



June 7 2019

Press Statement

Informal Sector Service Centre (INSEC) and Advocacy Forum-Nepal (AF) jointly organized an international workshop on “Enforced Disappearance in Asia: Existing Laws, Challenges and Way Forward” on May 27 and 28 2019 in Kathmandu. The Minister of Foreign Affairs of Nepal, Vice-Chairperson of the UN Committee on Enforced Disappearance, Chairperson of the Parliamentary Committee of Law, Justice and Human Rights of Nepal, Representatives from the National Human Rights Commission of Nepal, Human Rights Activists and experts from different countries of Asia and South America, Central America, Europe, Euro-Mediterranean Region and North America and Family Members of the disappeared persons participated in the workshop. During the workshop, the international experts especially from the Asian Federation against Involuntary Disappearances (AFAD) and the International Coalition against Enforced Disappearances (ICAED) shared their experiences on the existing situation, laws, challenges as well as best practices regarding enforced disappearance of their respective countries and discussed the ways to combat the heinous crimes of enforced disappearance.

Honorable Foreign Minister of Nepal, Mr. Pradeep Gyawali inaugurated the program stating that in the situation where Nepal is heading towards peace and stability, truth, justice and reparation to the conflict victims are a priority of the government. He said that finding out the truth, prosecuting the perpetrators and repairing damages and healing the wounds of victims of the armed conflict are the top priorities of the government. He expressed that the act of enforced disappearance is against humanity and democracy. Hence, the transitional justice mechanisms will play a crucial role to demotivate the commission of such crimes by finding out the truth about the disappeared people.

Similarly, the Vice Chair of the UN Committee on Enforced Disappearances Dr. Rainer Huhle said that the Convention for the Protection of All Persons from Enforced Disappearance is a result of the struggle of human rights activists for 40 years. He stressed that “Rather than adding responsibilities, the ratification of this Convention will create a good impression of Nepal at the international level”.

The United Nations Resident Coordinator Ms. Valerie Julliard stated that it is the responsibility of the state to protect the rights of the citizens who have been living in pain for years without knowing the whereabouts of their loved ones. She enunciated that the law amendment which is being discussed for many years should be done in accordance with the decision of the Supreme Court of Nepal and the international standards. Founding Chairperson of Advocacy Forum, Ms. Mandira Sharma pressed that the government should be result-oriented and make the forthcoming transitional justice processes transparent and trustworthy by incorporating the issues raised by conflict victims, human rights activists, and the international community.



The participants of the workshop discussed on the continuing phenomenon of enforced disappearance around the world and in Asia for the past 2 decades, which is happening in various contexts such as the deepening culture of impunity, lack of rule law, poverty, social injustice, dictatorial rule, revolutions for freedom, war on terrorism and war on drugs.

Furthermore, the UN Guiding Principles for Search for Disappeared Persons was discussed during the workshop. Human rights defenders, conflict victims of Nepal and representatives of civil societies of the different parts of the world and Nepal discussed in groups and commented on how the guiding principles can be strengthened to meet the needs of all countries.

To prevent enforced disappearance and ensure truth and justice to the victims, the participants of the workshop unanimously made the following demands to the Asian Governments including Nepal:

- That the Asian countries ratify International Convention for the Protection of All Persons from Enforced Disappearance.
- That the cooperation between civil societies and victims' groups be strengthened to create pressure and awareness to increase the accountability of the government against enforced disappearance.
- That transitional justice process be completed and that institutions for protection and promotion of human rights of people be strengthened. Specifically, the conference suggested to formulate a victim-friendly law, ensure the meaningful participation of conflict victims in transitional justice process, create environment to develop trust among stakeholders, and advance the credible and impartial process investigation process for the search for truth, prosecution and justice, reconciliation, reparation, memorialization and institutional reforms.
- That the recommendation process to fill the vacant positions of the transitional justice commissions should not be taken forward without the amendment of Truth and Reconciliation Commission Act, 2014 in accordance with the decision of the Supreme Court of Nepal and International standards.

Finally, the conference drew the government's attention to the fact that the resolution of the problem of enforced disappearance during the armed conflict of Nepal has already been long delayed and thus, all efforts to make the ongoing process credible and transparent have to be diligently carried out.

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