



Press Statement

22 May 2020

A mockery of Constitutional right and Government's relief program - Mallar Sada dies of hunger

Advocacy Forum-Nepal (AF) strongly condemns the violation of the constitutionally guaranteed Right to Food through the blatant incompetence and lack of attention of the Government.

AF pays tribute to the departed soul and stands together with the bereaved family in this hour of loss. The death of Mallar Sada due to hunger is an unequivocal reflection of the irregularities in relief distribution, the lack of meaningful access for those who are in real need of relief and the failure of the government to protect the rights of its citizens as guaranteed in the Constitution.

The Constitution guarantees the Right to Food under Article 36 and the Right to Life under Article 16. These have become mere false promises for the ones for whom the provisions were really meant. Guaranteed under Article 25 of the Universal Declaration of Human Rights 1948 and Article 11 of the International Covenant on Economic, Social and Cultural Rights 1966, though in normal times it is not the duty of the Government to provide free food to people, it is now a well-developed jurisprudence that if people are deprived of food due to some reasons beyond their control (such as this lockdown), it is a responsibility of the Government to provide food to the poor and marginalized people. Additionally, the non-derogable Right to Life under Article 6 of the International Covenant on Civil and Political Rights, 1966 obliges the Government to protect life under any possible circumstance(s). Despite the promising aspiration and provision of the Constitution and the repeated assurance of the Government, even in the recently declared Policies and Programs of the government that no one will die of hunger, the death of Mallar Sada is a glaring example of the Government's failure to keep its promises.

According to news reports (see link below), Mallar Sada, 50, and his family from Saptari district did not have any food to eat for 4 days and thus he went in search for food on 20 May 2020 and fell unconscious on the way. His wife Jaleshwori said, "After bringing him home I thought of taking him to the hospital but I didn't have money for his treatment. My husband died due to hunger." His neighbour Fanilal Sada said, "He died of hunger due to poverty."

AF urges the Government and concerned authorities to immediately provide relief to the Mallar Sada's family and investigate his death and hold the local level government accountable for their failure to identify and reach the neediest people for whom the relief package was introduced by the Government.

AF is concerned there may be other people and families in similar dire straits and recommends to strengthen and diversify the relief distribution program by ensuring that the real needy people are identified



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and reached by the Government itself instead of waiting for them to reach the Government's program or succumb to death.

AF appeals to the government to ensure that this is the only incident of a person dying of hunger during the lockdown in Nepal by introducing a comprehensive policy to provide [adequate] food to the people deprived of their financial ability to even afford food during the COVID-19 pandemic. To prevent such heartbreaking incidents, AF is firm that stateless are among the poorest and therefore more vulnerable and should be included in the government's efforts to provide food, in line with the Supreme Courts's orders.

Related News in Nepali with photographs:

<https://ekantipur.com/news/2020/05/20/158998951560893424.html?fbclid=IwAR2F5RbrTaSdAoxNkjjl7ejFbBcQlynFzi79Xn-uRlaIGueKPIZ5ZhF8G-Y>

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