



National Human Rights Commission, Nepal



**WORKSHOP ON THE PROTECTION OF INTERNALLY DISPLACED  
PERSONS (IDPS)**

**FOR STAFF MEMBERS OF THE HUMAN RIGHTS COMMISSION OF NEPAL**

**13-15 December 2005  
Godavari Village Resort, Nepal**

**REPORT**

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support of Lauren Matthews, consultant)

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## 1. Introduction

The National Human Rights Commission of Nepal (NHRC) organized jointly with the Internal Displacement Monitoring Centre (IDMC) of the Norwegian Refugee Council (NRC) a workshop on the protection of Internally Displaced Persons (IDPs) in Godavari, Nepal. The workshop targeted NHRC's staff members from all substantive divisions. Participants from NHRC's regional officers were also present (see annex 1).

The overall objective of the workshop was to enhance the capacity of NHRC key personnel in promoting and protecting the rights of IDPs, thereby strengthening its role as a national human rights institution in advocating for IDPs' concerns. More specifically, the training aimed to achieve the following objectives:

1. To apprise participants of the situation of IDPs in Nepal to enable them to have a concrete picture of IDP problem;
2. To raise awareness of international standards relevant to internal displacement, as provided by the UN Guiding Principles on Internal Displacement as well as Nepali laws;
3. To improve knowledge of strategies and activities in other national human rights institutions, in particular in the areas of monitoring, case handling, reporting, advocacy and awareness raising, with particular attention to displaced women and children;
4. To clearly define NHRC's role in dealing with internal displacement in line with the Act, Strategic Plan and 5 Year Workplan and develop a strategy for dealing with internal displacement at NHRC.

The workshop was officially opened and closed by Commissioner Dr. Ram Dayal Rakesh. In his opening statement, Commissioner urged participants to focus their attention on the plight of IDPs in Nepal and welcomed the workshop as a timely step of the Commission towards a strengthened protection of their human rights.

The workshop was facilitated by Anita Devkota, NHRC's training officer, Lauren Matthews, consultant, and Christophe Beau, IDMC's training coordinator. Special thanks should also be given to Mandira Shrestha, NHRC's assistance, whose support contributed to the smooth conduct of the workshop. The workshop received the financial support of NRC's IDMC.

The agenda of the workshop was based on the IDMC's training modules, which review the main features of the protection of IDPs (see annex 2). The final day was devoted to the preparation of a draft action plan for NHRC in response to the protection needs of IDPs in Nepal. All participants received a copy of the Guiding Principles in Nepalese and in English, as well as a file containing IDMC's training handouts.

This report reviews the main issues discussed by the participants during the workshop. It highlights the main conclusions with regard to the standards and practices relating to the protection of IDPs, as highlighted in the Guiding Principles on Internal Displacement. Participants' observations and recommendations about the situation of IDPs in Nepal, their protection needs, as well as the response of the responsible authorities, are also recorded in this document. Annex 4 to this report contains the draft action plan prepared by the participants.

## 2. Substantive issues covered during the workshop

### **2.1 The Guiding Principles on Internal Displacement**

The Guiding Principles have been compiled by the Representative of the UN Secretary General to provide a framework for the protection of internally displaced persons (IDPs).

Although not a binding document as such, the Guiding Principles are based on international human rights and humanitarian law. The Guiding Principles restate existing law and provide guidance on how international standards should be applied in response to the protection needs of IDPs, before, during and after displacement.

Since their presentation to the UN Human Rights Commission in 1998, the Guiding Principles have been recognized as a document of reference by states and other relevant actors (including UN agencies, and NGOs) when dealing with internally displaced persons.

Throughout the workshop, participants applied the Guiding Principles to concrete problems arising in Nepal. The connection between the Guiding Principles, international treaties, the Constitution of Nepal and domestic laws was highlighted. Participants found the Guiding Principles to be a practical tool for identifying the rights and protection entitlements of IDPs.

***Box 1: The Guiding Principles on Internal Displacement in the national legal framework of Nepal – The example of the right to freedom of movement***

Guiding Principle 14:

Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence.

Constitution of Nepal, Article 12 (2):

All citizens shall have the following freedoms: ...

d- freedom to move throughout the Kingdom and reside in any part thereof

Universal Declaration of Human Rights, Article 13:

1. Everyone has the right to freedom of movement and residence within the borders of each State

International Covenant on Civil and Political Rights (Entry into force in Nepal: 23 March 1976), Article 12:

1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

## **2.2 The definition of an internally displaced person**

The definition provided by the Guiding Principles on Internal Displacement highlights two elements:

1) The coercive or otherwise involuntary character of movement

The definition mentions some of the most common causes of involuntary movements, such as armed conflict, violence, human rights violations and disasters. These causes have in common that they give no choice to people but to leave their homes and deprive them of the most essential protection mechanisms, such as community networks, access to services, livelihoods. Displacement severely affects the physical, socio-economic and legal safety of people and should be systematically regarded as an indicator of potential vulnerability.

2) The fact that such movement takes place within national borders.

Unlike refugees, who have been deprived of the protection of their state of origin, IDPs remain legally under the protection of national authorities of their country of habitual residence. IDPs should therefore enjoy the same rights as the rest of the population. The Guiding Principles on Internal Displacement remind national authorities and other relevant actors of their responsibility to ensure that IDPs' rights are respected and fulfilled, despite the vulnerability generated by their displacement.

Participants compared the international definition of IDPs to the draft HMG policy definition to identify inconsistencies. The discussion highlighted the shortcoming of the HMG definition to include persons displaced by security forces. It was also observed that people leaving their villages in anticipation of armed clashes or to avoid the conflict's effects were also not specifically included.

## **2.3 Protection from and during displacement**

In line with human rights and humanitarian law, the Guiding Principles make explicit that IDPs must not be discriminated against simply because of their displacement, or because of their race, sex, language, religion, social origin or the like.

The Principles restate the right not to be arbitrarily displaced and prohibit displacement on ethnic, religious or racial grounds.

The Principles reaffirm that "national authorities" have the obligation to ensure that IDPs' basic rights for food, water, shelter, dignity and safety, are met. They should accept the assistance of the international community, if they do not have the capacity to provide assistance and protection to IDPs. IDPs have also the right to seek asylum in another country.

Through the use of a case study, participants identified problems and needs of IDPs in Nepal, and determined the relevant standards in response to these needs, as restated in the Guiding Principles. In a second step, participants were asked to identify the actors responsible for the protection of IDPs' rights in relation to specific problems, such as shelter, documentation, security, education and livelihood. Finally, a typology of protection actions, the "egg model", was proposed to the participants for their discussion on the appropriate responses from the responsible authorities and any relevant actors, such as NGOs, INGOs, and other stakeholders.

<p><b><i>Box 2: How national authorities can provide protection to IDPs - The example of IDPs' lack of documentation</i></b></p>		
<p><b>The problem:</b> IDPs in Nepal lack the necessary documents to enable them to access essential services and enjoy their rights as citizens. Without citizenship certificates, IDPs cannot send their children to school or cannot register on the voters' list. Although large segments of the population in Nepal do not possess any citizenship certificate, the problem becomes particularly acute for IDPs, who can no longer be identified as community members in areas of displacement.</p>		
<p><b>Responsive Action</b> (immediate activity to alleviate effects of human rights violations)</p>	<p><b>Remedial Action</b> (restoring people's dignity through rehabilitation, restitution, compensation or repair)</p>	<p><b>Environment-building Action</b> (creating an environment conducive to the full respect of human rights)</p>
<p>- Awareness raising among state officials at the national and local level on documentation needs of IDPs (relevant actors: NGOs, NHRC, UN organizations) - Registration of IDPs and/or delivery of temporary documentations to IDPs without discrimination (relevant</p>	<p>- Provision of necessary documentation to IDPs, in particular through mobile legal desks (relevant actors: local/national authorities, with the support of NGOs) - Information campaign among displaced population about documentation/citizenship rights (relevant actors:</p>	<p>- Revision of policy and procedures regarding the issuance of documentation, with particular attention to the needs of women (HMG, with the support of NHRC and NGOs)</p>

actors: local or national authorities)	local/national authorities, NGOs, NHRC)	
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## 2.4 Gender approach to displacement

Participants reflected on the impact of displacement on gender groups. It was recognized that IDPs in Nepal are exposed to the following gender-related risks:

- Separation of families and increased vulnerability of women (trafficking and prostitution, lack of access to food).
- Lack of education, particularly for girls.
- Men subject to conscription into military and militias, arbitrary arrest and detention
- Changes in labour division between men and women: men may lose their jobs and feel frustrated as a result of the loss of their roles as breadwinners, while women may be forced to assume responsibilities previously held by men following the separation of families, the killing of relatives and the destruction of homes.
- Women’s vulnerability to sexual exploitation, domestic violence and rapes increases as gender roles shift.

Participants identified the following actors who can contribute to an enhanced response to the protection needs of displacement women and girls: Ministry for Women, Children and Social Welfare, Ministry of Health, NGOs with special focus on women (MAITI Nepa, WOREC, etc), UNICEF, UNIFEM. Other human rights institutions, such as the special rapporteur on trafficking, and the CEDAW should also be made aware on the particular risks facing displaced women.

## 2.5 Durable solutions to internal displacement

The Principles emphasise the importance of voluntary and safe return or resettlement. IDPs should be able to take a voluntary decision whether to return home or not, that is a decision that contains two elements: (1) freedom of choice and (2) an informed decision.

The need for internally displaced persons to return or resettle in conditions of safety is axiomatic. However, it is important to view safety as a concept that includes much more than the element of physical safety. In fact, safety in a return context also includes legal safety and material safety.

Participants were asked to establish a check list to be used by NHRC when monitoring the return or resettlement of IDPs, and whether these processes satisfy the standards of safety, dignity and voluntariness (see annex 3: Checklist for monitoring IDPs’ human rights)

## **2.6 The role of NHRC in relation to the protection of IDPs' human rights**

Each regional office and headquarters presented their current experience with IDPs. All offices have received a significant number of complaints from displaced people. These complaints highlights key expectations of displaced people, such as the safe return to home areas, the access to humanitarian assistance during displacement, and the need of more social acceptance from host communities. The access of NHRC's regional offices to IDPs and returnees, including in Maoist-controlled areas, was seen a positive factor, despite the reluctance of people displaced by the NRA to approach any government-related institution. The collaboration of IDPs with other actors at the local level, such as authorities and NGOs, was regarded as an appropriate tool for a better protection of IDPs and the creation of IDP working group at the district level was encouraged.

Participants acknowledged the relevance of NHRC's commitment to the protection of IDPs' human rights, as enshrined in NHRC's mandate. In groups organised by division and regional office, participants reviewed NHRC's functions as defined in its mandate, and their relevance to the protection of IDPs' human rights, in view of preparing a workplan for NHRC's IDP-related activities in 2006.

The facilitators informed the participants that the draft workplan would be presented to the commissioners upon the conclusion of the workshop. Participants were also told about the support which the Asia Pacific Forum is ready to provide for a project of NHRC in relation to internal displacement in Nepal. It was suggested that such a project should be drawn from the workplan, as endorsed by NHRC after the workshop.

## **3. Results of evaluation**

Evaluation forms filled at the workshop's concluding session show a high degree of satisfaction among the participants. All respondents considered that the workshop's were met, while 26 out of the 31 participants rated as "excellent" or "good" the workshop's adequacy to their personal objectives. Most participants also appreciated the workshop's methodology, as well as the training materials and handouts provided. Several participants recommended that the duration of the workshop should be extended, in particular to allow more discussion among the participants about their own experience. It was suggested to plan a follow-up workshop at a later stage, with the objective to take stock of NHRC's experience and the workplan's implementation. Participants wanted to learn even more about other countries' experience dealing with IDP problems and suggested that an in-country expert should be invited to brief them on IDP issues and statistics.

## **4. Recommendations to the Commission**

Recommendation 1: NHRC should clarify its policy on its role with regard to IDPs

Recommendation 2: IDP desk should be reinforced to strengthen NHRC's response to IDPs' protection needs

Recommendation 3: NHRC should take action to urge the government to monitor the crisis of internal displacement more consistently. In particular, the government should be advised to seek the support of international agencies and NGOs to determine the profile and numbers of all victims of internal displacement in Nepal, whether caused by state and non-state actors. NHRC should also monitor the human rights of IDPs in Nepal, within the framework of its mandate and capacity.

Recommendation 4: The proposed strategy annexed should be further elaborated and adopted into the 2006 workplan.

**ANNEX 1: List of participants**

<b>S.N</b>	<b>Participant</b>	<b>Title</b>	<b>Division/Region</b>	<b>Remarks</b>
1	Yagya Prasad Adhikari	HOD	Protection and Monitoring Division (PMD)	
2	Binu Kumar Shrestha	Protection Officer	“ ”	
3	Sriram Adhikari	Protection Officer	“ ”	<i>alternative focal point IDP</i>
4	Dhaniram Sapkota	Protection Officer	“ ”	
5	Achyut Acharya	Protection Officer	“ ”	
6	Gita Dahal	Protection Officer	“ ”	
7	Maya Sharma	Protection Officer	“ ”	
8	Basudev Bajagain	Protection Officer	“ ”	
9	Regam Maharjan	Protection Officer	“ ”	
10	Jayashor Chapagain	Protection Officer	“ ”	
11	Shankar Nath Adhikari	HOD	Legislative Assistance Division( LAD)	
12	Deepak Jung Dhoj Karki	Legal Officer	“ ”	
13	Murari Kharel	HOD	Promotion Division	
14	Samjhana Sharma	Promotion Officer	“ ”	
15	Bimal Babu Khatri	Communication Officer	“ ”	
16	Prem Bahadur Thapa	Acting Regional Director	Regional Office (Pokhara)	
17	Satish Raj Mainali	Protection Officer	“ ”	
18	Badri Subedi	Protection Officer	“ ”	
19	Milan Shrestha	Promotion Officer	“ ”	
20	Mohan Lal Acharya	Acting Regional Director	Regional Office ( Nepalgunj)	
21	Yeshoda Banjade	Protection Officer	“ ”	
22	Ramesh Kumar Thapa	Protection Officer	“ ”	

23	Suresh Malla	Promotion Officer	“ “	
24	Dipendra Bahadur Singh	H R Officer	Jumla	
25	Bal Krishna Pokharel	H R Officer	Rolpa	
26	Jiv Narayan Shrestha	Regional Director	Regional Office ( Biratnagar)	
27	Pradeep Jha	Protection Officer	“ ”	
28	Kailash Shiwakoti	Protection Officer	“ ”	<i>focal point (IDP)</i>
29	Lok Nath Bastola	HR Officer	Khotang	
30	Nibha Shrestha	Programme Officer	Office of National rapporteur(ONRT)	
31	Niraj Dawadi	H R Associate	CDNHRC	

### RESOURCE PERSONS

1. Christophe Beau Senior Country Analyst/Training Coordinator  
Internal Displacement Monitoring Centre/Norwegian Refugee Council

### FACILITATORS / ORGANISERS/ SUPPORT

1. Lauren Matthews Support, Norwegian Refugee Council
2. Anita Devkota NHRC, Training Officer
3. Mandira Shrestha NHRC, Assistant

## ANNEX 2: Agenda of the workshop

### Day 1: Introduction and key concepts (December 13)

9.00 – 10:00	<b>Opening Program</b> <ul style="list-style-type: none"><li>▪ Welcome by NHRC Commission</li><li>▪ Introduction of participants</li><li>▪ Expectations</li></ul>
10:15 – 10:30	Tea Break
10.30 -12.00	<b>Module I: <u>The International Response to Internal Displacement</u></b> <ul style="list-style-type: none"><li>- Genesis of the Guiding Principles</li><li>- The legal sources of the Guiding Principles</li></ul>
12:00-12:15	Break
12:15-13:00	<b>Module II: <u>Who are Internally Displaced Persons?</u></b> <ul style="list-style-type: none"><li>- The IDP definition in the Guiding Principles</li><li>- How to use the definition</li></ul>
13:00 – 14:00	Lunch Break
14:00 – 15:00	- Mapping IDPs in Nepal
15:00 – 15:30	Tea Break
15:30-17:00	<b>Module III: <u>Protection From Displacement</u></b>

### Day 2: Protection of IDPs (December 14)

9.00 – 10.15	<b>Module IV: <u>Protection During Displacement (part 1)</u></b> <ul style="list-style-type: none"><li>- Standards of protection (case study)</li></ul>
10:15 – 10:30	Tea Break
10:30 – 12:00	<b>Module IV: <u>Protection During Displacement (part 2)</u></b> <ul style="list-style-type: none"><li>- Actor mapping</li></ul>
12:00 – 13:00	- Protection in action
13:00 – 14:00	Lunch Break
14:00 – 15:00	<b>Module IV: <u>Protection During Displacement (part 3)</u></b> <ul style="list-style-type: none"><li>- Gender approach</li></ul>
15.00 – 15.15	Tea Break
15:15 – 17:00	<b>Module V: <u>Durable Solutions to Internal Displacement</u></b>
18.00 - 19.30	<b>Module VI: <u>NHRC's experience in Nepal</u></b> <ul style="list-style-type: none"><li>- Cases, monitoring and other responses undertaken<ul style="list-style-type: none"><li>▪ NHRC HQ: protection and promotion work (20 minutes)</li><li>▪ NHRC Nepalgunj (20 minutes)</li><li>▪ NHRC Biratnagar (20 minutes)</li></ul></li></ul>

- NHRC Pokhara (20 Minutes)
- Discussion

**Day 3: Strategy for NHRC on internal displacement (December 15)**

9:00 – 10:30	<p><b>Module VII: <u>Designing a strategy for the NHRC</u></b></p> <ul style="list-style-type: none"> <li>- The role of national HR Commissions (30 mins)</li> <li>- The NHRC and its Role in the Promotion and Protection of IDPs (30 mins)</li> </ul>
10:30 – 10.45	Tea Break
10:45 – 12:00	- Designing a strategy for the NHRC (Group work) NHRC
12:00 – 13:30	<ul style="list-style-type: none"> <li>- Designing a strategy for the NHRC (Debriefing) <ul style="list-style-type: none"> <li>▪ Group work feedback (15 minutes per group)</li> <li>▪ Discussion and agreement on the proposed strategy</li> <li>▪ Follow-up to the strategy</li> </ul> </li> </ul>
13:30 - 14:30	Lunch Break
14:30 – 15:00	Evaluation
15:00	Closing of the workshop

### ANNEX 3: Checklist for monitoring IDPs' human rights

#### **General**

<i>IDPs' rights / responsibilities of national authorities</i>	<i>Relevant Guiding Principles</i>	<i>Provisions in international human rights and humanitarian law instruments (in particular those ratified by Nepal)</i>
Are all IDPs given assistance and protection from the national authorities without discrimination, whatever the cause of displacement is?	Introduction para 2 (IDP definition) Guiding Principle 3 (responsibilities of national authorities) Guiding Principles 1 and 4 (prohibition of discrimination)	UDHR, 7 CCPR, 2, 26 CESCR, 2

#### **Protection from displacement**

Protection from arbitrary displacement	Guiding Principle 5, 6	UDHR, 12 CCPR, 12(1) and 17
Have all measures been taken to minimize the effects of displacement?	Guiding Principle 7 (1) and (2)	CCPR, 12(3)
Have displacement been undertaken with due attention to IDPs' basic needs (health, nutrition, accommodation, family unity)?	Guiding Principle 7 (2)	Geneva Convention IV, 49(3) CCPR, 17 CESCR, 10, 11
Have additional guarantees been met in non-emergency situation of displacement (information, participation, right to effective remedy, legal procedures)?	Guiding Principle 7 (3)	CCPR, 2(3), 12(3)

#### **Protection during displacement**

Right to life and protection from attacks and other acts of violence	Guiding Principle 10	CCPR, 6(1) CESCR, 11 Geneva Convention IV, 3, 27, 28, 32 Genocide Convention, II and III
Right to dignity and physical, mental and moral integrity, including	Guiding Principle 11	CCPR, 7 CRC, 5(2), 32 to 36 CEDAW, 6

protection from torture, gender-based violence, slavery and forced labour of children		Geneva Convention IV, 27(2)
Right to livery and security of person, including protection from arbitrary arrest and detention	Guiding Principle 12	CCPR, 8(3), 9(1) CRC, 37 (b) Geneva Convention IV, 3, 51, 78
Prohibition of child recruitment and arbitrary recruitment	Guiding Principle 13	CRC, 38 ILO Convention No. 182, 1
Right to liberty of movement and freedom of choice of residence	Guiding Principle 14	UDHR, 13(1) CCPR, 12
Right to seek safety within the country or in another country	Guiding Principle 15	CCPR, 7 and 12 CAT, 3(1) Geneva Convention, 35, 48 (for non-nationals)
Right to know the fate and whereabouts of missing relatives	Guiding Principle 16	Geneva Convention IV, 16 and 26
Respect for family life	Guiding Principle 17	UDHR, 12 CCPR, 17(1) CRC, 9(1), 11(2) Geneva Convention IV, 24, and 50(3), 26, 27(1), 49 (3), 82 (2) and (3)
Right to adequate standard of living (food, water, shelter, clothing, healthcare and sanitation)	Guiding Principle 18	UDHR, 25(1) CRC, 24(1), 27 CESCR, 11(1), 12(1) CEDAW, 12, 14 Geneva Convention IV, 16, 23, 27(3), 55, 56
Special attention to vulnerable groups, such as women Children Wounded and sick IDPs	Guiding Principle 4, 19	UDHR, 2 CCPR, 2(2) CRC, 2(1), 24(1) CEDAW, 12 CESCR, 2, 12(2) Geneva Convention IV, 3
Access to documents necessary to the enjoyment of legal rights	Guiding Principle 20	UDHR, 6 CCPR, 16, 24 (2) CERD, 5 CRC, 8(2) CEDAW, 2 Geneva Convention IV, 50(2)

Protection of property and possession	Guiding Principle 21	UDHR, 17 Geneva Convention IV, 28, 33, 53
Prohibition of discrimination against IDPs,	Guiding Principle 1, 22 (freedom of thought, religion, access to jobs, participation)	UDHR, 18, 19, 20, 21, 23 CERD, 5 CCPR, 18, 19, 21, 25, 27 CESCR, 6, 7 CRC, 13, 14, 15, 30 Geneva Convention IV, 27, 40
Right to education	Guiding Principle 23	UDHR, 26 CESCR, 13 CRC 28, 29 CEDAW, 10, 19 CERD, 5(2) Geneva Convention IV, 24(1), 50(1)
Access to humanitarian assistance	Guiding Principle 24, 25	CESCR, 2(1), 11(2) Geneva Convention IV, 3(2), 23, 55, 59

### **Durable solutions**

Right to return or resettle voluntarily in conditions of safety, dignity	Guiding Principle 28 (1)	CCPR, 12 Geneva Convention IV, 49 See also "Right to freedom of movement and choice of residence", "Right to life and protection from attacks and other acts of violence", for instance.
Participation of IDPs in the planning and management of their return or resettlement	Guiding Principle 28(2)	For instance, UNHCR Executive Committee Conclusions No. 18, (XXXI/1980) and No. 73 (XLIV/1993)
Prohibition of discrimination against returnees and resettled IDPs	Guiding Principle 29 (1)	UDHR 7 CCPR 2 and 26 CESCR 2
Restitution of, or compensation/reparation, for lost properties and possessions	Guiding Principle 29 (2)	UDHR, 8 Geneva Convention IV, 148
Access of international actors to returnees and resettled IDPs	Guiding Principle 30	CESCR, 2(1), 11(2) Geneva Convention IV, 3(2), 23, 55, 59

**ANNEX 4: PROPOSED STRATEGY FOR NHRC ON INTERNALLY DISPLACED PERSONS FOR 2006**

- **The following work plan has been compiled by the workshop’s participants in line with the objectives 1 to 3 of NHRC’s strategic plan.**
- **The activities suggested below are based on NHRC’s commitment to protect IDPs in Nepal, within the definition of internally displaced persons provided for in the Guiding Principles on Internal Displacement.**
- **In accordance with its mandate, NHRC wishes to focus its attention to all situations of displacement, as triggered by all causes and actors of displacement, including both parties to the current conflict in Nepal.**
- **NHRC is committed to protect and promote the rights of IDPs as stated in International Human Rights Law, Humanitarian Law, National laws and as confirmed in the Guiding Principles.**
- **Therefore, NHRC will take the actions listed below in the following areas: 1) Monitoring and Protection, 2) Promotion, 3) Legal review, 4) Staff development.**

**STRATEGIC OBJECTIVE 1**

***“To contribute to the peace building process by ensuring that the parties to the conflict are fully in compliance with the international standards for human rights and humanitarian law.”***

**Intervention: Monitoring and protection of the human rights of internally displaced persons (IDPs) in accordance with the Guiding Principles on Internal Displacement**

Activities	Duration		Responsibility	Outcome/Output
	Start	Finish		
Reinforcement of IDP desk – 3 persons full time to (1) coordinate IDP focal points (2) oversee implementation of strategy (3) carry out activities from HQ.	immediately		Commission	Enhanced response to IDPs from NHCR

Development of IDP specific tools for monitoring of compliance with the Guiding Principles by parties to the conflict	Jan	Feb	IDP desk and training team	Checklist for standardization of monitoring activities
Monitoring IDPs' rights in 25 districts (from HQ): <ul style="list-style-type: none"> <li>- Gathering disaggregated data on 1) causes, 2) conditions during displacement, 3) return and resettlement</li> <li>- Recommendations to HMG and CPN(M)</li> <li>- Interventions to resolve specific problems arising from monitoring outcomes, including negotiations with parties to the conflict to secure rights and standards for return</li> </ul>	Jan	To be determined by the monitoring plan	IDP desk and relevant ROs	Recommendations to HMG and CPN(M) respected to secure IDPs' protection Specific problems addressed by responsible actors
Monitoring 16 districts (from Pokhara)	“”	“”	RO Pokhara in coordination with IDP desk	“”
Monitoring districts (from Nepalgunj)	“”	“”	RO Nepalgunj in coordination with IDP desk	“”
Monitoring districts (from Biratnagar)	“”	“”	RO Biratnagar in coordination with IDP desk	“”
Case handling of complaints specific to IDPs: investigation, report, commission's decision, implementation of commission decision	On-going		IDP desk and regional offices	IDP's rights protected in accordance with NHRC's decisions including payment of compensation, and other remedies.
Participation in coordination mechanisms for the protection and assistance of IDPs	On-going		Commissioners, IDP desk and regional offices	NHRC have influenced other actors to ensure enforcement of the GP and responses to protection gaps

## STRATEGIC OBJECTIVE 2

***“To promote, monitor and enforce the guarantee of fundamental rights of the people with focus on right to life, liberty, justice and equality.”***

### **Intervention: Promote and advocate for the human rights of IDPs based on the Guiding Principles**

Activities	Duration		Responsibility	Outcome/Output
	Start	Finish		
Features/Facts/Story <ul style="list-style-type: none"> <li>- IDPs’ stories in quarterly publication</li> <li>- Making a documentary film on IDPs’ situation in Nepal for national and international screening</li> </ul>	Jan	Dec	Promotion officers in HQ and regional offices	Raised awareness on the situation of IDPs in Nepal nationally and internationally
Nationwide public hearings on IDPs’ issues/rights (5 meetings) in order to <ul style="list-style-type: none"> <li>- raise awareness on the Guiding Principles</li> <li>- increase participation and consultation of IDPs in issues affecting their lives</li> <li>- mobilize relevant actors to collaborate for enhanced responses</li> </ul>	March	Oct	Commissioners, PD, PMDs	Participation of IDPs Greater collaboration from all actors
Workshop/consultation with HMG policy makers in KTM (2-3 days) in order to: <ul style="list-style-type: none"> <li>- raise awareness of the human rights of IDPs and state responsibilities</li> <li>- assist HMG to bring legislation, policies and plans of action in conformity with international standards relating to IDPs</li> </ul>	To be determined by Commissioners		Commissioners, IDP desk, PD, with the support of UN IDP Representative, Brookings IDP Project and NRC (to be confirmed)	Assistance provided to HMG for protection of IDPs in accordance with the Guiding Principles
Information dissemination <ul style="list-style-type: none"> <li>- Develop a “know your rights” brochure for IDPs</li> <li>- Review Nepalese translation of the Guiding Principles, and disseminate revised version</li> <li>- Design radio programmes</li> </ul>	Jan	Dec	IDP desk and PD in HQ and regional offices	IDPs informed about their rights and actors Responses from responsible actors based on the

### STRATEGIC OBJECTIVE 3

***“To advocate right to food, health, shelter, education and work as the fundamental rights of the people with special attention to improving the human rights situation in the most underdeveloped regions of Nepal.”***

Intervention: Legislative review of human rights standards relevant to IDPs (excerpt from LAD workplan)

**LAD Programme Objective 3: To help ensure that effective laws/policies and plan are formulated and implemented to treat right to food, health, education, shelter and work as fundamental rights.**

Intervention 3	Activities	Sub activities	Duration	Responsibilities	Supporting Activities	Outcomes
Conduct thorough review of the HMGs existing programs, National HR Action Plan, the 10th Five-Year Plan focusing on plans related to food, health, education, work and shelter of IDPs.  <b>(Also related to Str. Obj 6- Review of Legislation)</b>	Creation of knowledge base.	Review of the status of implementation of international declarations/instruments	30 days	Legislative Assistance Division	Expert PIMED	<b>Review of Report Good Participation/ Consultation/Number of Feedbacks from stakeholders/ Changes in the reports/ number of recommendations to HMG</b>
		Collection and study of documents on policies and plans related to food, health, education, work and shelter.	30 days	Legislative Assistance Division	Expert PD HR Resource Centre Assistant	
		Study reports and plans of various UN and international agencies.	25 days	Legislative Assistance Division	Expert PIMED	

		Discussion with the agencies to develop sound understanding of the situation.	3 hrs	Legislative Assistance Division	Expert PD PIMED Members Secretary
	Initial review of the existing laws and policies to identify lacunae in the national legislations, policies and plans.		30 days	Legislative Assistance Division	Expert PIMED
	Interactions with civil society, I/NGOs working in the 5 key ESCR areas and include IDPs in the process.		60 days	Legislative Assistance Division	Expert PD PIMED Members Secretary

## Strategic Objective 6

***“To improve the extent to which international treaties and conventions are ratified, domesticated and implemented in Nepal.”***

**LAD Programme Objective 1: To ensure that His Majesty's Government ratifies outstanding international and regional human rights instruments and fulfils its treaty obligations.**

<b>Intervention 3</b>	<b>Activities</b>	<b>Sub activities</b>	<b>Duration</b>	<b>Responsibilities</b>	<b>Supporting Activities</b>	<b>Outcomes</b>
Facilitating timely submission of quality reports to UN Treaty Committee on ESCR with comments of NHRC	Identification of latest status of reporting and the follow-up work needed on the reports already submitted.		20days	Legislative Assistance Division	PD	Review of Report Good Participation/ Consultation/Number of Feedbacks from stakeholders/

focusing on IDPs.	Compilation and publication of materials on international instruments.		30days	Legislative Assistance Division	PD CDNHRC	Changes in the reports/ number of recommendations to HMG
	Consultation / Interaction with key stakeholders, including IDPs upon receiving draft state reports on ESCR rights for NHRC's opinion and sending Comments.	Consultation with NGOs.	4 hrs	Legislative Assistance Division	Members Secretary PD	
		Review and send comments.	15days	Legislative Assistance Division	Members Secretary	

LAD Programme Objective 2: To work with HMG to ensure that the national legislations are in compliance with international treaties.

<b>Intervention 1</b>	<b>Activities</b>	<b>Sub activities</b>	<b>Duration</b>	<b>Responsibilities</b>	<b>Supporting Activities</b>	<b>Outcomes</b>
Conduct thorough review of the HMGs policies including the Draft Relief Policy, ensuring that the policies are in compliance with the GP and other international HR instruments.	Prepare Draft Report with recommendations	<ul style="list-style-type: none"> <li>- Review of national legislations in the priority areas to identify the gaps / inconsistencies in the legislation.</li> <li>- Collection and use of the available research findings of other agencies.</li> </ul>				Review of Report Good Participation/ Consultation/Number of Feedbacks from stakeholders/ Changes in the reports/ number of recommendations to HMG
	Sharing of the draft priority list with key stakeholders including	Circulation of draft.	1 days	Legislative Assistance Division	Operation Division	

	displaced people.	Meeting with stakeholders, including HMG ministries, to discuss the draft.	3 hrs	Legislative Assistance Division	Members Secretary PD
		Finalization and submission of recommendations to HMG.	4 hrs	Legislative Assistance Division	Members Secretary

### STRATEGIC OBJECTIVE 8

***“To transform the image of the organization by increasing its efficiency (managerial and technical) and acceptance across all sections of Nepalese society.”***

**Intervention: Capacity development among NHRC’s staff on IDPs**

Activities	Duration		Responsibility	Outcome/Output
	Start	Finish		
Staff training on: - the experience of other NHRIs and international actors on addressing IDPs’ issues - particular IDP problems emerging from monitoring and case handling - IDP specific monitoring and investigation skills	Jan	Jun	Training team, IDP desk	Enhance capacity of NHRC staff to implement IDPs activities in the workplan in accordance with mandate
Internship (to be elaborated by the Acting Secretary)	Immediate		Acting Secretary	Advise/Assistance/Analysis
Staff exchange of IDP focal points among APF members	Feb	Mar	Acting Secretary and IDP desk	NHRC’s policy and workplan strengthened through lessons learned from other NHRIs’ experience with IDPs