

2019 June 7

Press Statement

Informal Sector Service Centre (INSEC) and Advocacy Forum organized an International workshop entitled “Enforced Disappearance in Asia: Existing Laws, Challenges and Way Forward” on May 27 & 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 & Experts from different countries of Asia and South America and Family Members of the disappeared persons took part in the workshop.

There were around 150 participants representing from fifteen countries. The workshop has planned to facilitate discourse among the human rights community and the stakeholders to enable their initiatives for ratification of the “International Convention for the Protection of All Persons from Enforced Disappearance” in Asian region and the collaboration of the civil society organizations for promotion of their initiatives from protecting people from enforced disappearance. Similarly, the workshop has been contributed to facilitate interaction of families of the enforced disappearance on their concerns with the Government of Nepal. Experts shared their opinions and concerns during the sessions of the workshop.

During the inauguration ceremony, Foreign Minister of Nepal Mr. Pradeep Gyawali said that the country is heading towards peace and stability after the promulgation of the Constitution of Nepal and completion of the three spheres of elections. He stated that the provision of justice and reparation to the conflict victims is in the priority list of the government of Nepal to complete the peace process started after the comprehensive peace accord between the then conflicting party and government. He committed that justice will be ensured on serious incident of human rights violation through transitional justice mechanisms (Truth and Reconciliation Commission and the Commission for Investigation of Enforced Disappeared Persons) which would provide justice and reparation, end injustice and console the victims and their families. He further stressed that the transitional justice discourage the act of enforced disappearance and help to publicize the fact about those enforcedly disappeared during the conflict. The process of amending the act regarding the transitional justice will be given due priority along with the recommendations from the stakeholders, he further said.

Speaking at the program Vice Chair of the UN committee on Enforced Disappearances Dr. Rainer Huhle said that the convention on Enforced Disappearance was possible due to the support and struggle from the human rights activists for four decades of struggle. He added that Nepal’s image will be good in international arena, if the Convention on Enforced Disappearance is ratified by the state.

UN Residential Coordinator Ms. Valerie Julliand said that it is the state’s responsibility to ensure the rights of the citizen to know the whereabouts of their loved once and added that the process of pending amendment of the act must be carried out as per the verdict of the apex court and international principle. She also stressed that the process of selecting the officials to the transitional justice mechanism must be free from biasness and independent. Founding Chairperson of Advocacy Forum and advocate Ms. Mandira Sharma shared that the government must do a result-oriented work on the issue of enforced disappeared people. She also stressed on making the process transparent and credible by putting the issues raised by the conflict victims, human rights and international community on its center.

During the two days participants comprehensively discussed on the issue of enforced disappearance, its trends and possible steps to be taken for their protection. In addition, the workshop also highlighted that the enforced disappearance in Asia and around the world is being increased because of the impunity and irresponsible performance of the states to fulfill the fundamentals of rule of law. The participants interacted on the possible way forward, challenges and existing laws on enforced disappearance. Furthermore, the

participants also discussed on the UN Guiding Principles for the Search of Disappeared Persons and provided their concerns on the available provisions on the guideline.

The workshop identified the following issues and concerns as suggestions and demands to the states of Asian Countries to stop the act of enforced disappearance and delivering justice to the victims:

- We demand Asian countries for the ratification of “International Convention for the Protection of All Persons from Enforced Disappearance”.
- Improve the coordination among civil society and victim community to develop accountability, awareness and pressure against the act of enforced disappearance.
- To end transitional justice and ensure the strengthened institutions for protection and promotion of human rights of people, the workshop suggested to formulate victim friendly law, ensure the meaningful participation of conflict victims in transitional justice process, create environment to develop faith among stakeholders, search for truth, prosecution and justice, reconciliation and reparation.
- The workshop demands to consider the Apex court’s verdict and international criterion to recommend the officials to the Transitional Justice Mechanisms. Similarly, the workshop has also drawn the attention on delaying the process of addressing the issue of enforced disappearance during armed conflict.



Om Prakash Sen Thakuri
Director, Advocacy Forum



Bijay Raj Gautam
Executive Director, INSEC