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FOR HUMAN RIGHTS IN NEPAL



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Security Council resolution stresses the importance of ending impunity for crimes of sexual violence during conflict

On 19 June, the UN Security Council unanimously adopted Resolution 1820, which aims at ending sexual violence in situations of conflict. This Resolution has important implications for Nepal, where the full extent and impact of sexual violence during the decade-long conflict is not yet known, and where the Government is in the process of designing transitional justice mechanisms.

Resolution 1820 demands all parties to armed conflict, among other things, to enforce appropriate military disciplinary measures for the crime of rape and other forms of sexual violence, and to 'vet' members of armed and security forces for any past violations and exclude their participation in reformed forces. The Resolution also stresses the need to exclude sexual violence crimes from any provision of amnesty and to ensure that victims of sexual violence have equal protection under the law and equal access to justice. Resolution 1820 further stresses the importance of ending impunity for such acts as part of a comprehensive approach to seeking sustainable peace, justice, truth, and national reconciliation.

The full extent of sexual violence during the conflict in Nepal is unknown, mainly due to the difficulties that survivors face when speaking up about these crimes. OHCHR-Nepal has found, in the course of investigating and reporting cases of sexual violence, that there is both a lack of assistance available for the victims (medical, legal and psycho-social) and lack of access to justice. The authorities have often been reluctant to pursue investigations, or even to accept the lodging of a First Information Report (FIR), particularly in cases where security force personnel are implicated.

For this reason, Resolution 1820 serves as a timely reminder to the Government of Nepal to include the issue of sexual violence when establishing the framework of mechanisms to deliver transitional justice. OHCHR-Nepal encourages the Government to protect and promote the rights of women at the legal, policy and programme levels, and to increase its support to victims of sexual violence through the provision of medical, psycho-social and economic support. More efforts should also be made to change the attitudes in society that result in stigmatization of victims. OHCHR-Nepal urges the Government to send a clear message that it intends to do more to support the rights of victims and to punish perpetrators of sexual violence.

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