

# ANNUAL REPORT, 2016



**Lawyers' Association for Human Rights of  
Nepalese Indigenous Peoples (LAHURNIP)**

# **Annual Report, 2016**

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**Lawyers' Association for Human Rights of  
Nepalese Indigenous Peoples  
(LAHURNIP)**

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## ABBREVIATIONS

AD	Anno Domini
ADB	Asian Development Bank
AGM	Annual General Meeting
AIPP	Asia Indigenous Peoples Pact
APF	Armed Police Force
BS	Bikram Sambat
CA	Constituent Assembly
CBD	Convention on Biological Diversity
CBS	Central Bureau of Statistics
CDO	Chief District Office/Officer
CERD	Committee on the Elimination of Racial Discrimination
CIAA	Commission on Investigation of Abuse of Authority
CPA	Comprehensive Peace Agreement
CPN	Communist Party of Nepal
CSR	Corporate Social Responsibility
DCC	District Coordination Council
DDC	District Development Committee
FAMS	Financial and Management Accounting System
FoNIJ	Federation of Nepalese Indigenous Nationalities Journalists
FPIC	Free, Prior and Informed Consent
FSF	Federal Socialist Forum
FY	Fiscal Year
GDP	Gross Domestic Product
GESI	Gender and Social Inclusion
GoN	Government of Nepal
HR	Human Resource
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFA	Indigenous Film Archive
ILO	International Labour Organisation
IMF	Indigenous Media Foundation
IPHARDs	Indigenous Peoples Human Rights Defenders

IPs	Indigenous Peoples
IWGIA	International Work Group for Indigenous Affairs
LAHURNIP	Lawyers' Association for Human Rights of Nepalese Indigenous Peoples
MILA	Madhesi and Indigenous Lawyers' Association
NC	Nepali Congress
NEA	Nepal Electricity Authority
NEFIN	Nepal Federation of Indigenous Nationalities
NFDIN	National Foundation for Development of Indigenous Nationalities
NHRC	National Human Rights Commission
NIDA	Nepal Indigenous Disabled Association
NIWF	National Indigenous Women's Federation
NNP	Net National Product
NP	Nepal Police
NPC	National Planning Commission
NPR	Nepali Rupees
NRA	National Reconstruction Authority
OHCHR	Office of the High Commissioner for Human Rights
PDNA	Post Disaster Need Assessment
PIL	Public Interest Litigation
SC	Supreme Court
SWC	Social Welfare Council
ToR	Terms of Reference
TRC	Truth and Reconciliation Commission
UML	Unified Marxist Leninist
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNPFII	United Nations Permanent Forum for Indigenous Issues
UPR	Universal Periodic Review
UUSC	Unitarian Universalist Service Committee
VCDP	Vulnerable Community Development Program
VDC	Village Development Committee
WB	World Bank
YFIN	Youth Federation of Indigenous Nationalities

## **Forewords**

We are pleased to publish the annual report, 2016 to make public our achievements in the course of our engagement in promoting and protecting the rights of indigenous peoples in Nepal in the fiscal year 2015/16.

As earlier years this year also the political and economic situation of the country remained fluid and instable. Situation of human rights further deteriorated. Indigenous peoples and Madhesis come together for the collective efforts for advocating their rights. Which can be taken as positive change in this year for collective efforts to make the policy makers to address their rights.

Basically LAHURNIP as a human rights organisation engaged in the lobby advocacy and human rights monitoring activities in this year as well. LAHURNIP has monitored the situation of human rights in Tarai-Madhes, and hills as well. LAHURNIP monitored the situation of human rights during the Tarai-Madhes movement and aftermath of the Tikapur incident in Kailali district. Similarly, it has monitored the situation of human rights of police brutality in Sindhuli and discriminatory relief material distribution in the Earthquake affected areas.

LAHURNIP has found from those field visits and monitoring that the state mechanism is getting more biased and prejudiced towards IPs rights. Even the political parties are not seem positive on the demands and concerns of IPs. Basically all those are because of their political and ideological backgrounds and orientations.

Excessive use of power have witnessed in the Tarai-Madhes protests. Because of the Tarai-Madhes movement the peoples of the country face hardship of fuel crisis and unavailability of the daily consumptions. But, state seemed mere spectator on such critical situation.

We hope the situation will be better in the coming fiscal year and the people of the country enjoy better human rights. Furthermore we also expect that the political stability and economic prosperity shall also establish in this fiscal year.

I would like extend gratitude to all those who have supported LAHURNIP for this venture directly and indirectly in promoting and protecting rights of IPs in Nepal.

Last but not least I would like thank all the board and secretariat members for their hard work for making the report publishable.

Shanti Kumari Rai  
Chairperson

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## **BACKGROUND**

This annual report is intended to present national socio-economic, political and human rights situation of Nepal pertaining and concerned to Indigenous Peoples (IPs) in the fiscal year 2072/73 BS (2015/16 AD). And the report also reflects the engagement of Lawyers' Association for Human of Nepalese Indigenous Peoples (LAHURNIP) to promote, protect and defend the human rights of IPs during the reporting period. For promotion, protection and defend human rights LAHURNIP has engaged in lobby and advocacy activities from local to international level. IPs collective right is not recognised as human rights at the national level. However, the state is party to International Labour Organisation (ILO) Convention No. 169 and United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) which are basically the human rights documents to deal with the collective rights of IPs. Basically LAHURNIP engaged in the policy advocacy and awareness raising activities in the reporting period. Apart from that LHURNIP has also engaged in pro-bono legal support and public interest litigations (PIL) for promotion and protection of human rights of IPs.

## **SOCIO-ECONOMIC AND POLITICAL SITUATION**

In this year also Nepal experienced of political instability and factionalism. The major political parties tussled for power and party interest in this year as well rather than national interest and political and economic stability and prosperity. The Major political parties Nepali Congress (NC), Communist Party of Nepal (Unified Marxist Leninist) (CPN-UML) and CPN (Maoist) signed the 16 point agreement to ease the constitution making process in the name of "fast track" process. The agreement was challenged at the Supreme Court (SC). The SC issued verdict urging promulgation of the Constitution without names and demarcations of the provisions is against the Art.82 and Art.138 of the Interim Constitution of Nepal, 2007. After the verdict of SC the political parties compel to include six provinces in the

draft constitution. The fast-tracked constitution deepened ethnic, social and political fractures that were meant to be addressed by the 2006 CPA.<sup>1</sup> Communities in Kailali and Surkhet protested against the six federal units and the political parties agreed to include the seventh provinces amending the first draft to address the issues of Pahadi communities but the voices of Tharu apparently discarded and undermined in the course adding the seventh federal unit too.

The CA issued the draft constitution for collection of peoples suggestion and comments in it but did not given sufficient time for that and the CA members and bureaucrats deployed for compilation of peoples opinions were limited to the district headquarters and among their respective political cadres and members. This incident also disappointed the historically marginalised communities.

Amidst of strong reservation and dissatisfaction of IPs and other marginalised communities the CA promulgated the Constitution of Nepal<sup>2</sup> on 20 September 2015. Later the constitution of Nepal amended some article after the massive pressure and movements of the marginalised communities across the country. The Art. 42(1) amended emphasising proportional representation of marginalised communities including IPs<sup>3</sup>. But it does not make any difference as it put various groups (about 17) in the same basket who are entitled to receive the reservation and quotas, including Bahun and Chhetris.

After the promulgation of the Constitution the anger of the Madhesis and Tharus took the street and lodged peaceful protests. The opinion and rhetoric of the ruling and opposition (who are in support of the constitution) further fueled the protest

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<sup>1</sup> Nepal's Divisive New Constitution: An Existential Crisis (4 April 2016) International Crisis Group, P. 35.

<sup>2</sup> The 1<sup>st</sup> amendment renamed the "Constitution of Nepal" to "Constitution of Nepal, 2072"

<sup>3</sup> 1<sup>st</sup> amended of the Const e/14

to expand resulting death of more the 55 persons in the region. Coalition government was formed under the premiership of UML chair K.P. Oli after the promulgation of the Constitution of Nepal, 2015. The Oli Government been more verbal and did nothing positive for the political stability and address the issues and rights of the marginalised communities. Marginalised communities continuously staged protests, Sinha Durbar Gherao and sit-ins but there have not been any constructive and concrete initiatives to addressing their issues and concerns. At the meantime Government of Nepal has decided on 2072/12/1<sup>4</sup> to form a commission for delineation of demarcations of Village councils, municipality councils, special and protected region and autonomy. But most of the IPs are not aware of this and are not providing any suggestion to the commission. The Terms of Reference (ToR) of the commission seems influenced by the political parties. The commission is also not inclusive. Majority of the commission members are from Bahun and Chhetri communities. The commission also formed technical team at the existing district levels. But process and criteria of delineation of the local units clearly undermines the aspirations of IPs and other marginalised communities.

On 12 July 2016 the largest ally of the KP Government Maoist-Centre left the Government.

## **Economic situation**

Economic down turn of the country has been another serious issue in this fiscal year. Basic reason of down turn of the economic situation during the fiscal year is massive destruction of physical infrastructure and economic source by the devastating earthquake of 25 April 2015 and its consecutive aftershocks.

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<sup>4</sup> <http://www.llrc.gov.np/?q=node/14>

The Gross Domestic Production (GDP) in the fiscal year 2072/73 is 6.05 it was 7.94 in the fiscal year 2071/72.<sup>5</sup> But the Net National Product (NNP) for the fiscal year was projected of 0.77% whereas last year's NNP was 2.32%.<sup>6</sup> That means the country heavily depends upon the imports. In this fiscal year the export decreased by 24.9%.<sup>7</sup> The inflation rate of Nepali currency reached to 10.2% whereas it was 7.0 % in the earlier year.<sup>8</sup>

The so called borer blockade by the Indian side during the protest of the Masheshi political parties hindered in the import of the fuel and other daily consumption goods from India hard hit the life of people nation-wide. The main reason behind shrink of the economic situation of the country is mainly the political instability and natural calamity in this year.

## SITUATION OF HUMAN RIGHTS

The situation of human rights further deteriorated in this year. State became more suppressive and oppressive towards IPs and other marginalised communities. It was prone to use suppressive and brutal measures to silence the voices of those groups using excessive forces. "The most significant rights problem includes the alleged use of excessive force by security personnel in controlling protests related to the finalisation of the new constitution, especially in the Terai region"<sup>9</sup>

For instance, in the Tarai areas aftermath of the promulgation of the Constitution of Nepal, 2015 the security forces opened fire in the forehead, chest and other sensitive parts of the protesters and killed on the spot but the state has not been sincere and sensitive investigating such cases and bring them in the book.

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<sup>5</sup> Government of Nepal, Economic Survey 2072/73

<sup>6</sup> ibid

<sup>7</sup> ibid

<sup>8</sup> ibid

<sup>9</sup> Country Report on Human Rights Practices for 2015, United State Department of State.

Such incidents encourage the incidents of impunity in Nepal that ultimately against the rule of law and norm and values of international human rights instruments.

Adverse impacts to the rights of IPs by activities of business and corporate sectors have been rampant in this fiscal year. Basically, the activities of the hydro development, infrastructure development projects run in the land and territories of IPs have been heavily engaged in massive human rights violations. Such activities are displacing, torturing and violating right to information in the course planning and implementation of such projects. The human rights of IPs also violated during the constitution making process. Their participation in the constitution making process did not assured as they have demanded for. Their demands regarding the constitution making process were proportional representation in the CA on the basis of their population. The SC also issued verdict to ensure the participation of the marginalised communities in the constitution making process under the 26 seats allocated for nominations. The CERD Committee sent early warning letter<sup>10</sup> to the Government of Nepal and its follow-up<sup>11</sup> regarding the representation of IPs in the CA has been discarded by the state and political parties constantly. Similarly the Special Rapporteur on the rights of indigenous peoples Mr. James Anaya also recommended to the Government of Nepal for ensuring their justifiable participation in the constitution making process.<sup>12</sup> On the same way the state and political parties also denied the agreements reached with the IPs struggle committees in different times.

On the other hand the provisions accommodated in the constitution are discriminatory towards IPs and other marginalised communities.

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<sup>10</sup> Letter sent to the GoN on 13 March 2009.

<sup>11</sup> Letter sent of GoN on 28 September 2009

<sup>12</sup> Letter of Mr. Anaya to GoN on 15 October 2012

## **Truth and Reconciliation Commission**

The Truth and Reconciliation Commission (TRC) is in place. It was established on 10 February 2015. Basically the TRC was formed for investigating on the human rights violation during the 10 years long internal armed conflict in Nepal<sup>13</sup>. The Commission has prepared its preliminary report and submitted to the Government of Nepal. The report suggested that there has been massive human rights violations and tortures both from the government and the rebellion groups.

But there has been slow pace of work of the commission because of the unwillingness of the political parties to redress human rights violations issues of the conflict eras. The complaint mechanisms are not much familiar and accessible to the IPs who were in majority in the killing and disappearance list.

## **National Reconstruction Authority**

National Reconstruction Authority (NRA) was formed on 10 Poush 2072 B.S. aiming to support the devastating earthquake affected. It is acting very slow pace and the composition of the NRA is not inclusive as most of the affected are IPs.

The 7 members of executive committee have majority of Bahun and Chhetries<sup>14</sup>. only a IPs representatives but not really representing the affected communities. This affected in the planning process. This definitely affect in the reconstruction work of the reconstruction as the desing of houses are intended to assimilate the traditional practices/tradition of the IPs because the IPs have their own tradion and culture in house desing and planning. But the authority does not have such plan to promote and protect the historical and traditional architect and construction that link to the livelihood and culture of the IPs.

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<sup>13</sup> <http://www.trc.gov.np>

<sup>14</sup> <http://nra.gov.np/staff>

## HUMAN RIGHTS VIOLATION CASES

This section presents the representative incident that violates IPs human rights and activities of the corporate sectors which have adverse impact to indigenous and local communities. In the fiscal year it is found that most of the development projects implemented in the land and territories of IPs have violated IPs and impacted adversely to their housing, livelihood culture, tradition and life.

### **Khimti-Dhalkebar 220 KV Transmission Line**

Khimti-Dhalkebar 220 KV electricity Transmission Line project is constantly questioned by the affected communities. It is found of the violation of right to information, Free, Prior and Informed Consent (FPIC) of the communities. For securing their rights the affected communities have been struggling for years. The project is funded by World Bank (WB) and Executed by Nepal Electricity Authority (NEA) since 2007.

The Project is a double circuit transmission line that runs from Khimti Power Station to Dhalkebar with 75 kilometres across five districts in central Nepal: Dolakha, Ramechhap, Sindhuli, Mahottari, and Dhanusha. sixty meter high towers have been constructed at intervals of 700 meters. Two hundred and eighteen towers have already been built, and twelve are remain in Sindhuli areas where affected communities have been struggling for appropriate remedies.

The project was initiated without information and consultation to the affected communities. The transmission line route goes through over school, homes, and historical and heritage sites. Considering the potential adverse impact by this project, the affected indigenous and local communities are constantly protesting the project activities by putting forth their demands. The project stopped its operation due to the protest of affected community for past 5 years. In November 2012, approximately



250 armed police forces entered in to the affected areas beating several protesters. In April 2013, police officers including project officers entered in to the disputed areas to resume the project activities, but they have not been able to resume the project activities due to the protest of the communities. On 10 July 2013, 103 indigenous and non-indigenous families in three villages of Sindhuli District lauded complaint to inspection panel of the World Bank (WB). Responding the complaint, the inspection panel studied the circumstances and found numbers of WB policies violation related to consultation and participation. The World Bank's Board of Executive Directors has discussed on the report of Inspection Panel in 13 July 2015 and committed to addressing the shortcomings indentified through the management action plan endorsed by their Board of Executive Directors.

The affected communities lodged complaint to the national human rights commission for monitoring the situation of violation of human rights. Surprisingly the NHRC come up with the "decision" recommending the Government to resume the work on 3 March 2016. On 10 April 2016 the affected community organised protests in one of the project site. To disburse the protesters the district administration deployed police resulting 9 injured and 6 were arrested. The injured did not receive any medical treatment and the arrested were released after 30 hours. The project works were resumed under the surveillance of Armed Police Force establishing temporary camp in the project site.

On 2 July 2016 the affected communities demonstrated peacefully in Bardeutar of Sindhuli. In that incident 14 were arrested (including three 15 year old child and a75 years of old women). The child and elderly women were released same and 10 were detained for 2 days. At the meantime, the chair and vice-chair of the struggle committee were charged of public offense case. Vice-chair was arrested on 8 July 2016 and released after 2 days.

Initially, the project was not in favour providing any compensation to the affected communities. But, due to the agitation of the affected communities the NEA agreed to provide compensation in the name of feeder road, not actually for the transmission line. In addition, Shindhuli district was declared as load shedding free district, Vulnerable Community Development Program (VCDP) was brought (but affected are not actually benefitting for the program) for the benefit of affected communities. These are some achievements of the community movement. However, the affected communities are continuing their protest demanding rerouting of the transmission line, justifiable compassion, measures of environment protection and benefit sharing.

### **Dhorpatan Hunting Reserve**

Dhorpatan Hunting Reserve is the only hunting reserve in Nepal established in the lands territories of Magar indigenous community in 2039 B.S. The Government of Nepal occupied the area of 28 Village Development Committees (VDCs) of Rukum, Baglung and Myagdi for the purpose of establishment of the reserve. In addition, the government is in the process of extending the hunting reserve's buffer-zone areas that cover 16 VDCs of Rolpa and Pyuthan district.

Around 100,000 indigenous and local community members are directly affected by this reserve. Magar including other indigenous communities (Thakali, Gurung, Kumal etc.) who have spiritual and livelihood connection with their land territories are restricted entering the hunting reserve. Most of the people residing rural areas of these districts have natural resource based livelihoods. The reserve encroach their cultivable and pasture land and are being punished on the charges of consuming forest products and illegal poaching.

On 6 May 2016 the Government of Nepal has deployed army claiming of security of the hunting reserve. The decision of deployment of the army was solely made by the cabinet at centre without consultation with the affected indigenous and local

**Table1: Hunting reserve and buffer zone affected districts and VDCs**

SN	Hunting reserve affected districts and VDCs			Buffer zone affected districts and VDCs	
	District	Name of VDCs	No. of VDCs	Name of VDCs	No. of VDCs
1.	Baglung	Nisi, Bobang, Adhikari Chaur, and Bongha Dovan	4	Nisi, Bobang, Adhikari Chaur, Bongha Dovan Debisthan, Khunga, Bohora Gaun, Taman and Rajkut	9
2.	Rukum	Ranma Maikot, Taksera, Hukum, Kakri, Jaang, Kol and Rangsi	7	Ranma Maikot, Taksera, Hukum, Kakri, Jang, Kol, Rangsi, Kada, Mahat, Sisne, Pwang, Aathbiskot and Chunbang.	13
3.	Myagdi	Mana, Lula and Gurja	3	Mana, Lula, Gurja, Modi, Morang and Takam.	6
4.	Rolpa			Gam, Seram, Uwa, Thabang, Siuripang and Harjang	6
5	Pyuthan			Aarkha, Khara, Rajbara, Syaulibang and Khabang.	5
<b>Total 5</b>			<b>14</b>		<b>39</b>

communities. The ILO Convention No.169 guarantees indigenous peoples' rights over natural resources, and makes it mandatory for the state to consult them before implementing any project that could be detrimental to their livelihood, culture and existence. Similarly, the deployment of army is also the violation of Article 30 (1)<sup>15</sup> and (2)<sup>16</sup> of United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP).

The struggle committee formed by the affected communities is constantly voicing their demands since 2012. The primary demands of the affected communities are: i) repeal the decision of mobilising army in their lands territories b) ensure Free, Prior and Informed Consent (FPIC) and participation of the affected communities to conduct hunting reserve related activities c) handover the management of the Reserve to the communities (self-management), and d) make collected revenue transparent and mobilise for the welfare of communities by ensuring meaningful participation of the peoples concerned.

The struggle committee, with the facilitation of LAHURNIP, series of activities (interaction among political parties, affected communities and Government agencies) were held both at local and national level. A total of 16 memorandum letters were submitted to the concerned authorities, ministries and political parties to draw the attention of the Government, ministries and other concerned stakeholders. National Human Rights Commission was requested several times for protection of the rights of affected communities. As results, the local leaders of political parties are committed to taking initiatives to address

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<sup>15</sup> Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned

<sup>16</sup> States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities

the issues and NHRC monitored the situation of human rights violation and assured to taking needful action to resolve the issues.

### **Hewan Hydro Power Plant, Pachthar**

A hydro power plant of 15 MW is being operated by Panchthar Hydro Power Company in Hewan River since 2009. The river borders Yangnam -1 and Varapa-4 VDCs of Pachthar district. The project has demolished the suspension bridge of Hewan River that connects these two VDCs while constructing the intake of the power plant. The company has constructed next bridge with low quality without consulting the affected indigenous and local communities. Now, either sides of the bridge are destroyed due to the landslide. The source of drinking water was also collapsed due to the project activities. In addition, the affected community members were not compensated. There is high risk of environmental damage.

The affected community members launched agitation against the project demanding effective implementation of United Nations Guiding Principles (UNGPs) on Business and Human Rights, ILO Convention No. 169 and UNDRIP. The primary demands are; a) construct the bridge with same quality as it was before b) provide justifiable compensation c) provide alternatives for drinking water supply d) reconstruct the damaged road caused by the project. The affected community members launched series of advocacy activities (peaceful demonstration, submission of memorandum letters to concerned stakeholders) in March 2016. But, district administration upon the request of company, deployed the security forces to suppress the voice of affected communities injuring dozens agitators.

Eventually, affected communities and company came up with the conclusion of addressing most of the demands. The company is agreed to reconstruct the suspension bridge with 30 years of guarantee, provide 2,000 meter of 25mm pipe for water supply to the community, provide support of NPR 50,000 for Kanchan

Janga Primary School, Yangnam-1, and provide support to repair the damaged road caused by the project.

## **Road Expansion in Kathmandu**

The GoN is in the process of expansion of the breadth of roads in the capital city, Kathmandu. For the expansion of the roads the houses by the road side have demolished fully or partially that affected the lives of the resident of the areas, mostly indigenous Newar community. The activities of road expansion violate rights of FPIC, participation and consultation of those communities.

The project, Tripureswar to Nagdhunga, was started since January 2016 without due process of law that affected more than 10,000 households of Newar indigenous and non-indigenous communities. After the protest of the affected communities the GoN deployed around 500 armed police forces to carry out the project works. At that time several affected individuals injured and some were kept in the police custody.

The affected community members are constantly voicing their issues. The affected community members held series of advocacy activities (interactions with concerned stakeholders, peaceful demonstration against the government, memorandum letter submission to the concerned stakeholders, complaint to the NHRC to protect their rights etc.). In addition, 2 writs were also lodged in Supreme Court (SC) against the government move. In response to those writs, the SC issued stay order in order to hold the project activities for the time being on 8 and 26 April 2016 respectively.

# Working Districts of LAHURNIP

This map illustrates the administrative divisions of Lahurnip, categorized into five regions: Far Western, Mid Western, Western, Central, and Eastern. The districts are color-coded: Far Western (light grey), Mid Western (white), Western (light grey), Central (white), and Eastern (light grey). The map includes a legend, a scale bar (0 to 100 Kilometers), and a north arrow. The legend defines the symbols for Municipalities (M.I.D., 1999), Metropolitan City, Sub-metropolitan City, Municipality, and Boundaries (Topo, 1:10,00,000). It also lists the five regions and their corresponding districts.

**Legend**

- Municipalities (M.I.D., 1999)
  - Metropolitan City
  - Sub-metropolitan City
  - Municipality
- Boundaries (Topo, 1:10,00,000)
  - International
  - Regional
  - District

**Regions and Districts:**

- 1 Kathmandu Metropolitan City
- 2 Kirtipur Municipality
- 3 Lalitpur Sub-metropolitan City
- 4 Bhaktapur Municipality
- 5 Bhaktapur (Thimi) Municipality

**Regions and Districts:**

- Far Western: Darchula, Baitadi, Dhaulagiri, Doti, Kailali, Kanchanpur
- Mid Western: Humla, Mustang, Dolpa, Jomsa, Mugu, Bajura, Achham, Dhangadhi, Kailash, Kailash, Kailash
- Western: Kailash, Kailash, Kailash, Kailash, Kailash, Kailash, Kailash, Kailash, Kailash, Kailash
- Central: Kathmandu, Lalitpur, Bhaktapur, Chitwan, Makwanpur, Bara, Parsa, Siraha, Saptari, Sunsari, Morang, Jhapa, Bhojpur, Dhankuta, Terahat, Sankhuwasabha, Solukhumbu, Dolakha, Ramechhap, Sindhupalchok, Nuwakot, Gorkha, Lamjung, Kaski, Syangja, Manang, Pokhara, Tanahun, Panchthar, Ilam, Sikkim, Darjeeling, Jalpaiguri, Cooch Bihar, West Bengal, India
- Eastern: Kathmandu, Lalitpur, Bhaktapur, Chitwan, Makwanpur, Bara, Parsa, Siraha, Saptari, Sunsari, Morang, Jhapa, Bhojpur, Dhankuta, Terahat, Sankhuwasabha, Solukhumbu, Dolakha, Ramechhap, Sindhupalchok, Nuwakot, Gorkha, Lamjung, Kaski, Syangja, Manang, Pokhara, Tanahun, Panchthar, Ilam, Sikkim, Darjeeling, Jalpaiguri, Cooch Bihar, West Bengal, India

## KEY ACTIVITIES

To promote and protect the rights of indigenous communities, simultaneously of local communities, LAHURNIP has engaged in various activities in the fiscal years.

Following are some of the major activities that LAHURNIP carried out in the fiscal year for justice and human rights.

## SUPPORT TO THE CONSTITUTION MAKING PROCESS

### Technical support to CA members

The constitution making has been one of the contentious issues in this fiscal year. Political parties, civil societies, communities are deeply concerned over the issues of the constitution making process. Particularly, the marginalised communities, including IPs, have engaged in lobby and advocacy activities to accommodate their rights in the Constitution.

To support and facilitate accommodating IPs rights in the Constitution LAHURNIP formed an expert team and provided technical support to the CA members from the marginalised community background.

The team analysed almost all the reports of the thematic committees in the CA and provide suggestions and advises to the CA members. Apart from that the team also analysed the preliminary and final draft constitution and deliver support to the IPs CA members to raise IPs voices inside the CA. Unfortunately, the final document came regressive to the Interim Constitution of Nepal, 2007 limiting IPs rights as they have constantly demanded and expected.

The expert team members comprise the following members

1. Hon'ble R. K. Khambu
2. Dr. Chaitanya Subba
3. Dr. Krishna Bahadur Bhattachan



4. Dr. Bal Bahadur Mukhiya
5. Advocate Shankar Limbu

### **Interaction and Dialogue with CA Members on IPs Issues**

Several formal and informal meeting and dialogues with the CA members regarding the rights of IPs have been carried out from national to local levels. Basically, those meeting and dialogues were intended to aware the CA members on the rights of IPs and encourage them in accommodating the rights of historically marginalised communities in the Constitution. Apart from that LAHURNIP also work closely with the IPOs and other IPs related organisations to pressurise the CA members in addressing the rights of IPs in the Constitution.

During the reporting period IPOs were mobilised to aware on the rights of IPs to the CA members from their respective community background. The interactions were held among CA members from Limbu, Magar, Newar, Rai, Tamang and Tharu communities. The CA members of the respective communities showed their commitments to raise IPs voices in the CA. After the series of meeting and consultation Tharu CA members formed a CA caucus accommodating the Tharu CA members and Tamang CA members and leaders extended Tamang national coalition for collective efforts.

### **Campaigns**

The Constitution of Nepal promulgated undermining the rights of indigenous and other historically discriminated communities and groups. Right to self-determination, self-rule, autonomy and recognition of customary laws, proportional representation in all state mechanism, identity based federal units are some of the major demands of IPs which are not been addressed in the Constitution. The dissatisfaction on the Constitution manifested across the country resulting death of more than 55 individuals, but the issues of discriminated communities remain unresolved.

LAHURNIP initiated reviewing the indigenous movement of Nepal where numbers of indigenous activists, academicians, politicians took part. Basically the review found that there dissatisfactions to the leaders, movement are centralised to urban in Kathmandu, are some of the strong points that review come up with. The review concluded of launching indigenous rights campaign in different parts of the country to sensitise the government and political parties for constitutional reform.

As per the recommendation of the review, the first round of rights campaign organised in Kathmandu to mobilise the Newar community. Consecutive 2 months long protest and awareness raising activities were carried out in Kathmandu valley. The campaigning also extended to (Ilam, Pachthar, Jhapa, Morang and Sunsari districts 3 months (Jan to March 2016). The campaigns involved series of orientations and interactions on strengths and weakness of the new constitution from the lens of historically discriminated communities. Furthermore, series of peaceful demonstrations, memorandum letter submission to different political parties, government, Human rights institution and UN agencies are some campaign activities held in the capital. The campaign was operated mobilising community leaders and likeminded organisations.

### **Mass Meeting**

Two mass meetings were held in this fiscal year in Morang (28-29 February 2016) and Ilam district (23 April 2016) to consolidate the scattered movements of the historically discriminated communities (IPs, Dalits, Women, Muslim, Madhesi etc.) to generate greater synergy to influence the policy makers for Constitution reform.

The meeting were participated by community leaders, traditional leaders of IPs, representatives from different political parties, intellectuals from discriminated communities of 15 districts (Bardiya, Kailali, Dailekh, Kathmandu, Lalitpur, Sindhuli, Saptari, Siraha, Morang, Sunsari, Dhankuta, Tehrathum, Ilam, Jhapa and Taplejung) of Nepal.

In the meetings, issues of discriminated communities were intensively discussed and brought common understanding among the participants. The meetings were facilitated by the experts from different background (IPs, Madhesi, Dalits).

Those meeting come up with the common understanding among the historically marginalised communities to undertake joint initiatives for constitution reform with full respect of human rights. The declaration made in Morang read as follows:

On behalf of citizens and representatives of political parties, we have prepared an understanding of 3 point declaration to encapsulate the thoughts and views that emerged during the events.

We, the representatives belonging to historically marginalised groups – Adivasi Janjatis, Tharu, Madhesi, Dalit, Muslim, and women- who gathered in Biratnagar, Morang (in 28 and 29 Feb) during the mass meeting organised by LAHURNIP realise the importance of a united movement. Therefore we have agreed to carry out a joint movement for the following issues to ensure the rights of historically marginalised groups:

1. Support collaboration and coordination among historically marginalised groups - Adivasi janjatis, Tharu, Madhesi, Dalit, Muslim, and women- to achieve federalism based on historical identity, social justice, and equality through united struggle
2. Reject the constitution that is against the historically marginalised groups, and rectify the historical mistake made in the process of nation building by rewriting the constitution.
3. Give continuity to the common movement of historically marginalised group for equality, social justice, and rights

Similarly, those meeting formed guardian councils (one in each district) to facilitate the community rights movement at the local levels.

## **Analysis of the Constitution of Nepal**

To support and facilitate in addressing the rights of IPs in the Constitution of Nepal LAHURNIP has provided possible all sorts of support and advise to the CA members and the IPs leaders and communities. LAHURNIP has provided analysis of the all drafts and final document of the Constitution.

It has analysed each and every article and provisions of the Constitution from the perspective of IPs that found 29 provisions are discriminatory, 49 exclusionary and 11 clauses are against IPs. The analysis was widely disseminated to the IPs leaders, policy makers and communities.

## **CAPACITY DEVELOPMENT**

### **Training on Drafting Litigation and Advocacy**

Training on 'Drafting litigation and advocacy skill' was organised from 6-8 December 2015 in Kathmandu to enhance the capacity of IPs and Madhesi lawyers in drafting litigation and advocacy skills to promote the rights of discriminated communities. Major components of the training were drafting litigation skills, pleading techniques, gaps and lapses in new the Constitution, key provisions of International Labour Organisation (ILO) Convention No. 169, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), Convention on Elimination of All Forms of Discrimination against Women (CEDAW) and other international human rights instruments. There were 24 lawyers representing different IPs, Madhesi and Dalit organisations. Out of 24, 14 were women.

After the training a committee called 'Litigation Drafting Committee' was formed to engage the trainees in collective initiatives for public interest litigation (PIL) and advocacy activities to support the marginalised communities.

## **Training on Business and Human Rights for Journalists and Advocates**

In collaboration with the International Work Group for Indigenous Affairs (IWGIA) and Danwatch LAHURNIP organised a 5-day long training for journalists and human right defenders to enhance their capacity on 'Business and Human Rights, Documentation and Investigative Journalism from 30 May-3 June 2016 in Kathmandu. DANWATCH, an independent media center in Denmark, provided training in investigative journalism and case documentations. Altogether 18 individuals attended the training which included LAHURNIP board, staff, Indigenous Peoples Human Rights Defenders (IPH RDs), Indigenous Media Foundation (IMF) and [www.e-samata.com](http://www.e-samata.com) and others. Participants were from diverse professional background such as; lawyer, activist, human rights defender, journalist etc.

## **Training on Business and Human Rights**

LAHURNIP board and staff members participate the training on business and human rights in Copenhagen, Denmark from 12 to 14 January 2016. Basically the training was to enhance the capacity of LAHURNIP regarding business and human rights.

## **Training on UNDRIP and IPs Rights**

For the purpose of raising awareness and assess the situation of implementation of UNDRIP LAHURNIP has organised training in Mustang (11-13 October 2015) and Chitawan (18-20 November 2015) district. Basically those training were to empower the community leaders active in the district level and assess the statues of implementation of UNDRIP. The training was participated by the local leaders and representatives of the IPs traditional institution leaders such as Baahra Mukhiyas of Mustang.

## **LOBBY AND ADVOCACY**

### **Community Seminars**

During the reporting period 12 community seminars were conducted to aware and empower indigenous and local communities in various districts such as Ilam, Morang, Sunsari, Sindhuli, Pachthar, Jhapa. Basically those community seminars were intended to contribute to ensure IPs rights empowering them on their rights they faced at the local levels such as land and territories, natural resources.

There are disproportionate affects to the indigenous and local communities of the development projects such as hydro projects, road construction, transmission lines projects etc. Such development projects have been violating the human rights of indigenous peoples such as Free, Prior and Informed Consent (FPIC), consultation and participation in all phases of project implementation.

The community seminar were organised to aware the peoples at the grassroots and empower them in advocating for their rights enshrined in ILO Convention No. 169 and UNDRIP. Apart from that the seminars were also intended to facilitate in the policy and decision making process at the local level to ensure rights and participation of IPs.

### **Community Mobilisation**

Community mobilisations have been one of the key aspects of lobby and advocacy for ensuring the rights o IPs. Basically, LAHURNIP engaged in empowerment and organisation of the human right violated communities. LAHURNIP has provided technical and legal support to strengthen their capacity and mobilise them for their rights.

## **MEDAI ADVOCACY**

### **Media Mission**

To bring the situation of violation of human rights of IPs LAHRUNIP has closely worked with the media houses and personnel. For fact finding a media mission was sent to the Kailali and Bardiya after the Kailali incident, the clash between the security forces and Tharu protestors. The finding of the media mission was covered by the national level media, though it was not given high priority of oppression over the Tharu community.

Similarly a media mission was deployed to Sindhili from 12 to 13 April 2016 to carry out the field based reporting of the police atrocity over the Khimti-Dhalkebar 220 KV transmission Line affected communities, where the protestors were beaten and arrested by the police for alleged obstruction of project activities. The media mission involved the Television (TV) journalists of Sagarmta TV, ABC TV, Nepal Mandal TV and IPHRDs. The finding of this mission is widely disseminated through their TV channels.

### **Collaboration and Cooperation with the Medias**

During the reporting period LAHURNIP has collaborated with the media houses to promote the issues and right of IPs. The Medias includes TV, print, online and others.

## **LEGAL SUPPORT**

### **Public Interest Litigation**

LAHURNIP filed 12 cases in the SC regarding violation of IPs rights. Out of them 4 are related to Khimti-Dhalkebar high tension transmission line. Of them two are related to land acquisition. Those cases are under consideration of the SC. out of 12 writs, 2 are related to road expansion, from Tripureswar to Nagdhung, Kathmandu. The SC issued interim order to hold the road construction for the time being.

Similarly two writs submitted to the SC for ensuring inclusive commissioner in the National Human Rights Commission (NHRC). The first writ submitted to the SC was related to the constitutional council's non-inclusive recommendation of commissioners (four out of five are Bahuns) and second was for ensuring inclusive commissioners as the government has appointed commissioners recommended by the Constitutional Council. The SC has issued show cause decision for the former writ but there were no response from the side government but latter one is still in the SC. Other case filed in the SC deals with the displacement in Baraha chhetra of Sunsari district, amendment of CA policy and land acquisition in Thamel and Harisiddhi.

### **Pro-bono Legal Service**

LAHURNIP has been providing pro-bono legal services to the affected communities of human rights violations national-wide. Basically LAHURNIP has been providing such support on collective human rights violations and those who are not able to pay fees for the legal remedies.

### **Case Documentations**

As previous years LAHURNIP has intensively engaged in the documentation of the cases of human rights violation of IPs across the country to engage in evidence based lobby and advocacy. In this fiscal year, 15 cases of collective human rights violation were documented. The cases were published and disseminated to concerned stakeholders with aim of making them sensitive on the issues of collective human rights violations. Primarily, the cases have highlighted the violation of FPIC, participation and consultation of indigenous and local communities in the process of implementing development activities at the land territories of indigenous peoples.



**Table2: Cased documented and published**

SN	Cases	Districts	Types of Human Rights violated
1.	Army in Dhorpatan: depriving indigenous peoples of rights to natural resources	Baglung, Rukum, Myagdi, Rolpa and Pyuthan	<ul style="list-style-type: none"> <li>• Religious and Cultural Rights</li> <li>• Rights over land</li> <li>• Right to identity</li> <li>• Rights to Development and Participation</li> <li>• Rights to Free Prior and Informed Consent (FPIC)</li> </ul>
2.	Khimti-Dhalkebar Transmission Line: violation of human rights of indigenous peoples	Sindhuli	<ul style="list-style-type: none"> <li>• Social, Religious and Cultural Rights</li> <li>• Rights over lands</li> <li>• Right to identity</li> <li>• Rights to Development and Participation</li> <li>• Rights to Free Prior and Informed Consent(FPIC)</li> </ul>
3.	Encroachment of Dhimal's Sacred palce	Morang	<ul style="list-style-type: none"> <li>• Religious and Cultural Rights</li> <li>• Rights over land</li> <li>• Right to identity</li> <li>• Rights to Free Prior and Informed Consent (FPIC)</li> </ul>
4.	Attack on Santhal's culture and religion	Morang	<ul style="list-style-type: none"> <li>• Religious Rights</li> <li>• Cultural Rights</li> </ul>

5.	Encroachment of Historical and sacred Kupa (Well) of Tharus	Sunsari	<ul style="list-style-type: none"> <li>• Religious and Cultural Rights</li> <li>• Right to identity</li> </ul>
6.	Extra-judicial killing of an indigenous youth	Taplejung	<ul style="list-style-type: none"> <li>• Right to life</li> <li>• Religious and Cultural Rights</li> </ul>
7.	Extra Judicial Killing and deprive of rights over natural resources	Dolpa	<ul style="list-style-type: none"> <li>• Right to live with dignity</li> <li>• Encroachment over traditional land</li> </ul>
8.	Jabdi Animal skin processing plant	Bardiya	<ul style="list-style-type: none"> <li>• Social, Religious and Cultural Rights</li> <li>• Rights to Development and Participation</li> <li>• Right over land</li> <li>• Right to live in a clean environment</li> </ul>
9.	Unconstitutional appointments at National Human Rights Council	Nepal	<ul style="list-style-type: none"> <li>• Right to equality</li> <li>• Right to participation</li> </ul>
10.	Dharan-Chatara-Gaighat-Katari-Sindhuli-Hetauda Road construction project: Threat to displacement	Sindhuli	<ul style="list-style-type: none"> <li>• Economic, Social and Civil Rights</li> </ul>
11.	Dangraha waste management area construction	Morang	<ul style="list-style-type: none"> <li>• Right to Free Prior and Informed Consent (FPIC)</li> </ul>

			<ul style="list-style-type: none"> <li>• Social and Cultural Rights</li> <li>• Right over land</li> </ul>
12.	Encroachment of cultural and archeological site	Kathmandu	<ul style="list-style-type: none"> <li>• Religious and Cultural Rights</li> <li>• Right to identity</li> </ul>
13.	Encroachment of religious and cultural site of Tharu and Musahar	Sunsari	<ul style="list-style-type: none"> <li>• Religious and Cultural Rights</li> <li>• Rights over land</li> <li>• Right to identity</li> </ul>
14.	Misuse of local development budget	Tehrathum	<ul style="list-style-type: none"> <li>• Right to participation</li> </ul>
15.	Police atrocity over indigenous people	Panchtahr	<ul style="list-style-type: none"> <li>• Right to live with dignity</li> <li>• Right to freedoms</li> <li>• Right to development and participation</li> <li>• Right to Free, Prior and Informed Consent (FPIC)</li> <li>• Right to live peacefully</li> </ul>

## **SUPPORT TO EARTHQUAKE AFFECTED**

Aftermath of the devastating earthquake of 25 April 2015 LAHURNIP has initiated for relief supports to the affected household of Rasuwa, Nuwakot, Sindhupalchok, Kavre, Dolakha, Dhading districts. LAHURNIP has provided, corrugated steel sheets, blankets, Tarpaulin, water supply pipe, rice, oil and other necessary materials in those districts.

## **HUMAN RIGHTS VIOLATIONS MONITORINGS**

To monitor the assess the situation human right violation LAHURNIP has deployed Human Rights Violation Monitoring Missions to Tarai and other areas where human rights violation occurred massively.

### **Mission Tarai-Madhesh**

During the Tarai movement a monitoring team of LAHURNIP visited to Tarai to monitor the situation of human rights violations. The mission took place from 14 to 20 November 2015 in Morang, Saptari and Parsha district. Basically, the protest were lodged by the Madhesi parties regarding their rights in the Constitution i.e. demarcation of the federal units, proportional representations and so on. The mission found that there occurred massive human rights violations and torture to the Madhesi communities alleged involvement in the protest. During the protests 56 persons were killed. Most of the killing occurred shot in chest and chests. This, apparently, prevail the excessive use of the power by the security forces.

### **Mission Kailali**

A mission of LAHURNIP also carried out human right monitoring to Tikapur Kailai from 23-26 March 2016 in Tiakapur Kailali. Basically, the intention of the mission was to assess the situation of human rights aftermath of the Tikapur incident where 8 were killed in the clash between the protestors and security forces. The mission found that the Tharu indigenous community were

intimidated, tortured and arrested for alleged participation in the mass protest.

### **Mission Post-Earthquake**

LAHURNIP mobilised its various missions to identify the situation of human rights after the massive earthquake of April 2015. Those monitoring found that there has been discriminatory action against IPs in the process of registration of the quake victims and distribution of relief materials. The missions were deployed to Rasuwa, Nuwakot, Sindhupalchok, Dolkha, Dhading, Sindhuli and Kavre district. Furthermore the missions also found that relief distributions were concentrated in the road access areas and in the pocket areas of the influential political leaders. Most of the indigenous and marginalised communities dwelling in the remote areas did not receive timely relief materials and encountered difficulties in registration process under the affected list.

## **RESEARCH, CASE DOCUMENTATIONS AND PUBLICATIONS**

### **Publications**

Publication has been one of the priority areas of LAHURNIP in this fiscal year. Basically research based publications have made in the year. The publications were widely disseminated to concerned stakeholders. Some of the publications are made public on website, [www.lahurnip.org](http://www.lahurnip.org). The lists of publications made in this year as follows.

SN	Title	Language
1.	Analysis of the Constitution of Nepal from the perspective of Indigenous Peoples	Khas Nepali
2.	Annual Report, 2015	English
3.	Appeal on Indigenous Peoples' Awareness Campaign in Newa Pradesh	Khas Nepali
4.	Appeal on Indigenous Peoples' Awareness Campaign in Newa Pradesh	Newari
5.	Brochure	Khas Nepali
6.	Brochure	English
7.	Calendar	Khas Nepali
8.	Fact Sheets compilation	Khas Nepali
9.	Leaflet on Fact and Illusion of New Constitution regarding IPs and Madhesi's issues	Khas Nepali
10.	Leaflet on Fact and Illusion of New Constitution regarding IPs issues	Khas Nepali
11.	Leaflet on Fact and Illusion of New Constitution regarding IPs issues	Newari
12.	Racial and Ethnic Discrimination in Nepal	Khas Nepali/ English

## **Data Collection on situation of implementation of UNDRIP**

During the reporting period LAHURNIP has engaged in the collection of data on implementation of UNDRIP in three communities. Particularly, LAHURNIP has collated data focusing Tamang, Newar and Tharu community in Kathmandu, Kavre and Chitawan district. Similarly, LAHURNIP also collected data at the national level on the situation of implementation of the UNDRIP.

In the course of collection of data at national and community level LAHURNIP revealed that there is lack of disaggregated data of IPs both at national and local level.

## **Land Issues**

In this fiscal year LAHURNIP has also initiated for a research on the situation of land rights of IPs in Nepal. Specifically, the study covers the situation of land rights of Santhal community in Jhapa district.

## **Transmission Line and ILO**

A research on transmission line projects and situation of implementation of ILO Convention No. 169 is also initiated in this fiscal year.

## **Preparation of Training Manual**

Preparation of training manual on business and human right is also initiated in this fiscal year targeting community leaders.

## **Analysis of the Constitution of Nepal**

The Constitution of Nepal, 2015 was analysed from the perspective of IPs. The analyses found out the gaps and lapses in accommodating and addressing the rights of IPs.

## COORDINATION AND COOPERATION

To expand its working areas and intensify its activities LAHURNIP has extended its cooperation and coordination with various national and international like minded and human rights organisations at local, national, regional and international levels.

### Local and National level

During the reporting period LAHURNIP has closely worked with the local and national level IPs, Madhesis, Dalits and other human rights organisations. On 13 February 2016 has organised a national level interaction programme with IPs, Madhesis, Muslim, Dalits communities. Apart from that LAHURNIP has organised regional and district level programme also collaborating with IPs, Dalits, Muslim, Madhesis and other organizations working for social justice and human rights. Apart from that it has also closely coordinated with the Government line agencies such as relevant ministries, Social Welfare Council (SWC), DDCs, VDCs and others. LAHURNIP has established coordination and cooperation to the following organisations:

#### Local/National:

- Nepal Federation of Indigenous Nationalities (NEFIN)
- National Indigenous Women's Federation (NIWF)
- Federation of Nepalese Indigenous Nationalities Journalists (FONIJ)
- Youth Federation of Indigenous Nationalities (YFIN), Nepal
- National Indigenous Nationalists Students Federation (NINSF)
- Indigenous Media Foundation (IMF)
- Indigenous Film Archive (IFA)
- NGO-Federation of Nepalese Indigenous Nationalities (NGO-FONIN)
- Nepal Indigenous Disabled Association (NIDA)
- Indigenous Women Legal Awareness Group (INWOLAG)
- Madhesi and Indigenous Peoples Lawyers' Association (MILA)



- Terai Human Rights Defenders Alliance (THRD Alliance)
- National Foundation for Development of Indigenous Nationalities (NFDIN)
- National Human Rights Commission (NHRC)
- NEFIN DCCs
- NIWF DCCs
- IPOs

## **Regional and international level**

LAHURNIP also worked with regional and international organization to defend the rights of IPs and local communities.

### **Regional/International:**

- International Labour Organization (ILO)
- Office of the High Commissioner for Human Rights (OHCHR)
- International Work Group for Indigenous Affairs (IWGIA), Denmark
- Forest Peoples Programme (FPP), UK
- Asia Indigenous Peoples Pact (AIPP), Thailand
- International Alliance of Indigenous and Tribal Peoples of the Tropical Forest
- Unitarian Universalist Service Committee (UUSC)
- Accountability counsel

## **INTERNATIONAL LOBBY AND ADVOCACY**

LAHURNIP has also engaged in the international lobby and advocacy activities for the right of IPs. During the peaceful protest of Tharu community in Kailali and Bardiya district the state used excessive power prior and after the promulgation of the constitution. Even the state has imposed curfew in the area of Tharu. In this situation LAHURNIP has submitted memorandum to Special Rapporteur for safeguarding the rights of IPs.

### **United Nations Permanent Forum on Indigenous Issues**

Representative of LAHURNIP attended the fifteenth session (9-20 May 2016) of the United Nations Permanent Forum on

Indigenous Issues (UNPFII) to engage in the international lobby and advocacy on the rights of IPs of Nepal.

### **Universal Periodic Review**

LAHURNIP has contributed to raise IPs voices in the 2nd Universal Periodic Review (UPR) held in Geneva. In earlier year LAHURNIP has prepared a joint alternative report on-behalf of a coalition of indigenous peoples' organisations in Nepal and submitted in March of that year. The coalition was formed comprising 34 indigenous Peoples Organisations (IPOs) in Nepal. Four IP representatives (3 males and 1 females) participated the 23rd session of the UPR were oriented on UPR process and lobby skills to promote IPs rights in international arena by LAHURNIP.

### **Expert Mechanism on the Rights of Indigenous Peoples**

The representative of LAHURNIP attended the Ninth session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) held in Geneva on 11 to 15 July 2016. The LAHURNIP representative engaged in intervention on the IPs issues of Nepal pertaining to the Agenda item 3: Follow-up to the World Conference on Indigenous Peoples, including the review of the mandate of the Expert Mechanism and Agenda item 6: Human rights of indigenous peoples in relation to business enterprises.

### **2016 Asia Regional Forum on Business and Human Rights**

The first UN Asia Regional Forum on Business and Human Rights held in Doha, Qatar from 19 to 20 April 2016 was also participated the Indigenous Peoples Human Rights Defender (IPHRED) affiliated to LAHURNIP. The Asia regional forum was convened by the UN Working Group on Business and Human Rights.

### **Special Rapporteur on the Rights of Indigenous Peoples**

LAHURNIP has also sent communication to the Special Rapporteur on the Rights of Indigenous Peoples regarding the

human rights violations of IPs in Nepal. For instance, on the case of Tikapur incident and Sindhuli case.

## **INSTITUTIONAL DEVELOPMENT**

### **Annual General Meeting**

21<sup>st</sup> Annual General Meeting (AGM) of LAHURNIP was held in 29 March 2016. A total of 16 general members took part the assembly. Advocate Shankar Limbu, secretary of the organization, presented progress report of fiscal year, and endorsed by the assembly. Similarly, Bhaim Rai, treasurer, presented the financial progress report of this fiscal year and endorsed. The executive committee had recruited the auditor for financial audit was indorsed by the assembly. The assembly also held the election of executive board member for the next term (for 3 years) that unanimously elected executive board members who are listed as above.

### **Staff Hiring**

In this fiscal year 3 more staff hired to support the daily secretarial works of the organisaiton. A Programme assistant and admin and finance assistant are the newly hired staff members. Similarly, an office helper also hired during the reporting period.

### **Staff Performance Appraisal Mechanism**

To be more effective and professional organisation a staff performance appraisal system also established in this fiscal year. The annual appraisal is based on the 360 degree method.

### **Reformed website**

To be more effective in media advocacy and dissemination of information LAHURNIP has reformed its website in this fiscal year. The dynamic and responsive appearance of the website is

expected to more effective and easy access to the viewers. Apart from that it is also expected of accessing the publications of LAHURNIP by the concerned rights and stakeholders.

### **Sharing and Orientation on the policies**

LAHURNIP has engaged in the sharing and orientation with board, secretariat and expert to enhance the capacity of the board and secretariat in lobby advocacy and institutional management. A workshop on policies internalization was also held in 25 June 2016 in which board and staff members were interacted on all institutional policies and effective way of implementation.

### **Preparation and revision of policies**

To strengthen institutional capacity of LAHURNIP has prepared two (Good Governance and Gender and Social Inclusion) new policies and revised its existing ones.

#### **Good Governance Policy**

To institutionalise internal good governance LAHURNIP has prepared a good governance policy in this fiscal year. Basically, good governance policy is intended to support the internal management of the organisation.

#### **Gender and Social inclusion Policy**

Gender and Social inclusion Policy of LAHURNIP has been prepared during the reporting period. The intention of preparation of the policy is to enhance and systematise the situation of gender and social inclusion in the organisation.

#### **Admin and Finance Policy**

Existing Admin and Finance policy of LAHURNIP has been revised in this fiscal year.

## **Human Resource Policy**

Existing Human Resource of LAHURNIP has been revised in this fiscal year.

## **Monitoring and Evaluation System**

In order to ensure reflective implementation of its activities LAHURNIP has established a Monitoring and Evaluation (M&E) System. Regular collection, analysis of data and use them for implementation of institutional management is fundamental. For that LAHURNIP has prepared a detailed M&E plans. The plan includes change indicators, data to be collected for specific indicators, sources of data, methods for data collection, frequency, and responsibility.

LAHURNIP has developed reporting formats, schedule and orient the concerned staff as well as maintained database for its activities. IPHRDs and staff members are responsible for ensuring timely and quality reporting from the field. Data is being collected on a monthly basis. Project progress reports are submitting as per the requirement of funding partners. Board and staff members are being involved in project monitoring activities. Financial audit is carried out based the understanding with funding partners and institutional audit is taking place at the end of the every fiscal year.

## **CONCLUSION**

The political, socio-economic situation of Nepal further deteriorated in this fiscal year. The party politics became more fluid and instable that severely hindered in the economic and social development. The Gross Domestic Production (GDP) was decreased to 6.05% in this year where it was 7.94 in previous year. Because of this the country has to depend highly on imports. The export decreased by 24.9% in this year.

The Truth and Reconciliation Commission (TRC) was formed in this year aiming to investigate on the human rights violation cases occurred during the 10 years long Maoist armed conflict. Similarly, the National Reconstruction Authority (NRA) was also formed in the reporting period to support the devastating earthquake affected. But activities of both institutions are slow and are not IPs friendly. Both institutions are highly concerned to the IPs as they are the most affected communities in the both incidents.

The situation of Human Rights also became frazile in this fiscal year. Particularly, the Situation of Human Rights gone through serious juncture. The oppression of security forces to the voices of IPs and local communities was rampant during the reporting period. Similarly, the activities of the development projects also prone to discard the rights of IPs and local communities in those projects sites.

The devastating earthquake affected households have not experienced any substantive changes n the livelihood and settlements in this period. The state's self-proclaimed supports are also yet to reach them.

LAHURNIP has constantly worked to promote human rights of IPs in this year too. For that it has worked closely from local to international level. Particularly, it has engaged in empowerment and advocacy at the local level on the rights of IPs. It has contribute at national and international level to lobby on the rights of IPs, particularly on policy reform and implementation of the international human rights instruments including ILO Convention No.169 and UNDRIP.

## FINANCIAL STATEMENTS

### Surveyor's Statement for Human Rights of Negritos Indigenous People (SALUBRITY)

#### Fund Accountability Statement As on 31st March 2017

Particulars	Sl. No.	Current Year (INR)	Previous Year (INR)
<b>Receipts of Fund</b>			
Opening Fund Balance		5,149,871.00	-
From Year Adjustments	1	275,227.50	-
Grant Income	2	16,084,495.00	16,084,495.00
Contribution from Donors	3	908,100.00	-
Interest Income	4	114,611.34	16,181.34
<b>Total Income</b>		<b>22,632,294.84</b>	<b>16,181,781.34</b>
<b>Uses of Fund</b>			
<b>Programme Expenses</b>			
Strengthening Indigenous People's Rights in Forest (SIPRIFF)	5	5,817,299.00	5,718,221.00
Report on Racial Discrimination in Tribal Reserving			
Annual savings in the new constitution (NTH)	6	512,960.76	218,990.50
Executive Social Responsibility (ESR)	7	941,700.00	-
New Indigenous Peoples Fund Foundation (NIPFF)	8	1,175,711.00	418,100.00
Education Intervention for Forest Communities (EUCF)	9	144,400.00	-
SALUBRITY Program (Indigenous Health)	10	275,227.50	801,813.00
SALUBRITY (Care Fund Expenses)	11	157,711.00	-
Strengthening the rights of Indigenous Peoples to Forest-Dependent Project	12	-	1,001,400.00
Using the Convention on Elimination of all forms of Racial Discrimination to end discrimination of Negritos indigenous groups through a people's action movement (CERD)	13	-	180,700.00
Regional Training on the Rights of the			241,070.00
Forest dwellers and Tribal Peoples for their forest rights			852,792.00
Training of Indigenous Elders and Knowledge			177,490.00
Political, Traditional Institutions of the Tribal Nations			96,100.00
<b>Total Programme Expenses</b>		<b>8,587,110.26</b>	<b>7,249,079.50</b>







Particulars	Rs.	Current Year (2016)	Previous Year (2015)
<b>Administrative Expenses</b>			
Grant-making Independent Member's Rights to Travel			
- 2016	2	3,700,000.00	3,800,000.00
- 2015	2	3,800,000.00	-
- 2014	2	300,000.00	-
Using the Commission on Allocation of all forms of Social Discrimination to and elimination of Socially Discriminated people through a comprehensive constitution of (SAR)	10	-	60,000.00
Grant-making for rights of Indigenous Peoples to Travel			
- 2016	13	-	300,000.00
- 2015	13	800,000.00	800,000.00
<b>Total Administrative Expenses</b>		<b>4,500,000.00</b>	<b>4,600,000.00</b>
<b>Total Application of fund</b>		<b>44,000,000.00</b>	<b>4,600,000.00</b>
<b>Balance of fund</b>		<b>10,000,000.00</b>	<b>4,000,000.00</b>
<b>Fund represented by :</b>			
<b>Total</b>		<b>10,000,000.00</b>	<b>4,000,000.00</b>
- 2016	13	10,000,000.00	4,000,000.00
- 2015	13	4,000,000.00	4,000,000.00
- 2014	13	1,000,000.00	1,000,000.00
<b>Advance</b>	14	1,000,000.00	-
<b>Debit</b>	15	100,000.00	100,000.00

Signatures Accounting Officers and Treasurers (continued) 10

Signatures and explanations under form as integral parts of: As per the report of the Board Financial Statement

  
Arjun K. Sharma  
Arjun K. Sharma Officer

  
Arjun K. Sharma  
Arjun K. Sharma Director

  
Arjun K. Sharma  
Arjun K. Sharma Treasurer

  
Arjun K. Sharma  
Arjun K. Sharma President

  
Arjun K. Sharma  
Arjun K. Sharma Chairman

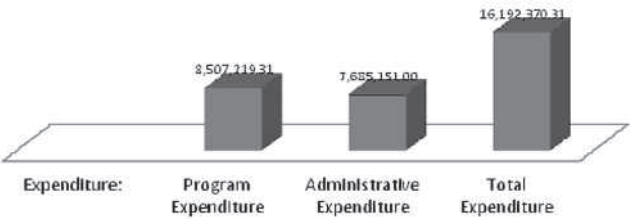


Total income in the FY is NPR 26,489,729.52. Out of the total income NPR 16,192,370.31 expenditure has occurred in the FY. Bank balance during the reporting period is NPR 10,297,359.21 (see chart 1&3). In the total expenditure occurred in the FY NPR 8,507,219.31 was in programme cost and NPR 7,685,151.00 in administrative cost (see chart 2).

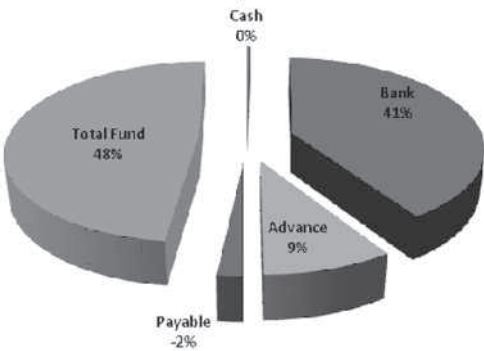
**Chart 1: Fund Accountability Statement  
Fy 2072/73**



**Chart 2: Expenditure of FY 2072/73**



**Chart 3: Fund Representation in %**



## ANNEXES

### Annex1: Press releases

प्रि.प्र.का. काठमाडौं  
दर्ज. ४०२/०५१/०५२

पृ.नं. : ३  
प.सं. : २०६२/०६३



नेपालका आदिवासीहरूको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुरिप)

मिति: २०७२/०४/०६

#### प्रेस विज्ञप्ती

२०७२ साउन ४ र ५ गते संविधानसभाको मस्यौदा उपर जनताको राय बुझ्न भनी तोकिएको दिनमा लिखुवान, किरात, ताम्बान, धरहराका विभिन्न स्थानहरू ईलाम, धनकुटा, झापा, सुनसरी, पाँचथर, संखुवासभा, तमजुङ, उदयपुर, पाप्सा, कैलाली, तथा मधेशका रौतहट, जनकपुर, सप्तरी, सिराहा लगायतका स्थानहरूमा मत संकलन गर्ने गरएका नेता तथा सभासदहरूको उपस्थितिमा सुरक्षाकर्मीहरूबाट सुभाष दिन तथा भालिपुर्णरूपले विरोध जनाउन गएका जनतामाथि निर्धोत कटपीट गरी घाइतेसमेत बनाइएकोमा लाहुरिपको गम्भीर ध्यान आकर्षण भएको छ ।

आफ्ना लागि आफै संविधान बनाउने, गणतन्त्र, संघीयता स्वायत्त शासनको माध्यमबाट राज्यको अग्रगण्य पुनर्संरचना नया संविधानमा संस्थागत गर्ने जनार्दन नेपाली जनताले कान्ति र आन्दोलनमार्फत स्थापित गरेको कारण, यसलाई अन्तिम संविधानमा नै किटान गरिएतापनि त्यसको ठीक विपरित, पहिलो संविधानसभामा सहमत भई राखिएका आदिवासी जनजाति, मधेशी, दलित, महिला लगायतका अधिकार, नेपाल पञ्चायत रहेका अन्तर्राष्ट्रिय मानव अधिकार विपरित संविधानसभाले ल्याएको मस्यौदाको जनताले सबै विरोध शुरू गरेका छन् । चारवटा राजनीतिक पार्टी (नेपाली कांग्रेस, नेकपा एमाले, एमकेपी माओवादी र मधेशी जनताधिकार फोरम लोकतान्त्रिक) ले गरेको १६ बुँदे सम्मतिता हालसम्म प्राप्त जनताको उपस्थिति र संविधान विपरित रहेको छ । १६ बुँदे सम्मतिता आधारमा संविधान बनाए देश द्वन्द्वमा जाने र अपुरीपय क्षति हुने फैसला श्री सर्वोच्च अदालतलेसमेत गरेको छ ।

यस सम्बन्धमा, संविधान निर्माणमा हरेक तर तरफका जनता संलग्न हुने त्यसबारे अभिमत जाहेर गर्ने संवैधानिक, कानूनी र आधारभूत मानव अधिकारमित्रको विषय हो भन्नेमा दुइमत छैन । यी अधिकारलाई कुण्ठित गर्ने गरी जनतालाई संविधान निर्माणमा संलग्न नगराउने, सुरक्षा घेरा, सरकारी कर्मचारीहरू, आफ्ना पार्टीसमर्थक भेला गरेर सुभाष संकलन गर्ने र जनताको भावना समेट्ने प्रकारको जनतामुखी संविधान नबनाउने उद्देश्यले गरिएको कटपीट अत्यन्त निन्दनीय छ । आफ्नै अगाडि जनतालाई कटपीट हुँदासम्म बुझ्छाप भन्ने, मत संकलन गर्ने गएका नेता तथा सभासद र कतिपय ठाउँमा सभासदकै आदेशले नित्यता जनतामाथि निर्धोत कटपीट गरिनुले राज्य दमनमा उत्रेको प्रष्ट देखिन्छ ।

त्यस्ता घटनाको सत्यतथ्य छानबीन गरी मानव अधिकार उल्लंघन गर्ने नेता, सभासद र सुरक्षा निकायका व्यक्ति जो कोहीलाई पनि राज्यले कारबाहीको दापरमा ल्याउनु पर्दछ । राज्यले घाइतेहरूलाई उपचार तथा क्षतिपूर्ति सरकारले उपलब्ध गराउनु पर्दछ ।

प्रक्रियाबद्ध ढंगले आदिवासी जनजाति, मधेशी, दलित, अल्पसंख्यकलाई अधिकार विहिन बनाउनको लागि सरकार, चारपार्टीका मिश्रित नेतृत्व र संविधानसभाका सभापति आफै लागिने देखिएको र राज्य आफै दमनमा उत्रिएको घटनाक्रमले पुष्टि गरेको हुनाले संयुक्त राष्ट्रसंघ लगायतका अन्तर्राष्ट्रिय मानव अधिकारमा कार्यरत संघसंस्थाहरूको समेत यसै विज्ञप्तीद्वारा लाहुरिप ध्यान आकर्षण गर्दछ ।

  
(शक्ति सिम्सु)  
सचिव

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पौ.ब.सं. : १११७४ काठमाडौं



घ.नं. : १०

प.सं. : २०६२/०६३



नेपालका आदिवासीहरूको  
मानव अधिकार सम्बन्धी  
वकिल समूह (लाहुर्निप)

मिति: २०७२ साउन २०

### प्रेस विज्ञप्ती

आफ्नो लागि आफैँ संविधान बनाउने, गणतन्त्र, संघीयता, स्वायत्त शासनको माध्यमबाट राज्यको अग्रगामि पुनसंरचना नयाँ संविधानमा संस्थागत गर्ने जनादेश नेपाली जनताले कान्ति र आन्दोलनमार्फत स्थापित गरेको कारण यसलाई अन्तरिम संविधानमा नै किटान गरिए तापनि त्यसको ठीक विपरित, पहिलो संविधानसभामा सहमत भई राखिएका आदिवासी जनजाति, मधेशी, दलित, महिला लगायतका अधिकार, नेपाल पछराष्ट्र रहेका अन्तर्राष्ट्रिय मानव अधिकार विपरित संविधानसभाले ल्याएको मस्यौदाको जनताले सर्वत्र विरोध शुरु गरेका छन् ।

यही क्रममा आफ्ना जायज माग राखी संयुक्त राजनीतिक दलित सघर्ष समिति, दलित सभासद समन्वय समिति र दलित नागरिक समाजको संयुक्त आयोजनामा संविधानमा दलित अधिकार सुनिश्चितताका लागि गरिएको शान्तिपूर्ण विरोध कार्यक्रममा प्रहरीले अत्याधिक बल प्रयोग गरेको कार्य प्रति लाहुर्निपको गम्भिर ध्यानाकर्षण भएको छ । शान्तिपूर्ण प्रदर्शनमा प्रहरी दमन भई केही दलित अगुवाका साथै कैयौँ प्रदर्शनकारीहरु घाइते भएका छन् । प्रक्रियाबद्ध ढंगले राज्य आफैँ दमनमा उत्रिएको घटनाक्रमले पुष्टि गरेको हुनाले दोषीहरु उपर तत्काल छानविन गरी कडा कारवाहीको लागि नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप) सरकारलाई आग्रह गर्दछ । साथै घाइतेहरूको स्वस्थ उपचार सम्पुर्णरूपमा सरकारले व्यहोर्नुपर्ने पनि माग गर्दछ । घाइतेहरूको शीघ्र स्वास्थ्यलाभको कामना गर्दछौं ।

शर्कर लिम्बू

सचिव

लाहुर्निप

अनामनगर, काठमाडौं, नेपाल  
फोन नं. ०१-४७७०७१०  
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जि.प्र.का. काठमाडौं  
द.नं. ४०३/०५१/०५३



नेपालका आदिवासीहरुको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुर्निप)

मिति : २०७२ भदौ ३

च.नं. : १५  
प.सं. : २०६२/०६९

### प्रेस विज्ञप्ती

आफ्नो लागि आफैँ संविधान बनाउने, गणतन्त्र, संघीयता, स्वायत्त शासनको माध्यमबाट राज्यको अग्रगामि पुनर्संरचना नयाँ संविधानमा संस्थागत गर्ने जनादेश नेपाली जनताले क्रान्ति र आन्दोलनमार्फत स्थापित गरेको कारण यसलाई अन्तरिम संविधानमा नै फिटान गरिए तापनि त्यसको ठीक विपरीत, पहिलो संविधानसभामा सहमत भई राखिएका आदिवासी जनजाति, मधेशी, दलित, महिला लगायतका अधिकार नेपाल पछराष्ट्र रहेका अन्तराष्ट्रिय मानव अधिकार विपरित संविधानसभाले ल्याएको मस्यौदाको जनताले सर्वत्र विरोध शुरु गरेका छन् ।

यही कममा आफ्ना जायज माग राखी संयुक्त मधेश सघर्ष समितिले शुरु गरेको मधेश आन्दोलनको कममा सप्तरीको भारदहमा एक जनाको ज्यान जाने गरी भएको प्रहरी ज्यादतीको नेपालका आदिवासीहरुको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप) घोर भर्त्सना गर्दछ । सो प्रदर्शनमा प्रहरीले गोली चलाउँदा राजीव राउतको मृत्यु हुनाको साथै दर्जनौ प्रदर्शनकारी गम्भीर घाइते भएकोले दोषीहरु उपर तत्काल छानबिन गरी कडा कारवाहीको लागि (लाहुर्निप) सरकारसँग आग्रह गर्दछ । साथै घाइतेहरुको स्वस्थ उपचार सम्पुर्णरूपमा सरकारले व्यहोर्नुपर्ने माग गर्दै घाइतेहरुको शीघ्र स्वास्थ्यलाभको कामना गर्दछौ ।

शान्तिपूर्ण आन्दोलन गरिरहेका आदिवासी जनजाति, मधेशी, दलित, मुस्लिम लगायतका समुदायहरूसँग वार्ताका माध्यमबाट समस्याको समाधान गरि सबै सिमान्कृत समुदायहरुको अधिकार सुनिश्चित हुने लोकतान्त्रिक संविधान जारी गर्ने सरकारसँग आग्रह गर्दछौ । साथै शान्तिपूर्ण आन्दोलनमा बल प्रयोग तत्काल रोक्न समेत आग्रह गरिन्छ ।

  
शंकर लिम्बू  
सचिव  
लाहुर्निप

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जि.प्र.का. काठमाडौं  
ब.नं. ४०२/०५१/०५२




च.नं. : १९  
प.सं. : २०६२/०६३

नेपालका आदिवासीहरूको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुरिप)

मिति: २०७२ भाद्र ७

आपत्कालीन प्रेस विज्ञप्ति

मिति २०७२ भाद्र ७ गते कैलालीको टीकापुरमा थारुहरूको शान्तिपूर्ण आन्दोलनका क्रममा हुन गएको सर्वसाधारण तथा सुरक्षाकर्मीहरूको हताहतप्रति नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुरिप)को गम्भीर ध्यानाकर्षण भएको छ । यस अवस्थामा सरकारले उक्त घटनाको स्वतन्त्र र निष्पक्ष छानबीन गरी जिम्मेवार पक्षको हुन र कारक तत्व के हो भन्ने पहिचान नगरी सेना परिचालन गर्ने सुरक्षा परिषदको निर्णयले थप मानवीय क्षति र मानवअधिकार उल्लङ्घन हुने भएकोले सेना परिचालन कार्य तत्काल स्थगन गरी समस्याको शान्तिपूर्ण समाधान खोज्न लाहुरिप सरकार तथा सम्बन्धित निकायसँग अनुरोध गर्दछ, साथै यस घटनासँग सम्बन्धित सूचना सम्प्रेषण गर्दा सञ्चार जगतले सत्य तथ्यमा आधारित भएर घटना अतिरिञ्जित नहुने गरी जिम्मेवार ढंगले समाचार सम्प्रेषण गरी दिनहुन सयित अनुरोध छ ।

  
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जि.प्र.का. काठमाडौं  
द.नं. ४०२/०५१/०५२

च.नं. : १६  
प.सं. : २०६२/०६९



नेपालका आदिवासीहरूको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुर्निप)

मिति: २०७२/०५/०७

प्रेषा बिज्ञापनी

“निहत्था जनतामाथि हतियारबन्द आक्रमण नगर, शान्तिपूर्णरूपमा आन्दोलन गर्न पाउने मानव अधिकारको पालना गर”

मिति २०७१/१६ गते बर्दिया जिल्लाको सदरमुकाम गुलरियामा धरुहट र आदिवासी जनजाति महसुधले आदिवासीहरूको अन्तरिम सविधान २०६३, अन्तर्राष्ट्रिय श्रम संगठन महासन्धि नं १६९ र आदिवासीहरूको अधिकार सम्बन्धी संयुक्त राष्ट्र संघीय घोषणापत्रले प्रत्याभूत भएको, आदिवासी तथा थारुहट आन्दोलनसँग राज्यले गरेको सम्झौताहरूलाई सम्मान गर्नुपर्ने मागसहित गरिएको शान्तिपूर्ण विरोधमा एसपी गोविन्दराम परियारको कमाण्डमा रहेका प्रहरीले अन्धाधुन्ध अश्रुग्याँस, रबरका गोली तथा लाठी चार्ज गरी ४३ जनालाई घाइते बनाएको छ। त्यसमध्ये ६ जनाको अवस्था अत्यन्त गम्भीर भई जिल्ला अस्पताल गुलरियामा उपचार गरिरहेकामध्ये शिवलाल थारुलाई टाउको तथा शरीरमा जघाभाबी लाठी प्रहार गरी कानभिन्नबाट रक्तश्राव भएको, मानबहादुर थारु, रामचन्द्र थारु र राम् पासीको ढाँड तथा मेरुदण्ड नचल्ने अवस्थामा रहेको छ। गुलरिया नगरपालिका बडा नं ४ बस्ने रिस्ता चालक राजु गोडिया, प्रहरीको अन्धाधुन्ध कूटपट्टबाट हालसम्म बेहोश अवस्था छन्।

शान्तिपूर्ण जुलुस जिल्ला प्रशासन कार्यालय नजिकै आइपुग्दा सिमिल डेस लगाएको तर सुरक्षाकर्मीहरू जस्तै देखिने केही व्यक्तिहरूले घुसपैठ गरेको र उक्त व्यक्तिहरूको गतिविधि हुनसाथै प्रहरीले योजनाबद्ध ढंगले अमानवीय तवरले आक्रमण गरेको लाहुर्निपको मानव अधिकार प्रतिरक्षकको स्थलगत निरीक्षणबाट देखिएको छ।

शान्तिपूर्ण आन्दोलन गर्न पाउने मानव अधिकारको हनन् गरी, निहत्था जनतामाथि नियोजित ढंगबाट अश्रुग्याँस र रबरका गोलीसमेत प्रहार गर्ने कार्यप्रति नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धि वकिल समूह (लाहुर्निप)को गम्भीर ध्यानाकर्षण भएको छ। त्यस घटनाप्रति धेरै निन्दा गर्दै विधिको शासन, लोकतान्त्रिक मूल्य मान्यता र शान्तिपूर्ण विरोध गर्न पाउने र भेला हुन पाउने मानव अधिकार तथा नेपालको अन्तरिम सविधान, २०६३ले प्रत्याभूत गरेको मौलिक हक कुण्ठीत नगर्न राज्य तथा प्रहरी प्रशासनलाई सचेत गराउँदछौं। राज्यले अबिलम्ब छानबिन गरी यस घटनामा संलग्न दोषीहरूलाई कारवाही गर्न हामी अपाह गर्दछौं। घाइतेहरूको उपचार तथा क्षतिपूर्ति प्रदान गर्नपर्ने शिफारिस गरिन्छ। साथै घाइतेहरूको शीघ्र स्वास्थ्यलाभको कामना गर्दछौं।

हाल जारी सविधान लेखन प्रक्रियाले मुलुकलाई गम्भीर मुठभेडमा लगेरहेको संकेतपूर्ण अवस्थालाई रोक्न अबिलम्ब आन्दोलनरत पक्षहरूसँगको अर्बपूर्ण वार्ता तथा अग्रिम सुसुचित तथा मञ्जुरीबाट संघीय प्रदेशहरूको पहिचानमा आधारित नामाकन, सीमाकन, धर्मनिरपेक्षता, संघावेशी लोकतन्त्र, मानव अधिकार, जातीय जनसंख्याको आधारमा पूर्णसमानुपातिक प्रतिनिधित्व रहने, आदिवासी जनजाति, मधेसी, दलितहरूको अधिकारसहितको सविधान जारीगरी शान्ति कायम गराउन सविधानसभाका सभापक्ष, सरकार, सत्तारुढ तथा विपक्षी पार्टीलाई गम्भीर हुन ध्यान आकर्षण गराउँदछौं।

अन्त्यमा, यसप्रकार आदिवासीहरूउपर राज्यबाट आक्रमण भइरहेको कार्यमा राष्ट्रिय मानव अधिकार आयोग, अन्य मानव अधिकार र नागरिक समाजहरूलाई ध्यान पुऱ्याई दिनहुन समेत हार्दिक अनुरोध गर्दछौं।

  
शंकर लिम्बु  
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जि.प्र.का. काठमाडौं  
द.नं. ४०२/०५१/०५२



च.नं. २९  
प.सं. : २०६२/०६३

नेपालका आदिवासीहरुको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुर्निप)

मिति: २०७२/५/१७

#### प्रेस विज्ञप्ती

मिति २०७२ साल भाद्र १६ गते नेपाल आदिवासी जनजाति महासंघको पूर्व महासचिव तथा आदिवासी अधिकारकर्मी श्री आडकाजी शेरपाँलाई मानवअधिकारको मर्म विपरित कानूनी शासनको उपहास हुने गरी बिना पकाउपुर्जी गिरफ्तार गरिएकोप्रति नेपालका आदिवासीहरुको मानवअधिकार सम्बन्धी वकिल समूह (लाहुर्निप)को गम्भिर ध्यानाकर्षण भएको छ ।

राज्यको यसप्रकारको हर्कतले मानव अधिकारको मुल्यमान्यता र नागरिकको अभिव्यक्ति स्वतन्त्रतालाई क्षुण्ठित पार्ने तर्फ सबैको ध्यानाकर्षण गराउन चाहन्छौ ।

आदिवासी अधिकारकर्मी शेरपाँलाई तत्काल रिहा गर्ने समेत सरकारसँग माग गर्दछौ ।

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जि.प्र.का. काठमाडौं  
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च.नं. : २२  
प.सं. : २०६२/०६९

नेपालका आदिवासीहरूको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुर्निप)

मिति: २०७२/०६/०४

प्रेस विज्ञापित

आज मिति २०७२ असोज ४ गते मोरङ, विराटनगरमा प्रहरीको गोली लागि कम्तीमा तीनजना सख्त घाइते भएका छन्, सोप्रति नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप)को गम्भीर ध्यानाकर्षण भएको छ। यसमा प्रहरीको गोली लागि विशाल केसरी, अजय सहनी र पिंकी केसरी सख्त घाइते भएका छन्।

शान्तिपूर्ण आन्दोलन र प्रदर्शन गर्न पाउनु जनताको लोकतान्त्रिक अधिकार हो। यस्तो अवस्थामा प्रहरीको बल प्रयोग अन्तर्राष्ट्रिय मानव अधिकारका कानूनहरूको खिलापमा छ। तसर्थ, शान्तिपूर्ण आन्दोलनमा भएको बल प्रयोगप्रति सम्बन्धित निकायको ध्यानाकर्षण गराउँदै सो कार्य रोक्न आग्रह गर्दछु। साथै प्रहरीले गरेको बलको अत्यधिक प्रयोगबाट घाइते भएकाहरूको उचित उपचारको व्यवस्था गर्नसमेत सरकार तथा सरोकारवालाहरूसँग आग्रह गरिन्छ।

शकर लिम्बू

सचिव

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जि.प्र.का. काठमाडौं  
द.नं. ८०३/०५१/०५३



नेपालका आदिवासीहरूको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुर्निप)

मिति : २०७२ माघ ८

च.नं. : ६८

प.सं. : २०६२/०६३

#### प्रेस विज्ञप्ती

आफ्नो लागि आफैँ संविधान बनाउने, रणतन्त्र, संघीयता, स्वायत्त शासनको माध्यमबाट राज्यको अग्रगाम पुनर्संरचना नयाँ संविधानमा संस्थागत गर्ने जगदीश नेपाली जनताले कान्ति र आन्दोलन मार्फत स्थापित गरेको कारण यसलाई अन्तरिम संविधानमा नै किटान गरिए तापनि त्यसको ठीक विपरीत पछिल्लो संविधानसभामा सहमत भई राखिएका आदिवासी जनजाति, मधेशी, दलित, महिला लगायतका अधिकार नेपाल पञ्चायत रहेका अन्तराष्ट्रिय मानव अधिकार विपरित संविधानसभाले ल्याएको संविधानको जनताले सर्वत्र विरोध गरेका छन्।

यही क्रममा मधेशी, आदिवासी जनजाति र दलितको अधिकार संविधानमा पर्नेपर्ने माग राखी समुक्त मधेश संघर्ष समितिले शुरु गरेको मधेश आन्दोलनको क्रममा मोरङको रङ्गेलीमा गत माघ ७ गते तीन जनाको ज्यान जाने गरी भएको प्रहरी जगदली पहिचानकै आधारमा जनताको जीउ ज्यान लिने कार्य भएको नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप) को ठहर छ। सो घटनामा जिल्ला मोरङ, रंगेली बस्ने बर्ष ५० की दौपती चौधरी, डायनिथा-९ बस्ने बर्ष २५ को गिरु मामी (मधेशी दलित) र वरङ्गा-२ बस्ने महादेव ऋषिदेव (मधेशी दलित) को ज्यान गएको छ।

सो शान्तिपूर्ण प्रदर्शनका क्रममा प्रहरीको गोली लागेर गम्भीर घाइते बनेका जिल्ला मोरङ, रंगेली-९ बस्ने सत्य नारायण साह, रंगेली-३ बस्ने सुबोध कुमार मण्डल, चोप्राह-९ बस्ने बबण मण्डल, रंगेली-९ बस्ने जगन्नाथ साह र डायनिथा-९ बस्ने विक्रम सहनीको वि.पी.कोइराला स्वास्थ्य विज्ञान प्रतिष्ठान धरानमा उपचार भइरहेको छ। साथै प्रहरीको संरक्षणमा आएका युवाध्यापक कार्यकर्ताको धारिनी हतियारको आक्रमणबाट गम्भीर घाइते भएका विराटनगर बस्ने बर्ष ६० को दिलिप धारेबाबु र विराटनगर बस्ने बर्ष ५० को सन्तोष महताको हाल वि.पी.कोइराला स्वास्थ्य विज्ञान प्रतिष्ठान धरानमा उपचार भइरहेको छ। घाइतेहरूको यथासिध्द सक्ती छिटो प्रभावकारी रूपमा निःशुल्क उपचार उपलब्ध लाहुर्निप जोडदार माग गर्दछ।

स्थानीयहरूका अनुसार मधेशी मोर्चाहरूले कार्यक्रम गर्दै आएको स्थानमा नै नेकपा एमाले पार्टीका भातु संगठन युवा सभले संविधानको समर्थनमा कार्यक्रम आयोजना गरेको उक्त स्थानमा पुर्बाञ्चलको विभिन्न ठाउँबाट सशस्त्र र नेपाल प्रहरीका जम्मा ५०० को हाराहारीमा सुर्क्षाकर्महरू एकत्रित गरिएको थियो। घटनामा प्रदर्शनमा संलग्न नभएका साधारण व्यक्तिको मृत्यु भएको तथा घाइते भएका छन्।

स्थानीय प्रशासन ऐन, २०७२ मुताबिक कानून विपरित शान्ति भङ्ग भएको अन्तिम अवस्थामा मात्र थुँडा मुनि गोली हान्न पर्ने तर मार्ग नपाइने विपरीत ठाउँको, छत्ती लगायतको शब्देनशील मागमा गोली हानेको देखिनु राज्य पक्षले गैरकानूनी हकत भएको लाहुर्निप ठहर गर्दछ।

राज्य पञ्चायत भएको यस प्रकारको अत्याधिक बल प्रयोगले मधेशी र आदिवासी जनजाति समुदाय अत्यन्त असुरक्षित भई बसित भएका कारण अन्तराष्ट्रिय मानव अधिकार सम्बन्धी संघसंस्थाबाट स्वतन्त्र अनुगमनका साथै अन्तराष्ट्रिय समुदायले नेपाल सरकारलाई आदिवासी तथा मधेशी जनताको बाँच्न पाउने र सुरक्षित रहन पाउने हकको सम्मान गर्न सहजीकरण गर्न समेत लाहुर्निप सरकारबामा सबैको ध्यानाकर्षण गराउन चाहन्छ।

शान्तिपूर्ण आन्दोलन गरिरहेका आदिवासी जनजाति, मधेशी, दलित, मुस्लिम लगायतका समुदायहरूसँग बाताँका माध्यमबाट समस्याको समाधान गरी रुबै दीमाताकृत समुदायहरूको सहमतिमा अधिकार संविधानमा सुनिश्चित गर्न एवं शान्तिपूर्ण आन्दोलनमा बल प्रयोग तत्काल रोक्न नेपाल सरकारलाई ध्यान आकर्षण गरिन्छ।

शंकर लिम्बू  
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## प्रेस विज्ञप्ती

मिति: २०७२ चैत्र ३

पाँचथर जिल्लाको यादुनामा गाविस १ र भारापा गाविस ४ जोड्ने हँवा खोलागाथि धेरै पहिले स्थानीयलाई आवश्यकता पर्नेका लागि ब्रिटिस बेलफेयरको सहयोग र स्थानीयको श्रमदान तथा अनुदानमा पुल निर्माण भई संचालनमा रहेको थियो । उक्तपुलबाट स्थानियले गाई, बाख्रा, भैसी तथा चौपाया तथा मानिसहरु बारपार गर्ने एक मात्र साधनको रूपमा प्रयोग भई आएकोमा पाँचथर पावर कम्पनीले १५ मेघावाटको हाईड्रुको ईन्टेक निर्माण गर्न स्थानीय प्रशासनसँगको मिलेमेलमा भत्काई नयाँ पुल साविक स्थान भन्दा अन्दाजि ३५-४० मिटर माथि निर्माण गरिएको तर सो पुलबाट गाई गोरु तथा अन्य चौपाय तर्न मिल्ने नमिल्ने तथा २०२४ सालमा बाढिले ल्याएको ढुङ्गामाथि निर्माण गरेको हुँदा सो पहिलाको जस्तो बलियो नभएका, भुकम्पले क्षतिग्रस्त भएको र जुनसुकै बेला पनि दुर्घटना हुन सक्ने अवस्थाको रहेको छ ।

स्थानीय समुदायले पटक पटक परियोजना तथा स्थानीय प्रशासनसँग पहिलाको जस्तै बलियो पुल निर्माण, हाईड्रु पावरबाट खानेपानीको मुहानमा असर गरेको हुँदा सो खानेपानीको वैकल्पिक उचित व्यवस्था, थप बाटो घाटोको व्यवस्था र हाईड्रु पावर निर्माण गर्दा हडपेको जग्गाको उचित मुआब्जा तथा क्षतिपूर्ति लगायतका माग राखी सम्बन्धित परियोजना र स्थानीय प्रशासनमा जानकारी, ज्ञापनपत्र तथा मौखिक रूपमा अनुरोध गर्दा समेत वेवास्ता गरेको कारण मिति २०७२ साल फागुन २५ गते कोष सभा गरि चैत्र २६ गते देखी परियोजनाको काममा अवरोध आएको थियो । मिति २०७२ साल चैत्र १ गतेका दिन बैठक बसेको भए तापनि निक्सा निस्कने बातावरण नबाने बैठक टुटिएको र एकमासी मिति २०७२ साल चैत्र २ गतेका दिन अन्दाजी विहान ११ बजेको समयमा अन्दाजी ७० जना शसस्त्र प्रहरी तथा प्रहरीहरु स्थानीयको घर घरमा गई सार्वजनिक मुद्दा लगाउछु भन्दै धम्काएको कारण सो क्षेत्रका मानिसहरु घर बस्न नसकी जंगलमा बस्नु पर्ने अवस्था सिर्जना भएको थियो ।

यसै गरी मिति २०७२ साल चैत्र २ गते बेलुका दुई टुक शसस्त्र प्रहरी तथा नेपाल प्रहरी गडि गाउँमा त्रासादि पुर्ण बातावरण बनाउनुका साथै स्थानीयको घर घर पसी कटपिट तथा पक्राउ गरिएको । मिति २०७२ साल चैत्र ३ गते घाम नभुल्की स्थानीय महेश अधिकारी, शारदा सुब्बा, समिर लुवा, राजकुमार हाडसुम्बा, रंगल हाडसुम्बा, बाला हाडसुम्बा लगायत महिला तथा पुरुष लगायत अन्दाजि १८ जनालाई पक्राउ गरिएको स्थानीयको भनाई रहेको छ । पक्राउ परेकोहरुलाई कटपिट गरि निर्मम यातना दिएको र सो घटनाको अनुगमन गर्न मानवअधिकार कोमि, पत्राकार, नागरिक समाजका अगुवा समेत घटनास्थलमा गएको जानकारी बुझिएको छ ।

सरकारले पिडित पक्षलाई सहयोग गर्नुको सट्टा २/४ जनाको मात्र माग हो भन्दै शान्ति सुरक्षाको नाममा हाल गाउँमा प्रहरी परिचालन गरी त्रासदीपूर्ण बातावरण सिर्जना गरी धरपकड तथा कटपिट, शारिरिक तथा मानसिक यातना, महिला माथिको दुर्व्यहार जस्ता मानवअधिकार विरोधी कार्य भैरहेको हुँदा सो कार्य तत्काल रोकी बाता तथा छलफलका माध्यमबाट शान्तिपूर्ण रूपमा समस्याको समाधानका लागि सम्बन्धित निकायसँग नेपालका आदिवासिहरुको मानव अधिकार सम्बन्धी बकिल समुह (लाहुरिप) आग्रह गर्दछ । साथै पक्राउ परेका सम्पूर्ण व्यक्तिहरुलाई तुरुन्त रिहा तथा घाईतेको निशुल्क उपचारको लागि अनुरोध गर्दछौ ।



हाकर लिम्बू  
साँघव

नेपालका आदिवासीहरुको मानव अधिकार सम्बन्धी बकिल समुह (लाहुरिप)

जि.प्र.का. काठमाडौं  
द.नं. ८०२/०५९/०५३



च.नं. : ५६९३  
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नेपालका आदिवासीहरुको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहूर्निप)

मिति: २०७२ वैश्व २५

राष्ट्रिय मानव अधिकार आयोगले मिति २०७२ वैश्व २४ मा नेपाल सरकारको नाममा खिस्ती-डल्केवर २२० केभी प्रसारण लाइनको काम निरन्तरता दिन गरेको सिफारिसको निर्णयप्रति नेपालका आदिवासीहरुको मानव अधिकार सम्बन्धी वकिल समूह (लाहूर्निप)को ध्यानाकर्षण भएको छ ।

मानव अधिकार हननको विषयलाई लिएर पीडितहरुले लामो समयदेखि शान्तिपूर्ण आन्दोलन गरिरहेका छन् । सो सम्बन्धमा पीडित पक्षको तर्फबाट मानव अधिकार आयोगमा पनि पटक पटक जानकारी गराउने काम भएको छ । पछिल्लो समय पीडितहरुले शान्तिपूर्ण समाधानका लागि विभिन्न वैकल्पिक मागहरु राखी लिखित रुपमा अप्रह समेत गरेका छन् । वार्ताका लागि केही चरणको प्रयास समेत भएको र चाँडै अर्को चरणको बैठक बस्ने समेत मौखिक सहमति भएकोमा आयोगको तर्फबाट एकाएक रहस्यमय ढंगबाट काम अगाडी बढाउने निर्णय सहितको सिफारिश आएको कुराले हामीलाई चिन्तित बनाएको छ ।

परियोजना पक्षबाट आइएलओ १६९, अन्ड्रीपलगायतका अन्तर्राष्ट्रिय मानव अधिकारका प्रावधानहरु हनन भएको कुरामा लाहूर्निपले पटक पटक सम्बन्धित पक्षहरुको ध्यानाकर्षण गराउँदै आएको छ । तर, परियोजना पक्ष सो कुरामा गम्भीर नबनेको प्रष्ट छ । आयोगको पक्षलाई आधार लिई बिगतमा जस्तै स्थानीय जनता विरुद्ध सरकारको तर्फबाट बल प्रयोग गरी मानवअधिकार हनन हुने प्रबल सम्भावना रहेको हुँदा सो प्रति आयोग सचेत र संवेदनशील रहदै, समस्याको शान्तिपूर्ण समाधानका लागि सम्बन्धित पक्षबाट यथासक्ती चाँडो पहल तथा पीडितहरुको मागलाई केन्द्रमा राखी वार्ताको माध्यमबाट समाधानको पहल गर्न समेत आयोगको ध्यानाकर्षण गराउन चाहन्छौ ।

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च.नं. : ८४  
प.सं. : २०७२/०६३

**नेपालका आदिवासीहरूको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुर्निप)**

मिति: २०७२/१२/२८

**प्रेस विज्ञप्ती**

राष्ट्रिय मानव अधिकार आयोगले खिस्ती-डुल्केबर बिचुत प्रसारण परियोजनाको काम अघि बढाउने सिफारिश पछि पीडित सधर्प २०७२ साल चैत्र २८ गते देखि शान्तिपूर्ण धर्नामा छन्। सो कुराको अनुगमन २०७२ साल चैत्र २८ गते प्रमुख जिल्ला अधिकारी तारा बहादुर कार्की, स्थानीय राजनीतिक दलका प्रतिनिधि तथा स्थानीय पत्रकारहरूले गरेका थिए।

यसै क्रममा मिति २०७२ साल चैत्र २८ गतेका दिन अनुगमनको क्रममा विहान ८ बजे प्रमुख जिल्ला अधिकारीले वार्ताको लागि भन्दै थोलाइ विहान ११ बजे सधर्प समितिका अध्यक्ष सुरेन्द्र श्वर मोक्तान लगायतलाई प्रहरीले पक्राउ गरेको छ। सधर्प समितिका सदस्यहरू अम्बिका थापा, पावती थापा, कृष्ण बहादुर थापा, गंगा कार्की र लक्ष्मी तामाङ जिल्ला प्रशासन कार्यालय, सिन्धुलीको हाताबाट पक्राउ परेका छन्।

न्यायका लागि शान्तिपूर्ण धर्नामा बसेका स्थानिय पिडित समुदायलाई कुटनेपीटने, बलप्रयोग गर्ने पकटे बुन्ने क्रम जारी रहेको छ। यसै क्रममा नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप)का मानव अधिकार प्रतिरक्षक गोकुल भुजेललाई पटक पटक प्रहरी एस पीले फोन गरी पक्राउ भन्ने भन्ने धम्की दिइरहेका छन् भने अन्य सधर्प समितिका मानिसहरूलाई पक्राउ गर्न गाउँ गाउँमा खोजतलास गरिरहेका छन्। अर्को तर्फ धर्नामा बसेका पिडित समुदायहरूलाई उनीहरूले धर्नामा बस्न बनाएको छुप्रो टेन्ट भत्काउने, र खेदने महिलाभाषि हातपात गर्ने कुटपीट गर्ने गर्दै खेबाउने काम भइरहेको छ।

जनताको शान्तिपूर्ण प्रदर्शन गर्न पाउने अधिकारको विरुद्धमा बल प्रयोग तथा धरपकड गर्ने स्थानीय प्रशासनको कार्यप्रति नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप) घोर भर्त्सना गर्दछ।

साथै शान्तिपूर्ण आन्दोलन गरिरहेको स्थानमा करिब ५०० जना सुरक्षाकर्मी परिचालन गरि बासको वातावरण सिर्जना गरिएको छ। प्रशासनले गरेको यस प्रकारको क्रियाकलाप लत्काल रोक सधर्प समितिसँग वार्तामा बस्न आग्रह गर्दछ। साथै राज्यको यस प्रकारको मानव अधिकार विरोधी कार्यबाट हुन जाने धनजनको क्षति हुन सक्ने अप्रिय घटना प्रति सरकार जिम्मेवार हुनु पर्नेमा समेत ध्यानाकर्षण गराउन चाहन्छौं।



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नेपालका आदिवासीहरूको  
मानव अधिकार सम्बन्धी  
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प्रेस विज्ञप्ती

मिति: २०७३ जेठ २ गते

व्यवस्थापिका संसदमा प्रतिनिधित्व गर्ने र नगर्ने गरी ३० राजनैतिक दल आवद्ध संघीय गठबन्धनले आज २०७३ जेठ २ गते सिंहदरबार घेराउको कार्यक्रम राखेको छ । समानुपातिक प्रतिनिधित्व लगायतको माग राखी सङ्घीय गठबन्धनले गर्न लागि रहेको सिंहदरबार घेराउ कार्यक्रम शान्तिपूर्ण रूपमा सम्पन्न गर्न अपिल गर्दछौ । आन्दोलनकारी पक्ष र राज्यतर्फबाट संयम अपनाउन तथा शान्तिपूर्ण आन्दोलन गर्न पाउने जनताको लोकतान्त्रिक र मानवअधिकारको मर्यादाभित्र रही कार्यक्रम गर्न तथा कुनै पनि प्रकारको बल प्रयोग नगर्न दुवै पक्षलाई आग्रह गर्दछौ ।

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नेपालका आदिवासीहरूको  
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वकिल समूह (लाहुरिप)

मिति: २०७३ जेष्ठ २८

### प्रेस विज्ञप्ती

बैतडी जिल्ला दशरथचन्द नगरपालिका वडा नं. १ बाईलेक वस्ने हिरा भुललाई २०७३/०२/२२ गते सुत्केरी ब्यथा लाग्दा घर परिवार तथा गाउँलेहरूले स्ट्रेचरमा बोकी जिल्ला अस्पताल पुर्‍याएका थिए । भूलको गर्भमा तीन बच्चा रहेको र उनलाई जिल्ला अस्पतालमा प्रसूती सेवा दिन नसकिने जिल्ला अस्पतालले बताएपछि आर्थिक अवस्था कमजोर भएकी उनले जिल्ला अस्पताललाई निशुल्क एम्बुलेन्स उपलब्ध गराउन चिकित्सक डा. गुणराज अवस्थीसँग अनुरोध गरिन् । तर अवस्थीले तपाईं डुम, दलितहरूलाई कहा एम्बुलेन्स मिल्छ ? भन्दै दुर्व्यवहार गरी एम्बुलेन्स दिन इन्कार गरियो । गाउँलेहरूले चन्दा सहयोगमा भुललाई सेती अञ्चल अस्पतालमा पुर्‍याउँदा २०७३/०२/२४ गते जुम्ल्याहा बच्चा जन्माएकी थिइन ।

सरकारी अस्पतालमा सरकारी चिकित्सकले नै जातीय विभेद गरेको विरुद्ध जिल्ला प्रहरी कार्यालयमा उजुरी गर्न जाँदा उजुरी प्रशासनले दर्ता गर्न इन्कार गर्‍यो । तर आक्रोषित स्थानीयहरूले डा. लाई कालो मोसो दलेको भनि आरोपितहरूलाई सार्वजनिक अपराध मुद्दा २०७३/०२/२४ गते दर्ता गरी तीन महिला अधिकारकर्मीलाई हिरासतमा राखिएको छ ।

नेपालको संविधानको प्रस्तावनामा सबै प्रकारको विभेद अन्त्य गर्ने उल्लेख गरेको छ । मौलिक हकको धारा २४ ले खास जात वा जाति भएको कारणले व्यक्तिलाई सेवा सुविधाबाट रोक लगाइने छैन भन्ने उल्लेख छ । त्यस्तै जातीय भेदभाव तथा छुवाछुतको कसुर र संज्ञायको व्यवस्था गर्न बनेको ऐनले कसैले कुनै पनि व्यक्तिलाई जात, जातिको आधारमा सार्वजनिक सेवाको प्रयोग गर्न वा उपभोग गर्नबाट बन्चित गर्न हुँदैन भनेको छ ।

यसरी सार्वजनिक पद धारण गरेको व्यक्तिलाई सार्वजनिक स्थलमा भएको जातीय विभेदको नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धि वकिल समूह (लाहुरिप) घोर भर्त्सना गर्दछ । जातीय तथा महिलामाथि भएको घोर विभेदको जाहेरी तत्काल दर्ता गरी दोशीमाथि कानून बमोजिम कारवाही गर्न समेत लाहुरिप सम्बन्धीत निकायको ध्यानाकर्षण गर्दछ ।

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नेपालका आदिवासीहरूको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुर्निप)

मिति: २०७३ जेष्ठ २८

### प्रेस विज्ञप्ती

२०७३ जेष्ठ २२ गतेका दिन एक संचार माध्यमले प्रकाशन गरेको "खानेकुराको अभावमा घाँस खाँदै चेपाङ" शिर्षकको लेखप्रति नेपालका आदिवासहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप)को ध्यानाकर्षण भएको छ । सो समाचारमा धादिङ जिल्लाको महादेवस्थान-३ ब्रुसवाङका गरिब चेपाङकोकाबारेमा लेखिएको भए तापनि शब्द चयनमा सावधानी नअपनाउनुका साथै कुनै एक समुदायलाई नकारात्मक प्रभाव पार्ने र उनीहरूको अवस्थालाई निच देखाउने प्रकारको शब्द प्रयोग हुनु दुखद कुरा हो । समाचारमा मानिसले खाने सिस्नु, टाँकीलाई घाँसको रूपमा परिभाषित गरेको छ । चलन चलिता भाषामा चौपायाले खाने वस्तुलाई घाँस भनिन्छ । पूर्वाग्रही रूपमा घाँस खाँदै चेपाङ भन्ने शिर्षकले गरिब चेपाङहरूको अवस्थालाई नकारात्मक र गलत रूपमा प्रस्तुत गरेको छ ।

नेपालको संविधानको धारा २४ ले जात र जातिको आधारमा सामाजिक भेदभाव वा घृणामा आधारित विचाको प्रचार प्रसार गर्न पाइने छैन भन्ने उल्लेख छ । त्यस्तै पत्रकार आचारसंहिता, २०६०मा जातीय भेदभाव हुने गरी समाचार र विचारको सम्प्रेषण गर्नुहुँदैन भन्ने उल्लेख छ साथै कुनै स्पष्टता बिना तथ्यलाई तोडमोड गरी गलत अर्थ लाने गरी समाचार सामाग्री प्रकाशन-प्रसारण वा उत्पादन वितरण गर्नुहुँदैन भनिएको छ ।

यसरी राज्यको चौबो अङ्गको रूपमा स्थापित संचार जगतले गर्ने गरेको यस प्रकारको कुनै जाति विशेषलाई घृणा पैदा गर्ने किसिमका प्रचारको नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धि वकिल समूह (लाहुर्निप) घोर भर्त्सना गर्दछ । साथै आदिवासी जनजातिका विषयमा समाचार संप्रेषण गर्दा सांस्कृतिक तथा भाषिक संवेदनशीलता अपनाइ दिन हुन सम्पूर्ण पत्रकार जगतमा लाहुर्निप आग्रह गर्दछ ।

समाचार प्रकाशनमा भएको सो भाषिक त्रुटि तथा शब्दको गलत प्रयोगका सम्बन्धमा सम्बन्धी निकायबाट खण्डनको समेत लाहुर्निप अपेक्षा गर्दछ ।

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**Lawyers' Association for  
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मिति : २०/३३ असार १७

११६  
Ref.: २०६२/०६३

#### प्रेस-विज्ञापित

खिम्ची हल्लेबाट २०० के भी प्रसारण लाइन परियोजनाबाट प्रभावित सिन्धुली जिल्ला खलचुरा गाविस बडा नं १ र २ भद्रकाली गाविस १, २ र ३ र रातीचुरी गाविस बडा नं १ र कमलामाई जपा बडा नं ३, बुका डाँडा, बडा नं ४ सानो करकरी, बडा नं १०का आदिवासी तथा स्थानीय समुदायहरू विगत ३ वर्ष देखि निरन्तर रूपमा आफ्ना मागहरू उठाउँदै आएका छन् ।

आदिवासी तथा स्थानीय समुदायको सहभागिता, परामर्श र मञ्जुरी बिना संचालनमा ल्याइएको सो परियोजनाले लगानीकर्ता विश्व बैकको सुरक्षण नीतिहरूलाई समेत उल्लंघन गरेको कुरा स्वयं बैकले नै स्वीकारी सकेको अवस्थामा पनि राष्ट्रिय मानव अधिकार आयोगको सिफारिसलाई आधार बनाएर प्रभावितहरूको मागलाई नजर अन्दाज गरि सुरक्षाकमी परिचालन गरेर परियोजनालाई सुचारु गर्ने काम भयो ।

नेपाल सरकार र नेपाल विद्युत प्राधिकरणले प्रसारण लाईनको मार्गलाई परिवर्तन जसलाई प्रभावितहरूको घर, स्थल, धार्मिक स्थलहरू मार्गबाट लमिएको छ।, चलनचल्तीको भाउमा मुआब्जा निर्धारण तथा वितरण, लाभको बोटफोट, परियोजनाका सडै घरहरूमा प्रभावितहरूको सहभागिता लगायतका पीडितहरूको मागलाई बेवास्ता गरी एकलौटी ढंगबाट परियोजनाको काम अगाडि बढाइयो ।

प्रभावितहरू विकास विरोधी होइनन् । उनीहरूले आफ्नो मानव अधिकार सुरक्षणको लागि सबैभन्दा अग्रजत्वमा समेत रिट निवेदन दिइएको अवस्थामा छ । यि सबै कुराहरूलाई पन्छाएर पीडितहरूको मानव अधिकारको सुरक्षणका निम्ति अगाडि गई आउनु भएका पीडित सघन समितिबाट अग्रज सुरेन्द्रस्वर मोक्तान र उपाध्यक्ष श्री उक्त बहादुर थापालाई सावजनिक मुरा लगाई अपराधी घनाउने कोशिस गरिएको छ ।

साथै मुआब्जा नलिएको गाउँ घरस्तीमा समेत जबरजस्ती प्रसारणलाईनको टावरहरू स्थापना गर्नका लागि सुरक्षाकमी परिचालन गरी प्रभावित समुदायका सदस्यहरूलाई आतंकित र असुकोशित गर्ने काम भएको छ ।

यस परिवेशबाट उत्पन्न हुन सक्ने मानव अधिकारको हननको घटनाहरूलाई मध्यनजर राखी अधिकार रक्षाको निमित्त र मानव अधिकार प्रतिरक्षकहरूको सुरक्षा र प्रभावितहरूको मागलाई शान्तिपूर्ण तरिकालेबाट समाधान गर्ने सम्बन्धित सबै सरोकारवाला पक्षको ध्यानाकर्षण गराउनु चाहन्छौ । साथै राष्ट्रिय तथा अन्तर्राष्ट्रिय मानव अधिकारका दस्तावेज मुताबिक पीडितहरूको मानव अधिकारको सम्मान गर्ने समेत सम्बन्धित निकायहरूलाई अप्रहर्ष गर्दछौ ।

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सचिव

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P.O.Box No, 11179, Ktm.



## प्रेस विज्ञप्ती

मिति: २०७३ असार १८

सिन्धुली-ढल्केवर विद्युत प्रसारण लाइन परियोजनाका पीडितहरूले विभिन्न मागहरू राखी गरेको शान्तिपूर्ण आन्दोलनका क्रममा आज मिति २०७३ असार १८ का दिन ३ तीन नाबालक (१५ वर्षका देवीका प्रधान, प्रमेश प्रधान र ममता भुजेल) १ ज्येष्ठ नागरिक (धन कुमारी प्रधान ७५ वर्ष) सहित १४ जना स्थानीय जनताहरू पक्राउ परेको प्रति नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहर्निप) को ध्यानाकर्षण भएको छ ।

राज्यले पीडितहरूको माग सुनुवाइ गर्नुको सट्टा उनीहरूलाई भुट्टा मुद्दा लगाउने र धरपकड तथा शुन छेक गर्ने राज्यको मानव अधिकार विरोधी क्रियाकलापको लाहर्निप धोर भर्त्सना गर्दछ । जिल्ला प्रशासनले पक्राउ गरेका निम्न व्यक्तिहरूलाई तत्काल रिहा गर्ने र बाताको माध्यमबाट समस्याको समाधानको बाटो खोज्न लाहर्निप सम्बन्धित निकायहरू प्रति अनुरोध गर्दछ ।

### पक्राउ परेकाहरु

१. नारायण बहादुर थापा
२. गणेश वि. क.
३. महेन्द्र वि. क.
४. चन्द्र बहादुर वि. क.
५. अम्बिका थापा
६. प्रमेश प्रधान
७. सानु राजभण्डारी
८. मदन कुमारी प्रधान
९. देविका प्रधान
१०. मनोज प्रधान
११. प्रमेश प्रधान
१२. हेम शंकर वि. क.
१३. धन कुमार प्रधान
१४. ममता भुजेल



.....  
शंकर लिम्बू  
सचिव  
लाहर्निप

## Annex 2: LAHURNIP in media



**धर्मनिरपेक्ष राष्ट्र कि धार्मिक स्वतन्त्रता**

९० लाख मतदाताओं ३२ हजार १००-३९, को सुभाष पेंथ्रु दुई दिने प्रस्योदा उपर सुभाष सञ्चलनमा । सुभाषमा हिन्दु राष्ट्र भेक्षिने सुभाष बागो लायने धर्मनिरपेक्ष राजनमा विवाद भयो र जब धार्मिक स्वतन्त्रतामा जाउँ भन्ने

। अहितको राज्य सञ्चना हिन्दू वर्षाधममा नै देखिन्छ चाँहि त्यो ठूला राजनीतिज्ञ पठाईह नै किन नहान् । जनसङ्घी प्रेममा पनि बाहुन शिर्षम्, सङ्गी मध्य, मधेसी लेया, जनजाति चौथो र दलित सर्वभन्ता थिभिएका छन् । नडाँटी भन्दा बाह्रतने क्षेत्रालाई

रुचतन्त्र कलम

□ शंकर लिमिटेड  
सचिव-लाहर्षि

(नेपालक माहुरनिका सचिव तथा United Nation Voluntary Trust Fund of Indigenous Population को सम्माननीय पूर्व Board Member हुनुहुन्छ ।)

प्राज्ञान भन्ने व्यवस्था गरियो । तर पनि  
मार्ग किम्वदन्त चरित्रको यस्तो पकड छ, मान्नी धार्मिक दृष्टिबाट हेर्दा राज्य नै  
किम्वदन्तमा देखिन्छ । जस्ता भएरछा । हकको विरोधका बाबजुद हुनसक्नेछ  
मुद्रस राष्ट्र बनाउन अमेरिकाले छुनै घमण्डाई सहयोग छ । अन्ततः यस्तो पात्रमा  
होसने भएतापनि हकको शक्ति अख्तरी नै बनाएको छ ।

नगराया ल्हाभा देशहरूमा धार्मिक स्वतन्त्रताको पक्षमा हुनेहरूले एउटी धर्मोत्प्रेषण गरी अन्य धर्मावलम्बीहरूलाई कलहामा, विनाश, विभेद, शोषण गर्न पाछे। किताबी जुन धर्मको अड्डामा राज्य चल्ने, त्यही धर्मावलम्बीको लागि त्यो राज्य स्वर्ग हुन्छ। अर्कोको लागि नर्क। नयाँटी भन्दा नेपाल जस्तो २४० वर्षसम्म हिन्दु धर्मावलम्बीहरूको अड्डामा राज्य चल्ने, कानून र व्यवस्थाधर्मी (हिन्दु) नियन्त्रित शासन चल्यो, त्यसको देशमा त "धार्मिक स्वतन्त्रता"को गण्ड पुरि सोझाँचामा पार्ने हुन्छ।

[illegible]

(बाँकी अन्तिम पालोमा)

## FPIC ਲਾਗੂ ਹਰ

**ILO 169**  
**कार्यान्वयन गार**

-Lahurnip,  
Ktm

[illegible]

त्रिपुरेश्वर कलकी सडक विस्तार रोक्न सर्वोच्चको अन्तरिम आदेश

News Updated By- Amrit Paudel | Posted From- Washington DC | May 24, 2016

त्रिपुरेश्वर कलकी सडक विस्तार आयोजनालाई आज सर्वोच्च अदालतबाट विपक्षीलाई झिकाउने र त्यस अवधि सम्म तत्काल केहि नगर्न नगराउनको लागि अन्तरिम आदेश जारी भएको छ । राम शरण डंगोल समेतको उत्प्रेषण मुद्दामा का. मु. प्रधानन्यायाधीश शशिला कार्कीको एकल ईजलासले सो अन्तरिम आदेश जारी गरेको हो ।

ABOUT US HOT NEWS EVENT KOLLYWOOD TV SERIAL SONGS MOVIE KANTIPUR TV CHAT GOTTA

शिवपुरी तथा नागार्जुन राष्ट्रीय निकुञ्ज मध्यवर्ती क्षेत्र संघर्ष समिति

News Updated By- Sandhya poudel | Posted From- Nepal | May 24, 2016

 Save

शिवपुरी तथा नागार्जन राष्ट्रीय निकञ्ज मध्यवर्ती क्षेत्र संघर्ष समिति

2052

Page: 3 of 3 pages

१५५ विष्णुपत्नी

प्रमाण विषयमा बाइबलको विमर्शको दूर भेला पनि हो जिवन्ती तथा मरणको लोभ विद्रुत धोखा हो मरणात् विद्रुतको अन्तिम विद्रुतमात्र उन्मुख भेला हो जिवन्ती तथा मरणको लोभ विद्रुत विषयमा यहाँ पनि धेरै धोखा छिने १७-१८ पैर २५ को मरण मरणात्का राज्यमा मरणको धेरै विद्रुत हुने पनि जिवन्ती तथा मरणको लोभ विद्रुत मात्र नभै धोखा होईने।

[illegible][illegible]

विद्यार्थी तथा जनसमूह सहित विज्ञान सभासंग  
आव सभा संस्था

## सिंहदरबार घेराउ कार्यक्रमको प्रेस विज्ञप्ती

News Updated By- Sandhya poudel | Posted From- Nepal | May 15, 2016

Save

जि.प्र.का. काठमाडौं  
इ.नं. ८०२/०५१/०५२

च.सं. १०३  
च.सं. : ०६२१०६३



नेपालका आदिवासीहरुको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुनिप)

प्रेस विज्ञप्ती

मिति: २०७३ जेठ २ गते

व्यवस्थापिका संसदमा प्रतिनिधित्व गर्ने र नगर्ने गरी ३० राजनैतिक दल आवद्ध संघीय गठबन्धनले आज २०७३ जेठ २ गते सिंहदरबार घेराउको कार्यक्रम राखेको छ । समानुपातिक प्रतिनिधित्व लगायतको माग राखी संघीय गठबन्धनले गर्न लागि रहेको सिंहदरबार घेराउ कार्यक्रम शान्तिपूर्ण रूपमा सम्पन्न गर्न अपिल गर्दछौ । आन्दोलनकारी पक्ष र राज्यतर्फबाट संयम अपनाउन तथा शान्तिपूर्ण आन्दोलन गर्न पाउने जनताको लोकतान्त्रिक र मानवअधिकारको मर्यादाभित्र रही कार्यक्रम गर्ने तथा कुनै पनि प्रकारको बल प्रयोग नगर्न दुवै पक्षलाई आग्रह गर्दछौ ।

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अधिवक्ता शान्ति कुमारी राई  
अध्यक्ष



नेपाल आदिवासीहरूको मानवअधिकार सम्बन्धी वकिल समूहको प्रेस विज्ञप्ति

News Updated By- Radha Rokaha | Posted From- Washington DC | June 10, 2016

जि.प्र.का. काठमाडौं  
द.नं. ८०३/०११/०१३

च.नं. : १०६  
प.नं. : ०६२/०६३



नेपालका आदिवासीहरूको  
मानवअधिकार सम्बन्धी  
वकिल समूह (लाहुरिप)

मिति: २०७३ जेठ २८

प्रेस विज्ञप्ति

२०७३ जेठ २२ गतेका दिन एक सप्ताह माध्यमले प्रकाशन गरेको "थानेकुण्डको अभावमा घाँस खाँदै चैपाइ" शिर्षकको लेखप्रति नेपालका आदिवासहरूको मानव अधिकार समूह (लाहुरिप)को ध्यानाकर्षण भएको छ । सो समाचारमा धादिङ जिल्लाको महादेवस्थान-३ बुसबाइका गरिब चैपाइकोकाचारमा लेखिएको भए तापनि शब्द चयनमा सावधानी नगर्नाले गर्दा सावै कुनै एक समुदायलाई नकारात्मक प्रभाव पार्ने र उनीहरूको अवस्थालाई निच देखाउने प्रकारको शब्द प्रयोग हुनु दुष्ट कुरा हो । समाचारमा मारिस्ले खाने सिस्नु, टाकीलाई घाँसको रूपमा परिभाषित गरेको छ । चलन चलिका भाषामा चौपायाले खाने वस्तुलाई घाँस भनिन्छ । पुराचरी रूपमा घाँस खाँदै चैपाइ भन्ने शिर्षकले गरिब चैपाइहरूको अवस्थालाई नकारात्मक र गलत रूपमा प्रस्तुत गरेको छ ।

नेपालको संविधानको धारा २४ ले जल र जातिको आधारमा सामाजिक भेदभाव वा घुषामा आधारित विचारको प्रचार प्रसार गर्ने पाइने छैन भन्ने उल्लेख छ । त्यस्तै पत्रकार आचारसंहिता, २०५०मा जातीय भेदभाव हुने गरी समाचार र विचारको समुपेय गर्नुहुँदैन भन्ने उल्लेख छ । साथै कुनै व्यष्टता बिना तथ्यलाई तोडमोड गरी गलत जर्ब ताल्ने गरि समाचार सामाग्री प्रकाशन-प्रसारण वा उल्लारन वितरण गर्नुहुँदैन भनिएको छ ।

यसरी राज्यको वीचो अङ्गको रूपमा स्थापित सचर जगतले गर्ने गरेको यस प्रकारको कुनै जाति विशेषलाई घुषा पैदा गर्ने किसिमका प्रचारको नेपालका आदिवासीहरूको मानव अधिकार सम्वन्धि वकिल समूह (लाहुरिप) घोर भर्त्सना गर्दछ । साथै आदिवासी जनजातिका विषयमा समाचार संप्रेषण गर्दा सांस्कृतिक तथा भाषिक सवेदनशीलता अपनाइ दिन हुन सम्पूर्ण पत्रकार जगतमा लाहुरिप आग्रह गर्दछ ।

समाचार प्रकाशनमा भएको यो भाषिक त्रुटि तथा शब्दको गतत प्रयोगका सम्बन्धमा सम्बन्धी विकासबाट खण्डनको समेत लाहुरिप अपेक्षा गर्दछ ।



शुक्र सिम्झ  
सचिव  
लाहुरिप

अज्ञातजवर, काठमाडौं, नेपाल  
फोन नं. ०१-८८९९३९९०



पञ्चियान जिल्लाको यादुनामा गाविस १ र भारपा गाविस ४ जोड्ने हुँदा खोलासमा पञ्चियान पावर कम्पनीले १५ मेघावाटको हाईड्रोको इन्टेक निर्माण गर्ने बज्रसम स्थानीयवासीहरूले खानेपानीको मुहानामा असर गर्ने भएकोले वैकल्पिक व्यवस्था गर्ने र हाईड्रो पावर निर्माण गर्दा हुइपको जग्गाको उचित मुआवजा तथा क्षतिपुर्ति लगायतका माग राखी विरोध कार्यक्रम गर्दा २ दर्जन भन्दा धेरै स्थानीयहरूलाई पक्राउ गरिएको छ ।

आज पेस विजयपती जारी गर्दै नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी कविवर समूह (लाहुरि) सरकारले विधित पहाडी सहयोगी मन्त्रीको सहा २५४ जनाको माव माग हो भन्दै शान्ति सुरक्षाको नाममा हाल गाउँमा प्रहरी परिचालन गरी बास्तीपूर्ण बातावरण सिर्जना गरी धरपकड तथा डण्टिपि, शारीरिक तथा मानसिक यातना, महिला माथिको दुर्व्यहार जस्ता मानवअधिकार विरोधी कार्य भैरहेको हुँदा सो कार्य तत्काल रोक्न चाहिँ तथा छलकल्लमा माध्यमबाट शान्तिपूर्ण रूपमा समस्याको समाधानका लागि सम्बन्धित निकायसँग अग्रह गरेको छ ।

विश्वनीतिमर्मत सो संस्थाको पक्राउ परेका सम्पूर्ण व्यक्तिहरूलाई तुरुन्त रिहा तथा छाड्नेको निजिहुको उपचारको लागि अनुरोध समेत गरेको छ ।

स्थानीयवासीहरूले परियोजनाको विरोधमा काठमाडौँ २५ गते कोण सभा गरि चैत्र २६ गते देखि परियोजनाको काममा अवरोध गरेका थिए । त्यसैगरी चैत्र १ गते परियोजनाका पदाधिकारी र आन्दोलित स्थानीयवासीहरूसँग बैठक बसेको तर निकास निसर्कने बातावरण नबनाई बैठक टुङ्गिएको थियो ।

चैत्र २ गते बिहान ११ बजे करिब ७० जना शसस्त्र प्रहरी तथा प्रहरीहरू स्थानीयको घर घेरेर गर्दै सार्वजनिक मुद्रा लगाउनु भन्दै धम्काउने र बेगुना दुई टुक शसस्त्र प्रहरी तथा नेपाल प्रहरी गरी गाउँमा कडाईपूर्ण बातावरण बनाउनुका साथै स्थानीयको घर घर पस्ने कुटपिट तथा पक्राउ गरिएको कारण सो क्षेत्रका मानिसहरू घर बस्न नसकी अंगालमा बस्नु पर्ने अवस्था सिर्जना

स्थानीय समुदायले पटक पटक परियोजना तथा स्थानीय प्रशासनसँग पहिलेको जस्तै बलियो पुल निर्माण, हाईड्रो पावरबाट खानेपानीको मुहानामा असर गरेको हुँदा सो खानेपानीको वैकल्पिक उचित व्यवस्था, थप बाटो छाड्नेको व्यवस्था र हाईड्रो पावर निर्माण गर्दा हुइपको जग्गाको उचित मुआवजा तथा क्षतिपुर्ति लगायतका माग राखी सम्बन्धित परियोजना र स्थानीय प्रशासनमा जनसरोरि ज्ञापनपत्र तथा मौखिक रूपमा आफ्नो स्थानीयवासीहरूको बताएका छन् ।

स्थानीयवासीहरूका अनुसार चैत्र २ गते घाम ढुङ्गीनु अगावै स्थानीय मोहौ अधिकारी, शारदा सुब्बा, रामेश ज्ञान, राजकुमार हाडपुर्जा, रंजित हाडपुर्जा, काला हाडपुर्जा लगायत महिला तथा पुर्ण लगायत अन्दाजित १८ जनालाई पक्राउ गरिएको स्थानीयको भनाई रहेको छ । त्यसैगरी हाईड्रो पावरको निर्माण गर्ने नाममा स्थानीयको घर घर पस्ने कुटपिट गरी निर्माण बाटो दिएको र सो पटनको अनुमतिमा गर्ने मानवअधिकार कर्मि, पत्रकार, नागरिक समाजका अंगुठा समेत घातनसम्बन्धित माफका थिए ।

स्थानीय समुदायले पटक पटक परियोजना तथा स्थानीय प्रशासनसँग पहिलेको जस्तै बलियो पुल निर्माण, हाईड्रो पावरबाट खानेपानीको मुहानामा असर गरेको हुँदा सो खानेपानीको वैकल्पिक उचित व्यवस्था, थप बाटो छाड्नेको व्यवस्था र हाईड्रो पावर निर्माण गर्दा हुइपको जग्गाको उचित मुआवजा तथा क्षतिपुर्ति लगायतका माग राखी सम्बन्धित परियोजना र स्थानीय प्रशासनमा जनसरोरि ज्ञापनपत्र तथा मौखिक रूपमा अनुरोध समेत गरेको थियो ।

पञ्चियान जिल्लाको यादुनामा गाविस १ र भारपा गाविस ४ जोड्ने हुँदा खोलासमा धेरै पहिले स्थानीयलाई आवाजताउन गनैका लागि विटिस वेल्फेयरको सहयोग र स्थानीयको बमदान तथा अनुगृहीता पुल निर्माण भई सफलतामा रहेको थियो । उक्तपुलबाट स्थानीयले माछा, काला, भैरी तथा चौपाया तथा मानिसहरू खाँदापार गर्ने एक मात्र साधनको रूपमा प्रयोग भई आफ्नोमा पञ्चियान पावर कम्पनीले १५ मेघावाटको हाईड्रोको इन्टेक निर्माण गर्न स्थानीय प्रशासनसँगको मिलेरामात्रमा भएकाई नयाँ पुल साँघौँ स्थान भन्दा अन्दाजित ३५-४० मिटर माथि निर्माण गरिएको तर सो पुलबाट माछा गोक तथा अन्य चौपाया लगे जिन्ने सजिलो तथा २०२४ सालमा बाढिले लगाएको दुइदामाथि निर्माण गरेको हुँदा सो पहिलेको जस्तै बलियो जम्माका, भुक्कपले क्षतिवस्त भएको र जुनसुकै बेला पनि टुट्नेमा हुन सक्ने अवस्थाको

२०७७.०६.०६

## दलित अधिकारकर्मीमाथि भएको दमनविरुद्ध ३० जना बौद्धिक



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by ईममता संग्रहदाला © 2015-08-05

नेपालका जनजाति, माधेसी र दलित समुदायका साथै सबै सीमानाकृत समुदाय र वर्गको अधिकारका लागि क्रियाशील ३० जना बौद्धिक व्यक्तित्वहरूले दलित आन्दोलनमाथि राज्यबाट भएको हिंस्रक दमनको भत्सर्ना गरेका छन् ।

उनीहरूले एक ठोस विज्ञप्ति जारी गर्दै दमनकारीहरूमाथि कानुनी कारवाही, गिरफ्तार गरिएका आन्दोलनकारीहरूको रिहाइ, छाडौंहरूको निःशुल्क उपचार र शान्तिपूर्ण प्रदर्शनको प्रत्याभूतिको मागसँगै दलित अधिकारकर्मीहरूको आन्दोलनप्रति ऐक्यबद्धता जनाएका छन् ।

### थ्रेस विज्ञप्तिको पूर्ण पाठ

नयाँ संविधानबाट दलित समुदायसँगै सबै सीमानाकृत समुदायका अधिकारको न्यायोचित सम्बोधनका लागि सङ्गठनमा उत्रिएका संभासदलगायत दलित अधिकारकर्मीहरूमाथि भएको हिंस्रक प्रहरी दमनको हामी भत्सर्ना गर्दछौं । हामी दमनकारीहरूमाथि कानुनी कारवाही, गिरफ्तार गरिएका आन्दोलनकारीहरूको रिहाइ, छाडौंहरूको निःशुल्क उपचार र शान्तिपूर्ण प्रदर्शनको प्रत्याभूतिको मागसँगै दलित अधिकारकर्मीहरूको आन्दोलनप्रति ऐक्यबद्धता जनाउन चाहन्छौं ।

हामी नेपालका सबैभन्दा उत्पीडित र बहिष्कृत समुदायका रूपमा रहेको दलित समुदायसँगै सबै सीमानाकृत समुदायका मागलाई नयाँ संविधानबाट सम्बोधन होस् भन्ने चाहन्छौं, विशेषतः अन्तरिम संविधानले व्यवस्था गरेको अधिकारको निरन्तरतासँगै नयाँ संविधानले समानुपातिक र क्षतिपूर्तिसहितको समावेशीकरणलाई सुनिश्चित गरेको भन्ने माग गर्दछौं ।

दलित आन्दोलनले सात दशकदेखि उठाउँदै आएको मानव कलंकको रुपमा रहेको जातीय छुवाछूत र भेदभावलाई सामाजिक अपराध मानी दण्डनीय बनाउने, प्रशासनका हरेक अंगमा दलित समुदायलाई समानुपातिक आधारमा रोजगार दिने तथा संघीय राज्यका सबै तहमा दलितलगायत सीमानाकृत समुदायको प्रतिनिधित्व र पहुँचको ग्यारेन्टी गर्नुपर्ने मागप्रति हामी ऐक्यबद्धता जनाउँछौं ।

शंकर सिम्पु, सचिव, साह्रमिप  
शान्तिकुमारी राई, अध्यक्ष साह्रमिप  
डण्ड गुरुङ, अध्यक्ष आदिवासी जनजाति पत्रकार महासंघ  
डा. जनक राई,  
डम्बर सेम्कोज,  
यशोदा राई, अध्यक्ष किरात राई धार्योक्खा  
पदम सुन्दास  
सचिदानन्द मिश्र  
डा. रवीन्द्र राय  
पार्वती थापा  
डा. कृष्ण भट्टराज  
डा. मोहन लाल  
आङ्ककजी शेरपा  
रेखाम गुरुङ



## राज्य आतंकको चपेटामा मधेसी जनता



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by शंकर लिम्बू, © 2015-11-24

### लौ हेर्न सक्नुहुन्छ भने हेर्नुस् मानवअधिकार हननको नांगो तस्बिर

तीन महिनादेखि लगातार जारी मधेस, जनजाति तथा थारु आन्दोलनमा मानवअधिकारको अवस्थाबारे लाहुर्निप (LAHURNIP) ले विराटनगरदेखि सिरहा, सप्तरी हुँदै वीरगंजसम्म हालै अनुगमन गरेको थियो। अनुगमनको क्रममा मधेसी जनताप्रति राज्यले गरेको व्यवहार र मानवअधिकारको चरम उल्लंघनका घटना (gross human right violation) देख्दा यो पंक्तिको लेखक नरायरी स्तब्ध भयो।

हो, ठीक त्यस्तै अनुभव भएको थियो, क्याम्बोडियाको राजधानी नोमपेनको तेल सेलेङ म्युजियममा जाँदा पनि। त्यस म्युजियममा खमेर रुज शासक पोल पोटले मच्चाएको नरसंहारका प्रमाण थिए। यीभारतापूर्वक मारिएका मानिसका तस्बिर र बर्बर यातनाका तरिका हेर्दा त्यहाँ पुगे जोकोहीलाई शिक्षित बनाउँदछ। वर्गीय दुस्मन सफाया गर्ने नाममा बालबालिकालाई समेत छाडेर थिएनन् पोल पोटका सेनाले।

गाउँमा घरघरमा पसेर मधेसीहरूको  
मात्रै घर छानीछानी खानतलासी गर्ने,  
“बिहारी, इन्डियन, तँ होइन  
आन्दोलन गर्ने ?” भन्ने, महिला भेटे  
तेरो श्रीमानलाई छाडिदिन भन्ने,  
बालबालिका भएको स्थानमा  
हातहतियारसहित ठूलाठूला धरपकड  
र डरबास देखाउने कार्य भएको  
बताइएको छ।

मधेस आन्दोलनमा भएका झडपको क्रममा सुरक्षाकर्मीको गोली लागी मारिएका तथा गम्भीर घाइते भएकाहरू, निर्घात कुटपीटबाट गम्भीर घाइते भएका र आफन्त गुमाएकाहरूको हृदयविदारक विलोनाको तस्बिर प्रदर्शन गर्ने हो भने अर्को तेल सेलेङ बन्न सक्छ। यस्ता हत्या र यातना हेर्दा ‘के यो देश मधेसीको पनि हो’ भन्ने गम्भीर प्रश्न उठेको छ वर्तमानमा।

#### नाबालकको पेटमा छ राज्यको गोली

विराटनगर, सिरौँचिया-७ मा आफ्नै घरको तीन तला माथिको कोहीमा बसिरहेकी रिडकुकेथरी, सोही ठाउँका विशालकेथरी र अजय सहनीलाई सुरक्षाकर्मीको गोलीले गम्भीर घाइते बनायो। पैसाको अभावमा अग्रेशन गर्न नसकेकाले अजयको पेटमा छ गोली। यी तीनै जना नाबालक हुन्, जबकि यिनीहरू कुनै आन्दोलनकारी वा अराजक पनि हेर्न

आदिवासी जनजातिको सवालमा नेपालको संविधानका भ्रम र तथ्यहरु



(१) यो संविधान संसारके सर्वोत्कृष्ट छ, छैन ?

नेपातको संविधानलाई सर्वोत्कृष्ट भनी सरकारमा रहेका पार्टीहरूले प्रचारप्रसार गरे तापनि अन्य लोकतान्त्रिक देशका संविधानहरूमा लेखिएका आदिवासी जनजातिका तल उल्लिखित महत्त्वपूर्ण अधिकारहरू कुनै पनि स्वीकार गरिएको छैन :

क) आत्मनिर्णयको अधिकार, स्वास्थ्यसन्/स्वायत्तता, स्वायत्त क्षेत्रमा कर (Tax) उठाउन पाउने अधिकार : सन् २००७ मा संविधानसभाले निर्माण गरेको बोलिभियाको संविधानमा आदिवासी जनजातिको आत्मनिर्णय गर्ने स्वतन्त्र अधिकार, स्वायत्तता र स्वशासनको प्रत्याभुत गरिएको छ (धारा २, ३९, २७०, २८९, २९६) ।

कोलम्बियाको संविधान सन् १९९१ मा आदिवासी भूभागमा स्वायत्तता, स्वशासन र स्वायत्त प्रदेशको विकासको निम्ति कर (Tax) समेत उठाउन पाउने अधिकार दिइएको छ (धारा २८७)।

मेक्सिकोको संविधानमा आदिवासीहरूलाई स्वायत्तता र परम्परागत संस्था (Customary Institution) लाई राजनीतिक प्रतिनिधिमूलक संस्थाको रूपमा मान्यता दिइएको छ (धारा २) ।

पैरुको संविधानमा आदिवासीहरूलाई आर्थिक र प्रशासनिक स्वायत्तता प्रदान गरिएको छ (धारा २.१९)।

भारतको संविधानले आदिवासी (ट्राइबल)हरूको छुट्टै प्रदेश/क्षेत्र (पारा २४४ (१) (२) र २५५ पाँचौं र छैटौं अनुसूचीमा) खेत, विकास, शिक्षा लगायतका विषयहरूमा आफ्नै निर्णय गर्न पाउने र उनीहरूको भूमि अनतिक्रम्य (अन्य जाति/लेखले हस्तक्षेप गर्न वा किन्न नपाउने) हुने गरी संरक्षण गरेको छ ।

राज्य पुनर्संरचना समिति तथा  
उच्चस्तरीय आयोगले  
पहिचानसहितको प्रदेश, विशेष र  
संरक्षित क्षेत्र बनाएको थियो । पहिलो  
संविधानसभाले पारित गरेको विषय  
दोस्रो संविधानसभाले स्वायत्ततामा  
लिएको हुनाले उल्लिखित विषय  
वर्तमान संविधानमा राखिनुपर्नेमा  
विद्यमानपुर्ण तौरले राखिएको छैन ।

## विश्वमा कहाँ सेनाको घेराभित्र लोकतान्त्रिक संविधान जारी भएको छ ? : लिम्बू



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by ईसमता संवाददाता, 2016-01-20

पोखरा, ६ माघ । नेपालका आदिवासीहरूको मानवअधिकार सम्बन्धित वकिल समूह (लाहुरिप)का सचिव शंकर लिम्बुले असोज ३ गते जारी गरिएको नेपालको संविधानलाई रगतको होली खोलिएको संविधान भन्नुभएको छ । विश्वकै उत्कृष्ट संविधानको रूपमा चर्चा रहेको संविधानलाई उहाँले यस्तो टिप्पणी गर्नुभएको हो ।

तमू धि नेपालद्वारा मंगलवार पोखरामा आयोजना गरेको अन्तरक्रिया कार्यक्रममा अधिवक्ता लिम्बुले सेनाको सुरक्षामा जारी गरिएको संविधान 'ब्लडी' संविधान भएको बताउनुभयो ।

संविधानसभाबाट संविधान जारी गर्दा विश्वमा कहीं पनि सेना परिचालन गरिएको छैन तर नेपालमा संविधानसभाको निर्वाचन, दुईदिने सुझाव संकलन र संविधानसमेत सेना नै परिचालन गरेर जारी गरिनु दुखदायी भएको बताउनुभयो । संविधान जारी गर्ने बेलासम्म संविधानमा आफ्ना अधिकार सुनिश्चित गराउन २१ जनाले बलिदानी प्राप्त गरेको उहाँको भनाइ थियो ।

जारी गरिएको संविधान विक्रम सम्वत् १९९० को मूलकी एनको अवधारणा अनुसार ल्याइएको छ जसमा आदिवासी जनजातिहरूको केही प्राप्त अधिकार पनि कटौती गरिएको बताउनुभयो ।

संविधानको प्रस्तावनाले नै नेपालका जनतालाई सार्वभौमसत्ता सम्पन्न जनता, नेपालका नागरिक र जनता भनि तीन तहमा विभाजन गरी विभेद गरेको बताउनुहुँदै भयवादबाट पीडित संविधानले विगतदेखि विभेदमा पारिँदै आएको जन समुदायलाई अधिकारविहीन र प्रतिष्ठाको अपमान गरेको बताउनुभयो ।

यो संविधानको ११ वटा धारा प्रत्यक्ष रूपमा आदिवासी जनजातिको विरुद्ध, २९ वटा धाराले विभेदीकरण, ४९ वटा धाराले बहिष्करण गरेको छ भने ५ वटा धाराले स्पष्ट रूपमा खस आर्य समुदायको नाउँमा उनीहरूको प्रतिष्ठा र अधिकारलाई अरुको भन्दा उच्च बनाएको लिम्बुले बताउनुभयो ।

**यो संविधानको ११ वटा धारा प्रत्यक्ष रूपमा आदिवासी जनजातिको विरुद्ध, २९ वटा धाराले विभेदीकरण, ४९ वटा धाराले बहिष्करण गरेको छ भने ५ वटा धाराले स्पष्ट रूपमा खस आर्य समुदायको नाउँमा उनीहरूको प्रतिष्ठा र अधिकारलाई अरुको भन्दा उच्च बनाएको लिम्बुले बताउनुभयो ।**

## LAHURNIP in Media AUDIO

On Air Date: 1<sup>st</sup> March, 2016 to 30<sup>th</sup> March 2016

SN	Name of Station & Frequency	Loaction of Boardcast	Coverage Area	Time & Length
1	Radio Namobuddha, 106.7 MHz	Dhulikhel, Kavre	Kavre, Dolakha, Sindhupalchok, Sindhuli, Nuwakot, Makawanpur, Bara, Parsa, Rautahat, Kathmandu, Lalitpur and Bhaktapur	6:30-7:00PM, Friday
2	Radio Kairan, 96.4 MHz	Bamtibhandar, Ramechhap	Ramechhap, Dolakha, Okhaldhunga, Solukhumbu	6:30-7:00PM, Friday
3	Kalinchowk FM, 106.4 MHz	Charikot, Dolakha	Dolakha, Ramechhap, Sindhuli, Kavre, Sindhupalchok,	7:00-7:30PM, Friday
4	Radio Triyuga, 104 MHz	Gaighat, Udayapur	Siraha, Saptari, Khotang, Sindhuli, Dhankuta	8:15-8:45PM, Friday
5	Radio Menchhayam, 102.6 MHz	Myanglung, Tehrathum	Terhathum, Dhankuta Panchthar, Ilam,	8:00-8:30PM, Friday
6	Himchuli FM, 92.2 MHz	Simalchaur, Kaski	Kaski, Syangja, Lamjung, Tanahu, Parbat, Baglung, Nuwakot	6:30-7:00PM, Friday
7	Radio Likhu, 91.3 MHz	Ramechhap	Ramechhap, Okhaldhunga	6:30-7:00PM, Friday
8	Afno FM, 104.8 MHz	Okhaldhunga	Okhaldhunga, Khotang, Udayapur, Ramechhap, Solukhumbu	6:30-7:00PM, Friday
9	Radio Jaljala, 96.4 MHz	Liwang, Rolpa	Rolpa, Rukum, Salyan, Dang, Jajarkot, Palpa, Dailekh, Arghakhachi, Gulmi, Kapilbastu	6:30-7:00PM, Saturday

SN	Name of Station & Frequency	Loaction of Boardcast	Coverage Area	Time & Length
10	Radio Sumhatlung, 104.2 MHz	Phidim, Panchthar	Panchthar, Taplejung, Terhathum, Dhankuta, Ilam, Sankhuwasava	6:00-6:30PM, Saturday
11	Radio Samadh, 102.6 MHz	Lahan, Siraha		6:30-7:00PM, Saturday
12	Radip Solu, 102.2 MHz	Salleri, Solukhumbu	Solukhumbu, Ramechhap, Sankhuwasava, Khotang, Udayapur, Biratnagar, Sindhuli, Dolakha, Kavre, Dhankuta, Bhojpur	7:30-8:00PM, Sunday
13	Radio Chomalungma, 98.6 MHz	Bhojpur	Bhojpur, Sankhuwasava, Khotang	6:00-6:30PM, Saturday
14	Radio Marshyangdi, 95.0 MHz	Beshisahar, Lamjung	Kaski, Lamjung, Makawanpur, Syangja	6:00-6:30PM, Sunday
15	Radio Gurubaba, 106.4 MHz	Matipur, Bardiya	Bardiya, Kailali, Baitadi	6:20-6:50PM, Monday
16	Radio Khandbari, 105.8 MHz	Khandbari, Sankhuwsava	Sankhuwasava, Terhathum, Taplejung, Solukhumbu, Khotang, Dhankuta	8:00-8:30PM, Saturday
17	Radio Gorkha, 93.0 MHz	Kathmandu	Kathmandu, Lalitpur, Bhaktapur, Kavre, Nuwakot, Dhading	7:30-8:00PM, Saturday

### Annex3: Participation in national and international training/workshop

SN	Name	Gender	Position	Title of the programme	Country	Date
1	Dr. Krishna Bhattachan	M		International Conference for Peoples' Rights	Philippines	21-24 July 2016
2	Mr. Shankar Limbu	M	Secretary	Asia-Pacific Regional Consultation on a binding treaty for business and human rights	Thailand	1-3 May 2015
3	Mr. Kiran Sunuwar	M	IPHRD, Ilam	International festival for Peoples rights and struggles	Philippines	17-Nov-15
4	Mr. Dinesh Ghale	M	Vice-chairperson	Training on Civil Society engagement in promoting Corporate Social Responsibility	Denmark	12-14 Jan 2016

5	Mr. Bhim Rai	M	Treasurer	Training on Civil Society engagement in promoting Corporate Social Responsibility	Denmark	12-14 Jan 2016
6	Mr. Tahal Thami	M	Director	Training on Civil Society engagement in promoting Corporate Social Responsibility	Denmark	12-14 Jan 2016
7	Ms. Amita Rai	F	Project Assistant	Training on Civil Society engagement in promoting Corporate Social Responsibility	Denmark	12-14 Jan 2016
8	Mr. Dil Bahadur Thebe	M	IPHRD, Morang	2016 Asia Regional Forum on Business and Human Rights	Doha, Qatar	19-20 April 2016
9	Mr. Shankar Limbu	M	Secretary	15 <sup>th</sup> session of UNPFII	NY, USA	9-20 May 2016