



**Remarks by Richard Bennett  
Representative of the United Nations High Commissioner for Human Rights in Nepal  
At the Programme to Mark International Day of Disabled Persons  
Organized by the Federation of the Disabled-Nepal (NFD-N)  
3 December 2008, Kathmandu**

Mr Birendra Raj Pokharel, President of the Federation of the Disabled-Nepal; Hon. Purna Kumari Subedi, vice-chairperson of the Constituent Assembly; colleagues, members of the media and friends:

Thank you for inviting me here today to celebrate with you the 17<sup>th</sup> International Day for Persons with Disabilities (PWDs).

There have been some important developments for PWDs in Nepal in the past year. First, there was the Government's signing of the Convention on the Rights of Persons with Disabilities (CRPD) on 3 January.

A quick update on the CRPD: as you know, the Convention and its Optional Protocol (that allows individual complaints to the new Committee) entered into force on 3 May this year when 20 countries ratified it. Today I am pleased to report that the Convention has 41 ratifications and 137 signatories, while 25 states have ratified the OP and 79 have signed it. On Nov. 3, the 12 members of the Committee were elected.

One of the greatest achievements of the CRPD is through the recognition in international law that persons with disabilities are full and active members of society, with rights and entitlements, rather than people dependent on good-will or charity or people to be approached from a medical perspective.

Also, this year saw the election in April of a Constituent Assembly that is more representative of the diversity of Nepal's population than any previous legislature, including several PWDs. This representation gives hope that marginalised communities, and all those who face unfair discrimination, will soon be treated equally with other Nepalese.

In 2008, my Office, OHCHR-Nepal, has started to work more closely with groups that come under the umbrella of NFD-N, by supporting initiatives such as publishing documents in Braille but also by building the capacity of your members to work more effectively as human rights defenders. This is only a start and much more will be done. However, today is the day for us to celebrate these achievements of the last 12 months.

Tomorrow will be another day, and a time when we should turn to the challenges ahead. One of course is the ratification of the Convention by the Government of Nepal. It was pleasing to see the Prime Minister make strong commitments to human rights in his speech to the United Nations General Assembly in September, and although he didn't talk specifically about the rights of disabled persons, the positive tone of his address makes me optimistic about the

future. Personally, I commit to doing my part to see the CRPD ratified, including by continuing to encourage the Government to take this step during our regular meetings.

Another challenge of course will be to ensure that the CA lives up to its promise by drafting a Constitution that will ensure that PWDs, including those with mental and intellectual disabilities, are in fact treated with “dignity and justice”, to quote from this year’s theme for Human Rights Day. Just as importantly, strong mechanisms will have to be put in place to ensure that constitutional provisions translate into reality on the ground and do not remain just paper promises. Here, the CRPD might be a model, as it is very clear in establishing a duty for States to adopt legislative, administrative and other measures for the implementation of the Convention. This includes the review, modification and abolition of laws, regulations, customs and practices that are inconsistent with the Convention, and mainstreaming disability in all State policies and programmes. In the area of the rights of people with disabilities as in other areas, strong efforts are needed to narrow the gap between commitment and implementation.

One ‘paper’ whose success has perhaps surpassed the expectations of even its most enthusiastic supporters six decades ago is the Universal Declaration of Human Rights (UDHR). On Dec. 10 it will be 60 years since the United Nations General Assembly adopted the UDHR, after an intense and remarkably swift – by today’s standards – period of drafting and debating. The UDHR has become a beacon for those of us who aspire to a world where every woman, man and child is treated equally and with dignity. That is because these truly universal goals and principles are able to inspire people worldwide, from individuals who have only barely heard of the Declaration to people whose lives have been devoted to translating this document’s messages into reality on the ground.

Equality. Dignity. Justice. Those concepts seem particularly appropriate speaking to an audience of PWDs. Many of you struggle daily, and publicly, to be treated with equality and dignity and to have many of your rights, including the right to non-discrimination, respected. In all parts of the world, a disproportionate number of persons with disabilities live in poverty, underscoring the direct link between disability and denial of social and economic rights. However, as someone who follows closely human rights-related developments in this country, I believe that your struggle is being noticed, and is yielding results.

OHCHR-Nepal recognises that it is essential to deal with deeply-rooted discrimination, and we have made Discrimination and Economic, Social and Cultural Rights one of the three priorities in our restructured Office. We will be partnering with many communities in this endeavour: indigenous Nepalis, sexual minorities, Dalits, Madheshis, women and PWDs. One of our priorities will be to continue to work with you to strengthen the capacity of the national human rights protection system including civil society, the NHRC, other national institutions, the judiciary and the media, so that you are able to take effective steps to ensure that your rights are being respected.

As always, there will be some bumps along the road towards improve respect for the human rights of all Nepalis, but as long as we can maintain a spirit of cooperation and remember the goal of dignity and justice for all, then I am confident that one year from now, we will once again be able to talk of the achievements of the previous 12 months.

Thank you.

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