

Human Rights Situation

January – February - March

2011

HimRights Lifeline at a Glance

Himalayan Human Rights Monitors (HimRights) established its LifeLine to protect human values and norms against grave human rights violations. LifeLine was established as a campaign to address systematic and gross patterns of human rights violations. It also addresses the highly deplorable state of dehumanization in the armed conflict between Maoist and government of Nepal, a conflict that demanded an alarming response from the human rights defenders.

HimRights LifeLine serves as a platform to report, monitor, and respond to human rights violations caused by internal conflict. LifeLine also advocates within the national and international forum on human rights violations related to armed conflict and plays the role of the mediator for rescue, release, fact-finding, and advocacy.

Highlights

1. On January 6th, 2011, Anita Devi Shah of Rautahat, Inarwari VDC, ward no. 7 was killed by her husband and family members as she didn't bring enough dowries.
2. On February 8th, 2011, an assistant police inspector, originally from Bara, Bhagwanpur appointed in Parsa District Police office, was killed by Akhil Terai Mukti Morcha.
3. On February 9th, 2011, the cadres who were disqualified from the verification of the UCPN (Maoist) and who were also officially discharged from the PLA camp vandalized the UN office in Dhangadi. The UN had provided various types of skill development training to the officially discharged comrades so that they could earn their living. The former cadres were demanding food and shelter when it was not fulfilled they demolished the UN office. They broke windows and also destroyed a vehicle.
4. On February 22, 2011, Madhav Thapa working in Tax Revenue Office in Kalaiya district was shot dead by the Terai Mukti Morcha .
5. On February 28, 2011, 24 year old Balika Aryal Regmi of Syangja, Putalibazar municipality, 13 Mayatari committed suicide since she couldn't tolerate the continuous torture from her family members for dowry.
6. On February 21, 2011, a resident of Saptari, Rajbiraj Municipality 5, Raj Kumar Sah's 7 year old son was free from the kidnappers after 28 days on 21st March 2011, Monday.
7. On March 23rd, 2011, Ram Rai of Sankhuwasabha, Yafu VDC 7, Choyang, raped and killed his own 13 year old daughter Menuka.
8. On March 25th, 2011, there was a socket explosion in bus no. Ba. 2. Kha 5721 in Rautahat which was on its way from Gaur to Chandra Nigahpur where 13 passengers were injured. On the same day there was a socket bomb explosion in the Rautahat Women's Development Office.
9. On March 26th, 2011, there was a socket explosion in bus no. Na.4.Kha1332 which was on its way from Nepalgunj Banke to Kohalpur where 6 were injured.

10. On March 26th, 2011, there were bomb explosions in 7 places of Nepalgunj and one staff of the Star Lodge was injured.
11. On March 27th, 2011 there was an explosion in a micro bus no. Lu.1.Kha.3666 which was on its way from Butwal to Bhairahwa where 22 were injured and one who was severely injured died.
12. On March 27th, 2011 there was an explosion in a parked bus with passengers in Kavre district Bangthali 2 in Laure Deurali where 1 was injured.

Situation

The human rights situation from January to March 2011 was quite grave. The Nepalese government and the nation's state mechanism have still failed to ensure the security and peaceful environment. In March, the bomb explosions in Rautahat, Banke, Bhairahwa and Kavre have violated the right to live and the right to movement without fear. In these 3 months there have been about 75 violations on child rights. There were continuous cases of child rape, abduction. There was also a case where an outsider tried to shoot a prisoner in the jail itself which transpires the weakness of the state security mechanism. The Nepalese people have to live with fear, dread and terror due to uncontrollable cases of murder, abduction, threat, rape and strikes. The victims of grave human rights violation like sexual violence, rape and murder haven't been able to get justice which shows the failure of the state mechanism to bring law and order. In most of the districts of Terai the unidentified groups demand donations from local entrepreneur, teachers and other local people and when they refuse they are threatened and abducted. Similarly in the name of dispute on appointment of teachers and management committee schools are usually closed. The teachers have to face danger of murder and violence. Even after two months of the approval of the new government, due to the disputes between the main streams political parties it has not been able to form a complete government system thus the governmental administration have not been able to provide social service effectively. Not being able to come to any conclusion regarding the PLA management and the making of the new constitution of Nepal, the country has been facing weak security and violent atmosphere.

Violation reported

HimRights lifeline and the contact person of the working districts of the organization, HimRights has recorded various violations of Child Rights, Women Rights as well as Human Rights. Similarly, the child rights violation situation reports received from the working districts of Partnerships for Protecting Children in Armed Conflict. Likewise the information published in the daily national news papers is also the sources of the situation report.

In January, February and March there have been 327 violations of Human Rights. In which 115 in January, 79 in February and 133 in March were the number of Human Rights violations. Similarly 37 in January, 24 in February and 14 in March were the number of Child Rights violations. This data has been compiled on the basis of incidents that occurred in about 56 districts. Among the recorded 326 incidents, 95 incidents occurred in the eastern, central and western Terai. There were incidents of murder, violence, abduction, bomb explosions and sexual violence in Terai. In March there were almost daily bomb explosions in Terai which made Terai very violent.

HimRights District Office:

Banke- 081-526555; Bara-053-550077; Makwanpur-057-524577; Parsa- 9845031802; Rautahat-9845038197; Sarlahi-9744024090; Saptari-9842828973.

When we analyzed the incidents of three months, the UCPN (Maoist), YCL and their sister organizations have continuously demanded donation in the name of the party's decision for the movement. Similarly, the Akhil Terai Mukti Morcha, Akhil Krantikari, Terai Janatantrik Madhes, Akhil Janatantrik Terai Mukti Morcha, Terai Janawadi Workers Party and new criminal groups have been responsible for incidents like murder, abduction and threat. There has also been increase in violence against women like domestic violence, rape, abduction and other inhuman behavior. Mainly in these three months the criminal activities like murder and violence has also increased due to individual problems.

While comparing the previous three months, in Terai as well as in various other districts there were daily bomb explosions in public transportations, public organizations, and hotels as well as other local places were targeted and such incidents have increased.

HimRights not only monitors such incidents but also provides emergency medical support to the victims of mine explosions, domestic violence and rape along with that it provides educational support to the Conflict Affected Children.

HimRights District Office:

Banke– 081-526555; Bara–053-550077; Makwanpur–057-524577; Parsa– 9845031802; Rautahat–9845038197; Sarlahi–9744024090; Saptari–9842828973.

Table: 1. Human Rights violation

Violation	January	February	March
Killing	16	12	15
Abduction/ Kidnap	2	2	3
Threat to kill and other	4	3	5
Women Rights Violation (Killing)	9	2	3
Torture and Injured	27	15	21
Domestic Violence's	3	4	5
Sexual abuses (Women)	3	6	5
Mine Victim (Killing, Injured)	7	2	58
Banda (National, Region, District and other)	6	7	2
Forceful Donation	1	2	2
Total	78	55	119

Table: 2. Child Rights violation

Violation	January	February	March
Killing	3	4	1
Abduction /Kidnap	1	2	2
Threat to kill	-	-	
Torture/ Injured	9	6	3
Sexual abuses	9	5	4
School Closed	13	7	4
Children use in political activities	-	-	-
Mine victim	-	-	-
Arrest	-	-	-
Disappear	-	-	-
Total	35	24	14

Table: 1 Human Rights Situation in January

S.N	Human Rights Violation	UCPN (M)	Political Wing Group/sister organization	Mainstream Political Parties	Unidentified Group/Armed Group	Security force	Others	Total
1.	Killing	-	-	-	9	2	5	16
2.	Abduction / Kidnap	-	-	-	2	-	-	2
3.	Threat to kill and others	-	-	-	4	-	-	4
4.	Torture/Injured	2	3	6	3	4	9	27
5.	Women Killing	-	-	-	-	-	9	9
6.	Domestic Violence's	-	-	-	-	-	3	3
7.	Sexual Abuses (Women)	-	-	-	-	-	3	3
8.	Mine victim	-	-	-	7	-	-	7
9.	Banda (Nepal, Region, District and Others)	1	1	1	-	-	3	6
10.	Forceful Donation	-	-	-	1	-	-	1
	Child Rights							
1.	Killing	-	-	-	-	-	3	3
2.	Abduction / Kidnap	-	-	-	1	-	-	1
3.	Threat to kill	-	-	-	-	-	-	-
4.	Torture/Injured	-	-	-	-	-	9	9
5.	Sexual Abuses (Child)	-	-	-	-	-	9	9
6.	School closed	1	-	1	-	-	11	13
7.	Children use in political activities	-	-	1	-	-	-	1
8.	Mine victim	-	-	-	3	-	-	3
9.	Total							117

Table: 2 *Human Rights Situation in February*

S.N	Human Rights Violation	UCPN (M)	Political Wing Group/sister organization	Mainstream Political Parties	Unidentified Group/Armed Group	Security force	Others	Total
1.	Killing	-	-	-	9	1	2	12
2.	Abduction / Kidnap	-	-	-	2	-	-	2
3.	Threat to kill and others	-	-	-	3	-	-	3
4.	Torture/Injured	-	-	-	10	-	5	15
5.	Women Killing	-	-	-	-	-	2	2
6.	Domestic Violence's	-	-	-	-	-	4	4
7.	Sexual Abuses (Women)	-	-	-	-	-	6	6
8.	Mine victim	-	-	-	2	-	-	2
9.	Banda (Nepal, Region, District and Others)	-	-	-	7	-	-	7
10.	Land and property capture	1	-	-	1	-	-	2
	Child Rights							
1.	Killing	-	-	-	-	-	4	4
2.	Abduction / Kidnap	-	-	-	-	2	-	2
3.	Threat to kill	-	-	-	-	-	-	-
4.	Torture/Injured	-	-	-	-	2	4	6
5.	Sexual Abuses (Child)	-	-	-	-	-	5	5
6.	School closed	1	-	-	-	-	6	7
7.	Children use in political activities	-	-	-	-	-	-	-
8.	Mine victim	-	-	-	-	-	-	-
9.	Total							79

Table: 3 *Human Rights Situation in March*

S.N	Human Rights Violation	UCPN (M)	Political Wing Group/sister organization	Mainstream Political Parties	Unidentified Group/Armed Group	Security force	Others	Total
1.	Killing	-	-	-	4	-	11	15
2.	Abduction / Kidnap	-	-	-	3	-	-	3
3.	Threat to kill and others	-	-	-	5	-	-	5
4.	Torture/Injured	2	3	3	3	1	9	21
5.	Women Killing	-	-	-	-	-	3	3
6.	Domestic Violence's	-	-	-	-	-	5	5
7.	Sexual Abuses (Women)	-	-	-	-	-	5	5
8.	Mine victim	-	-	-	56	-	-	57
9.	Banda (Nepal, Region, District and Others)	-	-	-	-	-	2	2
10.	Forceful Donation	1	-	-	2	-	-	2
	Child Rights							
1.	Killing	-	-	-	-	-	1	1
2.	Abduction / Kidnap	-	-	-	2	-	-	2
3.	Threat to kill	-	-	-	-	-	-	-
4.	Torture/Injured	-	-	-	-	-	3	3
5.	Sexual Abuses (Child)	-	-	-	-	-	4	4
6.	School closed	1	-	1	-	-	2	4
7.	Children use in political activities	-	-	-	-	-	-	-
8.	Mine victim	-	-	-	-	-	-	-
9.	Total							132

Conclusion

Human Rights situation according to the above mentioned data clearly shows that the local citizens have still not been able to get their right to live in a fear free environment and to earn their living freely. Terai is still agitated due to criminal activities like murder and violence by the armed groups of the Terai region. The police haven't been able to control the incidents of threat to kill or abduction for ransom, abduction. The activities of these un identified armed groups are challenging the people's right to live and right to security. Furthermore there hasn't been an end to violations of Child Rights like abduction, murder and torture. In the districts of Terai and Mountains there have been rapes of girl children below 16 years of age by different groups and individuals. Due to the political protection given to the perpetrators as well as the criminal groups, they have not been punished and it is encouraging such criminal activities.

The bomb explosions in March in the Terai districts have hampered people's right to live and rights to movement without fear. So, in order to control such criminal activities in the society and to protect the life and property of the citizens, the country needs end the impunity and make the security mechanism strong and effective. The nation should provide medical support and compensation to the victims of bomb explosions.

Since the political parties have not been able to come to unanimous conclusion on the issues of PLA management, restructure of the state and the governing structure, there has been delay in the constitution making and the peace process. Longer the transition period, more the country is going towards perplexity. So the disputes should be solved with discussions and the concerned party should be aware about the completion of the historical responsibility of constitution making in the given time.

47 days to go for New Constitution of Nepal

Himalayan Human Rights Monitors (HimRights)
Inar, Pulchowk, Lalitpur
Tel.: 5555111; Fax: 5554880
Email: himrights@wlink.com
URL: www.himrights.org