



The Speech delivered by Hon. Member of National Human Rights Commission, Nepal Govinda Sharma Poudyal on the auspicious occasion of 18th Anniversary of the Commission

Chairperson of the Commission and this program, Honorable minister, distinguished persons, Ladies and Gentlemen

Today is 13th Jestha, and 18th anniversary of National Human Rights Commission, Nepal. On this occasion, I would like to welcome you all on behalf of the Commission and myself for your appreciated presence by accepting our invitation.

While celebrating 18th anniversary of the Commission, some positive messages from the perspective of human rights are flowing. In this period, positive symptoms are seen on the implementation of federalism which can play vital role in the protection and promotion of citizens' rights. Through the use of political rights by the citizens, the possibility of easy implementation of economic, social and cultural rights is also seen. The single-party majority government formed after a long time can fulfill the people's aspiration of good governance and right to development as all citizens' desire. The representation of notable number of women and Dalit community in the local level is practically creating the situation to end discriminatory activities in the society. People's aspiration towards the active and effective continuous efforts of the government to protect the constantly violated consumers' rights is increasing.

Supreme Court of Nepal has provided an important decision for the protection of migrant workers' rights. The governments' recently revealed policy and plan have reiterated its commitment to human rights. The commitment of government to provide all kinds of support to NHRC is also constant. The Commission is also making its efforts to fulfill its mandate. The Commission, this year, has concluded the international conference in participation with all the national human rights institutions of South Asia to combat impunity. National conference on human rights defenders has been concluded. Similarly, the national and provincial level conferences on the rights of the persons with disability have been concluded. The preparation for publication of the name of the persons who are

recommended by the Commission to punish as human rights violators is about to be final. For this, the draft of the regulation is also prepared.

Hon. Chairperson,

Despite the aforementioned positive signs, still there is a situation to make an effort for the protection and promotion of citizens' rights by the government. It is necessary for the government to make special plan for the application of economic, social and cultural rights. So is the situation in case of minority and marginalized community. It is being delayed to draft the laws which have to be drafted within the three years of the promulgation of the Constitution. Despite the continuous commitments made by the current Rt. Hon. Prime minister and the former prime ministers, reconstruction of the NHRC central office building which was collapsed during 2015 tremor has not yet started. The process of transforming the Commission in the Provincial structure is deferred due not to be timely amendment of the NHRC act -2012 in accordance with the Constitution. The NHRC personnel related service bill has been halted in the Office of the Prime Minister and Council of Ministers though it has been drafted and submitted to the Commission years ago. The consequence is that the NHRC staffs are continuously deprived of getting facilities similar to that of the staffs of other services.

The Commission has repeatedly faced difficulty in enjoying full financial autonomy, despite the Rt. Hon. prime minister and the government time and again expressed commitments in the national and international forum. Especially, NHRCN and other constitutional bodies are understood keeping in the same basket by the governmental agencies; therefore, the barriers seen time and again has not ended in exercising the autonomy and independence of the Commission and fulfilling its international commitments. The per cent of the implementation of recommendations for prompt legal action made by the Commission is declining comparatively to the previous years though the commitment has been made by the government. The implementation status has declined to 12.5% while we are celebrating 18th anniversary this year though it was 14% when we celebrated 17th anniversary previous year. The expected improvement has also not been seen in the challenges for fulfilling the obligation of the international treaties. The necessity of notable improvement on the issues of getting justice by the conflict era victims and transitional justice is still persisted like that of previous year. The issues like discontinuation or termination of cases registered in the courts and granting amnesty are not out of controversy. Especially, the enjoyment of the right to housing by the quake victims is still a problem.

Hon. Chairperson,

In the aforementioned situation, it has been delayed to implement Nepal government's reiterated commitments in the national and international forum. If we build our isolate understanding between the international obligation among other constitutional bodies and the NHRC, it is certain that the government's reputation and respect would internationally be amplified and membership in the Human Rights Council would be meaningful. Therefore, it is crucial to support by the government in the issues like financial, physical and human resources by considering the Commission's nature. It is essential to draft all laws on time mirrored in the fundamental rights section of the Constitution and require passing laws abovementioned related to the Commission itself. It is sure that if we play vital role in the promotion and protection of citizen's right, the motto "*Human rights in every household: foundation for peace and justice*" will be fulfilled.

Finally, recalling the role of civil society in the creation of the Commission, I hope the continuity in the faith and trust of civil society towards the Commission as it was in the past. I hope, partner agencies and the government collaborating in the Commission's function, in the days to come too will be collaborating for fulfilling the Commission's mandate. Once again, I would like to welcome the Chief Guest and all the invited dignitaries.

Thank You!

27th May, 2018

Lalaitpur, Nepal