

**3rd session of the Expert Mechanism on the Rights of Indigenous Peoples
Geneva**

**Indigenous peoples of Nepal and United Nations Declaration on Rights
of Indigenous Peoples**

Thank you chair person, Indigenous Experts, country representative and my dear friends. Its me Manoj Aathpahariya, from Dhankuta Nepal. This joint statement is about Indigenous Peoples of Nepal and UNDRIP belongs to agenda no 4.

Nepal is a country of rectifying ILO convention no 169, International conventions on Elimination of all types of Racial Discrimination and other major human rights. Also, Nepal has signed on UNDRIP. But Mr. chair person, I like to inform that government of Nepal only remember this types of treaty on its special days. UNDRIP, ILO convention no 169 and other rights are its example. Also, Nepal has a Treaties Act, 2047 (1990), by coding in case of divergence between the provision of Nepalese law and provision of an international treaty to which the country is a party, the provision of treaty shall apply.

Yes off course, Nepal has signed on UNDRIP by respecting more than 10 million Indigenous Peoples of Nepal. We all indigenous people of Nepal want to thanks to government of Nepal once again. After sign on it government of Nepal has translate it on Nepali language with the help of OHCHR. We all indigenous people of Nepal are reminding that he has signed on UNDRIP and also helping in its implementation process. As we addressed in our previous statement, belonging to agenda -3, we, Indigenous peoples of Nepal are not in decision making level. So, it's difficult to in its implementation process. The decision maker says it makes conflict between indigenous peoples and non indigenous people of Nepal. It's only the way of working with INGO in their perception. But, we want our individuals right to free and equal like other Nepalese people without any discrimination not like secondary people of Nepal.

Nepal is one of the countries who coded respect for indigenous people in his preamble of national constitution. Also, we can see reflection of UNDRIP on three year plan of Nepal. But, in implementation process, they hide their policy. So, there is no free prior inform consent. So we can say consent is for con us and sent us from any plan or work in Nepal. We are only the tools for dance, cultural shows and advertisement icon for tourism.

However, Interim constitution says Nepal is a country of multi-ethnic, multilingual, multicultural and country of secularism. But it's difficult in

mother tongue education, it is also difficult to protect our culture rights in Nepal. Many indigenous peoples suffering by the law formed by Hinduism. Also by the wrong interpretation of ethnic autonomy, it is difficult to establish our ethnic autonomy as well.

Nepal is going to reform in New Nepal. We are on process of building new constitution with the participation of Nepalese people. As we mention in previous statement, there are 218 members are indigenous people in Constituent Assembly out of 601 by representing different political party. UNDRIP, ILO convention no 169 and ICERD states indigenous people have right to participate by the representation from its own social institution. However CERD sent early warning letter to Nepal in 13th march 2009 by highlighting the importance of ensuring indigenous peoples participation in the constitution making process. CERD also address that Indigenous peoples participation strictly by chosen from their social cultural institution. The committee recommends that mechanism be established to ensure indigenous peoples free prior informed consent in constitution making process. We can see the result of this type of participation on draft of new constitutions. Also we can see discussion on constituent assembly.

With the new formation of Nepal, Nepal government has integrated policy. Now Nepal has youth ministry and women ministry as well. But, it is difficult to introduce them that indigenous women and indigenous youths are different from other women and other youths and their issue as well.

We want to recommend that we all indigenous peoples of Nepal want to live with rights of human rights standard. With the great thanks, we indigenous people of Nepal want and also support to implementing UNDRIP. And also recommend that UN have to use new mechanism that Nepal government have to implement not only UNDRIP but also the convention which Nepal government rectifying by respecting Nepalese people.

Dhanyabaad (Thank You)
Thank you to all

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