

Report of Fact finding Mission on Displacement of Children from Humla

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Researchers

Advocate Meera Dhungana

Advocate Basant B. Basnet

Ms. Uma Rai

Mr. Rameshwar Pradhan

unicef 

UNICEF, Nepal

Forum for Women, Law and
Development (FWLD)



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1. Background

Children from the various Village Development Committees in the Humla district are being sent to Kathmandu and to different places in India. This has been happening for around 10 - 12 years with the aim to provide the children with free education. This information was ascertained in the third week of December 2004. It was collated by the participants of Humla who were taking part in the Training Of Trainers (TOT) for a paralegal program (organized by UNICEF and FWLD). This took place in Nepalgunj. After a long discussion in the program of TOT, it was agreed that the reality of the situation needed to be investigated. Consequently, Advocate Meera Dhurghana, (Coordinator of Legal Cell, FWLD) and Advocate Basanta Bahadur Basnet (Legal Research Officer) visited Humla from the 29th December 2004 to the 1st January 2005 to collect the facts about the incidents. Mr. Rameswar Pradhan (Coordinator of DACAW) and Uma Rai of UNICEF assisted the fact-finding team to collect information from the guardians, VDC secretaries, CDO and other concerned persons and institutions.

UNICEF Humla also conducted a public hearing on these issues on the date by the 2nd week of December, 2004. During the public hearing, it was found that more than 300 children from Humla had been sent to Kathmandu and India. Almost all of the girls were being sent to India whereas the boys were being sent to Kathmandu.

The name of the organization, involved in the taking of children from Humla is, Humla Orphan child development center, Dala Bahadur Phadera (DB Phadera) is the Chairman of this organization. It is registered in the district administering office of Humla. However, they do not have an Office or contact place in the Humla. It was found that the parents who want to send their children out of Humla have easy access in communication with DB Phadera. However, parents of children who have already been sent to Kathmandu or India, find it very difficult to contact or meet with DB Phadera concerning the whereabouts or further information on their children.

2. Objective of Mission

The objectives of the fact-finding team were as follows:

- To collect the facts about the children being brought out of Humla.
- To know the reasons for taking the children out of Humla.
- To find out the opinion of guardians involved.
- To know the procedure of bringing the children out.

- To know the initiatives taken by the local administration and their involvement in the process.

3. Methodology

The team carried this out as follows:

- Interview and discussion with concerned agencies and persons (CDO, IDO, Guardians, Secretary of VDC)
- Meetings (Village Facilitators, Villagers, Relatives of the children)
- Informal discussion (In the tea shop, Market, School etc.)
- Collecting the documents and analysis from government, non-government institutions and guardians.

4. Limitation of the Mission

Humla is in the far Northwestern region of Nepal bordering the Himalayas. Due to the location of the Humla district, the weather conditions during the winter season are very harsh, stopping all transportation. When the team went to investigate in the region, snow was beginning to fall. Because of this, they had only 4 days in which to conduct their mission before it became too difficult to flight out. Children are brought from various VDC's located in remote areas. It was not possible to visit all VDC's concerned, because of political and geographical complications. Therefore, the study was based primarily in **Sandhu VDC**, which is the headquarters of the district. During the mission, members of team worked with a low profile, which helped them to maintain confidentiality about their visit and the objectives of the mission.

5. Major Findings

The team collected relevant documents from government offices such as the CDO and the Women's Development Department. During the study, the team obtained some essential information from the guardians of the children and people's opinions about the issue. Photos were also obtained. According to the interview and discussion with the government officials, guardians, secretaries of VDC, general people and village facilitator of UNICEF living in villages, the following information was collected:

- Children from **villages VDC's of Humla** have been sent to **Katmandu and India**.
- Guardians have no information regarding their children once they have been taken from Humla.

how much?

- The person who is taking the children out is taking money from guardians.
- No certificates had been taken from the school where children have studied in Humla.
- Government officials (like CDO, IDG, WDD) have not been informed about the current location or situation of the children that where taken.
- All required documents are prepared and legal and administrative procedures are fulfilled.
- Government officials had prepared false death certificates of alive parents.
- Humla Orphan child development Center (NGO bringing children out of Humla) has no office in Humla.
- The person involved in bringing the children out of Humla did not want to meet the fact finding team, even at the request of the CDO.
- Sunsari Border (Which is more than 200 KM. from Nepalgunj Airport) has been used to send children into India, whereas Nepalgunj Border is only 4 KM away from the Airport of Nepalgunj, where the children come though from Humla.
- The names of some of the children have been changed and pseudonyms used. However Local administration are providing approval of the use of pseudonyms.
- Guardians were asked for money when they wanted to meet their children. ✓
- Only a few children are able to meet guardians sometimes.
- Guardians are not able to meet concerning organizations or individuals.
- District administration office has been giving approval even though there is a lack of required documents relating to scholarship programmes mentioned in application.
- There is a lack of required documents relating to the scholarship of the children who have been taken.
- 20 children are in a waiting list in the CDO office (Humla) awaiting approval from the government authority.
- The information collected indicates that the organization conducting the taking of children from Humla is in direct violation of the constitutional and international convention of children's rights.

6. Facts collected through meeting with Facilitator

Study team members conducted the meeting with village facilitators of UNICEF who are working in rural region area of Humla.

The following persons participated in the meeting:

- Kalpara Rai, Village Facilitator, Sirokot
- Sushila Rokaya, Village Facilitator, Sirokot
- Lkpa Kori Lama, Village Facilitator, Muchu
- Babar Jung Tamal, Village Facilitator, Chipra
- Suryamani Bohara, Village Facilitator, Thehe
- Binod B.K., Village Facilitator, Dadafaya
- Pasani Tandup Lama, Village Facilitator, Khugai Gauri
- Rameshwar Pradhan, DACAW, UNICEF-Humla
- Uma Rai, UNICEF-Humla
- Meeta Dhungana, Advocate, FWLD
- Basanta Bisent, Advocate, FWLD

Village facilitators explained about the numbers of children being taken out of Humla and briefed the group about the relevant village development committees.

According to village facilitator of relevant villages, The following VDCs were mainly affected from the incidents:

- Chipra VDC-8 Children (3 girl, 6 boy)
- Muchu-24 children (12 boys, 12 girls)
- Sirokot-20 children (3 boys, 13 girl)
- Thehe 20 children (13 boys, 7 girls)
- Lali - 4 children
- Ray Gumbendi- 5 children

Apart from the above village development committees, there were also children from Streeragi, Sekta, Dadafaya and Gale being brought out of Kamandu and India. This data was collected only based on direct information from the VF (village Facilitator) and there may be bigger numbers of childrens being brought out, unknown to the current investigation. According to data bahadur Jadera, more than three hundred children have been sent to Kathmandu and India. Village facilitators said that not all children had been

sent to Kathmandu but some of them are sent to India through the Sustaul border whereas Nepalgunj border seems more logical. Furthermore, only girls are being sent to India. Guardians of the children complained to VJ that they were unable to meet their children or find out the situation of their children. This information is not transparent. Dola Fadera told the guardians, when they asked him about the children, that they have been admitted in some renowned school in Kathmandu such as galaxy, Little angels, purpanah, but mostly girl some schools which are established by foreign citizenship. Dola further answered the questions and said that almost all the girls are sent to Madras and admitted to Michael job memorial education and medical institute. This information was collected during the meeting with the village facilitators of UNICEF who had informally questioned Dola Fadera.

7. Meeting with the Guardians

Secondly, members of the mission had conducted the meetings with the guardians of the children formally and informally. Guardians had provided different accounts and experiences and information with the study team.

Hira Bahadur Shahi, Hildung, Simikot

Hira Bahadur Shahi informed the team that he was hoping to send his daughter in the near future. Dal Fadera had asked him to raise a total of Rs. 16,000.00 (in order to send his daughter out from Humla). At present Hira has collected rupees 7 thousand and has a further 3,000 Rs to collect for DB. In accordance to him, his daughter, Anurupa is reading 2 class and she is 9 years old.

Dal Fadera informed him that the recommendation letter, written by the VDC and CDO office will be sufficient to send his daughter to Chinnu (Madras) for studying, therefore further certification would not be necessary. DB further informed him that the employees and teachers are all women in the school that his daughter would go to.



Bhakta Shahi, Hildung, Simikot

Bhakta Bahadur Shahi who is living in Hildung wanted to send his daughter for study some time ago. Due to the lack of Rs 10,000, which was demanded by Dal Fadema, he was unable to do this. At present he has changed his mind and does not want to send his daughter for study. He expressed his grievances regarding the government based school (Community based school) which has poor quality of education for its students. Despite this, he is not ready to send his daughter for studying through Dal Phadera in an unknown place.

He was also surprised that many people want to send their children by spending Rs 10-15 thousand throughout Nepal. He also informed the team that six boys and 5 girls have already been sent and so many children have already been sent from yard 9 of Hildung VDC.

Bishnu Bohara, Thehe VDC

Bishnu Bohara told the fact finding team that a lot of children had already gone and so many children are preparing to go throughout this VDC, which can be reached after 4 hours walking from the central office of Humla District Office (Simikot). Bishnu Bohara also sent his son and daughter by means of Dal Phadera, respectively 7 years old Kesh Bohara and 4 years old Sumita Bohara. He sent his child with his father named Bishnu Bohara. In that situation two sons of Parimal Bhandari have also been sent together with his daughter. Bishnu himself bought four tickets for the four children due to the extreme poverty of Parimal Bhandari. He also sent 25000 Rs with his father for his own journey expenditure.

Khadga Pariyar, Thehe VDC

According to the Khadga Pariyar, he sent his eight-year-old child to Kathmandu for study through Chakra Phadera who is the elder brother of Dal Phadera and is the Former Vice President of DDC (District Development Committee).

Existing member of parliamentarian Rajendra Pandey helped him to keep his child at a school in Bhaktapur. He further mentioned that he himself met his child once, two years ago (2003). But he has forgotten the school's name and place, since then he has not contacted or met his child. Khadga further informed the team that before sending his child he had requested recommendation letters from the VDC and the CDO who had later granted him these documents, following this his child had been sent to Kathmandu.

Bhai Bahadur, Thehe VDC

Bhai Bahadur also told of his story, his son was sent to Kathmandu six years ago. Now he has no contact with his child. Bhai Bahadur suspects a foreigner may have taken his child as he is unable to contact his son, having spent around 9 hundred rupees trying to telephone without success, and cannot seem to meet his son in Kathmandu. So he has become extremely worried. Currently he is worried and concerned about the situation of his child. Bhai Bahadur also spoke of the son of Gam Bahadur Bhandari who was taken from humla with his own son.

Gam Bahadur Bhandari comes from Kharbunath VDC and was not there to talk of his

situation, however Bhai Bahadure relayed the information that Gan's son has also disappeared and there is no information given to Gan.

Punti Rokaya, Thehe VDC, Humla

Punti also informed the team that she had sent her 9-year-old daughter named Japu Maya Rokaya. However her daughter's real name was changed and she is now called Tina Rokaya. Puntis has been informed that her daughter is reading in class one in Chenzai (Madras, India). She was sent in Pasah 17, 2000 (1st January 2004) by means of Dal Phadera. At the time of sending her daughter, 7000 Rupees and a plain ticket to Nepalgunj had been given to Dal Phadera by Puntis.

Dal Phadera had managed communication (by telephone) between Puntis and her Daughter - at that time someone was prompting her Daughter on what to say.

Before sending her daughter, the CDO and the VDC provided the required recommendation letters to Dal Phadera. These documents were sent with the daughter to India.

Jasu Rokaya, Simikot

According to Jasu Rokaya, her daughter, Sarjita Rokaya, was sent with another child in April/May 2004 from Humla. Dal Phadera told her daughter is residing at Michele Job Memorial Educational and Medical Institute at Chennai (Madras). Dal Phadera gave Jasu a photo in which her daughter is standing in front of a school. Dal Phadera arranged contact to her child on Pasah 9, 2000 (24th Dec 2003). Dal Phadera also informed Stiyam Rokaya (the father) to visit his daughter during the month of Magh (Jan/Feb 2005).

Jata Phadera further informed Jasu, that her daughter's name (Sarjita) had been changed to Saily. During the telephone conversation, Sarjita, requested to her mother to come and



Guardians in Simikot sharing their problems with research team.

visit him. In the same way Bhali Pokhaya (mother of Janti Pokhaya) also said that her daughter's name had been changed from Sunita to Rina. Expressing her concern that she was unable to meet or communicate with her daughter, Dala Pradera had provided a photo of her daughter. After sending their daughters a lady named Janti Bai came with Dal Pradera to Humla. Janti was introduced to the guardians as the teacher of the school in India, where their children had been sent. The recommendation letter from the VDC and the CDO had gone with the child, but there was no certification from the school sent with the children.

When the team asked the Guardians how much money they had given, for their child to be taken from Humla, they were not willing to clarify the actual amount given to Dala Pradera. However they told the team that they had given money for travel expenditure and the plain ticket to Nepalgunj.

While talking to the local people it was established that the guardians had paid more to Dala Pradera than what they were telling the team.

Bir Man Sumar, Thehe, VDC

Bir Man Sumar informed the team, that he also sent his two sons, named Kurva Sumar and Bina Sumar with Dala Bahadur Pradera to Kathmandu two weeks ago. He spent Rs. 20 thousand at that time. He expressed that he wanted to contact his sons but he was denied, he was given no information and is confused and irritated. Later he wants to go to Kathmandu to find out information about his sons.

Bikram Bhandari, Thehe VDC

Bikram Bhandari informed the team that his son (Machhe Bhandari) now changed to Manish) was sent 6 years ago (Date: 1998) with Kali Bahadur Bhandari from Humla to Kathmandu, Ram Bahadur and Gan Singh where 2 other children also sent with Machhe Bhandari - they are also now missing however the team did not meet with their parents. Once in Kathmandu, Chakra Bahadur Shahi (ex-parliamentarian member) arranged admission of the children to Bal Mandir (a government organization)

From Kathmandu, Machhe was sent to a foreign country through Bal Mandir. This information was relayed to Bikram, 3 years ago (Date: 2001) by a member of Bal Mandir when Bikram came to Kathmandu looking for his son.

When Bikram came to know that his child was sent to another country he requested to meet with his son but the staff of Bal Mandir said that Bikram had to pay Thick money for this to be arranged.

Bikram explained to the team that the CDO and VDC had prepared a recommendation letter stating that Machhe Bhandari's (Bikram's son) parents were Dead. This was false information.

Bikram would like to meet with his son but is unable to - he expressed anger about this situation.

Only Kali Bahadur had the information on Bikram's son, however Kali is now dead and Chakra does not know the information so there is no way of finding out about the child.

Haskala Bohara, Simikot

Haskala informed the team that her two sons, named Nimesh and Anil (10 & 8 years old) were sent to Kathmandu seven months ago (May 2004). Haskala heard from Dal Phadera that her sons were in Gansala, Kathmandu. However, she has not been able to visit them. On one occasion she was able to speak with her sons on the telephone. She spent 5000 Rupees (3000 per child) additionally Haskala purchased the plain tickets for the children to fly to Nepalgunj.

Lal Kala Bohara, Simikot

DB told Lal Kala Bohara, that her daughter, Nani Maya Bohara 8 years old, was kept in Maniccha, Kathmandu, brought there 7 months ago (May 2004) by Dala Phadera. Lal Kala has been given no other information on her daughter for seven months. Lal Kala did not specify the amount but told the team that she sent some money with Dala Phadera, and Dal phadera told Lal that her daughter would be taught without fee.

Keskala Raut, Simikot

Keskala informed the team that her daughter, Hira Kala Bohara (8 years old), was sent to Kathmandu with Nani Maya Bohara (May 2004). Nani Maya's father had accompanied the 2 children in Kathmandu. He left both children at Maniccha in Kathmandu. Presently Keskala only has a photo of her daughter to remember her by – there is no information given Keskala. Keskala hopes that her daughter is in a better condition wherever she is.

Padam Bahadur Rawat, Simikot

Padam Bahadur Rawat informed the team that Dala Phadera had arranged a telephone communication with his sons on the 28 May 2005 (1st Dec 2005). Dal Phadera facilitated the telephone connection. Dal Phadera told Padam that his sons, Dharendra and Surendra are respectively 9 and 12 years old, are reading LKG and One class at Gansal school. No school certificate was sent with the children when they went to Kathmandu.

Padam was extremely concerned about the real situation of his sons. As no evidence or confirmation has been made know to him.

Padam would like to know the true situation of his sons if the fact-finding team could please inform him if they find out.

Ron Bohara, Kharpu Nath VDC Humla

Ron Bohara (Brother in law of Haska) told the team that 10 years old Harka Bohidar was brought to Kathmandu in 2001 (1994) by Dala Phadera. Ron said that Gani Sing Bhattacharya



Children of Humla

(Harka Dethor) has been looking for his son for a long time but has not found any information about Harka.

The guardians only have one photo of Harka. They are all extremely worried about Harka.

8. Meeting with VDC Secretary

According to the working schedule, Fact Finding Group made the program to visit secretaries of Simikot and Theke VDC. Unfortunately, group could not meet secretary of Simikot. Secretary of Theke VDC informed fact-finding group that he has used to provide the recommendation in accordance to the request of guardian. He accepted that he has provided the recommendation in accordance to the criteria for carry out the children from Humla. He indulged the interesting (seriousness) matter that some of the secretary of Humla District used to provide the recommendation of organ even when his father and



A member of research team asking queries to VDC's secretary

mother is alive. However, he did not accept to have provided such recommendation by himself. Guardians said that secretary of Theke VDC has also used to provide such recommendation of organ even when his father and mother are alive.

9. Consultation with CDO

This research group discussed in depth, the issues in question, with the Chief District Officer Krishna Prasad Paudel of Humla District on the 31st December 2004 at the office of CDO. He informed the team that he has regularly given recommendation letters concerning the children to Dala phudra to assist in their movement, after the completion of the overall process. Krishna Prasad noted that the parents of the children being sent

expressed anger towards him if he did not prepare recommendations letters for these 20 kids.

During the discussion, Krishna Prasad Paudel, Chief District Officer expressed that almost 60% has to be done in the basis of local situation in Humla. He was not serious about the issues at that time. He said that we could not stop and interfere the children who are sending out from Humla to protect them from critical and conflict situation. Fact-finding Team has made some queries about the situation of children sent out from Humla. Unfortunately, he was not able to provide any information about the children who have already been sent to Kathmandu and India due to the lack of regulatory mechanism.

This Fact finding team informed Krishna that the guardians of the displaced children want to meet their children. Krishna said that no complaints or grievances had been made known to him from any guardians about the meeting or concern of the children who had left Humla.

He pointed out that around 20 children were currently waiting leave Humla. This was known because Krishna had been applied by Dala Phadera to prepare the final letter of recommendation for these 20 children (the final stage in the recommendation process). In the application letter, Dala Phadera had mentioned about scholarship provided by Michel (de) Memorial Institute (Tamil Nadu, India) for free education to the girls, however there is no relevant documents attached in the application.

This fact-finding group suggested to the CEO that they should first, discover the condition and situation of the children who have already been sent out from Humla, and to publish this information once collected. Following this, recommendation letters should only be prepared if necessary. After a long discussion with CEO, he wanted to arrange for the meeting with Dala Phadera, but it was not possible. However, he provided telephone no. N. Dila Phadera (4237828 and Mobile No. 98510-78736) and Reg. No. 80/2050-159 of Humla Orphan Child Development Center which was registered in Humla District Administration Office.

10. Meeting with President of District Development Committee

A meeting was held with Shree Mira Mani Pokharel (DDC president). The major objective of the meeting was to collect further information about the condition and status of children who have been sent out of from Humla and who are waiting to be sent. Shree Pokharel was unknown about the issues and he was informed about the displacement of children by the fact-finding team. After receiving information about the issues, he agreed that it is the issues to be intervened by district administration, children right organizations and other concerned agencies otherwise it will be more dangerous and harmful for the Humla societies.

11. Challenges

Humla is a remote Himalayan district of Nepal which is backward in various aspects. Due to the harsh conditions of the land, poverty and illiteracy, life is very difficult for the inhabitants of this district. Some persons/organization including Himalayan Bad Bikar Kendra are bringing many children out from Humla. To stop the process of taking of children from Humla is a very difficult task and following challenges have been brought

to the attention of the fact finding team during this initial investigation in the district

- Poverty and illiteracy
- lack of awareness of local administration
- The peoples lack of awareness.
- No legal procedures have been adopted to know about the children sent out from Humla.
- There is no office established in Humla by the NGO involved in the movement and placement of the children from Humla.
- Many people suffering from various type of problem due to conflict have no alternative except sending their child out from district.
- All schools are closed due to conflict so the guardians believe they have no alternative.

12. - Conclusions

More than three hundred children have been sent to Kathmandu and India from various village development committees. Himali Dephan Child Development Center is the name of the NGO directly involved with this movement of children from Humla. This organization is taking children out of Humla while collecting money from the guardians with the promise to provide the children with free education. The local administration authorities in Humla assist in this movement of the children by preparing required documentation regarding the children. They also grant approval for the organization in question, to send children to Kathmandu and India. These authorities are not requesting information on the children - either before or after providing the documents. Neither the government administration nor Himali Orphan Child Development Center is giving required information to the guardians of the children who have been taken.

Most of the Guardians wish to meet with their children who have been sent out of Humla. They also wish to be informed about the situation of their children. Due to the circumstances and lack of information provided, the guardians are extremely worried and concerned for their children.

They are facing 'Mental Torture' because of it.

Data Bahadur Fadera who is the president of Himali Orphan child Development Center is a younger brother of Chakra Bahadur Phadara, (ex -vice president of DDC Humla). Chakra has also brought some children to Kathmandu with the promise of free education. Another political leader Chakra Bahadur Shahi (an Ex MP of Humla) had also been involved in the management placing of some children who had been taken from Humla. (Not connected to the Himali Orphanage NGO)

13. Recommendation

The Fact-finding team has given the following suggestions after the field visit:

- a. The real information should be provided to the guardians of the children who have been sent out of Humla.
- b. The overall process of placement of children (including scholarship program) should be transparent.
- c. The government administration should initiate to make much responsible to such institution or person who are doing such works for providing the sufficient information of those children who have been already carried out from Humla district, adopt the appropriate process by taking such serious consideration.
- d. Getting real situation of children, if it is found to have misused of those children, such institution and concerned person shall have to be punished in accordance to the law.
- e. The recommendation process should be closed until and unless clear condition and status of children who have already been sent, will be provided.
- f. Awareness program with the district administration officer, women development division, and other concerning institutions/persons along with guardians of potential children should be conducted.

Due to the number of children being brought by Dala phadera - information on the children's whereabouts and photos of the children should be collected so the correct information can be given to the parents. In addition, full profiles can be documented so no child is lost or forgotten.