



National Human Rights Commission, Nepal

The speech delivered by Hon. Chairperson of the NHRC, Nepal Anup Raj Sharma on the occasion of 70th International Human Rights day.

Rt. Honorable Prime Minister, All the distinguished guests, Ladies and Gentlemen

I would like to welcome Rt. Hon. prime Minister and you all for your presence in this program on the occasion of 70th year of the promulgation of the UDHR by the United Nations, 25th year of Paris Principles relating to the status of national institutions' competence and responsibilities 1993, and 20th year of declaration on human rights defenders 1998.

Universal Declaration of Human Rights has been accepted as a core document of human rights by all of us. Universal Declaration of Human Rights is the only document that is available in more than 500 languages of the world now. Therefore, we can realize its extension and importance.

The world celebrates this day to day recalling 'no one can restrict to enjoy the right to live with freedom, equality, dignity and respect as inalienable right'. I wish and would like to express that we all get inspired to fulfill and respect the human rights culture by heart, expression and deeds.

Rt. Hon. Prime Minister and all the Distinguished Guests,

The election of the federal level, province assembly and local level has been concluded after the promulgation of the Constitution of Nepal on September 20, 2015 by the Constitutional Assembly. Making few laws with imminence for the implementation of the Constitution can also be taken as a positive achievement. The issue of human rights has been adopted by the all levels of government.

The issues of human rights have been recognized by all levels of the government. I believe the local level to the province and federal level governments will draw their attention establishing lots of mechanisms for the implementation of the various issues of human rights. I wish, all levels of government will be committed for the implementation of human rights in the days to come.

In 12 years duration of peace process, not making public the whereabouts of the forcefully disappeared persons during the conflict, problem in the management of the child soldiers and excluded combatants, not realizing the justice by the family members of the dead persons during conflict cannot be the cheerful aspects. This is the challenge that has been seen in the implementation of the comprehensive peace accord. Lack of well documentation of the incidents of grievous human rights violation like sexual violence and torture make clear that the comprehensive peace accord has not been implemented.

The signal of non-satisfaction by the victims with the two Commissions formed for addressing the transitional justice cannot offer the positive result. The right of the conflict victims to know the truth has to be protected providing satisfaction through justice and reparation to them, through the means of mediation and institutional reform ensuring non – repetition of such incidents in the future as well as creating an environment of bringing the accused of the grievous kinds of human rights violation in the legal boundary then only the mandate of transitional justice will seem be fulfilled and comprehensive

peace accord will be implemented in fact. Justice in the transitional justice system can be facilitated only by the strength and effectiveness of justice system and the security system.

Rt. Hon. Prime Minister and all the Distinguished Guests,

The reluctance seen in bringing into legal action to the individuals involved in the grievous violation of human rights and humanitarian laws as well as in the crime, the continuation of the dreadful criminal cases, non-effectiveness of the investigation and prosecution by the police are causing impunity. All most all the state agencies should play effective role to end impunity - bringing the perpetrators of crime and human rights violation into legal action. For this, investigation should be made scientific and modern making the crime control mechanisms active.

In this fiscal year, the Commission received 152 complaints. The pressure of the complaints related to civil and political rights is not existed now in comparison to the conflict era. The issues like right to education, health, and administration of justice, right to women, right to children, right against racial discrimination and rights of the persons with disability have been increased in the aftermath of the conflict. Like in the past, few of the complaints related to right to life, disappearance, abduction and torture have also been registered. If we analyze the nature of the complaints, it seems that the government and others should necessarily focus their function for the fulfillment of economic, social and cultural rights as well as the collective rights.

The Commission has recommended after scrutinizing and investigating a large number of human rights violations during conflict era. This includes the 948 recommendations related to remedy for providing justice to the victims. Similarly, the number in the fiscal year 2074/075 policy recommendations is 84. Since its inception to the latter of the fiscal year 2074, the implementation status of recommendations do not seem to be satisfactory. The implemented recommendations include the recommendations related to providing compensation. The government is silent to the recommendations related to the legal action to the perpetrators to the incidents of human rights violation.

In addition to the Civil and Political rights, the Commission has been conducting studying, monitoring, investigating and awareness raising functions with prioritizing the Economic, Social and Cultural rights, rights of the senior citizens', rights of the persons with disability, rights of the custodians and detainees, right to women, right to children, environment and development, human rights of migrant workers and other issues.

The National Human Rights Commission Nepal (NHRC-N) has organized a South Asian regional conference in Kathmandu to facilitate a regional dialogue, entitled *Identifying Challenges, Assessing Progress, Moving Forward: Addressing Impunity and Realizing Human Rights in South Asia*. The conference brought together NHRI's, Global Alliance of NHRIs (GANHRI), Asia Pacific Forum of National Human Rights Institutions (APF) government bodies, civil society members, lawyers and human rights activists from 22 different countries to discuss human rights challenges in the region and to identify common approaches and joint initiatives to protect and promote human rights. The conference recommended to the government and the NHRIs to strengthen the human rights in South Asia and end impunity. In the aftermath of the quake, the NHRC, Nepal itself has been affected for three years. The function to protect and promote human rights effectively is also affected from this.

Ladies and Gentlemen,

The complexities seen in the changed context of state restructuring process, it seems to be necessary that all levels of government should be sensitive and responsible for ensuring the citizens' fundamental rights. I hope for adequate and essential cooperation, coordination and collaboration with the Commission established with the mandate to protect, promote and ensure the human rights from you all - civil society, human rights activists and media personnel as well as the government. As the governments', the Commission's and the civil society's distance is narrowed down, the image of the nation in the international arena will be brighter. I would like to request the government, civil society and all the concerned parties to suspend our discrepancies and bitter experiences for the improvement of human rights and to higher the image of the nation in the national and international arena.

Similarly, I believe, you all the security mechanisms, governmental agencies, political parties, professional organizations as well as the intellectuals from your behalf will contribute adequately to make the human dignity higher respecting human rights and to build the environment of realizing and feeling the assurance of human rights.

Finally, I would like to thank the Rt. Hon. Prime Minister K. P. Sharma Oil and the distinguished guests and all for providing your precious time for this program due to your busyness.

Thank You
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Lalitpur, Nepal