Press Release

Nepal: Twenty Years After the Comprehensive Peace Agreement, Victims and Survivors still Await Justice

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While commemorating the twenty years after the signing of Nepal's Comprehensive Peace Agreement (CPA), the International Commission of Jurists (ICJ) calls on the Government of Nepal to at last fulfil the promises arising from the CPA, and in particular its long-standing commitments to victims and survivors of the armed conflict by ensuring truth, justice, reparations, and guarantees of non-recurrence.

The CPA, signed on 21 November 2006, promised to address the grave human rights violations and abuses committed by forces on all sides during Nepal's decade-long armed conflict (1996-2006) and laid the foundation for a democratic State governed by the rule of law. Two decades later, however, thousands of victims and survivors and their families remain without effective remedies and reparation, while many continue to wait for answers about the fate of their loved ones and real accountability for serious crimes.

"Twenty years after the peace agreement, conflict victims continue to bear the burden of the State's failure to deliver justice," said Mandira Sharma, ICJ Regional Director at the Asia and Pacific Programme. "The prolonged denial of truth, accountability and reparation not only harms victims and survivors, but also undermines public confidence in the justice system, government and weakens the rule of law."

Despite repeated commitments by successive governments, progress in transitional justice has been marked by delays, political interference, and inadequate compliance with Nepal's international human rights obligations. The continued failure to effectively investigate and prosecute human rights violations and abuses amounting to crimes under international law committed during the conflict has contributed to a climate of impunity.

The ICJ stresses that the lack of accountability for such violations and abuses as enforced disappearances, unlawful killings, and torture and ill-treatment, including sexual violence sends a troubling message that grave violations remain without consequence in Nepal. Such failures weaken the credibility of public institutions and compromise Nepal's commitment to democratic governance and the rule of law.

“Victims and survivors have consistently demonstrated patience and willingness to engage in the TJ process”, said Mandira Sharma.

"However, twenty years after the CPA, they continue to await concrete progress, including the operationalization of a credible and independent truth-seeking process and effective investigations into enforced disappearances," added Sharma.

The ICJ urges the Government of Nepal to move swiftly to establish the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP), mandated under the Commission of Inquiry, Truth and Reconciliation Act through transparent, merit-based and victim-centred appointment processes that ensure independence, competence, integrity and public confidence in these bodies.

"The current Government came to office with commitments to reform, accountability, constitutional governance and the strengthening of democratic institutions. Twenty years after the CPA it is high time that the Government seizes this opportunity to honour its commitments, deliver justice to victims, and strengthen the rule of law for future generations." Sharma added.

While 2024 amendments to Nepal's transitional justice legislation represent progress after years of deadlock, important deficiencies remain. The ICJ has previously highlighted shortcomings that could undermine victims' rights and Nepal's international legal obligation. The ICJ reiterates that any transitional justice framework must comply with Nepal's obligations under international human rights law and international law, including victims' rights to truth, justice, reparation and guarantees of non-recurrence.

The ICJ therefore calls on the Government to

1) Promptly establish the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons through independent, transparent and merit-based appointment processes;
2) Ensure that the transitional justice framework fully complies with Nepal's international human rights obligations and addresses remaining shortcomings in the transitional justice legislation;
3) Guarantee effective investigations and, where warranted, prosecutions of serious human rights violations and crimes under international law;
4) Ensure meaningful participation of victims and survivors in all stages of the transitional justice process;
5) Provide comprehensive and effective reparations for victims and their families; and

Background

Nepal's transitional justice process stems from commitments made in the 2006 Comprehensive Peace Agreement (CPA), which ended the decade-long armed conflict and required measures to establish truth, justice, reparations, and guarantees of non-recurrence for victims of serious human rights violations and abuses.

After years of efforts by victims' groups, CSOs, international organisations including the ICJ and political parties in Nepal, in 2014, Parliament enacted the Commission on Investigation of Disappeared Persons, Truth and Reconciliation Commission Act (TRC Act), establishing the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP).

Victims' groups, human rights organizations, and international organisations including the United National Office of the High Commissioner for Human Rights UNOHCHR raised serious concerns that the law could permit amnesties for serious human rights violations and crimes under international law, failed to ensure accountability, and did not adequately protect victims' rights to truth, justice, and reparation.

In February 2015, Nepal's Supreme Court struck down a number of provisions of the law and directed the Government to amend the legislation to ensure compliance with Nepal's Constitution and international human rights obligations, including by excluding amnesties for serious violations and guaranteeing victims' participation in the process.

Although the TRC and CIEDP were established and reconstituted on multiple occasions over the following years, both commissions were repeatedly hampered by political interference, inadequate legal and institutional frameworks, and a lack of resources. As a result, despite receiving tens of thousands of complaints, neither commission delivered meaningful accountability, truth-seeking, or reparations for victims.

Following years of political deadlock, Parliament adopted amendments to the transitional justice law in 2024. While the amendments addressed some long-standing concerns, national and international human rights organizations, including the ICJ, noted that important shortcomings remained, including provisions that could still undermine accountability and victims' rights under international law

Subsequent efforts to appoint commissioners to the TRC and CIEDP became controversial, with concerns raised by victims' groups and civil society regarding the transparency, independence, and credibility of the selection process.

In response, in May 2026, the new Government decided to cancel the appointment process, paving the way for a fresh selection process for commissioners. The Government now has an opportunity to amend the law to address outstanding problems in the Act and establish credible, independent, and victim-centred transitional justice institutions capable of delivering long-overdue truth, justice, reparations, and guarantees of non-recurrence.

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