



## **National Human Rights Commission, Nepal**

### **Stand up for Equality, Justice and Human Dignity**

#### **The Speech delivered by the Honorable Chairperson Anup Raj Sharma on the occasion of 69<sup>th</sup> International Human Rights Day**

##### **Rt. Honorable Prime Minister and invited special guests.**

I would like to welcome Rt. honorable Prime Minister and all the guests for your presence with solidarity with Human Rights on the occasion of the 69<sup>th</sup> International Human Rights Day.

Sixty nine years passed since the General Assembly of the United Nations adopted the Universal Declaration of Human Rights. The world on this righteous day is continuously evoking that no one can restrict the inalienable rights like freedom, equality, dignity and right to dignified life. I would like to express my sincere welcome to all. May this day develop in all of us the human rights culture from our inner heart, expression and toil to fulfill and respect human rights!

##### **Rt. Honorable Person,**

Human rights, democracy and rule of law are very much interrelated. These themes are also incorporated by the Constitution of Nepal (2015). Human rights standards can be raised with democratic norms and values as well as rule of law. Democracy is our ideal. Welfare state is our goal. We have also adopted a multiparty system. Probably, the strongest provision of freedom of press is incorporated in our Constitution in the world. Despite these provisions, we have not been able to ensure the right to food, shelter and clothing of the Constitution into a legal framework so far. Journalists and teachers are detained in the name of ideology without any base. Because of weakening law and order, it is not necessary for it to be midnight or evening to see looting property and slaying of human life. Incidents like looting and slaying human life also in the busy capital city are happening. Robberies happen on the roads. Nobody provides the ointment of relief to the people tormented by crime, theft and victims of price hikes.

Sustainable development, effective and meaningful participation, equity, peace and security, end of impunity, good governance, political stability as well as accountable government to the people are essential necessities for uplifting the human rights situation in the nation. For the comprehensive use of human rights, in addition to infrastructure development and institutional management, it is also necessary that community, political parties and all people should be aware and committed. Despite these facts, we should always remember that there is the supreme role of the government for the protection, promotion and fulfillment of human rights.

In this fiscal year, the National Human Rights Commission has recommended to the Government of Nepal after completing investigations into of 220 complaints. As you all know, for the protection and promotion of human rights, the Commission is coordinating and collaborating with the Government of Nepal, civil society, national and international non-governmental organizations and other institutions as well as functioning in accordance with its 6 years long Strategic Plan.

We all know that the Constitution of Nepal (2015) envisions sustainable peace, good governance, development and prosperity through the federal, democratic, republican, system of governance. In addition to the civil and political rights it has also expanded the issues of economic, social and cultural rights as fundamental rights. Though the implementation mechanisms are functioning, various challenges are prevailing in front of us. Periodic election and rule of law are the basic foundation of human rights. This is also the principal medium to open the door for using and consuming the civil and political rights as well as the economic, social and cultural rights. Local level election process has been concluded after 20 years. The election of the House of Representatives and Provincial Assembly has also been concluded in this month. The Commission has monitored these elections and the report on local level election 2017 has been published. I believe that these elections ensure the implementation of the Constitution.

Eleven years elapsed towards the peace process after ten years long conflict and the Comprehensive Peace Accord. The formation of transitional justice mechanisms for addressing the incidents during conflict and in the context of functioning, because of various challenges, delayed process of functioning and not aspiring justice to victims are sad. The human rights issues of the earthquake victims have not been effectively addressed since two and a half years since the devastating earthquake. Similarly, destroyed governmental and non-governmental offices and detention centers have not reconstructed. The central office of the National Human Rights Commission has not yet started to be reconstructed.

Though the government has enacted and implemented some laws related with the power and functions of various constitutional commissions as well as election and federalism, the full implementation of the conventions and treaties related to human rights in which Nepal is a party is yet to be endorsed. Some drafted laws were before the legislature parliament but the tenure of the parliament is finished so the process of these laws was halted. Some of the periodic reports to be submitted by the governments to Human Rights Treaty Committees have not been submitted on time. Now, the full implementation of the Constitution, justifiable management of the incidents of human rights violation during conflict for the protection, promotion and respect of human rights as a challenge in front of us. The annual report of the Commission is endorsed for discussion for the first time in the parliamentary committee.

State rule by law, good governance and end of impunity are synonymous to human rights and democracy, so that every organ of the state should necessarily function effectively for this. Effective implementation of laws and awareness raising programs are seen to be necessitated to go side by side to end incidents of gender inequality, abuses and violence against women and minorities, torture, human trafficking, child marriage, inhuman treatment against senior citizens and racial discrimination. To protect the rights of Persons with Disabilities, to make an effective effort from all the sectors and levels for their identification and access as well as to increase their capability is required. Effective

implementation of laws with political commitment is needed to end impunity. It is also seen as essential to make an effective effort for easy and equal access to deprived and marginalized community's basic issues like education, health, food.

This year the representation of Nepal in the international arena in the sector of human rights is remarkable. Nepal has got the opportunity to work for 3 years as a member of United Nations Human Rights Council. May this opportunity be focused on ending prevailing impunity and ensure the good governance! I would like to congratulate. I would like to recall the Commission's autonomy and freedom as well as its continuous 'A' graded ranking in the international arena has contributed to this remarkably. The Commission has initiated preparation for a South Asian Conference on the various issues of human rights faced by the South Asian Region in the latter days of this year. We have presented a concept note on proposed South Asian conference in the conference of Asia Pacific Forum National Human Rights Institutions recently held at Bangkok. Sometimes, the practical and behavioral imageries seen in the bureaucracy reflects that the autonomy of the Commission has not been internalized. Sometimes when not providing consensus to the program budget of the Commission on time some negative circumstance is generated. I would like to express my belief that Nepali administration and politics draws attention towards the issues respect for the Commission is interconnected with respect of the nation.

**Rt. Honorable Prime Minister and Guests,**

The Commission was formed by the constant effort and movement of the civil society so all civil society, human rights activists and media are the foundation of the Commission; I expect adequate cooperation and coordination for the protection and promotion of human rights from all the stakeholders. I would like to express my faith in you all - the Security Mechanisms, Governmental Agencies, Political Parties, Professional Organizations as well as Intellectual Community and that you will be cooperating to keep high morale and respect developing human rights culture from your own position.

Finally, I would like to express thankfulness to our chief guest Rt. Honorable Prime Minister Ser Bahadur Deuba and all the invited Ladies and Gentlemen for providing your valuable time.

**Thank You!**

10<sup>th</sup> December, 2017 Lalitpur, Nepal