

P8æf\$]L kmf]d dfgj clwsf/ / sfggl zf; gsf] lfd df sfd ug[u]; /sf/L ; :yf xf. ; g@))! df o; sf]:yfkf ePsf]xf]. :yfkf sfnb]v lj lefg lx/f; tsf]eð0f ub{xgblsf clwsf/sf]Joj xfl/s sfotf]j ogsf]cj :yf cgludg ub{xcfPsf]5 . kmf]dn] xfn gkfnsf !% lhNnsf #% eGbf a9L kx/L lx/f; tsf] b]gs eð0f u/L c; Qm / oftgf kll8tx;sf nflu lgMzNs sfggl ; xfof lb} oftgfsf]lj?4df lg/t/ j sfnt ub{xcfPsf]5 . oftgfsf]/f\$ydsf]nflu kèfj sf/L / :j tGq /fli6@ ; æqsf]j sfnt; d] kmf]dn]ub{xcfPsf]5 .

यातना रोकथामका लागि  
राष्ट्रिय संयन्त्रको स्थापना

यातना रोकथामका लागि राष्ट्रिय संयन्त्रको स्थापना

# निर्देशिका



एड्भोकेसी फोरम नेपाल



एड्भोकेसी फोरम नेपाल



यातना रोकथामका लागि  
राष्ट्रिय संयन्त्रको स्थापना

परिचय



k|tfjgf

o; cfn\ysf klf /fi6x, -=

oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj xf/ jf ; hfo lj?4sf] dx; lGwn]lglb6 u/\$f p2Iox, xfl; n ugI tyf :j t6qtfaf6 j l-rt ul/Psf JolQmx,nf0{oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj xf/af6 ; /lft /fvg cem c6o pkfox, cfj Zos 5g\efg] s/fdf lj Zj :t xB}

dx; lGwsf]wf/f @ tyf !^ n]k|o\$ klf /fi6mf0{cf^gf]lfgflwsf/df /x\$] e"efudf oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj xf/ tyf ; hfosf]/f\$yfd ug{k6fj sf/l pkfox, cj nDag ug{afll0 tNofPsf]5 e6g]:d/0f ub}

tl wf/fx, sfoff] og ug[kdV lhDd] f/l klf /fi6x,df g}/x\$] ; fy} :j t6qtfaf6 j l-rt ePsf JolQmx,sf] ; /lff ; b0 kfg]Pj d\ltglx,sf] dfgj clwsf/sf]k0f{cfb/ ug{; a\$] ; fem bflotj ePsf] tyf c6t/fi60 sfoff] og lgsfosf sfo, /fi60 pkfox,sf kl/k's x65g\; fy}tgnf0{ ; zQm agfp5g\efg]lglZrt ub}

ygj f=s0l /flvPsf :yfgx,sf]lgoldt ed0f ug]lg/fvTds k\$[tsf] u\6oflos ; 6qdfkft klG :j t6qtfaf6 j l-rt ul/Psf JolQmf0{oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj xf/ jf ; hfolj?4 ; /lff ; b0 agfpg ; l65 e6gdf lj Zj :t xB}

lgDgfg' f/ ; xdt ePsf 5gM.-=

oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj xf/ tyf ; hfo lj?4sf] ; 0Qm /fi6x3lo dxf; l6wsf] PIR5s cfn]y -cf]kLsof6\_ n]oftgf tyf c6o cdfgj lo Joj xf/ /f\$g] p2Zon] ; tGq lj z]f1x2sf] lgsfoaf/f agbl uxsf] lgoldt e0of tyf c]nfs\$g k0ffnlsf] :yfkfg u/\$f] 5 . PIR5s cfn]ysf] /rgffds b0f: tDelo k4ltn]/fHoklfnf0{k's /fi60 /f\$yfdsf]; 06q lgdff ug]bflotj k0fg ub5 .

kyfut -s:6d/L c6t/fi60 sfggdf /fHon]oftgfsf]/f\$yfd ug]kg]k]fj wfg 5 .<sup>2</sup> oftgf lj?4sf] dxf; l6wn] :ki6 2kdf kl/fi60]oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj xf/nf0{/f\$g k0fj sf/L pkfo c]n]dag ug]kg] bflotj tf\$3f]5 .<sup>3</sup> o; sf clt/Qm oftgf; Da6wl dxf; l6wn]oftgfnf0{ck/fw kl/eflift u/L sf/j fxl ug]tyf oftgfsf]dfl0daf6 ; 'rgf k]kt ug]{lgif]v ug] h:tf oftgf /f\$yfd tyf bl08t ug]6f nflu /fHo klfn]nfu"ug]kg]pkfo klg :ki6 kf/\$f]5 .

o; dxf; l6w c6tu6 u7g ul/Psf]oftgf lj?4sf]; ldltn]/fHo klfsf]k]k]ltnf0{ cfj lws 2kdf ; dliff ub5 . of]; ldltn] lj z]ft ; /sf/ tyf ux]; /sf/L ; :yfaf/f ; ldltsf]sfoffo h0p0fd lnlvtn 2kdf k2 ul/g]cf]krfl/s kl]tj 0gdf lge6 /x65 . To; k15 ; ldltn]h0p0fd /fHosf clwsf/L; 6 cf]dg] fdg]5nkm tyf ux]; /sf/L ; :yf; 6 5\$}5nkm ub5 . sg}sg}/fHo klfn]; ldltnf0{JolQmut ph/Lnf0{ ; d] lj rf/ ug]{Sg] clwsf/ lbPsf 5g\ o:tf ph/Lsf] hj fkm ; ldltn]h0p0faf6 lnlvtn 2kdf ; Dk]rof ub5 .

<sup>2</sup> ; 0Qm/fi6x3lo oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj xf/ tyf ; hfo lj?4sf]dxf; l6wsf] PIR5s cfn]y ; 0Qm /fi6x3sf]dxf; efa6 !\* l8; 0a/ @))@ df cgdfl]bt . UN Doc A/RES 57/199 nfu"ePsf]ldlt @@ hg @))^ .

<sup>3</sup> International Criminal Tribunal for the Former Yugoslavia, *Prosecutor v. Furundzija*, (10 December 1998), Case No. IT-95-17/I-T, Paragraph 148.

<sup>4</sup> oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj xf/ tyf ; hfo lj?4sf]dxf; l6w, ; 0Qm /fi6x3sf] dxf; efa6 ! ) l8; 0a/ ! (\*\$ df k]tfj g0a/ # (÷\$& sf]2 kdf cgdfl]bt, sfoff] ogsf]nflu ; ? ePsf] 0^ hg ! (\*& . x0xf] vj z]ft]wv/f @-! / !^ . To: t0/L x0xf] PIR5s cfn]ysf]k]tfj gfsf]t] f]jcgR50 .

; DalGwt dh'ssf]; j Ls[t ln0{pQm dh'ssf]clwg; y e"efudf ; ldltaf/f ed0f  
ul/Psf]lj /n}kf0G5 . dxf; lGw nfu"ePsf]@) j if{otf ; ldltn]dxf; lGwsf]wf/f  
@) adf]hd !\$! klf /fi6@Wb]hDdf % /fi6sf]dfq}hfFaem ed0f u/\$f]5 .\*

oftgf lj?4sf]dxf; lGwaf/f l; knfl/; ul/Psf yk}pkfo tyf oftgf lj?4sf]  
; ldltsf sfdsf afahb\oftgf tyf cGo cdfgj lo Joj xf/sf]c; / oBlk  
sfod 5 . t; y{/fi6x2n]kyfut -s:6d/L cGt/fli6@sfgg tyf dxf; lGwdf  
hgfPsf]k]ta4tfcg'2k cf^gf]bflotj k/f ug{; xof]ul xg]Joj xfl/s lj lw  
pknAw u/fpg]p27on]P]R5s cfn]y tof/ ul/Psf]xf]. o; kl/k]fdf, P]R5s  
cfn]yn]lj 1 tyf ; yfut / /fli6@ :t/sf clwsf/lalr Jofj xfl/s cfwf/ /  
/rgf]ds ; jfbsf nflu /fli6@ tyf cGt/fli6@ :j tGg lj 1x2af/f ygf:ynsf]  
lgoldt ed0f k0ffnlsf]Joj :yf u/\$f]5 .

oftgf; DaGwl ; @Qm /fi6x3sf lj z]f k]tj }sn]P]R5s cfn]y]sf] cfl}rTo  
lgDgfg; f/ JoVof u/\$f 5gM

k}fj sf/L cgludg tyf hj fknb}k]tfsf]cejf df lk8sx2 9Ss xg]/ To:tf  
Psf]t ygf :yndf oftgf / cdfgj lo Joj xf/ lg/Gt/ xG5g'eGg]cgej sf  
cfwf/df o; cfn]y]sf]cfl}rTo ; flj t xG5 . oftgf lj Zj Jofkl 2kdf ; Dk0f{  
sfggl Joj :yf tyf g]ts cfrf/; lxtf cGtu{ k0f{2kdf lgif]y ul/Psf]eP  
tflg of]Toxf]j Bdfg xG5 hxfFoftgfsf]cfb2 lbg]; xsdl{tyf pRr  
clwsf/ln]o:tf cEof; nfo{;jLsf/ ub5g]j f sldtdf klg nsfp55gV  
hxfFoftgf u{x2 Afflx/L ; f/af6 cnllof0sf xG5g\ oftgf kl8tx2sf]  
of t xTof ul/G5 j f olt; Dd wDSof0Psf]xG5 ls pglx2 cf^gf]cgej  
JoQm ug{; d] lxDdt ub5g\ kl8tn]oftgfaf/]l; sfot ul/xfn]klg  
pglx2nf0{zsf:kb ck/fwl, sfgglj /f]wL j f cft\$sf/Lsf]gfddf Psf]tdf

\* cGo ; fl]vfl]h klg ul/Psf]xg; S5 t/ tl uff]o 5g\

s]s]ul/of]e6g]kpf]0ft ug{hofb}sl7g kb5 . pglx;sf]lj Zj ; g]otfnf0{  
 clwsf/lx;n]; xh}gh/c6bfh ub5g\ t; y{ cfk/flws rqm tf}Pg]Pp6}  
 pkfo eg}sf]; fj h]lgs cj n}f}sgsf nflu ygf :ynx; b]v]fpg' / kx/L,  
 ; /lff tyf hf; ;L sd{f/l}sf]sfd ug]; Dk0f{k0ffnlnf0{afXo cgludgsf  
 nflu cem a9L kf/bzL{tyf hj fkm}xl agfpg' xf}.

PIR5s cfn]y k2t]sf]k]xnf]; tDesf]; kdf ; 0Qm/fi6x 3lo /f}syfd pk; ldt]sf]  
 ed0fsf]sfoqmd /xg5 -h; nf0{o; kl5 æc6t/fli60 pk; ldt]Æ jf æpk; ldt]Æ  
 elgg5\_ ° o; ; Gbedf PIR5s cfn]yn]nfd]; do; Dd o:t}sfodf cEo:t  
 oftgf lj ?4sf]o7f]k]hl ; ldt / c6t/fli60 /}q; ; ldt]sf]gd}gnf0{cj nDag  
 u/}f]5 .<sup>5</sup>

sg}klg /fi6sf] e"efusf] lj z]f ed0fsf nflu of] pk; ldt]n] klf /fi6sf]  
 :j ls[t lng cfZos 5g] lsgeg]klf /fi6m]PIR5s cfn]y cgd]f]g ubf}avt  
 :j t]l o:t]clwsf/ lbPsf]x65 . /fi6sf]e"efudf kj z ul/; s}kl5 c6t/fli60  
 pk; ldt]nf0{sg}klg agblu}sf]kx}F nufot :j t6q 3dlkm/ ug]tyf agblx; ; E  
 u]f]o c6tj f}f{[lng]clwsf/ x65 .

PIR5s cfn]y k2t]sf]bf] f]; tDe c6tu{sf]x/}s klf /fi6sf]/fli60 /f}syfd  
 ; 06qn]:yfglo txd] thgof]f]o k]ofel'ts ; fy ; dfg sfo{ug5 . PIR5s  
 cfn]yn]cfwf/et cfj Zostf klxrfg u/}f]eP t]klg o; n]; a)b}znf0{cf'gf]  
 kl/l:ylt cg; f/sf]/fli60 /f}syfd ; 06q tof/ ug{nrstf k}f]g u/}f]5 .  
 t; y{ PIR5s cfn]yn]lj Zj sf lj 1x;áf/f cfj lws ;kdf ul/g]k/Llf0fnf0{

<sup>5</sup> ; 0Qm/fi6x wlo oftgf lj z]f k]tj }ssf]k]tj }g, UN DOC. A/61/259 -!\$ cui6 @))^ ^, cgR5 }  
 ^& .  
<sup>9</sup> x}k}f] \wf/f @ tyf PIR5s cfn]ysf]efu @ / # .  
<sup>5</sup> oftgf tyf c6o qm, cdfgj lo jf ckd]ghgs Joj xf/ tyf ; hfo; Da6wl o/f]kog sld]6sf]yk  
 hfgsf/l}sf nflu x}k}f] \http://www.cpt.coe.int / }q; sf] c6t/fli60 ; ldt]sf]nflu x}k}f] \  
 http://www.icrc.org

/fli60 /f\$yfd ; 06qaf/f w}}7fpK2df lg/6t/ ul/g]ed0f; 6 ; 0fhg ub5 .  
 /fli60 /f\$yfd ; 06qnf0(gofFsfgg k|tfj ug{tyf lj Bdfg sfgg j f d:of0df  
 cf^gf]]j rf/ k|tt ug]clwsf/ 5 .

of]lgb]zsf sf kl5Nnf clwofox2n]/fli60 /f\$yfd ; 06qsf]:ykgf j f dgfgog  
 ug]qmdf /fli60 :t/df pTk6g xg; Sg]]j le6g ; j fnaf/]sfgg] tyf Joj xfl/s  
 ; 0hfj k6fg ug]5g\ o; lgb]zsf n]lg0g ; j fnx2sf]cj nff\$g ub5M

- k\$0fsf]kf/blztf tyf ; dfj zL
- p27o / sf06z
- :j foQtf
- ; b:otfsf cfwf/
- ed0fsf]k]ofelt / clwsf/
- ; 0hfj tyf sf06j og
- /f\$yfd ; Argf / /fli60 gful/s ; dfh
- c6t/fli60 :t/df /fli60 /f\$yfd ; 06q
- ; :yfut :j2ksf]rog

# राष्ट्रिय संयन्त्रसम्बन्धी निर्णयको प्रक्रिया

२

@=!	kl/ro	*
@=@	kf/blz{f / ; xeflutf	*
@=#	; ųgf	!)
@=\$	Pklólsf ; 'enfj	!!

**wf/f #**

k|o\$ klf /fli60]oftgf tyf c6o qm/, cdfgj lo jf ckdfghgs Joj xf/ jf ; hfosf]/f\$yfsf nflu /fli60 :t/df Ps jf w7}ed0fsf/L lgsfox, -o; kl5 /fli60 /f\$yfd ; 06q sf]:yfkgf, lgolQm jf Joj :yf ug5g\

**wf/f !&**

k|o\$ klf /fli60]of]cfny sfof]j ogdf cfPkl5 jf cgdff]g jf ; lDdng u/kl5 /fli60 :t/df oftgfsf]/f\$yfd ug{l9nfd klg Ps j if{eq Ps jf w7};j t6q /fli60 /f\$yfd ; 06qx, sf]Joj :yf, lgolQm jf :yfkgf ug5g\ ; lj s]b} 0sf0x, n]o; cfn]ysf kfj wfgx, ; E tfbDotf /xg]lsl; dn] :yfkgf u/\$f ; 06qx, nf0{; d] o; b:tfj ]hsf]kpf]hgsf] nflu /fli60 /f\$yfd ; 06qx, dflgg]5 .

**@=! kl/ro**

/fli60 /f\$yfd ; 06qsf]lgwf{0f ug5f nflu x/\$ b}zsf]klqmf km/s xg; Sg] eP tfklg To:tf]; 06qdf s}l tTj x, eg]; wF; df]j i6 ul/g' kb5 . klxnf] klqmf kf/bzl{xgk5{/ To; df gful/s ; dfh -lj z]ft u} ; x, tyf c6o ; DalGwt /fli60 ; /f\$]f/j fnfx, nf0{; dfj } ul/g' kb5 . bf] f] klqmfdf ; mlg ; a}; xefulnf0{l] Bdfg /fli60 ed0fsf/L lgsfox, / b}zsf ygf :ynaf/] cfwf/et nufotsf ; DalGwt ; r'gf pknAw u/f0g' kb5 . tnsf v08x, df ol ; femf tTj af/]; lj :tf/ aofg ul/g5 .

**@=@ kf/biz{f / ; xeflutf**

/fli60 /f\$yfd ; 06qsf] sfof]f0{ k}f]sf/L agfpg ; /sf/L clwsf/L tyf gful/s ; dfhn]o; ; 06qnf0{l] Zj ; glo / :j foQ lgsfosf]kdf x}kb5 .

१. wf/f @\$ sf cg; f/, s}k]klg /flox, n]cf'gf]/fli60 /f\$yfd ; 06q jf c6t/fli60 pk; ldlit ; Da6wdf cfk]h]k/f ug{k}g]bfloTj x, nf0{c}gdff]g ug{3f]f0fdk}t } j if\$ nflu / oftg lj ?4sf]; ldltsf xsdf yk @j if{xg; Sg]w/L :yug ug; Sg]g\ /fli60 / c6t/fli60 /f\$yfd ; 06q; Da6w. bfloTj x, nf0{ /flox, n]:yug ug; Sg]5gg\

o; p27onf0{; fsf/ kfg{/fli60 ; 06qsf]lgwf{0f klqmf :j o+g}; dfj 7L / kf/bzl{xgk5{.

o; ; Da6wl 5nkmndf ; Dal6wt ; /f3f/j fnfnf0{oyf; Dej Jofks 2kdf ; dfj 7L ul/g' kb5 . k|tfg la6bsf]2kdf o; sf]cy{s}xf]egll

- ; /sf/sf]/fhgllts g7]j sf kl|t|glw tyf kf]j lws lj z]f1 tf ePsf :yfol k3f; gsf ; Dal6wt ; b:ox2 -nfu"xg]; a}txx2dfm:yfglo, kf6tlo /÷j f /fli60\_.
- /fli60 u}; tyf gful/s ; dfhsf c6o ; dx,
- /fli60 dfgj clwsf/ kl|ti7fg -pbfx/0fsf nflu dfgj clwsf/ cfof]u jf cf]a8\Dofg\_.
- ygf :ynsf]ed0fdf ; mlg x6}cfPsf ; 3yf -lg/Lifssf]sfof]o, ; hfo tf]g]6ofofwz, ; dbfodf cfwf/t tNnf]txsf ed0f sfo6md nufot\_.
- ; /sf/ tyf kl|tklfl bj }bnsf]kl|t|glw]j ug]lj wflosf ; b:o,
- sltko ; 6bedf lf6lo tyf c6t/fli60 c6t/-; /sf/l / u7; /sf/l ; 3yf,

gful/s ; dfhsf]kl|t|glw]j ug] ; 3yf jf JolQmsf]5gf6 ; /sf/sf]PstkmL{ lg0f6af6 ge0 gful/s ; dfh :j oaf/f jf gful/s ; dfh; 6sf]k/fdz0f ul/g' kb5 . cu|k|0mdf /x3f dfgj clwsf/ u}; x2sf]5nkm / ; xeflutf dx2j k0f{ x65 eg]oftgaf6 afF3fx2sf nflu sfd ug]kgllyf]kg s]b]a6bsf gft]f/sf ; 3 / ygf :yndf sfo{t nf3f]ksf/L jf cf:yfdf cfwf/t ; dxnf0{klg ; dfj 7L ul/g' kb5 . dgglo s'f s]5 eg]P]R5s cfn]n]sf/fuf/ / kx/L rf3]lnf0{dfq ; d3g]ge0{dgg]rlsT; f; Da6wl ; 3yf / cfk]f; L a6bl s]b]h: tf c6o :ynn0{klg ; d3b5 .<sup>10</sup> t; y{x]j z]fu/L cfk]f; L, cf+osf]vf]hldf /x3f JolQm z/Offyl{ gfafns, dlxnf, hghflt tyf ; f:s[ts cNk; Wos / ckfEt f

<sup>10</sup> lg/Lif0f ed0fsf nflu vhf /xg]:ynaf/]tn t] fl]clwfo, v08 #-0 df rrf{ul/Psf]5 .

ePsf JolQm:tf hfj\yddf /x\$ř hg; Wofsf nflu sfo{t ; #yfxġnf0{klg  
klqmfdf ; fdjh u/f0g' kb\$ .

/fli6 /f\$yfd ; 06qsf]vssf tof/ kfg]j f rog ug]qmfdf sg}lfqsf cg\$řf  
/fhodf ; feif ; j fn j f rgf]L pTkGg xg ; S5g\ o:tf]cj:yfdf lj rf/ tyf  
/Ofglltsf]; fehf/Lsf nflu lfq]lo uf]hd] ; jfb ugff]cf-cf^g}/fli6 /f\$yfd  
; 06qsf]lgwf{Of ug]tkm{cl3 a9g ; xof]u klg ; Sb5 . o; klqmfdf lfq]lo  
tyf cġt/fli6 u} ; / lfq]lo tyf cġt/fli6 cġt/-; /sf/L lgsfosf]; xeflutf  
klg dxġ kOf{xg ; Sb5 .

/fli6 /f\$yfd ; 06qsf]j Zj ; glotf clej [4 ug\$ř nflu o; sf]:j ġk / klxrfgsf]  
lgwf{Of klqmf kf/bzL{xgk5{. ; /sf/n]o; sf]klqmf, ; xeflusf nflu cj ; / /  
cġtd lgOf0; Da6wl cfwf/, lj lw / sf/Ofaf/]:j tMkitt{9En]křf/ ugk5{.

### 0=# ; řgf

/fli6 /f\$yfd ; 06qsf]lgwf{Of klqmf b\$řdf klxn0]lv g}ygf :ynxġsf]edOf  
ub}cfPsf lgsfoxġsf]tYokOf{0]j j /Of ; řLÆ af6 z? xgk5{. of]0]j j /Of ; řLÆ  
df sldtdf klg k]0\$ lgsfosf lgDg klfxġsf]; Hřkt hřgsf/L ; dfj ġ xgkb\$M<sup>91</sup>

- sfof]wsf/sf]lfq -to; lgsfonf0{sg sg :ynsf]edOf ug]clwsf/ 5\_0
- ; Argf -; b:o / sdrf/L ; Wof, sdfsfl :j tGqt, sfof]o :yn\_0
- clwsf/ tyf p6dlQm-kř { ; řgf]j gf lg/LfOf edOf ug]uf]lo cġtj řřf{Ing]  
/ ; řgfsf]clwsf/, cflb\_0
- ah0 tyf sfolj lw -edOf ; Wof, edOf cj lw / ; doqmd, l/kf]6řsf]k\$ř/,  
l; krf/; sf] :j ls[t / sfof]j ogsf] dfqf, sfof]j og eP-gePsf] yxf  
kfp]tl/sf, cflb\_ .

<sup>91</sup> lj Bdfg lgsfosf dh lj z]řřfsf]n]řfhřf ug]lj :tf/kř \$ ; 3fp křofpg]; fdu] www.apr.ch/npm  
df křnf křg{; ls65 .

; a}; xefulnf0{ b}zsf ygf :ynsf] cgdflgt ; Wof, cfsf/ / cj l:y]tsf] cf]ng tyf P]R5s cfn]ysf]P]R5s cfn]ysf]kf7 tyf o; sf zt}sf]JofVof -of]lgb]zsf]Ps kl}t\_ pknAw u/f0g' k5{.

b}zdf lj Bdfg /fli60 ; 0Gq / ygf :yn; Da6Wl tYok0f{; }rgfn]; xefulnf0{ lj Bdfg ygf :yn / o; n]; d}sf lf}, ; d:of / P]R5s cfn]ydf kl/eflft /fli60 ; 0Gqs] alrdf ePsf] vf8n yxf kfpg / /fli60 ; 0Gqs nflu cfj Zos kg}; f]ts]cf]ng ug}; 3fp k}ofp5 .<sup>१३</sup>; xefulnf0{o; hfgsf/Laf6 gofF; 0Gqs]lgdf} ug]Is lj Bdfg ; 0Gqnf0{g}dgd}og ug]eG] lg0f6 ug}; 3fp kl}g5 .

### 0=\$ Pkl6lsf ; 0mfj

- 5nk}ndf ; /sf/L clwsf/L, gful/s ; dfh, /fli60 dfgj clwsf/ ; }yfx}, lg/Lif0f e}0f}df ; }lg lgsfo, ; f}b / sltko cj:ydf lf}lo tyf c}t/f}i60 c}t/-; /sf/L / u}; /sf/L ; }yf nufot oyf; Dej ; Dal6wt klfnf0{Jofks }kdf ; dfj } ul/g' kb5 .
- ; /sf/n] kl}qmf, ; xeflusf nflu cj; / tyf cl}td lg0f6 ug] cfwf/, lj lw / sf/0f :j t}kl}t{9}n] k}f/ ug}kb5 .
- kl}qmf}sf ; xefulnf0{lg/Lif0f e}0f}df ; }lg /fli60 lgsfo, b}zsf ygf :ynsf] cgdflgt ; Wof, cfsf/ / cj l:y]t; Da6Wl }lj j/0f ; }L} -cyf}\; j }f0f / dNof]g\_ tyf P]R5s cfn]ysf] kf7 / ; }sf] JofVof pknAw u/f0g' kb5 .

<sup>१३</sup> t] f]cl}fo, v08 #0 df lg/Lif0f e}0f}sf nflu vhf /xg]:ynx}af/]5nkim ul/Psf]5 .

# उद्देश्य तथा कायदश

३

#=! lgoldt eϕ0f k0ffnL

!\$

#=@ sxfFedϕ0f ugI<

!\*

#=# sf0f6z

@\*

#=\$ eϕ0fsf]; doqmd

#\$

# #=! lgoldt eðof kðffnl

## wf/f !

o; cfn\ysf]p2Z0 :j tGqtfaf6 j l-rt ul/Psf JoIQmx /flvPsf :yfgxçdf oftgf tyf c6o qll, cdfgjlo jf ckdfghgs Jojxf/ Pj d\; hfosf] /f\$yfd ug{:j tGq cGt/fli6 tyf /fli6 lgsfoxçsf]lhDd]f/ldf xg] lgoldt eðofsf]kðffnl :yfkGF ug{/x\$]5 .

wf/f ! n]oftgf lj ?4 /fi6 3lo dxf; lGwsf P]R5s cfn\ysf p2Zoxç tyf kðv tTj xçsf]lgwf(0f u/\$]5 . kl5Nnf wf/fxçdf lg/Llf0f eðof ug]lgsfoxçsf] :j tGqtf, agf / clwsf/xçsf]; lj :tf/ JoVof u/L o; lgb]zsf \$, % / ^ cWofodf tl s/fxçnf0(; Daf]vg ul/Psf]5 . t/ wf/f ! df yk}cj wf/Offxç 5g\hg oftgf lj ?4 /fi6 3lo dxf; lGwsf]P]R5s cfn\ysf]kf7df cGt st} k]olf çkn]JofVof ul/Psf]5gM

- /f\$yfd eðofxç,
- hg lgoldt çkn]ul/G5g\
- hg lg/Llf0f eðofsf]; du|kðffnl]sf]cE a6b5g\

o; kl5 nuQ\$ v08xçdf xfdl ol tlGj 6f wf/Offxçsf]; Td cWooG kf/De u5f; o; cWofosf kl5Nnf v08xçdf lg/Llf0f eðof :ynxçsf]lfq, /fli6 lg/Llf0f eðof lgsfonf0{b0g]sfob} / To; sf lg/Llf0f eðofxçsf]; doqmdsf] lj Zn]f0f ul/g]5 .

## #=! /f\$yfd eðof

oftgf lj ?4 /fi6 3lo dxf; lGwsf]P]R5s cfn\y cGtuç ul/g]lg/Llf0f eðofxçsf] k\$[t /f\$yfdh s xgkg]5 . o; sf]cy{s]xf]eg]ol eðofxç tnsf b0]6f Pscsfh0(; an tNofpg]dflWdxç ãf/f oftgf jf b]o]xf/sf 36gf 36gçebf klxn]g}ltgnf0{/f\$yfd ug{/vfl]g'xfll

- t f h f ; ƒ g f k ƒ f u / ƒ y g f k ƒ f n l s f ] : j t 6 q t y f l j 1 t f k 0 f { l j Z n } ƒ 0 f a f 6 t o f / k f l / g ] l j : t t ; ˆ e n j x 2 s f ] c f w f / d f c l w s f / l x 2 ; ƒ u l / g ] / r g f d s ; j f b , /
- e l j i o d f y g f s f ] ; ˆ o f a 9 g ] ; D e f j g f n f 0 { b l i 6 u t u / l t f h f k o j ] ƒ 0 f s f ] c f w f / d f o f t g f j f b j o j x f / n f 0 { l g i f w u g ] o : t f ] j o j : y f l d n f p g ' h ; n ] u b f { c k / f w l n } a 6 b l n f 0 { 8 / w f s b } / f p / c f k r f l / s p h / l b f o / u g ] s f o f n f 0 { ; l h n } / ƒ 5 g g ; s 9 \

o f t g f ; D a 6 w l / ƒ i 6 x 3 l o l j z i f k l t j ƒ s s f ] j o f v o f o ; k ƒ f / 5 M

/ ƒ i i 6 0 t y f c 6 t / ƒ i i 6 0 l j 1 x 2 n f 0 { l j g f k j ƒ f i ƒ o f f s g } k l g a j h f s g } k l g y g f : y n s f ] l g / l i f o f u g ] / s f / f u f / s f / l h i 6 / t y f c 6 o b : t f j h d f k x F s f ] c l w s f / x g f n ] p g l x 2 n f 0 { k l o ƒ a 6 b l ; ƒ 5 ƒ 5 ƒ } s / f u g ] / o f t g f k l i 8 t x 2 s f ] l r l s t ; s l o h f F a e m u g ] c l w s f / k l g x 6 5 h g c l w s f / a f 6 o f t g f n f 0 { l g i f w u g ] b l / n f ] c ; / k ƒ f x 6 5 . t o ; s f ] ; f y ; f y } o ; k ƒ f / s f e ƒ 0 f x 2 a f 6 : j t 6 q l j 1 x 2 n f 0 { s ƒ l / a 6 b l d f l y u l / P s f ] j o j x f / k l o l f b } y g ] / y g f : y n s f c f d c j : y f s f ] l g / l i f o f u g ] c j ; / k l k t x 6 5 . y k } ; d : o f c g k o Q m k ƒ f n l s f ] s f / 0 f a f 6 k ƒ f x 6 5 g \ h ; n f 0 { l g o l d t k o j ] ƒ 0 f a f / f ; l h n } ; ˆ w f g { ; l s 6 5 . e ƒ 0 f u g ] l j 1 x 2 n ] l g o l d t 2 k n ] y g f : y n x 2 s f ] e ƒ 0 f u b f { k l o m ; D a l 6 w t c l w s f / l x 2 ; ƒ / r g f d s ; j f b k f / D e u g { ; S 5 g \ h ; a f 6 k o j ] ƒ 0 f u l / P s f ; d : o f s f ] ; d f w f g d f ; 3 f p k l b 5 .<sup>13</sup>

/ ƒ ƒ y f d d h s o l e ƒ 0 f x 2 : j t 6 q l g s f o a f / f y g f : y n d f u l / g ] c 6 o k ƒ f / s f e ƒ 0 f x 2 s f ] k ƒ f i h g t y f l j l w e 6 b f a l j n } x g \ p b f x / 0 f s f ] n f l u , y g f : y n a f l x / x ƒ f ] s f o f h o d f c l w s f / x g g \ D a 6 w l l j z i f p h / l k l k t e P k l 5 d f q . k l t l q m o f d s l e ƒ 0 f z ? x 6 5 . k l t l q m o f d s e ƒ 0 f a f 6 ; f d f 6 o t m p h / l s t f ƒ f l j z i f ; d : o f

<sup>13</sup> o f t g f ; D a 6 w l / ƒ i 6 x 3 l o l j z i f k l t j ƒ s a f / f ˆ ) ) ^ d f d x f ; e f ; d l f k l t t k l t j ƒ g , U N . D o c . A / 6 1 / 2 5 9 - ! \$ c u i 6 ˆ ) ) ^ \_ c g R 5 ƒ & ˆ .

; Neifpg] cyj f ck/fwlnf0{ ; hfo lbgst nflu pQm 36gfsf] 5fglag u/L To; nf0{clen]ya4 ug]ul/G5 .<sup>१४</sup> a6blvfgsf cj :yfx\_ df ; wf/ Nofpg j f oftgaf6 afF\$fx\_ sf]kgM yfkg ug\$ f nflu k]oIf \_kn]; Jf; lj wfx\_ pknAw u/fpg ul/g]..dfgj lo... eDofx\_ csf]pbfx/of xg\

csf]t/ , /f\$yfd eDofx\_ culqmfzLn -k]PIS6e\_ eDof xg\ ol ygf k]offnlsf ; a}klfx\_ sf] lj Zn]f of ug]culpfdL / lg/Gt/ klqmfssf cE xg\ /f\$yfd eDofx\_ ug] :j tGq lj 1x\_ sf] axlj Bfut 6fhLn] k]oIf \_kn] ko] ]f of u/L ygfdf /x\$ f JolQm / sdf/f/Lx\_ ; E uf]o \_kn] s/f u5G\ Itgn] efi]ts ; lj wf, lgod / sfof] lwx\_ tyf ; /lff; DaGwl sb}klg klf pkoQm 5 5g eGg] s/fsf]lg/Lif of u5G\ h; af6 elj iodf oftg lbg] j f b]o] xf/ ug] ; Defj gf k}f ug{ Sg]tTj x\_ sf]klxrfg ug{ ; Is of] \ To; kl5 of] ; Fgfnf0{/fli6, If]lo tyf cGt/fli6 dfkb08 tyf pQd cEof; sf b]l6af6 dNof]g ul/G5 / To] dNof]gsf]cfwf/df ; DalGwt clwsf/Ln]-; :yfut, If]lo /÷j f /fli6 txd\_ sf of] og ug]kg]lj lzi6 / Jofj xfl/s ; emfj x\_ cl3 ; fl/G5 . ol ; emfj \_af6 clwsf/Lx\_ ; E /rgf]ds ; jfb ug]cfwf/ tof/ xG5 . cgludg 5nkM / eDofx\_ af6 sf of] og klf xG] / ; emfj x\_ nf0{yk kl/dfhg j f lj :tf/ ug] cj ; / k]t xG5 . /f\$yfd eDof / ; jfbsf]klqmfaf6 ; du|ygf :yn, ylgPsf JolQm tyf /fhsf]ygf :yn; DaGwl ; du|k]offnldf ; wf/ ug]k}f; ul/G5 .

**#=!-e lgoldt eDof**

.lgoldt ul eDofsf]cj wf/ofn]ygf :yndf ; do-; dodf b}xf] ofP/ ul/g]eDof eGg] alenG5 . oftg tyf cG6 b]o] xf/ /f\$ydsf lgoldt ygf :ynx\_ sf] cgludg ug] sfomdnf0{k}fj sf/L agfpg b}xf] of0g] qmd Pp6f k}fj sf/L tTj xf]. vf; ygf :yndf 3l/3l/ ul/g]eDofn]

<sup>१४</sup> kl]lqmf]ds lg/Lif of eDofn]klg ygf :ynx\_ sf]kf/blz}f / hj fkn}klg j [4 u/L oftg /f\$yddf ck]oIf \_kn]; xof] k}ofpg ; S5 . t/ /f\$ydnf0{k}f]yds p2]o agfP/ ul/g]eDof sfomdebf of]kM/s xG5 .

- eðof 6fj]lnf0{a6bl / clwsf/lalr /rgfTds ; jfb :yfkf u/L To; nf0{ sfod /fVg ; dy{agfp5,
- ; dosf]qmdf a6blvfgsf]cj :yf / a6bl; E ul/g]Joj xf/df kþlt j bl{tsf]cleny /fVg ; 3fp kʔofp5,
- afx/af6 lg/Gt/ eðof xg]8/n]a6bldfly xg]Hofbtl sd ug{d2t kʔofp5,
- cl3Nnf eðofdf eðof; Da6wl lgsfonf0{; xof]u ug]JolQm; E abnf ln0g] sfof6 a6bl / sd{f/lnf0{; Af0f ug{; 3fp kʔofp5 .

eðof s]n Ps k6sd]g6lEg]ePsfneðofnf0{kþfj sf/L agfP/ oftgf lj ?4 /fi6\* 3lo dxf; l6wsf]P]R5s cfn]ysf zt{x kʔf ug{f lglDt slt-slt ; dodf eðof ug]e6g]kZg pl7xfN5 . tn v08 #=\$ c6tu{ G6gtd ; doqmd; Da6wl of]kZgsf]hj fkm lb0Psf]5 .

**#-!-# eðof kʔfnl**

oftgf lj ?4 /fi6\* 3lo dxf; l6wsf]P]R5s cfn]ysf]wf/f ! n]c6t/fli6 tyf /fli6 ; 66qx{af/f ul/g]eðofx{sf]clek]o Pp6f .kʔfnl lglDf ug{x]e6g] sʔf :ki6 u/{f]5 . o; n]lj le6g ; 66qx{n]tfndh u/] / ; E17t j f ; dl6j t t]/sfn]sfo{ugk5{e6g]hgfp5 .

lj Zj Jofkl {kdf o; n]c6t/fli6 pk; ldlT / /fli6 ; 66qalr k]ol f ; jfb ug] clwsf/ 5 e6g]b]yfp5 . ; fy}/fHoleq /fli6 :t/df lj le6g /fli6 ; 66qx{ lglDf ug]sfo{; t klg o; sf]; Da6w 5 e6g]hgfp5 . /fHoleq o; k{f/sf /fli6 ; 66qx{nf0{; Efn] Pp6f kʔfnl agfpgsf lglDt ol ; 66qx{sf alrdf ; ~rf/ / ; dl6j o u/fpg]s}l dflldx{ xg]k5{h; af6 ; a}ygf :ynx{sf]eðof u/L /fi6kofkl lj Zn]f0f / ; emfj x{ tof/ kfg]sʔfnf0{; lglZrt ug{; lsof] \<sup>94</sup>

<sup>94</sup> k]o\$ /fli6 ; 66q / c6t/fli6 pk; ldlTalsf]; Da6waf/]gj f]clwofdf 5nkm ul/Psf]5 . b; f] clbfosf]v08 ! )#6 df Pp6]fHo c6tu{sf axh ; 66qx{alr ; E1t / ; dl6j o sfod ug]vofgltx{sf] v]htnf; ul/Psf]5 .

#=!=\$ Pkl6lsf ; bnfj

- sfofij og; Da6wl sfgbdf Pp6f To:tf] klj wfg ; dfj z xgk5{h; n] pQm sfggsf] k6f]hgsf] JofVof u/L oftgf lj?4 /fi6x 3lo dxf; l6wsf] PQR5s cfn]sf] wf/f ! sf] efiiffn0{ ; dflxt u/f] \
- /f\$yfd e60fx; Itgsf] k6f]hg / ljwdf c6o k\$f/sf ygf :ynsf e60fx; e6bf km/s xg\eg] s'/f ; jlsf/ ul/g' k5{.
- /fi66 ; 66qaf/f ul/g] e60f k6ffnlc6tu{ klxn] e60f ul/Psf ygf :ynx;df 3l/3l/ kms] u0/xg] s'/f ; fdh xgk5{.
- /fHo tyf c6t/fi66 pk; ldit c6tu{sf /fi66 ; 66qx; / Ps] /fHodf /x\$f cg\$F/fi66 ; 66qx;af6 ; Rrf .k6ffnlw afg ; sf] \eg] W66n] /fi66 ; 66qx;sf] 9FfF tfnd]hoQm ; E17t jf ; dl6j t l/sfn] sfo{ug] u/L agf0g' kb5 .

#=0 sxfFe60f ug]<

wf/f \$

!=k]o\$ klf/fi66]o; cfn]v adf]hd wf/f @ tyf # df pln]vt ; 66qnf0{ cf^gf] l6f]lwsf/ jf lgo6q0fdf /x] ; fj h]lgs clVtof/L ePsf lgsfo jf JolQmsf] cfbz jf pS; fx6 jf ; xdit jf df]hblf :j t6qtfaf6 j l-rt ul/Psf jf To; f] ul/g ; lsg] JolQmx; /flvg] sg}klg :yfg -o; kl5 lx/f; t+sf/fuf/\_ sf]e60f ug{c6dlt lbg\$g\ o:tf e60fx; tl JolQmf0{ oftgf tyf c6o qm, cdfgj lo jf ckdfghgs Joj x/ Pj d\; hfo lj?4 ul/g] ; /lff, cfj Zos k/df, ; b6 kfg]p2]on]ul/g5 .

@=o; cfn]v]sf]k6f]hgsf]nflu :j t6qtfaf6 lj dV e6gn]sg}klg Goflos jf kzf; lgs jf c6o lgsfosf] cfbzaf6 s; h]cf^gf]OR5f adf]hd cfk] ylgPsf]jf a6l agf0Psf]jf lghl jf ; fj h]lgs k\$[tsf]:yfgdf lx/f; tdf /flvPsf]:yfg 5f66 c6dlt gkfPsf]cj :yfnf0{alem5 .

**#-e-! kl/ro**

wf/f \$-!\_ sf]..ygf :ynl sf]kl/efiff Jofks cydf ul/Psf] 5 h; sf] p2Z0 :j tGqtfa6 j-l-rt JolQmx\nf0{oyf; Dej Jofks ; AfOf kbfq ug{xf]. o; kl/efiffsf kdfv tTj x\ s]xg\eg]JolQmx\ cf^gf]OR5fcg; f/ pQm :ynaf6 cGog hfg kfpBggV pQm ygf sg}g sg}; fj hfgs clVtof/; E uff; Psf]x65 .

wf/f \$ sf]..ygf :ynl sf]kl/efiffsf]Jofks dxTj /x\$]x6f /fli60 ; eGqs] sfOf]zsf]JofVof ug]sfggdf wf/f \$-!\_ df ; d]6Psf]sg}klg ..ygf :ynl ; dfj z xgk5{/ /fli60 /f\$yfd ; eGqnf0{tl :ynx\sf]edOf ug]clwsf/ xgk5{.

oftgf lj?4 /fi6x 3lo dxf; lGwsf]P]R5s cfn]ydf ..ygf :ynl sf]kl/efiff ubf{ ; slrt / lglZrt ; :yfx\df l; ldt xg pkoQm 7flgPg . o; f] ubf{edOf kOfnlsf]lfq Psbd}; fB/f]/ ; ldt xg]lglZrt lyof]. t/ klg oftgf lj?4 /fi6x 3lo dxf; lGwsf]P]R5s cfn]yn]u/\$f]..ygf :ynl sf]kl/efiffsf]bfo/fleq s]l lglZrt :ynx\ t :j tM kl/g}x6N5g\ h:tf]lsl

- kx/l rf\$lx\,
- k] {kk{f s]b}x\÷txslsftsf]nflu /flvg]sf/fuf/x\,
- s] t]sPsf JolQmx\nf0{/flvg]sf/fuf/x\,
- gfafns ygf s]b}x\,
- ; ldf lf]sf kx/l :ynx\ tyf l; dfgf, cGt/fli60 c:yfol cf>o lf]x\ tyf lj dfg:ynsf kf/j xg lf]x\,
- cfk]f; g tyf z/Of vfl]g}x\sf ygf s]b}x\,<sup>96</sup>

<sup>96</sup> sixn\$xlFs]bfal ug]ul/65 eg]ygf s]b}df /flvPsf lj b}lx\ n];j R5fn]sg}csf]b}zdf hfg rfxdf pglx\ eioxfhfg :j tGqf x65g\ tyfk o:tf]:yldf ygfdf /flvPsf JolQmx\ wf/f \$ sf]cy{cGtu\ e:j tGqtfa6 j-l-rt. x65g\ef]g]s/fdf sg}kZg}p7b} . UK House of Lords, A and others v. Secretary of State for the Home Department (16 December 2004), 2004 UKHL, 56.

- dgfl]rlsT; f; DaGwl ; :yfx,
- ; /lff jf uktr/ ; ]f s]bx -olb ltgnf0{ygfdf /fVg]clwsf/ ePdf,
- ; lgs lfqflwsf/ cGtu[tsf ygf :ynx,
- kzf; lgs ygf :ynx,
- s]bxnf0{:yfgft/Of ug[oftfoftsf ; fwgx -kx/L Eofg cflb .

thgfds ;kn] :ki6 ol :ynxsf] cti/Qm wf/f \$ sf] ztGg; f/ /fli6  
 ; eGqnf0{cGg sg]klg 7fpE]edof ug]clwsf/ 5 hxfS; hf0{p; sf]OR5f lj ?4  
 ; fj h]lgs clwsf/laf/f ck]olf ;kn]g)/flvPsf]lsg gxf \ wf/f \$ sf b0]6f  
 dh j fSofzx;df o; k\$[sf].ygf :ynl sf]k\$[tsf]j OfG lGdgf; f/ ul/Psf]5ll

- æ; fj h]lgs clwsf/l[sf]lfqflwsf/ / lgoGqOfcGtu[tsf<sup>19</sup> -h; n]Tof]e-efunf0{  
 OlEt u5{hxfFof]:yn cj l:yt 5,
- æ; fj h]lgs clwsf/l[sf] cfbz jf pS; fx6 jf ; DdlT jf dGh/Lcg; f/Æ  
 -h; n] Tof] dflvDnf0{ OlEt u5{ h; af/f sg} JolQmf0{ToxF/flvPsf]  
 xg; S5 .

tnsf]v08df ..lfqflwsf/ tyf lgoGqOf; DaGwl cj wf/Offaf/]; lj :tf/ shf0Psf]  
 5 . To; kl5sf]v08df .pS; fx6,ú ; DdlT / ..dGh/ú tyf .jf xg; S5ú eGg]  
 zAbx; DaGwl cj wf/Offnf0{ ;dfj z ug\$]sf]Of JofVof ul/Psf] 5 . o; fj  
 ug\$]tflko{/fli6 ; eGqaf/f u}sfggL ygf tyf cglws[tsf ygf :ynxnf0{  
 lglZrt ;kn]; dGg'xf].

**#-0-0 lfqflwsf/ tyf lgoGqOf**

wf/f \$-!\_ df pNny ePsf] ..lfqflwsf/ú ; DaGwl cj wf/Off oftgf lj?4sf]  
 dxf; lGw / gful/s tyf /fhglts clwsf/; DaGwl cGt/fl[6 cgaGwdf /fhosf]

<sup>19</sup> kff; jh ; :s/Ofdf cIn km/s zAb kofu u/] ; dlGg]:ynx;sf]Jofks z[vnfdfly cema9l hfB  
 lb0Psf]5 .

bflotj sf]bfo/fsf]aofg ug{klg kpf] ul/Psf]5 .<sup>१८</sup> ol ; l6wx2c6tu# :yflkt dfgj clwsf/ tyf oftgf lj?4sfj] ;ldltn]lbPsf cledtn]P]R5s cfn]ysf] kpf]hgsf nflu ælf]qflwsf/ tyf lgo6qofÆ s]xf]e6g]k]6 kfb5g\

; fdf]otM/fHosf]e"efu g]to; sf]lf]qflwsf/ tyf lgo6qofc6tu# kg]s/f :j tM:ki6 5 . /Hodf btf]ul/Psf]kfglhxfh j f lj dfg / ; fob ; Dal6wt /fHo klfsf]dxfb]z6tu#sf] k66df cj! :yt ; Argfnf0{oftgf lj?4 k6v dxf; l6wsf]kpf]hgsf lglDt ; d]otM /fHosf]lf]qflwsf/c6tu# dfgg ; S5 .<sup>१९</sup> dfgj clwsf/ tyf oftgf lj?4sfj] ;ldltn] lj sl; t u\$]f]lj lwzf:q cg; f/ ælf]qflwsf/ tyf lgo6qofÆ c6tu# /fHo klfsf] ; fdf]o e"efu aflx/sf tl ; a]lf]q2 ; d]665g\hg lf]q2 ; æj f: tj df /fHo klfsf] k6fj sf/l lgo6qofc6tu# kb5g\rfx]to; k6f/sf]lgo6qof hg; 5; l]gs jf gful/s clvtof/æf/f sfod ul/Psf]lsg gxf] \Æ.<sup>२०</sup> pbfx/0fsf]nflu /fHo klfsf lj b]zdf /x6f ; l]gs cvf8fx2 kb5g\ csff]l/ , /fHo klfsf]e"efudf /x6f lj b]z/ /fhbt]fj; x2 oftgf lj?4 /fi6x3lo dxf; l6wsf]P]R5s cfn]ysf]wf/f \$ sf]ælf]qflwsf/ tyf lgo6qofÆ ; Da6wl cj wf/Offæf/f ; Dej tM ; d]6Psf 56g\.<sup>२१</sup>

<sup>१८</sup> oftgf lj?4 /fi6x3lo dxf; l6w, wf/f @ / !^ . !^ l8; l]a/ ! (^ sf]dx; efsf]@)P -@!\_ k]tf af6 cgd]f]ot e0{#@ dfr{!( &^ b]v nfu"ePsf]gful/s tyf /fhglts clwsf/; Da6wl c6t/f]60 cga6wsf]wf/f @!\_ .

<sup>१९</sup> h] au{ / Pr=8fg]hp; sf]oftgf lj?4 /fi6x3lo dxf; l6w]oftgf tyf c6o qm, cdfgj lo Joj xf/ j f ; hfo lj?4sf]dx; l6w; Da6wl xft]kl: tsf -8f]86Mdf]66; lghxf]kmklAn; ; {!( \* \*\_ , k6 ! @#- ! @ \$ x6k]f] \

<sup>२०</sup> oftgf lj?4sfj] ;ldltn] æ; 0Qm/fHo cd]l/sf; Da6wl lgisif{tyf ; ænfj x2Æ -!\* d]@) ^ , /fi6x3lo b: tfj ]h CAT/C/USA/CO/2, cgR56 !% / æ; 0Qm clw/fHo; Da6wl lgisif{tyf ; ænfj x2Æ -!) l8; l]a/ @) \$ , /fi6x3lo b: tfj ]h CAT/C/CR/33/3, cgR56 \$-v\_ . dfgj clwsf/ ; ldltsf]æcga6wsf /fHo klfx2 d]y cf/flkt ul/Psf cfd sf]gl bflotj sf]k6f]t[af/] ; fdf]o l6k0R #!Æ -@^ d]@) \$ , /fi6x3lo b: tfj ]h CCP/C/21/Rev.1/Add.13 . x6sf /fVgkg]dx] k6f]s]f s]xf]leg]oftgf lj?4 /fi6x3lo dxf; l6wsf]P]R5s cfn]ysf]wf/f #@ æf/f o; sf klj wfgx2n]h66f dxf; l6wx2 tyf cfn]yx2 df c6t]g]kt ygdf /x6f Jo]Qmx2 ; Dd kxF lb0gkg]bflotj d]y c; / gug]lj lzi6 Joj :yf ul/Psf]5 . c6t/f]60 pk; ldltn] jf /f]i60 ; 06qn]kxF k]kt ug] ; Defj gfnf0{c6t/f]60 /8qm ; ldltnf0{ed]of ug]lbg]axfgsf 2 kdf kpf] ul; ug; lS66 .

<sup>२१</sup> kyfut c6t/f]60 sf]gg tyf Jo]ks 2 kn]cgdf]g ul/Psf] ; l6wn]o; k6f/sf :ynx2nf0{cfo]hs /fHoæf/f æc]ln3gloæ dfg] o: tf :ynx2df lgo6f k6v]sf] ; Ddl]lj gæ s]g]klg /fi6sf kl]tlgwx2n]

knfhl ; xdl; Da6wl ; l6wsf] lj Bdfg x|; otc6tu# /fho klfsf] e"efudf  
 cj|:yt lj b7l ; lgs cvf8fx2df kxF lb0g'h?/L 5 ls 5g e6g]k7g emg)  
 c; lhnf] 5 . o; sf] pQ/ knfhl ; xdl; Da6wl ; l6wsf] x|; otsf lj lzi6  
 kfj wfgx2dfly lge{ xg]b]M65 hg ; l6w ; Dal6wt cvf8fsf]xsdf nfu"x65 .  
 knfhl ; xdl; Da6wl ; l6wsf]x|; otn]pQm cvf8dflysf]l6qflwsf/ tyf lgo6qOf  
 oftgf lj ?4 /fi6x 3lo dxf; l6wsf]P]R5s cfn]ysf]klf g/x\$fl]j b7l zIQmf0(  
 :ki6 2kn]; lDkPsf]eP /fho klfn]/fli60 ; 66qnf0{cNksfnlg b[6n]pQm  
 cvf8fdf kxF lbg g; Sg]; Defj gf /x65 . t/ /fi6x]oftgf lj ?4 /fi6x 3lo  
 dxf; l6wsf]P]R5s cfn]ydf x: tflf/ u/kl5 j f To; nf0{c6df6g u/kl5 cf^gf]  
 cfd e"efudf hxf]JolQm2 lghl :j t6qtfaf6 j l-rt 5g\l 7pK2dflysf]  
 l6qflwsf/ tyf lgo6qOf c6o /fi6x2nf0{27\$sdff lbP/E bflotj x2af6 hfgfhg  
 plDsg c6t/fli60 sfggn]56 lb6g .<sup>22</sup> o; y{oftgf lj ?4 /fi6x 3lo dxf; l6wsf]  
 P]R5s cfn]ysf klf /fi6x2dfly /fi6sf]cfd e"efudf /x\$fl ygf :ynx2df  
 /fli60 /f3yfd ; 66qsf]kxFdf afw k4ofpg]knfhl ; xdltx2sf]x|; otsf]  
 Dofb ulhg]j f gjLs/Of ug]ajhdf gofF; Demf:f ug{x/; Dej k6f; u/] To; df  
 /fli60 ; 66qnf0{kxF lbg]bkxfx2 ; dfj 7 ug]bflotj /x65 . gofF/fi6x2l; t  
 elj iodf ul/g]knfhl cvf8f; Da6wl ; Demf:fd f klg kl/Deb]v g]kxFsf]clwsf/  
 lb0g' kb5 .

**#-@-# cglwst ygf :ynx2**

; /sf/n]/fli60 ; 66qnf0{cfkln]cflwsf]/s 2kn]sf/fuf/, kx/L rf5l j f c6o  
 ; fj hlg s 2kn]rlgg]; yfx2 hxfF; fw/OfMjw cfb7 c6tu# JolQm2 :j t6qtfaf6  
 j l-rt x65g,\ tl :ynx2sf]e6df ug{lbgdfq koif t x6g . /fli60 ; 66qnf0(  
 cglwst ygf :ynx2 cyff\y6fsf]nflu sg)klg ; fj hlg s clwsf/Ln]cfkrlf/s

---

kj 7 ug]gkfgg# s/f l66fg ul/Psf]5 . !\* clkh ! (^! df lePgdf kl/t e0@\$ clkh ! (^\$ df nfu"ePsf]s6glts ; Da6wx2 ; Da6wl lePg dxf; l6wsf]mf/f @x6xf] \ x6xf] \ Browlie, *Principle of Public International Law*, 5th Edition, Oxford University Press 1998, P. 356.

<sup>22</sup> lePgdf @# d]! (^ df x: tflf/ u/l @& hgj/L !(\*) df kyfh6o c6t/fli60 sfggsf 2kdf nfu" ul/Psf]; l6wx2sf]sfgg; Da6wl lePg dxf; l6wsf]k\$syg tyf wf/f @^ x6xf] \

ꣳkn]cfbꣳ gIbPsf]eP tfklg ; fj hlgS cIvtof/I; t ufF, Psf sf/Ofxꣳaf6  
JolQmꣳnf0{ygfdf /flvPsf]sg}klg :yndf clgj fo{ꣳkn]kxF lb0g'k5{.

oftgf lj?4 /fi6ꣳꣳlo dxf; lGwsf]PIR5s cfnꣳydf /fi6ꣳꣳ ; @qnf0{kxFsf]  
cfwf/ kꣳbfg ug\$ f lglDt o:tf :ynxꣳnf0{; dꣳꣳg]clek[on]wf/f \$-!\_ df :ki6  
ꣳkn]kꣳ6 ePsf æpS; fx6Æ, æ; DdltÆ, j f ædGh/LÆ h:tf cfkrfI/s æcfbꣳÆ  
sf lj sNkxꣳaf/]; fꣳlj rf/ ul/Psf]s/f Psbd}:ki6 5 . d:ofbꣳf klqmfSf]  
kI/Deb]v g} jf:tjdf sf]6fl/sfn)!((! df o; PIR5s cfnꣳysf]dh kf7  
k|fIj t u/b]v g}ol wf/Ofxꣳ oftgf lj?4 /fi6ꣳꣳlo dxf; lGwsf]PIR5s  
cfnꣳysf]cE ag\$ f xg\ꣳꣳ / ol wf/Ofxꣳ oftgf lj?4sf]dx; lGwsf]wf/f ! df  
/x\$ f]oftgfsf]kl/efiffaf6 InOPsf xg\h:tf]nIv5 .

oftgf lj?4sf]dx; lGwnf0{kfl/t ugI/fi6ꣳꣳn]oftgf kflomcglwsE tyf cw{  
ufIjo sfo{x]h; af6 ; DalGwt ; /sf/ cfkIhf0{cfkrfI/s ꣳkn]cnu /fVg r]j6f  
u5{eg]s]/ l:j sf/ u5ꣳ . To; sf/Of hfghfghg ælghLÆ jf æu]/fhoÆ txsf  
stfꣳnf0{sg}cglwsE ygf :yndf oftgf lbg nufP/ ; /sf/ oftgfsf]  
lhDd]f/laf6 klG5g gkfcf] 'eg]p2]on]oftgf lj?4sf]dx; lGwdf æpS; fx6Æ,  
æ; DdltÆ / ædGh/LÆ zAbxꣳ ylkPsf xg\ꣳꣳ

To; sf/Of oftgf lj?4 /fi6ꣳꣳlo dxf; lGwsf]PIR5s cfnꣳyn]s]s/f OlE t u5{  
eg]æygf :ynÆ sf]kl/efiff æcflwsf]/sÆ ygf :ynsf]j]w ygf; DaGwL æcflwsf]/s  
cfbꣳÆ cGtu{sf sfo{ꣳdf dfq ; lldt ge0{o; n]cꣳ k\$ f/sf æclgoldtÆ

ꣳꣳ /fi6ꣳꣳlo PIR5s ; lGwkqsf]d:ofbꣳf ugI/fi6ꣳꣳlo sfo{ dXsf]klIj bꣳ, @@ hgj/L!((!, /fi6ꣳꣳlo  
b:tfj h E/CN.4/1991/66 xꣳꣳf] Mæo; sf]lqflwsf/leqsf]sg}klg :yn hxfF, fj hlgS clwsf/laf/f  
jf lghsf]pS; fx6 j f ; Ddlt j f dGh/laf/f ygfdf /flvPsf j f /flvg ; Sg]:j tGqtfaf6 j l-r-t  
JolQmꣳꣳ xꣳ ; S5g\Æ

ꣳꣳ hꣳ au{ / Pr=8fg]hp; , oftgf lj?4 /fi6ꣳꣳlo dxf; lGwMoftgf / cG0 qM, cdfj glo Joj xf/ j f  
; hfo lj?4sf]dx; lGwaf/]xft]kl:tsf -8f]8ꣳꣳM dfl6ꣳ; lghxf]km klan; ; {!(\*\*\_ kꣳ \$%-\$\$ /  
!@) . ; l=0gull; sf]oftgf lj?4sf]/fi6ꣳꣳlo ; ldlTmPs dNofG -xꣳMsnj / n 066/g]gn, @)!\_ ,  
kꣳ @!) / @@-@@% klg xꣳꣳf] \

ygnf0{klg ; d35 .<sup>२५</sup> JolQmXnf0{elghl : j tGqtfa6 j l-rt ul/Psf]xg; SgI  
:ynx2nf0{vh:t 2kn]; d35]wf/f \$ sf]kl/efiffn]o; lgisifhf0{yk bl/nf]  
tNofPsf]5 .<sup>२६</sup>

o; k\$ f/ oftgf lj ?4 /fi6\* 3lo dxf; lGwsf]PIR5s cfn\ysf]zt4g; f/ kx/L  
rf\$ l, sf/fuf/ j f c6o acflwsf]/sA ygf :ynafx\$ /fli60 ; 06qnf0{s; }f0{  
lghsf]OR5fij ?4 ; fj h]lgs clVtof/af/f ygf ul/Psf]cfzÍf ePdf To:tf  
:ynx2df klG kfpG]clwsf/ klg xgk5{.

ouf68fsf] dfgj clws/ cfof]u oftgf lj ?4 /fi6\* 3lo dxf; lGwsf]PIR5s  
cfn\yc6tu4 /fli60 ; 06qsf 2kdf dgf]og ul/Psf]geP tflklg To; n]/fli60  
sfggdf /x\$ f]Pp6f kfj wfgsf] pbfX/Of pknAw u/fp5 h; n]o; k\$ f/sf  
eD0fx2nf0{vh:t 2kn]7fpFlbPsf]5 . ouf68f dfgj clwsf/ cfof]u Pq,  
!((& sf]wf/f \*-@-!\_ sf]Ps czdf lGdglnlvt aBfx2 /x\$ f 5gM

@-!\_ cfof]un]lGdglnlvt sfoX2 ug5 -

v= a6blx2sf cj :yfsf]dNofÍg tyf lg/Llf0f ug]p2]on]sf/fuf/x2 tyf  
ygf :ynx2 j f ; DalGwt :ynx2sf]eD0f u/L ; emfj x2 lbg;

u= **sg} JolQmhf0{ u}sfggL 2kn] ygfdf /flvPsf] cfzÍf ePdf  
sg} klg :yn jf ejgsf] eD0f ugÍ**

<sup>२५</sup> oftgf lj ?4 /fi6\* 3lo dxf; lGwsf]PIR5s ; lGwkqsf]d:ofBf ugI/fi6\* 3lo sfo{ dxsf]kl]tj 4g, @  
l8; }a/ !((@, /fi6\* 3lo b:tfj h CN.4/1993/28, cGR5D #\*-\$) klg xgXf] \

<sup>२६</sup> oftgf lj ?4 /fi6\* 3lo dxf; lGwsf]PIR5s cfn\ysf]d:ofBf ugI/fi6\* 3lo sfo{ dxsf]kl]tj 4g, @  
l8; }a/ !((@, /fi6\* 3lo b:tfj h E/CN.4/1993/28, cGR5D \$), /fi6\* 3lo b:tfj h  
E/CN.4/2000/58, cGR5D #) / /fi6\* 3lo b:tfj h E/CN.4/2001/67, cGR5D \$# / \$% / lg/Llf0f  
eD0f ugI; 06qsf]sfof]zaf/f ybfsf cglwsE j f uM0 :ynx2nf0{; d35]f]tYon]tgsf]cl:tIj nf0{  
j }wtf kbfG ub3, a? eD0f ugI; 06qaf/f To:tf ygf :ynx2 kOf nufpg ; SgI; Defj gfnf0{dVotM  
To:tf ygf :ynx2nf0{gifiV j f /f\$yfd ug]Dl6af6 xl/g'k5{ xgXf] ,PKl6l cGt/fli60 sfggC6tu4  
aPsf]t ygf, :jls[tIj xlg / ukt ygfA -@ dfr{e})^\_ http://www.apr.ch/secret detention/Secret  
Detention APT.pdf.

oftgf lj?4 /fi6x 3lo dxf; l6wsf]P]R5s cfn\ysf]wf/f \$ sf]bfo/fleqsf  
 cglwstf ygf :ynx,df lghl :j fldTj df /x\$ f lgj f; x, j f c6o lghl :j fldTj df  
 /x\$ f ej gx, ; dflj i6 xg ; S5g\ s]s/f ; To xf]eg]ha lghl lgj f; df  
 JolQmnf0{ygfdf /flv65 / :j t6qtfaf6 j l-rt ug]sfodf ; fj h]gs clwsf/L  
 hf]8Psf]cfz]f x65, ToxfF3/ dflnssf]clwsf/ / P]R5s cfn\yc6tu{sf]  
 /fli60 ; 06qnf0{lb0Psf clwsf/alr lvrftfgl k}f x65 . t/ c6o ; Gbedf  
 /fli60 sfggdf o; k\$ f/sf ; d:ofnf0{h; /L ; fdGh:o ul/65 To:tf]; Defj gf  
 /fli60 ; 06qsf nflu klg pknAw xg ; Sb5 .

/fli60 ; 06qn]elj iodf JolQm,df nf0{ygfdf /lvG ; lsg]u/L aGb}u/\$f ej gsf]  
 lg/Llfof ug{; S5 . 3= o; k\$ f/sf 7fpE]ed0faf6 /f\$yfdsf nflu dxTj k0f{  
 xg]u/L ej gsf]9fFf j f agfodf ; wf/ ug{k/df ; emj ; d] lbg ; ls65 .

wf/f \$-!\_ n]; d}g] :ynx,df sf]bfo/f klxn]g}cTo6t}Jofks ePsfn]wf/f  
 \$-@\_ sf]k}f]hg s]x]f]of]:ki6 5g . j f:tj df oftgf lj?4 /fi6x 3lo dxf; l6wsf]  
 P]R5s cfn\ysf]cl6td kf7df ; dfj z ul/Psf]wf/f \$-@\_ sf]6fl/sfâf/f dh  
 ,kdf k}tflj t efiiff]lj sNksf ,kdf -hg wf/f \$-!\_ ce} ; /lft 5\_ cl6td  
 38ldf Nof0Psf]k}tfj -xfnsf]wf/f \$-@\_ sf]6fl/sfâf/f dh ,kdf k}tflj t  
 efiiff -hg wf/f\$-@\_ df ce} ; /lft 5\_ nf0{cfklnf0{ ; ljwfk} xg] u/L  
 s6gllts tl/sfn]æ/`k}æ e/}h:tf]b]v65 . 3= s:tf]nflu5 eg]ol b0{wf/fsf

<sup>२०</sup> sltko /fi6x,df n]p7Psf rf; f}x,af6 of]s/f ck]olf ,kn]kli6 xg cfPsf]x]f. pbfx/0fsf]nflu  
 -!@ gf]a/ @))@ df\_ E/2002SR.38, cgR5} \* & df oftgf lj?4 /fi6x 3lo dxf; l6wsf]P]R5s  
 cfn\y vf]htnf; / kqf]p; DaGwl :j b}zL ; jw]f]gs afg]h,x, ; G af%of]eG]bfal; DaGwl k}tj }gdf  
 hg]OP cg; f/ 0sf] f\$df ; 0Qm/fho cd]v/sf k}t]glwn]u/\$f]6Kk0fL .

<sup>२१</sup> oftgf lj?4 /fi6x 3lo dxf; l6wsf]P]R5s cfn\ysf]d:of}f ug]/fi6x 3lo sfo{ dxsf k}tj }gx, M  
 /fi6x 3lo b:tfj }h, E/CN.4/1993/28 cgR5} \$)M /fi6x 3lo b:tfj }h, E/CN.4/200/58, cgR5}  
 #) /fi6x 3lo b:tfj }h, E/CN.4/2001/67, cgR5} \$# / \$% .

<sup>२२</sup> dflj rrf{ul/Pef] apS; fx6æ, æ; Ddltæ / ædGh/Læ sf k} Èx, 5nkmnsf nflu tof/ kf]Psf]  
 d:of}fdf !((! sf]k}f]Deb]v g)/x\$ f lyP . @))! sf]; }gdf Nofl6g cd]v sl b}x,df]; dx  
 æ(GRULAC)æ n]gofdf:of}f k}tflj t u}of]h; n]pQmefiiffnf0{h}f]p/ klxn]k6s /fli60 /f\$yfd

k] t\$dlw] b] d] ol b0{wf/f ; xcl: t]j df /xg\veG] clek]o sbflk lyPg .  
 aJolQmf0{; fj h]lgs jf lghl ygf :yndf /flvg] s'/fsf]; [ ] u/] wf/f \$-  
 n] /fi6 ; eGqnf0{ sDtl df klg 7\$sfGtu f /x\$] lghl lgudx; a]f/f jf  
 ; /sf/sf] tk]af6 ; ~rflnt ; :yfx; df kx f xg]k5{eG] s'/fnf0{; lglZrt  
 u/\$]5 . wf/f \$- n] JolQmf0{:j R5fn] pQm :yn 5f8g cgdlt gxg]s'/  
 u/] :j tGqtfsf]j ~rgf; DaGwl wf/0ffsf]; f/sf]/\y]f]g klg u/\$]5 .

wf/f \$- sf]clGtd czn]æpS; fx6Æ, æ; DdlitÆ jf ædGh/LÆ sf]pNny gul/sg  
 æsg]klg Goflos, kzf; lgs jf c6o clVtof/Æ tk] ; [ ] u/\$]5 . s]o; sf]  
 cy{wf/f \$-!\_ /x] t]k]klg JolQmf0{cf]k]rfl/s cfb]z]j gf ygf ul/Psf :ynx;  
 oftgf lj ?4 /fi6 3lo dxf; lGwsf]P]R5s cfn]y]af/f ; d]l6Gg\veG]x]f] < o; sf]  
 pQ/ æxf]G]Æ eG]xg]k5{. wf/f \$ nf0{; /L cYof]0] wf/f \$-!\_ sf]æp; sf]  
 pS; fx6 jf ; Ddlit jf dGh/Laf6Æ eG]zAbx; cy]klg / nfu"gxg]xg u0{o; sf]  
 glthf lg; ; f/ xg kl]5 . P]R5s cfn]y]df ePsf]Joj :yfn]; fj h]lgs clwsf/Lsf]  
 cf]k]rfl/s cfb]z] geP klg glhsf]; xdtl df :j tGqtfa6 j l-r t ul/Psf JolQm  
 ; d]nf0{; d]6 eG]d:of]f ; ldltsf]alnof]wf/0ff /x\$]kf0G5 . 30 of]wf/f

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; eGq; ; DaGwl wf/0ff cl3 ; f]of]. Toxl ; qdf o/f]k]hl olgogn]klg gof]d:of]f k]t]f]j t u]of]h]g  
 d:of]f wf/f \$-!\_ sf]d:of]f efiffnf0{lj :yflkt ug]v]fnsf]lyof]. wf/f \$-!\_ sf]d:of]f ! ) j if]G]  
 sfod /xsf]lyof]h]g clxn]clGtd ; :s/0fsf]wf/f \$- sf]j :j kdf b]y]f k/\$]5 . sfo{ dXaf/f  
 o/f]k]hl olgogsf]k]t]f]j d]ly cf]k]rfl/s ; kn]s]lxNo]klg 5nkm gul/Psf]dx; ; xG5M xG]f] \  
 sfo{ dXsf]k]t]j d]g E/CN.4/2001/67, cGR5 !% . sfo{ dXsf]k]5Nfn]/ clGtd ; ; glt/ c]lwf-  
 kl]t] d]sn]cf]g]k]t]f]j k]t]t ul/g'h; df GRULAC / o/f]k]hl olgogsf d:of]f sf t]j x; sf]ldnfg  
 ul/Psf]lyof]xG]f] k]t]j d]g E/CN.4/2002/78 . klxn]k]6s wf/f \$ sf]clGtd :j k b]y]f k/\$]5 ; }  
 avt x]. c]lwf]af/f k]t]f]j t gof]d] > t wf/f \$ d]ly ldxlg ; kn]5nkm gePsf]dx; ; xG5 . To]f]  
 ; qsf]huQ]wf/f \$-!\_ / -@\_ sf]s; /L ; dfof]hg ug]; lSpnf eG]af]/yk 5nkm gul/sg To]f]k]t]f]  
 dfg] clwsf/ cfof] / dxf; efd] k]t]t ul/of]-/ cGt]MTo]f]k]f]t klg eof] .

<sup>30</sup> oftgf lj ?4 /fi6 3lo dxf; lGwsf]P]R5s cfn]y]sf]/fi6 3lo d:of]f sfo{ dXsf]k]t]j d]g; xG]f] M  
 /fi6 3lo b: t]f] h, E/CN.4/1993/28, cGR5 #\*-\$), E/CN.4/2000/58, cGR5 #) / &\*  
 E/CN.4/2001/67, cGR5 \$% . lePgf dxf; lGwsf]; lGw; DaGwl sf]g lj ifos wf/f #@ df s]pNny  
 ul/Psf]5 eg]æ; lGwsf]to]f/L sfo{tyf]; lGwsf]cy{æbf]f]f]f] c:ki6 xG] / To; af6 ælg; ; f/ jf  
 cglr]tÆ glthf lg:sg]s'/fnf0{wof]gd] /fv] k's Jo]Vof ; df]z ug]sf nflu d:of]f d]f o: t]f]pkfo  
 ul/Psf]xg; S5 Æ

\$ sf]; du|cy\$]; f/ klq x]h; n]to; sf]cy{kpf]hg sfof]j ogsf]bfo/fnf0{ /fd\l ; d]j o u/\$]f] 5 . oftgf lj?4sf] dx; lGwdf o; }k\$]/sf wf/0ffx; cGtlg]xt 5g\ wf/f \$- sf efiff; DaGwL ; s/0ffx; df /x\$] dtleGgtfx; pk/ ; f]lj rf/ u/L Itgnf0{; e]l]ht ; kdf /fli60 sfggdf ; dfj z ug{; kmf/; ul/Psf]5 .

**#-0-\$ Pkl6lsf ; e]fj**

- /fli60 ; 0Gqs] ygf :yndf klq kfg] clwsf/af/] /fi6sf] sfggdf Joj:yf ul/g' k5{/ To; df tl :ynx;sf] kl/efiff ul/g' k5{ hxfFKlq kfg] clwsf/ /fli60 ; 0Gqnf0{ 5 . of] kxFleq oftgf lj?4 /fi6x 3lo dx; lGwsf] P]R5s cfn]ysf] wf/f \$-!\_ df kl/efiff ul/Psf ; a ; DefJo æygf :ynÆ kb5g\
- /fli60 stf]x;sf] ; lglZrttnf0{j [4 ug]x]h] o; k\$]/sf sfggdf ; æyfx; j f ; æyfs] k\$]/x;sf] d]f]df]l ; l ; dfj z ug{ ; ls65 . t/ o; k\$]/sf] ; l ; dfj z ul/0f of] ; l k0f{x]0g eG] s/f :ki6 kfg]5] ; fy} wf/f \$-!\_ sf] Jofks kl/efiff klq pknAw u/fpg' k5{.
- /fli60 ; 0Gqnf0{ cglws] ygf :ynx;sf] e]0f ug] sfof]j; xgk5{/ p; df o; f] ug] ; fdYo{ klq xgk5{. of] p2]to k/f ug]sf] lglDt /fli60 ; 0Gqnf0{ km/flsnf] bfo/fdf e]0f ug] clwsf/ k]t ug{ æpS; fx6Æ, æ; DdltÆ / ædGh/LÆ ; DaGwL cj wf/0ffx; dx]j k0f{x65g,\ To; sf/0f ol wf/0ffx;nf0{/fli60 sfof]j ogsf/L sfggdf ; dfj z ul/g' k5{.
- sfof]j ogsf/L sfggdf oftgf lj?4 /fi6x 3lo dx; lGwsf] P]R5s cfn]ysf] wf/f \$- sf] kf7 zAbzll ckgf0g' x5] lsggeg] To; af6 cgj Zos c:ki6tf p]kGg xg; S5 . wf/f \$- af6 ux0f ug{ ; lsg dx]j k0f{ wf/0ffx; s] xg\eg] o; sf] ; xf/fn] /fli60 ; 0Gqnf0{ lghl txaf6 ; -rfInt :ynx;sf] e]0f ug{/ :j tGqtfaf6 j]l-rt xg]sf] cy{ ; f/ ; kdf JolQm] :j ]5fn] af]x/ lg:sg] 56 gkfgp' xf] eG] a%g ; 3fp kl]5 .

# #=# sfofjz

## wf/f \$

-!\_ =cfj Zostf x]l eđofxç oftgf tyf cGo qm, cdfgj lo jf ckdfghgs  
Joj xf/ jf ; hfo lj ?4 ol JolQmxçsf]; Af0f ug[sfohf0{; bđ tNofpg]  
p2Zon]ul/g' k5{.

## wf/f ! (

/fli60 /fšyfd ; 0Gqxçnf0{Gogtd klg bxfosf clwsf/ kđfg ul/g\$M

s\_ wf/f \$ n]kl/eflft u/]cg; f/ :j tGqtfa6 j l~rt ul/Psf JolQmxç  
/flvg];yfgxçdf pglxçnf0{oftgf tyf cGo qm, cdfgj lo jf ckdfghgs  
Joj xf/ jf ; hfo lj ?4sf]; 'lffnf0{cfj Zostfcg; f/ ; bđ tNofpg]p2Zon]  
tl :yfgxçsf]lgoldt k/lif0f÷clwoog eđof ug]

v\_ ; 0Qm /fi6x3sf ; fble\$ dfbotfxçnf0{; d] Wofg lbE};j tGqtfa6  
j l~rt ul/Psf JolQmxç klt ul/g]Joj xf/ Pj d'voglXçsf]cj :Yfdf ; wf/  
Nofpg] / oftgf tyf cGo qm, cdfgj lo jf ckdfghgs Joj xf/ jf  
; hfosf]/fšyfd ug]p2Zon]; DalGwt lgsfo ; dl f ; 0mfj xç k]t't ug]

u\_ cl:t]df /x\$ f tyf k]tf]j t lj wfgsf]af/đf k]tfj tyf cjnf\$g  
k]t't ug].

## #=#! eđofdf cfwfl/t /rgfids ; jfb

/fli60 ; 0Gsf eđofxçsf]p2Zo cGo >f]xçsf ; Fgf; d]sf]; xof]yaf6 ; wf/  
ug\$ f lglDt /fli60 ; 0G / axfnj fnf clwsf/Lxçalr /rgfids ; jfb ug{x]f].<sup>39</sup>

<sup>39</sup> oftgf lj ?4 /fi6x3lo dxf; lGwsf]PR5s cfn]y]sf]wf/f @@ . oftgf; DaGwl /fi6x3lo lj zif klt]j đsáf/f  
e)) ^ df dxf; efd k]t't klj bđ, /fi6x3lo klt]j đg A/61/259 -!\$ cui6 e)) ^, cGR5đ &@\_ xđxf] \

o; d2fl; t ; Dal6wt clwsf/lx; vf; lgsfosf]kz; gsf]; fdf6o txb]v  
lnP/ /fli60 g]Tj sf j l/i7td JolQm; d; u/L ; /sf/sf]sb]klg txsf xg  
; S5g\<sup>३२</sup>

oftgf lj ?4 /fi60 3lo dxf; l6wsf]P]R5s cfn]n]s]s/f lglb(6 u/}\$]5 eg]  
/fli60 ; 06qn]ed0fx; ubf{vf; b]i6sf]f / p2]o cEflNg' k5{. h:tf]ls  
cGt/fli60 -tyf /fli60\_ sfggaf/f lgifw ul/g]vfnsf Joj xf/ / ; hfo lj ?4  
JolQmsf]:j tGqtfsf]; Af0f ug]sfof0; b0 tNofpg' / ygdf Itgdfl ul/g]  
Joj xf/ tyf ToxfE]cj :yfdf ; wf/ ug]p2]o /Vg'. o; lglz]sfsf]k0f]hgsf  
nflu xfdl of]sfof0{l]zi6 ; kn]edfgj clwsf/A sf]cj wf/0ff eG ; S5f.

ed0fx; To:tf dflwodx; xg\h; af/f /fli60 ; 06qn]:j tGqtfa6 j l-rt  
ul/Psf JolQm; ; E ul/g]Joj xf/sf]hfFaem u5{oBlk ol Psdfq dflwod eg]  
xf0gg\ /fli60 ; 06qn]ed0fsf]qmdf cfkth]ed0f u/}\$]vf; :ynaf/]; Rgf  
a6N5 . /fli60 ; 06qn]cS; / agblx; ; E ln0Psf cGtj ftfx; af6 klg ygf  
:yndf cf0klge'bf klxn]cyf^lu/^tf/Lsf]qmdf, oftfofsf]qmdf j f kx/L  
rf\$<sup>३३</sup> df pglx;n]ef]g'k/}\$ cj :yf / Joj xf/af/]klg ; Rgf kkt u5{<sup>३४</sup>

csf]s/f, /fli60 ; 06qn]ygf :ynx; / :j tGqtfa6 j l-rt JolQm; ; E  
; Dal6wt lj Bdfg tyf k}tf]j t sfggx;sf]; dlIf ug\$ . pbfx/0fsf]nflu, tl  
sfggx; cGt/fli60 dfgotfcg'k 5g\5gg\; f\$]n]fhf]yf ug{S5 / tl  
sfggx; ygf :ynsf cj :yfx;df ; wf/ ug{pkoQm 5g\5gg'eG]af/]lj rf/  
u5{. o; ; Dal6wdf /fli60 ; 06qsf sdfs]; xhls/0f ug\$lgldt ; /sf/n]  
/fli60 ; 06qnf0{cu|lqmotf -k]P]S6e\_ ; fy d:of]bf sfgg k7fpg]cEof;  
ugk5{h; n]ubf{/fli60 ; 06qnf0{ltgsf]lj Zn]f0f u/L cf^gf]lj rf/ k; ug{

<sup>३२</sup> of]lglz]sfsf]; ftf]cllofodf l; krl/; , ; jfb / sfof]ogsf]klqmfaf/]; lj :tf/ 5nkn ul/Psf]5 .

<sup>३३</sup> wf/f @)-3\_ ul]o cGtj ftf{ug]clwsf/sf]Joj :yf, tn bkaf ^# df rrf{ul/Psf].

<sup>३४</sup> wf/f @) af/]tn v08 ^-e df 5nkn ul/Psf]5 .

kofl{t ; do kfl{t xg ; sf] \ wf/f !(-u\_ cg'k /fli60 ; 06qaf/f gofFsfhg  
lgdf0f ug{f l j Bdfg sfgg ; zfwg ug{f lglDt k|tfj cl3 ; fg{dfMod klg  
xgk5{.

ol ; a} ; Fgfsf]k0f]hg ygf :ynsf cj :yfdf ; wf/ ugI/ a9L cfd 2kn]oftgf  
j f c6o bJof]xf/ /f\$yfdaf/] /fli60 ; 06q / /fhosf]alrdf lg/Gt/ 2kn]; jfb  
ug{xf]. pQm 5nkmmnf0{/fli60 ; 06qaf/f lg/Gt/ 2kn]; 'emfj x2 ugI{sfo0f  
kl/oft ugI/ ; f\$]klkpmof : j 2k clwsf/Lx2af6 sbd rflng]s'/fnf0{; lglZrt  
ugk5{. wf/f !(-v\_ n]df0otf lbPcg; f/ /fli60 ; 06qn]cj l:ylt j f l; kmfl/;  
ugI]j ifoj :tsf]cwf/df j f ToF]Ps j f cg\$ :ynl; t ; DalGwt :yfglo d2f xf]  
ls k0ffnJofkl j f /fi60ofkl d2f xf] ; f\$] cfwf/df /fHoleqsf leGleGg  
clwsf/Lx2; t 3l/3l/ ; jfb ug5 .

**#=#0 c6t/fli60 dfkb08tkn\$] kpl{t**

oftgf lj ?4 /fi60 3lo dxf; lGwsf]P]R5s cfn\ysf]k0f]hg kl f /fi60 2nf0{  
: j tGqtfaf6 j l-rt ul/g]j ifox2; E ; DalGwt c6t/fli60 dfgj clwsf/; DaGwL  
df0otf tyf dfkb08x2sf]kfnf ugI]cj :yf kfl{t ug{; 3fp k'ofpg'ePsfn]  
/fli60 sfggn]/fli60 ; 06qnf0{oftgf lj ?4 /fi60 3lo dxf; lGwsf]P]R5s  
cfn\ysf]wf/f !(-v\_ cg'k /fli60 df0otf tyf dfkb08x2af/] l j rf/ u/L  
ltgnf0{sff0f] og ugI5b lbgk5{. sfgg sfof] og ubf{/fli60 ; 06qn]; wf  
: j tGqtfaf6 j l-rt JolQmf0{; a06bf a9L ; Af0f kfl{t xg]vfnsf]dfkb08  
k0f] ugk5{.

**#=## clt/Qm sf0f]z**

e00f, l; kmfl/; / cgldg xB]kgMl; kmfl/; df klG]rqm oftgf lj ?4 /fi60 3lo  
dxf; lGwsf]P]R5s cfn\yctuf sg}klg /fli60 ; 06qsf]sf0f]zsf]k0f]v cE  
a6gk5{. t/ ; /sf/n]cemJofks sf0f]z ePsf]gofF; 06q lgdf0f ug{ S5 j f  
Jofks sf0f]z kfl{t u{/sf]sg}klg lj Bdfg lgsfonf0{dgf]og ug{ S5 .  
o; sf]cy{s]xf]eg]/fli60 dfgj clwsf/ cf0f] h:t}/fli60 ; 06qn]klg

clwsf/sf] Jofks z{v\vnfnf0{kā4g u5{cyft JolQmsf a9l cfd vfnf  
 clwsf/nf0{kā4g u5{. /fli60 ; 06qsf sfo{x}nf0{cem Jofks sfof6z; 6  
 ldnfg ubf{To; af6 ; sf/flDs pmhf{kkt xg; S5 . t/ sg}sg}ldnfgx; af6  
 yk rgf]L / hf]vdx; kbf x65g\eg]sg}sg}ldnfgx; rflxF; wFcgkoQm  
 x65g\

pbfx/0fsf] nflu, sg}; ;yfnf0{oftgf lj?4 /fi6x 3lo dxf; l6wsf] PIR5s  
 cfn]ycgtuf ul/g]ed0fx;sf] cltI/Qm JolQmsf ph/Lx; cfk]rfl/s ;kn]  
 bfo/ ugI/ ltgaf/]kk{f ugI-cf^gf]ed0fsf]qmddf cf0nflg]ph/Lx; nufot\_  
 sfof6z lb6f oftgf lj?4 /fi6x 3lo dxf; l6wsf] PIR5s cfn]ysf p2]ox;  
 Joj xf/df k'f ugI sfo6f Hofb} 7hf Joj wfgx; cf0nflg ; S5g\ /fli60  
 ; 06qn] ph/L bfo/ ugI]j f kkt; nf ugI d2fsf klt]tj fbl ; /sf/L clwsf/Lx;  
 ePdf To; af6 /fli60 ; 06q / tl ; /sf/L clwsf/Lx; alrsf]cfk; L ; xof]udf  
 cfwf/t ; Da6wnf0{sfof /fVg uxf]xg; S5, h; dfly oftgf lj?4 /fi6x 3lo  
 dxf; l6wsf] PIR5s cfn]ysf]/rgf]ds ; jfb lge\ u5{. a6bl, ; /sf/L sdf/L  
 jf c6o JolQmf0{cf^gf]lrgf/L vNg]jf cfk]h]lbPsf]; 'rgf kl5 sg}ahf  
 pbfE]xg]8/ ePdf -h: tf]ls cleof]hg j f ; g]f0sf]qmddf\_ /fli60 ; 06q; 6  
 s'/fsfgl ugI]tgf]OR5f : j tM sd xg; S5 . JolQmut ph/Lx; shfpg]/  
 ltgsf]km:of6 ugI]hd]f/L axg ubf{sfo6f/sf]rfk a95 h; n]ubf{/fli60  
 ; 06qsf]/f\$yfd edof tyf koj] ]fof sfo6f ; xl tl/sfn]hf\$tf\$sf ; fy nflg]  
 lfdtdf xf; cfpq ; S5 .

csf]t/, x/f\$yfdE ed0fsf]qmddf kkt xg]JolQmut ph/Lx;sf]glthf : j ;k  
 d2fsf] cfk]rfl/s k]qmf z? ugI lfdtn] clwsf/Lx;df /fli60 ; 06qsf  
 l; kmf/; x;nf0{uDel/ ;kn] lngkg] x6f o; af6 yk Jofj xfl/s xf] nf  
 kkt xg; S5 . o; n]edof 6fh]lsf ; b:ox; 6 s'/f ubf{cf^gf]nflu s]l g  
 s]l ; sf/flDs glthf lg:sg ; Sg]/x\$ e6g]s'/faf6 a6blx;sf]cfd]j Zj f;  
 a9g ; S5 .

dllodfu{klg ; Dej xg; S5Mh:tf]ls /fli60 lj z]f1 tfk]kt /f\$yfd ; 06qnf0{ oftgf lj ?4 /fi6\* 3lo dxf; l6wsf]sb}k]fj wfgn]klg æ; Da6wt clwsf/L; dlfæ k|t't ul/g]; 6mfj x2 df ph/L xg]sb}klg j }w ; :yfnf0{f cleof]hsnf0{vf; JolQmsf]d2fsf]5fglag ug\$ f lgldt l; kmf/; ugdf /f\$ nufp6g .<sup>३५</sup>

/fhonf0{; 0Qm sfob}zaf6 cf0nflg]; d:ofx2 tyf k]kt xg] kmf0bfx2af/ xfl]; of/L; fy ; f]lj rf/ u/7 sg)Ps ; :yfn]/fli60 ; 06q / JolQmut ph/L xg] d-r b] \$f]sfd ug{ S5 e6g]nfuldf tl sfox2alr cftl/s le6gtfsf]:ki6 /yf sfq{-cf]krfl/s 2kn]lj eflht kzf; lgs ; /rgf, efl]ts 2kn]cnu sfof]ho, cnu-cnu sdf/L / clen} /Vg]k]ffnl cflb\_ h?/L xg]5 . o; f] ug\$]f]p27o oftgf lj ?4 /fi6\* 3lo dxf; l6wsf]P]R5s cfn]vc6tu f ul/g] eD0fsfnlg ; jfbx2sf] c6o sfob}z; 6 ; Dem]f gul/g]s'fnf0{; lglZrt tNofpg' xf]. csf]s'/f, eD0fx2sf]lhDd]f/L axg ug]sfof]hon]JolQmut ph/Lx2 xg]lhDd]f/L axg ug]sfof]honf0{; jfbsf b0k]lfalr ePsf] ; Ddltcg'; f/ vf; JolQmut d2fsf]cnlu}5fglag ug]sfo\$]fcgludg ul/of] \ egl l; kmf/; ug{; Qm5 .

hx fF; /sf/n]/f\$yfd eD0f; Da6wl sfob}znf0{:j t6qtfa6 j l-rt JolQm x2sf dfgj clwsf/x2sf]k]46 ug]sfoDf s]b}t gxg]sfob}z; 6 50f; ld; u5{ ToxfCem uDeL/ sl7gf0x2 k]b} xg ; S5g\ pbfx/0fsf]nflu, slxn\$fxLF kzf; lgs lg/Lifof ug]lgsfox2nf0{; /sf/L lgb}z]g lj k/Lt sfo{ug]; :yflj z]f]sf] cfly\$ sfo{ Dkfbgsf]dllof]g ug]f a6bx2 eflg]hfl]vdnf0{36fpg ; /lf; Da6wl s7f] pkfox2nf0{k]46 ug]nufotsf lhDd]f/L ; lDk065 . ; /sf/n] ol cfk; df af%g; Sg]vfnsf le6gle6 ltx2sf alrdf ; Gthg sfod ug] pkfox2 kQf nufpg'k5{eg]/fli60 ; 06qn]rflx Fw/f \$ / !( n]sfob}z

<sup>३५</sup> 56f]cllofodf xfdl s]b]vg]5f]eg]o; k\$ f/sf dldnfx2df /fli60 ; 06qn]5fglag ug]clwsf/Lx2; 6 s]s]it ; 'rgf afBrB ug]xf]; f]s'/f c6tj ftf]f]n0g]JolQm x2sf]; Ddltst]txdf e/ kg]15 .

lgwf{Of u/ædfllhd ; wFg}:j tGqtfaf6 j l-rt JolQmx{sf] dfgj clwsf/nf0{ k46 ugIbl6af6 sfd ugk5{.

o; y{/fli60 ; æqnf0{oftgf lj ?4 /fi6x3lo dxf; lGwsf] PIR5s cfn\ysf] sfob6z; E aflemg ; Sg]vfnsf yk sfob6zx; lb0g' x6g . pbfx/Ofsf]nflu, /fli60 ; æqnf0{To; sf]sfob6zsf]Ps cEsf 2kdf ah6df pln\y ul/Psf nlox2 k'f ug6f nflu vr{36fpg]lhDd]f/L ; lDkg' cglrt xg5, sf/Of o; af6 :j tGqtfaf6 j l-rt JolQmx{sf cj:yfdf kl'tsh c; n kg{S5 . To; 3/L ; :yfx2n]ltgsf cfly6 nlox2 k'f u/6f 5g\5gg\; f3]dNof]g ugI lhDd]f/L; d] Ps; fy axg ug6f] sf/Of /fli60 ; æqnf0{vlrhf] t/ ; wf/sf nflu cfj Zos k]tfj k]tt ug{g; lsg]s'f unt dx; ; xg'xg5 .<sup>35</sup>

**#=# \$ Pkl6lsf ; emfj**

- /fli60 ; æqnf0{ædfgj clwsf/ cjwf/OffÆ df cfwfl/t b[6sf]f cEflg] sfob6z lb0g' k5{. o; sf]p2]o oftgf jf c6o bJo]xf/ tyf :j tGqtfaf6 j l-rt JolQmx{sf] ; Af0f ul/g] sfob6f0{ ; b] tNofpg' / ltgsf cj:yfx2df ; wf/ ug{/x65 .
- ; /sf/n]d:of]f sfggx2 l6kk0flsf nflu /fli60 ; æqnf0{k7fpg] culqmfzln cEof; ugk5{. /fli60 ; æq gofFsfgg agfpg]jf lj Bdfg sfgg ; æf]vg ugIk]tfjx2 k]tt ug{; dy{xgk5{.
- sfob6]ogsf/L sfggn] /fli60 ; æqnf0{agblx2sf] clwstd ; Af0f xg] dfkb08 kpf] u/L /fli60 df6otfx2sf] cltI/Qm c6t/fli60 sfgg tyf dfkb08x2af/] ; f]lj rf/ ugI clwsf/ lbgk5{ / o; sf] nflu p; nf0{ :ki6 zAbdf clwsf/; Dk6g agfpg' k5{.

<sup>35</sup> lg/Lif0f; Da6wl c6o sfob6zx2; E :j tGq lg/Lif0f e6of sfo6f]; Demf]f ugI sfo6f6 pTk6g xg] sI7gf0; Da6wl lrc'tfx2sf]kl/Offd; j2k ; æQm clw/fhon]cS6f3/ @)^ sf]lgOf6af6 dxf/fglsf] sf/fuf/; Da6wl lj Bdfg k6v lg/Lifss]sfob6onf0{-h; nf0{/fli60 ; æqdf dgf6o ul/g]5\_ cg6f]f kmf]bf/L Gof0; Da6wl lg/Lif0fno; E uEg]of]hgfnf0{ab/ ul/lbof].

- /fli60 ; 06qsf 2kdf dgfjog ul/Psf] ; :yfn] kfpq] sfobh}z oftgf lj?4 /fi6x 3lo dxf; l6wsf] P]R5s cfn}ydf aofg ul/Psf] e6bf Jofks xg; S5 .
- Pp6); :yfn] /fli60 ; 06q / JolQmut ph/lx2 xg] d-r b] 3f 2kdf sfd ug{k}g] ePdf oftgf lj?4 /fi6x 3lo dxf; l6wsf] P]R5s cfn}yctut}sf /f3ydfsf/L sfo{x}sf] c6o sfobh}z x2; E ; Demf}f xg gkfcf] \e6g] s/fnf0{ ; lglZrt ug{ b0y/L sfohf0{ cftl/s 2kn] cnu ug] s8f Joj :yf ug{ h?/L 5 . pbf/0fsf] nflu, o; df ; fdf6otM cf}krf/s 2kn] lj eflht k}z; lgs ; Argf, eflts 2kn] cnu sfobhox2, cnu sdf/f/lx2, clen}y /Vg] cnu k}ffnl cflb kb5g\
- /fli60 ; 06qn] /f3ydf e}0f; Da6wl sfobh}z nf0{ vr{ 36fpg] jf a6bl eflg] hf]vd 36fpg] h:tf dhtM :j t6qtfaf6 j l-rt JolQmx2sf] dfgj clwsf/ ; Af0f ug] sfo{ E c; Dal6wt sfobh}z nf0{ 50f; ld; kfg{ x5g} .

#=\$ e}0fsf] ; doqmd

#=\$! kl/ro

oftgf lj?4 /fi6x 3lo dxf; l6wsf]P]R5s cfn}ysf]zt6g; f/ /fli60 ; 06qnf0{ lj le6g >f]x2af6 k}t xg] hfgsf/Lsf cfwf/df vf; ygf :ynx2sf]s]slt ; dodf e}0f ug]e6g]s/f lgwf]ug]clwsf/ 5 . ; fdf6otM cfj Zos clwsf/n] ; ; lHht :j t6q lj 1x2sf]dgllu] ; Wofaf/f pkoQm tl/sfn]e}0fsf] ; ~rfng ul/g]5 e6g]cgdfg ubf{hlt l56f]56f]e}0f u}of] e}0f sfo6md Tolt g} k6fj sf/L x65 .

j f: tj df, clwsfz 36gfsf]xsdf /fli60 ; 06qn] ; ~rfng ug{ Sg]e}0fsf] ; Wof /fHoaf/f o; nf0{550f0g]cfly\$ tyf dfgj lo >f]-; fwgdfly lge{ ub5 .<sup>39</sup>

<sup>39</sup> tn rfyf]cllfo v08 \$-^ df /fli60 ; 06qx2sf]cfly\$ :j t6qtf]sf] ; Af0f ub}tgnf0{cy{550f0g] pkoQm kl}qmf x2af/]5nkim ul/Psf]5 .

of]s'f ; fdfotM oftgf lj ?4 /fi6\* 3lo dxf; lGwsf]P]R5s cfn]ysf zt{x  
k'f ug\$f lglDt /fli60 ; 0Gqn]ug[kg]ed0fx{sf]; doqmd tyf nDaf0; Da6wL  
s}l kl/slnkgfdf cfwfl/t 5 .

o; v08df ol ; lldt kpf]hgx{sf nflu cgdffgx{ to ugI/ k|tflj t  
cfly\$=dfgj lo >f]-; fwgx{sf] lj lggof]hgsf] dNof]gdf ; 3fp k'f ofpg]  
dfu]bzgx{ k|t't ul/Psf 5g\ 3= xfdl klxn]leGgleGg k\$F/sf ed0fx{dfly  
b[li6 lbg\$F]To; kl5 vf; vf; ygf :ynsf]ed0fqmdnf0{[I56f]j f I9nf]u/fpg]  
sf/0fx{dfly ; d] b[li6 lb5]leGgleGg k\$F/sf ygf :ynx{sf]rrf{ug\$F.

**#-\$-0 ed0fsf k\$F/**

#-\$-@! ldl>t sfoqmd

/f\$yfd ed0fx{sf]k\$F]sf/l sfoqmddf ; 3g k\$[tsf cfj lws ed0fx{ /  
cln 5f0f tby{ed0fx{ 50f; ld; ePsf x65g\ sg}vf; ygf :ynsf]  
ed0fx{sf]Gogtd ; doqmd ed0fsf]k\$F/, ed0f ul/g]:ynx{sf]k\$F/, pQm  
:ynsf]cl3Nnf]ed0faf6 lg:s\$F vf]hx{ tyf pQm:yn; Da6wL ; 'rgsf c6o  
e/kbf{u}; /sf/l >f]x{dfly lge{ ugI 5 . ; fdfotM a9L uDel/ ; d:of  
ePsf eg] lrlgPsf :ynx{df a9L I56f]; doqmddf ed0f ugInlo /flvg'  
h?/L x65 .

ahfot / j]]; sf sf/fuf/sf k0v lg/Lifssf ed0fx{ ; 3g tyf tby{k\$F/sf  
50f; ld; ]ed0f sfoqmdx{ ; -rfng ug\$F lglDt agf0Psf] /fli60 ed0f  
lgsfosf]Pp6f pbfX/0f xf]-h; nf0{/fli60 ; 0Gqdf dgr]og ul/g]5\_ . 3= k0v

3= o; v08df pknAw u/f0Psf]dfu]bzg Pkl6lsf af/a/f agfy / 0:y/ :sfpk]nau{sf]lj 1tfdf  
cfwfl/t 5 .

39 o; ; Da6wL yk hfgsf/Lsf nflu x]kf] \! \* cu:t @)) ^ df k|t't :ynx{ /fli60 ; 0Gqsf {kdf dgr]og ul/g]lj leG ; #yfx{n]; d6g]5g\

lg/Llfs / kfFj 6f 6fhl ePsf]pgsf]sd{f/lu0fn]k]o} sf/fuf/df sDtldf  
klg kfF j if6f Ps k6s k' \$f]ift ; 3g lg/Llfof sfo{; ~rfng u5{. o;  
k\$F/sf]3f]ift e0of k'f ug{k'}/kfF lbg nflu5 . lg/Llfoffnon]alr-alrdf  
klxrfg ul/Psf ; d:ofsf]uDel/tfsf]cfwf/df lj le6g nDaf0 / ; Wof ePsf  
c3f]ift cgludg e0ofx; ; ~rfng u5{. pRr hf]jvd ePsf :yndf ..3f]ift  
e0ofx; ul/G5 hg e0of kfF lbgf x65g\ cGo :ynx;df ..5f] c3f]ift  
e0of ul/G5 hg e0of b06]v rf/ lbgf x65g\

sltko lj Bdfg /fli60 lgsfox;n]vf; u/] ; dbfodf cfwf/t Hofb}l56f]  
; doqddf ygf :ynx;sf]e0of ug[:j o;]L sfo{qddfkt Ng/Gt/ cgludg  
ug[lu56] o; k\$F/sf e0ofx; ; a66f l56f]; doqddf xg]xgfn]; fwf/Oftof  
tl lgsfox;n]o:tf e0of u56]h; nf0{/fli60 ; 06qn]k'f ug[kg]oftgf lj ?4  
/fi60 3to dxf; lGwsf]P]R5s cfn]sf cGo zt; k'f ug{ufxf]ePsf]x65 .  
To; sf/Of o:tf lgsfox;n]; fdfgotM/fli60 ; 06qsf]cfkrfl/s cEsf ;kdf  
ge0{To; sf]; 'rgsf]>f]sf ;kdf sfo{u56]

tnsf]v08df k]o} k\$F/sf]e0ofaf/]kfn]kfn]rrf{ul/Psf]5 .

#-\$-@-@ ; 3g e0of

; 3g e0ofsf]nlo ygf k0ffnlsf]lj :t; lj Zn]fof k]t't ug{xf] / pQm lj Zn]fofsf]  
p2]orflxFelj iodf oftgf jf qm, cdfgj lo jf ckdfghgs Joj xf/ -ygf sf  
Go; t/lo cj :yfaf/f ; d;\_ k\$F ug[uf] sf/Ofx; sf]klxrfg u/L tl sf/Ofx;nfo{  
Jofj xfl/s tyf cfbzr{ds txd; ; Daf]vg ug[:; hf]j x; tof/ kfg{xf].

Pkl6lsf] ygf :ynx;sf]cgludg] Ps Jofj xfl/s lgb]zsf gfds k\$Fzgd  
k\$Fj sf/L e0ofsf]qddf s]ul/g' k5{e6g]s/fsf]j Of6 ul/Psf]5 .yo k]o}

; 3g eđ0fdf w}] a6lx; E c6tj f{ul/g' k5{. o; y{o; k\$f/sf] eđ0f ygfdf /x\$ JolQmx; sf]; Wof x]L sDtldf klg Psb]v tlg lbg; Dd rNg; S5 . pbfx/Ofsf] nflu, sf/fuf/x; sf]; 3g eđ0fsf] ts{ Èt cfÈng ug\$ lglDt lglDgnlv t dfu\$zgx; sf] kfngf ul/g' h?/L 5M

- a6lx; %) e6f sd ePdf eđ0f sDtldf klg Ps lbgf] xgk5{.
- a6lx; %) b]v (( ; Dd ePdf eđ0f sDtldf klg b0{lbgf] xgk5{.
- a6lx; !)) b]v @(( ; Dd ePdf eđ0f sDtldf klg tlg lbgf] xgk5{.
- a6lx; #)) e6f w}] ePdf eđ0f sDtldf klg rf/ lbgf] xgk5{.

kx/L rf\$lx; sf]; 3g eđ0fctuf ; fdf6otlvf; lfgsf cg\$ kx/L rf\$lx; nf0{ ; d6g]ul/65 . To; sf/Of o; sfo\$] nflu 66gtd cg\$ lbgf]; do cfj Zos xg cfp5 .

; 3g eđ0fx; sf] nflu ; Dal6wt ygf :ynsf] kl/j z a%g cfj Zos kg] lfdtf / 1fg ePsf lj 1x; sf] axlj Bfut 6fhL h?/L x65 [xg]f] \oftgf lj ?4 /fi6x 3lo dxf; l6wsf] PIR5s cfn]sf] wf/f !\* -@] x9 Pkl6lsf] l; kmf/; cg; f/ ; 3g eđ0f 6fhldf sDtldf klg tlghgf lj 1x; xgk5{.

#=\$=@# tby{eđ0f

tby{eđ0fx; ; 3g eđ0fx; sf] alr alrdf xg] u56 \ ol eđ0fsf] p2] o ; 3g eđ0f 6fh] láf/f ul/Psf l; kmf/; x; sf] cgludg ug{/ a6lx; abnfsf] l] zsf/ gxf] g\ e6g] s'/fnf0{ ; lglZrt ug{ xf]. eđ0fsf] lg?T; fxgsf/L c; / kg] ; Defj gfnf0{ 5Ngsf lglDt o: tf eđ0fx; k] {; } gflj gf g} ul/g' k5{. To; sf/Of o: tf eđ0fx; ; doqmdf ckef6 ul/g' k5{. /fli60 ; e6gnf0{ (sg] klg ahf sg] klg ygf :ynsf] eđ0f -k] {; } gflj gf – tn v08 ^!=# df o; ; Da6wl rrf{

<sup>x9</sup> tn kfFf] llofodf /fli60 ; e6qs] agf6af/] ; lj :tf/ rrf(ul/Psf] 5 .

ul/Psf]5\_ ugIclwsf/ t o; }565 . tby{eđ0f klg k'fđdfg gul/Psf sg} 36gfklt kltlqmf hgfpq]9En]-h: tf]ls ygf :yndf xg]d[o; bE'f cflb\_ cyj f sg}vf; lj ifosf]5fglag ugIclekfon]ug{; ls65 .

cS; / tby{eđ0fx; ; 3g eđ0fx;eGbf 5fđf xg]x6f ; ; gf eđ0f 6f]lx;en] o:tf eđ0f ug{; S5g\ Pkl6lsf]l; krf]l; cg'; f/ /fli60 ; 06qn]eđ0fdf latfpg] sh ; dosf]sl/a Ps ltxf0{; do tby{eđ0fdf nufpg'k5{.

#=\$@=\$ lg/t/ cgludg

lg/t/ ul/g]eđ0fx;sf] p27o ygf :yndf lbg]bg}-j f em08h; f] lbg]bg} afxl/ofx;sf]pkl:ylt v8f u/l clwsf/L / sd{f/lx;nf0{b'jo}xf/ ug{dghxl ug{ ygf :ynnf0{a9l dfgj lo agfpg ; 3fp k'ofpg' / l/xf0kl5 a6blx; ; dfhdf kgM 3hldn xg] ; Defj gf a9fpg' xf]. slxn\$fxlFol eđ0fstf{x;en] dWb:ystf\$]el'dsf v]h] vf; vf; a6blx;sf ; d:of xn ug{; 3fp k'ofp5g\ lg/t/ eđ0f ugI lgsfox; lg/t/ ;kn] pknAw xfbg\eGgvflt/ To:tf lgsfox;df cS; / u]lj 1 :j o;] sx; /x\$ x65g\hf]klxn]v g}ygf :yn glhs a; f;f; ub{xcfPsf 5g\

lj Zn]f0ffds kltj]bgx;sf]d:of]f gul/sg / cf]krfl/s l; krf]l; x; gul/sg s]n lg/t/ ;kn]eđ0fdfq u/] /fli60 ; 06qsf]sf0f]z k'f x65 [xg]x'f \ oftgf lj ?4 /fi6\* 3lo dxf; l6wsf]P]R5s cfn]ysf]wf/f !(-v\_ / -u\_]. lg/t/ eđ0f sf0qmdsf]dfqfn]ubf{oftgf lj ?4 /fi6\* 3lo dxf; l6wsf]P]R5s cfn]ysf lj 1 tf; :j tGqtf; ; lj wf / p6dlQmx; h:tf zt{x; k'f ug{f lgldt rfxg]>f]- ; fwg tyf sfggl v'fsf pknAw u/fpg /fhonf0{cS; / cK70f/f]x65 .

To; sf/0f lg/t/ eđ0f; DaGwl of]hgfnf0{; fdfGotM/fli60 ; 06qsf]cf]krfl/s cEsf ;kdf :j lsf/ ug{pkoQmgeP klg o:tf of]hgfx; /fli60 ; 06qsf]; 3g / tby{sf0qmdsf]k'f'ssf ;kdf eg]Hofb}pkof]ul xg ; S5g\ ol sf0qmdn] a9l l56f]l56f]sgsg :ynsf]eđ0f ugI eđ0fsf]qmddf s]s:tf k7g ; fl]g]/

sgsg s'/sf]lg/lifof ug[efg]lgwf]ug{; 3fp k'ofpg]xgfn]/fli60 ; 0qsf nflu aflx/L ; 'rgsf]>f]sf 2kdf ol lj z]f dxTj k0f{xg ; S5g\

/fli60 ; 0qgn]; 3g e00fkl5 u/3f l; krf/; x2sf]sf0f] og gxGh]sf]nflu cfGtl/s pkfosf 2kdf lg/Gt/ e00fnf0{1; krf/; ug{klg ; S5 . lg/Gt/ e00fn]; dbfo / aGblar ; DaGw-; 0 sfod u/L ygf :ynx2sf]tgfj 36fP/ /fli60 ; 0qsf] sfdsf] cfwf/df /rgf]ds ; j'bsf]bl/nf] hu a; flg klg ; 3fp k'ofpg ; S5 .

### **#-\$-# lj leG ygf :ynsf] e00sf] ; doqmd**

sg}sg} ygf :ynx2df : j'efj tM b]o]xf/sf] hf]vd a9L xg] xBf To:tf :ynx2df cf} t sDtdf klg j if\$]Ps k6s ; 3g e00f -alralrdf tby{ e00fx2sf]lg/Gt/tf xg]; Defj gf t 5B5\_ ug{h?/L xG5 . pbfx/0fsf]nflu,

- ; d:ofx2sf]klxrfg ePsf kx/L rf\$lx2df,
- txslsfts]nflu k]l/ ygfdf k7f0g]/ k' {kk{f ygf :ynx2df,
- lj z]f hf]vddf k/3f ; d'x2sf]30Ff]ePsf :ynx2df,

oftgf tyf cG b]o]xf/ /f3yfd ug[b]6af6 **kx/L rf\$lx2** lj z]f dxTj k0f{ :yn xg\ sfgg sf0f] og ug]clwsf/Lx2nf0{kx/L rf\$lx2sf aGblx2; DaGwL ; 'rgf k]t ug]sf0f]; fob ; a0Gbf a9L 6fpsf]bvfp5 . ToxfFaGblx2 cfpG] qmd cS; / Hofb}pRr xG5 . ToxfF/flvg]aGblx2 cToGt}c:yfol k\$[tsf xg] xBf ToxfBf cj:yfx2df ; wf/ ug\$nfu lbuf]j f ; E17t bafa kgI; Defj gf sd0fq xG5 . w]h; f]b2df kx/L rf\$lx2sf]sh ; Wof Hofb}w]xg]xBf /fli60 ; 0qnf0{; a)kx/L rf\$ldf j ifdf Ps k6s e00f ug{ufxf]xg; S5 . To; sf/Of Pkl6Lsf] l; krf/; cg' f/ /fli60 ; 0qnn] ; **d:ofs] klxrfg ePsf] k]o3 kx/L rf\$ldf** sDtdf klg j if\$]Ps k6s ; 3g e00f / alralrdf tby{ e00fx2 ug]k5{. ; fy}j if\$]alralrdf ckem6 tl/sfn]5flgPsf cG kx/L rf\$lx2df ; 3g tyf tby{ed0fx2 klg ul//xg'k5{.

k] {kk{f ygf :ynx; tyf xslsftsf nflu aGblnf0{lkmtf{k7f0g]:ynx;df  
l56f]56f]ul/g]ed0fx; pQm :ynx;df xg; Sg]oftgfnf0{/f\$yfd ug]b]i6af6  
t dxTj k0f{xG5g\g} txslsftsf nflu lkmtf{k7f0g}aGblx; a; } cfPsf kx/L  
rf\$lx; xgfn]Toxf]f]cj :yf / Joj xf/af/]hfgsf/L kkt ug\$ f lglDt klg cIt  
dxTj k0f{:yn xg ; S5g\ /fli6; ; 06qnf0{b}zsf ; of]f f xhf/fkx/L rf\$ldWb]  
sgsg rf\$lsf]ed0f ug]eGg]lgwf]ug{Tof]; Rgf cIt h?/L xG5 . o; y{  
JolQmx;nf0{txslsftsf nflu lkmtf{k7f0g]:ynx; / k] {kk{f ygf s]b]x;df  
sDtlDf klg j if\$]Ps k6s ed0f ug]k5{. alralrdf tby{ed0fx; ug]  
; Defj gf t o; }565 .

lj z]f hf]vddf /x\$ f aGblx;sf]30Ff]ePsf :ynx;df klg j if\$]sDtlDf Ps  
k6s ; 3g ed0f ug]k5{-alralrdf tby{ed0fx; ug]; Defj gf t o; }565\_ .  
; fwf/oftof o:tf :ynx;df a; f0F; /\$fx; , dlxf, gfafns, dgf]f]ul, /fli6,  
hghftlo, wld\$ j f eflifs cNk; Wosx;, cflbjf; lx; j f ckfEx;sf]; fRrL  
g}30Ff]xg]lj z]f k\$f/sf s]b]j f :ynx; kb\$g\ o; k\$f/sf dflg; x;n]  
; fdgf ug]g]hf]vd k]oIf e]efj xg; S5, cyj f ol ; dxx;sf ; b:onf0{  
cf^gf cfwf/e^t cfj Zostf k/f ug{h}h:tf lj z]f pkfox;sf]vFf]k5{tl  
s/fx; pknAw gePsf]xg; S5 .<sup>x2</sup>

cfbz\$ f s/f ug] x] eg] cGo k\$f/sf ygf :ynx; -pbfx/0fsf] nflu  
sf/fuf/; d]\_ sf]sDtlDf klg j if\$]Ps k6s ed0f ug]k5{. t/ k]ygf lj Gb\$  
; kdf b]zdf ePsf ol cGo ygf :ynx;sf]cf} t sDtlDf k]o\$ tlg j if\$]Ps  
k6s ; 3g ed0f ug]k5{. alralrdf tby{ed0fx; ug]; Defj gf t o; }565 .

ol cGo k\$f/sf ygf :ynx;sf]ed0fsf]j f:tlj s ; doqmdsf]lgwf{0f ug]  
qmdf /fli6; ; 06qn]vf; vf; ygf :yndf c; / kfg]lj leGg tTj x;af/]lj rf/

<sup>x2</sup> pbfx/0fsf] nflu dfj clwsf/ ; ldl, x]x] \ Hamilton v. Jamaica, Communication No.  
616/1995,UN. Doc. CCPR/C/66/D/616/1995 -@\* hhf0{!( ( ( ( , cgR5b) \*-@ .



lj zlf u/ lgD5/f ; dxxzsf]30Ff]ePsf :ynxz cyjf uDel/ ; d:of ePsf] hfgsf/l kft hfgsf/l ePsf jf cfzlf ul/Psf :ynxzafx\$ cGo vf; :ynxzdf ul/g]; 3g eDofalrslf]; doqmdnf0{/fli60 ; 06qn]nDAofpg]lgwfl ug]; S5 . s:t}kl/l:yltdf klg cflwsfl/s ygf :yndf ul/g]; 3g eDofslf]; doqmdnf0{a9ldf kfF j ifeGbf k/ ; fg{x50 .

csf]s/f, vf; vf; ygf :ynxz efl]hns bl[6n]Psnf; ]7fp0f 5g\j f /fli60 ; 06qsf cfly\$, a6bf: tl; Da6wl >f]-; fwgxz / dfgj lo >f]-; fwgxz ; lldt 5g\eg]s/fnf0{eDof ug]klygf :ynxzdf sd eDof ug]s/sf]cfl]rTo l; 4 ug]f lglDt /fHon]pkof] ug]s/f oftgf lj ?4 /fi60 3lo dxf; l6wsf]P]R5s cfn]n]; f]5} 50 . l; 4fGttM /fli60 ; 06qn] cf^gf eDofx dfkft\lgHl :j tGqtfaf6 j-l-rt JolQmx]nf0{ kbf]g ug]; Af0f ygf :yn /x\$] l]qsf cfwf/df km/s-km/s xg' x50 . b; f]cWofodf xfd /fHosf efl]hns bl[6n] 5l/Psf ygf :ynxzsf]rgr]lnf0{ Daf]y ug]dflWodsf 2kdf /fli60 ; 06qsf sf0qmdxzsf]lj s]bl]s/of ug]; Defj gfaf/]lj rf/ ug]fF.

**#=\$=\$ Pkl6lsf ; bnfj**

/fli60 ; 06qn] ug] eDofslf]; doqmdsf] cf5ng Pp6f sf0qmddf cwfll/t xgk5{ h; dfl

- nfd ; 3g eDofx]nf0{-sDtldf klg tlghgf lj 1xzsf] axlj Bfut eDof 6f]hln] Psl]v rf/ lbg; Dd ug] eDof\_ 5f]bf tby{ eDofx; 6 -cln ; fgf 6f]hx]n] alrdf ug] {Sg] eDof\_ tfnd]h u/f0G5,
- /fli60 ; 06qsf] eDofslf] sh ; dosf] sl/a Ps ltxf0{ ; do tby{ eDofx]sf nflu 5\$0f0G5,
- tn pNny ul/Psf] dxnleqsf] k]o\$ :yndf cf}t sDtldf klg jif\$] Ps k6s ; 3g eDof ul/G5, / alralrdf tby{ eDofx] e0/xg] ; Defj gf /xG5M

- ⇒ ; d:ofx<sub>2</sub>sf] hfgsf/L ePsf kx/L rf\$lx<sub>2</sub> / xr]f tl/sfn] 5flgg] cGo kx/L rf\$lx<sub>2</sub>,
- ⇒ aGblnf0{ txslsftsf nflu lkmtf{k7f0g} :yn jf k] {kk{f sDlx<sub>2</sub>,
- ⇒ lj z]f u/7 lgD5/f ; dxx<sub>2</sub>sf] 30Ff] nfu\$}f :ynx<sub>2</sub>,
- ⇒ oftgf jf cGo b]o]xf/; DaGwl uDel/ ; d:ofx<sub>2</sub> ePsf] hfgsf/L kf0Psf jf cfzÍf ul/Psf cGo :ync<sub>2</sub> jf b]zsf cGo ygf :ynx<sub>2</sub>sf] thgdf v/fa cj:yfx<sub>2</sub> ePsf] hfgsf/L kf0Psf cGo :ynx<sub>2</sub>,

- cGo k]o\$ :yndf cf} t sDtldf tlg jifGf Ps k6s ; 3g eDof ul/G5 -alralrdf tby{eDofx<sub>2</sub> ul/G5, t/ ToefGf 5fGf] ; doqmdf ul/g' /fd] xf]
- sg}klg cflwsf/s ygf :yndf sDtldf klG kfF jifGf Ps k6s ; 3g eDof ul/G5, clg of] nfd] ; doqmdf kl; lEs ; \*gfsf] cfwf/df tby{ eDofx<sub>2</sub> ul/G5,
- ygf :yn Psnf; ]7fpDf xgfsf] sf/Ofaf6 jf /fHoaf/f /fi60 ; eGqdfly yf]k/g] cfly\$, aGbfq:tl; DaGwl >f]-; fwg jf dfgj lo ; fwg->f]sf] ; lldttfsf] cfwf/df eDofsf] cfj Zostf kg] sg}klg ygf :ynsf] eDof gul/g] s/fnf0{ oftgf lj?4 /fi6x 3lo dxf; lGwsf] P]R5s cfn]yn] :jlsf/ ubG .

# स्वायत्तता



\$=! kl/ro	\$^
\$=@ :j foQtfsf cfwf/	\$&
\$=# :j tGq ; b:o / sdf/L	\$*
\$=\$ lgoIQm klqmf	%)
\$=% lj zjfflwsf/ / pGdIQm	%@
\$=^ cfly\$ :j foQtf	%^
\$=& PKL6Lsf ; 'enfj	%( (

**wf/f !\***

!= klf /fi6x2n]/fli60 /f\$yfd ; 06qx2sf]sfo0t :j t6qtf tyf logsf kbflwsf/lx2sf]:j t6qtf]k]ofel't k0fg ug5g\ ==

\$= /fHox2n]/fli60 ; 06qx2sf]:yfkgf ug]qmdf dfgj clwsf/sf]kj 40 / ; Af0f ug]/fli60 ; :yfx2sf] x]; ot; Da6wL df6otfaf/] plrt 2kn] lj rf/ k%ofpg' kg5 -ek]/; l; 4f6tx2E\_.

**\$=! kl/ro**

/fli60 ; 06qx2 ; fRrL g]:j t6q gePsf]v08df ltgn]ug]ed0f oftgf j f c6o b]o]xf/nf0{k0fj sf/l 9En]/f\$yfd ug{: Sb0g\ P]R5s cfn]ysf] wf/f !\*!\_ /fli60 ; 06qx2sf]sfdsfhl :j t6qtfnf0{: lglZrt ug{/fHon]sbdx2 rfn]gkgl]zt{ Da6wL dV0 kfj wfg xf].

wf/f !\*-\$\_n]; 00m/fi6x3sf adfgj clwsf/sf]kj 40 / ; Af0f ug]/fli60 ; :yfx2sf] x]; ot; Da6wL df6otfx2E nf0{0lEt u5{ol df6otfx2nf0{k]/; l; 4f6t klg elg65\_ hg df6otfd o; k\$0/sf ; :yfx2sf]:j t6qtf]lff ug]sbdx2 yk lj :tf/k]'\$ ; dfj 2 ul/Psf 5g\\*\* t/ kl]/; l; 4f6tx2 k]xn]Jofks sfo0kz kf]t dfgj clwsf/ ; :yfx2sf]-cyff\dfgj clwsf/ cfo]yx2sf] k0fhngsf lglDt tof/ kl/Psf]lyof]. To; sf/0f p0m df6otfsf sltko klfx2 oftgf lj ?4 /fi6x3lo dxf; l6wsf]P]R5s cfn]ysf]clek0; 6 dh v0gg\ /fi6x3lo dxf; l6wsf]P]R5s cfn]ysf]kf7df c2 o; sf sltko df6otfx2sf]; \$f a9L lj :tE kfj wfgx2 /flvPsf 5g\

o; kl5sf]v08df o; sf]sfdsfhl :j t6qtf] l] le6g klfx2sf]hfFaem ul/g]5 .\*\*

\*\* adfgj clwsf/sf]; Af0f tyf kj 40 ug]/fli60 ; :yfx2sf]x]; ot tyf sfo{ Da6wL df6otfx2E, 0) l8; 0a/ !((# sf]/fi6x3lo dxf; efsf]k]tfj A/Res/48/134(Annex) -ek]/; l; 4f6tx2E\_.

\*\* dfgj clwsf/ k\$0zgsf nflu dfgj clwsf/ glt tyf pRrfo0msf]sfofho; Da6wL c0t/fli60 kl/ib0sf] /fli60 dfgj clwsf/ ; :yfx2sf]k0fj sf]/tfsf]dNof]g -h00f, 0))% tyf dfgj clwsf/ k2fut klz l0f zF\vnfx2sf]/fi6x3lo s0]0gDa/ \$, /fli60 dfgj clwsf/ ; :yfx2]ldfgj clwsf/sf]kj 40 tyf ; Af0fsf nflu /fli60 ; :yfx2sf]:yfkgf tyf ; b0Ls/0f; Da6wL xft]kl:tsf -h00f,! ((%\_ klg x00f] \

\$@ :jfoQtfsf cfwf/

kl/; l; 4ftt

s @ - /fli60 ; :yfx2nf0{oyf; Dej Jofks sfof6z lbgkgI5, hg sfof6zsf]lgwf(0f To; sf] ; Argf / sfof6z] ls6fg u/L :ki6 2kn] ; jwflgs jf sfggl b[6af6)ugkgI5 .

sfof6/L ; /sf/nf0{ :jR5fn] /fli60 ; 06qnf0{ lj 36g jf lj :yfk g ugI jf To; sf]sfof6z ; Argf / clwsf/ kl/j t6 ugI sfggl clVtof/ ePdf To; sf] :j t6qtfd lflt kl]gI5 . sfof6/Ldf o:tf] clVtof/sf] cEof; ugI clek(0 gePsf]v08df kl g of]s/f ; To xg cfp5 lsgeg]pQm ; 06qsf]lgD5/fkgn] g]To; sf]:j t6qtfnf0{lgifw u5{. o; y{To: tf] ; jwflgs jf sfggl klj wfgsf cfwf/df /fli60 ; 06qsf]lgdf0f ul/gk5{h; df lgoLQmsf] klqmf, sfof]lw, sfof6z, clwsf/, cfly\$ a6bf]:t tyf bfoLj sf]k\$[th:tf vf; vf; dxTj k0f{ s/fx2sf]aofg ul/Psf]xf] \x5 ; fdf6o sfggsf] ; \$f ; jwflgs cfwf/df g] :j t6qt lb0gsf]cy{s]xf]eg] ; fdf6oM ; fdf6o sfggl cfwf/e6bf ; jwflgs cfwf/ a9L pkoQm x65 .x5

o; sf]cy{s]xf]eg]/fli60 ; 06qsf]lgdf0f ugI sfggn]of] ; :yf jf o; sf ; b:ox2nf0{sg}d6qfno jf ; /sf/sf]d6qL, d6qld08n jf sfof6/L kl/ib\ /fi6klT jf k\wfgd6qLsf]lgo6qof c6tu\$ /Vg'x65 . /fli60 ; 06qsf]cl:tTj, sfof6z jf clwsf/x2 kl/j t6 ugI ; fdYo{ePsf]Psdq kflwsf/ lj wfosf :j o+g)xgk5{\x5 d6qLx2 tyf c6o ; fj flgs clwsf/Lx2n]/fli60 ; 06qsf

x5 /fli60 dfj clwsf/ ; :yfx2sf]dNof]g, k6 !@-\$ / /fli60 dfj clwsf/ ; :yfx2sf]xft]kl:tsf, Phg, k6!)!! x6xf] \  
x6 /fli60 dfj clwsf/ ; :yfx2sf]dNof]g, k6 !# x6xf] \  
x5 /fli60 dfj clwsf/ ; :yfx2sf]dNof]g, Phg, k6 !@-\$ tyf /fli60 dfj clwsf/ ; :yfx2sf]xft]kl:tsf, Phg, k6!)!! x6xf] \

gfpdf k]of j f k/f]f 2kn]lgbzg hf/L ug{gkfpj}s/f sfggaf/f ls6fg  
ul/gk5{.x9

**\$=# :j t6q ; b:o / sdf/l**

/fli60 ; 06qsf ; b:ox2 JolQmut tyf ; :yfut 2kn]/fhosf clwsf/Lx2af6  
:j t6q /x\$ f lj 1x2 xgk5{.

; fdf6otM/fli60 ; 06qx2 df To:tf JolQmx2 ; dfj z xg'x50 hf]xfn kmf]bf/L  
Gof0 k0ffnlsf ; lqmo kbx2 cf]u6] a; \$f 5g\j f To:tf kbaf6 5f]f]labdf  
a; \$f 5g\ of]s/f lqmfzln cleofQmf jf cleof]hgsf/L ; fj f]lgs kl]t/lff  
clwsf/Lsf]xsf t nfu"x65 g]; hfosf]k]; nf; Da6wL ; kl/j ]f0f ug]GofowLz2  
tyf c60 GofowLz2sf xsdf klq nfu"x65 .x0 hxfF/fli60 ; 06qsf] ; b:o  
sbl÷a6bl, sbl÷a6blx2sf]j u{ ; :yf jf clwsf/Lsf ; Da6wdf Ps; fy cg\$ff  
eldsf lgj f] ul//x\$]x65 Toxf]xtx2sf]k]zgd f jf:tlj s jf s]Nkt a6ax2  
xg]k]an ; Defj gf /x65 .x9

lgZro g}/fli60 ; 06qsf ; b:ox2 JolQmut 2kn]sfo\$ f/L ; /sf/af6 sg  
cydf ; j t6q xgk5{eg]sfo\$ f/L ; /sf/sf g]t]j bfol /fhgllts JolQm]j x2 ; E  
j f sfgg nfu"ug]sdf/l; E pglx2sf]JolQmut ; Da6w cyf]Vfhgllts  
ak]bf/L, 3lg]6 ldqt f j k/fg]k]z]fut ; Da6w xg'x50 . To:tf]; Da6w ePdf  
k]t]f]j t ; b:on]j f: tj df lgikl f 9En]sfd u/]tfklg p; nf0{k]f]u]xl bl]6n]  
x]/of]eg]To; af6 /fli60 ; 06qsf]sdfdf g/fdf]c; / kg\$ S5 .

/fli60 ; 06qnf0{cfj Zostfcg! f/ cfk]n]lgwf]0f u/\$f dfkb08x2sf]cfwf/df  
cf gf sdf/lx2 lgoQm ug] clwsf/ xgk5{.x2 dfgj clwsf/ gllt; Da6wL

x9 /fli60 dfgj clwsf/ ; :yfx2sf]d]nof]g, P]hg, k]!@ xg]k]f] \  
x0 Gofos lg/L]f]ffnosf]]:ylt; Da6w lj :t] hfgsf/Lsf nflu tn b; f]c]l]ofosf]v08 !)-@^ xg]k]f] \  
x9 /fli60 dfgj clwsf/ ; :yfx2sf]d]nof]g, P]hg, k]!@-!\$ xg]k]f] \  
x2 P]hg, k]!# .

cGt/fli60 kl/ib0\tyf dfgj clwsf/ pRrfo0msf]/fi6\*3lo sfoffhosf]sygcg' f/  
/fli60 dfgj clwsf/ ; #yfx2sf sd{f/Lx2 ænf3; ]fsf zfvfx2af6 :j tM  
; ?jf ug{fj f v6fpg'x5g A<sup>x3</sup> /fli60 ; 06qsf]sfo{; ~rfng ug{; j tGqtfnf0{  
; lglZrt ug\$ f lglDt To; nf0{aflx/L k]v/abn lj gf cf`gf klqmofut lgodx2  
agfpg]k0f{clwsf/ xgk5{.x<sup>x</sup>

klv/ ; l; 4f6tn]0iEt u/cg' f/ ; fdf6otM/fli60 dfgj clwsf/ ; #yfx2df æ; #bÆ  
/ æ; /sf/L lj efuÆ sf kl|t|glwx2nf0{; fdjh u/fpg ; ls65 . t/ oftgf lj ?4  
/fi6\*3lo dxf; lGwsf]P]R5s cfn]ysf]; Gbedf eg]/fli60 ; 06qdf ; Qf; g  
bnsf ; b:o /x\$ f ; f:#bx2nf0{f c6o ; /sf/L kl|t|glwx2nf0{-/fhgllts  
txaf6 xf] yf lj efulo txaf6\_ ; fdjh u/fpg'cglrt xg5, rfx]To; tf]; fdjh  
k/fdz\$f/L x]; otsf]dfq lsg gxf] \ klxnf]s'/f, oftgf lj ?4 /fi6\*3lo  
dxf; lGwsf]P]R5s cfn]ydf /fli60 ; 06q / /fHosf clwsf/Lx2n]/fli60  
; 06qsf ; 06mfj x2 sfoff] og ug{; DefJo pkfox2sf]vfh]l ug{cfk; df ; jfb  
z? ug{k]g]s'/f pNn]y 5 .<sup>x</sup> To; avt ; /sf/L clwsf/Lx2 :j o+g; 06mfj x2  
tof/ kfg]5nkm / d6ygd f ; xeful aGg]s'/f lgZro g); fl]rPsf]lyPg . bf] fl  
s'/f, /fli60 ; 06qsf]sfd; 06 aGblx2sf ; j#hgZln aofgx2 ; d]sf æuf]lo  
; 'rgfÆ ufF; P/ cfp5g\h; nf0{oftgf lj ?4 /fi6\*3lo dxf; lGwsf]P]R5s  
cfn]ysf]wf/f @!-@\_ n]; /sf/af6 uf]lo /fVg kf0g]clwsf/ ls6fg u/\$f]5 .  
ol dff6otfx2 / /fli60 ; 06qsf lj lzi6 sfox2 c6o k\$f/sf a9L ; fdf6o  
dfgj clwsf/ ; #yfsf sfo66bf Psbd}km/s xg]s'/fn]/fli60 ; 06qdf sbjklg  
x]; otdf ; /sf/L kl|t|glwx2sf]pkl:yltnf0{lgif]v u/\$f 5g\

<sup>x3</sup> P]hg, kÆ !# .

<sup>x4</sup> /fli60 dfgj clwsf/ ; #yfx2sf]xft]kl:tsf, P]hg, kÆ !!, cgR5d &! xg]x]f] \

<sup>x5</sup> oftgf lj ?4 /fi6\*3lo dxf; lGwsf]P]R5s cfn]ysf]wf/f @@ .

# \$\$ IgoIQm kIQmf

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**kI/; I; 4ft**

v # - ; :yfsf ; b:ox; sf]nflu l:y/ k\$[tsf]sfof]zsf]nf0{; IglZrt ug{ pglx; sf]IgoIQm Pp6f clwsl/s Pjaf/f ug{kj5, hg Pgn]sfof]zsf] :ki6 cj lw ls6fg ug\$ , o; sf]cejf df jf:tlj s :j tGqtf xg ; Sbg . ; :yfsf] ; b:o axh k\$[tsf]xg]s'/nf0{; IglZrt ul/Pdf of]sfof]zsf] gjLs/of ug{ldNg]vfnsf]xg\$ .

; b:ox; IgoIQm ugI pkoIQm sfggl sfof] lwn] :j tGqtfnf0{; IglZrt ugI sfof] lj zif dxTj kOf{el'dsf vllg ; S5 . /fli6; ; eGsf]:yfkf ugI sfgjaf/f Igdglnvt aBfx; kl/eflft xgk5

- IgoIQmsf]Ij lw,
- IgoIQmsf]dfkb08,
- IgoIQmsf]cj lw,
- p6dlIQm / clwsl/x;
- vf/hl / kg/fj hg; Da6wl sfof] lw .

s; nf0{IgoIQm ugI eGg]Igof6 ; /sf/sf]sfof]L cEaf/f kIolf ; kn]ul/g' xBj oBlk Pp6f cnu lgsfoaf/f ; f/et Igof6 ul/; s;l5 /fi6k{pvn]cfkrfl/s ; kn]IgoIQm ugI s'/nf0{; n]Igfiv ubg .<sup>५६</sup> IgoIQm; Da6wl kIQmf u; ; /sf/L ; fdlhs tyf kzfut ; E7g, Ij Zj Ij Bfno / c6o Ij 1x; h:tf Jofks gful/s ; dfhsf Ij Ij w ; dxsf]k/fdz]f kIolf ; mlgtf; Da6wl sfof]zsf]JoJ :yf xgk5{. Pp6f ; Defj gf ol ; dbfosf kltIglwx; ; fdjh xg]u/L Pp6f Ij zif IgoIQm 6f]hl u7g ug{xf]. ; #blo ; ldltsf] gI]Tj df k/fdzsf/L kIQmf

५० <sup>५६</sup> /fli6 dfgj clwsl/ ; :yfx; sf]dMof]g, P]hg, k\$!\$ .

ckgfp' csf[; Defj gf xf]-oBlk of]klqmf ; #b / sfo\$F/L ; /sf/sf]alrdf  
 kfej sf/L ; #yfut tyf /fhgllts kys'f ePsf] v08df dfq ; Gt]fhgs  
 xg\$ .<sup>५०</sup> slitko kl/l:yldf :j tGq Goflos lgoLQm; Da6wl cfof]usf]g]T]J df  
 k/fdz\$F/L klqmf ckgfp' klg Pp6f lj sNk xg; S5 .

dfgj clwsf/ glt; Da6wl cGt/fli60 kl/ib\tyf /fi6x 3lo pRrfoQmsf]sfof]on]  
 s]s/f ; 'emPsf 5g\eg]dfgj clwsf/; Da6wl clwsfz ; #yfx\sf nflu ækF  
 j if\$]sfof]lw pkoQm xG5 hg cj lwdf ; b:ox\ kfej sf/L xg ; S5g\T/  
 elj iosf]/fhuf/Lsf]; Defj gf; Da6wl lrGtfaf6 plt; fxf]lk/f]nPsf x5g\A<sup>५०</sup>  
 csf]pbfx/of s]xf]eg]ch]6gfsf]oftgf lj ?4 /fi6x 3lo dxf; lGwsf]P]R5s  
 cfn]ysf]d:of]sf]og ug]sf]ggn]/fli60 ; æqsf k]o\$ b; ; b:osf  
 nflu yk rf/ j if{gj]ls/of ug]Jo] :yf u/\$]5 .

; a\$]sfof]lw ; dft xg]ldlt Ps}k6s gkg]Jo] :yf ldnfpBf ; b:ox\sf]  
 lg/Gt/tf ; lglZrt xG5 . o:tf]Jo] :yfaf6 ; a}; b:osf]sfof]lw Ps}k6s  
 ; dft xg u0{ a}; b:o gof]xg]cj :yfaf6 hf]ug ; S5g\ cGt/fli60 pk; ldltdf  
 ; b:ox\sf]sfof]lw ; dft xg]ldlt km/s km/s kfl/g\$]sf/of oxl g]xf].

lglZrt sfo\$fn]alrdf sb}klg JolQmdf cf`gf]sfo\$fn ; 'lft 5 eG]  
 efj gf bl/nf]xG5 . csf]zAbdf eG]xf]eg]/fli60 ; æqsf ; b:ox\]n]/fli60  
 ; æqsf]; b:osf]7hf]axdtsf]dtbgsf cfwf/df -; fob tlg rfyf0{ cyj f  
 ; #bsf]to:tf]dtbgsf cfwf/df -hxfF/fli60 ; æqsf Psfw ; b:odfq xG5g\  
 cyj f h36o b/frf/ u/\$]kli6 xg uPdf dfq kbRot xg' kg\$ .

<sup>५०</sup> P]hg .

<sup>५०</sup> P]hg, k\$ !@ .

# \$=% lj zjfflwsf/ / p6dlQm

४

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## wf/f #%

/f\$yfd pk; ldlit tyf /fli60 /f\$yfd ; 06qsf ; b:ox;nf0{pglx;n]ug[  
sfdsf]:j t6q cEof; ug{cfj Zos lj zjfflwsf/ tyf p6dlQm k6fg ul/g5 .  
==

## wf/f @!

@= /fli60 ; 06qnf0{uff]o ; 'rgf ; lng ug[clwsf/ k6fg ul/g]5 . ==

oftgf lj ?4 /fi6x 3lo dxf; l6wsf]P]R5s cfn]ysf]wf/f #% n]/fli60 ; 06qx;nf0{  
æcf^gf sfd sf/j fxlx; :j t6q ;kn]ug\$]lglDt cfj Zos kg[clwsf/ /  
p6dlQm k6fg ugk6g] Joj :yf u/\$]5 . o; ; Da6wdf c6t/fli60 pk; ldlit<sup>x</sup> sf]  
xsdf nfu"xb]clwsf/ tyf p6dlQm; Da6w] /fi6x 3lo dxf; l6w<sup>o</sup> sf]v08 @@  
/ @# n]k]o\$ /fli60 ; 06qsf ; b:osf]o; k6f/sf clwsf/ tyf p6dlQmsf]  
xsdf gd6fsf] ; kdf sfo{ugk65{. o; df lgdgnlvt a6fx; kb5gm

- /fli60 ; 06qsf ; b:ox;sf]sfo\$fn tyf /fli60 ; 06qsf sfo]j lw ; Da6wdfll  
⇒ lghl lu/ tf/L jf ygf tyf lghl ; /; fdfg hkmt ul/gaf6 5b,  
⇒ sfuhkq tyf b:tfj ]hx;sf]h^tl jf lgu/fglaf6 5b,  
⇒ ; ~rf/df x:tlfk ul/gaf6 5b,

<sup>x</sup> dxf; efn]!# k]a6/L !(\$^ df kfl/t u/L !) k]a6/L !(\$ ( bl]v nfu"ePsf]; 0Qm/fi6x 3sf]; lj wf / p6dlQm; Da6w] dxf; l6w .

<sup>o</sup> oftgf lj ?4 /fi6x 3lo dxf; l6wsf]P]R5s cfn]ysf]bf] fl]j fSo o; k6f/ 5M æ; 0Qm/fi6x 3sf]!# k]a6/L !(\$^ sf]clwsf/ tyf 56x; ; Da6w] dxf; l6wsf]v08 @@ df lglb6 ul/Pcg; f/ /f\$yfd; Da6w] pk; ldlitsf ; b:ox;nf0{clwsf/ / 56x; lbgkg]5 . pQmclwsf/ / 56x; pQmdxf; l6wsf]v08 @# sf]clwgd] /xg5g]v

- ; b:otf cj lw / To; kl5M  
 ⇒ /fli60 ; 06qsf sfd st{ox2 k/f ug]; ni; nfd afllhPsf j f nllvPsf  
 s/f j ul/Psf sfdx2dfly sfggl sf/sfxl ul/gaf6 50 .

ol clwsf/ / p6dlQm /fli60 ; 06qsf]k]o\$ ; b:osf]xsdf clgj fo{2kn]nfu"  
 xgkg]5 . t/ ol clwsf/ / p6dlQmsf]clek]o /fli60 ; 06qsf ; b:osf]lghl  
 krf0bf ge0{pQm ; #yfsf]:j t6qtfsf]; Af0f ePsf]xgfn]lj z]f kl/l:yltdf  
 :ki6 axdtsf]cledt -b0{ttxf0}f tlg rfyf0{ af/f JolQm lj z]fn]kPsf]50  
 /2 ug{; lsg]5 .

r\$ klAns l8k]08; {ckm /f06\ n]dgr]ggo u/\$f]r\$ /fli60 ; 06qn]/fli60  
 sfggsf]Ps kf; lEs pbfx/Of pknAw u/fPsf]5M

8k6lx2sf]; ef cyf\$ \ #bsf]:j Ls[t]lj gf clwsf/ kl/t/lfs lj ?4 krf]hbf/L  
 sf/j fxl z? ug{kf0g]50 . 8k6lx2sf]; efn]:j Ls[t lbg 06sf/ u/\$f]  
 v08df clwsf/ kl/t/lfs lj ?4 lghsf]sfo\$fnleq o; k\$f/sf]sf/j fxl  
 ug{c; Dej xg\$ .<sup>59</sup>

sfo\$fn ; dfkt ePk]5 klg p6dlQm hf/L /xg]pbfx/Ofx2 klg 5g\ pbfx/Ofsf]  
 nflu, cf^gf]bflo]j lgj f\$ ug]-s0lx2nf0{e0g] sfo{ d]\_ qmddf ul/Psf

<sup>59</sup> clwsf/; Da6wl ; fj h]gs kl/t/lfs; Da6wl r\$ sfgg -#\$(÷!((( #\*!÷@))% adf]hd ; zflvg e0{  
 ! hgj /L @)^ df nfu'eof] &-!\_ . <http://www.ochrance.cz> u0ftl6qs 0: tfl]gofsf]; H-wfgsf]wf/f  
 !.\$Mæu0ft6qs /fi6kltsf]k]tfj / To; dflly l/lusfl] cyf\$ \ #bsf ; b:ox2 sf]axdtsf]c]fwf/df  
 dfq sfggl rfc; n/ -/fli60 ; 06qsf]2 kdf dgr]gog ul/g]JolQm lj ?4 krf]hbf/L cleof]v nuf0g]5 .  
 .Æ kfl]of08sf]; H-wfgsf]wf/f @!! n]gful/s clwsf/ cfoQmnf0{kfl]of08sf]/fli60 ; 06qsf]k]d]v a6g]  
 JolQmnf0{æ; #bsf]k] { Ddl]lj gf g t krf]hbf/L cleof]v nuf0g]5 g t :j t6qtfa6 j l-r t g]ul/g]  
 5Æ e6g]loj :yf u/\$f]5 . o; n]cfoQmnf0{æsg}bf]fak t kqfip u/L pkoQm sfggl sf/j fxl rnfpg  
 yg]df /Vg]h?/L ePsf]cj :yfdf afx\$ g t kqfip ul/g]5 g t yg]df /flvg]5Æ egl yk Joj :yf  
 u/\$f]5 . ; fy}o: t]d]d]nf cf0k/df æ; #bsf dfzfnf0{t]sf]n hfgsf/l u/fpgkg]5 / dfzfn]  
 t]sf]n l/xf0sf]cfb}z lbg ; Sg\$gVÆ

sfdsh / ehrsxcnf0{lnP/ cGt/fli60 /Bqm; ; ldtstf]kltlglw d08nsf ; b:ox hf]:yfglo /fi6sf gful/s xG5g\ltglxn]kltlglw d08nsf]sfd 5f8kI5 klg lghl lu/^tf/L jf ygf nufot sg}klg k\$F/sf] sfggl jf kZf; lgs klqmfaf6 / ; flfslf]kdf 8flsg]jf kdf0f kZ ugkG]s/faf6 5b kfpGg\<sup>६२</sup>

hxFDd /fli60 ; eGq jf To; sf JolQm; b:o; E /x\$F]; Ygf ; Af0fsf]kZg 5, oftgf lj?4 /fi6x 3lo dxf; lGwsf]P]R5s cfn]ysf]wf/f @! n]wf/f #% df plnny ul/Psf cfd clwsf/ / pGdlQmf0{; lglZrt u/\$f]5 . /fli60 sfgbcGtuF æclwsf/; DkGgÆ agf0Psf]; Ygfsf]eB vfl]g sfo\$F/L tyf Goflos clwsf/Lx hf nufot s; h]klg afllo u/fpg ; SbDg\ csf]zAbdf eGg]xf]eg]/fHon]wf/f @! cg; f/ /fli60 ; eGqsf]dftxt /x\$F]ufllo ; Ygf sfggn]tnf; jf hkmt ug{jf vfl]g afllo gu/fpg]s/fnf0{; lglZrt ug{h?l 5 . To; sf/Of o; k\$F/sf]sfgg lj Bdfg geP kmfhbf/L, lghfdlt jf kZf; lgs sfggdf /fli60 ; eGqsf]; Ygfsf]tnf; l, hkmtl gul/g]ckj fbh6o Joj :yf ug{h?l xG5 .

oftgf lj?4 /fi6x 3lo dxf; lGwsf]P]R5s cfn]ysf]wf/f @! df aofg ul/Psf] clwsf/n]k\$6 hfkn]o:tf]ckj fbsf]rrf{u/\$f]5D . æ/fHosf ufl]otfx;Æ ; DaGwdf /fli60 sfgbcGtuF ; fdfGotM sfo\$F/L ; /sf/nf0{lb0g] clwsf/ ; aEGBf bl/nf]clwsf/ xf] hg ufl]otf x/\$ b]6n] ; /lft xG5 . /fli60 sfgbcGtuF csf]; aEGBf bl/nf]/ ; aEGBf cfd clwsf/ j]lsn-uf]xs; DaGwl clwsf/ xf]. o; ; Gbedf Hofb}; lldt ckj fbxnf0{dfq 5b lbg]ul/G5 . pbfX/Ofsf]nflu, sg]GofowLznf0]j]lsnâf/f s]n cf^gf]uf]xsnf0{ck/fw ug{ ; xofu ug{p2Zon]tof/ kfl/Psf]b:tfj h xD]clwsf/ xg; S5, cyjf lj/n kl/l:yltdf cleoQm]kmfhbf/L cleof]hg lj?4 ; kmntf; fy cf^gf]klt/lff ug{

<sup>६२</sup> cGt/fli60 /Bqm; ; ldtstf]; xdtstf lglDt k]tflj t dfkb08sf]wf/f !)-!!\_ ufaf]/fDf, æcGt/fli60 /Bqm; ; ldtstf]; flfl aSg'gkg]clwsf/Msfodf ufl]otfÆ-@)\_, /Bqm; sf]cGt/fli60 ; dliff cI \*\$%, kF@)&-@!( . GofhNof08sf]clVtof/ b?kofu Pq !(&% klg xD]kf] \

; Defj gf ePsf]; 'rgfsf]Psdq >f] Toxl xf]eGg]s'/f kpfloft u/]df GofofwLznf0{  
To:tf]clwsf/ xg; S5 .<sup>६३</sup>

l; 4fttM oftgf lj ?4 /fi6x 3lo dxf; lGwsf]P]R5s cfn]ysf cfwf/df /fli60  
; 0Gqaf/f e00fsf]qmdf ul/Psf koj]f0fx; tyf lnOPsf cGtj fff]x; af6  
; Ing ul/Psf]uff]o ; 'rgf; E ; DalGwt clwsf/dfly sg}klg k\$]/sf]c<sup>a</sup>\$z  
nufpg'x5g . /fli60 ; 0Gqn]k0fj sf/L 9En]sfd ug{kfcf] \eGg]x]h]o; n]  
cGtj fff]x]Ing]JolQm;nf0{/fli60 ; 0Gqn0{lb0g]; 'rgf kl5 uP/ vNg]5gg\  
eGg]lj Z]f; lbnfpg'k5{. /fli60 ; 0Gqn]; Ing u/]\$f]; 'rgfdf ck/fw; DaGwL  
hfgsf/L xfhf ls eg] ; /sf/L clwsf/Lx;nf0{6qno]fpg]x]h]j lsnx;nf0{  
To:tf]; 'rgfsf]lzs/ ug{lb00f wf/f @! sf]; Af0f; DaGwL dfGotfdf l56f]/  
uDel/ ;kn]xf]; cfpq; S5 . /fli60 ; 0Gqs]dh kpf]hg cf/f]kt b]o]xf/af/]  
; 'rgf ; Ing u/L To; sf]k0f] ug{ePsf]h]; /sf/L clwsf/Lx;nf0]asfgg nfu"  
ug] lgx0f Psbd}; lhnf] E /fli60 ; 0Gqsf clwsf/ tyf uff]glotf eE ug{  
; S5g\

clwsf/sf ; Gbe0f Wofg lbgkg] csf] d2f ; 'rgf pknAw u/fpg] JolQmsf]  
e'ldsf xf]. j lsn-uff]xs clwsf/sf ; DaGwdf cS; / s]elg65 eg]of]clwsf/  
j lsn]sf]xf0g, u]xssf]xf] To; sf/0f uff]xsn]vhf lbnn]; 'rgf vff]g]; xdl  
hgPdf j lsn To; s'/sf]lj klfd eP klg uff]xsn]Tof]clwsf/ kl/Tofu ug{  
; S5 . t/ /fli60 ; 0Gqsf]sfo{tyf :j tGqtfaf6 j l-rt JolQm;sf]:j efj tM  
lg05/f]cj :yaf/]lj rf/ ubf{s]s'/f :ki6 xg cfp5 eg]of]j lsn-uff]xs  
clwsf/nf0{ oftgf lj ?4 /fi6x 3lo dxf; lGwsf] P]R5s cfn]ysf]; Gbe{ t  
50f; ld; u/] xg]{dNb; . wf/f @!-@\_ cg'; f/ /fli60 ; 0Gqn]; DalGwt JolQmsf]  
dGh/Lj gf lghL ; 'rgf vff]g gkfpq]Jo; :yf x5f]x5}klg o; sf]cy{s}g]JolQm]  
cfk]af/]\$f]; 'rgf sg}t] f]klf; E vff]g /fli60 ; 0Gqsf]dV tfSgk5{eGg]

<sup>६३</sup> pbfx/0fsf]nflu, cf/=e: [ DofsN/, @))!\_ cfOP; ; lcf/ \$\$\$-Sofgf8fsf]; j Rr cbint\_ xg]xf] \

xf0g . o: tf]dfldnfd ; 'rgf vfl]gsf]nflu /fli60 ; 06q tyf JolQm bj }dGh/ xgk5{.

clwsf/; Da6wl ; fj h]lgs kl't/lfsaf/]r\$ sfggsf]wf/f & n]/fli60 sfoff] ogsf] Pp6f pbfx/0f k|t't u/\$f]5M

-\$\_ km]hbf/l sfof] lwx; kl't lhDd]f/ lgsfox; nufot /fHocGtu{sf kzf; lgs lgsfox;nf0{ kl't/lfssf kmfonx; xg]j f sfgbl cfwf/df kl't/lfssf]:j Ls[t]af6 dfq o: tf kmfon lng]clwsf/ lb0Psf]5 . kl't/lfsn] :j Ls[t glbPdf r]a/sf 8k6lx;sf clw]lfsf]:j Ls[t cfj Zos xg\$ .

cGtdf, /fli60 ; 06qsf]kdf dgfgog ul/Psf]lgsfon]Ps}; dodf sg}vf; kl]8tsf]klfd f jf vf; pNn3gsf/Lsf]lj?4 cleof]hg jf kk{f ug]ePdf To; af6 pTkGg xg] ; d:ofx;n] ufl]otf / clwsf/; Da6wl d2fdf yk x|; cfp5 . ६४ o; k\$ f/sf ; g] f0x;nf0{j fbl / cf/f]kt pNn3gsf/Lsf nflu lgiklf agfpg ; fdfgotM cfj Zos kg] ufl]o s/fx; vfl]nBf /fli60 ; 06qsf eD0f / cGtj f{f{x;sf]nflu rflxg]; xof]u= ufl]otfdf 7hf]x|; cfp5 .

tn 5p]fclwofosf]v08 ^=0 df wf/f @! / ufl]o ; 'rgfsf]; Af0f tyf lghl tyOf]nf0{csf]sf]af6 shf0g]5 .

**\$=^ cfly\$ :j foQtf**

wf/f !\*

==\_

#= /fHo klfn]/fli60 ; 06qx;sf] ; -rfngsf nflu cfj Zos kg]>f]- ; fwgx; pknAw u/fpg' kg\$ . ==\_

५६ ६४ o; lj ifodfly t] f]clwofodf ; lj :tf/ rrf[ul/Psf]5 .

**kl/; l; 4f6t**

v @ – /fli60 ; ;yfnf0{cf^gf]lqmfnsfkx; ; xh 2kn]; ~rfng ug{pkoQm  
k]f{f/ vf; u/L kof{t sf]r klf t xg5 . o; /L sf]r klf t ug{f]p2]o cfrg}  
sd{f/L / ejgsf]Jo; :yf ug{; dy{xf] }eg]xf]h; n]ubf; /sf/af6 :j t6q  
/xg / o; sf]:j t6qtf k6flj t ug{; Sg]cfly\$ lgo6q0fdf g/xg' xg5 .

wf/f !\*#\_n]klf /fi6x;nf0{/fli60 ; 66qx;sf]sfo{; ~rfngsf nflu cfj Zos  
>f]~; fwgx; pknAw u/fpg st{oa4 tNofp5 . kl/; l; 4f6tcg; f/ cfly\$  
:j t6qtf Ps cfwf/e't cfj Zostf xf]. o:tf]:j t6qtf]gf /fli60 ; 66q g t  
sfdshl :j foQtfsf]cEof; ug{; dy{x65 g t :j t6q 2kn]lg0f6 ug{g}  
:j t6q x65 . To; sf/0f /fli60 ; 66qx;sf]:j t6qtf]yk ; Af0f ug{f lglDt  
sfof]j ogsf/L sfggdf cfly\$ Jo; :yfsf]>f] / k\$[tsf]ls6fg ul/gk5{. ६५

sfggn]/fli60 ; 66qsf]j flif\$ cfly\$ lj lgo]hg klqmfsf]; fy}pQm klqmf  
sfo\$fl / ; /sf/sf] k]oIf lgo6q0fdf xg' gxg] s'/sf] klg ls6fgl ug{k5{.  
dfgj clwsf/ glt; Da6wL c6t/fli60 kl/ifb\tyf /fi6x; 3lo dfgj clwsf/  
pRrfoQmsf] sfof]on]/fli60 dfgj clwsf/ ; ;yfx;sf nflu Pp6f klqmf  
; 66fPsf]5 hg klqmf /fli60 ; 66qx;sf]nflu klg sfdnflbf]xg; \$5 . ६६

- /fli60 ; 66qn]cfk]cf^gf]ah6sf]d:ofbf ug5]
- To; kl5 pQm ah6c6tu{ dfu ul/g]sh /sdsf]Aoxf]f dtbfgsf lglDt  
; ;bdf k; ul/g]5]
- /fli60 ; 66qnf0{; ;bn]lj lgo]hg u/{f]/sdleq /x] sgs; abdf slt  
vr{ug]egl lgwf]ug]clwsf/ xg5 .

६५ /fli60 dfgj clwsf/ ; ;yfx;sf]xft]kl:tsf, P]hg, cgR5] &\$ .  
६६ /fli60 dfgj clwsf/ ; ;yfx;sf]dNof]g, P]hg, k6 !# / /fli60 dfgj clwsf/ ; ;yfx;sf]xft]kl:tsf,  
P]hg, k6 !! .

dfgj clwsf/ glLt; Da6Wl c6t/fli60 kl/ib\tyf /fi6x 3lo dfgj clwsf/ pRrfoQmsf]sfof(non)/fli60 ; 06qsf]ah0 sb) d6qfnosf]7hf]ah0sf]Pp6f ; fgf]lx:; fdfq xg' gxg]s/f cflfofPsf]5 . lgoldt 2kn]ul/g]; fj hlgsl/kf]60 tyf jif{lbgdf u/f0g]:j t6q n]yf k/Lif0af/f cfly\$ hafkmb]ltfsf] lgj f\$ ul/g]5 .

/fli60 ; 06qn]slt /sdsf]lgldt cg/fw ug]e6g]s'/sf]lgwf{0f s; /l ug{ ; Snf < /fli60 ; 06qn]klxnf]ah0; Da6Wl cg/fw k|tt ug{13 kf]lDes cj lwsf nflu of] ; yfnf0{slt /sd cfj Zos knf{eg} /sf/n]s; /l cf5ng ug{ ; Snf < oftgf lj?4 /fi6x 3lo dxf; l6wsf]P]R5s cfn]ysf] zt6g; f/ k]0\$ /fHo klfn]/fli60 ; 06qnf0{k6fj sf/L 9En]cf'gf sfo{2 ; -rfng ug{; Sg]u/L >f]-; fwg pknAw u/fpg'k5{. o; sf]cy{s]xf]eg] /fli60 ; 06qnf0{k|t xg cfpg] cfly\$ tyf dfgj lo >f]-; fwgaf6 pQm ; 06qnf0{dfly t] f]clwofosf]v08 #=\$ df aofg ul/Psf]dfk08 ; xfp6]xg] u/L lj le6g ; do qmddf ; a)ygf :ynsf]ed0f ug{; Dej xgk5{.

o; y{/fli60 ; 06qsf]ah0 lgwf{0f ug]sfo{ljl6g b}zsf]lj lzi6tfcg; f/ lgdgnlvt abfx2df lge{ ug]5M

- ygf :ynx2sf]; Wof,
- ygf :ynx2sf]k\$ f/,
- agblx2sf]hg3gTj -k]0\$ :yndf agblsf]; Wof,
- ed0fdf hf6f to ug{kglb'l .

slt-slt ; dodf ed0f ug]xf]To; sf]k]f6dfgsf]cfwf/df ah0 agfp6f ; fdfgotM/fli60 ; 06qnf0{sd{f/Lsf]/ sltko cj :ydf aflx/sf lj 1x2sf] cfj Zostf x65, / ed0f ug{13 -tof/Lsf]nflu\_ / ed0fk15 -l/kf]60sf] lj Zn]rof / d:of]sf]nflu\_ yk ; do cfj Zos x65 e6g6f/]lj rf/ ug]{h?/L 5 .

lj zfn efyl]ns lfg ePsf ygf :ynx 6f9f-6f9f; Dd 5l/P/ /xsf bzx n] /fli60 ; 06qsf]s]blb sfofhosf]k'/ssf 2kdf 7fpF7fpE zfvf sfofhox 2 jf cg\$ /fli60 ; 06qx 2 :yfkqf u/] , /÷jf legleg lfgdf xpk-6f]hE /Vg kl]ju/L /fli60 ; 06qsf ; b:ox 2 w]y/ lj lj w vfnsf xg]s/fnf0{ ; lgzrt u/] /fli60 ; 06qsf]ahdf eDof vr{36fpg ; S5g<sup>९७</sup> tyflk bzel/sf ; a]/fli60 ; 06qsf kl]tlglwx 2 sf]cfj lws a7'ssf nflu ahf t cfj Zos kg]g}5 oBlk b/ ; -rf/ jf c6o ; fwgx 2 sf] ; xf/fn]ol vr{ 2 36fpg ; ls65 .

**\$& Pkl6lsf ; 06fj**

- /fli60 ; 06qdf lgolQmsf] k]qmf / dfkb08, sfof]lw, sfof]z, ; fdYo{ cfly\$ Joj :yf, p6dIQm / clwsf/x 2 tyf vf/]hl / kg/]hg; Da6wl sfof]lwx 2 nufot kDv t]jx 2 sf] aofg ; dfj z ul/g] ; j]w]lgs jf sfggl lgb]zsfdf cfwf/t xgkg] 5 .
- sfof]l / ; /sf/]sg} ; b:o jf ; b:ox 2 nf0{ /fli60 ; 06qnf0{ :j]5fn] lj 36g ug] jf o; sf] sfof]z, agf] jf o; sf clwsf/x 2 x]k] / ug] clvtof/ xg' xb} .
- sfggaf/f d6ql tyf c6o ; fj h]lgs clwsf/lx 2 n] /fli60 ; 06qsf gdfdf kl]olf / ck]olf 2 kn] lgb]z hg/l ug] {gk]pg} :ki6 Joj :yf ug] kb\$ .
- sfggaf/f /fli60 ; 06qsf k]o\$ ; b:o JolQmut jf ; :yfut 2 kn] /f]osf lgsfob]v :j t6q /xsf] lj 1 xgkg] Joj :yf ug] kb\$ .
- ; Qfzlg bn, ; /sf/] /fhgl]ts g]t]j sf kl]tlglw tyf ; /sf/ lj efusf kl]tlglwsf 2 kdf /xsf ; f;bx 2 dtflws/ lj gfsf] x] ; otdf klg /fli60 ; 06qsf ; b:o a6g of]o xg' xb} .
- /fli60 ; 06qnf0{ pm cfk]n] dfq lgwf]of ug] of]otf tyf dfkb08sf cfwf/df cf`gf sd{f/lx 2 5f]g] jf lgolQm ug] clvtof/l xg' kb\$ .

<sup>९७</sup> tn b; f]cllofodf /fli60 ; 06qsf] ; E7gf]ds ; Argfsf lj slkx 2 af/] ; lj :tf/ rrf[ul/Psf]5 .

- /fli60 ; 06qnf0{ sf0f] lw; Da6wl lgodx2sf] th0f ug] k0f{ clwsf/ xg5 .
- lgoIQm, Da6wl sf0f] lwdf gful/s ; dfh; 6 k/fdz{Ing] sf0f]z /xg' kg5 .
- sfggn] kfF j if5f] lglZrt sf0f] lw tf5gkb5 . sf0f] lwsf] alrdf sg} klg ; b: onf0{ x6fpg' kg] eP /fli60 ; 06qsf ; b: ox2sf] Jofks axdt j f ; #bsf] Jofks axdt n] dfq x6fpg ; Sg] Joj :yf ug] kg] 5 .
- lgl/t/tnf0{ ; lglZrt ug5f lglDt legleg sf0f] lw xg] k0ffnl sfod ug{ kb5 .
- /fli60 ; 06qnf0{ sfggaf/f lu/^tf/ ul/g] jf ygdf /fivg] jf dfn; fdg, b: tfj h, ; 'rgf cflb hkmt ul/g] jf ltgdly lgu/fql /fivg] sf0f]6 p6dlQm kfpq] clwsf/sf] ; fy} /fli60 ; 06qsf bflotj x2 k'f ug] qmddf ul/Psf sfdnf0{ lnP/ sfggl sf/jxl gul/g] u/l :yfol p6dlQm kfpq] clwsf/sf] Joj :yf ug{ kb5 .
- sfggaf/f /fli60 ; 06qsf] dftxtdf /x5f] ; 'rgf -; /sf/, 6ofoklnsf, gful/s jf ; E7g\_ s; 0f0{ klg lbg' gkg] s7f] Joj :yf ug{ kb5 .
- sf0f] og; Da6wl sfggdf /fli60 ; 06qsf] j flif5 ah0 lj lgo]hg klqmofnufot o; sf] cfly5 Joj :yfsf] >f] / k5[tsf] ls6fg ul/g' k5{ . ; #bn] sf0f] og ug] lgsfosf] klolf cg/fvsv cfwf/df /fli60 ; 06qsf] j flif5 ah0 :j ls5 ug] k5{ . To; kl5 /fli60 ; 06qn] sf0f] / /sf/sf clwsf/lx2sf] k] { :j ls[t] j gf g] ah0sf] /sd vr{ ug{ ; Sg] Joj :yf ul/g' k5{ .