



Joint Press Statement

Kathmandu, 8 March 2023

COMMEMORATING INTERNATIONAL WOMEN'S DAY: CALL FOR COLLECTIVE AND CONCRETE ACTION TO MAKE THE TRANSITIONAL JUSTICE PROCESS INCLUSIVE AND TRANSPARENT

As we commemorate the 113th International Women's Day 2023, Advocacy Forum-Nepal (AF), Conflict Victims Women's Network (CVWN), Human Rights and Justice Center (HRJC), Nagarik Aawaz (NA), and The Story Kitchen (TSK) urge the government and the political leadership to advance the Transitional Justice process by amending the TRC Act (Enforced Disappearances Inquiry, Truth and Reconciliation Commission Act), making it gender inclusive.

In recent years, despite significant progress in legislative reforms in securing women's rights in Nepal, women and girls continue to face discrimination and violence, are denied their equality and autonomy, and are left far behind in access to justice. During Nepal's ten years of armed conflict, thousands of women became victims of multiple forms of violations such as arbitrary arrest, detention, torture, and sexual abuse. However, none of these cases are being investigated let alone them having access to justice. Women's contributions, voices, needs, and concerns are sidelined both in peace process and TJ process of Nepal. Victims of sexual violence and torture from conflict still remain excluded from Interim Relief and Rehabilitation Programs (IRRP) offered to conflict victims.

In 2011, the Government of Nepal adopted the first National Action Plan (NAP) to implement the United Nations Security Council Resolutions 1325 and 1820, becoming the first South Asian country to launch NAP to address women, peace, and security (WPS) issues promising to take an integrated approach in ensuring representation, reparation and justice for women. However, women continued to be deprived of access to reparation and justice. To address the shortcomings of the first NAP (NAP I), the government approved the second NAP (NAP II) on 23 September 2022. The NAP II promises direct and meaningful participation of conflict-affected women in the formulation and implementation of relief, recovery, and rehabilitation programs; addresses the specific needs of women and girls and ensures proportional and meaningful participation of women at all levels.

Last year, the government also took initiative to draft a bill to amend the TRC Act and presented it before the parliament. Although the bill contained some positive aspects, it failed to respect the Supreme Court order by including provisions that could allow de facto immunity for those



involved in gross human rights violations including those involved in sexual and gender-based violence. The bill, however, could not get through due to the failure of consensus among the political parties.

With the successful election in November 2022, a new government has been formed. The new government has once again promised to prioritize the transitional justice process and amend the TRC Act as per the decision of the Supreme Court and Nepal's international obligation.

We, the aforementioned organizations express our concern over repeated empty promises of the government and prolonged delay in the Transitional Justice process and would like to restress the detrimental impact such delay has caused on victims' access to truth, justice, and reparation. We call upon the government to do the followings:

1. To expedite the TRC amendment process in line with the decision of the Supreme Court and Nepal's international obligations,
2. To address the concerns of conflict-affected women making the TJ process more inclusive and transparent,
3. To acknowledge the contribution of women and girls in Nepal's armed conflict and ensure the meaningful participation of conflict-affected women in the formulation of the laws and policies affecting their rights.
4. To put earnest efforts to implement National Action Plan II and deliver its promises expressed through the plan.
5. To take the oral testimonies of women survivors of CRSV as preliminary evidence for further investigation.
6. To remove the statute of limitations for reporting cases of rape and other forms of sexual violence.