



# Accountability Watch Committee (AWC) जवाफदेहिता निगरानी समिति

## Press Statement Ensure Transparency and Accountability in Transitional Justice Process 10 April 2018

**Kathmandu:** The Accountability Watch Committee (AWC) raises its serious concerns on continuous delay, lack of progress and transparency in the Transitional Justice (TJ) process and re-stresses its demands raised previously and request all the actors involved to ensure the followings:

- 1. Ensure transparency in the process:** We welcome the efforts of the New Government to amend the TRC Act fully respecting the order of the Supreme Court of 26 February 2015. However, we are seriously concerned about the lack of transparency in the amendment process. Both the victims and civil society are important actors of the TJ process, which the Supreme Court has also recognized in its ruling of 02 January 2014 recommending the Government to involve victims, civil society organizations in the law-making process. Lack of transparency and informed engagement of the victims and civil society will not only erode the legitimacy of the process, but also the confidence and support of these actors to the TRC process. Thus, we call upon all actors to ensure transparency in the process and informed engagement of the victims and civil society in the TJ process.
- 2. Ensure the minimum demands of the victims:** The AWC re-stresses the minimum demands that victims raised, which the AWC has supported. Those minimum demands were articulated in the writ that the victims filed in the Supreme Court. Restricting amnesty and mediation in gross violations, penalty to the perpetrators proportionate to the gravity of the crimes committed, recognition of reparation as the right of the victims, measures to enable TRC's mandate to unveil the truth about the violations that victims and society suffered, a credible process to reform the institutions to guarantee non-recurrence are the minimum demands that we have been made time and again.
- 3. Reconstituting the Commissions:** The AWC would like to remind everyone involved in the process that because of the content and the process of the TRC Act, we requested the Government and all political actors not to appoint the commissioners pending the decision of the Supreme Court and we publicly declared that civil society will not cooperate the process pending the decision of the Supreme Court. However, the Government appointed the commissions without respecting our calls. Nevertheless, we gave three years for the Commissions to prove themselves. Updating the work of the TRC over the last three years, we are convinced that without re-constituting the Commissions, the amendment of the Act alone will not deliver the mandates of the Commissions. Thus, we call on all actors to ensure that the TRC is re-involving greater participation of victims and civil society.
- 4. The UN and the International Community must respect their legal obligation:** We call upon the UN and the international community to take measures not to support and condone the process that would ensure de-jure and de-facto impunity in relation to gross violations of human rights in Nepal. Impunity is the single biggest threat to the rule of law and equality in Nepal. We also demand greater transparency of the support that the international community has extended into this process.

Charan Prasain  
Coordinator