

Report of Fact finding Mission on Displacement of Children from Humla

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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 Nepalganj. 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 Dhungana, (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 concerning persons and institutions.

UNICEF Humla also conducted a public hearing on these issues on the date by the 1st week of December, 2004. During the public hearing, it was found that more than 300 children from Humla had been sent to Katmandu 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: Himali Orphan child development center. Dala Bahadur Phadera (DB Phadera) is the Chairperson of this organization. It is registered in the district administrating 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 to communications with DB Phadera. However, parents of children who have already been sent to Katmandu 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, LDO, 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 Simikot 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 issues. 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 various VDC's of Humla have been sent to Kathmandu and India.
- Guardians have no information regarding their children once they have been taken from Humla.

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- 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, LDO, WDD) have not been informed about the current location or situation of the children that were taken.
- All required documents are prepared and legal and administrative procedures are fulfilled.
- Government officials had prepared false death certificates of alive parents.
- Himali 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.
- Sunauli Border (Which is more that 200 KM. from Nepalganj Airport) has been used to send children into India, whereas Nepalganj 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 remote area of Humla.

The following persons participated in the meeting:

- Kalpana Raut, Village Facilitator, Simikot
- Sushils Rokaya, Village Facilitator, Simikot
- Lkpa Kop Lama, Village Facilitator, Muchu
- Babar Jang hamal, Village Facilitator, Chipra
- Suryamani Bohara, Village Facilitator, Thehe
- Binod B.K., Village Facilitator, Dadafaya
- Pasand Tundup Lama, Village Facilitator, Khagal Gaun
- Rameshwar Pradhan, DACAW, UNICEF-Humla
- Uma Rai, UNICEF-Humla
- Meera Dhungana, Advocate, FWLD
- Basanta Basent, 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-9 Children (3 girl, 6 boy)
- Muchu-24 children (12 boys, 12 girls)
- Simikot- 20 children (3 boys, 13 girl)
- Thehe 20 children (13 boys, 7 girls)
- Lali - 4 children
- Ray Gaunbeshi- 5 children

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

sent to Katmandu but some of them are sent to India through the Sunauli border whereas Nepalgunj border seems more logical. Furthermore, only girls are being sent to India. Guardians of the children complained to vf, that they were unable to meet their children or find out the situation of their children. This information is not transparent. Dala fadera told the guardians, when they asked him about the children, that they have been admitted to some renowned school in Katmandu such as galaxy, Little angels, puspanhali, bal mandir and some schools which are established by foreign citizenship. Dala 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 vacilitators of UNICEF who had informally questioned Dala 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 has asked him to raise a total of Rs. 10,000.00 (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 Chennai [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.



Research team having informal talk with guardians of children in Hildung, Humla

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 Fademra, 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 though DB 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 6 girls have already been sent and so many children have already been sent from ward 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 thought-out 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 Kesi Bohara and 4 years old Sunita Bohara. He sent his child with his father named Balabir 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 Parami 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 though 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 schools 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

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

Puntu Rokaya, Thehe VDC, Humla

Puntu also informed the team that she had sent her 9-year-old daughter named Joga Maya Rokaya. However her daughters real name was changed and she is now called Tina Rokaya. Puntu has been informed that her daughter is reading in class one in Chennai (Madras, India). She was sent in Paush 17, 2060 (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 Puntu.

Dal Phadera had managed communication (by telephone) between Puntu 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, Sanjita Rokaya, was sent with another child in April/may 2004 from Humla. Dal Phadera told her daughter is reading 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 Paush 9, 2060 (24th Dec 2003). Dala Phadera also informed Styam Rokaya (the father) to visit his daughter during the month of Magh (Jan/Feb 2005).

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



Guardians in Simikot sharing their problem with research team.

visit her. In the same way Bhali Rokaya (neighbor of Jasu Rokaya) also said that her daughter's name had been changed from Suna to Rima. Expressing her concern that she was unable to meet or communicate with her daughter. Dala Phadera had provided a photo of her daughter. After sending their daughters a lady named Juneli Rai came with Dal Phadera to Humla. Juneli 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 Phadera. However they told the team that they had given money for travel expenditure and the plain ticket to Nepalgarj.

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

Bir Man Sunar, Thehe, VDC

Bir Man Sunar informed the team, that he also sent his two sons, named Kumva Sunar and Bisna Sunar with Dala Bahadur Phadera 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 (Machche Bhandari now changed to Manish) was sent 6 years ago (Date:1998) with Kali Bahadur Bhandari from Humla to Kathmandu. Ram Bahadur and Gam Singh where 2 other children also sent with Machche 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 addition of the children to Bal Mandir (a government organization)

From Kathmandu, Machche 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 2Lack rupies for this to be arranged.

Bikram explained to the team that the CDO and VDC had prepared a recommendation letter stating that Machche 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.

Case study

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Haskala Bohara, Simikot

Haskala informed the team that her two sons, named Nikesh and Anil (10 & 8 years old) where sent to Kathmandu seven months ago (May 2004). Haskala heard from Dal Phadera that her sons where in Gausala, 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 6000 Rupies (3000 per child) additionally Haskala purchased the plain tickets for the children to fly to Nepalgarj.

Lal Kala Bohara, Simikot

DB told Lal Kala Bohara, that her daughter, Nani Maya Bohara 8 years old, was kept in Matatirtha, Kathmandu, brought there 7 months ago (May 2004) by Dal 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 Dal 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 (9 years old), was sent to Kathmandu with Nani Maya Bohara (May 2004). Nani Maya's father had accompanied the 2 children to Kathmandu. He left both children at Matatirtha at 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 Dal Phadera had arranged a telephone communication with his sons on the 26 Marg 2061 (11th Dec 2005). Dal Phadera facilitated the telephone connection. Dal Phadera told Padam that his sons, Dharendra and Surendra are respectively 10 and 12 years old, are reading LKG and One class at Galaxi 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 Harka) told the team that 10 years old Harka Bahadur was brought to Kathmandu in 2051 (1994) by Dal Phadera. Ron said that Gam Sing Bhandari



Children of Humla

(Harka farther) 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 Thehe VDC. Unfortunately, group could not meet secretary of Simikot. Secretary of Thehe 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 accordant 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 orphan even when his father and



A member of research team asking quiriies to VDCs secretary

mother is alive. However, he did not accept to have provided such recommendation by himself. Guardians said that secretary of Thehe VDC has also used to provide such recommendation of orphan 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 phadera 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 prepared recommendation letters for their child.

During the discussion, Krishna Prasad Paudel, Chief District Officer expressed that almost work 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 to 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 quarries 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 Kathmanu 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 know 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 Job 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 CDO 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 CDO, he wanted to manage for the meeting with Dala Fadera, but it was not possible. However, he provided telephone no. of Dal Phadera (4257828 and Mobile No. 98510-78736) and Reg. No. 80/2050-059 of Himali 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 Mitra 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 concerning agencies otherwise it will be more dangerous and harmful for the Humli 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 'Himali Anath Bal Bikas Kendra' are bringing many children out from Humla. To stop the process of taking of children from Humla is a very difficulty 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 Katmandu and India from various village development committee. Himali Orphan 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.

Dala Bahadur Fadera who is the president of Himali Orphan child Development Center is a younger brother of Chakra Bahadur Phadera, (ex -vice president of DDC Humla). Chakra has also brought some children to Katmandu 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 Orphan 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.
- 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 phaders - 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.