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**Address by David Johnson  
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for Human Rights in Nepal**

**On the occasion of International Day of the World's Indigenous  
People  
9 August 2006**

**Organised by Nepal Federation of Indigenous Peoples (NEFIN) and  
the Joint Struggle Committee of Indigenous Nationalities**

I would like to start by thanking the organisers of today's event, the Nepal Federation of Indigenous Peoples (NEFIN) and the Joint Struggle Committee of Indigenous Nationalities, for inviting me to join you today. My name is David Johnson, and while Ian Martin is in New York, I am the officer in charge at OHCHR-Nepal. This is an important day for indigenous peoples across the world, and so it is also an important day for the United Nations. I would like to congratulate the organizers, and Nepali indigenous peoples of all nationalities in Nepal for this week-long celebration.

The struggle of Nepal's indigenous peoples for the recognition of their fundamental human rights has been a long one, and is entering an important period in this democratic transition. As Nepalis work to end the long conflict and build lasting peace, and to transform the state in the democratic spirit of the People's Movement, indigenous Nepalis rightly see this as a time to ensure that their rights are enshrined in the state's policies and legal framework and that concrete action is taken to protect and promote those rights.

As you know, it was the grim human rights situation in the context of the armed conflict that brought OHCHR to Nepal in May last year. Our Office spent much of its first year working to try to prevent and minimise human rights violations in the context of this conflict and in the context of the political confrontation. In this work, we often found that indigenous people suffered severely and disproportionately. For example in the cases of disappearance documented by our Office in Bardiya District, an overwhelming majority are from families of the Tharu community. In this new era in Nepal, it is essential that these past violations are addressed, that impunity is broken and accountability is established and victims and their families assisted.

OHCHR-Nepal is increasing its focus on addressing the longstanding issue of discrimination based on caste or ethnicity. In this work, we pay particular attention to the situation of indigenous and so-called "low-caste" women, who often suffer multiple discrimination.

Discrimination is a major concern for the UN human rights system, which includes specific mechanisms for the protection of the rights of indigenous peoples.

This year, the celebration of the International Day of the World's Indigenous People is of particular significance in the context of the recent adoption by the Human Rights Council of the United Nations Declaration on the Rights of Indigenous Peoples. This Declaration represents a major achievement and the outcome of more than 20 years of negotiations between governments and indigenous representatives. This Declaration carries the hope of thousands of indigenous peoples around the globe, who have been fighting for the recognition of their rights, the preservation of their cultural heritage and traditional knowledge, and who long for a genuine improvement in their daily lives. The Declaration should be adopted by the General Assembly later this year and thereafter indigenous organisations around the world will finally have a major tool in their efforts to achieve respect for the rights of indigenous communities everywhere.

Another important international human rights instrument is the Indigenous and Tribal Peoples' Convention, which was adopted by the International Labour Organisation in 1989 and known as ILO Convention 169.

Nepal is yet to ratify ILO convention 169. In July this year, the Honourable Speaker of the House of Representatives made a statement at a gathering of political leaders and activists on the importance of this Convention. I would like to emphasise the two fundamental concepts of the Convention, which the Honourable Speaker highlighted at that time: consultation with and participation of indigenous communities and organisations. These two fundamental principles should guide Nepal in this time of peacebuilding and democratic transition. We must ensure that the right of indigenous peoples to participate in the decision-making process in relation to all questions and programmes which directly affect their lives is fully respected.

These principles are supported by the concluding observations of the United Nations Committee on the Elimination of Racial Discrimination in its most recent report on Nepal, in 2004. The Committee stated in this report that it "remains concerned over the under-representation of disadvantaged groups in government, legislative bodies and the judiciary," and stressed "the importance of their active participation in public and political life." The Committee recommended that the State "enforce special measures to guarantee to members of disadvantaged groups the right to participate in elections, to vote and stand for election, and to have due representation in government, legislative bodies and the judiciary."

To make this happen it will be essential that the NEFIN and the Joint Struggle Committee of Indigenous Nationalities work both with indigenous communities across the country and national-level decision-makers to ensure that indigenous peoples from all walks of Nepali life are able to participate fully in the important national processes currently unfolding. I urge you to focus your attention on some of Nepal's most disadvantaged indigenous communities, and I recommit the efforts of OHCHR-Nepal to work with you to that end.

Thank you.

