



Nepal

Statement by Honourable Pradeep Kumar Gyawali,
Minister for Culture, Tourism and Civil Aviation of Nepal
and
Member of High Level Dialogue Team for Negotiation with Nepal
Communist Party (Maoists)

Leader of the Nepalese Delegation to the 4th Session of the
United Nations Human Rights Council

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**Statement by Hon'ble Minister for Culture, Tourism and Civil Aviation
Minister Mr. Pradeep Kumar Gyawali at the Fourth Session of the Human
Rights Council on March 13, 2007**

Mr. President, Excellencies, Ladies and Gentlemen:

I have brought with me the warm greetings and best wishes to the distinguished delegates in this chamber from the people of Nepal who demonstrated last April, through the peaceful People's Movement, extraordinary courage and deep commitment to the values of democracy, human rights and freedoms.

At the outset, let me take this opportunity to congratulate you, Mr. President, on your successful steering of the Human Rights Council. My delegation expresses full confidence in your leadership and wisdom and would like to assure you of our unstinted support to make this session a success.

Mr. President,

The Human Rights Council has been in place almost for a year now. We are happy to note that the Council is evolving its methods of work, rules of procedures, complaint procedures, mandates and universal period review that will guide this body and its work in the future. People around the world vigorously looking that the Council give adequate space to their concerns and aspirations and to adopt an even-handed approach towards civil and political rights and economic, social and cultural rights, including the right to development, simply because they are indivisible.

My Government believes that the world community must pursue a holistic approach to promote and protect these rights. There is no room for selectivity, double standards and politicization of our effort to advance the universal values of human rights.

Mr. President,

Let me turn to appraise this distinguished gathering the ongoing peace process in my own country Nepal. Ending the decade long violent insurgency, establishing the full-fledged democracy enriched by peoples sovereignty and human rights and building New, peaceful and prosperous Nepal were the mandates of historic people's movement of April last year. Established on the strong will of the people, government of Nepal is concentrating its whole endeavor to fulfill their aspirations. Successful peace process has been almost complete following the signing of Comprehensive Peace Accord, tripartite agreement on management of arms and armies and promulgation of new interim Constitution - based upon the inclusive democratic values, human rights, socio-economic transformation, establishment of a new legislative Parliament consisting of CPN-M and significant representation from women, Dalits, indigenous groups and victims of the conflicts, completion of the registration and confinement of the Maoist combatants into the cantonment and secured storage of their arms and reestablishment of the police posts. The peace process, however, could not be completed without the support of world community. In this regard, I would like to particularly highlight the important role played by the United Nations Mission in Nepal as well as the Office of the High Commissioner for Human Rights for facilitating the peace process and monitoring the human rights situation in the country.

Mr. President, let me express, on behalf of Nepali people, Government of Nepal and on my own as a member of Government negotiation team, our heartfelt thanks to the UN and to the entire international community. We will always seek your continuous support in the days to come.

Sustaining peace, strengthening democracy, rehabilitating the displaced people, holding the CA election in June this year and rebuilding the country are the challenging priorities for the government of Nepal in this crucial transitional phase. To fulfill the higher expectations with limited resources, to provide the satisfactory service to remote areas where the state had been weakened during conflict, to transform a feudal society to a democratic one within a short span of time and to provide a transitional justice by ending the culture of impunity is a daunting challenge to the government. But we are trying hard to achieve the goal.

Democratic governance is non-negotiable for the Nepali people. So, the seven-party-alliance that is in power now has convinced the Maoists to join the competitive democratic politics. In fact, the Maoists have already joined the Interim Parliament accepting the integrity, sanctity of democratic governance and the supremacy of the ballot over bullet, and they will soon join the cabinet as well. Government is asking Maoists to make a conducive environment to exercise free political activities, to assure the people about peace process and to rehabilitate the displaced people through completely stopping the arms demonstration, extortion, intimidation, return the seized property and to improve their behaviour before joining the interim government.

Government is trying to address all grievances of women, dalits, indigenous groups and madhesis that were excluded by the feudal regime. Negotiations are going on and the first amendment of the constitution has been passed to address the issue of Federalism, inclusive participations and the restructuring of the constituencies.

The government has taken several measures to end the culture of impunity, establish the rule of law and help heal the deep wounds of the conflict. It has made courts independent, augmented human rights training for security personnel and given full freedom to civil society to monitor and report on human rights violations. The government has also been bringing to justice the abusers of authority and human rights for their action. In this very vein, we have proposed to establish a Truth and Reconciliation Commission that will collect information on human rights abuses and hold the abusers to account. By doing so, we hope to be able to put the bitter past behind and move forward on the path of national reconciliation.

Deeply concerned about the welfare of the displaced people, the Government has insisted that the Maoists must return all properties seized by them during the insurgency to their owners and help these people pick up their normal lives. The government has decided to provide short term and long term relief to rehabilitate the internally displaced persons. We have also begun a vigorous process of restoring the infrastructure damaged during the conflict, attracting private investment and accelerating public expenditure to rebuild the country and put it on a sustained path of development. Nepal is grateful to its development partners for helping it in its reconstruction and development efforts.

I am happy to note that Prime Minister Girija Prasad Koirala and leaders of the major political parties have been providing effective and visionary leadership at this critical time in Nepal's history.

Mr. President,

Since last April, there have been significant improvements in the human rights situation in Nepal, something the High Commissioner's report to this Council captures to some extent. We have had the opportunity to receive the High

Commissioner for Human Rights in Kathmandu in January this year and reiterate our total commitment to promoting human rights in Nepal.

That is precisely the commitment I wish to express in this forum. We have already taken several steps to rise to our commitment. For instance, we have provided resources to implement the National Human Rights Action Plan, which seeks to meet our obligations under international human rights instruments, including those related to education, culture, health, women, children, indigenous people and other disadvantaged groups of the population. The Government has recently undertaken an annual review of the implementation of NHRAP to monitor the progress made so far.

The interim constitution promulgated early this year has elevated the National Human Rights Commission (NHRC) into a constitutional body. The Commission enjoys unfettered access to all scenes of human rights violation and conduct investigations. We are working towards making this Commission professionally strong and independent. Similarly, there are separate National Commissions in place for the promotion of the rights and interests of the women, oppressed classes and communities and various indigenous nationalities.

Mr. President,

Democracy, development and human rights are mutually inextricable and reinforcing elements of a civilized society. Oppression, poverty and blatant violation of human rights are sources of instability not only for the countries where they occur but also for other countries in the region and beyond. Linkages between state and human security are equally strong. The Government of Nepal believes that no durable peace is possible without dialogue and no uplifting of oppressed and marginalized societies without democracy.

Constructive partnership and mutual respect as well as understanding of mutual aspirations, sensitivities and concerns between countries constitute the foundations of interstate relations. Such relations can flourish only in an environment of mutual trust and friendship among countries and lead to shared peace, security and prosperity.

Mr. President,

Our friends in the international community might find the on-going situation in Nepal less than ideal, but I appeal to them to look at the situation taking into account the sincere and dedicated efforts we have been making to advance the delicate, difficult and homegrown peace process. It is time for our friends to provide us greater moral and financial assistance so that we can build the foundations for a peaceful and prosperous Nepal where all human rights can fully flourish.

Thank you, Mr. President.