

Bhagirath Dhungana

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Statement by the delegation of Nepal during the interactive dialogue on the Reports on the Indigenous People, September 15, 2010.

Mr. President,

My delegation thanks the United Nations High Commissioner for Human Rights, the Expert Mechanism and the Special Rapporteur James Anaya for their respective reports on the rights of indigenous people.

Mr. President,

We wish to state that the Interim Constitution of Nepal, 2007, guarantees the right to equality of all citizens before the law and its equal protection. There is no discrimination against any citizen in the application of general laws on grounds of religion, race, gender, caste, tribe, origin, language or ideological conviction or any of these. Similarly, under the right to social justice, women, *Dalits*, indigenous ethnic groups (*Adivasi Janajati*), Madhesi communities, marginalized groups, minorities, the poor farmers and labourers, who are economically, socially or educationally backward, have the right to participate in state structures on the basis of principles of proportional inclusion.

The Constituent Assembly, with the mandate of writing a new democratic constitution of the country, is a clear example of one of the most inclusive representative bodies in the country's history with 40% members representing indigenous communities.

The National Foundation for Development of Indigenous Nationalities (NFDIN), an autonomous statutory body, is actively involved in ensuring the overall welfare of the 59 enlisted indigenous nationalities. Various provisions in the Constitution have boosted up the NFDIN in empowering the indigenous/ethnic nationalities for protection and promotion of their religious, linguistic, cultural and political rights.

Nepal has ratified the ILO Convention 169. We are working out to adopt a national action plan on its implementation, to ensure indigenous peoples' effective and politically meaningful participation in the decision-making process and representation in the governance of the country.

Mr. President,

I would like to make it clear that the elected Constituent Assembly of Nepal, which stands as a towering symbol of inclusiveness and proportionality, remains engaged in drafting a democratic constitution for the Republic. Nepal is a secular country. We are proud to have maintained unique unity in diversity which is our national strength. Fears expressed in the report are without any foundation, and therefore unwarranted.

I thank you, Mr. President.