

A photograph of an elderly man in traditional Nepali clothing, including a purple headwrap and a striped vest, crouching on a dark rock by a river. He is holding a closed black umbrella and a wooden stick, with his hand resting on his chin in a contemplative pose. The background shows the rushing water of the river under a cloudy sky.

Journey of **HRPLSC** A Step Forward

HUMAN RIGHTS PROTECTION AND
LEGAL SERVICE CENTRE

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CONTENTS

1. Foreword (a one pager note prepare by HRPLSC)
2. Acknowledgement
3. HRPLSC At a Glance:
4. Strategic Plan:
5. Various Programs / Campaigns Conducted by HRPLSC:
 - A. People's Initiatives for Sustainable Peace in Mid and Far Western Region PISP
 - B. Strengthening Participation of Excluded Groups of People of Rapti Zone in Constitution Making Process SPEPCMP
 - C. Building Local Capacity to Promote the Respect for Human Rights (BLCPHR)
 - D. HRPLSC Became a Pioneer on Human Rights Curriculum
 - E. Local Governance Accountability Facility (LGAF)
 - F. Single Women Empowerment Project (SWEP)
 - G. Building Local Capacity to Promote Transitional Justice and Peace (Build-TJP,
6. Madia Campaign as a Tool for Development of the Society:
7. School Curriculum on Human Rights in Class 9 for 35 Schools Changed the System.
8. HRPLSC Became a Peace Agent:
9. Youth Groups Created by HRPLSC Became Change Agent:
10. Disputes are Mitigated with HRPLSC Activities in Local Level
11. Conflict Victims are Confident Now:
12. Best Practices with Case Studies
13. What We Learnt Till Now From Pre to Post Conflict Period Through Conflict Prevention Approach?
14. Right to substantive equality deserve to be a reality rather than rhetoric.
15. Informed exercise of power by the elected representative is a perquisite for success of federal system at subnational level.
16. Way Forward
 - a. Opportunities:
 - B. Challenges:
 - C. What next then?



FOREWORD

We are pleased to present the document with journey of HRPLSC including learning and experiences that our human rights and peace campaign has generated over the years. These are project-generated achievements, but what runs throughout the pages is not the project reporting.

The document records what we think are the lessons that we have learned while travelling the murky road that we have travelled in the most trying times of our history. The travel was our own choice, a choice that we made aware of the difficulties we would encounter, and fully determined to rise to every challenge that would come our way. What gave us the courage to travel? It was fear, the fear of us being doomed to failure as conscientious human persons, and the fear of our hard-won freedom being succumbed to the politics of violence. What you have picked up is by no means an academic document. It is rather a collection of our own moments of happiness, and small changes that we think we have effected at societal level.

We have tried our best to make the document as short and simple as possible. It is not because we had nothing to say more than what we have said. We had plenty to say. However, aware that you do not have time to read a thicker volume, we have kept it short in the hope that you would read all the pages.

We thank you all – donors, stakeholders, community people and well wishers – for your support, trust and cooperation, and look forward to your feedback.

LALIT BAHADUR BUDHA MAGAR
Chair person
HRPLSC-Nepal



ACKNOWLEDGEMENT

Human Rights Protection and Legal Service Centre, HRPLSC-Nepal is a provincial NGO established in 2000 to mitigate the immediate effect of armed conflict from a human rights perspective, and work to-wards constructive conflict transformation in the long-run. Based in Rukum, HRPLSC has been working in the areas of human rights protection and promotion, good governance, and peace building through awareness building activities, advocacy campaign, networking and community mobilization. It works in partnership with conflict affected single women, youth clubs, and media institutions and human rights networks.

HRPLSC has implemented the project People's Initiatives for Sustainable Peace in Mid and Far Western Region, Strengthening Participation of Excluded Groups of People of Rapti Zone in Constitution Making Process, Bbuilding Local Capacity to Promote the Respect for Human Rights, Local Governance Accountability Facility,Single Women Empowerment Project ,Building Local Capacity to Promote Transitional Justice and Peace Project In Province 5 and karnali. So, This Collection of case studies is the reflection of last 18 years of HRPLSC and aim to sharing knowledge among stakeholders. HRPLSC contributed and still committed to contribute on protection and promotion of human rights, peace building and governance measures; establishing youth networks, TJPF networks, HR Networks at five working Districts to defend human rights and lobby and advocacy for meaningful conclusion of the peace process, protect of rights and promote of governance. In this process, the media proved to became an effective tools for HRPLSC to collect, gather as well as to disseminate the require information.

However, there are still number of emerging issue in the current social and political context of province 5 and Karnali that are very important to address to ensure promotion and protection of human rights and contributing to mutual accountability and peace process. They include human rights and peace education curriculum for student and incorporating it in the school curriculum in a formal way. This will bring direct benefit to the student. There is need to mobilise the media, CSO at local level to make local governance accountable and garner support for the marginalised group of people. There is need to promote social accountability tools to promote local governance through implementing of rule of law, meaningful participation of people, equity and equality and transparency and accountability of local level.

I sincerely acknowledge that the credit for the achievement of all projects largely goes to the staffs, community, human rights defenders, youth members, local F.M radio/media, conflict victims, Schools teachers, who worked hard with full commitment. Besides, Key stakeholders at District such as the DAO,DCC, Gaunpalika/Municipality, CSO and Political parties play a key role in contributing to the success of HRPLSC and its project. I would also like to acknowledge the support of the executive committee of HRPLSC and Governance Facility, GF whose continuous strategic direction and support has been instrumental in achieving the success.

TOP BAHADUR KHADKA
Executive Chief
HRPLSC-Nepal

HRPLSC AT A GLANCE



Guideline 2012 revised 2017.

18 years of its journey has been completed with lot of hiccups. By that time, internal armed conflict was in pick level. People were suffering from both sides as Rukum was one of the most conflict affected district. Working in the birthplace of the conflict with the establishment of a NGO having the agenda for the promotion of human rights itself was a challenging job. Its vision, mission and objectives were not easy to digest for those who were responsible for the violation and abuse of the rights of the people. The presence of HRPLSC during such pick hour of the conflict in Rukum and Mid – Western region was itself a headache for both conflicting parties but was like a pain killer for the victims of the conflict.

General tendency of the state machinery is to hold everything in their hand. Accountability of the duty bearers always becomes secondary issue for them in conflict and transitional period. HRPLSC with its vision to establish a just and equitable society where everyone exercises his/her fundamental human rights, mission to promote a culture of human rights and sustainable peace based on social justice, enhancing the capacity of affected people to work as change agents, making state machinery accountable towards the people and initiating local-level actions towards human rights protection and promotion and peace building itself are ambitious agendas to fulfill in such a critical time.

Along with the conflict, harmful social practices were also challenging in this area. A Dalit was not allowed to touch a public water source, a woman was not allowed to stay inside the house during her menstrual periods, aj anajati from a remote place were facing and are still facing challenges in accessing public services. Girls were treated as bonded labour (Kamlahari), Haruwa, Charuwa and Haliya systems were badly practiced as bonded labourers. These are few examples of the systematic discrimination and inequalities prevalent in the society when HRPLSC embarked its programme on human rights and legal education in the region in 2000.

Human Rights Protection and Legal Service Centre (HRPLSC-Nepal) is a non-governmental organization which was registered in 2057 B.S. (2000 A.D.) in Rukum. The idea of establishing HRPLSC –Nepal was conceived in the wake of an escalating armed conflict and its negative consequences in the lives of the people in the Mid- and Far-Western Development Region. The organization has expertise in human rights, peace building governance and community mobilization and is considered to be a regional NGO by some development partners. It has worked with Danida HUGOU, community support programme of DFID, UNWOMEN, EU, World Bank-CECI/PRAN, ESP/RDIF, WFP, CCO, GTZ, UNDP, UNICEF and SFCG- Nepal and USAID/FHI360.

HRPLSC-Nepal is a membership-based organization with 82 general members from Nepal, as of October 2017. The eleven-member Executive Committee (EC) is elected by the General Assembly. The General Assembly is the highest decision- and policy-making body and the EC members are responsible for the implementation of policy decisions adopted by the General Assembly. HRPLSC has adopted Financial and Administrative Policy 2012 revised 2018, Governance Policy 2010, Strategic Plan 2017-2019, Human Resource Policy 2012 revised 2017, Fund Raising Policy 2012 revised 2017 and GESI

Our Presence Expanded Today

Today, we are one step ahead as the political situation of the country as a whole and in the region specifically where HRPLSC has strong presence has changed drastically. Comprehensive peace agreement 2006 was land mark to change the scenario from conflict to peace. The constitution and laws criminalized discriminations based on caste and ethnicities, proportional representation and affirmative actions are ensured now. Constitution of Nepal 2015 was considered as the final product of the entire peace process; however, still there are ample of issues from different communities. There are also several challenges to realize the constitutional commitments related to sustainable peace and due process of law including the empowerment of marginalized communities in Nepal. The structures and roles are still very new, institutional and individual capacity is constrained. The Guidelines and procedures prepared and shared by the federal government in the name of framework/model laws have also undermined the autonomy and restrained the potential capacity development opportunities of local government and thereby invite potential conflict in near future. It also undermines the uniqueness of individual units which results compromise in specific focus marginalized communities.



On the positive side, federalism offers strategic windows of opportunities for mainstreaming these issues in local and provincial governance with the election of constitutionally guaranteed bodies paving the way for stable units. Practices of mandatory inclusion in planning and gender responsive budgeting process will also redefine the relationship between societies. State machinery as partners we encouraged networking and collaboration among them for working towards greater cause of common interest for improved service delivery. For this cause, HRPLSC is fighting for almost a two decades.

During its inception, HRPLSC implemented number of projects including, People's Initiatives for Sustainable Peace in Mid and Far Western Region PISP (2005 -2008), Strengthening Participation of Excluded Groups of People of Rapti Zone in Constitution Making Process SPEPCMP 2009–2011, Local Governance Accountability Facility (LGAF), 24 June 2011-June 2012, Single Women Empowerment Project (SWEP) – Rolpa, 2012 and Building Local Capacity to Promote Transitional Justice and Peace (Build-TJP), and currently implementing of project Civil Society: Mutual Accountability(CS:MAP) March 2017-Feb 2020.

Working with GF on Building Local Capacity to Promote TJ Became a Test Case for HRPLSC:

Governance Facility (GF) is an initiative of Embassies of Denmark and Switzerland and UK's Department for International development (DFID) in agreement with Government of Nepal. HRPLSC implemented a project on Building Local Capacity to Promote Transitional Justice and Peace supported by GF. HRPLSC has been implementing the project in 7 Districts (Banke, Bardiya, Dang, East-Rukum, Rolpa and Pyuthan of province No. 5 and Salyan and West Rukum of Karnali Province). Activities are implemented in 10 rural municipalities (51 Ward) and 10 urban municipalities (81 Ward) along with 35 schools, 42 transitional justice peace forums-(TJPF), youth club members and other stakeholders from these districts.



With the support from Governance Facility (GF) starting from 2015, HRPLSC has made a concerted effort to expand its horizon on successful engagement with conflict victims, students and youths through its Transitional Justice and Peace Forums (TJPFs). HRPLSC adopted GF's policy by late 2016 –to 'empower informed choices' by conflict victims. HRPLSC together with the GF remained concerned at the end of 2017 that the security and wellbeing of conflict victims was insufficiently addressed by the publicly funded TJ process. HRPLSC also provided support for the construction of monuments to victims of the internal armed conflict in specific project areas. This was a sensitive and complex intervention. Part of the sensitivity relates to divisions that may continue to exist locally between victims and alleged perpetrators.

The project was launched at a time when TJ mechanisms (CIEDP and TRC) were formed but highly politicized, civil society, victims and donors were not happy with the process of the formation of the commissions, their commitments and the legislations. Supreme Court of Nepal issued an order to the GoN to amend the TRC law as per the international human rights standard and UNOHCHR also came with the technical note requesting GoN to follow the Supreme Court (SC) order. GoN was not only denying to follow the SC order but also filing a review petition against SC decision requesting to review their previous decision on TRC law. During the period, civil society, UN system and development partners were waiting to see and are still waiting the progress but it was not materialized. Any process aimed at more accountability, responsiveness and inclusion, will have both its champions and spoilers. The HRPLSC has supported efforts to ensure the justice to the victims of the conflict and punishment to the alleged perpetrator as per the international human rights norms. Despite enormous range of issues and stakeholders with different views, these efforts share a commitment to peaceful mechanisms of dialogue, deliberation, and advocacy, based on the values so clearly set out in the Constitution's Preamble and comprehensive peace agreement (CPA).

Where are we today?

Now, HRPLSC becoming a matured organization with the age of almost 18 years having its extended arms and legs in seven districts (Rukum, Rolpa, Pyuthan, Dang, Banke, Bardia and Salyan). It has a central office in Khalanga, Rukum and a regional office in Nepalgunj Banke. It worked in both conflict and post conflict period with number of donors and different stakeholders on the promotion of sustainable peace, protection and promotion of human rights and justice for the victims of the conflict. It was only possible due to tremendous efforts from various stakeholders and well-wishers. Credit of the success of HRPLSC goes to its stakeholders (beneficiaries' political parties; civil society etc.) along with the government agencies, donors, HRPLSC members, staffs and well-wishers.

HRPLSC is well known organization in Nepal. It has rigorous programmes in 7 districts of province number 5 and Karnali. We developed human rights curriculum and implemented in 35 schools, established peace memorials with the support from LPCs and the political parties, conducted number of human rights monitoring, advocacy. HRPLSC is considered as a pioneer civil society organization in province number 5 and six on peace, human rights and transitional justice. We have conducted number of trainings to security forces, government officials, journalists and civil society organizations. Thus, today, after a long effort, HRPLSC is proud to declare that its close constructive engagement to promote rights, mutual accountability for governance and peace support has contributed making a difference in the nation.

HRPLSC was like a baby few years back. A baby is surely like wet cements; whatever falls on them makes an impression. In order to inculcate good values and norms and make a good human being children have to be taken care of and provided with values from a very tender age. Similarly, HRPLSC was like clays and it is important to shape it correctly from the first. It is the responsibility of its founders, staffs and well-wishers to inculcate virtues and manners in to the organization. It is saying that, a big dream and even bigger determination is powerful beyond measure and beautiful beyond description. The way of HRPLSC was difficult. There are stories in which we were failed but members and staffs of it proved with their dedication by thinking that, not ever lose is failure. Some loses in life teach valuable lesson which even success cannot teach. We have had dedications and still have thinking that, "I surely can make my community a better place with dedication and hard work establishing culture of peace and harmony, rule of law ensuring protection and promotion of human rights by contributing to end the impunity and political amnesty." HRPLSC has always committed to make it happen and so as its members, staffs, stakeholders and well-wishers.

STRATEGIC PLAN



With the vision to establish a just and equitable society where everyone exercises his/her fundamental human rights, mission to promote a culture of human rights and sustainable peace, the necessity of a strategic plan was felt since establishment of the organization. With the goal of effectively carry out functions of HRPLSC set out in its constitution, strategic plans were developed in 2017 for three years (2017 – 2019). After completion of its 18 years of journey, it was also felt that, the success of an organization depends on the plans set for achieving the organizational goals as well as its honest implementation as goalless journey does not lead to their destination and a plan-less thought does not concretize the achievements.

Thus, HRPLSC's strategic plan aims at developing a human rights culture and creating an environment where everyone will be able to enjoy one's rights through a human-rights friendly environment. HRPLSC has set out following strategic approaches for its work:

Human Rights-Based Approach:

The human rights-based approach focuses on those who are most marginalized, excluded or discriminated against. This often requires an analysis of gender norms, different forms of discrimination and power imbalances to ensure that interventions reach the most marginalized segments of the population. HRPLSC will follow human rights-based approach while advocating and promoting human rights. Emphasis will be given to promote development as important human rights agenda across the community, government and non government organizations so that they consider development as a matter of priority.

Strengthening Community Institutions:

Through the lessons learned from participatory research for the development of an on-the-ground plan for CBOs institutionalizing human rights, enhancing the capacity of community based organizations, claiming and asserting skills to the mass people through their institutions who can continue to fight for their rights HRPLSC will put its utmost efforts towards strengthening community institutions led and owned by local people. A learning experience involving different communities

and regulating institutions at local, provincial and federal level, HRPLSC takes stock on 19 years of engagement and research on community norms, rules and practices linked to human rights, development, sustainable peace and the involvement of CBOs for the development of sub-national government.

Enabling Human Rights Defenders and Peace Promoters :

Human rights defenders and peace makers are actively engaged as an ambassador and the change agents in the community. HRDs and PPs are being the source of hope and connectors for the needy people in the community. Protection and promotion of human rights and sustainable peace in community level is not possible without active engagement of HRDs and PPs. For the next 5 years, HRPLSC will focus to enhance the capacity of HRDs and peace promoters to work as bridge between state mechanism and the community with more confidence.

Promoting Public Accountability:

Accountability is the central theme of the matter in human rights and peace building work for HRPLSC. State has the primary duty to protect, promote and fulfill the human rights of its citizens. Impunity, political amnesty and corruption are being major issues in the country. Only accountable state machinery can fulfill this task. HRPLSC will pay special attention in promoting public accountability to support building accountable duty bearers for the responsive and quality delivery of services to the people improving the situation of rule of law by ending impunity.

Strengthening Protection Mechanism:

The government's presence is limited to the periphery of district headquarters. Most of the rural villages are out of reach and suffering from the violation of their human rights. Civil society organizations are also not available in such areas. Protection mechanism in remote areas is weak. HRPLSC will emphasize to set up and strengthen protection mechanism at district and community level in collaboration with government agencies and like-minded civil society organizations.

Addressing Structural Causes of Conflict and Poverty :

Poverty is also one of the cause and consequence of human rights violations and conflict in Nepali society particularly in HRPLSC's working area. HRPLSC's human rights and peace work will focus to overcome the latent and manifested conflict and various forms of poverty caused by structural injustice and inequity.

Monitoring and Advocacy :

Human rights monitoring and advocacy for the protection and promotion of human rights are two important components of HRPLSC since its establishment. HRPLSC will engage itself in conducting systematic monitoring and documentation of the situation of human rights violation in the province no 5 and Karnali. HRPLSC will also launch advocacy campaigns based on the community based action research and findings of human rights monitoring to ensure appropriate change in protection mechanism, effective service delivery and sufficient resource allocation by national and sub-national governments to meet the human rights standard and obligations.

Collaboration and Partnership :

Human rights protection, promotion and peace building requires enormous amount of efforts and resources. Neither government nor non-governmental agencies alone will have sufficient capacity and resources. Thus, collaboration and partnership amongst the individuals and agencies have paramount importance to achieve the mission of human rights and peace. HRPLSC will join and extend hands with government and non-government agencies creating synergy and developing referral mechanism.

Promoting Human Rights and Peace:

Human rights violation is both the cause and consequence of the violent conflict that destroys peace in the society. Nepal is still in the transitional phase as transitional justice issues are still under the carpet. Sustainable peace is not possible without protection and promotion of human rights. Thus, HRPLSC has planned to focus on promotion and protection of human rights.

We believe that, one rule of law is established, impunity and political amnesty is eradicated sustainable peace will automatically be established.

Enabling and Mobilizing Youth :

Youth are considered like clay. It can be molded whatever we wish to make. Youths most of the times are being instrumental as change agents and in some cases they are also being a part of violent conflict. In reality, they are the foundation for the peace and harmony if they are mobilized in a right direction. We will be working with youths to enable their capacity and guide them in right direction and mobilize them to contribute for the rule of law and sustainable peace.

Strengthen Good Governance and Democratic Practices :

Good governance and democratic practices are the core elements for HRPLSC in its institutional operation. HRPLSC developed its institutional good governance policy which allows us to apply zero tolerance against corruption. It also sets standard for institutional transparency, accountability and democratic practices within the organization. Organization's institutional democracy and participatory process in planning, managing and execution of activities are core basis of the organization internally. We are also working to ensure governance within state machinery and CSOs. It will invest its time and energy to strengthen the practice of institutional good governance and democratic practices within itself, GoN and community institutions.

Work Through Media:

HRPLSC has achieved enormous results working through media. It is being an effective tool to educate people and empower them on their rights and also making accountable to the state machinery. HRPLSC will work more systematically with media in all level of the government in days to come.





Several phases of programmes on human rights, peace and governance supported both the state and the non-state actors by HRPLSC and created a space between the two. This has resulted in citizens' awareness to advocate for their rights in difficult situation. This often happens through media, networks and HR activists. HRPLSC was actively involved in the peace process—to implement the provisions of the Comprehensive Peace Accord (CPA). Challenges and gaps in the results achieved remain in the broad areas, HRPLSC has supported for almost two decades in highly conflict prone areas taking huge risk. Nevertheless, people's awareness of their rights and good governance has changed and people have become more vocal in their demands. At the same time the peace process has come a long way since the signing of the CPA. Now, HRPLSC is happy that its close engagement to promote rights, governance and peace support activities has contributed to make a difference in the area where we work. To make it success, we worked with various stakeholders including political parties, civil society organizations, government agencies and DPs through different projects. DPs trusted HRPLSC since the inception of the organization from Rukum to date and kindly supported technically and financially. Few notable projects and their main outputs can be listed as follows:

a. People's Initiatives for Sustainable Peace in Mid and Far Western Region PISP (2005 -2008)

This project was supported by Human Rights and Good Governance Advisory Unit (DANIDA/HUGOU) for three years. The project was highly relevant and timely intervened to explore the root causes of the conflict as the violation and abuses of human rights were highest in this region. Due to the ongoing conflict, people's right to life with dignity was severely curtailed on account of large scale human rights violations and denial of access to their rights. As a result of the campaign on capacity development of the local youths on the issues of human rights, IHL and Peace, these train youths started to

culminate these issues in an organized way so as to achieve the target to declare Peace Zone for their community. The project initiative empowering and enabling a mass of mostly poor and uneducated women and men, to understand their situation and pertinent HR issues, get organized, form networks from the village to the district and regional level was highly appreciated by the stakeholders

Such initiatives have had much strength to continue its efforts towards peace building, establishing social justice, and the promotion and protection of human rights. But, smooth functioning of the organization in highly sensitive period of time with confidence solely depends on the role of such organization: being politically neutral, maintaining high degree of professionalism and dealing with conflicting parties for right cause only. HRPLSC its staffs, executive members and advisers were able to maintain neutrality and professionalism during such critical time and thus became trusted partner to DPs and also stakeholders in the region.

b. Strengthening Participation of Excluded Groups of People of Rapti Zone in Constitution Making Process SPEPCMP (2009 – 2011)

Two year project was designed to ensure participatory constitution building process by the Constituent Assembly in Nepal. With the support from SPCBN/UNDP, HRPLSC implemented a project in Rapti Zone (Rukum, Rolpa, Dang, Salyan and Pyuthan) of existing structure (which falls under province number 5 and 6/Karnali now). The project was focusing women, Dalits, ethnic minorities, youth clubs and different groups etc. In the first phase, HRPLSC worked in 100 VDCs. Activities were launched jointly with political leaders and other stakeholders as joint initiatives of the Constituent Assembly members and HRPLSC. Number of joint submissions were prepared, discussed and shared with the different committees of the Constituent Assembly.



district level stakeholders including government agencies, security officers, leaders of political parties and civil society. Similarly, HRPLSC conducted VDC level interactions/dialogue programs on human rights in general, domestic violence and caste based discriminations etc. In addition to that, HRPLSC produced and broadcasted hundreds of episodes Shanti Jagaran Radio Program on issues related to human rights education, activities conducted by youth clubs and the overall situation of human rights of its working areas.

The project conducted most effective activities in the region. As a result, LPCs demonstrated their accountability towards victims of conflict in couple of districts. LPCs recommended support to the victims in the districts and also formed VDC level LPCs in some areas. Human right desks were created and operated as a cell within the office of the security forces. In some districts, Local Peace Committees recommended scholarship allowance for poor students in ministry of peace and Reconstruction at Kathmandu level.



HRPLSC became a part of historic event in Nepal

The program was historic in itself as people have had emotional attachment on the process. The April 2008 elections to the Constituent Assembly (CA) resulted in a record as number of women, Dalits and Janajati people elected to make this the most socially inclusive legislative body in Nepal's history. It was recognized from the start that the development of a new constitution to restructure the state and establish a new system of government was a huge challenge given the large size and diversity of the assembly. The public consultation component of HRPLSC's work led to an increased contribution to the constitution from a wider audience. Public consultations facilitated by HRPLSC in the region helped Nepal's Constituent Assembly in one way or other and draw large number of comments on the draft constitution/thematic committee reports during the period. These contributions were compiled and handed over to the CA for incorporation into the final draft.

In parallel, community consultations in Rapti Zone engaging local communities were also conducted by informing technical and thematic issues relating to the Constitution making and facilitated people's participation in the process by mobilizing youth, media and local communities through democratic dialogue at the local level.



C. Building Local Capacity to Promote the Respect for Human Rights (BLCPHR) - January 2010 to December 2012

The project was launched for 2 years with the support from Enabling Support Program/Right Democracy and Inclusion Fund (ESP/RDIF) The project covered in 5 districts (Dang, Pyuthan, Salyan, Rukum and Rolpa) focusing in 50 VDCs, 25 schools, 50 youth clubs along with local stakeholders. HRPLSC conducted number of trainings on human rights and peace building to the

D. HRPLSC Became a Pioneer on Human Rights Curriculum

The situation in this region during the implementation of the region was still critical as peace process was still in fragile, internal displacement was not settled, people have had fear of the past conflict, political parties were not being able to control their cadres, LPCs were not being able to resolve disputes. With the HRPLSC's intervention, youths started to engage in peace building process as HRPLSC supported youth clubs providing capacity building trainings on human rights, peace and dispute settlement through constructive dialogue. LPC members and conflict victims brought together through the mobilization of media. In addition to that, various issues were discussed among different groups and clubs including abduction, issues related to the freed labourers, Badi communities etc and made accountable to the local government to address such harmful practices. With these activities, human rights network members created by HRPLSC became active and involved in human rights campaigns. As a result, large number of human rights violations and abuse cases reduced substantially.

HRPLSC has published peace education curriculum and distributed 5000 sets in those schools. Students from those schools are sharing their knowledge and informations to their family members, villagers, peers and conflict victims as an ambassadors of peace. As a result, each school have incorporated the curriculum in their operational calendar and regularly conducting classes. It has been highly acknowledged by the students and guardians that, peace education helped them to build their capacity substantially.

E. Local Governance Accountability Facility (LGAF, 24 June 2011- June 2012):

The Local Governance and Community Development Programme (LGCDP) was a national programme executed by the Ministry of Federal Affairs and Local Development (MoFALD). It was jointly financed by the Government of Nepal and a dozens of development partners (DPs). The overarching goal of the programme was to contribute towards poverty reduction through better local governance and community development. The LGAF was an integral part of LGCDP. It has been striving to achieve accountability mechanisms for local governance aiming to enhance downward accountability of local bodies, local service providers and make them responsive towards citizens through mobilizing local civil society organizations. The semi-autonomous Local Governance Accountability Facility (LGAF) in LGCDP was funded to monitor and promote accountability in three major areas: (1) Local Body Grants Expenditure Review and Community Engagement Survey; (2) Public Hearing and Compliance Monitoring; and (3) Community-based Participatory Assessment and Monitoring of Public Goods and Services.

HRPLSC as an implementing partner of its first phase organized the Public hearing and compliance monitoring program in number of VDCs. The compliances were collected through different methods including the collection form exit poll, group discussions, questionnaire etc. The program has had wonderful impact at community level as it was direct effect in their daily lives. The program left its blue print after completion of this project as transparency board was formed in some of the program VDCs, VDC level ward munch were also formed, labors received their wages on time as it was due since long time and social security allowances started to distribute regularly.



F. Single Women Empowerment Project (SWEP – Rolpa, October 2011 to July 2013)

The project was supported by Mahila Sakti Bikas Kendra, Kathmandu for three year. The project implemented in 3 VDCs of Rukum (Sankh, Sylapakha and Mahat VDCs) in first phase. In second phase, 6 VDCs (Liwang, Kotgown, Jankot, Bhawang, Korchabang and Ghartigown) of Rolpa district targeting conflict affected single women. Number of capacity building trainings were conducted with the conflict affected single women on human rights, IHL, network building and advocacy skill ensuring access to resources and specifically the rights of the women including single women as per the international human rights treaties and national laws. The project also supported their children, conducted awareness campaigns, provided free legal aid to the needy women and children etc. Besides that, HRPLSC formed groups of single women, conducted human rights, advocacy and income generation trainings, supported them to conduct interactions, meetings and advocacy on various issues. So that, they can be united in need and do something with unity. In addition to that, the project also supported them capacity building trainings on peace and human rights, entrepreneurship skill etc.



G. Building Local Capacity to Promote Transitional Justice and Peace (Build-TJP, 2015 – December 2018)

The project has been supported by Governance Facility (GF) for 3 and half years from June 2015 to December 2018. Through this project, HRPLSC has been conducting program in former 35 VDCs of Rukum, Rolpa, Salyna, Pyuthan, Dang, Banke and Bardiya Districts on transitional justice issues. HRPLSC is working with number of conflict victims, schools students, youth clubs, security personal, political parties and other stakeholders. Transitional justice is being one of the critical issues for Nepal as the GoN and political actors are not being able to fulfil the mandate given by the CPA 2006. Family members of disappeared persons, victims of killing, torture, rape, displacement, and wounded people are still waiting justice. It was anticipated that, state restructuring and decentralization may create unique opportunities for engaging with political leaders, and interventions taking place a less Kathmandu-centric approach to litigation and advocacy but the mind set of political actors is still centralistic. The positive part is that, Nepal has demonstrated that transitional justice processes can and should be sequenced to take advantage of different openings in society to address impunity and advance accountability.

Inclusive and accountable governance mechanisms will generate pressure for more responsiveness and transparency institutions. Both commissions (CIEDP and TRC) are being defunct as there is very little support from victims, CSOs, DPs and even government. They are aware that, victims will no more tolerate the failure of public authorities to provide some kind of response on these issues, nor will they tolerate dissolution of both commissions without showing reasonable way out. HRPLSC invested the time necessary to develop effective mechanism to create sufficient pressure to the concern authorities and also help them bridging between the system and victims of conflict groups.

Though there were tremendous ups and downs with this project on transitional justice process, following key achievements can be counted as the outcomes of the project:

- I. Empowered conflict victim's; influenced them and benefitted from, transitional justice processes in one way or other;
- II. Increased engagement of community people and concerned stakeholders, both state and non-state, in peacebuilding at the local level;
- III. Increased networking and collaboration among CSOs actors at regional and national levels to promote transitional justice.

While achieving these outcomes, HRPLSC conducted joint monitoring missions in collaboration with National Human Rights Commission (NHRC), human rights activists and media activists to measure the performance of TJ mechanism. HRPLSC facilitated collaboration between affected communities and transitional justice mechanisms enhanced the capacity of victims and CSOs made them qualified to claim their rights. Along with that, number of trainings conducted to the community leaders, political parties, teachers and students on conflict management and peace. Similarly, capacity of local TJ mechanisms, LPCs and other related stakeholders including government officials also enhanced through trainings, coaching, interactions and regular media campaigns. In addition to that, peace awareness program through radio, interaction program between political parties and CSOs, campaign for inter-cultural harmony, inter and intra party dialogues, orientations to the journalists, joint monitoring by NHRC, HRPLSC and media, trainings to the security forces were key activities to make it successful within limited time frame.

Transitional justice is time raking process; it cannot be expected to resolve overnight.

While implementing this project, it is leant that, winner gets everything from the war. It is easy to implement transitional justice initiatives if a party lost in the war if it was compromised then both parties became winner and difficult to bring them in right track thereby provide justice to the victims of the conflict. It was also leant that, transitional justice takes a lot of time to resolve conflict era cases. It cannot be resolved overnight. The need for at least a 10-20 years' time horizon is well accepted among stakeholders. Within this vision, shorter-term nested cycles of donor support became relevant and effective which created foundation for the sustainable peace. Consistent and persistent efforts over the longer period are required to resolve these issues.





Media Campaign As A Tool For **DEVELOPMENT OF THE SOCIETY:**

Media and youth are the backbone of the HRPLSC's work and it has been working in partnership with youth clubs, local media agencies and government agencies. HRPLSC believes that peace building can be achieved through human rights promotion and protection facilitated through media campaign for wider audiences.

Media campaign is being one of the effective tools for HRPLSC to disseminate information on protection and promotion of human rights along with peace initiatives since the beginning. HRPLSC was getting regular comments from its listeners that, "this was the first time we heard that, we have such rights in the constitution and laws." Villagers and community people were first surprised and had many queries. They did not have had idea about rights and entitlements; service delivery mechanisms and who is right holder and who is a duty bearer. The villagers now are aware that they can question the Village Council and municipalities about the budget allocated and its use as it is their rights. They also shared that, the campaign was miracle in their life. They also shared that, "the support provided by HRPLSC and radio program gave us a ray of hope." HRPLSC also produced wall newspapers in different languages including Kham language. The wall newspapers, which were published in their own language (kham); became most effective tool to disseminate message to the local people in Rolpa. Similarly, mobile media camp also became an advocacy tool for the development of that part of the land. Local people then understood that their parents and villagers too must be an aware citizen who knows the wrongs and rights and can protect themselves from the social taboos of their community. Media program also motivated local people as motivation is what gets you started but habit is what keeps you going. When a bit of

motivation was given to the victims of conflict, local people, groups and clubs, they let out their wings and are all set to fly high. It made them known to the rights allocated to them as the citizen of the nation. They understood that women were no less than men and that every girl must get equal opportunity as the boys so as to caste, ethnicities, language, religion and region. Similarly, HRPLSC invested a lot of time and energy on governance issues including helping to develop transparent and accountable state mechanism. Transparency is the key to good governance. We believe that, welfare state can only be expected in areas where rights are ensured as per the international human rights standard, due process of law is effectively implemented, no more impunity, basic education, health and justice are accessible to all, all forms of discriminations are eradicated and corruption is completely treated as zero tolerance in practice. To support building such nation, HRPLSC is using different tools and techniques as and when required because we know that in the areas where people do not have any awareness even about basic human rights, rule of law, accountability, knowledge about practicing of good governance is beyond possible. Corruption is the world's worst disease and its solution is transparency. If every citizen is made aware about the functioning of government budgets as well as ways of raising their issues and problems systematically, government activities would be carried out in smooth and proper manner. Thus the "Anti-Corruption" event has been truly effective and a much needed tool for good governance practice. For that holy objective, media campaigns and episodes are being most effective tools for us.

Human Rights Education IN SCHOOLS

HRPLSC developed human rights curriculum for class 9, published and distributed widely along with reference materials. Now, 35 schools from 7 districts have included this curriculum as their regular curriculum in class 9. With this project, it was started for 25 schools of Rapti zone and later on the program expanded for 10 more schools. HRPLSC conducted ToT for teachers, distributed necessary materials widely. Students are getting knowledge on human rights and conflict management. As a result, those schools included that curriculum in their formal education program. Students themselves started to share knowledge on human rights and eradicate harmful social practices including child marriage. Schools were declared as a zone of peace with their initiation in number of districts.

HRPLSC started human rights and peace classes in 25 schools with support of peace facilitators. To organize HR classes, HRPLSC organized coordination meeting with the district education office. It was designed in such a way that the regular classes are not hampering or not affected at all. It was decided to provide knowledge on human rights to the students of 9 and 10 classes once a week as per the acceptance of the school routine by the management committee.

With this, initiatives, other schools of these districts are also being interested to adjust this curriculum in class 9. District education offices are also willing to change their curriculum applicable to all schools in their districts. In Kathmandu level also it is being discussed among education specialists and human rights stakeholders that such curriculum should be included in secondary and higher secondary level curriculum

and should be kept as an optional subject. It can be claimed that, this initiatives is being miracle in the education sector of Nepal as student now being active in the society and trying to change harmful practices including child labour, child marriage, domestic violence etc. along with other human rights issues.

They also are working with their fellow members to create awareness in their villagers being part of rally, street plays and campaign against child marriage, polygamy, dowry, and trafficking and alcohol abuse. They also are being able to gain knowledge on child and women rights and share their knowledge with their friends, family members, groups and community people. Now they are aware that, girls must be given equal opportunities to express themselves by any kinds of games they choose to play. They must not be bound to play only indoor games and no games must be categorized for men and women. Given a platform girls and or a people from marginalized communities can prove that they are not inferior to boys and others. As per their physical ability they can play, work and even earn as much as men can. There must be no discrimination based on any factor like gender, color, or caste. Initially dropout rate in schools was high, students were not willing to go to the school regularly, instead of books and bag, children have had shovel and pick in their hand. Instead of bag pack on their shoulder full of books children were carrying the responsibility of looking after their family on their shoulder. Now they know that, child labour is a crime. At any cost, at any condition, children must be granted their fundamental rights to education and security. With the education, they also knew that, family is the first school of a child.



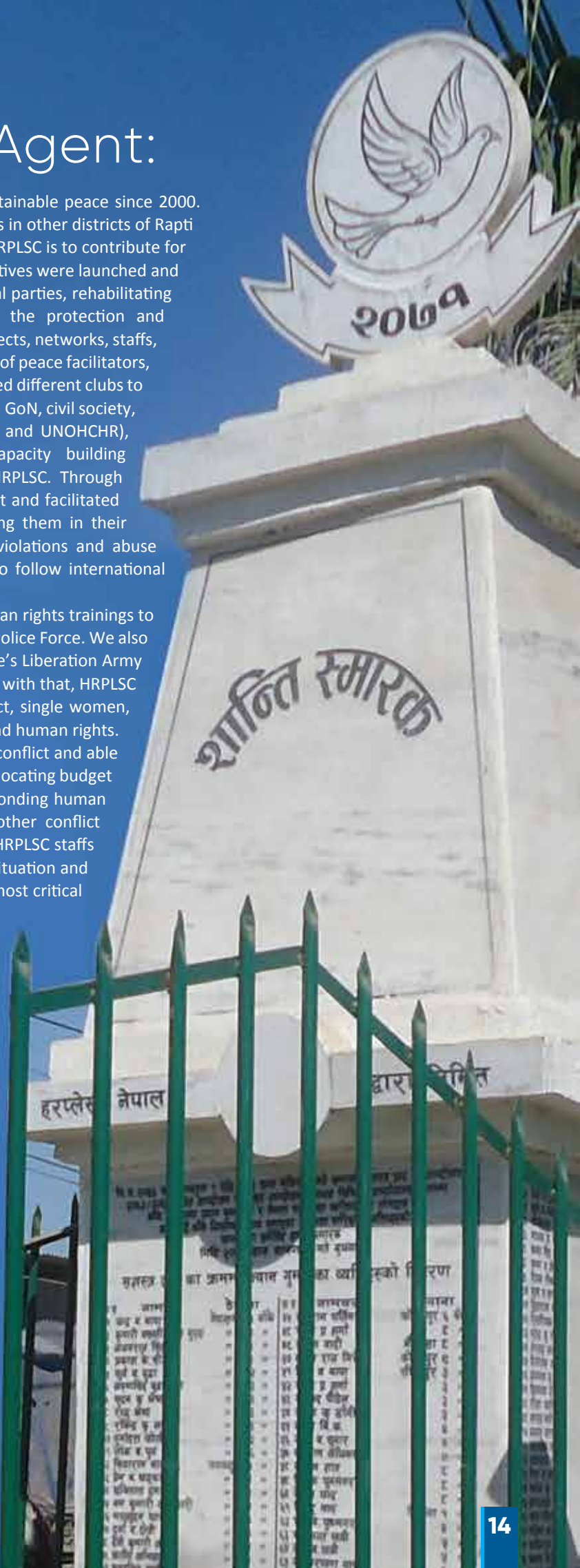
Became a Peace Agent:

HRPLSC is working in Rapti zone and contributing for the sustainable peace since 2000. Initially it worked in Rukum and the expanded its arms and legs in other districts of Rapti zone along with Banke and Bardiya. One of the objectives of HRPLSC is to contribute for the sustainable peace in the country. For that, number of initiatives were launched and activities were conducted including working with LPCs, political parties, rehabilitating conflict victims (internally displaced persons) working on the protection and promotion of human rights, transitional justice through its projects, networks, staffs, volunteers and media campaigns. HRPLSC produced thousands of peace facilitators, formed hundreds of women groups, youth groups and supported different clubs to promote peace and security in the region. We also worked with GoN, civil society, media, CBOs, UN peace and human rights missions (UNMIN and UNOHCHR), UNDP, NHRC, DPs and human rights organizations. Capacity building campaigns/monitoring and advocacies are major tools of HRPLSC. Through these approaches, we helped needy people during the conflict and facilitated the whole peace process locally, helped them by establishing them in their original places, monitoring and investigating human rights violations and abuse cases, creating pressure to both state and non-state actor to follow international human rights norms and standard.

In addition to that, HRPLSC conducted peace building and human rights trainings to security forces including Nepal police, Nepal Army and Armed Police Force. We also conducted number of human rights and IHL trainings to People's Liberation Army (PLA), government officials and human rights defenders. Along with that, HRPLSC enhanced capacity of political party leaders, victims of conflict, single women, teachers, human rights activists and CBOs on peace building and human rights. HRPLSC worked on peace building during the pick hour of the conflict and able to change the situation through different initiatives including allocating budget for conflict victims, being responsible by the authorities, responding human rights missions politely by both parties, helping IDPs and other conflict affected people to settle them in original places, cooperating HRPLSC staffs and other human rights defenders by both parties in difficult situation and working together are evidences of the presence of HRPLSC is most critical area of Nepal.

Most importantly HRPLSC is jointly organizing programs with LPC on peace day's celebrations; human rights meetings and organizing programs jointly in its program intervention areas. As a result, human rights, cell, HRPLSC, schools and LPCs are working together now. Schools are now declared as a zone of peace and local government allocated budget for the peace initiatives in most of the local bodies including rural and urban municipalities.

Building peace memorials jointly by LPC, political parties and HRPLSC is the most effective collaboration between GoN agencies and HRPLSC. HRPLSC initiated to build peace memorials and now peace memorials are established in almost all program districts. People voluntarily contributed for peace memorials government and other agencies also allocated budget for peace memorials. As result, we have built peace memorials in each of the districts headquarters.





YOUTH GROUPS Created by HRPLSC Became Change Agent

It has been proved with the HRPLSC experiences that, youth can be a powerful catalysts' in their own and their community's development. They joined the groups/clubs and activities because of its benefits of themselves and their communities, contributed in the program because of the solidarity they found with the team and because of their relationship with the children. They also perceived and proved that they had an important role to play in the society to change the society. Thus, it is confirmed that youth can be powerful change agents in their own development and that of their communities.

Around the world today, more and more societies are recognizing the role that youth play as agents of change and as critical actors in preventing conflict and building peace. UN Secretary-General António Guterres has also emphasized that sustaining peace and preventing conflict is a crucial part of his work and he has moreover recognized the capabilities of youth to defend human rights, secure sustainable development and build peaceful societies. The theme is particularly relevant given that many of those affected by conflict are often young people. United Nations Security Council Resolution 2250, marks a shift in the understanding of young people's roles in the larger context of peace building and post-conflict reconciliation. Resolution 2250 serves as a policy framework which underscores the positive role of young people in preventing and resolving conflict, countering violent extremism and building peace. Resolution 2250 mandated a progress study on youth's contributions to peace processes and conflict resolution.

HRPLSC created and worked with number of youth groups/clubs/networks in its program areas. They are active in their areas and working hard to change the society. They also

have been developing linkages with different local level government and non-governmental organizations. Thus, the youths succeeded to prevent child marriage against the law of the land. They proved themselves as strong human rights defenders in the communities. Community people including district based human rights organizations, school teachers and HRPLSC staffs praised them for their constructive role in launching a drive against child marriage, dowry system, child labor, caste based discrimination etc.



DISPUTES ARE MITIGATED WITH HRPLSC ACTIVITIES IN LOCAL LEVEL



Local dispute resolution is becoming popular in many countries, including Nepal, as the centralized justice delivery system is expensive and beyond the reach of the poor people. Democratic local governance institutions hold great potential to offer a solution to social conflicts. This is well recognized in the Constitution of Nepal as dispute resolution has been formally enshrined in the list of functions in Schedule 8 of the new Constitution. Complex disputes and differences that occur at the local level can be resolved through recourse to democratic dialogue and negotiation at the local level. Urban and rural municipalities have to create a panel of trained mediators as a mechanism to help resolve disputes. The mediators need to facilitate the negotiation process of resolving disputes without determining who is wrong and who is right. The outcome should be a win-win and not a win-lose situation as is the case with a judicial award.

It is sad to note that, local governments were running without locally elected representatives since 2002. Most of the cases were dealt by “people’s courts” during the pick hour of the conflict in rural areas where HRPLSC was actively working. There was an absence of elected representatives - the linchpin of accountability at the local level. Justice in the local communities is understood not as a legally defined concept to enforce rights and punish the wrong-doer. It is rather understood as reparation for the disruption and restoration of broken ties. It is directed towards nurturing community feelings.

During the conflict, HRPLSC with the support of civil society, human rights networks and youth club members started negotiation between the two conflicting parties and mediated number of cases creating favorable environment on some of the critical issues. Certain disputes were resolved with joint initiation of HRPLSC, youth club members and local people. The initiation was highly appreciated by both parties.

GAUNPALIKA CHIEF RELEASED



The chief of the Rolpa Thawang Gaunpalika Mr. Bir Bahadur Gharti was abducted by representative of Nepal Communist Party (Biplab group) on 14 Sept, 2017, at night 11:00 PM from Thawang area. The Rolpa Thawang is a historical venue of past armed conflict where the then CPN Maoist established a base camp. In the past, Thawang community people voted communist party all times like 2015 public election, 2036 public polls for multi-party system. Similarly in 2051, 20054 and 2056 they boycotted all elections. In 2064 election they voted their they called “charismatic leader” Puspakamal Dahal 'PRACHANDA but in 2070 election again they boycotted. Fortunately they took part in 2074 local election though in some cases they participated as an independent candidate. It seems, that they revolutionary culture in their blood as they supported Baidhya group first then Biplab group to be a hard liner communist.

After the result of the election, the Communist Party of Maoist (Biplab group) declared revolt against the whole election result kidnapping the winner, Mr. Bir Bahadur Gharti. It was serious threat to the peace and security at local level. By the time village council was planned. Former Prime Minister Pushpa Kamal Dahal was invited as chief guest in the program. Mr. Gharti was abducted at 11:00 PM from his home and brought towards jungle. Immediately after hearing the news from media next morning, political leaders and security forces were mobilized.

On Bhadra 31, 2074 at 12:00 PM, a representative of Nepal Communist Party Maoist (Biplab group) called HRPLSC District Coordinator Mr. Khem Budha requesting him to be a witness and facilitating the releasing process of locally elected Chair Mr. Gharti. He was released from Rolpa Municipality – 10 Bhanbhane. HRPLSC build a strategy to deal with the case immediately. HRPLSC have had plan A and B together however it was not that difficult to deal with this case as he was released without condition. Media mobilization was one of the tools for HRPLSC as HRPLSC representative Mr. Khem was going together with a team of journalists.

As a result trust level from major political parties towards HRPLSC was increased substantially as they highly appreciated the activities of HRPLSC. District level security forces and other government authorities also appreciated a lot and praised its work in field level professionally. Thus it was a success story for HRPLSC as both parties trusted HRPLSC and recognized as one of the pioneer organization for peace and human rights.

CONFLICT VICTIMS ARE CONFIDENT NOW

Nepal's decade-long armed conflict ended in 2006, leaving behind thousands of unresolved cases of gross human rights violations and abuses and serious violations of international humanitarian law committed by both parties to the conflict. These abuses include unlawful killings; torture, including rape and sexual violence, and other ill-treatment; and enforced disappearances. More than ten years later, as in the years preceding the civil war, political expediency has trumped calls for justice and accountability. There has been near absolute impunity for those responsible for serious crimes under international law, and few victims have had access to an effective remedy and reparation for the abuses they have suffered.



Conflict victims claimed that they were neglected after the then Maoists joined mainstream politics. They said the hardships they went through would mean nothing if the government failed to bring development and prosperity. The common people here feel that the politicians have betrayed the martyrs. The then CPN Maoist had to face a huge setback in Khara raid some two decades ago. With declining donor interest in transitional justice and accountability for human rights violations, human rights organizations and victims' groups are concerned about the sustainability of working on addressing impunity for human rights violations. However, they consider it imperative for civil society organizations and victims' groups to continue to work together and once again reanimate the human rights movement in the country.

HRPLSC is working with victims groups and assisting them to make them confident and facilitated to file their cases in proper places including NHRC, UN human rights mechanism and also transitional justice mechanisms. Initially victims have had fear to come to the front. They were not being able share truth as they have had fear psychosis that, conflicting parties will target them. Now the situation has changed. People are being vocal day by day. They are united now as Conflict Victims Common Platform (CVCP). Victim's life was around the four walls of her house literally.

Taking part in regular discussions, victims felt confident as they were learning and knowing about things that made everyday life easy for them however they are not being able to forget their past. They no longer feel inferior and are confident. The programme proved its wonder one more time by spreading positivity and wellness in the life of people in that area. Empowerment has given their confidence. Some of the victims are sharing that, “we have no hope of getting information about our lost family members. But, still we want to know that either our lost one is died or live.” “We still have hope that our son will return back home. We will continue to search them.”



KEY LESSONS FROM THE PAST?

Number of projects/programs taught us tremendous lessons. Out of those lessons, few key lessons can be highlighted as PISP taught us that, human rights violations and abuses can substantially be reduced if and when there is effective human rights education. Evidences showed that, the rate of the human rights violations and abuses was much higher before campaigns and education. As soon as the people became organized and aware on the principles of human rights, parties to armed conflict became little more responsible as sufficient pressure was created to respect human rights and IHL. They acknowledged and respected peace initiatives conducted by local people with the support from HRPLSC. It was also learnt that, collective mobilization of youths, students and civil society organizations including Media on right cause by enhancing their capacity and strengthening networks is the key to achieve common goal.

From the SPEPCMP project (constitution building support project), it was learnt that, issues cannot be resolved without gaining maturity on some of the critical issues. Participatory process helps to resolve such issues through dialogues, debates, interactions etc. Putting interest from different stakeholders and understanding each other's problems/issues and having close dialogue will helps to respect each other. Monologue creates division in the society but dialogue minimizes social stratifications and promotes social harmony, solidarity and cohesion. The debate on federalism can be taken as an example. Parties and community people were divided between groups on the basis of federalism (identity vs viability – within identity, single vs. multiple identity etc), undivided region vs federal arrangement based on the principle etc. First Constituent Assembly was unable to produce the result due to these debates including debates on citizenship, forms of government, constitutional court, electoral system etc. Second CA was able to finalize the constitution as these issues were discussed a lot and gaining maturity.

LGAF taught us that, it is not easy to change the mindset of people working in certain system overnight as corruption and mismanagement are deeply rooted in their blood and mind. Constant efforts changing pattern and strong legislation along with the wider education is required in days to come. Civil society can be a vehicle to educate people and on accountability and conduct advocacy with relevant authorities as a watch dog. So that, people are aware about the roles and responsibilities of duty bearers and also are able to claim their rights in right time and with right way. Once people are aware on their rights, accountability becomes stronger with their pressure and constant warnings.

From SWEP, it was learnt and proved by conflict affected single women that, single women can support their family and children once they are equipped with the resource and knowledge. A single person might not be sufficient to do something in the society but a united group can do whatever they want to do for themselves, family, society and the nation in broad sense. It was the culture that, single women were suppressed by thinking that they were cursed by the god to be such women in their life. HRPLSC is proud to share that, single women from that area now are being able to be independent, equally contributing to their family member, society and nations.

Finally from Bil-TJP (transitional justice support project) It was learnt as awareness – rising and NGO – led transitional justice support can have limited effect. In response to this analysis of the responsive and accountable mechanism, HRPLSC supported through advocacy. Second, civil society agendas are fragile and politically vulnerable as they strongly support to the victims of conflict on transitional justice issues. Solidarity among human rights defenders has ebbed and flowed and remains far too defined by political affiliations. Finally, creative approaches to political engagement are needed. The human rights community needs to find more effective ways to engage with, and influence, political actors in order to address the non-implementation dilemma.

RIGHT TO SUBSTANTIVE EQUALITY DESERVE TO BE A REALITY RATHER THAN RHETORIC



The Constitution contains temporary special measures guaranteeing the rights of people including participation in all state structures on the basis of principles of proportionate inclusion. As such the Local Level Election Act 2017 further clarify the temporary special measures guaranteeing at least 40% of ward committee members from women with compulsory representation of Dalit or person with disability. The electoral law also requires mandatory representation of women either in Mayor or Deputy Mayor. But the data shows that only 2.4% of women are elected as Mayor/Chair whereas they represent 93% in deputy position. This reflects the social perception with regards to acceptance of women leadership. This is equally applicable for people from Dalit, marginalized communities and geographically disadvantaged regions. Political representation was possibly due to mandatory position. Now, time has come to capacitate people from such communities to establish themselves as leaders and also in the leadership position in their parties and government structures.

HRPLSC in its vision, mission and objective is clearly indicated that, will contribute for the substantial equality promoting economic, social and cultural rights as well as economic, social and cultural rights. HRBA is being core formula of HRPLSC in its planning and executing of the each of the activities. Positive discrimination and affirmative actions are being effective tools to ensure substantive equality and promote equity and social justice. Constitution and laws after 2015 are also trying to ensure these issues but still not being able to address in in the field. HRPLSC with its networks, media campaigns and advocacy will contribute continuously to ensure the just and equitable society in days to come.

INFORMED EXERCISE OF POWER BY THE ELECTED REPRESENTATIVE IS A PERQUISITE FOR SUCCESS OF FEDERAL SYSTEM AT SUBNATIONAL LEVEL

The constitution confers significant power to the local level with list of competencies. Some of the competencies are overlapping among different tiers. Unbundling them requires a high level technical expertise. HRPLSC as a pioneer organization, has contributed during constitution building process and also committed provide technical support and expertise has institutional as well as personal level capacity and strength to work in these areas.



Federalism process is itself new for Nepal. This has created ample of opportunities to promote social inclusion in practice. However, it is widely felt that the elected representatives' need capacity building supports to cope with the challenges they are facing while delivering their responsibilities. An integrated and comprehensive package for supporting leadership is essential to contribute to build their capacity rather than piece meal supports.

A local NGO alone cannot do anything on this issue as this need a huge amount of support. As before, HRPLSC has planned to occupy its energy to provide technical support to the local bodies along with provincial tier as an expert organization. For that, HRPLSC will also work with GoN and other CSOs as we believe that, coming together is beginning; keeping together is progress; and working together is success. We also believe that, togetherness is the strongest bond. There is no hurdle that people cannot cross when they come together as one. We also aware that, it is not an overnight process; the mind set of potential spoilers who do not want change is not easy to change.

BEST PRACTICES WITH FEW CASE STUDIES

Some of the best practices are spread elsewhere in this publication. Some of notable case studies are listed below:

a. TJPF Became a Common Platform for Conflict Victims

District	Male	Female	Others	Janjati	Dalit	Muslim	Total
Banke	25	67	50	30	9	3	92
Bardia	32	58	7	80	2	1	90
Dang	51	35	43	38	5	-	86
Salyan	47	46	72	6	15	-	93
Rukum	40	50	52	21	17	-	90
Rolpa	30	61	17	62	12	-	91
Pyuthan	48	39	64	12	11	-	87
Total	273	356	305	249	71	4	629

HRPLSC formed Transitional Justice and Peace Forum (TJPF) in 35 VDCs of Rukum, Rolpa, Pyuthan, Dang, Salyan, Bardia and Banke districts. In addition to that, HRPLSC also formed district level TJPF in 7 districts. Main objective to form such forum was to create unity among victims dialogues between them and conduct advocacy jointly with uniformity. Now, they are united and mobilized jointly for transitional justice processes, peace building and welfare of the victims of the conflict. No matter which group was responsible for the violation and abuses of those incidences. The TJPF formation and reformation was conducted through participatory process involving conflict victims from both side. After the formation of a single group, new victims also started to join the team and they consulted with HRPLSC. HRPLSC united 629 conflict victims from 7 different districts and conducted joint programme with them. These TJPF members committed to organize campaigns and other activities together. They are conducting advocacy campaigns together, putting their concerns, taking benefits and services provided by the GoN and CSOs and creating pressure to the local government to allocate budget for the protection and promotion of their rights collectively. As a result, TJPF is being a common platform for all of them in which they are sharing their problems, conducting joint advocacy campaigns and creating pressure in need. USHA Dahal, from Bankatuwa VDC, Bank expressed that we were not finding our own platform and not able to gather together to share our feelings and sorrows but now we found TJPF. We are happy to share our grief among each other and motivated to raise our issues jointly.

B. Peace Memorials with the Collaboration of Local Governments.

We almost completed 12 years of Comprehensive Peace Accord (CPA - 2006), which was ended a decade-long armed conflict. Main objective of the peace process was to end the conflict, establish peace and justice. One of the major issue was to resolve conflict era cases through transitional justice mechanisms. Conflict victims are still waiting justice. Local Peace Committees (LPCs) formed in all Districts to facilitate TJ process. The Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) formed to provide justice to conflict victims by investigation of cases. However, both commissions are being



able to gain trust from the victims, CSOs, DPs and international human rights community. Along with that, the GoN is also not being able to respect conflict victims. Neither had they enacted strong legislation as SC directed nor they initiated other means to make them happy and forget past grief. Building peace memorials, parks, roads on the name of victims would help to forget the past. That is why conflict victims are not being able to heal their wound yet.

In such context and at the same time, HRPLSC launched Build-TJP project in Rukum, Rolpa, Salyan, Pyuthan, Dang, Banke and Bardiya Districts. With the support of this project, HRPLSC contributed peace process by enhancing capacity of conflict victims, mobilizing them toward the TJ process. Along with that, HRPLSC built building peace memorials in Rukum, Rolpa, Salyan, Pyuthan and Bardia Districts. Peace memorials were built jointly collaborating and coordinating with the leaders of political parties, Government agencies, conflict victims and other stakeholders. While building such memorials there were tremendous challenges including getting public places in proper



locations; however, HRPLSC successfully constructed peace memorials getting huge support support from GoN and other stakeholders including CDO, LDO, party leaders, CSOs and local governments.

As per the commitment, In Salyan in particular, HRPLSC did not have had sufficient amounts of money to build peace garden. HRPLSC has requested members of the parliament (Tek Bahadur Basnet and Prakash Jwala as they were in the program also) to contribute as per the requirement. Honorable Mr. Prakash Jwala and Tek Bahadur Basnet contributed Rs.100,000 each releasing budget from the Parliamentarians Development Fund. Similarly, Sharada Municipality contributed Rs.100,000.

Likes wise, HRPLSC Rukum organized coordination meeting among the concerned stakeholders, formed 7 members committee. Bhui Bohara from Musikot offered a piece of land, DDC supported NRS 200,000 and Municipality Musikot contributed NRS 100,000 to construct the memorial. HRPLSC formed 7 members construction committee and an another committee to monitor the progress, identified venue at Tudikhel and built a memorial in Rolpa. For that, Rolpa Municipality contributed 150,000 for the memorial. In Pyuthan a peace monument was built with the support from LPC, conflict victims, community people and other stakeholders. For that, Mallarani Rural Municipality contributed Rs.100,000. Peace memorials were inaugurated by former chief justice and the Chief Commissioner of NHRC, Hon. Anupraj Sharma in Rolpa and Pyuthan on May 4 and 6, 2018 respectively.

Similarly, in Bardiya a 3 member committee was formed to identify the public venue, Ministry of Peace and Reconstruction (MoPR) allocated Rs.30,00,000 with the initiative of local peace committee to build peace memorial and garden. MoPR also released Rs.1,75,000 next year, DCC committed to allocate certain amount.

C. Capacity Building Initiatives for Security Personnel

HRPLSC conducted 3 days trainings on human rights, transitional justice and peace building in 7 Districts with the coordination and collaboration of Districts authorities of security forces. A total of 150 security officers participated in the training. Participants came from different sectors of the security forces including Nepal Police, Armed Police Force, Nepal Army and National Investigation Department. Gender and ethnic ratio was 110 male, 40 female, 12 Dalits, 32 Janajati and 106 others respectively. As a notable impact of the training, District Police Office (DPO) Dang started to keep a citizen help desk in the DPO.

Acting CDO of Rukum Mr. Neelam Kumar Neupane expressed his view after the training by saying that, human rights are violated in most of the areas due to lack of sufficient trainings and resource materials to the security forces. We are sure that, these activities will be reduced substantially. Trainings were conducted by two experts (Mr. Milan Shrestha in Dang, Salyan and Rukum and, Mr. Basanta Gautam in Bardiya, Pyuthan and Rolpa Distriicts). The training has conducted by coordination with DPO, and security office at District.

C. Interface Dialogues as a Key Tool for the Promotion of Accountability

HRPLSC conducted series of interactions between local government units and the victims of conflict on delivery of relief assistance allocated to the victims, social security allowances and other entitlements. The objective of VDC level interactions was to make local government more accountable and increase

the level of coordination and collaboration between local government and stakeholders including disables, senior citizens, single women etc. As a result, VDCs shared entitlements of different category people including allowances to the senior citizens, disables, disables and conflict victims etc. Concerned stakeholders knew about their entitlements and responsible unit of the government. Due to this initiative, right holders became aware about their entitlements and duty bearer became more accountable towards the people in their communities. Due to these initiatives, some of the VDCs allocated budget for such activities and others committed to allocate from next year.

D. Bajari Chaudhary Became able to Get Relief Amount

Ms. Chaudhary is a conflict victim. She was supposed to receive NRS 500,000 as relief amount but was only getting NRs 400,000. She did not have clue how and from where she can get that money. HRPLSC received an application from her complaining that, she is not getting remaining amount of relief amount. HRPLSC organized an interaction program in Dang between conflict victims and government agencies as she was also from Saudiyar VDC Dang. In the interaction program she expressed her concerns in front of the representative of the government agencies. As a response from those agencies, she and other victims can come to the District Administration Office with proof and evidences. As soon as they come with evidences, authorities will help them to provide their relief packages. HRPLSC helped Ms. Chaudhary collecting evidences and also facilitated her to go to the DAO along with a recommendation letter. HRPLSC allocated a staff to help her bringing her to the DAO, opening a Bank account and talking to the authorities on behalf of the victim. As a result, next day DAO deposited NRS 100,000 in her account.





WAY FORWARD

The federal structure of Nepal presents an immediate and unprecedented opportunity to advance people's political empowerment and leadership, promote inclusive governance and advance the realization of human rights commitments. Comprehensive Peace Accord (CPA) clearly recognized that the root causes of the conflicts are discrimination, exclusion and marginalization based on gender, caste, ethnicities, physical status, geography etc. Taking into account of CPA commitments to address historical exclusion and discrimination, the Constitution ensures proportionate inclusive democracy; particularly addressing the rights of historically excluded and geographically disadvantaged groups. The federalization process envisions autonomy and inclusiveness in decision-making at the national and sub-national level. It has given significant scope for participation of historically excluded or marginalized groups in the decision-making and bringing them in national mainstream.

The implementation of the Constitution started with elections of all three tiers as specified in the Constitution of Nepal 2015. The 2016 Human Development Report focuses on how human development can be ensured for everyone—now and in the future. It starts with an account of the achievements, challenges and hopes for human progress, envisioning where humanity wants to go. Its vision draws from and builds on the 2030 Agenda for Sustainable Development that the 193 member states of the United Nations endorsed and the 17 Sustainable Development Goals that the world has committed to achieve.

Among the development regions, a picture similar to that of the HDI emerges. The previous Far Western and Mid Western regions have the lowest values at 0.423 and 0.442, respectively, primarily due to low life expectancy and adult female literacy. There are strong inequalities within the less developed regions, nonetheless. The coefficient of variation in the Western, Mid Western and Far Western Mountains in 2011 is not only high, but nearly twice as high as in 1995.

A. OPPORTUNITIES

The Constitution provides for several Acts and policies to empower people from disadvantaged groups, and it presents tremendous opportunities to strengthen policies and its implementation from their perspective and to make it relevant to them. This offers ample of opportunities for meaningful participation of elected representatives in local government decision making. There is a great potential address human rights from local to federal level. Significant number of women representation in local government has created a scope for women representative to institutionalize gender equality and social inclusion across Nepal's federalism. In addition, there is a considerable scope for civil society organizations (CSOs) and right holders of government services for demanding accountability, transparency and inclusiveness of elected officials at local government. If locally elected people from marginalized communities succeed to deliver tangible result, it would change the traditional psyche of Nepali society. This also offers an opportunity to put an end to the deep-rooted conflict and human rights norms and values promoting rule of law and eradicating impunity and political amnesty and establish an egalitarian society.

B. CHALLENGES

However, there are also several challenges to realize the constitutional commitments related to the establishment of sustainable peace and protection and promotion of human rights, access to justice and rule of law in Nepal. The structures and roles are still very new, institutional and individual capacity is constrained. The Guidelines and procedures prepared and shared by the federal government in the name of framework/model laws have also undermined the autonomy and restrained the potential capacity development opportunities of local government. 93.4% women are elected as deputy mayor/chair of local bodies for the first time in the history of Nepal. There is still a perception that women cannot be trusted to lead. Inadequate infrastructure, staffing and expertise are hampering the functioning of deputy mayors and vice-chairs, which have a mandate to lead Judicial Committees. Most do not have legal background and are in an elected office for the first time and thus do not possess the requisite knowledge and expertise in dealing with legal cases. A Lack of support and capacity development may lead to them being stereo typed along with capacities being questioned resulting in a negative fallout of the concept of affirmative action for women. There are many uncertainties and confusion in the day-to day functioning of local government such that in some places, line agencies are conducting their business as usual, while in others, staff deployed to the local governments has not been given office space or clear instructions on how to conduct business.

Frustration is already setting in at the elected representatives level, as they have not been able to assert their power and authority to bring about desired changes to make citizens feel that they have local leadership. Conversely, at the citizens 'level, high expectations of efficient and better service delivery with the election of local representative are also dampened as things have not changed much. Discrimination against Dalits and violence against women in spite of laws to prohibit this continues impunity, which impacts their ability and mobility to engage in economic activities and participate in public life. If 41% women representatives are not being able to perform effectively and establish themselves as influencing leader, there is a risk of backtracking from proportionate inclusiveness and also failure of the system. Similarly, if local and provincial governments are not being able to perform their duty effectively, there is equal risk to as federal system itself may collapse. Nepal do not have capacity to bear the cost of another failure.

C. A STEP FORWARD

HRPLSC will be shifting its role slightly from its original and regular work. Along with peace building and human rights, HRPLSC will also work on sub-national government. This is not a departure as such from its original mandate rather complementary to it. Along with its strategic plan, HRPLSC will adopt different strategies for different levels of the government in days to come. HRPLSC will primarily work with local government however certain strategic activities will also be conducted in all three levels of the government as and when required. At the federal level; HRPLSC will work and coordinate with different ministries and relevant departments along with NHRC, other rights based commissions, UN system and DPs; at the Provincial Level; the focus will be on coordinating with the provincial hubs; conducting capacity building trainings, supporting provincial government and parliament and also working with provincial level agencies. At the Local Government Level; along with technical inputs institutional framework for effective LG structure, systems, processes and procedures will be supported. Similarly, at the Community Level; in order to bridge the gap between elected representatives and the citizens to local governments' number of activities will be conducted.

On thematic areas considering the complexities of formal judicial system, the Constitution of Nepal established Judicial Committee (JC) in each local government units with an objective of delivering justice at the doorsteps of people. The Coordinator and Members of the JC are the elected representatives associated with different political parties. Most of the JC coordinator and members are even not aware enough about prevailing laws and policies, which they are delivering and almost of them have no legal background hence they need basic understanding and knowledge. HRPLSC has expertise on mediation and working on quassi judicial function. Judicial Committees (JC) has created ample space for capacity building intervention in the area of governance, access to justice, ending harmful social practices and violence against women and girls (VAW&G).

Realizing this knowledge and capacity gap, it is essential to promote women's effective political participation and leadership at the local level through enhancing the capacity to deliver gender responsive laws, policies, budgets and deliver services. Another window of opportunities is to work with local and provincial legislature as there is huge resource gap in both levels and HRPLSC does have capacity to work on that area. With the federalization process, many laws have to be formulated and enacted at all level.

The engagement of LGs with citizens through social accountability tools represents an important strategy for narrowing the gaps between officialdom and citizenry. In addition, there is a need to capacitate local representatives to comply with human rights obligation while delivering their mandates.





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