

**United Nations Human Rights Council  
25<sup>th</sup> Regular Session, 3-28 March 2014  
Agenda Item 6**

**ICJ Oral Statement in the General Debate on Item 6, Universal Periodic Review  
LACK OF PROGRESS BY NEPAL ON UPR RECOMMENDATIONS ON ENDING IMPUNITY**

21 March 2014

*Check against delivery*

Mr President,

Nepal has failed to take concrete action to implement key UPR recommendations, including those crucial to implementing the right to an effective remedy and reparation (recommendation 106.3), creating effective mechanisms for transitional justice (recommendation 106.34) and ending impunity (recommendation 107.2).

Nepal has failed to establish a credible transitional justice mechanism. On 2 January 2014, the Supreme Court declared the TRC Ordinance void on the ground of its inconsistency with the Interim Constitution and international law. The Ordinance purports to establish a Truth and Reconciliation Commission which is not human rights compliant. Despite this clear ruling, on 27 January 2014, the Government reintroduced the Ordinance, with no amendments, in the Legislative-Parliament.

Nepal has also failed to take meaningful measures to investigate human rights violations and abuses that arose during the armed conflict.

The ICJ calls on Nepal to take measures to implement UPR recommendations, including by:

- Withdrawing the TRC Ordinance and enacting new legislation that complies with the 2 January 2014 order of the Supreme Court.
- Criminalizing enforced disappearance, torture and other such cruel, inhuman or degrading treatment or punishment, crimes against humanity, and other crimes under international law,
- Prohibiting amnesties for gross human rights violations;
- Extending an invitation to the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-reoccurrence requesting his assistance in drafting transitional justice legislation.
- Taking immediately all necessary measures to investigate human rights violations and abuses, including those which arose during the armed conflict.

I thank you.

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