

Louise Arbour United Nations High Commissioner for Human Rights Statement to the Press 24 January 2007 Kathmandu Nepal



During my six-day visit to Nepal I have met with a broad spectrum of Nepalese society. I want to thank everyone who has shared with me both their concerns and aspirations so frankly. This is a time of great opportunity and hope for the people of Nepal. It is very encouraging to hear the consistent and strong message that this new era must result in extensive, tangible improvements in the protection and promotion of human rights.

I would like to thank the Government of Nepal for its warm welcome. The Government's recognition of the need for an OHCHR office in Nepal is an important sign of its understanding of the challenges ahead. It is to the credit of the parties to the Comprehensive Peace Agreement that they have committed themselves to making protection and promotion of human rights central to the success of the peace process. We now need to see evidence that those commitments are real.

During my visit, I have focused on two major issues. First is the need to end impunity. The people of Nepal have suffered killings, torture, disappearances and other gross violations on a massive scale. At the same time, as conflict has receded, issues related to discrimination are emerging as major factors to be addressed. Resolving both are crucial to building sustainable peace.

In transitions to peace, it is common to hear warnings that looking into past abuses will jeopardise the fragile political process. This is false. Durable peace is built on the foundations of justice, and the guarantees for the protection of human rights that this brings. Ending impunity is an essential step to preventing future human rights violations, and building a society which recognizes that violence is not acceptable and that no-one is above the law.

The case of Maina Sunuwar has come to symbolize the struggle for victims of human rights violations and their relatives to achieve justice. I am encouraged that both the Home Minister and the Chief of Army Staff have assured me of their commitments to see justice done in this case. I was informed that orders will be given to launch a thorough police investigation, with the full cooperation of the Nepalese Army, to clarify the circumstances of her death so that those responsible can be held accountable. I will be following developments very closely, through my office in Nepal. I expect to see immediate positive progress in this case.

I have met with many victims of human rights abuses in the course of my visit. I will take with me the lasting memory of the accounts given by the Tharu families in the village of Baidi, Bardiya district whose relatives disappeared during the conflict. I believe their stories.

The suffering they expressed is testament to the fact that disappearances are on-going human rights violations. The parties to the peace accord must act without delay to clarify the whereabouts or fate of all those who disappeared, and to provide justice and redress for their families.

I have been following with great concern the incidents in Lahan which have unfolded during my visit and which have led to at least five deaths, and injuries to many more. It is imperative that all parties involved in these incidents take a step back in order to create the conditions for peaceful dialogue. These conditions must include prompt and credible investigations into any death and injuries as well as damage to property that have occurred.

More generally, there is an urgent need to strengthen the police force so that it can carry out its tasks professionally with full respect for human rights. Yesterday, I visited a police post in the hill district of Sindhupalchowk. The visit highlighted some of the challenges to strengthening law enforcement. Re-establishing police posts is not just a matter of redeploying police. For example, those police officers I met yesterday had one car assigned to them, to cover an area with a population of 350,000. Infrastructure, resources, training and confidence-building are also required. I remain concerned that in some places the re-establishment of posts is being further hampered by the Communist Party of Nepal (Maoist): such impediments must end immediately.

I have also listened to reports of the tensions in other parts of the country especially in the Terai. I understand that there are deep underlying causes for frustration amongst the Madhesi people who continue to seek recognition and equality. It is essential that all peoples who have been traditionally marginalized in Nepal have an opportunity to participate in the historic political process now underway and that their voices are part of the Constituent Assembly process. I obviously include here Dalits and indigenous people, but there are also those within in each community who suffer double discrimination, be it women, people with disabilities, sexual minorities and others.

There must be opportunities for the most marginalized people in Nepal to be part of the political process, if that process is to be successful. I urge all Nepalese people to act in a peaceful, democratic manner in the pursuit of their interests. Political and community leaders have a great responsibility in this regard.

Democracy is a work in progress, which requires considerable political will. The process to elect a Constituent Assembly and draft a new Constitution is a major step towards creating a more participatory, inclusive and equal society. But the struggle for a more effective democracy will be one that must go on for many years after a new Constitution is written.

Finally, I would like to acknowledge the courage and work of Nepalese human rights defenders. It was the presence of a robust and courageous national human rights movement that enabled OHCHR to be established and to work effectively in Nepal. We can only do our work with their support and cooperation.

I am convinced that the people of Nepal will continue to insist that human rights remain at the forefront of the political developments in Nepal in this exciting, challenging and historic time ahead. Together with my colleagues here in Nepal, who are doing an outstanding job, we will continue to work with the people of Nepal to help ensure that their human rights are fully realised.

Thank you