



**UNITED NATIONS
OFFICE OF THE HIGH COMMISSIONER
FOR HUMAN RIGHTS IN NEPAL**



**Statement by Mr. Ian Martin
Representative of the UN High Commissioner for Human Rights in Nepal**

**To the Association of Families Disappeared by the State
28 December 2005**

Your press meeting today is an important occasion which, unfortunately, I cannot attend, but I am pleased to have the opportunity to share a statement through my spokesperson.

Long before coming to Nepal, I had frequently worked on the issue of disappearances and met family members from many different countries in Asia and elsewhere. As the High Commissioner's Representative here, I have with my colleagues been meeting with family members of the disappeared and expressing our commitment to them that OHCHR will press for investigation and clarification of these cases.

As your presence here today attests, Nepal is still among those countries where persons continue to be disappeared, both by the State and the CPN (Maoist). In December 2004, before the opening of our office, the UN working Group on Enforced and Involuntary Disappearances visited Nepal and made important recommendations. Since OHCHR opened its office in Nepal in May, we have been pressing for clarification of these cases and implementation of the recommendations of the UN Working Group. The High Commissioner, in her first report to the General Assembly on the human rights situation in Nepal, in September, and based on the work of our office, highlighted the issue of disappearances as a major concern, and she will soon be reporting to the Commission for Human Rights.

OHCHR has submitted to the RNA, Home Ministry and Police disappearance cases that have come directly to our office since we began to function in May 2005. We have had ongoing meetings with senior RNA officials in order to press for clarification of these cases and to request that a national registry of detained persons is accurately maintained and accessible to family members. In some of these communications, we have mentioned specific occasions since the conflict began in which significant numbers of individuals have disappeared after being arrested. Neither I nor my officers ever divulge the source of information, keeping foremost in our minds the protection of victims and witnesses who may be at risk. The same consideration means that you may not always hear or read publicly what our office is investigating, but be assured that we are actively pursuing individual cases and incidents without any restrictions.

On Human Rights Day this year, 10 December, I received from your organization a letter addressed to the UN Secretary-General, Mr Kofi Annan. I have delivered this letter to the Office of the Secretary-General, and assure you that with his support we will continue to work for clarification of all cases of disappearance in Nepal.

The disappearance of persons by the State is a continuing human rights violation that does not end until the person's fate is finally determined. This is one of the most serious violations because, as all of you unfortunately have come to know, it means that family members endure agonizing periods of uncertainty, sometimes years, before the fate of their loved ones is known.

However, here in Nepal, as in other countries that have suffered these violations, such as Argentina, Guatemala, Sri Lanka, the Philippines, and other countries, the families affected by disappearances have not remained silent, but rather have joined together for mutual support and to demand accountability. This is an important and bold step that in many countries has meant that family members themselves sometimes face threats aimed at keeping them silent. You have my assurances that your effort to raise your voices to demand accountability with regard to disappearances has the full support of OHCHR. My office will respond immediately to any indication that family members are being intimidated or threatened.

Thank you for the invitation to address the gathering here today, and I look forward to another opportunity in the coming days to meet privately with family members.

**For further information contact Mr. Kieran Dwyer at OHCHR-Nepal:
Tel.: 428 0164 (Ext. 321) - Mobile: 98510 14263 or Email: kdwyer@ohchr.org**