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NDC-OHCHR-Nepal launch observation on the Untouchability Bill

**We are concerned over the process of drafting and submission of the Bill:
NDC, OHCHR-Nepal**

Kathmandu - On the occasion of the Human Rights Day, the National Dalit Commission of Nepal (NDC) and the Office of the United Nations High Commissioner for Human Rights in Nepal (OHCHR-Nepal) released today an analysis of the draft *Caste-based Discrimination and Untouchability Crime Elimination and Punishment Act*, entitled, "NDC and OHCHR-Nepal Observations on the Untouchability Bill".

With this document, the NDC and OHCHR-Nepal, make an assessment of the draft bill and offer a set of recommendations to the Legislative-Parliament and other relevant actors to ensure consistency of the proposed bill with national and international human rights standards.

Non-discrimination and equality are core human rights principles and Nepal is a state party to the *International Convention on the Elimination of All Forms of Racial Discrimination*. The Convention obliges the Government inter alia, to prohibit discrimination based on descent, including caste-based discrimination. The Interim Constitution of Nepal and other legislation also prohibit any discrimination based on caste and untouchability. The draft bill should fill the gaps of the current legislation to ensure effective prosecution of criminal offense based on caste-based discrimination and untouchability and compensation for the victims. In particular, it should be revised to incorporate appropriate penalties and statutes of limitations corresponding to the seriousness of each offence, an essential way to ensure the right to an effective remedy for the victims.

"We welcome the submission of the draft bill on *Caste-based Discrimination and Untouchability Crime Elimination and Punishment* to the Legislature-Parliament as a very positive step forward which offers an opportunity to make Nepali legislation consistent with international standards," stated in a joint press statement released today by NDC and OHCHR-Nepal, adding, "if the current gaps are corrected, the proposed law could become a key tool to curb the deep-rooted practice of caste-based discrimination and practices of untouchability in Nepal."

"We insist however that the process of drafting and submission of the Bill makes the object of meaningful consultations with key stakeholders and the general public," said Bijul Kumar Biswakarma, the chairperson of NDC, and Anthony Cardon, Officer-in-Charge of OHCHR-Nepal, adding, "the NDC and OHCHR-Nepal urge the Legislature-Parliament and the Government of Nepal to make public the content of the draft bill to seek views from concerned stakeholders and to incorporate their concerns and recommendations in the draft Bill".

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