



**Statement by Richard Bennett
Representative of the United Nations High Commissioner for Human Rights in Nepal
Delivered at the Release of a Nepali Translation of the
UN Declaration on the Rights of Indigenous Peoples
30 May 2008, Kathmandu**

Honourable Speaker of Parliament Mr Subas Nembang, Mr KB Rokaya NHRC Commissioner; Hon Member-elect of the Constituent Assembly Tham Maya Thapa; Hon Member-election of the CA Mr Suresh Ale Magar; members of the media colleagues, participants:

Thank you for coming here today to celebrate the release of OHCHR-Nepal's translation of the *UN Declaration on the Rights of Indigenous Peoples* (UN-DECRIPS). For the record, this is not an official translation, but that makes it no less important for those of us who will use it as a tool to advocate for full respect for the rights of Nepal's janajati/advasi communities.

You might be wondering why a declaration dedicated to the rights of indigenous peoples is needed, particularly when "*all human beings are born free and equal in dignity and rights*", according to the Universal Declaration on Human Rights (UDHR). The answer is that respect for indigenous peoples' rights throughout the world has long been insufficient, marginalizing many indigenous peoples to the fringes of their societies. Although the UN-DECRIPS is non-binding on states, it establishes a universal framework of minimum standards for the survival, dignity, well-being and rights of indigenous peoples, to which states are free to commit themselves through their laws and policies.

The Declaration outlaws discrimination against indigenous peoples and ensures their right to remain distinct and to pursue their own visions of economic, social and cultural development. It also explicitly encourages harmonious and cooperative relations between states and indigenous peoples living within state territories.

Most of Nepal's janajati/advasi communities have experienced marginalization – but recent months have seen positive changes. One was the government's signing last year of the International Labor Organization's Convention 169 on indigenous and tribal peoples, which stresses the state's responsibility to hold meaningful consultations with its indigenous peoples in all matters that affect their lives. Another of course is the recent election of the Constituent Assembly, roughly one-third of whose members are from janajati/advasi communities. Those results, though encouraging for the inclusion of janajatis/advasis in state institutions, are not fully representative, and I know that many of you here today are working as we speak to ensure that your communities are better represented.

With the election, Nepal has taken a vital step in its peace process, but I think we are all aware that many more challenges remain to be met in the two years in which the CA will sit to write a new constitution and in the additional years that will be required to entrench the achievements of this post-conflict era. Success will require further determination and wisdom based on the fundamentals of human rights and a strong belief in an equal, diverse and equitable society. OHCHR-Nepal will continue to play its role: promoting and protecting human rights and supporting the work of the national human rights system. I look forward to working with all of you here and all Nepalis who are dedicated to human rights. Thank you.