



United Nations
Human Rights

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

**Opening the Door to Equality:
Access to Justice for Dalits in Nepal**

**Launch of the
OHCHR-Nepal Report**

Opening Remarks by

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Kathmandu, Nepal

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Honourable Padma Lal Bishwakarma, Chairperson of the Parliamentary
Committee on International Relations and Human Rights

Honourable Bijul Biswhakarma, Chair of the National Dalit Commission,

Mr. Miloon Kothari, Former UN Special Rapporteur on the Right to Adequate
Housing

Mr. Manoj Bachchan, Representative of the Durban Review Conference

Distinguished Guests,

Colleagues and Friends,

It is a pleasure to be here on behalf of the High Commissioner for Human Rights. I thank the Government of Nepal and the National Dalit Commission for their leadership and commitment to addressing the challenges and stigma of caste-based discrimination.

In the words of our High Commissioner “caste is the very negation of human rights principles of equality and non-discrimination. It condemns individuals from birth and their communities to a life of exploitation, violence, social exclusion and segregation. Caste discrimination is not only a human rights violation, but also exposes those affected to other abuses of their civil, political, economic, social and cultural rights”.

The 100 Day joint campaign of our Office with the National Dalit Commission, “I Commit to End Caste-Based Discrimination and Untouchability” reflects our commitment to work with the Government and national institutions to end caste-based discrimination in Nepal. The Campaign has travelled across remote areas of the country raising awareness on the issue. We hope it will energise and sow the seeds of future work to address the

degradation and inhumanity that comes with untouchability, segregation, exploitation and violence in the lives of millions of Dalits.

Many participants from the region are looking at Nepal with great interest and excitement. You are showing to all of us what can be achieved in a very short time. In the last few years, rapid progress has been made in areas ranging from representation of Dalits in the Constituent Assembly to the enactment of a law to address caste-based discrimination and untouchability. At the same time, the Government of Nepal's has addressed these issues constructively in international processes, including in the Human Rights Council's Universal Periodic Review (UPR). We welcome and greatly appreciate the role of the government, and advocacy by the national human rights institutions as well as civil society organisations in the UPR process. Nepal provides an example to the region of what can be done in 6 years with the Government, national institutions, the UN and civil society working together.

While there is much progress in Nepal, much still remains to be done. Today's launch of our report on "Opening the Door to Equality and Access to Justice for Dalits in Nepal" shows that access to justice remains a major issue at the local and district levels. The social stigma of caste remains deeply embedded. Institutions, rules and procedures have to be strengthened to implement the Caste-based Discrimination and Untouchability (Offence and Punishment) Act. The report makes a number of recommendations on how this can be done, and we stand ready to assist the Government.

While today's event focuses on Nepal, we must keep in mind that caste-based and analogous forms of discrimination are prevalent in other countries and regions as well. The work of our Office in Nepal to eliminate caste based

discrimination is part and parcel of our global work to combat discrimination, which is a key priority of the High Commissioner's strategic management plan for 2012-2013.

So how do we implement this strategy? First and foremost, we have recommendations of the UN Human Rights system – the treaty bodies of the international conventions, UN Special Rapporteur mandates, and the Universal Periodic Review. These provide us with guidance on what the gaps are, and what must be done, to address caste-based discrimination. Second, we have our national partners, such as the Government, National Human Rights and National Dalit Commissions to work with on actual implementation of international standards and recommendations. Third, we use the human rights framework in our monitoring and technical cooperation activities, including Nepal. We also offer technical assistance and capacity building activities in other countries of South Asia.

The national campaign in Nepal is also important for the region, since it engages also many participants from neighbouring countries, where caste-based discrimination is an equally important challenge. The UN human rights system has noted some good practices from Nepal and India, such as the legislative frameworks, affirmative action policies, and targeted central government programs and budget outlays. These may be of interest to other countries of the region. It has also expressed concern and provided recommendations on range of issues, including bonded labour, absence of data, and the *de facto* discrimination and caste and gender-based violence, which persist in South Asia.

A recent international consultation of civil society in Nepal convened by the International Dalit Solidarity Network also makes a number of recommendations.

I encourage those from the region to work with our Office, national partners, and civil society within your respective countries to empower Dalit communities to claim their rights and bring concrete change in their lives. Stigma and discrimination have to be addressed comprehensively. Our work begins with legal, policy and institutional measures. This has to be complemented by raising awareness and changing social perceptions. Here civil society plays a central role. We hope that the National Campaign in Nepal will allow us to reflect on lessons learned.

We stand ready to assist the Government of Nepal and the National Dalit Commission in their work. The end of this Campaign will be the beginning of a next step, a new phase in which we hope that our national partners will be able to consider a number of challenges and gaps highlighted in the OHCHR report along with its recommendations.

I conclude with a quote from the UN High Commissioner for Human Rights, “The time has come to eradicate the shameful concept of caste. Other seemingly insurmountable walls, such as slavery and apartheid, have been dismantled in the past. We can and must tear down the barriers of caste too”.

Thank you for your presence and commitment Honourable Chairperson of the Parliamentary Committee and Honourable Chair of the National Dalit Commission. [end]