



Accountability Watch Committee (AWC) जवाफदेहिता निगरानी समिति

PRESS STATEMENT

Appoint the Officials of Transitional Justice Commissions only after Amendment of the Law

9 July 2019

Accountability Watch Committee (AWC) expresses serious concern about the government's move to advance the process for appointment of officials of the Truth and Reconciliation Commission (TRC) and Commission of Investigation on Enforced Disappeared Persons (CIEDP) and other attempts to foil the transitional justice (TJ) process, despite repeated appeal from stakeholders.

AWC is deeply concerned by the activities of the government to prolong the TJ process and apathy of the political parties to conclude the TJ process nearly 13 years of Comprehensive Peace Agreement (CPA) in the country. Transitional justice is one of the key and integral issues of Nepal's peace process.

AWC would like to remind the government that the Commissions cannot be effective and will face the same fate as in the past, if the commissions are formed without the amendment of the relevant laws in accordance with the decisions of the Supreme Court of Nepal and the suggestions from international community. Commissions formed without wider consultations following a transparent process and putting necessary legal framework in place are not effective, trustworthy, victim-friendly and credible. They undermine the rule of law and will further entrench impunity already rampant in Nepal.

AWC would also like to remind the public of a key UN 2014 and 2016 document that expressed its inability to support the TJ mechanisms of Nepal established under the existing Act as it violates Nepal's international human rights obligation.

Hence, AWC once again appeals to the government of Nepal to speed up the process of consultation and amendment of the legal framework ensuring ownership of the conflict victims and human rights community, without further delay. It also appeals to the recommendation committee not to recommend the names prior to the amendment of the TRC Act, 2014 in line with the decision of the Supreme Court and international standards.

AWC once again makes its position clear that it will not support, engage with the commissions if established without the amendment of the Act and appeals all actors, including international partners, not to be part of the TJ process that undermines international human rights obligation of Nepal and contributes to further erode rule of law and promote impunity in the country.

On behalf of the Accountability Watch Committee

Charan Prasai, Coordinator

Collective Initiatives for Accountability

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