



वकालत मञ्च-नेपाल ADVOCACY FORUM- NEPAL

Lawyers forum for human rights and rule of law

Press Statement

10 December 2021

Ending Impunity: A Way to Advance Human Rights

Every year, the world comes together to commemorate the 10th of December as the International Human Rights Day to honor the proclamation of the Universal Declaration of Human Rights (UDHR), a cornerstone of the international human rights framework, adopted by the United Nations General Assembly in 1948.

This year, on the occasion of the 73rd International Human Rights Day, Advocacy Forum (AF)- Nepal, calls on the Government of Nepal to reaffirm its commitment to the protection and promotion of human rights by ending impunity for gross violations and unblocking the justice system for victims of gross human rights violations during the conflict.

The ten-year-long armed conflict (from 1996 to 2006) between the Government and the then rebels the Communist Party of Nepal-Maoists (CPN-M), resulted in systematic and widespread human rights violations. Through the Comprehensive Peace Agreement (that formally ended the war), signed in 2006, the Government pledged to address the human rights violations that occurred during the conflict, however, neither have the rights to effective remedy of the conflict survivors/ victims been ensured nor a single perpetrator (involved in gross human rights violations) been held to account to date. Seven years have passed since the Supreme Court found the Act setting up the Truth and Reconciliation Commission (TRC) and the Commission of Inquiry on Enforced Disappearances (CIEDP) violating the Constitution of Nepal and Nepal's international standards and requiring amendment. The Government continues to fail to amend the Act and uses these non-functional commissions as an excuse to prevent victims' access to the regular justice system.

The failure of the Government to address past abuses further provides a conducive environment for impunity to flourish and aggravate current human rights violations. With no institutional reforms in the State's structures and institutions, not only the cases of serious human rights violations are occurring on a regular basis, there is also a lack of investigation,



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prosecution, and sentencing in such cases. Although several cases of torture, alleged extrajudicial killings by the police, custodial deaths allegedly resulting from torture, and use of excessive force by law enforcement agencies during the peaceful protests are reported, the authorities time and again refuse to take action and ensure victims' right to justice.

This year's International Human Rights Day theme is **“Equality- Reducing Inequalities, Advancing Human Rights.”** Equality and non-discrimination are the keys to the protection and promotion of human rights and the foundation to a more resilient and peaceful society. If Nepal is to ensure equality, advance human rights, and establish the rule of law, AF firmly believes that the way forward should include consolidated efforts to fight the common enemy i.e. ‘impunity’. One of the many ways is to address the past and present cases of human rights violations through impartial, independent and fair investigation leading to prosecutions.

Om Prakash Sen Thakuri
Executive Director