

Transitional Justice: NEPAL CASE STUDY

AJAR and Advocacy Forum-Nepal

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TRANSITIONAL JUSTICE
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About Asia Justice and Rights

Asia Justice and Rights (AJAR) is a regional human rights organisation based in Jakarta, Indonesia. AJAR works to increase the capacity of local and national organisations in the fight against entrenched impunity and to contribute to building cultures based on accountability, justice, and willingness to learn from the root causes of mass human rights violations in the Asia Pacific region.

About Advocacy Forum-Nepal

Advocacy Forum (AF) is a leading non-profit, non-governmental organization working to promote the rule of law and uphold international human rights standards in Nepal. Since its establishment in 2001, AF has been at the forefront of human rights advocacy and actively confronting the deeply entrenched culture of impunity in Nepal.

About Transitional Justice Asia Network

Transitional Justice Asia Network facilitates learning and knowledge-building on transitional justice and accountability initiatives across the region.

Photos

1. Victims held a protest in front of Truth and Reconciliation Commission, Babarmahal in March 2017 (Photo credit: Advocacy Forum-Nepal).
2. Commemoration of International Day of the Disappeared (photo credit: Network of Families of the Disappeared, Nepal).
3. Victims and human rights defenders held a protest in front of the Prime Minister's Residence in Baluwatar against presidential pardon to Balkrishna Dhungel (Photo credit: Advocacy Forum-Nepal).

Social-historical context

Between 1996 and 2006, the Nepalese Government engaged in an armed struggle with the Maoist Communist Party of Nepal or CPN-M. Although the total cost of the conflict is yet to be determined, there is evidence that more than 19,000 people died, thousands were tortured, hundreds were sexually abused, and disappearances and displacements were widespread. In addition, property worth millions, was lost. Certain ethnic groups were particularly vulnerable to arrest, torture, killings, and disappearances.¹ Gender-based violence was widespread.² The report of the UN's Office of the High Commissioner for Human Rights or UNOHCHR, shows girls under 18, and many younger than 15, were particularly vulnerable, making up a third of the victims of sexual violence. Children also suffered from forced recruitment by the CPN-M. Although it is unclear how many were abducted and recruited, it is estimated that some 4,500 children took part in the Maoist force.³ State security apparatus, village defense forces, and Maoists, were all responsible for atrocities.

After 1990, the newly established democracy was unable to meet the aspirations of the people, including addressing deep-rooted discrimination based on caste, gender, and ethnicity, as well as regional and socio-economic disparities, corruption, and human rights violations. In 1990, Nepal embraced multi-party democracy through a power-sharing deal between political parties and

the monarchy, ending decades of absolute monarchy. One of the communist parties registered its dissatisfaction with the deal, objecting to the way the 1990 Constitution was drafted by political parties and the monarchy. They argued it prevented people from drafting their own constitution, and demanded it be redrafted by a Constituent Assembly elected by the people. The same group mobilised years of dissatisfaction, and gained enough support to overthrow the Constitutional Monarchy.

After 2001, when the government declared a state of emergency branding the Maoist insurgents terrorists and the Maoist Party a terrorist organisation, human rights violations became rampant. This decision of the government followed a Maoist attack on the western divisional headquarters of the Royal Nepal Army, located in Dang district. After the state of emergency was declared, many rights were suspended and anti-terrorist legislation was adopted, increasing the power of security forces to arrest and detain those suspected of membership of the CPN-M. The insurgency, started by a small group with homemade weapons in remote villages, expanded to fully-fledged guerrilla warfare, posing a serious threat to the state. By 2005, government in most districts was limited to district headquarters, with most rural areas under the de facto control of the rebels.

As political parties were unable to address challenges posed by the insurgency, the constitutional monarch used his executive power to dissolve parliament and the government, arresting political leaders, further polarising society and deepening the political crisis. This provided the impetus for the major political parties, and the CPN-M, to unite against the monarchy, paving the way for political change in the country. In November 2005, the Maoists and seven political parties, formed an alliance against the monarchy. They signed an agreement known as the '12-point understanding',⁴ concluding that peace,

1 *Tharu* is one of many marginalised indigenous groups with poor economic and social status. Because it was perceived that the Maoist supporters come from poor and marginalised backgrounds, *Tharu* were particularly targeted by the army on suspicion of being Maoist sympathisers - UNOHCHR-Nepal, 'Conflict-Related Disappearances in Bardiya District' (2008), <https://nepal.ohchr.org/en/resources/Documents/English/reports/HCR/2008_12_19_Bardiya_Report_Final_E.pdf>.

2 Advocacy Forum and International Centre for Transitional Justice, 'Across the Lines: The Impact of Nepal's Conflict on Women', December 2010.

3 'Children in the Ranks: The Maoist's Use of Child Soldiers in Nepal' (Human Rights Watch, February 2007).

4 12-point understanding reached between the Seven Political Parties and Nepal Communist Party (Maoists) <<http://www.satp.org/satporgtp/>>

prosperity, and progress are not possible without full democracy. They presented a road map, including the overthrow of the monarchy, and the election of a Constituent Assembly tasked to write a new constitution.⁵ The Maoists agreed to embrace peaceful politics and accept the values of human rights, the rule of law, and multi-party democracy. This encouraged the general public to join the movement in order to end the conflict. Mass protests in April 2006, organised by the alliance, forced the monarchy to step down, and paved the way for a peace agreement between the government and the CPN-M.

The armed conflict ended in November 2006, with the signing of the Comprehensive Peace Agreement or CPA. The CPA committed to addressing the root causes of the conflict with socio-economic reforms protected by a constitution drafted by an elected Constituent Assembly, and abiding by international standards of human rights and the rule of law. Past human rights violations would be addressed by establishing a Truth and Reconciliation Commission or TRC, and publishing the whereabouts of disappeared persons within 60 days of signing the CPA.

Official transitional justice initiatives

In 2007, the government established a TRC, and commissioners were announced. However, victims and civil society organisations opposed this decision, forcing the government to back down.⁶

countries/nepal/document/papers/12_Point_Understanding.pdf> accessed 20 June 2017.

- 5 No. 6 of the 12-point understanding reached between the Seven Political Parties and Nepal Communist Party (Maoists), <http://www.satp.org/satporgtp/countries/nepal/document/papers/12_Point_Understanding.pdf> accessed 20 June 2017.
- 6 Accountability Watch Committee (AWC), press statement of 9 July 2019 'Appoint the Officials of Transitional Justice Commissions only after Amendment of the Law' <<http://www.advocacyforum.org/downloads/pdf/press-statement/2019/awc-statement-on-tj-process-english.pdf>>, press statement of 18 November 2019, 'AWC Concerns about the Process of

They argued for a TRC to be established by an act of parliament, setting out its mandate, power, and functions, as well as qualifications for commissioner selection. Demands were informed by past experiences with failed commissions of enquiries established to investigate violations. Nepal has established over 50 commissions relating to this matter, and reports were never made public, and recommendations never acted upon⁷, but were largely used to defuse public calls for accountability. In 2008, a committee was established to draft a TRC bill. The draft proposed the mandate include granting amnesty for crimes committed to achieve political objectives.⁸ Victims and human rights organisations suspected the government of planning a blanket amnesty for all violations. All atrocities committed by the Maoists would be written off as committed "while achieving political objectives", and those by the security forces, "while performing duty". The draft was rejected by victims and civil society organisations, and the government organised consultations to re-draft the bill.

The Ministry for Peace and Reconstruction organised 19 district-level consultations to gather input from victims, civil society, local party activists, and government representatives. This resulted in a bill establishing two commissions – the Truth and

Recommendation of Commissioners for TRC and CIEDP', press statement of 19 January 2020,' Position of Accountability Watch Committee's Regarding the Appointment of the Members of Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons', <<http://www.advocacyforum.org/downloads/pdf/press-statement/2020/awc-press-statement-on-recommendation-of-officials-19-January-2020-english-version.pdf>>.

- 7 Advocacy-Forum Nepal, 'Briefing Paper on The State of Transitional Justice in Nepal', Published in February 2019, p.6 <<http://advocacyforum.org/downloads/pdf/publications/tj/af-briefing-paper-february-2019-english.pdf>>.
- 8 Section 25 of the TRC Bill: Notwithstanding anything contained in the Section 24, if any person is found to have committed gross violations of human rights or crime against humanity in course of abiding by his/her duties or with the objective of fulfilling political motives, the Commission may make recommendations for amnesty to such person to the Government of Nepal.

Reconciliation Commission, and the Commission of Enquiry on Enforced Disappearances. These bills were tabled in 2010⁹, to establish truth and provide reparations to victims. Commissions were prevented from recommending amnesties, and facilitating reconciliations. Serious violations such as murder, torture, enforced disappearances, and rape were expected to be prosecuted. However, the bill could not be passed as political parties held conflicting positions, especially on provisions relating to amnesties and the prosecution of certain crimes. The bill remained pending, despite repeated calls from the victims and civil society for its approval. After parliament was dissolved in 2013, the government, led by the Maoists, withdrew the bill and cabinet approved an ordinance on the TRC, removing the section preventing the commission from recommending amnesty for certain violation categories. Instead, it provided discretionary powers to determine cases that could be recommended for amnesty (excluding rape).

The ordinance was challenged in the Supreme Court. Eight victims' organisations petitioned the Court to prevent a commission from being established under the ordinance.¹⁰ HROs backed the petition, arguing that giving power to the commission would allow it to recommend amnesty, even to those involved in international crimes and gross violations of human rights.¹¹ After a preliminary hearing, the Supreme Court issued a stay preventing the government from establishing a commission until the court decided on its merits. Subsequently, the Court found the ordinance flawed, with many sections inconsistent with the constitution and international

obligations.¹² The Court found provisions providing uncontrolled discretionary powers to recommend amnesty and prevent victims' access to justice, and ruled legislation be enacted to criminalise gross violations of human rights. There should be consultation with victims, HRDs, and experts during the drafting of the TRC framework.

A bill was passed on 25 April 2014 without discussion in parliament. Outraged by the content and the process of the adoption of the act, more than 230 victims, with support from HROs, challenged sections of the act in the Supreme Court. Both national and international civil society and human rights defenders, and the UNOHCHR, requested the government not establish commissions, pending the decision of the Court. The government, however, ignored this request, and established two commissions in February 2015 – the Commission of Enquiry on Enforced Disappearances, and the Truth and Reconciliation Commission.

Controversies in the process and the content of the work of the Commissions

The two commissions had mandates for two years, and called for victims to register complaints. The TRC registered more than 60,000 cases, and the Disappearances Commission received more than 3,000 complaints.¹³ However, they were unable to deliver on their mandates within the two-year period, and their mandate had to be extended twice. Still they were unable to establish truth, recommend reparations, bring about reconciliation, or facilitate prosecutions. On 9 February 2019, the tenure of the commissions expired, and the government extended the commissions'

9 Mandira Sharma, 'Transitional justice in Nepal: Low Priority, Partial Peace' in Deepak Thapa (ed) and Alexander Ramsbotham, *Two steps forward, one step back: The Nepal peace process*, (Conciliation Resources 2017).

10 069-WS-0057, para. p. 7 <Nepal- Writ Petitions nos. 069-WS-0057 and 069-WS-0058, 2014 [NEP].pdf> ; 069-WS-0058, p. 41.

11 AWC position paper on ordinance, 25 March 2013. <http://www.awcnepal.org/images/sampled/press_nepali/AWC%20Press%20Statement%20on%20Ordinance%20NEP.pdf>, accessed 7 June 2017.

12 069-WS-0057, p. 45 <Nepal- Writ Petitions nos. 069-WS-0057 and 069-WS-0058, 2014 [NEP].pdf>.

13 Conflict Victims' Common Platform, 'Reparative Needs, Rights and Demands of Victims of the Armed Conflict in Nepal: Advocacy Paper' (n 64) 11–12; Truth and Reconciliation Commission, 'Press Statement' (9 February 2019).

for a further year, to 13 April 2019. On 28 June 2018, the government brought a bill to amend the TRC Act, itself controversial because of lack of consultation, and the proposal of ‘symbolic’ punishment for gross violations. Victims and civil society continued to demand greater transparency in the development of a legal framework that respect Supreme Court decisions, the aspirations of victims, and international obligations.

On 25 March 2019, the government established a committee to recommend commissioners for the two commissions. However, the committee was unable to recommend names as political parties wanted their choices, which would undermine their independence and credibility. Victims and civil society continue to argue that commissioners should only be appointed after the law is amended, with the law setting out clear criteria for the committee’s mandate. On 18 November 2019, following months of procrastination, the Recommendations Committee found 54 of the 57 applicants eligible for selection. It added a further seven names and published a list of 61 candidates. Although victims and civil societies have repeatedly voiced concerns about the process, the committee went ahead and recommended ten new office bearers for the two bodies. It was reported that the top leadership of the Nepal Communist Party and the Nepali Congress, reached an agreement on the appointment of officials.

Interim relief

Soon after the CPA, the government began to provide relief to victims of conflict. Although this was initially envisioned as monetary compensation, civil society advocated for it to be considered only as interim relief. In April 2008, the government adopted the *measures for financial support and relief for conflict victims*¹⁴, and Advocacy Forum, with Conflict Victims’ Society for Justice

or CVSJ, collected thousands of signatures to pressure the government to deem this interim relief, pending full reparations. After pressure from victims and civil society, the Ministry of Peace and Reconstruction clarified that the scheme was for “interim relief”, subject to wider reparations, to be decided by the commissions.¹⁵ The Interim Relief Program or IRP included cash payments, scholarships for up to three children, skills trainings, and medical care for “conflict affected persons”. The IRP defined next of kin as those with families killed or disappeared, and to persons suffering injury, abduction, and/or whose property was lost or destroyed.¹⁶ Children of those families would receive annual payments until the age of 18, of from NRs. 10,000 for primary school to NRs. 16,000 for higher secondary level students.

There were several problems with the IRP, for example, the next of kin of those killed received NRs. 100,000, while those of the disappeared only received NRs. 25,000. This forced many families of disappeared persons to register as families of killed persons, as the amount was four times higher. For those victims from poor economic backgrounds, this was a significant difference. Responding to advocacy by HROs, the government equalised this and increased it to NRs. 1,000,000 paid to next of kin of those killed or disappeared.¹⁷ A major weakness of the IRP was that it excluded victims of torture and sexual violence.¹⁸ Although it has improved over time, the IRP has suffered from political manipulation as victims closer to political parties have received relief while others do not¹⁹. Learning from problems with the IRP,

14 Pursuant to Cabinet Decision 24 April 2008. See further Advocacy Forum Nepal, ‘Discrimination and Irregularities’ (n 56) 2; ICTJ, ‘From Relief to Reparations: Listening to the Voices of Victims’ 2011, 6.

15 Advocacy Forum Nepal, ‘Discrimination and Irregularities’ (n 56) 2–3.

16 Advocacy Forum Nepal, ‘Discrimination and Irregularities’ (n 56) 12; Selim (n 1) 179.

17 Tyynela, Withers and Bajracharya (n 61) 13; Conflict Victims’ Common Platform, ‘Reparative Needs, Rights and Demands of Victims of the Armed Conflict in Nepal: Advocacy Paper’ (2018) 10.

18 Advocacy Forum Nepal, ‘Discrimination and Irregularities’ (n 56) 12.

19 John Tyynela, Lucia Withers and Prabina Bajracharya, ‘Beyond Relief: Addressing the Rights and Needs of Nepal’s Wives of the Disappeared’ (ICTJ 2013).

victims have demanded reparations and public recognition of their suffering.²⁰ Demands highlight the needs of certain types of victims, as well as the importance of memorialisation in restoring dignity and ensuring non-repetition. Demands included building museums, memorials, and parks, and providing scholarships in the names of victims. Demands emphasised that reparations cannot be traded for retributive justice against those responsible for crimes.²¹

Transitional justice initiatives led by civil society

Human rights organisations have been at the forefront of documenting cases of human rights violations and advocating for transitional justice, as well as helping victims organise and lead the transitional justice agenda. Responding to the government's reluctance to investigate conflict cases, HROs, like Advocacy Forum, took the lead in promoting a comprehensive transitional justice process, developing a strategy involving litigation, advocacy, the empowerment of victims, and capacity building. The litigation team facilitated the filing of complaints, known as First Information Reports or FIRs²², demanded criminal investigations against high ranking officials and politicians, and secured landmark court rulings requiring the government prosecute crimes committed during the conflict. These cases have not only exposed the gravity of the crimes, but have helped increase judicial knowledge and understanding of transitional justice. These cases put political parties and the government under pressure to deal with past

violations, and to strengthen the transitional justice process. Advocacy Forum has brought a number of cases before the judicial process, both nationally and internationally, including Maina Sunuwar,²³ collective FIRs,²⁴ and Colonel Lama,²⁵ which have helped deepen the discourse for a holistic transitional justice process.²⁶ Over the years, a body of jurisprudence has been established setting the standard for how the state should deal with legacies of human rights violations, laying the foundation for transitional justice.

A number of organisations have brought experts from other countries to share experiences. Through publications, and radio and television programs, civil society has introduced and expanded the understanding of transitional justice, and continues to keep the issue alive and vibrant. Civil society organisations have worked to organise victims in many districts. Advocacy Forum started to organise victims as early as 2002, facilitating hundreds of forums. These forums were used to update victims on process, introducing different aspects of transitional justice, rights under the constitution and law, and collective strengths required for transitional justice. Different groups have been involved in organising and empowering war widows and families of the disappeared.²⁷ The

20 Conflict Victims' Common Platform, 'Reparative Needs, Rights and Demands of Victims of the Armed Conflict in Nepal: Advocacy Paper' (2018).

21 Conflict Victims' Common Platform, 'Reparative Needs, Rights and Demands of Victims of the Armed Conflict in Nepal: Advocacy Paper' (2018).

22 The complaint that triggers criminal investigation in criminal cases.

23 Advocacy Forum Nepal, 'Maina Sunuwar: Separating Fact from Fiction' (2010) <<http://advocacyforum.org/downloads/pdf/publications/maina-english.pdf>>.

24 Details of Collective FIRs filed by AF <<http://www.advocacyforum.org/fir/index.php>>.

25 Advocacy Forum Nepal and Hickman & Ross Solicitors, 'Landmark international human rights proceedings conclude at the Old Bailey' (Press Release, 2016) <<http://advocacyforum.org/press-statement/2016/09/RvLamashortstatement06-09-160212880001.214.395D0.pdf>> accessed 20 January 2021.

26 Accountability Watch Committee, 'Accountability Watch Committee Statement on the Col. Kumar Lama Case' (Press Release, 8 September 2016) <<http://advocacyforum.org/press-statement/2016/09/AWCStatementonCol.LamaCaseinENGLISH.pdf>> accessed 20 January 2021.

27 For example, Women for Human Rights (WHR) has been organising widows and single women, the ICRC helped to organise families of disappeared and to create a national alliance of the families

ICRC facilitated events to bring families of the disappeared together. A number of victims' groups eventually united as a national group, known as Conflict Victims Common Platform or CVCP. UNDP supported the group with resources, and these efforts have raised the profile of victims' groups, making them primary actors in the transitional justice discourse.

Lessons, future challenges, and conclusions

The challenge for Nepal is how to achieve a holistic transitional justice framework that enables victims of injustices to access truth, reparations, a sense of justice, and accountability. This is a considerable challenge, given entrenched impunity and discrimination, and lack of political will. Despite pressure from victims and civil society, those implicated in human rights violations have been promoted, including Colonel Raju Basnet, and Police Chief Kuber Sing Rana, implicated in the extrajudicial killings of five young people in Dhanusa. Neither the court order to arrest the Maoist leader, Agni Prasad Sapkota, for his alleged involvement in the abduction, torture, and murder of the business man, Arjun Lama, nor the order to arrest those convicted in the Maina Sunuwar case, have been respected. All parties involved in the conflict, and implicated in past human rights violations, remain in power. This poses a real barrier to achieving comprehensive transitional justice, and institutional reforms required to professionalise police, prosecutors, judiciary, and the bureaucracy suffer from political patronage, vulnerable to political interference and are unable to commence.

Attempts by the government to pass amnesty laws, the lack of political will to address impunity, the lack of consultations in designing transitional justice processes and mechanisms, and defiance of court orders and recommendations of the National Human

Rights Commissions, have eroded trust between victims, civil society, and the government. The project approach among NGOs, as well as the lack of coordination and divisions among victims aligned with different political parties, further weakens efforts. They face the issue of how to strengthen institutional memory and employ a programmatic approach by Nepal's donors. The project-wide approach and lack of political will among international actors involved in Nepal's human rights agenda, and their inability to take a coordinated and coherent approach to promote a comprehensive transitional justice process that respects truth, justice, reparations, and guarantees of non-recurrence, impacts the transitional justice process.

Victims and civil society organisations propose the following way forward:

- The government has to develop a comprehensive plan of action on transitional justice, identifying the agency and officials responsible for taking plans forward;
- The government must organise meaningful consultations with a broad range of stakeholders regarding different aspects of the transitional justice process including, but not limited to, the composition of the Recommendation Committee (including people with moral authority and expertise, respected by society), the appointment process, mandate, punishment, amnesty, reconciliation, Special Court, applicable law, etc.;
- Enact a new law after consultations, respecting the orders of the Supreme Court and international obligations;
- Enact other laws and policies, such as the establishment of a special court required for the implementation of the recommendations of the new transitional justice bodies;
- Only after the law is amended, should the government appoint new commissioners for the TRC and Disappearances Commission, and provide adequate resources to both commissions to ensure they deliver on their mandates.

of disappeared. Families in Disappeared in Bardiya emerged as an organisation known as CVC- Bardiya.

Transitional Justice Timeline

13 February 1996	Beginning of the armed conflict between the government and the Communist Party of Nepal (Maoist).
December 2001	Maoists attack Dang, Army Barrack.
November 2001	State of emergency declared. King takes power.
November 2005	Alliance of seven major political parties and the Maoists reach an agreement known as the '12-point understanding', agreeing to overthrow the monarchy and to end the conflict.
April 2006	A nationwide protest, <i>Jana Andolan</i> , starts when hundreds of thousands of people take to the streets to demand democracy. The movement lasts 19 days, resulting in 18 deaths and the injury and detainment of some 4,000 people (many of them children). The monarchy are forced to leave the palace and re-establish Parliament.
November 2006	The Government (a seven-party alliance) and the Nepal Communist Party (Maoists) sign the CPA, marking the end of Nepal's ten-year armed conflict.
February 2007	The Government attempts to form a TRC by executive decision. However, following resistance from victims and other stakeholders, the Government pulls back from the decision.
July 2007	The Government establishes a committee to draft a new law to establish TJ mechanisms.
July 2009	Public consultation is held to discuss the bill drafted by the committee.
February 2010	Bills of TRC and one for the Commission for Investigation of Enforced Disappeared People are tabled in parliament; neither are passed into law.
May 2012	Parliament was dissolved for the election of the Constituent Assembly.
March 2013	An ordinance on the TRC is adopted and the previous TRC bills are withdrawn from Parliament. Supported by a group of human rights organisations, 8 different victims groups file writ petition at the Supreme Court of Nepal challenging the ordinance.
2 January 2014	The Supreme Court strikes down the ordinance, finding it in breach of Nepal's constitution and its international obligations.
March 2014	The Ministry of Peace and Reconstruction (MOPR) establishes a committee of experts to draft the bill for a TJ mechanism as per the decision of the Supreme Court.
April 2014	The committee of experts hand over a draft bill to the MOPR for consultation with stakeholders. Parliament passes into law at a completely different bill than that drafted by the expert committee known as the Commission of Inquiry on Disappearances, Truth and Reconciliation Commission Act 2014.

3 June 2014	Supported by a number of human rights organisations, 234 victims filed a writ challenging the provisions of this Act.
10 February 2015	Two commissions—the Truth and Reconciliation Commission and the Commission for Investigation on Enforced Disappeared People—are established under the Act.
26 February 2015	The Supreme Court holds that a number of provisions of the Act violate the Constitution, earlier decisions of the court, and Nepal's international obligations are unlawful. However, despite the ruling of the Supreme Court, the Government does not commence proceedings to amend the Act.
February 2017	As the Commissions could not fulfil their mandates, the Government decides to extend the tenure of the two Commissions for an additional year.
March 2017	A draft bill to form a Transitional Justice Special Court is reviewed by the Supreme Court.
February 2018	Ministry of Peace and Reconstruction (MoPR) is dissolved.
February 2018	The Government decides to extend the tenure of the two Commissions for an additional year.
February 2019	Tenure of the Commissioners expires, Commissions could not deliver their mandates.
21 March 2019	The Council of Ministers decides to form a Recommendation Committee to recommend new members of the Commissions. The Government nominates a 5-member recommendation committee under the chairmanship of a former Chief Justice, Mr. Om Prakash Mishra, to recommend names of new commissioners under the existing Commission of Inquiry on Disappearances, Truth and Reconciliation Act 2014.
17 September 2019	The Ministry of Law, Justice and Parliamentary Affairs (MOLJPA) develops the 'Modality for Consultation with Stakeholders before the parliament amends the Truth and Reconciliation Commission, Commission on Investigation of Enforced Disappeared Persons' Act 2014'. The Ministry informs the victims about the Government's plan to organise consultations in all provinces on the same day.
18 November 2019	Of the total 57 applicants, the recommendation committee finds 54 of them eligible. It adds seven more names on its own and publishes a list of 61 candidates for the vacant positions at TRC and CIEDP.
9 January 2020	The Government sends a letter to Victims' Networks asking them to nominate victims, not exceeding 5 victims per province, to represent the group at the consultations that were going to take place simultaneously in all 7 provinces on 13 January. The consultation was conducted in 7 provinces.
18 January 2020	The Recommendation Committee recommends names of ten new office bearers for the two TJ Mechanisms.

26 April 2020	The Supreme Court rejects the government's petition seeking a review of an earlier decision of the apex court related to TJ. On 26 February 2015, the Supreme Court had given a verdict that general amnesty should not be given in case of incidents of serious violations of human rights dating back to the conflict period.
13 October 2020	Nepal was elected as a member of the United Nations Human Rights Council (HRC) for the second term. Nepal will serve a consecutive three-year term of 2021-2023
15 October 2020	National Human Rights Commission (NHRC) Nepal reported that a total of 1195 recommendations were made over the last two decades. Of the total recommendations, 940 were armed conflict-related recommendations. NHRC in the report explicitly incriminates 286 personnel namely security officials, former government officials, members of the Communist Party of Nepal Maoist (CPN-M), teachers, doctors, and others as human rights violators.
19 January 2021	After a year-extension, the term of office of the newly appointed Commissioners at CIEDP and TRC expired. Until the end of their term, the office bearers could not fulfill the Commissions' mandate.

