



62nd Human Rights Council Session

UPR Adoption - Nepal

Thank you Mr. President,

I am speaking as an Indigenous Newa woman to highlight the continuing situation faced by Indigenous Newa and other Indigenous communities in Nepal.

We welcome the adoption of Nepal's Universal Periodic Review outcome and Nepal's acceptance of recommendations relating to the rights of Indigenous Peoples, participation in decision-making, access to justice and the protection of fundamental freedoms.

Despite this positive outcome and commitments, the current legislations and policies are insufficient to guarantee the rights of Indigenous Peoples. In addition, development projects and private investments continue to undermine our rights.

Development projects continue to proceed without meaningful consultation through Indigenous Peoples' own customary institutions and without obtaining their Free, Prior and Informed Consent. In particular, Indigenous women continue to face barriers to meaningfully participate in decisions affecting their communities. As a result, Indigenous Peoples suffer multiple and intersectional human right violations. This has been the case of the Kathmandu–Terai/Madhesh Fast Track project, projects related to road expansions and other business and infrastructure projects that continue to report inadequate consultation, lack of Free, Prior and Informed Consent, loss of ancestral lands and resources, and insufficient access to effective remedies.

We also remain concerned by restrictions on the right to peaceful assembly and the use of unjustified restrictions and disproportionate use of force and weapons against peaceful protesters. Many of these cases remain without prompt, independent, impartial, and effective investigations.

We call on this new government, which is so full of promise, to be genuine in its solidarity with Indigenous Peoples and translate the accepted recommendations into concrete actions by aligning its laws and policies with the United Nations Declaration on the Rights of Indigenous Peoples and the ILO Convention No. 169; ensuring the Free, Prior and Informed Consent before approving projects affecting Indigenous Peoples; protecting Indigenous Peoples' rights to their lands, territories and resources; guaranteeing effective remedies; and ensuring the full and meaningful participation of Indigenous Peoples in decisions that affect them. We also call on the government to guarantee the right to peaceful protest and the right to defend human rights.

The success of Nepal's UPR will ultimately be measured by real improvements in the lives of Indigenous Peoples in the country.

Thank you.