



Accountability Watch Committee जवाफदेहिता निगरानी समिति

25 January 2013, Lalitpur

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Press Statement

"Transitional Justice Mechanisms do not replace Criminal Justice system"

Accountability Watch Committee (AWC) and Justice and Rights Institute (JuRI-Nepal) jointly convened an interactive program on "Attorney General's Duty to Defend Rule of Law".

Former Attorney Generals including Mr. Sarbagyaratna Tuladhar, Mr. Sushil Panta, Mr. Mahadev Yadhav, Prof. Pawan Kumar Ojha, Mr. Laxmi Bahadur Nirala, Mr. Yagyamurti Banjade and Dr. Yubaraj Sangraula were amongst the prominent participants of the interaction program.

In the program, the former Attorney Generals expressed their shared understanding that, "The regular criminal justice system is not replaced with the transitional justice mechanisms including the prospective Truth and Reconciliation Commission; rather, the transitional justice mechanisms, role of which is limited to addressing the violations committed in the course of the armed conflict, do complement the regular criminal justice system. The duty to address the serious crimes perpetrated against the individual's right to life can't be bypassed referring to the Truth and Reconciliation Commission that is yet to be established. Hence, it is imperative for the state to investigate and prosecute, as appropriate, the serious crimes under regular criminal justice system"

In addition, they have also drawn the attention that "as article 5.2.5 and article 33(s) of the Interim Constitution contain the phrase 'in course of the armed conflict' instead of 'during the armed conflict', it is not valid to see all violations committed during the conflict from a transitional justice lens".

Sushil Pyakurel
Chairperson

Collective Initiatives for Accountability

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