

Conflict victims from 15 districts meet in Nepalgunj to examine the two draft bills to establish transitional justice mechanisms

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Nepalgunj – Victims from 15 districts of the Far-Western and Mid-Western regions met in Nepalgunj on 4 and 5 April to examine the two transitional justice draft bills currently pending before the Legislative Parliament. Three Constituent Assembly members - Ekraj Bhandari (UCPN-M), and Mohammadi Siddiqui (Nepali Congress), and Shankar Pokhrel (CPN-UML) - were present to receive the views of the victims and undertook to incorporate these into future discussions of the laws within Parliament. This event is the first of three workshops that will be conducted across Nepal in April and May (Biratnagar and Kathmandu will follow) to allow victims' the opportunity for their voices to be heard and their views properly considered in finalising the draft Truth and Reconciliation Commission Bill and Commission of Inquiry on Disappearances Bill.

In relation to the Truth and Reconciliation Commission Bill, victims concerns focused on the independence and impartiality of the Commission, and it was emphasized that the composition of the Commission should be inclusive and reflect Nepal's ethnic and religious diversity. Furthermore, victims stressed their opposition to any provisions in the law that could undermine criminal accountability for the most serious crimes committed during the conflict, in part through tasking the Commission with providing evidence and recommendations for prosecution directly to the Attorney General for action. The establishment of a victim and witness protection fund is also of significant concern to victims as is ensuring that reparations are targeted to ensure support for those who have suffered most and those who are most vulnerable.

On the Commission of Inquiry on Disappearances Bill, victims were unanimous in calling for an extension to the statute of limitations period for filing cases of disappearance, agreeing that a six-month deadline, as currently set out in the draft law, is too short. It was also stressed that the focus of the Disappearances Commission should be expanded to include all persons who held command responsibility for crimes related to the disappearances and appropriate punishments for perpetrators, including through making contributions to reparations. Crucially, and particularly in light of the recent exhumation in Rolpa, it was highlighted that surviving family members must be consulted ahead of any exhumation and invited to witness the process.

The programme was organised by the Office of the UN High Commissioner for Human Rights in Nepal. More than 50 victims from the Mid and Far Western regions, one of the District Judges in Banke, Representatives from the National Human Rights Commission, the Ministry of Peace and Reconstruction, Human Rights Organizations and the International Organization for Migration participated in the event.