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**Talking points
Documentation on Justice Process:
Experiences Sharing of the Woman's International Tribunal in Tokyo
And Human Rights Violation in Nepal**

**By SANGYA in association with AJWRC
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Today's event is very timely because Nepal is about to embark on a process of transitional justice, which in part is a major undertaking in recording history, especially through the voices of ordinary people affected by the conflict. Now is the time to raise women experiences and women's voices to the forefront and ensure that they are duly included in this process.

Women's experiences of war and conflict have often been treated with silence when documenting history. History has tended to focus mainly on combatants and political leaders and much less on victims or survivors. For a long time, this set a tone which said that women did not play a role in conflicts and wars.

Of course, as we all know, this is far from the truth. In many different conflicts throughout the world women have actively engaged in combat, as well as in intelligence and other support roles and increasingly some women are in command positions. Thus, in some cases, the experience of conflict and the expansion of women's roles is challenging traditional gender relations.

However, in most cases, women and girls are affected negatively by war. They are often displaced along with their children, burdened with the singular responsibility of maintaining their families under situations of physical insecurity, vulnerable to looting and the seizure of assets and susceptible to rape and other forms of sexual violence.

Sexual violence continues to be widespread in many conflicts around the world and is vastly under-reported with the victims frequently suffering in silence. In some cases rape has been used as a weapon of war and this has been deservedly denounced as a war crime in international tribunals.

Audio visual representations are a very powerful means of documenting history. They provide a way through which women and girls' experiences may be documented as part of the history of the conflict in Nepal. This will also help to ensure that women and girls are included in future efforts towards post-conflict reconstruction and achieve appropriate recognition at last for their role as crucial actors in sustainable peace-building.

My office is striving to support this process in a number of ways. We have provided comments on the current Bill on Truth and Reconciliation Commission. Amongst our comments, was a recommendation to include more gender sensitive language. We have also been advocating for broader national consultations on the TRC including the taking of specific initiatives to ensure women's voices are heard in national debates on transitional justice.

We are insisting that there must be an end to impunity for violence against women and we have undertaken many activities to raise awareness and break the silence on this issue. Last autumn we organised a high level panel, where several important actors from both law enforcement, judiciary and medical profession spoke out against violence against women. This discussion was later broadcasted by two national televisions.

We have also taken up particular issues which inhibit access to justice for women victims: both specifically in relation to gender-based violence: such as the 35 day period in which charges need to be laid in relation to sexual assault cases, and in relation to access to justice for women as victims of other forms of serious human rights violations. As we approach the International Day for Disappeared Persons on 30 August, it is important to recall in particular the impact of disappearances on Nepali women – both on those who were disappeared, and on those who are the survivors of disappeared family members who, in addition to the continuing pain and injury associated with the loss of a family member, often face ongoing difficulties in relation to issues such as access to property and an adequate standard of living.

One of the emblematic cases that the office has taken up with authorities is the Maina Sunuwar case: a case which illustrates the gendered impact of human rights violations and the difficulties in obtaining justice for victims. We are committed to continuing work to address the culture of impunity and provide for victims' rights to truth, justice and reparations.

It is important that when the State sets up its planned TRC and Disappearances Commission, the voices of women and their perspectives are integrated into all stages of the Commissions' operations. This is not only an issue of ensuring appropriate representation of women as Commissioners, but also that women's experiences and perspectives are integrated into the working modalities of the Commission and appear in the final report and recommendations.

An initiative of particular relevance in this context may be the network on transitional justice and gender that my office is chairing. This network draws together UN agencies and international and national NGOs and the focus of the group is to ensure inclusion of women in the transitional justice process through joint initiatives. I would encourage you make contact with this network if you haven't yet done so

As I said in the beginning, history has too often been written by men and Nepal is no exception from the rule. But let's change that from now on and let women take the place they deserve in recorded history.

Thank you!