

Funding Problem in National Human Rights Commission

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The National Human Rights Commission is inadequately funded even in 2004. For any organization to be effective and credible, it must have appropriate financial support. In the case of the Commission, that support should be provided primarily by the Government itself. The Commission is working amidst the growing scarcity of government funding. In fact, the initial set up cost that was given to the Commission was just Rs. 1,300,000. The budget for the first year was only Rs. 5,664,000. It shows the poor estimation of the cost of setting up and operating a new organization. Apart from regular monitoring and investigations of conflict-related human rights violation, the Commission has always been short of money to carry out its essential human rights functions, which include the selective scrutiny of legislation, advice on test cases and individual queries and on human rights issues; formal inquiries and investigations; research and policy coordination; press and media promotion, and support

services. All these issues require a good quality of work demanding a specialist's expertise. There is also a need of budget for externally contracted work, and generous contingency provisions.

The approach of the Government was same in the second year as well. The fund allocated was only Rs. 5,029,409 - even lesser than the amount that was provided in the first year. In the third year, there was some increment. The amount disbursed this time was Rs. 5,535,100. For the present fiscal year, this has been increased to Rs. 7 million. However, according to its Strategic Plan, the Commission anticipates that the Government will provide it with 6,300,000 Nepalese Rupees (US\$85,290) per year until 2008. On the other hand, the Commission estimates that over the period 2004-2008, its operations will cost between 38,680,000 Nepalese Rupees (US\$523,657) or 64,830,000 Nepalese Rupees (US\$877,680) per year. The figures above clearly point to a massive disparity between the Commission's running costs and the Government's planned spending.

Opinions would differ quite legitimately on priorities and strategies. But the Commission now has a Strategic Plan (2004-2008) with clear-cut priorities and interventions. Furthermore, the potential for growth in the days ahead is very considerable. The government had never carried out any study about the detailed costing based on the structure of the Commission with the addition of some specific activities that do not naturally fall within the main operating sections. In the same vein, the explanations of the Commission staffs for additional fund or resources were also never

positively considered. The fault really lies on the feeling that there are other competitive priority issues for the Government, and the issue of human rights protection and promotion is not a significant issue at the moment.

If the Strategic Plan is to be implemented, there is no doubt that the Commission will have to rely on foreign donors to provide much of its financing, and the Strategic Plan has been formulated on the basis that this will continue to be the case. The Commission is already working with UNDP, the British, Norwegian, and Danish governments and the European Commission to cater to its most

urgent needs. While the Commission would be unable to function without the support of foreign donors, its reliance on this form of funding creates further complications. They do not help create a policy approach for the Commission that is comprehensive and coherent in the long term. Specifically, problems arise because donors often link funds to a specific program or

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purpose rather than donating the funds to the Commission and then allowing the Commission to determine where its resources are best allocated. Moreover, even the programs over which the Commission has control - those funded by the Government - budgetary constraints have meant that the Commission has been forced to adopt a "short-term" and non-systematic approach to human rights policy. The Commission thus finds itself in an unenviable position: it needs donors' funds to supplement the Government's inadequate funding, but the donors' funds limit the Commission's independence and long-term planning and create a culture of "donor dependency."

The funding issue is a very pervasive issue. There are always some controversies associated with it. But in any case, this funding should be provided directly and unconditionally; if the Commission is to be truly independent, the Government should not order the manner in which this funding is to be used. If the Commission is to flourish and succeed, its present funding arrangements cannot continue. Foreign donors should contribute aid to the Commission as unconditionally as possible and the Nepalese Government should increase the level of funding provided to the Commission. Moreover, the nations and organizations that have demonstrated their support for the Commission through their financial assistance should apply pressure on the Nepalese Government to provide the Commission with adequate funding as well. ■