requested Central Bureau of Statistics to collect the details confidentially but no efforts were made for the same.'

2. SUSPECTED DEATH OF 18 PRISONERS IN MORANG DISTRICT JAIL

In the course of 16 months, 18 prisoners in morang district jail have reportedly lost their lives. No postmortem has been conducted for any of the suspected deaths.

63 year old Gopal Sharma, one of 18 deceases, died in Morang jail on 4 December 2021. Following his death, a complaint was filed noting that his death was due to the negligence of the jail administration. However, the complaint was neither investigated nor registered.

Subba Ram Prasad Pokhrel, deputy of Morang district jail stated that the relatives of deceased would themselves refrain from conducting a postmortem since it would lengthen the process. He further added that there is no legal requirement for postmortem of those who dies in the jails.

Jailor Mahendra Singh Khadka notified that there are 17 big and small rooms in the jail which accommodates 885 prisoners altogether. He also added that there are 15 to 16 toilets and 14 masses for these prisoners and the situation inside the jail is so bizarre that it is not easy to eat, sit or defecate.

3. NO NEED TO PROBE MUSHAR'S CUSTODIAL DEATH, SAYS DHANUSHA'S ATTORNEY OFFICE

Shambhu Sada Mushar, 23, of Sabaila Municipality, Dhanusha died in custody on June 10, 2020. He was detained since May 26 after he surrendered himself before the police hitting two persons with a tractor. This further resulted in death of one.

Despite the concerns from UN along with domestic Human rights organizations, the government has refused to investigate on this matter.

4. THREE SIBLINGS IN BAJURA STRUGGLING FOR FOOD AFTER PARENTS' DEMISE

Three siblings, Dolma Thapa (16), Dorje Thapa (13) and Samjhana Thapa (10) in Bajura districts are struggling financially after the demise of their parents. Their mother passed away two years ago and their father had passed away nine years ago due to lack of financial resources for treatment.

The three siblings are currently living in a shed adjacent to the Karnali River on the Karnali Corridor, which according to distant relative Chhiring Thewa Thapa, is old and leaks water during rainy day. They however pay Rs.600 per month to stay there. Chhiring further added that sometimes they buy them food and on other days they beg for it.

5. RIGHT TO HEALTH OF CHILDREN IN MAKAWANPUR: COMPROMISED

Almost all health institutions in Makawanpur have been reported receiving 'Balvita', a micro-nutrient powder distributed by the federal government, of substandard quality.

According to Bishnu Maya Shrestha, a health worker at the Mohan Bajracharya Memorial Urban Health Institution, 'even though the expiry date on the package of micro-nutrient reads 2022, the powder had turned to dough, tastes sour and is not suitable for consumption.'

Ramila Neupane of Hetauda was sent back to home when she went to get micro-nutrient powder for her seven-month-old daughter, citing that the current batch of the micro-nutrient power is of substandard quality. A health worker of Mohan Bajracharya Memorial Urban Health Institution informed Neupane that the Balvita available at the health institution was substandard and could harm to health of the child.

6. UN SPECIAL RAPPORTEUR URGE NEPAL TO DELIVER ON SOCIAL JUSTICE SWIFTLY

Oliver De Schutter, UN Special Rapporteur on extreme poverty and human rights has urged the government to deliver the commitments on social justice in Nepal promptly.

Highlighting the progressive changes, De Schutter stated that even though Nepal has succeeded in reducing multidimensional poverty by 12.7 percent between 2014 to 2019, significant gap still persists.

He reported lagging behind of women in number of indicators as a major factor behind the perpetuated poverty.

Expert further added that the remittance in Nepal was 10 times larger than foreign aid and 2.5 times larger than total exports back in year 2017. Hence, government need to do much more to meet its own target of reducing multidimensional poverty to 11.5% by 2023-2024.

7. **MANY WORKERS FROM SUDURPASCHIM PROVINCE HAVE GONE MISSING IN INDIA**

165 people from four local levels in Sudurpaschim have gone missing in India. According to Khadak Raj Joshi, Sudurpaschim Province Coordinator of INSEC, 'The trend of migrant workers from Nepal missing in India has increased and most of them are working without any security in India.'

Workers who have returned from India have revealed that the Indian labour market has become unsafe for Nepali workers. According to Ghanshyam Pathak, Civil society and Nepali Congress leader, Due to lack of employment opportunity in Nepal, a large number of workers move to India seeking work because of high debt back home. However, because of the harsh working condition in India, they cannot save their earnings and hence go missing or do not come into contact of their families.

Ganesh Joshi, Doti district representative of INSEC revealed that the government doesn't even have data regarding the number of people who are working in India.

8. **28 CASES OF VIOLENCE AGAINST WOMEN IN 16 DAYS**

INSEC noted 28 cases of violence against women and girl child during the 16 days campaign against gender based violence. Out of 28 victims, 18 are found to be girls (children) and 10 are noted to be women.

Sources: INSECOOnline, The Himalayan Times, The Kathmandu Post

INTERNATIONAL UPDATES

1. **ROHINGYA SUED FACEBOOK FOR FUELING HATE SPEECH**

Rohingya refugee have initiated a legal proceeding against Facebook claiming over \$150bn compensation for failing to stem hate speech on its social media platform. The court document states that the unprecedented growth of Facebook is fueled with hate, division and misinformation which has left hundreds and thousands of devastated Rohingya lives in its wake.

United Nations human rights investigator in 2018 bemoaned that the use of Facebook has played a crucial role in spreading hate speech that fueled the violence. A Reuters investigation same year noted more than 1,000 examples of posts, comments and images attacking Rohingya and other Muslims on Facebook.

Facebook however has not responded to the complaint yet.

2. **DEATH PENALTY TO 20 UNIVERSITY STUDENTS IN BANGLADESH**

Court in Bangladesh has sentenced 20 university students to death and five to life time imprisonment for killing Abrar Fahad, a 21 year old student from University of Engineering and Technology (BUET) who criticized Sheikh Hasina led government on social media for making a water-sharing agreement with India.

Fahad was beaten to death on October 7, 2019 by BUET students who were members of Chhatra League, the student wing of the ruling Awami League party. Court document revealed that Fahad was clobbered with a cricket bat and skipping ropes for hours.

3. **INDEPENDENT TRIBUNAL STATES THAT CHINA HAS COMMITTED GENOCIDE AGAINST UYGHURS**

An unofficial UK-based Uyghur tribunal has found that China has committed genocide against the Uyghur people in Xinjiang. According to the tribunal, birth control and sterilization measures are allegedly carried out by the state against Uyghurs.

Sir Geoffrey Nice, a notable British barrister and a chair of the tribunal stated that the panel was satisfied on the count that China had carried out a deliberate, systematic and concreted policy to bring about long-term reduction of Uyghur and other ethnic minority populations.

The Chinese government however denies all the accusations. According to BBC, a spoke-person told them that the body was a 'pseudo tribunal' and a 'political tool used by a few anti-china elements to deceive and mislead the public.'

4. **MORE THAN HALF A BILLION PEOPLE PUSHED INTO EXTREME POVERTY LAST YEAR**

According to World Health Organization and the World Bank, more than half a billion people globally were pushed into extreme poverty last year since they had to pay for their health costs out of their own pocket during the pandemic.

Joint statement released by WHO and the World Bank stated that, the pandemic has triggered the worst economic crisis since the 1930s making it even more difficult for people to pay for healthcare.

Tedros Adhanom Ghebreyesus, Director-General of WHO urged all the governments to immediately resume and accelerate efforts and ensure access to health services to their citizens without fear of the financial consequences.

5. **UN URGES SOUTH ASIAN NATIONS TO FULLY OPEN THE SCHOOLS**

According to UNICEF's report, education of more than 400 million children is affected by COVID-19 Pandemic in South Asia. Top UN officials have warned that the consequences could last for decades.

According to the UN children's agency, schools in South Asian countries were shut for an average of 31.5 weeks between March 2020 and August 2021. Regional director of UNICEF, George Laryea-Adjei, have stated that the closures were mostly in the region with no resources for remote learning. The situation has put girls at a high risk of early marriage.

UNICEF has urged government in South Asia to safely resume the schools and ensure their right to education.

6. **CHILEAN GOVERNMENT HAS LEGALIZED SAME SEX MARRIAGE**

Sebastian Pinera, President of Chile has signed a historic bill legalizing same sex marriage. Inter alia, the law has progressively recognized parental ties, full spousal benefits and adoption rights for married same-sex couples.

President, in a ceremony at La Moneda government palace stated that the law puts all love relationships between two people on an equal footing.

Sources: Aljazeera, BBC, CNN

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