

FIFTH ANNUAL MEETING OF THE ASIA-PACIFIC FORUM OF NATIONAL HUMAN
RIGHTS INSTITUTIONS
ROTORUA, NEW ZEALAND, 7-9 August 2000

APPLICATION FOR MEMBERSHIP TO THE FORUM

NEPAL HUMAN RIGHTS COMMISSION

BACKGROUND

The *Human Rights Commission Act, 2053* was passed by the Parliament of Nepal in 1997.

The Chairperson and four Commissioners were appointed by the King of Nepal in May 2000.

The Nepal Commission have now applied for membership to the Forum. The application form follows the procedure established at the International Coordinating Committee of National Institutions.

ANALYSIS

Membership of the Forum is premised on a national institution complying with the Paris Principles.

In determining the compliance of the Nepal Commission with the Paris Principles, the Nepal Commission has submitted the following information:

- Accreditation checklist
- Nepal Human Rights Commission Act 1997

This information is attached to this paper.

A review of this material by the Forum Secretariat indicates that the Nepal Human Rights Commission is compliant with the Paris Principles and therefore eligible for membership to the Forum.

In addition to the information supplied by the Nepal Commission, the Secretariat would like to draw to the attention of Forum members the following points:

1. Under the heading 'Responsibility' in the Accreditation checklist the Commission states that it does not contribute independently of government to UN reporting obligations.

In relation to this issue, however, article 9 (2) (l) of the Nepal Human Rights Commission Act – *Functions and duties of the Commission* – contains a relevant provision. The Act states that the Commission has the power:

To make necessary recommendations to His Majesty's Government on reports to be furnished by Nepal under the provisions set forth in international treaties on human rights

A related provision at article 9 (2) (g) of the Act states that the Commission has the power:

To study international treaties and instruments on human rights and make necessary and appropriate recommendations to His Majesty's Government for effective implementation of the related provisions

The Nepal Commission does, therefore, have the ability to provide advice to the Government on the content of Nepal's State reports under international human rights instruments.

RECOMMENDATION

In the opinion of the Forum Secretariat the Nepal Human Rights Commission complies with the Paris Principles.

It is therefore recommended that Forum members at the 5th Annual Meeting of the Forum:

- Accept the Nepal Human Rights Commission as a member of the Asia Pacific Forum of National Human Rights Institutions – bringing our total membership up to eight institutions.