

## **Suspicion of Political Instability**

It is an immense pleasure to share the 30<sup>th</sup> edition of Nepal Human Rights Year Book (NHRYB) with the verified documentation of human rights situation including the major contextual changes and incidents in the country. The Human Rights Yearbook has served as a trusted source of information for state agencies as well as providing insight into Nepal's human rights situation for the international community. INSEC's intents to publish its human rights documentation periodically in order to raise awareness on the need of conscious action at the citizen and state level for the protection of dignity and liberty of the people.

We have been able to publish the Nepal Human Rights Year Book during difficult and complex conditions like the ten-year long armed conflict, state of emergencies, and the pandemic of COVID-19. During the drafting of this Nepal Human Rights Year Book, several INSEC district representatives and staff members were infected by COVID-19. Despite such adversity, INSEC has been successful to bring this edition into publication.

There was a belief that the country entered towards the political stability after the completion of three tier of election. However, during this time, the House of Representatives dissolved twice. Although the parliament, reinstated by the Supreme Court, formed a coalition government – it was unable to function smoothly. The six provincial governments were replaced and the Province Governors were changed time and again. This further contributed towards exacerbating preexisting political instability. Imbalanced exercise of the principle of separation of power was witnessed when the three organs of the State, Judiciary, Executive, and Legislature encroached each-others' jurisdictions. The recent contextual changes have indicated the suspicion on political instability.

This year as well, the country couldn't remain untouched by the impacts of COVID-19. Twice the number of people lost their lives in the second wave of COVID-19, due to the highly fatal mutated Delta Variant, declared by World Health organization. Although the World Health Organization (WHO) and the Ministry of Health had already forecasted the spread of COVID-19 infection from April in Nepal, the federal, province, and local governments did not ensure the appropriate responding strategies for the prevention, control, and treatment of COVID-19. In the second wave of COVID-19, the general public had to lose their lives due to lack of hospital beds, oxygen supplies, and untimely hospitalization. Six people died in Gandaki Provincial Hospital during this period due to the lack of oxygen supply.

There were also reported cases of several COVID-19 patients being forced to seek treatment outside hospital buildings due to beds and space constraints. There was public criticisms against the responsible authorities for misallocating or misusing funds allocated by the federal government for the COVID-19 crisis response. The government was further criticized for their inept monitoring and response towards incidents of financial wrongdoing by private medical institutions.

The lack of effective technology and internet infrastructure meant several students were deprived from the opportunity to attend online classes initiated by their schools. The pandemic increased the rate of unemployment and forced people to leave their profession

due to the lack of effective programs from the government to protect the communities at risks.

No effective investigation was ensured in the increasing rate of deaths and suicides in custody. In most of the cases, deaths were declared as a suicide. It is not a pleasant message for the protection of human rights to receive the information about the suicides of inmates in custody who were under the surveillance of police for 24-hours. The misery of the fact is that no accountability is ensured in such cases. Negligence further promoted the cases of death in jail and detentions. Despite many commitments regarding jail reforms, no initiative has been taken to address the issues such as overcrowding, abuse, and exploitation of inmates by the authorities.

There were various forms of discrimination and violence found against women, children, and marginalized communities. Although those involved in such cases were brought in the ambit of law, the trend of violation of such rights were noted to be increasing in documentation of Nepal Human Rights Year Book. Poverty, illiteracy, and lack of public awareness were found to be the responsible factors behind this trend.

Transitional justice mechanisms were unable to fulfil their anticipated roles. Additionally, the mechanisms could not succeed in meeting the compliance for the establishment of truth for justice and making recommendations for the reparation based on available circumstantial evidences.

The number of cases adjudicated and decisions rendered by the judiciary was affected last year due to the surge of COVID-19. In some districts, the final verdict was not rendered even in the cases against women and children. Such incidents further amplified the realization of the notable principle of the justice system - 'Justice delayed is Justice denied'.

Nepal Human Rights Yearbook 2022 presents the situation of human rights in Nepal based on the documentation of 2021 and experience of the previous years. We have consciously incorporated the issues of relevance in the yearbook. As with previous years, INSEC district representatives have documented information from primary sources. The continuity of this publication has been possible due to close cooperation of the people, human rights activists, local administration, and the media. We are thankful for the 30 years of continuous support from the Royal Norwegian Embassy and other donors for their partnership in the documentation of the issues of human rights.

It is also essential to express sincere appreciation towards all members of the INSEC family and Secretariat, who work continuously and vigorously for the publication of the Nepal Human Rights Year Book that is launched on the 19th of February - the National Democracy Day every year.

**Dr. Indira Shrestha**  
Chairperson  
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