

ANNUAL REPORT, 2017



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

Annual Report, 2017

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Nepalese Indigenous Peoples
(LAHURNIP)**

Publisher

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Abbreviations

ADB	Asian Development Bank
AIPP	Asia Indigenous Peoples Pact
BHR	Business and Human Rights
CSR	Corporate Social Responsibility
DAO	District Administration Office
EIA	Environment Impact Assessment
EU	European Union
FPIC	Free, Prior and Informed Consent
FY	Fiscal Year
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IEE	Initial Environmental Examination
IFA	Indigenous Film Archive
IFAD	International Fund for Agricultural Development
IFC	International Finance Corporation
ILO	International Labour Organisation
IMF	Indigenous Media Foundation
IPOs	Indigenous Peoples Organisations
IPs	Indigenous Peoples
IWGIA	International Work Group for Indigenous Affairs
LAHURNIP	Lawyers' Association for Human Rights of Nepalese Indigenous Peoples
MoFALD	Ministry of Federal Affairs and Local Development
NEA	Nepal Electricity Authority
NEFIN	Nepal Federation of Indigenous Nationalities

NFDIN	National Foundation for the Development of Indigenous Nationalities
NIWF	National Indigenous Women's Federation
NPC	National Planning Commission
OBOR	One Belt One Road
SC	Supreme Court
SDGs	Sustainable Development Goals
SWAP	System-wise Action Plan
SWC	Social Welfare Council
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNPFII	United Nations Permanent Forum on Indigenous Issues
UUSC	Unitarian Universalist Service Committee
WB	World Bank

Forewords

This annual report is the major highlights of the activities carried out by the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP) in the fiscal year (FY) 2073/74 (2016/17), indeed. Major area of intervention of LAHURNIP during the FY has been policy advocacy and empowerment of indigenous peoples (IPs) to defend their rights. During and after the promulgation of the 2015 constitution IPs issues have been invisible. This is mainly because of intervention and cooption of IPs organisations and leaders by the political parties.

On 6 & 7 January 2017 LAHURNIP organised a high level national policy dialogue which has been one of the significant initiative to initiate discourse on the issues of IPs at the policy making level. The dialogue was participated by the policy makers, human rights institutions, UN agencies, private sectors, diplomatic missions, bureaucrats and others. We believe this was the first initiation of IPs to bring all sector in a forum to discuss on the issues of IPs.

Similarly, LAHURNIP has been closely working with the communities to defend their rights. These days the so called development initiatives have been the threat to the rights of IPs. For instance the road expansion projects, hydro power generation projects and other infrastructures development project. Such project often discard and ignore the rights of IPs. Non-recognition of IPs leads to displacement, loss of customary lands and sacred places of IPs. On such situation LAHURNIP has been continuously working with the communities and relevant stakeholder to ensure their rights.

To defend the rights is not often easy task. Threats, disappointments and ignorance are the realities experienced by the human rights defenders and communities. Lack of IPs friendly policies and proper implementation of the existing policies are the major hurdles and threat to human rights in Nepal. Despite the aforementioned facts human rights defenders and communities are restlessly fighting for their rights that always encourage us to engage more responsibly

to defend their human rights. We highly appreciate the guts and encouragement of human rights defenders and communities who have been struggling for peace and justice.

Finally, I would like that my sincere thanks to all the board and staff member who have engaged in publication of this annual report.

Shanti Kumari Rai
Chairperson

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Background

This Annual report is intended to present the progress of achieved by the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP) in the fiscal year 2073/074 (2016/017). As earlier year LAHURNIP has intensively engaged in policy advocacy and human rights in this year. Policy reform and defending human rights of IPs has been the focus during the FY. LAHURNIP has engaged in lobby and advocacy activities from local to international level to promote IPs rights.

LAHURNIP is a pioneer organisation of human rights lawyers working for the rights of Indigenous Peoples (IPs) in Nepal. It was established in 1995 by the professional Indigenous lawyers with objectives of ensuring social justice through legal service including Pro bono service in collective rights cases. It has primary objectives of promoting, protecting and defending human rights and fundamental freedoms of IPs in Nepal.

It envisions a situation where IPs are equally participating in the decision making process, and are valued, respected and listened to, where they feel safe, secure and they can develop their the fullest potential, equal rights and dignity simultaneously in democracy. LAHURNIP is promoting for better implementation of ILO convention No. 169, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) inter alia other international human rights instruments that Nepal is a party to. It has been working to create solidarity to the regional and international IPs' rights promotional movements.

Meanwhile, LAHURNIP is supporting Indigenous communities to manifest their rights, particularly those who are affected by the projects in their land, territories and natural resources, in laws and policies.

Social, political and economic overview

The national politics is still in fluid situation. The frequent change in government formations still persists. At the beginning of the fiscal year the Prachanda led government was formed and his tenure was ended at the end of the FY. New government was formed under the leadership of Sher Bahadur Deuba. On one hand the frequent change in government leads towards political instability and on the other hand compositions of those governments are not inclusive in terms of social and geographical diversity of the country.

Indigenous peoples are the great supporter and advocates of federalism and federal state mechanism. But, the recently introduced federal structure is not going to be system they have struggling for. Despite the strong reservation of the marginalised communities, including indigenous peoples (IPs) government has declared the local level structure dividing their lands, territories, clusters and populations. The commission commissioned to determine the local level structure discarded the constitutional provisions regarding formation of Special, protected and autonomous region.¹ Basically, it is the gerrymandering to benefit the handful of ruling caste groups. Local level elections (1st and 2nd phase) were held in six provinces. It is obvious that the results of the elections are not in favor of IPs as the legal provisions were set to exclude them systemically. The provincial and federal level elections are expected to hold very soon. It is apparent that the results of those elections will also not in favor of the IPs due to legal and political barriers. Legally, there are no clear provisions to ensure the free and fair representations of IPs. Politically, they do not have greater influence in the political parties. Major political parties are not positive on IPs issues. So, it is invain to expect the proportionate and justifiable representation of IPs in the decision making process under the current legal system and political structure.

¹ The article 56 (5) and 295 (3) has mandated to formulate the special, protected and autonomous regions for “socio-cultural protection and economic development” of the marginalised indigenous peoples. But the commission did not made any recommendations for establishment of such local level units.

Economic inclusion of IPs is also not satisfactory as higher numbers of them fall under the poverty line. Among hill indigenous peoples, nearly one fourth (24.6%) are living below the poverty line whereas the hill Brahmin's poverty is only 10.34%.² According to the World Bank data the economic growth reached to 7.5% in 2017 which is the highest economic growth since 1994. But there is big question who is benefitted from the economic growth as the thousands of 2015 earthquake affected are still surviving under huts and temporary settlements, they have not receiving support from the government as declared. Significant numbers, 66.6%³ of them are IPs. Apart from that the government introduced resettlement plan and designed houses are not IPs friendly. So such resettlement activities impacts negatively to the tradition, culture, livelihood, social practices and economy of IPs.

For some years now the government is highly concentrated on infrastructure development projects such as road expansion and improvement, hydropower development, construction of business malls and complexes and so on for so called economic progress. But such initiatives have severe impacts to the existence of IPs. For instance the road expansion project in Kathmandu affects more than 150,000 populations in Kathmandu valley. More than 80 %⁴ of them are belong to Newar community. The plans for outer ring road, satellite city, smart city are set to establish in the localities of IPs which will massively displace them. Similarly, hydro power development and electricity transmission line projects across the country are not complying with the minimum standard of human rights such as free, prior and informed consent (FPIC), full disclosure etc. On May Nepal has signed China's One Belt One Road (OBOR) initiative. The OBOR is the ambition of China to revive ancient Silk Road Trade route, indeed. Economists and leaders have projected it as the opportunity towards economic

² LAHURNIP (2014) *A Study on the Socio-Economic Status of Indigenous Peoples in Nepal*, P.27.

³ LAHURNIP report (2016).

⁴ LAHURNIP household survey, 2016.

growth of Nepal.⁵ Most probably the OBOR is targeted to invest in aforementioned areas which will be huge and amount.

Major activities and issues dealt with in the FY

Policy advocacy and human rights defending are the major areas of intervention of LAHURNIP to promote the rights of IPs. Various initiatives have taken during the reporting period in defending the rights of IPs:

Policy interventions

✎ Engagements in policy reform

The government of Nepal is formulating new policies and revising the existing laws and policies in the fast pace to implement the 2015 constitution. There are no representation of IPs in the processes. Neither they are aware of the process nor they are the part of it. Most of those policies are not taking into account of the rights of IPs enshrined in the UNDRIP and ILO Convention No. 169 which are the demands of their movement in Nepal. However LAHURNIP has been intensively engaged in the process in coordination with the government agencies, human rights intuitions, IPOs, leaders and experts. It has been providing comments and suggestions on the draft bills and proposals such as Indigenous Nationalities, Tharus and inclusion commission, land bills and land use policy etc. Coordination with the Ministry of Federal Affairs and Local Development, Ministry of Forest and Soil Conservation, National Foundation for Development Indigenous Nationalities, National Human Rights Commission and other government agencies have been established. Litigation has been another aspect of policy reform. Various writ petitions were lodge to the supreme court on the policy matters such as on the issue of local level restructuring, inclusion of some of IPs communities under the minority group etc.

⁵ See <http://kathmandupost.ekantipur.com/news/2017-05-12/nepal-china-sign-framework-deal-on-obor.html>

✧ *High Level National Policy dialogue*

A high level national policy dialogue was held in Kathmandu on 6-7 January 2017. It was the multi-stake holders' dialogue.⁶ The dialogue has succeeded to ensure the participation of IPs experts, government representatives, private sectors, donors and diplomatic missions active in Nepal. Mainly, the dialogue was to discuss over the Constitutional issues that the IPs have been constantly opposing, i.e. demarcation of the federal units, secularism, proportional representation of IPs based on their populations etc. The dialogue reopened up the avenue to instigate dialogue amongst the IPs, state authorities and private sectors. The government representatives have accepted that there are gaps in the constitutional and legal provisions in addressing the issues and rights of IPs in Nepal in line with the UNDRIP and ILO Convention No.169.⁷ Two days intensive discussion over the issues and concerns of IPs lasted with the outcome document was unanimously (*See annex I for the outcome document*). The outcome document was disseminated widely to the respectively stakeholders and rights holders. After the national policy dialogue the donors and the government authorities have invited IPs representatives for the consultations on the policy matters. NHRC and UN agencies are also initiated for discussion on the issues of IPs.

✧ *Policy analysis and lobby & advocacy*

Policy advocacy through law mapping and review is another strategy of policy reform engagement. In this period of time LAHURNIP has constantly engaged in the policy review and lobby in coordination with IPOs, policy makers, and leaders. Such initiative contributed in policy reform and aware policy makers regarding the issues and rights of IPs. Furthermore such initiative also been effective to

⁶ For the event report see Annex I

⁷ For details see LAHURNIP (2017) Nepal ma Adivasi Adhikar: Nitigata Abastha, Chunauti ra Avasarharu (Indigenous Peoples Rights in Nepal: Policy Status, Challenges and opportunities), Kathmandu: Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP).

engage private sectors to respect the rights of IPs in their projects and development initiatives.

Human Rights

1. The indigenous peoples of Nepal have dissatisfactions and grievances over the provisions of the new Constitution⁸ as it failed to accommodate their human rights enshrined in the ILO Convention No. 169 and UNDRIP. They have been opposing the constitution since its promulgation. Nepal Federation of Indigenous Nationalities (NEFIN) officially rejected⁹ the election of local bodies slated for May 15 for not addressing the issues and concerns of IPs. The major demands of the IPs are: self-rule, autonomy and right to self-determination and maintain the cluster and lands and territories of IPs in the state restructuring. Despite the facts the government has declared the local body structures discarding their demands that divide their populations and lands and territories.
2. Recently the government of Nepal enlisted 55 IPs communities as minorities for the purpose of ensuring their participation in the Local Bodies.¹⁰ Most of the IPs listed under the minorities are already in the list of IPs under the National Foundation for the Development of Indigenous Nationalities (NFDIN) Act, 2002. However some of them have been struggling for the recognition for long time. The IPs enlisted under the minorities are all set go for the legal remedies. LAHURNIP has already prepared the writ petition on-behalf of them against the government decision.

⁸ Amidst of the protest of the indigenous peoples and other marginalised communities the Constitution was promulgated on 20 September 2015.

⁹ Kathmandu Declaration of Nepal Federation of Indigenous Nationalities (NEFIN)'s National Assembly held in Kathmandu on 11-12 April 2017.

¹⁰ <http://www.enayapatrika.com/2017/04/22/141093/>

3. A commission was formed for restructuring the local body in March 2016¹¹ with the mandate to determine the numbers and demarcation of Village Councils, Municipal Councils and Special, Protected, and Autonomous regions.¹² But, the commission came up with a incomplete report without determining the Special, Protected, or Autonomous regions. Apart from that the proposed local body structure also divides the populations and lands and territories of the IPs that throw them in the position of minority and never get elected at the local bodies.

To defend the move of the government IPs are preparing for writ-petitions at the Supreme Court. LAHURNIP has assisting them for the legal remedies. Tajpuriya, in consultation with LAHURNIP, has filed a writ petition against the government and commission for dividing their ethnic cluster to many local administrations and not determining the Special, Protected or Autonomous regions.

4. Fully implement the constitution, the government is drafting more than 100 policies and amending more than 400 exiting policies. LAHURNIP has been providing constant comments and inputs on the draft bills prepared by the ministries. The Constitution envisioned of different commissions such as Tharu, Dalit, Muslim, inclusive, Madhesi. The government has already drafted bills related to those constitutional commissions. On those bills also LAHURNIP has provided feedback/comments in consultation with the IPOs and IPs leaders.
5. The traditional lands of Santhal IPs in Morang district is being grabbed in the name of road expansion initiated by

¹¹ <http://kathmandupost.ekantipur.com/printedition/news/2016-03-16/local-body-restructuring-commission-formed.html>

¹² <http://kathmandupost.ekantipur.com/news/2016-04-30/first-draft-of-local-body-restructuring-by-august.html>

the government of Nepal. Around 200 Santhals' households are estimated to be displaced. Santhals have been sighting for the Free, Prior and Informed Consent (FPIC) and participation in all process of the project execution.

6. Dhorpantan Hunting Reserve was established in 1987 affecting traditional lands territories and livelihoods of Magar, Kumal, Gurung, Chhantyal, Thakali, Newar etc. and other local communities. Around 100,000 human populations are estimated to be affected directly by the reserve. Government has deployed army in the reserve in 2016 in the name of security without FPIC and consultation with the communities despite the constant reservation and protest of the affected communities. The affected communities are demanding the rights enshrined in the ILO Convention No. 169 and UNDRIP. Currently, the struggle committee of the affected communities are holding formal and informal meeting with the lawyers and policy makers to submit a proposal in the house to dethrone the discriminatory Act.

Business and Human Rights

1. The 132 KV Transmission Line Project, located in Lamjung district, is operated by the government of Nepal and Chinese Company called Sino-Sagarmatha Hydropower that affects more than 200 indigenous (Gurung, Ghale, Newar) and local communities' households. The project has violated the FPIC and right to participation of affected IPs since its inception. At the moment the affected communities are raising their concerns strongly that includes meaningful participation, full information disclosure regarding the project and its adverse impact and justifiable compensation of the lands acquired. As a result, Energy Minister has issued directives in the name of the concerned authorities to resolve the issues in an amicable manner.

2. Khimti-Dhalkebar 220 KV Transmission Line Project, executed by the government of Nepal with the funding support of World Bank (WB) has long been contested. The project has remained closed for about 7 years due to the protests of the affected communities as it has committed serious human rights violation such as right to information, FPIC, consultation and participation. But now, the WB and Nepal Electricity Authority (NEA) hired an independent facilitator to resolve the conflict in an amicable manner.
3. Kabeli 'A' Hydro-power project operating in eastern Nepal with WB funding has also been contested for the past 4 years. The project has violated the ILO 169 and UNDRIP including national policies. Due to the consistent voice of affected communities, the project has shared the project information in different mother language and is agreed to provide 75% compensation of the land acquired for project.
4. Massive road expansion projects in Kathmandu (traditional of homeland of Newars) are in operation affecting thousands of households. The expansion projects with the funding of WB and Asian Development Bank (ADB) have violated their own safe guard policies on IPs and IPs related international standers including national policies and provisions.

The affected community members are voicing to fully implement the due process of law while executing the projects with justifiable compensation of their house and lands which are being demolished by the project. The affected communities have also submit the complain stating the violation of human rights to United Nations (UN) mechanisms. In addition, 3 writ petitions are lodged in the Supreme Court (SC) and issued stay orders, but, project is not respecting the court order. At the moment the project activities are withheld.

Table 1 : List of sacred places and educational institution damaged by the road expansion project in Kathmandu

S N	Name	Details	VDC/Municipality
1.	Stone Tap	Historical Stone Tap	Lalitpur Sub-metropolitan city, Ward No. 31
2.	Peepal Bot Narayan	Temple of God Narayan with Peepal (Ficus religiosa/ Sacred Fig)	Lalitpur Sub-metropolitan city, Ward No. 31
3.	Dhalko Artistic Pond	Historical Artistic Pond named Dhalko	Lalitpur Sub-metropolitan city, Ward No. 31
4.	Kishlal Machhya water resource Well		Lalitpur Sub-metropolitan city, Ward No. 31
5.	Artistic Krishna Dho Pati		Lalitpur Sub-metropolitan city, Ward No. 31
6.	Temple of Krishna		Lalitpur Sub-metropolitan city
7.	Krishna Dho Pond		Lalitpur Sub-metropolitan city
8.	Harishiddhi Secondary School	Public Secondary School	Lalitpur Sub-metropolitan city
9.	Harishiddhi Community Service Center	Community Service Center	Lalitpur Sub-metropolitan city
10.	Temple of Shree Krishna Pranami		Lalitpur Sub-metropolitan city
11.	Public Chautara		Lalitpur Sub-metropolitan city
12.	Dhunshal Stone Tap	Historical Stone Tap	Lalitpur Sub-metropolitan city

13.	Kaba Guthi	One of the Traditional institution of Newar Community	Godavari municipality-10
14.	Temple of Dakchhinkali		Dhapakhel
15.	Temple of Ganesh Saraswoti		Dhapakhel
16.	Buddha Bihar		Dhapakhel
17.	Shree Krishna High School	Public High School	Dhapakhel
18.	Brahma Kumari Raj Yog Kendra		Gokarneshwor municipality-15
19.	Chhahari Youth Club	Youth Club	Gokarneshwor municipality-15
20.	Gokarneshor Secondary School	Public High School	Gokarneshwor municipality-15
21.	Temple of Kalnki Mai		Kathmandu metropolitan city-13
22.	Sitaram Secondary School		Kathmandu metropolitan city-13
23.	Lampati		Kathmandu metropolitan city-13
24.	Pati at Naikap		Chandragiri municipality
25.	Temple of Hanuman		Chandragiri municipality
26.	Mangal Secondary School		Chandragiri municipality
27.	Naikap Chautara		Chandragiri municipality
28.	Temple of Ganesh		Chandragiri municipality

29.	Temple of Kumari		Chandragiri municipality
30.	Temple of Ganesh		Chandragiri municipality
31.	Buddha Stupa		Chandragiri municipality
32.	Temple of Shiva		Chandragiri municipality
33.	Gurju Tap		Chandragiri municipality
34.	Martyrs Memorial Park (Tribhuwan Park)		Chandragiri municipality
35.	Imakhel Satal		Chandragiri municipality
36.	Temple of Ganesh		Chandragiri municipality
37.	Temple of Kumari		Chandragiri municipality
38.	Temple of Saraswoti		Chandragiri municipality
39.	Temple of Bag Bachala	Temple related to old myth of Tiger and Goat	Chandragiri municipality
40.	Martyrs Stupa (with 99 Martyrs name)		Chandragiri municipality
41.	Pati with Balaju 22's Tap		Kathmandu Metropolitancity-16
42.	Temple of Krishna		Godavari municipality-11
43.	Temple of Narayan		Godavari municipality
44.	Temple of Bhairav		Godavari municipality
45.	Siddheshor Primary School	Public Primary School	Godavari municipality

5. 4.8 MW hydro power project operated at the land territories of Magar Indigenous Peoples (IPs) in Naumule of Dailekh district has violated the FPIC, right to information and participation.¹³ Due to the constant protest of the affected communities, the project has provided 100% compensation for the lands the project occupies on the current market value. In addition the communities are also demanding for free share from the project. But the project agreed to allocate 10% share investment for the affected. Furthermore the project and affected communities are agreed to carry out the programme under the Corporate Social Responsibility (CSR) with full and effective participation of the affected communities.¹⁴
6. Traditional institution of Tharu IPs called Badghar in Kothiya Gaun of Bardiya district revitalised that automatically disappeared due to the influence of state imposed policies. Slaughter house is a serious issue in Kothiya Gaun where around 80 to 200 buffaloes are killed per day and supply the meat outside the country. The environment around the village is much polluted¹⁵ because of the animal slaughtering house. A company with Chinese investment operated the slaughter houses. The slaughter house violates the rights to lands and deteriorates the health of the communities residing surroundings. Apart from that the FPIC and participation of affected in the decision making is also discarded. The Badghar, revitalised traditional institution in this Village, is mobilising the communities to defend their human rights.
7. A huge poultry firm was established in Soravag of Morang district without due process of law caused environmental degradation and detrimental to human health because of solid waste emerged from the firm. The firm is expected to

¹³ Fact sheet on Naumule Hydro Power Project documented by LAHURNIP, May 2017

¹⁴ Consent paper between project and struggle committee, 5 December 2016

¹⁵ Monitoring report of LAHURNIP, Feb 2017

produce 38,000,000 eggs per year.¹⁶ The affected community members are demanding for the full disclosure regarding the project, its adverse potential impacts and relocation of the firm. After several rounds of talks with firm authorities, the firm agreed to address the issues in an amicable manner.

8. The government of Nepal has planned to construct sub-highway of 8 KM in Dharan Sub-Metropolitan City of Sunsari. Around 1,500 households with 7,000 populations are estimated to be displaced due to the project.¹⁷ The project was initiated without consultation of IPs and local communities who are being directly affected. The communities are demanding alternative solutions rather than accepting the project. The concerned project authorities are committed to addressing the concerns of communities.
9. 'Upper Trisuli-1', a hydro power project with 216 MW, is set to operate in Rasuwa district (traditional homeland of Tamangs). The project is being developed by Nepal Water and Energy Development Company (NWEDC). The project is a joint-venture with stake of three Korean companies, i.e. Korea South East Power Company (52%), Daelim Industrial Corporation (16%) and Kyeryong Construction Industrial Corporation (10%), the International Finance Corporation (12%) and Bikesh Pradhanang (10%), a Nepali investor.¹⁸ The developer will operate the project for 30 years and hand it over to the government of Nepal in working condition.¹⁹

The project has initiated without FPIC. The affected communities are not properly consulted and no information was provided. The affected communities have formed struggle committee to deal with the issues associated with the project.

¹⁶ Project document of Birat Poultry Firm

¹⁷ Fact sheet documented by LAHURNIP, Feb 2017

¹⁸ <http://nwedcpl.com/project/projectssummary>

¹⁹ <http://www.nepalenergyforum.com/upper-trishuli-1-hydroelectric-project-ministry-concludes-initial-pda-signing/>

An in-depth research study is being carried out by LAHURNIP to get to know how the human rights are violated. Then, further interventions will be made based on the findings and recommendation of the study.

10. Beer Factory, A Beer production factory named Shree Brothers Blenders Pvt. Ltd. was established in the village of Tharus in Morang district. The Tharus of the areas were not aware of the factory and consent of them were also not taken. As the process of production were on the Tharu showed their concern and dissatisfaction regarding its health and environmental impact. After the continuous protests of the communities the factory compelled to shut down.

Engagement in SDGs process

In the latter period of the FY LAHURNIP has engaged in the Sustainable Development Goals (SDGs) process. It has conducted inception workshop of indigenous navigator project, supported by European Union (EU) and launched in 11 countries across the world, which is basically to contribute in the SDGs process. Organisations working for the rights of IPs have formed a indigenous peoples SDGs network for the collective engagement of IPs in the process. LAHURNIP is one of the active members of the network. LAHURNIP has also contributed in preparation of shadow report of IPs to be submitted in the Voluntary National Review, Nepal is going to review in 2017.

Community Seminars

Community seminars have instrumental to empower the IPs regarding their rights ensured by the national and international human rights instruments. In the FY 2073/074, 10 community seminars have been conducted in the districts. Those seminar brought the issues of IPs to the forum for discussion and help them to understand on their rights. Those Seminars also been successful to organise them.

Training

Training on human rights and business and human rights have been organised at national and local levels focusing to the struggle committees and CSR monitors and IPHRDs to enhance their capacity in case documentations, community and Media mobilisations. The participants of the training are engaged effectively in advocating and documenting the human rights violations of IPs at local levels.

The training are intended to empower and capacity development of the IPs leaders, activists and community leaders to defend their rights from local to national level. Thematic areas of the training are business and human rights, IPs rights enshrined in the UNDRIP and ILO Convention No.169, human rights, right to lands, territories and natural resources and others.

Meeting

Meetings of the affected communities have been another effected means to advocate human rights issues of IPs at local and national level. Such meetings were held within the community, private sectors, government authorities, human rights organisations, Media and so on.

Orientations

Orientations to the affected communities also carried out during the fiscal year on the specific issues encountered by the communities. Such orientations were on the impacts of business activities by the government and private sectors, constitutional and legal provisions.

Lobby and advocacy

Lobby and advocacy have been the major areas of engagement of LAHURNIP in the fiscal year. LAHURNIP has intensively worked

with the policy makers, human rights institutions and communities to ensure the rights of IPs in the policies. For that it has engaged in policy dialogues, consultations and meeting at local to international level. During the FY it has meeting with the ministries (such as Ministry of Federal Affairs and Local Development, Ministry of Forest and Soil Conservation), human rights institutions, private sectors, experts diplomatic missions in Nepal.

Publications

In the fiscal year 12 publications have been made in the form of either books or advocacy materials (*See the table below for the list of publications*). Publication covered issues pertaining to constitutional provisions, rule of law, autonomy, self rule, human rights, business and human rights etc. In the latter period of the FY a proceeding of the national policy dialogue has been published which has been effective resource for advocating the rights of IPs by the policy makers, scholars and activists.

Table 1: List of publication

SN	Title	Language
1.	Calendar, 2074 BS	Nepali/English
2.	संयुक्त राष्ट्रसंघीय व्यापार र मानवअधिकार सम्बन्धी निर्देशक सिद्धान्तको सन्दर्भमा नेपालको प्रचलित कानून तथा नीतिहरूको विश्लेषण	Nepali
3.	व्यापार र मानवअधिकार सम्बन्धी निर्देशक सिद्धान्तहरू: संयुक्त राष्ट्रसंघको संरक्षण, सम्मान र उपचार सम्बन्धी मापदण्ड कार्यान्वयनको सन्दर्भ	Nepali

4.	Annual Report, 2016	English
5.	आदिवासी अधिकार हननका घटनाहरू	Nepali
6.	Case of Indigenous Peoples Rights Violation	English
7.	Core National and International Instruments Pertaining to the Rights of Peoples	English
8.	आदिवासी अधिकारसँग सम्बन्धित राष्ट्रिय तथा अन्तर्राष्ट्रिय प्रमुख दस्तावेजहरू	Nepali
9.	संघीय, स्वशासन र स्वायत्तता र आदिवासी अधिकार सम्बन्धी जानकारीपत्र	Nepali
10.	टीकापुर घटना मानवअधिकार अनुगमन प्रतिवेदन	Nepali
11.	Tikapur Incident Human Rights Monitoring Report	English
12.	नेपालमा आदिवासी अधिकार: नीतिगत अवस्था, चुनौति र अवसरहरू (Indigenous Peoples Rights in Nepal: Policy Statues, Challenges and Opportunities)	Nepali/English

Research studies

Upper Trishuli hydro power project

Upper Trishuli is one of the hydro projects in Nepal funded by the international funding agency such as the IFC. The project is going to establish in the lands of Tamang indigenous community in Rasuwa.

The project has not engaged in the FPIC process to the affected indigenous peoples. LAHURNIP conducted a intensive research on the effect of the project to the communities and published.

Land tenure system of Santhal and Tharus

A research, with the support of Land is Life, on land tenure system of Santhals and Tharus was completed in the reporting period.

CSR and IPs women

A study on the situation of IPs women accomplished in the fiscal year. The study is intended to assess the situation of IPs women in the areas of implementation of development projects. The study also critically analyses the national policies pertaining to business and human in the contexts of internal human rights instruments. A part from that the study also scrutinised the implementation of CSR policy of private sectors, particularly hydro power development projects.

Public Interest Litigations and court cases

At the moment there are 48 cases at different level of courts (district, high, special and supreme) filed by the respective communities and victim (*See the table 2*). Basically, those cases are pertaining to grave human rights violations in different circumstances. IPs' Land grabbing is one of the major issues in Nepal as most of the development projects are operated in their lands and territories. Amongst the 48 cases 17 (35.4%) are related to illegal land grabbing and land rights violations. There are two aspect of lands grabbing and land rights violation; first IPs' traditional lands acquisition is taking place in the name of development. Volume of such incidents are growing in fast pace as the government given priority to the infrastructure development projects such as hydro projects, cement factories, road expansion and other development projects. Displacements destroy and damages of sacred places and heritages are rampant due to such unplanned and haphazard decisions of the state. Another aspect of land rights violations of IPs is the demarcation of provincial and local level constituencies and units. The demarcation of seven provinces and 744 local level units divides the lands and territories of IPs and disintegrate their ethnic clusters that leads them to loss their lands, identity and economic & political power.

Arbitrary detention is another state sponsored target against the IPs leaders and activists. Out of 48 cases 7 (14.6%) are pertaining to such nature. State has been arresting IPs political leaders and

activists under the organised crime Act. State's attempt to criminalise issues and rights of IPs is severe case and it will have long run effect to the indigenous movement in Nepal. Similarly, 26 Tharu leaders are behind the bar for the alleged involvement in the Kailali incident without fair and speedy trial for around two years.

Table 2: List of court cases

SN	Issue	Type of Cases	Area/ Location	Court	No of Cases
1.1	Tikapur-Kailali	Arbitrary detention	Tikapur Kailali	Supreme Court	3
1.2	Tikapur-Kailali	Arbitrary detention	Tikapur Kailali	District Court Kailali	1
2	Road expansion				
2.1	Ranibari	Land grabbing	Ranibari	Supreme Court	5
2.2	Thankot	Land grabbing	Thankot	Supreme Court	1
2.3	Kalanki	Land grabbing	Kalanki	Supreme Court	1
2.4	Sanepa	Land grabbing	Sanepa	Supreme Court	1
2.5	Harisiddhi	Land grabbing	Harisiddhi	Supreme Court	1
2.6	Badegaun	Land grabbing	Bandegaun	Supreme Court	1

2.7	Chapagaun	Land grabbing	Chapagaun	Supreme Court	1
3.1	Mangol Mulbasi	Arbitrary detention		Supreme Court	2
3.2	Mangol Mulbasi	Arbitrary detention		Special Court	2
3.3	Mangol Mulbasi	Arbitrary detention		High Court Patan	2
3.4	Mangol Mulbasi	Arbitrary detention		District Court, Bhaktapur	1
3.5	Mangol Mulbasi	Arbitrary detention		District Administration Office	1
4	ChhayaDevi Commercial Complex	BHR/ Land grabbing	Thamel	Supreme Court	1
5	Harisiddhi Bricks	BHR/Land grabbing	Harisidhdhi	Supreme Court	1
6	Khadgi-Citizenship	Identity BHR/Land grabbing		Supreme Court	1
7.1	Khimti Dhalkebar	BHR/Land grabbing	Sindhuli	Supreme Court	4
7.2	Khimti Dhalkebar	BHR/Land grabbing	Sindhuli	High Court	4
7.3	Khimti Dhalkebar	BHR/Land grabbing	Sindhuli	District Court	1

8	Local Bodies Restructure	Identity/Land rights	Supreme Court	2
9	Minorities	Identity	Supreme Court	
10	CTEVT-Hayu and others	Identity/overruling the quotas allocated to the endangered IPs for technical education	Supreme Court	
11	Birat Poultry Farm	Business and human rights	Supreme Court	
12	NHRC commissioners appointments	Group Rights	Supreme Court	2
13	Constitution-Regulation	Group Rights	Supreme Court	1
14	Ram Dulari Rana	Human rights/ murder	District Court, Kanchanpur	1
15	Byasi sauka community	Enlistment of IPs group as minority	Supreme Court	2
16	Tajpuriya	Local level re-structuring	Supreme Court	2
Total numbers of cases				48

Coordination and collaborations

During the reporting period LAHURNIP has set coordination and collaboration with various national and international institutions and organisations working in the areas of human rights:

- Asia Indigenous Peoples Pact (AIPP)
- International Work Group for Indigenous Affairs (IWGIA)
- National Foundation for Development of Indigenous Nationalities (NFDIN)
- Nepal Federation of Indigenous Nationalities (NEFIN)
- National Indigenous Women's Federation (NIWF)
- Unitarian Universalist Service Committee (UUSC)
- International Fund for Agricultural Development (IFAD)
- United Nations Permanent Forum for Indigenous Issues (UNPFII)

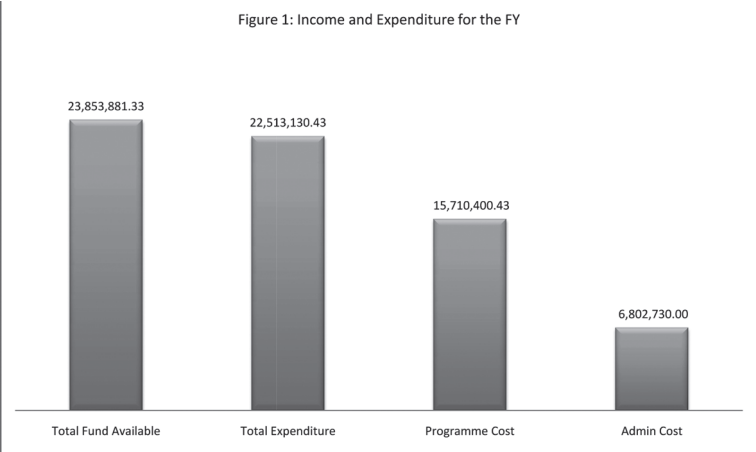
Institutional Development

For institutional development LAHURNIP has managed to implement its policies firmly. Those policies include Human Resource Policy, Admin and Finance Policy, Gender and Social Inclusion Policy. Furthermore it has trained its staff and board members of good governance, institutional development and project management. Enhance cooperation and coordination with various national and international human rights institutions also been instrumental in institutional development of LAHURNIP. Apart from that it has been conducting regular financial audit renewal of the organisation at District Administration Office (DAO) and Social Welfare Council (SWC). Furthermore it has also appointed law students from national and international universities as volunteers that also supported to contribute in achieving the objective of the organisation.

Regular monitoring and evaluation of the projects are in place to guide the project activities in-line with the goal and objectives of the organisation.

Financial Report

The total fund available for the FY is NPR 23,853,881.33. Out of that NPR 22,513,130.43 (94.38%) expenditure was made during the reporting period. The total expenditure under programme is NPR 15,710,400.43 (68.86%) and NPR 6,802,730.00 (28.5%) under administrative heading. *(See the figure 1 and the audit report below for details)*




Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP)
Income and Expenditure Statement
For the year ended 31st Ashad 2074


Particulars	Sch.	Current Year (NPR.)	Previous Year (NPR.)
Income			
Prior Year Adjustment		-	271,597.30
Grant Income	17	23,476,656.44	18,884,405.03
Contribution from Members	18	334,236.00	869,144.75
Interest Income	19	42,988.89	154,651.36
Total Income		23,853,881.33	20,179,798.44
Expenditure			
Programme Cost (A)			
Strengthening Indigenous People's Rights in Nepal (SIPHRN-I)	1	1,351,727.00	4,817,999.00
Strengthening Indigenous People's Rights in Nepal (SIPHRN-II)	2	426,704.00	-
Report on Racial Discrimination in Nepal: Rectifying historical wrongs in the new constitution (RDN)	3	-	545,904.76
Corporate Social Responsibility (CSR)	4	7,011,375.30	603,702.55
Asia Indigenous Peoples Pact Foundation (AIPPF)	5	348,269.00	1,771,757.00
Unitarian Universalist Service Committee (UUSC-I)	6	1,343,181.43	344,860.00
Unitarian Universalist Service Committee (UUSC-II)	7	272,683.00	-
LAHURNIP Program (Himalayan Bank)	8	-	255,225.00
LAHURNIP (Core Fund Expenses)	9	-	167,771.00
National Policy Dialogue	10	3,384,084.70	-
Asia Indigenous Peoples Pact Foundation (AIPPF) Navigator	11	635,188.00	-
Global Greengrants Fund GGF-I	13	17,838.00	-
Land is Life (LIL)	15	319,350.00	-
NTTI	12	600,000.00	-
Total Programme Cost (A)		15,710,400.43	8,507,219.31




Particulars	Sch.	Current Year (NPR.)	Previous Year (NPR.)
Administrative Cost (B)			
Strengthening Indigenous People's Rights in Nepal (SIPHRN-I)	1	860,694.00	3,526,921.00
Strengthening Indigenous People's Rights in Nepal (SIPHRN-II)	2	1,080,383.00	-
Corporate Social Responsibility (CSR)	4	3,042,778.00	2,824,015.00
Unitarian Universalist Service Committee (UUSC-I)	6	609,144.00	462,826.00
Unitarian Universalist Service Committee (UUSC-II)	7	456,103.00	-
LAHURNIP (Core fund expenses)	9	653,378.00	871,389.00
NITI	12	100,000.00	-
Global Greengrants Fund GGF-II	14	100.00	-
LAHURNIP (Global IME Bank)	16	150.00	-
Total Administrative Cost (B)		6,802,730.00	7,685,151.00
Total Expenditure (A+B)		22,513,130.43	16,192,370.31
Surplus fund balance over expenditure		1,340,750.90	3,987,428.13
Surplus fund carried from previous Year		10,297,359.21	6,309,931.08
Surplus fund balance for next year Transferred to Balance Sheet		11,638,110.11	10,297,359.21

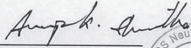

Asim Sunuwar
Admin & Finance Officer

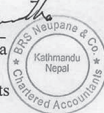

Tahal Thami
Director


Advocate Bhim Rai
Treasurer


Advocate Shanti Kumari Rai
President




CA. Anup K. Shrestha
BRS Neupane & Co.
Chartered Accountants



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


As on 31st Ashad 2074

Particulars	Sch.	Current Year (NPR.)	Previous Year (NPR.)
Liabilities			
Accumulated Fund Balance		11,638,110.11	10,297,359.21
Current Liabilities			
Payables	24	305,887.80	377,126.50
Total		11,943,997.91	10,674,485.71
Fixed Assets			
Office Assets and Furniture	25	1,659,854.20	1,659,854.20
Less: Charged to Expenses		(1,659,854.20)	(1,659,854.20)
Current Assets			
Cash	22	41,975.00	70,214.45
Bank	21	10,951,492.91	8,657,962.26
Receivables/Advances	23	950,530.00	1,946,309.00
Total		11,943,997.91	10,674,485.71


Significant Accounting Policies and Notes to Acc 26


Schedule and explanatory notes form an integral parts of Financial Statement

As per our report of even date

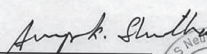

Asim Sunuwar
Admin & Finance Officer

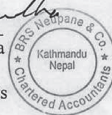

Tahal Thami
Director


Advocate Bhim Rai
Treasurer


Advocate Shanti Kumari Rai
President




CA. Anup K. Shrestha
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Chartered Accountants



Conclusion

Human rights violations of the IPs by the development projects are rampant in Nepal. Mainly the hydropower generation, road expansion and other infrastructure development projects are having inverse impacts to the IPs in Nepal. On one hand there is existence of international policies pertaining to IPs but there are lacks of implementation of those policies by the development projects.

IPs struggles seems growing in Nepal due to lack of implementation of international human rights instruments pertaining to IPs. Basically, IPs of Nepal have been continuously demanding for the implementation of those instruments. Ironically, the government is not take positive steps towards implementation of those instruments even though Nepal is the signatory of them.

Another issue of the IPs of Nepal is the pertaining to laws and policies. IPs are not satisfied with the provisions of the constitution. But government is in hurry to implement the constitution without addressing the issues of IPs that is critical for ensuring and establishing peace in Nepal. It is also not favorable for prosperity of the country.

LAHURNIP, as a human rights organisation, has been continuously supporting to the communities to facilitate dialogues and ensure the rights of affected communities across the country. Furthermore, it has been also engaged in the policy related matters. It has been providing comments and suggestions on the draft bills prepared by the government to address the issued and right of IPs.

Annexes

Annex I: Outcome document of the National Policy Dialogue

High-Level National Policy Dialogue on the Rights of Indigenous Peoples of Nepal Kathmandu, January 6-7, 2017

Main Conclusions²⁰ and Way Forward

Cross-Cutting Issues

- ❑ Demand meaningful amendment of the Constitution of Nepal 2015 to fully recognize the rights of indigenous peoples of Nepal²¹ under the international law (in particular the ILO Convention No. 169; the UNDRIP); meaningful amendment to avoid any dilution of the provisions pertaining to the federalism, secularism, language rights, proportional representation, rights to lands, territories and natural resources, intellectual property rights, etc.; [Prof. Hachhethu] Upgrade the status of proportional inclusion by including it within the *Fundamental Rights & Duties* (Part 3); at present it is part of the *Directive Principles* (Part 4); the participating Members of Parliament have expressed their commitment to raise these issues during the forthcoming discussions on the constitutional amendment.
- ❑ Demand effective and immediate implementation of the Constitution of Nepal, 2015 provisions which are not currently under debate/revision (e.g., education in indigenous language).

²⁰ Main Conclusions drawn from the deliberations on the Six Themes, 16 Comprehensive Papers, Break Out Group discussions and the floors' deliberations

²¹ Honorable Mohana Ansari, NHRC Commissioner recognizes the various challenges in the implementation of the 2015 Constitution.

- ❏ Demand from the State (Nepal Government) full compliance with the ILO Convention No. 169 (1989) [Nepal is one of 22 countries that have ratified it in 2007 and is therefore under obligation]²² and full implementation of the UNDRIP. The National Planning Commission 13th Plan (2013) proposed, under the State Restructuring Policy, the amendments of legal and policy provisions which are inconsistent with the ILO Convention 169.²³
- ❏ Demand the full and effective representation of indigenous peoples of Nepal in all the constitutional bodies, commissions. The NPC in its 13th Plan proposed a legal and policy framework for inclusive consultations and participation. Following the requirements of the ILO Convention No. 169 and the provisions of the UNDRIP, ensure the full and effective representation of indigenous peoples of Nepal in all the constitutional bodies, commissions (indigenous (Adibasi Janapati Commission)²⁴, the Tharu Commission, the national women commission²⁵, national inclusion commission²⁶ and policy-level mechanisms (Ministry of Women, Children and Social Welfare is revising the Social Welfare Act, 1992 and the National Culture Policy, 2011); the indigenous peoples representative institutions should identify and choose their representatives to these bodies, commissions and mechanisms; currently, indigenous peoples are represented by a “token” representative. The NPC proposed in its 13th Plan a program for institutional strengthening of the indigenous peoples representative institutions.

²² Lila Adhikary Ministry of Federal Affairs and Local Development (the focal ministry for indigenous peoples) confirms that Nepal has yet to a national implementation plan for implementation of the ILO Convention No. 169 and has not amended laws that contradict the Convention. She also confirms lack of political will as well as lack of disaggregated data on indigenous peoples

²³ NPC Thirteenth Plan 3-Year (FY 2070/71– 2072/73)

²⁴ Article 261

²⁵ Article 252

²⁶ Article 258

- ❏ Demand that the indigenous peoples focused constitutional commissions be fully empowered, independent and resourced.
- ❏ Demand to create a single Ministry (Ministry for Indigenous Affairs) to implement “One-Window”/Agency model²⁷; currently, numerous sectoral ministries have mandate; the Ministry of Federal Affairs and Local Development is the “presumed” focal ministry but language under the Ministry of Education; the cultural policy (and marginalized communities) under the Ministry of Culture, Tourism and Civil Aviation²⁸; water resources under the Ministry of Energy, forests under the Ministry of Forest and Soil Conservation, land under the Ministry of Land Reform and Management, etc.
- ❏ Demand to subscribe to the principle of recognizing the rights of indigenous peoples of Nepal, the rights to FPIC and to the lands, territories and resources; currently, the State subscribe to the principle of nominal/ token representation and consultations instead of the FPIC and the State focuses the livelihood programs instead of recognizing the traditional and customary rights to lands and natural resources.
- ❏ Forward the Outcome of this high-level policy dialogue on the rights of indigenous peoples to the respective government ministries, the UN Agencies²⁹ – including the MDBs; the NHRC and the NFDIN have specifically requested for the outcome document; follow up on the implementation of the Outcome document.

²⁷ Lila Adhikary Ministry of Federal Affairs and Local Development proposes such a “single shopping model” for indigenous issues

²⁸ Bharat Mani Subedi Ministry of Culture, Tourism and Civil Aviation

²⁹ Raja Devasish Roy will meet with the UNDP Country Director

Theme 1: Business and Human Rights, FPIC and State Restructuring

- ❏ Review and revise the recently submitted report of the Local Bodies, Special and Protected Areas Delineation Commission; it was prepared without consultations with indigenous peoples and in contravention of the State's legal obligations; review the provincial boundaries in a way that excluded groups could get due share in the newly created political space, at the provincial level. [Prof. Hachhethu]: Restructuring Nepal state in the form of secularism, pluralism, inclusion and federalism, yet to achieve or unaccomplished goal."
- ❏ Demand that the Ministry of Energy obligates the developers for enforcement of the provisions of the ILO Convention No.169 for energy development projects (currently, it asks the developers "to review this document during the course of Environmental Impact Assessment (EIA) and Initial Environmental Examination (IEE)."³⁰
- ❏ Demand that the rights the FPIC of indigenous peoples is upheld by express mention in laws and policies.
- ❏ Demand that the principle of benefit sharing is fully applied in energy projects (following principles of 2010 Nagoya Protocol related to the Convention on Biological Diversity 1992 that ensures the traditional knowledge associated with indigenous peoples genetic resources). Benefit sharing should include other forests, pasture, natural resources; The Ministry of Forest representative stated that the Ministry is working on transferring the revenue generated from the Yarsa Gumba collection to the local communities
- ❏ Draft and prepare the Guidelines for the cultural, environmental and social impact assessment for programs that affect indigenous peoples.

³⁰ Sagar Raj Goutam Senior Divisional Engineer, Ministry of Energy

Theme 2: Gender Equality, Culture and Language

- ❏ Specific to Women: Address the specific issues related to indigenous women; currently, indigenous women issues fall through the crack in the State and donor systems; they are “invisible in the laws and policies of the government;” they suffer from double discrimination (as indigenous and as women); the indigenous peoples commission does not disaggregate women issues from those of men and the women commission does not differentiate indigenous women issues.
- ❏ Specific to Language: Invest in and promote bilingual and multilingual education (indigenous, national and English) language. Following the provisions of the Interim Constitution, the NPC in its 13th Plan proposed a trilingual education policy for the school level. The 2015 Constitution recognizes the status of all languages spoken as mother tongues the language of the Nation; Develop a linguistic map; Teaching in indigenous languages continue to face challenges; in 2011 Census, 123 languages spoken there are more languages – not all indigenous language (Hindi, Mandarin; the TU Department of Linguistics has carried out sociolinguistic survey; no teaching materials, teachers; carry out an assessment of indigenous languages for developing bilingual curriculum and teaching (number of speakers, written language or not, grammar materials)³¹; The NPC in its current 14th Plan³² has proposed a number of specific policies and programs related numerically small indigenous peoples including to preserve and promote their languages and culture and to improve access to primary healthcare.
- ❏ Specific to Culture: The Ministry of Women, Children and Social Welfare is revising the National Culture Policy, 2011–representation of indigenous peoples; the Ministry is also

³¹ Dilliram Rimal, Ministry of Education

³² The NPC 14th Plan (FY 2073/74– 2075/76)

carrying out inventory of the tangible and intangible cultural heritage; The Ministry is also revising the Social Welfare Act, 1992—there should be a review of the representation of indigenous women

- ❏ Intellectual Property Rights (IPR): Draft laws and policies to protect and patent the intellectual property rights of indigenous peoples.

Theme 3: Collective Rights and Indigenous Peoples Rights in Law, (Emerging) Bill and Constitution

- ❏ Carry out a comprehensive review for law and policy reform to make them fully consistent with the ILO 169 and the 2007 UNDRIP – in particular the Right to autonomy and self-rule, the proportional inclusive and participatory principles are some of the basic foundations of the Constitutions of Nepal.³³
- ❏ Enact the enabling laws to implement the rights recognized in the 2015 Constitution in full consultation with indigenous peoples; enact as per the provisions of the Constitution and as per the ILO Convention 169, the 2007 UNDRIP and the UN WICP Outcome Document, 2016, either new laws or amend the existing laws. A Bill of the Indigenous Nationalities Commission is being currently tabled in the Parliament; it will draft national policies and programs and carry out monitoring of the implementation.
- ❏ Set up, as per the provision of the Constitution, the special, protected or autonomous regions for special, cultural protection or economic development. The Constitution makes provision for special, protected or autonomous regions for special, cultural protection or economic development. The Local Bodies, Special and Protected Areas Delineation Commission did not however consult adequately indigenous peoples and did not propose any special and protected areas. [Prof.

³³ Toyanath Adhikary, Ministry of Law, Justice and Parliamentary Affairs

Hachhethu] Identity-based federalism: recognition of social identity as a political constituency; the constitution rejects ethnicity as political constituency.]

- ❏ Disclose the various draft Bills [under the 2015 Constitution] for public information, consultations and revisions.
- ❏ Strengthen the institutional mechanisms for indigenous peoples in Nepal (such as NFDIN) and local bodies
- ❏ Provide legal aid to indigenous peoples to protect the rights of indigenous peoples in Nepal. Follow up with the Nepal Bar Association³⁴ and its committee on indigenous peoples have expressed a commitment to extend legal assistance to the indigenous peoples in their legal fight with the state.

Theme 4: Land Rights, Protected Areas and Climate Change

- ❏ Recognize the collective rights of indigenous peoples to forest, and natural resources land make the federal, provincial and local policies related to forests, water and other resources fully compatible with the 1989 ILO Convention No. 169, the 2007 UNDRIP and the 2016 UN WCIP Outcome Document. The NPC, in its 13th Plan proposed to give priority to indigenous peoples to provide increased access to indigenous peoples to water, lands, forests and minerals and to give priority in the management of the natural resources but these provisions are not underlined in its 14th Plan (there is a subtle but clear deemphasis of indigenous peoples focus in its 14th Plan.
- ❏ Specific to Lands³⁵: Recognize collective rights of indigenous peoples to public lands (forests, pastures, rivers, mountains). Subscription to the Doctrine of terra nullius and Eminent Domain in the history of Nepal led to the Alienation of the

³⁴ Sher Bahadur KC, Chair, Nepal Bar Association

³⁵ Leelanath Dahal, Ministry of Land Reform and Management

traditional and customary lands of indigenous peoples; land belongs to the indigenous peoples and state (traditional *Kipat* lands and *Raikar* lands); today, based on the Regalian Doctrine³⁶, Nepal's land is state land; indigenous peoples become landless squatters in their own traditional land (Tharu Kamaiya). Identify indigenous peoples traditional land areas; Acquisition of indigenous peoples lands should be based only the principle of the FPIC. Prepare a comprehensive land use planning taking into consideration of the indigenous peoples perspective (sacred water and mountain yak grazing, herb collection, spiritual forests and mountain).

- ❏ Enact integrated federal land act. There is no land act yet under the new constitution. The representative of the Ministry of Land Reform proposes to enact new land laws under the 2015 Constitution and consistent with the ILO Convention No. 169; the law should recognize the rights of Raute to forests, the rights of Sherpas and Gurung to yak pastures. The State should abide by the international legal obligations under the ILO Convention No. 169. The State should consider the issue of compensation of the indigenous lands alienated.
- ❏ Specific to Forest³⁷: The 2015 Constitution asks for protection, promotion and sustainable use of natural resources; it asks for equitable distribution of benefits as per the priority and preferential rights of local communities as well as the inter-generational equity. The National Forest Policy, 2015 provides increased access to indigenous peoples to biodiversity; new Forest Bill is being drafted. The Ministry of Forest representative proposes that “traditional rights should be taken into consideration, and admits that there are several gaps between words and action. The policies are not supplemented by

³⁶ The Regalian Doctrine dictates that all lands of the public domain belong to the State, that the State is the source of any asserted right to ownership of land and charged with the conservation of such patrimony.

³⁷ Toya Nath Adhikary, Ministry of Forest and Soil Conservation

necessary legal, institutional and administrative arrangements.”
Currently, the State provides access to indigenous peoples
to forests and public lands for livelihoods without recognizing
their due rights.

- ❏ Demand the full application of FPIC in all lands, forests and
natural resources as well as carbon rights related mechanisms
and processes.
- ❏ Develop meaningful indicators recognizing the indigenous
peoples issues in the implementation of policies and programs.

Theme 5: Mechanisms for Coordination and Dialogue between Indigenous Peoples and Government [State]

- ❏ Under the UNDRIP, 2007 the indigenous peoples of Nepal
can exercise the rights, including (a) the right to self
determination; (b) the right to autonomy or self-government;
(c) the right to FPIC; (d) rights to lands, territories and
resources; (e) right to the recognition, observance and
enforcement of treaties, agreements, and other constructive
arrangements
- ❏ Under the ILO Convention No.169, the indigenous peoples
of Nepal can claim rights, including (a) ownership and
possession rights over traditionally and otherwise used and
occupied lands; (b) safeguards against alienation of and/or
dispossession from land; (c) freedom to observe social,
cultural, religious and spiritual values free from any form of
discrimination; (d) right to consultation and participation; (f)
right to education in the indigenous language

- ❏ Draft and finalize, in consultations, the agreed upon criteria/ “definition of” indigenous peoples of Nepal.³⁸

Theme 6: Indigenous Peoples and the 2030 Agenda [for Sustainable Development]³⁹, incorporating the indigenous voice in the Sustainable Development Goals National Reviews for 2017

- ❏ Under the (UN) Outcome Document of the World Conference on Indigenous Peoples (A/RES/69/2) (2014), the indigenous peoples of Nepal can reiterate their rights, including those under the UNDRIP and in particular, (a) legislative and administrative measures affecting IPs with FPIC [including the constitution drafting]; (b) adoption of the National Action Plan by the Government (for legislative, policy and administrative measures, including in context of UNDRIP and Agenda, 2030; (c) data disaggregation and appropriate holistic indicators for indigenous peoples well-being, including for baseline surveys, census and for monitoring.
- ❏ Propose further elaboration and adoption of a Nepal National Action Plan [NAP] on the Rights of Indigenous Peoples⁴⁰ based on the existing draft of a National Action Plan for ILO

³⁸ Lila Adhikary Ministry of Federal Affairs and Local Development writes that there is no agreed upon definition of indigenous peoples of Nepal. Similarly, Toyenath Adhikary, Ministry of Law, Justice and Parliamentary Affairs and Dhananjaya Lamichhane of the Ministry of Forest and Soil Conservation express lack of any official definition of indigenous peoples. There are working definitions. 1993 Conference on the Rights of Indigenous Peoples of Nepal proposed a set of criteria for identifying indigenous peoples of Nepal. The National Foundation for Upliftment of Adibasi/Janajati (Indigenous Peoples) Act, 2002 defined and identified 59 indigenous peoples. Raja Devasish Roy has compiled a set of criteria for identifying indigenous peoples.

³⁹ The 2030 Agenda recommends incorporation “of indigenous issues into [NAP]national action plans to implement the 2030 Agenda and ensure the plans are consistent with the provisions of the [UNDRIP] UN Declaration on the Rights of Indigenous Peoples

⁴⁰ Government of Nepal incorporated the aspects of indigenous peoples development beginning with the 8th Plan.

Convention No. 169, which is presently being reviewed by the Ministry of Federal Affairs (MOFALD). This should happen in full consultations with indigenous peoples and their representative institutions; and there should be a review of the representation of indigenous women in this process.

- ❏ Develop or revise existing indigenous peoples policy/gender and inclusion policy of individual UN agency on national level and develop policy implementation guidelines and performance indicators to make these fully compatible with UNDRIP; including mechanisms to ensure Free, Prior and Informed Consent (FPIC) of indigenous peoples in all its initiatives as well as carrying out indigenous auditing of UN agencies
- ❏ Establish a separate permanent unit on indigenous peoples' rights/gender and inclusion issues within relevant UN agencies as well as a cross-cutting working group within the UN Country Team to focus on the rights of indigenous peoples and to ensure UN system's policy of engagement with indigenous peoples;
- ❏ Encourage the UN Country Team to implement the UN System-wide Action Plan (SWAP) on the Rights of Indigenous Peoples in Nepal and ensure inclusion of indigenous issues in the UN system's work in Nepal in dialogue with indigenous peoples.
- ❏ Propose to the National Planning Commission with the support of the UN Country Team to ensure that the rights of indigenous peoples are addressed in the UN Development Assistance Framework (UNDAF) 2018-2022 and to ensure indigenous peoples' are consulted in the UNDAF preparation, implementation and review to obtain their free, prior and informed consent in line with the UN Declaration on the Rights of Indigenous Peoples, article 19 and other international instruments relevant to indigenous peoples.

- Propose to the National Planning Commission with the support of the UN Country Team to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development and in the elaboration of national programs⁴¹, including 1) that disaggregated data is gathered according to indigenous identifiers across the Sustainable Development Goals, 2) that indigenous-relevant indicators from the global indicator list are integrated in the national indicators⁴², 3) that Nepal's national voluntary national review to the High Level Political Forum, 2017 draw on contributions from indigenous peoples and 4) that indigenous peoples are given a platform to participate actively in the implementation, follow-up and review of the 2030 Agenda.

⁴¹ Language consistent with the UN Third Committee 2016 Resolution on the Rights of Indigenous Peoples adopted in December 2016

⁴² Indigenous peoples' have in particular called for including indicators 1.4.2/5.a.1 on secure land rights by type of tenure, 2.3.2 on income of small-scale food producers by indigenous status, 4.5.1 on indigenous peoples' access to education and 10.3 1/16.b.1 on experience of discrimination (United Nations Statistical Commission (E/CN.3/2016/2/Rev.1)

Annex II: Human rights violations issues supported by LAHURNIP

SN	Issue	Human Rights Area	Location
1	Airport	Land Rights	Sunsari
2	Animal Sloughtring	BHR	Bardiya
3	Anusha Rai	General Human Rights	Sunsari
4	Badegaun	Road Expansion	Badegaun
5	Balaju	Road Expansion	Balaju
6	Beer Factory	BHR	Morang
7	Bhaktapur-Barkhabazar	Road Expansion	Bhaktapur
8	Birat Poultry Form	BHR	Morang-Sohrabhag
9	Budhiganga	BHR	Dhading
10	Chapagaun	Road Expansion	Chapagaun
11	Chhayadevi Commercial Complex	BHR	Kathmandu
12	Cow Slaughter	General Human Rights	Thankot, Baglung and Panchthar
13	Deepa Magar	General Human Rights	Kailali
14	Dhankute Road	Road Expansion	Dharan
15	Drinking Water	Land Rights	Sunsari
16	Gitang Drinking Water	Land Rights	Ilam

17	Harishiddhi	Road Expansion	Harishiddi
18	Hayu and others CTEVT	Identity	Kathmandu
19	Hongsi Cement Factory	Land and BHR	Jyamire Palpa
20	Hydro-Tanahu	BHR	Tanahu
21	Irrigation Project (Rani Kulari)	Land and BHR	Tikapur Kailali
22	Jorpati Sankhu	Road Expansion	Sankhu
23	Jorpati Sundarijal	Road Expansion	Sundarijal
24	Jorpokhari	Land Rights	panchthar
25	Kabeli A Hyrdro Project	Land Rights	Panchthar
26	Kabeli B 1	Land and BHR	Taplejung and Panchthar
27	Kabeli coridor Project	Land and BHR	Panchthar and Ilam
28	Kalanki Thankot	Road Expansion	Kalanki Thankot
29	Kalimati Kalanki	Road Expansion	Kalimati
30	Khadgi-Citizenship	Identity	Kathmandu
31	Khimti Dhalkebar Transmission line	BHR	Sindhuli
32	Local Body Restructure	Identity	Jhapa
33	Lower Hewa	Land Rights	Panchthar
34	Madhya Marsyangdi Transmission line	Land and BHR	Bhulbhule Lamjung

35	Mangol Mulbasi	General Human Rights	Kathmandu
36	Minority Issue	Identity	Kathmandu
37	Pahadi Lok Marga	Land Rights	Tehrathum, Taplejung and Panchthar
38	Ram Dulari Rana	General Human Rights	Kanchanpur
39	Rani Bari	Road Expansion	Ranibari, Ktm.
40	Tamor High Dam	Land Rights	panchthar
41	Tikapur Case-Tharu	General Human Rights	Kathmandu
42	Tokha	Road Expansion	Tokha, Ktm.
43	Trishuli 3 A	Land Rights	Rasuwa

Annex III: Press releases

जि.प्र.का. काठमाडौं
द.नं. ८०२/०५१/०५२



च.नं. : २२
प.सं. : २०८३/०६४

प्रेस-विज्ञप्ति

नेपालका आदिवासीहरूको मानवअधिकार सम्बन्धी वकिल समूह (लाहूर्निप)

नेपाल सरकारको लगानीमा लम्जुङ जिल्लामा हाल निर्माण भइरहेको भूलभुले मध्यमसर्वाङ्गी १३२ के.मि विद्युत प्रसारण लाईन आयोजनाले सोही जिल्लाको भूलभुले, डादी, बाँमोखेत, हिलेटम्भार, चित्री गाविसहरू लगायत थोरीशहर नगरपालिकाका करीव २०० आदिवासी र स्थानीय समुदायका घर परिवारलाई प्रत्यक्ष र अप्रत्यक्षरूपमा प्रभावित पार्ने भन्दै प्रभावितहरूले निरन्तररूपमा विभिन्न मागहरू राखी आन्दोलन गरिरहेका छन् ।

नेपालको प्रचलित कानून अनुसार प्रसारणलाईन आयोजनालाई संचालन नगरिएको, प्रभावितहरूको कानूनी हकभोगको जग्गा, कतिपयको बासस्थान र खेती तथा जिविकोपार्जन गर्ने ठाउँबाटै कुनै जानकारी र सूचना नदिई एक्कासी उक्त प्रसारण लाईनको निर्माण गर्न लागिएको, आयोजनाले प्रभावितहरूलाई असुरक्षित बनाउनुको साथै धार्मिक तथा सांस्कृतिक स्थलहरू, विद्यालय, आर्यघाट, चरिचरन क्षेत्र, आवतजावत गर्ने मार्गलाई प्रभावित पारेको,

प्रभावित समुदायलाई वातावरणीय प्रभाव मूल्यांकन तथा सार्वजनिक सुनुवाई लगायतका कुनै पनि प्रक्रियामा समेत सहभागी नगराईएको, नकारात्मक वातावरणीय प्रभाव र न्यूनीकरणका उपाय तथा कार्यक्रमको बारेमा कुनै जानकारी नदिईएको, जग्गा प्राप्त ऐन २०३४ ले निर्दिष्ट गरेको जग्गा प्राप्त सम्बन्धी प्रावधानहरूलाई समेत उल्लंघन गरि प्रभावितहरूको जग्गालाई आयोजनाको नाममा कब्जा गरिएको आदि भन्दै प्रभावित समुदायका सदस्यहरूले निरन्तर रूपमा आवाजहरू उठाइरहेका छन् ।

यसको अतिरिक्त प्रसारण लाईनको कारण मिति २०७३ साल भदौ ५ गते राती ९ बजे बाँमा खेत गाविस पासा चउर गाउँका ९ जना प्रभावित समुदायका सदस्यहरूलाई घाइते बनाएको र जस मध्ये ४ जनालाई लम्जुङ सामुदायिक अस्पताल, थोरीशहरमा भर्ना गरिएको छ । यसको साथै सोहि स्थानको दमू गरुङको ४ वटा बाख्रा समेत मरेको अवस्था छ । यस घटनाले पनि प्रभावित समुदायहरूलाई फत खप आतङ्कित र आक्रोशित पार्ने काम गरेको छ । पीडित समुदायले सम्बन्धित निकायमा बारम्बार क्षतिपूर्तिको लागि अनुरोध गर्दा पनि सुनुवाई नभएको कुरा बताउँछन् ।

त्यस आयोजनाले नेपालको सिध्दान्तले प्रत्याभूत गरेको सम्पत्तिको अधिकार, स्वस्थ वातावरणमा बाँच्न पाउने हक तथा सुरक्षित जीवनको हक, नेपाल पक्ष राष्ट्र भइसकेको अन्तर्राष्ट्रिय श्रम संगठनको महासन्धि सन्ख्या १६९ र आदिवासी अधिकार सम्बन्धी संयुक्त राष्ट्रसंघीय घोषणापत्र, २००७ ले प्रत्याभूत गरेको स्वतन्त्र, अग्रणी जानकारी सहितको मञ्जूरीको अधिकार, सहभागिताको (योजना निर्माण देखि कार्यान्वयन हुदै मूल्यांकन सम्म) अधिकार उल्लंघन गरेको देखिन्छ । त्यसकारण, परियोजनाको दिगोपनालाई सुनिश्चित गर्नको लागि प्रभावित समुदायका मागहरूलाई संयोजन गरि समस्याको समाधान गर्न सम्बन्धित सबै संरोकारवाला पक्षहरूलाई लाहूर्निप हादिक आग्रह गर्दछ ।

शंकर लिम्बू

सचिव

नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहूर्निप)

अनामनगर, काठमाडौं

मिति: २०७३ साल असोज ५ गते

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जि.प्र.का. काठमाडौं
द.नं. ४०३/०५१/०५२



घ.नं. : ८०
प.सं. : २०६३/०६४



नेपालका आदिवासीहरूको
मानवअधिकार सम्बन्धी
वकिल समूह (लाहुर्निप)

मिति: २०७३/०८/२५

प्रेस विज्ञप्ती

नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप) ६८औं विश्व मानवअधिकार दिवसको अवसरमा विश्व भरका मानव समुदायप्रति हार्दिक शुभकामना व्यक्त गर्न चाहन्छौं। त्यस्तै शान्ति र मानवअधिकारका लागि महत्वपूर्ण योगदान दिने ज्ञात अज्ञात व्यक्तित्वहरूलाई पनि यो अवसरमा सम्मन चाहन्छौं।

नेपालमा ऐतिहासिक रूपमा विभेदमा पारिएका तथा मानव अधिकार हननका पीडितहरूप्रति ऐक्यबद्धता जाहेर गर्दै सबैको मानवअधिकारको सम्मान तथा रक्षाका लागि यो विशेष दिनमा प्रेरणा मिलोस् भन्ने कामना गर्दछौं।

गत वर्ष नेपालका आदिवासीहरू मानव अधिकार हननबाट बढी पीडित भए र अद्यापि भइरहेका छन्। आफ्नो पहिचान तथा अधिकारको माग राखी राजनीतिक गतिविधि गरेको आधारमा संगठित अपराध तथा राज्य विरुद्धको अपराध जस्ता गम्भीर प्रकृतिका मुद्दालाई राजनीतिक अधिकारलाई अपराधीकरण गरी कतिपयलाई राजनैतिक, वैयक्तिक अधिकार लगायतका अधिकार कुण्टित गर्ने काम राज्यबाट भई रहेको छ। संविधानका प्रावधानहरू आदिवासीहरूको आर्थिक, सामाजिक, राजनैतिक, सांस्कृतिक तथा धार्मिक अधिकारका विरुद्धमा छन्। विश्व मानवअधिकार दिवसको यस अवसरमा राज्य तथा सम्बन्धित निकायहरूको यस प्रकारका घटनाहरूप्रति गम्भीर ध्यानाकर्षण गराउन चाहन्छौं।

विभिन्न विकास परियोजनाबाट आदिवासीमाथि हुने र भइरहेका विस्थापन, उनीहरूको धार्मिक तथा सांस्कृतिक स्थलहरूको विनाश हुने कम रोकिएका छैनन्। जसले गर्दा उनीहरूको सम्मानपूर्वक वाँच्न पाउने अधिकार समेत हनन भएका छन्। यसतर्फ पनि राज्य तथा व्यापारिक निकायहरूको ध्यान जान जरुरी छ।

यस वर्षको विश्व मानवअधिकार दिवसको नारा Stand up for someone's rights today रहेको छ। तसर्थ, विश्व मानव समुदायमा आफ्नो लगायत अरुको अधिकारका लागि आवाज उठाउने र अग्रसर हुने प्रेरणा यो दिवसले प्रदान गरोस् र सबै प्रकारका मानवअधिकार हननका घटनाहरू न्यूनीकरण हुँदै भयरहित वातावरणको सिर्जना भई शान्ति र अमनचयन कायम गर्न यो दिन कोसेढुंगा सावित होस् भन्ने कामना गर्दछौं।

धन्यवाद।


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प.सं. : ०८३/०८४



नेपालका आदिवासीहरूको
मानवअधिकार सम्बन्धी
वकिल समूह (लाहुर्निप)

मिति: २०७३ पुष १९

प्रेस विज्ञप्ती

जनताको शान्तिपूर्ण विरोध तथा प्रदर्शन गर्न पाउने अधिकार र अभिव्यक्तिको स्वतन्त्रता र संगठित रूपमा र हिंजडुल गर्न पाउने अधिकार कुण्ठित हुने गरी काठमाडौं उपत्यकाव्यापी सडक विस्तार पीडित संघर्ष समितिले गरेको प्रदर्शनका क्रममा कुमार लामा र किरण मानन्धर पक्राउ परेका साथै सितापाइता लगायतका स्थानमा प्रहरी हस्तक्षेप भएकोप्रति यस नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुर्निप)को ध्यानाकर्षण भएको छ । नागरिकहरूको संविधान तथा राष्ट्रिय तथा अन्तर्राष्ट्रिय मानवअधिकारका दस्तावेजहरू प्रदत्त अधिकारहरूको सम्मानका लागि राज्य तथा राज्यका सबै सम्बन्धित निकायहरूसँग अपिल गर्दछौ ।


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ब.नं. ४०३/०५१/०५३



च.नं. : ६६
प.सं. : ०६३/०६६

नेपालका आदिवासीहरूको
मानवअधिकार सम्बन्धी
वकिल समूह (लाहुर्निप)


मिति : २०७३ पौष २० गते

प्रेस विज्ञप्ती

उपत्यका बन्दका क्रममा आज बिहान दर्जन बढी पक्राउ परेका छन् । काठमाडौं उपत्यकाव्यापी सडक विस्तार पीडित संघर्ष समितिले आयोजना गरेको बन्दका क्रममा उनीहरू पक्राउ परेका हुन् ।

बिहान करिव साढे ६ बजे कालीमाटीबाट सुमन श्रेष्ठ, प्रकास श्रेष्ठ, किरण श्रेष्ठ, राम शरण सायमी र कृष्ण श्रेष्ठलाई प्रहरीले नियन्त्रणमा लिइएको प्रहरी वृत्तमा कालीमाटीले जनाएको छ । त्यस्तै करिव ७ बजे सामाखुसीबाट सुरेन्द्र श्रेष्ठ, रामचन्द्र श्रेष्ठ, समीर शाही, पञ्चनारायण डंगोललाई नियान्त्रण लिइएको प्रहरी वृत्त महाराजगंजले बताएको छ । साथै सितापाईलाबाट विश्वराम बलामी, करुण बलामी र राम बलामीलाई नियान्त्रण लिइएको प्रहरी वृत्त स्वयम्भूले जनाएको छ । कितीपुरबाट नजराग महर्जन लगायत उपत्यकाका अन्य स्थानबाट पनि बन्दकर्ताहरू पक्राउ परेको बताइएको छ ।

प्रभावितहरूको न्यायिक मागहरूलाई शान्तिपूर्ण माध्यमबाट सम्बोधन गर्न, पक्राउ परेकाहरूलाई तत्काल रिहा गर्न र मानव अधिकारको सम्मान गर्न सम्बद्ध सबै निकाय/पक्षहरूलाई यस नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धि वकिल समूह (लाहुर्निप) अपाह गर्दछ ।


शंकर लिम्बू
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च.नं. : ८४
प.सं. : ०८३/०८४



नेपालका आदिवासीहरुको
मानवअधिकार सम्बन्धी
वकिल समूह (लाहुमिप)

मिति: २०७३ पुष १९

प्रेस विज्ञप्ती

जनताको शान्तिपूर्ण विरोध तथा प्रदर्शन गर्न पाउने अधिकार र अभिव्यक्तिको स्वतन्त्रता र संगठित रूपमा र हिंढडुल गर्न पाउने अधिकार कुण्ठित हुने गरी काठमाडौं उपत्यकाव्यापी सडक विस्तार पीडित संघर्ष समितिले गरेको प्रदर्शनका क्रममा कुमार लामा र किरण मानन्धर पक्राउ परेका साथै सितापाइता लगायतका स्थानमा प्रहरी हस्तक्षेप भएकोप्रति यस नेपालका आदिवासीहरुको मानव अधिकार सम्बन्धी वकिल समूह (लाहुमिप)को ध्यानाकर्षण भएको छ । नागरिकहरुको संविधान तथा राष्ट्रिय तथा अन्तर्राष्ट्रिय मानवअधिकारका दस्तावेजहरु प्रदत्त अधिकारहरुको सम्मानका लागि राज्य तथा राज्यका सबै सम्बन्धित निकायहरूसँग अपिल गर्दछौं ।


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जि.प्र.का. काठमाडौं
द.नं. ८०२/०५१/०५२



च.नं. : ८६
प.सं. : २०६३/०६४

नेपालका आदिवासीहरूको
मानवअधिकार सम्बन्धी
वकिल समूह (लाहुर्निप)

मिति : २०७३ पौष २० गते

प्रेस विज्ञप्ती

काठमाडौं उपत्यकाव्यापी सडक विस्तार पीडित संघर्ष समितिले आज पौष २० गते आयोजना गरेको उपत्यका बन्दमा सुरक्षाकर्मीले धरपकड गरी करिव ६ :३० बजे कालीमाटीबाट सुमन श्रेष्ठ, सक्षमान श्रेष्ठ लगायत ५ जनालाई पक्राउ गरी कालीमाटी वृत्तमा, त्यस्तै करिव ७ बजे तिर सामाखुसीबाट सुरेन्द्र श्रेष्ठ, रामचन्द्र श्रेष्ठ, समीर शाही, पञ्चनारायण डंगोललाई पक्राउ गरी महाराजगंज वृत्तमा लिएएको जानकारी हुन आएको छ ।

प्रभावितहरूको न्यायिक मागहरूलाई शान्तिपूर्ण माध्यमबाट सम्बोधन गर्न, पक्राउ परेकाहरूलाई तत्काल रिहा गर्न र मानव अधिकारको सम्मान गर्न सम्बद्ध सबै निकाय पक्षहरूलाई यस नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धि वकिल समूह (लाहुर्निप) आग्रह गर्दछ ।

शंकर लिम्बू

सचिव

लाहुर्निप

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जि.प्र.का. काठमाडौं
द.नं. ४०३/०५१/०५३



च.नं. : १०१

प.सं. : २०६३/१०६४

नेपालका आदिवासीहरूको
मानवअधिकार सम्बन्धी
वकिल समूह (लाहुरिप)

मिति: २०७३ फागुन २४

प्रेस विज्ञप्ती

ने.क.पा.(एमाले)को मेची महाकाली अभियानको क्रममा फाल्गुण २३, २०७३का दिन सप्तरी, राजविराजमा भएको भडपमा प्रहरीले चलाएको गोली नागरिकको टाउको, छाति, पेट जस्ता संवेदनशील भागहरूमा लागि ४ जनाको मृत्यु तथा दर्जनौं घाइते भएको घटनाप्रति नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह (लाहुरिप)को ध्यानाकर्षण भएको छ । सो अमानवीय तथा दुखद घटनाको लाहुरिप भर्त्सना गर्दछ । घटना सम्बन्धित प्रकाशित समचारहरू तथा तत्काल प्राप्त सूचनाअनुसार एमालेको कार्यक्रम सकेपछि प्रहरी रहेकै दिशामा रहेका केही व्यक्तिहरूले स्थानीय जनतातर्फ ढुंगा प्रहार गरी भडपको स्थिति सुजना गराई सुनियोजित रूपमा घटना घटाईएका कारण गम्भीर परिस्थिति उत्पन्न भएको देखिन्छ ।

राजनीतिक क्रियाकलापको आवरणमा मधेशी समुदायको प्रतिष्ठामा आँच आउने आपत्तिजनक अभिव्यक्ति जिम्मेवार नेतृत्वहरूबाट आउनु, शान्ति सुरक्षाको नाममा अत्यधिक बल तथा कानून विपरित जथाभावि गोली चलाउने कार्यबाट नेपाल पक्षराष्ट्र रहेको सबै प्रकारको जातीय (तश्लीय) विभेद उन्मूलन गर्ने महासन्धिको धारा ४ विपरित तश्लीय कुरालाई बढावा दिएकोप्रति सरकार तथा सम्बन्धित राजनीतिक पार्टीलाई सचेत र संवेदनशील रहन लाहुरिप आग्रह गर्दछ ।

मानव अधिकारको विश्वव्यापी घोषणापत्रको धारा ४, ४(१), ५(ख), नागरिक तथा राजनीतिक अधिकार सम्बन्धी अनुबन्धको धारा ७ तथा नेपालको संविधानको धारा १६ले प्रत्याभूत सम्मानपूर्वक बाँच्न पाउने अधिकार कुण्ठीत गरेको देखिएकाले, सरकारले अविलम्ब घटनाको स्वतन्त्र, निरपेक्ष र विश्वसनीय छानबीन गरी दोषीलाई कारवाही, पीडितलाई न्यायोचित क्षतिपूर्ति र घाइतेहरूको उपचार प्रदान गरियोस् ।

अब उपरान्त, यस्ता घटना दोहोरिन नदिन र जनताको सम्मानपूर्वक, सुरक्षित रूपमा बाँच्न पाउने हकको पूर्ण बहाली गर्न सरकार तथा सम्बन्धित पक्ष संवेदनशील र जिम्मेवार रहन लाहुरिप आग्रह गर्दछ ।

साथै संयुक्त लोकतान्त्रिक मधेशी मोर्चाले आह्वान गरेको दुई दिने बन्द (फागुन २४ र २५)का क्रममा यस प्रकारको दुखद घटना दोरिन नदिन सम्बन्धित पक्षहरूलाई संयमित र संवेदनशील रहन आग्रह गरिन्छ ।

शंकर लिम्बू
सचिव

नेपालका आदिवासीहरूको मानव अधिकार सम्बन्धी वकिल समूह

अनामनगर, काठमाडौं, नेपाल

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1 Online Khabar 6 February 2017

जि.पू.का. काठमाडौं
द.नं. ४०२/०५१/०५२



च.नं. : ११०

प.सं. : २०७३/०८०४

प्रेस विज्ञापित

नेपालका आदिवासीहरूको मानवअधिकार सम्बन्धी वकिल समूह (लाहूर्निप)

जातीय विभेद उन्मूलन सम्बन्धी अन्तर्राष्ट्रिय दिवसको अवसरमा ऐतिहासिक रूपमा विभिन्न प्रकारका जातीय र नश्लीय भेदभाव तथा विभेद विरुद्ध अनवरत रूपमा संघर्षरत विश्वभरका सम्पूर्ण न्यायप्रेमी जनताहरूलाई नेपालका आदिवासीहरूको मानवअधिकार सम्बन्धी वकिल समूह (लाहूर्निप) शुभकामना व्यक्त गर्न चाहन्छु।

जातीय विभेदबाट दैनिक रूपमा विश्वभरीमा लाखौं मानिसहरू पीडित हुने गरेको तथ्य जगजाहेर छ। जसका कारण एकातिर समान रूपमा मानवअधिकार अन्त्यास गर्नेबाट वञ्चित भएका छन् भने अर्कोतिर समाज र विश्वमा अशान्ति र द्वन्द्व बढिरहेको छ। "नश्लीय विभेद वैज्ञानिक दृष्टिले गलत, नैतिकरूपमा निन्दनीय, सामाजिक दृष्टिले अन्यायपूर्ण र खतरनाक" भन्दै संयुक्त राष्ट्रसंघ मार्फत सबै राष्ट्रले उपनिवेशलाई भत्सना गरेतापनि नश्लीय विभेद कायम रहनु आफैमा विडम्बनापूर्ण रहेको छ।

नेपालले सबै प्रकारको जातीय विभेद उन्मूलन गर्ने महासन्धि १९६९ लाई सन् १९७१ मा अनुमोदन गरेतापनि हिन्दु वर्णवादी व्यवस्थाले आदिवासी जनजाति, दलित, मधेशी, मुस्लिम, महिला लगायतका धेरै समुदायलाई निरन्तर ऐतिहासिक विभेद र बहिष्करणमा पारिरहेको छ। पछिल्लो समयमा आफ्नो अधिकार तथा पहिचानको माग राखी संगठन विस्तार गर्नेलाई संगठित अपराध जस्ता भुट्टा तथा राम्भीर प्रकृतिका मुद्दाहरू लगाउने प्रवृत्ति बढेको छ। राजनीतिक क्रियाकलापको आवरणमा मधेशी समुदाय प्रति अपातजनक अभिव्यक्तिकरू आउनु, शान्ति सुरक्षाको नाममा अत्याधिक बल प्रयोग तथा कानून विपरित जथाभावी गोली चलाई धेरै मधेशीहरू शहीद हुनु परेको अवस्था छ। यस्तो कार्यले स्पष्ट रूपमा राज्यले जातीय तथा नश्लीय कुरालाई वढवा दिएको देखिन्छ। यस्ता कार्यलाई न्यूनीकरण गदै राज्यले महासन्धिलाई प्रभावकारीरूपमा कार्यान्वयन गर्नु जरुरी छ।

सन् १९६० मा दक्षिण अफ्रिकामा शान्तिपूर्ण प्रदर्शनका क्रममा प्रहरी हस्तक्षेपमा ६९ जना न्यायप्रेमी जनताले ज्यान गुमाएको घटनाको पृष्ठभूमिमा संयुक्त राष्ट्रसंघको महासभाले सन् १९६६ मा घोषणा गरेको प्रत्येक वर्ष २१ मार्चका दिन संसारभर मनाइने यस दिवसको यो वर्षको अन्तर्राष्ट्रिय नारा "Racial profiling and incitement to hatred, including in the context of migration" रहेको छ।

निश्चय पनि जातीय विभेद विरुद्धको संघर्ष कठिन छ। तथापि यसविरुद्ध लड्न र सफलता प्राप्त गर्न असम्भव नभएकोप्रति विश्वास प्रकट गदै यस विशेष अवसरमा न्याय, समानता र मानवअधिकारको प्राप्तिाको निम्ति लडिरहेका विश्वभरीका न्यायप्रेमी समुदायहरूप्रति लाहूर्निप ऐक्यबद्धता जाहेर गर्दछ। मानिसले मानिसविरुद्ध गर्ने सबै प्रकारको विभेद, भेदभावको घोर विरोध गदै न्याय, समानता र मानवअधिकारको लडाइँमा संगसँगै आघ बढ्ने प्रतिबद्धता समेत यो अवसरमा जाहेर गर्दछौं।


शर्कर लाम्क्यु
सचिव

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जि.प्र.का. काठमाडौं
दि.नं. ४०२/०५९/०५२

पत्र नं. :

एस.नं. :



नेपालका आदिवासीहरूको
मानव अधिकार सम्बन्धी
वकिल समूह (लाहुरिप)

परहट, मधेश र आदिवासी जनजाति आन्दोलनले स्वायत्त प्रदेशको नाम लेक्ने अभियान आन्दोलन कै रूपमा चलाएका थिए। यो हक अन्तरिम संविधानको धारा १३८(१) तथा उनीहरूसँग सरकारले गरेको सम्झौताले दिएको राजनीतिक अधिकार हुन्। थुप्रै ठाउँमा स्वयत्त नारा तथा मोर्चाहरू लेखिएका थिए। कहीं कतै आगि घटना घटेका थिएन्न्। परहट स्वायत्त प्रदेश लेक्नेको लागि नारासहित जाने क्रममा टिकापुरको दुबद घटना घट्यो। यसरी कानूनले दिएको अधिकार प्रयोग गर्ने क्रममा प्रहरीलाई गोली चलाउने आदेश कमले दियो। त्यसको पछाडि को मकसद के थियो? यदि प्रहरीले गोली नचलाइ परहट स्वायत्त प्रदेश लेक्न दिएको भए के यो घटना घट्ने अवस्था थियो? तसर्थ, हातावरण भड्काउने र प्रहरीलाई गैरकानूनी आदेश दिनेहरू नै यो घटनाको प्रमुख कारक र दोषी भएकोले त्यसको अनुसन्धान गरी कारवाही गर्नुपर्दछ। घटना भएका क्षेत्रमा त्यसभन्दा अगाडि अखण्ड पक्षधरले विरोध जुत्सु गरेका थिए भन्ने सञ्चार तथा प्रतिवेदहरूबाट देखिन्छ। त्यही ठाउँमा परहटलाई अनुसन्धान गर्नुको कारण के थियो? त्यसतर्फ सञ्चार जगत, आयोग र सरकारको ध्यान गएको छैन।

हाम्रै युनामा परेकाहरूको परिवारको विचल्ली भएको अवस्था छ। उचित उपचारको अभावमा एक जना युनुवाको छोरीको मृत्युसमेत भएको छ। घरको मुली युनामा परेपछि पैसाको अभावमा बालबालिकाको पढाइमा असर परेको छ। अर्को पति कतिपय पुरुषहरू गाउँघरमा घुम्न सक्ने स्थितिमा छैनन्। फेला मुलाको चपेटामा परिन्छ भनी भान बाध्य भएका छन्। वडघर, भलभन्सा र महटवा जस्ता परम्परागत र मौलिक सभ्य गठन गर्ने दिइएको छैन। त्यसले धार तथा मधेशीहरू आफ्नै धातपलोमा अनुसन्धित भइरहेका छन्। तसर्थ, यी सम्पूर्ण कुराको मतन गरी सरकारले मुदा कित्ता कार्यविधि शसोधनगर्ने निणय उचित, व्यापिक, कानुन सम्मत र मानवअधिकार अनुकूल छ।

परिस्थितिको गम्भीरतालाई मतन गरी निष्पक्ष, पूर्वाग्रह रहित र यन्तुनित सञ्चार सम्प्रेषण गर्ने सर्वज्ञानिक आयोग, सञ्चार जगतसमागतलाई सहानुभूति प्रकट गर्दछ। यदि कसैले एकपक्षीय ढङ्गले धार, मधेशी र आदिवासीजनजाति प्रति नरसीय विभेद गर्ने कार्यलाई दुरुस्साहत गर्छ भने त्यसलाई अविश्वस्य कानूनी कारवाही गर्ने सरकारको ध्यानकर्षण गर्दछ।

धार, मधेशी र आदिवासी जनजातिहरूले आफूलाई परेको श्रवणको कुरा उठाउँदा, उल्टै कारवाहीमा पर्ने, यातना भोग्नु पर्ने, अर्क बाधककरण र विभेदमा पर्ने भई असुरक्षित भएको हुदा त्यस कुराको निरन्तर अनुगमन गरी दिनहुन सयुक्त राष्ट्रसंघ तथा अन्तराष्ट्रिय मानवअधिकार सघसस्था तथा समुदायलाई सहानुभूति हारिक अनुसन्ध गर्दछ।


निर्देशक
सचिव

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नेपालका आदिवासीहरूको
मानवअधिकार सम्बन्धी
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मिति २०७४ जेठ १ गते

प्रेष विज्ञप्ती

बृहत्, मधेश र आदिवासी जनजातिलागयत आन्दोलनका क्रममा लगाइएका मुद्दा खारेजी वा फिर्ता गर्ने 'मुद्दा फिर्ता सम्बन्धी कार्यविधि' सरोधान गर्ने सरकारले गरेको विषयलाई लिएर विभिन्न सञ्चार माध्यमहरूबाट एकलोटी हुगले आरोपित तथा अदालतले करिब २ वर्षदेखि मुद्दाको फैसला नै नगरी धुनामा राखिएकाहरूलाई नकारात्मक र पूर्वापारी सन्देश जाने समचारहरू २०७४ जेठ ५ गते राष्ट्रिय मानवअधिकार आयोगले अदालतमा मुद्दा विचाराधीन अवस्थामा रही फैसला नै नभएको अवस्थामा अपराधी नै हुन् भनी अर्ध जानकारी निष्कर्षको बिज्ञप्तिप्रति नेपालका आदिवासीहरूको मानवअधिकार सम्बन्धी वकिल समूह (लाहुम्पि)को गम्भीर ध्यानाकर्षण भएको छ ।

टिकापुर घटनामा प्रहरीहरूको ज्यान जानु दुःखपूर्ण छ । त्यस्तै मधेश आन्दोलनका दौरानमा सुरक्षाकर्मीको कारवाहीबाट ६० भन्दा बढी निर्दोष नागरिकको ज्यान गएको छ । ती घटनाका दोषीहरू उपर पनि कुनै कानुनी कारवाही भएका छैन । त्यसो भन्दैमा कानुनी कारवाही गर्ने नाममा निर्दोष नागरिकलाई कथमावी घरेलुकाड गर्ने, बिनाआधार वनावटी प्रमाणका आधारमा मुद्दा लगाउने तथा धुनामा राख्ने गरी कानुनी शासन, मानवअधिकार तथा संविधानले प्रत्याभूत गरेका स्वतन्त्र र सम्मानपूर्वक भोजन पाउने हक विपरीत छ ।

उक्त घटनाहरूका विषयमा, ह्युमन राइट्स वाच, एमनेस्टी इन्टरनेशनल लगायतका अन्तर्राष्ट्रिय तथा राष्ट्रिय मानवअधिकारवादी संघसंस्थाहरूले पकाउ परेकाहरूलाई यातना दिएर साक्षिit मराएको, नाबालकहरूलाई पोलन लगाएको, मानिसहरूलाई यातना र डरबास दिने कार्य भएरगएको कार्यहरू आफूना प्रतिवेदनमा माबर्जानिक गरेका छन् । टिकापुर घटनामा पकाउ गरिएकाहरू नै नै उक्त घटना घटाएका हुन भन्ने कुनै प्रमाण छैन र कुनैलाई पनि घटनस्थलबाट पकाउ पनि गरिएको छैन । घटनाका प्रत्यक्षदर्शीले कुनैलाई कितान गरेको छैन । अनुसन्धानका क्रममा यातना दिइ साक्षिit गराइएको छ । आरोपितहरूले घटनामा आफूहरू उपस्थित तथा सहभागी भएको भनी बयान गरेका छन् । अपराध व्यक्तिलाई पनि बिना कारण पनिइएको छ । नाबालकलाई हिरासतमा राखी, कानून विपरीत सरकारका बिना नै बयान गराइएको छ । नबालकले अत्यन्तै पोलेको भनी मिसिल खडा गरिएको छ । एक जना मानिसले ३८ जना सम्मको नाम धर डैगाना, कितानी घयान गरी गरिएको छ । उनीहरू सधै पाठ समुदायका हुन् । एकजनाले यतिका मानिस हजारौको भिडमा मारमा पेश कागज अनुसार त्यस घटनामा देखि चिन्नु भन्नु र्कत प्रत्यार सायक हन्नु । निर्बोचन कायालयबाट मदनशतानामावली र निर्दिष्ट कार्यलयबाट नागरिकताको तगत मागगारिएको छ । त्यही आधारमा नामावली, हेर्ने नेट रातलाई गम्भीर प्रश्नको कौजदारी अपराधमा मुद्दा लगाएको होइन भन्ने के आधार छ ? त्यस्ता पुर्ण कुलहरूलाई विष्कल नजरअन्दाइ गरी सञ्चार जगतले दोषीलाई उन्मुक्ति दिन लागियो भन्नु र मानवअधिकार आयोगले कमरदार हो भन्ने अर्ध तान्ने विज्ञप्ती निकाल्नु हजुरा तथा पूर्वापारी देखिन्छ ।

नेपालपक्ष राष्ट्र र्हेको नागरिक तथा राजनीतिकअधिकार सम्बन्धी अनुबन्धको धारा ११(२) तथा नेपालको संविधान २०७२ को धारा २०(५) समेतले कमरदार ठान्न नभन्ने विषय हो । प्रीतिक ६६ धोरमा राष्ट्रिय मानवअधिकार आयोग जस्तो गरिमासय संस्थाको विज्ञप्तीले ठाउँ उल्लेखन गर्नुले आयोगको निष्पक्षता, सक्षमता, विश्वसनीयता, स्वतन्त्रता र सदैव जाति, समुदायको मानवअधिकारमा उर्तिके सबैदनातीर छ भन्ने कुरामा गम्भीर प्रश्न खडा भएको छ ।

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About Lahurnip

Background

Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP) is a pioneer organisation of human rights lawyers working for the rights of Indigenous Peoples (IPs) in Nepal.

LAHURNIP was established in 1995 by the professional Indigenous lawyers with objectives of ensuring social justice through legal service including Pro bono service in collective rights cases. It has primary objectives of promoting, protecting and defending human rights and fundamental freedoms of IPs in Nepal.

It envisions a situation where IPs are equally participating in the decision making process, and are valued, respected and listened to, where they feel safe, secure and they can develop their the fullest potential, equal rights and dignity simultaneously in democracy.

LAHURNIP is promoting for better implementation of ILO convention No. 169, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) *inter alia* other international human rights instruments that Nepal is a party to. It has been working to create solidarity to the regional and international IPs' rights promotional movements.

Meanwhile, LAHURNIP is supporting Indigenous communities to manifest their rights, particularly those who are affected by the projects in their land, territories and natural resources, in laws and policies.

Vision

LAHURNIP envisions full-fledged human dignity, sustainable development and peace which cannot be achieved unless the human rights and fundamental freedoms including collective rights of IPs are ensured and respected.

Mission

LAHURNIP was established to render support and contribute to the rights, human rights and interests of Nepalese IPs.

Objectives

1. To ensure, protect and promote the human rights of Nepalese IPs.
2. To conduct different ethnographic research studies and survey about the human rights issues of Nepalese IPs.
3. To make them more alert and sensitive to their rights, welfare and for their fundamental freedoms.
4. To establish resource centre and provide detailed information on human rights of Nepalese IPs.
5. To organise different level of workshops, interactions, symposium seminars, meeting in the area of IPs,
6. To work as a national pressure group to defend, ensure and promote basic human rights of Nepalese IPs.
7. To collect, process, analyse and disseminate information on indigenous human rights issues.
8. To provide free legal aid, in the violation of legal and human rights issues.
9. To conduct different projects concerning to the human rights issues of IPs in Nepal.
10. To organise solidarity campaign and support national and international efforts in order to accelerate the socio-economic upliftments of the IPs in Nepal.
11. To work and contribute in the field of peace and conflict managements.
12. To advocate against racial discrimination and gender inequalities.
13. To work, collaborate and cooperate with International Human Rights Organisations in order to promote the human rights and fundamental freedoms of IPs in different level.

Values

LAHURNIP is committed to follow the following values:

Transparency and accountability: Committed to work to ensure transparency at all levels and accountability to the people to which our work is directly concerned.

Equality, Equity and Justice: committed to work to ensure equal opportunity to everyone based on non-discrimination principle.

Honesty: Committed to work with honesty at all levels for betterment of IPs.

Solidarity: Wider solidarity to IPs organisations and movements to fight for establishment of human rights.

LAHURNIP Team

Board

Advocate Shanti Kumari Rai, Chairperson
Advocate Dinesh Kumar Ghale, Vice-chairperson
Advocate Shankar Limbu, Secretary
Advocate Bhim Rai, Treasurer
Advocate Makawan Subba, Member
Advocate Hira Bahadur Ghale, Member
Advocate Kashi Ram Chaudhari, Member

Thematic Committees

Indigenous Women Affairs Committee
Advocate Laxmi Rai, Coordinator

Legal Counseling and Aid Committee
Advocate Chet Bahadur Ale Magar, Coordinator

Human Rights Committee
Advocate Santosh Rana Magar, Coordinator

Public Relation Committee
Advocate Buddha Kumari Lama, Coordinator

Information Dissemination Committee
Advocate Ram Hari Shrestha, Coordinator

Secretariat

Mr. Tahal B. Thami, Director
Mr. Durga Mani Rai (Yamphu), Programme Coordinator
Mr. Asim Sunuwar, Admin and Finance Officer
Ms. Amita Rai, Project Assistant
Mr. Manoj Rai, Project Assistant
Ms. Anjana Shrestha, Admin and Finance Assistant
Mr. Bisnu Kumar Rai, Office Assistant
Ms Sunita Chaudhari, Office Helper

Regional Indigenous Peoples Human Rights Defenders

Advocate Juna Kumari Gurung, Kaski
Advocate Ram Hari Shrestha, Kathmandu
Advocate Santosh Rana Magar, Kathmandu
Mr. Devraj Chaudhari, Morang
Mr. Gopal Dewan, Sunsari

Indigenous Peoples Human Rights Defenders

Advocate Laxmi Rai, Kathmandu
Advocate Nina Dangol, Kathmandu
Ms. Agni Maya Meche, Jhapa
Ms. Bina Devi Tamang, Sunsari
Ms. Dhan Kumari Sunuwar, Sindhuli
Advocate Kashi Ram Chaudhari, Bardia
Advocate Yam Prasad Limbu, Ilam
Mr. Birkha Bahadur Waiba Tamang, Panchthar
Mr. Dal Bahadur Gharti, Kailali
Mr. Dil Bahadur Thebe, Morang
Mr. Karsang Temba Tamang, Rasuwa
Mr. Khagendra Pun Magar, Dailekh
Mr. Khem Jung Gurung, Lamjung
Mr. Kiran Mukhiya, Ilam
Mr. Prem Raj Ghising, Jhapa
Mr. Raj Kumar Rajbanshi, Morang
Mr. Gam Bahadur Thapa Magar, Palpa
Mr. Sarju Prasad Chaudhary, Kailali
Mr. Nar Bahadur Gurung, Gorkha

Ms. Niranti Tumbapo, Panchthar
Ms. Sangita Thami, Ilam
Ms. Meera Amatya, Kathmandu
Ms. Bhuwan Kumari Gurung, Dolakha
Ms. Sumi Darlami, Ramechhap
Ms. Babita Ghising Tamang, Ramechhap
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