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FOR HUMAN RIGHTS IN NEPAL



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Further progress essential for durable peace, says High Commissioner's annual report to Human Rights Council

The peace process, including elections, provides a historic opportunity to create a fully inclusive and democratic state which protects human rights and enables all Nepali people to participate equally and effectively in society, says the High Commissioner for Human Rights in her annual report to the Human Rights Council, which commenced in Geneva on Monday.

The report points out that progress towards strengthening the national human rights system has been made, including through the appointment of commissioners to the National Human Rights Commission (NHRC), the signing or ratification of several international human rights instruments, and the promulgation of regulations providing for quotas for marginalized groups and women in recruitment to the civil service, the police and the army. The issuing of more than two million citizenship certificates is another major step forward in addressing the situation of marginalized groups. The Supreme Court played a key role in support of human rights in 2007 with landmark decisions on disappearances, on investigations in the Maina Sunuwar case and on the rights of sexual minorities.

However, respect for and the protection of human rights came under increasing pressure in 2007 as a result of delays in implementing the Comprehensive Peace Agreement (CPA), together with a worsening security situation in the Terai, resulting in increased violence, states the report. The CPA and the establishment of an interim Government raised great expectations, yet major progress is needed, particularly in three areas, if those expectations are to be met. Those areas are:

- **Ending discrimination and inequalities.** As the peace process advances, the complexities of bringing about these changes, which require political will and the transforming of deep-seated patterns of behaviour, have become more apparent. The holding of Constituent Assembly elections under a mixed system that provides for increased representation of women and marginalized groups will be a major step towards creating a more participatory, inclusive and equal society.
- **Ending impunity for past and ongoing human rights violations.** The report says that the existing climate of impunity must be transformed into a culture of accountability in order to bring about a successful transition to durable peace and development. Political will, lacking until now, is essential for such change.

- **Addressing the State’s obligation to protect the rights of the population to life, liberty and security.** A coherent programme to strengthen and reform the security forces is urgently needed. Law enforcement agencies have a special role to play in ensuring the creation of a climate for the elections that is free of fear and intimidation.

“My Office is ready to provide all necessary support and technical assistance to achieve the necessary progress,” said OHCHR-Nepal Representative Richard Bennett. “Strengthening the national human rights system, including support for the NHRC and national institutions, will be an essential component of the Office’s strategy to support the process of change in Nepal.”