Statement by Hon. Mr. Subas Nembang, Speaker of the Legislature-Parliament of Nepal, at the sixth session of the Permanent Forum on Indigenous Issues (New York, May 18 2007)

Madame Chair,
Distinguished, Indigenous Peoples' representatives,
Distinguished Delegates,

Madame Chair,

At the outset, I would like to congratulate you on your election as the chair of this forum. I am confident that under your able and wise stewardship the forum would bear fruitful outcome.

It is indeed a great pleasure for me to address this Permanent Forum on Indigenous Issues not only in the capacity of the Speaker of the Legislature-Parliament of Nepal but also as a member of Nepal's indigenous community.

I appreciate the presentations today by the Special Rapporteurs on the situation of human rights and fundamental freedoms of indigenous peoples.

Madame Chair,

Special theme of this session “land, territories and natural resources” and discussion on the implementation of the six mandated areas of the Forum including the attainment of MDGs are very relevant and timely towards securing the interests of the Indigenous peoples.

Nepal attaches great importance to the work of the Permanent Forum, which is one of the highest advisory bodies dealing with indigenous issues in the United Nations system. The Forum and its recommendations, as emanated from its annual sessions, bear significance in raising awareness and protecting the rights and promoting the development of ethnic and indigenous communities worldwide.

It is a recognized fact that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind. But the indigenous peoples all over are facing various forms of political, economic, social and cultural discrimination and oppressions.

Indigenous peoples have been deprived of their human rights and fundamental freedoms, through dispossession of their lands, territories and resources. Control by indigenous peoples over developments affecting them and their lands, territories and resources is necessary to enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs. We all are aware that indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment.

Indigenous peoples are also often the worst victims of the periods of armed conflict which often deprives them of their means of subsistence and development. They need to be given just and fair compensation.

Madame Chair,

The ILO Convention No. 169 emphasizes the shift in the conceptual approach to the protection and promotion of the rights of Indigenous and tribal peoples. The Convention is based on two fundamental concepts: consultation and participation. It
emphasizes towards the specific identity of the Indigenous and tribal peoples and their right to participate in the decision-making process in all questions and programs directly affecting them so as to determine their own destiny.

Despite its arguable shortcomings, most Indigenous leaders and organizations see the Convention as an important step towards an improvement of their human rights situation. In an ethnically diverse country like Nepal, this Convention provides a framework for addressing the different needs of Indigenous and tribal peoples. The Nepalese parliament has given directives to the Government to start the necessary procedure to ratify this convention.

Madam Chair,

In the present context, the State recognizes the multi-ethnic and multi-character of Nepali society and has been striving to attain political stability and social progress. Nepal is a socially diversified and a rich garden of different ethnic groups, languages, religions and cultures.

Nepal witnessed unprecedented political transformation in recent past. People irrespective of their ethnicity, caste, creed and language overwhelmingly participated in the popular movement in April 2006, bringing a new beginning and greater opportunities for every one and a peace process that brought an end to the decade long armed conflict. Now, we are heading towards conducting the election of the Constitution Assembly so that interests and aspirations, including of all the indigenous groups, be equally and equitably represented.

In Nepal, we are committed to safeguard the interests of various ethnic and indigenous people and to promote their progress. Nepal believes in a strong foundation of inclusive democratic society, peace, justice, the rule of law, human rights and fundamental freedom.

Recent Promulgation of the Interim Constitution guaranteeing the civil liberties and fundamental freedoms of people and ensuring the rights of the Women, depressed communities and marginalized group raise hopes for the greater participation of every groups and communities for the peaceful and harmonious society in Nepal. The interim constitution prohibits discrimination on the grounds of religion, race, sex, caste or ideological conviction. Each community has the right to conserve and promote its language, script and culture.

Still, the discussion is going on between the Government of Nepal and different indigenous groups for safeguarding their interests in the ongoing political and constitutional process. The resolution of a decade long conflict provides greater space for every community to raise their voices. The process has already begun in Nepal for the inclusion of the interests of the different ethnic and indigenous groups by promoting changes in state institution and society.

Madam Chair,

The United Nations has an important role to play in promoting and protecting the rights of indigenous peoples. The declaration by the United Nations of the Second International Decade of the World’s Indigenous peoples from the year 2005 to 2013 amply demonstrates the increased interests of the world body pertaining to the issues relating to Indigenous peoples.

Accordingly I call upon the world body to step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and effective enjoyment of all human rights and fundamental freedoms recognized in the
Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.

The adoption of the draft United Nations Declaration on the Rights of Indigenous People by the first session of the Human Rights Council in June 2006 is a welcome step towards protection and promotion of the human rights and fundamental freedoms of the indigenous people. We hope that this declaration will be endorsed by the UN General Assembly at its current session.

I also think it will be highly relevant for the parliamentarians from the Indigenous communities to start a fresh initiative for building an international coalition to articulate and safeguard the interests of the Indigenous peoples around the world.

I also take this opportunity to commend the role played by distinguished members of the Forum in the advancement of the Indigenous cause.

Finally, I would like to reiterate Nepal’s full commitment to protect human rights and fundamental freedoms of all people, including from ethnic and indigenous groups. I call upon international community to extend its support and cooperation in these efforts.

Thank you.