THE DANISH INSTITUTE FOR HUMAN RIGHTS IN NEPAL

Nepal is a priority country for the Danish Institute for Human Rights (DIHR). The low-income country currently finds itself in a prolonged political transition following the 10-year long civil war that ended in 2006 with the signing of the Comprehensive Peace Agreement (CPA). Since the subsequent abolishment of the monarch, Nepal has been struggling to become a federal democratic republic. The Parliament passed the constitution on September 20, 2015 after several failed attempts, but certain groups have criticised the text for being discriminatory. Despite the establishment of a Truth and Reconciliation Commission, many of the human rights violations that took place during the conflict have yet to be addressed, and the country is deeply affected by widespread corruption, discrimination and a culture of impunity.

DIHR has been engaged in Nepal since 1996 through various projects. During this period, DIHR and its partners have achieved results in relation to juvenile justice reform, prisoner’s legal aid, the establishment of the National Human Rights Commission, and development of the first strategic plan for the Supreme Court. Since 2013, DIHR has been developing a more comprehensive programme in Nepal with the overall aim of strengthening the national human rights protection system.

DIHR PROGRAMME 2015-2017

In line with DIHR’s International Strategy 2015-2020, our objective in Nepal is to strengthen the national human rights system by working with key state and human rights actors, supporting their efforts to ensure the realisation of human rights for all in Nepal and fulfil their obligations to engage with the international human rights system.

In November 2014, DIHR and Kathmandu School of Law (KSL) initiated a three-year project with the principal objective to strengthen the capacities of state officials to prevent and address human rights challenges with the Nepal Police. The project aims to contribute to preventing and reducing human rights violations in general and improper use of force and torture in particular within the security sector. KSL and DIHR focuses on working with the relevant security agencies to transform their working culture and conditions, their knowledge and awareness, and the ways of operating to reduce the incidence of human rights violations, and to promote rule of law and good governance within the law enforcement and security agencies.

BRIEF FACTS

Geography: Nepal is part of South Asia. The capital is Kathmandu and the country is landlocked between the neighbouring countries India and China.

Demography: Nepal has about 28.1 million inhabitants and life expectancy at birth is approximately 69 years.

Economy: GDP per capita (PPP) is 2,458 USD (2015)

Official language: Nepali

Politics: A federal democratic republic. The country has five development regions, 14 administrative zones and 75 districts.

KSL is a pioneering institution in legal education in Nepal, and its contribution in developing criminal justice resources is widely recognised. In the past, KSL, in its individual capacity as well as in partnership with the Center for Legal Research and Resource Development (CeLRRd) and the Danish Institute for Human Rights (DIHR), has conducted a number of research and training activities for enhancing the quality of the criminal justice system in Nepal and ensuring human rights compliance of security agencies. DIHR and KSL worked in partnership for over a decade, since 2002. The primary area of collaboration is in the field of strengthening the mechanism and culture of human rights compliance within the system of governance in general, and the criminal justice system in particular. Building capacity of justice and security sector institution and personnel has always been a primary thrust of this partnership.

PAST ENGAGEMENTS

Office of the Prime Minister and the Council of Ministers (OPMCM)

The Office of the Prime Minister and Council of Ministers (OPMCM) is the state focal point and main coordinating mechanism in the national human rights protection system in Nepal. The Human Rights and Legal Division of the OPMCM is responsible for coordinating all reporting in relation to treaty bodies and UPR, and for monitoring and overseeing the implementation of observations and recommendations.

From 2014 to 2016 DIHR provided technical support to the OPMCM in relation to their tasks with the National Human Rights Action Plan (NHRAP), Universal Periodic Review (UPR) and UN treaty bodies and concerning the role of the OPMCM in facilitating coordination and complementarities among the human rights actors in Nepal, resulting in an enhanced human rights protection system. The support to the OPMCM Human Rights and Legal Division focused on the development of a strategic framework and action plan for their work.

From January 2014, project activities included a workshop in Denmark for representatives from OPMCM on the UPR process and priority areas for implementation of UPR recommendations, as well as continuous technical support in relation to anti-torture legislation, UPR process, and Committee on Economic, Social and Cultural Rights (CESCR) reporting.

The National Human Rights Commission of Nepal

The National Human Rights Commission of Nepal (NHRC) was established by a statute in 2000 and was transformed into a constitutional body through the Interim Constitution of Nepal in 2006. DIHR was engaged with the NHRC from 2002-2005, providing expertise, material assistance and institutional support to develop the capacity of the recently established commission. As part of the overall strategy for the DIHR engagement in Nepal, DIHR is in dialogue with the newly elected commissioners with the aim to engage in a partnership to strengthen the capacity of the NHRC.

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