

**POKHARA DECLARATION DECLARED BY MOTHERS, WIVES, DAUGHTERS AND FEMALE FAMILY MEMBERS OF VICTIMS OF ENFORCED DISAPPEARANCES IN THE 1<sup>ST</sup> NATIONAL WOMEN CONGRESS ON ENFORCED DISAPPEARANCES ON 30 MAY 2024**

**Expressing** our serious frustration over the indifference of the state and political parties to fulfil their commitment to make the whereabouts of those disappeared public despite making the commitment to do so within 60 days of the signing of the Comprehensive Peace Agreement 17 years ago,

**Sharing** our utter dismay against the state and the political parties for their inability to fulfil their obligations under the Comprehensive Peace Agreement, the Constitution, precedents laid down and orders made by the Supreme Court of Nepal and International Law to establish effective transitional justice mechanisms to ascertain the truth about the past atrocities, prosecute and punish perpetrators of such violation, provide reparation to victims and take measures for the reforms of institutions,

**Expressing** our contempt against the government's discriminatory policy in providing interim relief and social security to wives of disappeared,

**Bringing** the state's attention to make arrangements to include wives within the regime of social security benefits and allowance available to single women, and provision for the easy transfer and use of property in their disappeared family member's name to allow for easy transfer of property including sell and carry out other transactions without having to register their death certificates,

**Expressing** our collective grief in acknowledgement of the fact that many family members of victims of enforced disappearance were forced to get the death certificate of their disappeared family members for administrative reasons and to get access to interim relief opportunities and perform final rites owing to social and familial pressures,

**We**, the mothers, wives, daughters and sisters of enforced disappearance victims from across the countries gathered in Pokhara in this National Women Congress on Enforced Disappearances on 30 May 2024, hereby,

**Call upon** the government, political parties and all concerned stakeholders who have been for the past 17 years acting in bad faith by not ensuring the rights of family members of victims of enforced disappearance to truth, justice and reparation, maliciously avoiding their responsibility to create appropriate and necessary transitional justice institutions to be committed to their legal obligations and responsibility and not repeat their unconscionable disregard for giving the transitional justice process a due conclusion and declare the following:

1. Different discriminatory laws, policies, procedures and directives issued by the Government of Nepal relating to access to services based on marital status, transfer of ownership over movable and immovable property through sale, mortgage, partition and other transaction, social security should be reviewed and amended.
2. The state must issue authoritative identity card that could make families entitled to free education, health services, employment opportunities, regular pension provision for households that have lost their breadwinners and reservation in the public service for victims of enforced disappearance.
3. The lived experience of women family members of victims of enforced disappearances, viz. mothers, daughters, wives are significantly different from that of the male family members. The economic, social, psychological and even cultural challenges are fundamentally different. Hence, the laws and policies designed for the benefit of conflict victims must include the gender lens and the policies to be designed must be inclusive and be carried out with adequate and effective representation of conflict victims.
4. The current bill amending the Commission for the Inquiry of Enforced Disappearance, Truth and Reconciliation Commission Act pending at the parliament has some major issues which must be corrected immediately in line with the orders of the Supreme Court, international standards and international good practices and pass the law to make TJ mechanisms functional.
5. Appoint the Commissioners of the Commission only after the demands aforementioned are addressed in the bill and passed by the Parliament.
6. Not to prevent access to justice for anguished family members of the disappeared. Regular justice system should provide remedies to victims pending the establishment and effective functioning of transitional justice mechanisms.

7. Sign and ratify the International Convention for the Protection of All Persons against Enforced Disappearances.
8. Include the serious human rights violations committed after the end of armed conflict but as a result of conflict in the mandate of TJ mechanisms.
9. All three tiers of government must provision for interim relief and reparative measures for victims of armed conflict including families of disappearance. Further, the policies and programs designed thereto must be done in wide consultation and discussion and by ensuring effective participation of conflict victims with specific priority to women victims of armed conflict as well as adopting a victim-centric and transparent process.
10. We, the family members of the victims of enforced disappearances, appeal the stakeholders to address our demands immediately and ensure the fulfilment of victims' rights to justice and reparation. We anticipate everyone's support in our struggle for justice.

***Signed by the participants of the National Women's Congress on Enforced Disappearance organized in Pokhara, Nepal on 30<sup>th</sup> of May, 2024.***

1. Kishori Karki, Morang, Koshi Province
2. Janaki Pokharel, Morang, Koshi Province
3. Tika Bhattarai, Jhapa, Koshi Province
4. Ranjita Subba, Sunsari, Koshi Province
5. Shyama Devi Panta, Morang, Koshi Province
6. Pramila Rama, Parsa, Madhesh Province
7. Siyasharan Mandal, Mahottari, Madhesh Province
8. Lila Devi Bhandari, Chitwan, Bagmati Province
9. Somati Praja, Chitwan, Bagmati Province
10. Swastika Mali, Lalitpur, Bagmati Province
11. Uttarkumari Ranabhat, Nawalpur, Gandaki Province
12. Chhamkumari Basnet, Baglung, Gandaki Province
13. Parwati Sigdel, Nawalpur, Gandaki Province
14. Maya Giri, Kaski, Gandaki Province
15. Mamata Sharma, Kaski, Gandaki Province

16. Radhika Simkhada, Kaski, Gandaki Province
17. Sita Bastakoti, Kaski Gandaki Province
18. Susmita Bastakoti, Kaski, Gandaki Province
19. Sunmaya BK, Nawalpur, Gandaki Province
20. Goma Bhusal, Kapilvastu, Lumbini Province
21. Karuna Tharu, Rupandehi, Lumbini Province
22. Rima Pasi, Rupandehi, Lumbini Province
23. Chandrachi Chaudhari, Dang, Lumbini Province
24. Chuma Acharya, Dang, Lumbini Province
25. Anu Tharu, Bardiya, Lumbini Province
26. Chandrakala Upreti, Banke, Lumbini Province
27. Tulasi Bista, Banke, Lumbini Province
28. Belrani Tharu, Bardiya, Lumbini Province
29. Ramdulari Tharu, Bardiya, Lumbini Province
30. Sima Tharu, Bardiya, Lumbini Province
31. Sumatrani Tharu, Bardiya, Lumbini Province
32. Ratna Regmi, Dailekh, Karnali Province
33. Avisara Bogati, Kalikot, Karnali Province
34. Krishni Chaudhari, Kailali, Sudurpaschim Province
35. Sangita Chaudhari, Kanchanpur, Sudurpaschim Province
36. Laxmi Chaudhari, Kanchanpur, Sudurpaschim Province
37. Sarita Rokaya, Kailali, Sudurpaschim Province
38. Tara Bohora, Kailali, Sudurpaschim Province.