



**Remarks by Richard Bennett  
Representative of the United Nations High Commissioner for Human Rights in Nepal  
Delivered at the Launch of the Documentary *Achhut* (“Untouchable”)  
14 August 2008, Kathmandu**

Mr Bom Bahdaur Bishwokarma, General Secretary, Tek Bahadur Raika, Acting President and Executive Director Tirtha Biswokarma of the Dalit NGO Federation, and Filmmaker Mr Tulsu Ghimire.

Firstly, let me thank DNF for inviting me to participate in the release of this documentary. I also wish to congratulate the filmmakers for their important creative work in raising attention to human rights violations against Terai Dalits.

As the Special Procedures mandate holders of the Human Rights Council noted on Human Rights Day 2007, the connection between long-term discrimination and exclusion on one hand, and tensions, instability and conflict on the other is now well established, although it needs to be more widely understood. More effective prevention and remedial measures that will promote inclusion and stability and address the root causes of conflict at a much earlier stage requires deeper as well as broader analysis and understanding of the complex dynamics involved, including deep-seated prejudice and reluctance to relinquish power, privilege and wealth.

Significant steps have been taken in Nepal to address some of the worst examples of discrimination and exclusion, including caste-based discrimination. These include the Legislature’s declaration of the elimination of untouchability in 2006 and the election of a greater number of Dalits and members of other marginalized communities than ever before to a legislature – the Constituent Assembly – in the proportional representation section of April’s election. However much more should and can be done, as recent research by OHCHR-Nepal has found. Concerning access to justice, for example, law enforcement agencies must more effectively enforce existing legislation, including by filing First Information Reports (FIRs). Communities must also be educated about their existing rights to justice and non-discrimination, which I assume is one purpose of the documentary being launched here today.

At OHCHR we are undergoing a change process at the same time as Nepal continues its own transformation. From a focus on monitoring and investigation of conflict-related human rights violations, my Office is intensifying its work on supporting Nepal to end the historical marginalization of various communities, approaching this issue through the ‘lens’ of economic, social and cultural (ESC) rights. One of our priorities is helping to strengthen our national partners: the National Human Rights Commission (NHRC), national institutions such as the Dalit Commission, the Government of Nepal and civil society.

The election of the Constituent Assembly and soon the drafting of a constitution that will reflect the aspirations and recognize the human rights of all members of each community in this very multicultural society are signal events in Nepal's peace process. Yet, if I can paraphrase the Special Procedures mandate holders again, strong laws are necessary but on their own are insufficient to end discrimination. Effective implementation and access to justice for victims of discrimination are essential. Additionally, recognition at the highest level that discrimination exists, and the political will to confront it, are vital steps. States, working with national and international partners, should take the lead in promoting non-discrimination and equality in the wider society, including through education and the media.

We at OHCHR look forward to seeing the new Government rise to the challenge of effectively addressing long-standing marginalization of certain communities, none of which has been more excluded than Dalits living in the Terai. As we mark the 60th anniversary of the United Nations Declaration of Human Rights this year, OHCHR stands ready to work with that Government, the NHRC, the Dalit Commission, civil society and all our partners in Nepal to ensure the realization of Articles 1 and 2 of the UDHR: that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms in the Declaration without distinction of any kind.

Thank you.