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Statement to the Press
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I would like to thank the Government of Nepal for the warm welcome extended to me during my five-day visit. The purpose of my visit was to familiarize myself with the OHCHR operation in Nepal, increase my understanding of the human rights challenges here, and learn how the Office of the High Commissioner for Human Rights can better support the national endeavor to improve human rights during this critical period of transition.

During my visit, I had important meetings with the Minister of Peace and Reconstruction, the Foreign Minister as well as the leadership of the Communist Party of Nepal (Maoist), and will meet the Chief of Army Staff later today. I also met the Commissioners of the National Human Rights Commission (NHRC) and representatives of civil society. I traveled to Nepalgunj and Kapilvastu, where I had the opportunity to discuss with Nepalese men and women who have suffered abuses and those who strive to uphold human rights at the grassroots level. I also had the opportunity to visit a prison facility in Kathmandu.

My visit comes one year after the High Commissioner's last visit to Nepal and more than one year after the signing of the Comprehensive Peace Agreement (CPA). It is evident that important progress has been made on a number of fronts but that more is needed. The issuing of more than two million citizenship certificates is a major step forward in addressing the situation of marginalized groups as is the introduction of recruitment quotas in the police and civil service. The appointment of Commissioners to the NHRC after a 15-month gap is a positive step in strengthening the national human rights system. The Commissioners made clear to me their determination to establish the authority of NHCR as a fully independent and credible national institution which will set the agenda for the defence of human rights in Nepal in the future. OHCHR is increasing its efforts to support and assist the NHRC in this endeavour.

The Supreme Court has continued to play a key role in support of human rights in this period of transition. The Court's decisions on disappearances, in the Maina Sunuwar case and on the rights of sexual minorities are landmarks in the defence of human rights. The signing of the Convention on Disabilities and the ratification of the Optional Protocols to the Convention on the Rights of the Child and CEDAW constitute important commitments on the part of the Government. These decisions and obligations now require implementation.

Nonetheless, major obstacles to the enjoyment of human rights remain. When the High Commissioner visited Nepal one year ago, she focused on two main issues: the need to end impunity and the need to address deep-rooted discrimination. A year later, impunity remains unchecked in Nepal and not one perpetrator of past or on-going human rights violations has been convicted as a result of a criminal investigation. The consolidation of the peace process will continue to be at risk without political will on the part of the authorities to end this culture of impunity.

The agreements between the parties require the setting up of a commission on disappearances and a Truth and Reconciliation Commission, important measures to bring out the truth, address the past, and also the underlying causes of the conflict with a view to ensuring that the violations of the past are not repeated. These Commissions must be set up in accordance with international standards if they are to guarantee the rights of victims and their relatives to truth, justice and reparations. OHCHR-Nepal Office has already offered assistance and advice and will continue to do so.

On-going impunity as well as a security vacuum due to weak law enforcement and criminal justice has also led to an increase in violent actions, including killings and abductions by armed groups. We are especially concerned about the increasing number of explosions in the context of political rallies, some of which occurred during my visit. The explosions and other violent actions have had a serious impact on the enjoyment of the human rights of the population in the Terai, particularly the rights to life, freedom of assembly and association. These acts of violence only serve the interests of those seeking to disrupt the peace process and will make more difficult the holding of free and fair elections. The holding of the election on 10 April is essential for the consolidation of peace.

The security vacuum in the Terai has also led to communal violence. In Kapilvastu, I had the opportunity to discuss with both displaced persons as well as members of a community whose village was burnt. Perpetrators can be identified but the victims have no confidence in the justice system after having experienced violence and displacement on multiple occasions. Discussions with these groups revealed that in order to gain the trust of the affected communities, law enforcement agencies need to be more representative of the population and need to enforce the law firmly and impartially while fully respecting human rights.

Caste-based, gender-based and ethnicity-based discrimination remain entrenched in Nepali society. I was alarmed by the testimonies from the family of victims of gender based violence in Nepalgunj and from members of civil society fighting to end such violence. Discrimination in all its forms must be addressed systematically and with determination or it will continue to place the peace process at risk. OHCHR is working closely with the authorities, the NHRC and civil society to ensure access to justice for victims, follow emblematic cases through the judicial process, and raise awareness of the issue in remote communities. It is clear that the Government needs to do more to effectively address these long standing human rights abuses.

Human rights workers informed me of the increasing threats against them. The Government has a special duty to protect human rights defenders so that they can carry out their activities without hindrance or threats to their security.

Despite the many remaining human rights challenges, I am convinced that with continued courage and determination further progress can be made on the pivotal issues of impunity and discrimination. In my meeting with the authorities I have urged them to address these issues as a matter of priority and I have assured them that OHCHR will continue to work in support of and in cooperation with them.

The High Commissioner's Office continues to work closely with UNMIN and UN Country Team to support the peace process and strengthen human rights protection. As the peace process moves forward, OHCHR will increasingly focus its work on supporting our national partners.