30th of August: “Where are they?”
An event of artists and families of disappeared

Mandala Theatre, Nepal

During the ten year long civil war in Nepal, more than 1300 people were forcibly disappeared. Every 30th of August, the International Day of the Victims of Enforced Disappearance, different events are being organized by the families of the disappeared to commemorate their disappearance and advocate for the families’ right to know about their relatives’ whereabouts. This year, Mandala Theatre in association with NEFAD (National Network of Families of Disappeared and Missing) created a vibrant event that supported individuals and families affected by disappearance to raise their voice against enforced disappearance. The event featured arts installations, a poetry performance, an exhibition and a Playback Theatre Show. It was intended as an event to show and spread solidarity and empathy for victims of enforced disappearance and their families, as well as an opportunity for them to share their stories and advocate for their rights. As part of this event, spectators were able to contribute messages to a tree of solidarity. Here are some messages translated from Nepali:

We are raising hands against the authorities
though they tried to close our eyes using barrels of guns.
When a mother gives birth to the dawn carrying truth,
your black nights will be gone and we will sing and dance.
Our closed eyes and muted mouth will be the statue of justice.
Those who made the bitter truth tea and drank that,
Our truth drags them to the custody of justice
Hey, the origins of brutalities! We will dig out the truth soon
And we will bring the golden sun in the sky soon.

Hey unworthy government? How long will you make Nepal Mother cry?

Where is my small and big uncle? (5 year old girl)

The struggle for truth and justice is long and difficult but it’s not impossible.

Please come back home.

May this tree get real green leaves of happiness?

We are waiting, Remembering and reminding you since 12 years.

Where is he? Wherever he is, I feel he will come one day.

YOUR STORY IS THE PART OF THE HITORY OF NEPAL. Your suffering must be the suffering of society.
Be strong, keep demanding and remain hopeful – In solidarity.
Let’s not be tired. We, the fighter for justice should be united and continue our struggle.
Hey Government, Son of somebody was disappeared or somebody’s mother and father were disappeared, but why are you silent? Don’t you know, thousands of your citizens are disappeared?

Those great fighters are not hear but their dreams are alive here.

They have become leaders because of the martyrs and disappeared fighters. But now they have forgotten us and the fighters. That is why, we the families of martyrs and disappeared should be united and fight for justice. Lets not forget the political agenda that our beloved who are martyrs and disappeared used to carry on.

Photos and examples of the exhibition:
Update Report: Acting Together Small Grant for Course Development in Performance and the Creative Transformation of Conflict via Program in Peacebuilding and the Arts, Brandeis University
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Kin of 1,530 seek closure as govt yet to criminalise disappearance

DEWAN RAI
KATHMANDU, AUG 30

Bhim Bahadur Basnet has no idea where his two grown-up sons are. In 2003, his two sons Pushpa, 25, and Dharendra, 20, were arrested from Kathmandu and detained in Bhairabnath Battalion. The 66-year-old father says he hasn’t seen his sons ever since. He doesn’t know if they are alive or dead.

“But I know the persons responsible for the arrest and disappearance of my sons,” he told Lokendra Mallick, the chairman of the Commission of Investigation on Enforced Disappeared Persons (CIEDP), “I just hope the commission will find out the truth.”

Basnet said he has done everything he could to find the whereabouts of his sons.

“The witness of their arrest is my third son, Birendra, who, too, was arrested and released later,” he said.

Like Basnet, there are many others who lost their family members without any trace during the decade-long Maoist insurgency. A government report shows a total of 1,530 persons disappeared at the hands of both the Maoists and the state sides during the conflict. Their whereabouts remain unknown till date.

The government formed CIEDP in February this year to investigate into the cases of disappearances and to bring the people responsible to justice. The CIEDP, however, has yet to start its works.

CIEDP is also concerned about the regulations of the government. Mallick said the commission’s regulations have been finalised and forwarded to the Cabinet for approval. “The CIEDP will begin its works once its regulations are endorsed,” said Mallick. He also assured Basnet to bring the people behind their disappearance to justice.

“Rest assured we will carry out an independent investigation into the cases of disappearances and we will do our level best to bring the rights violators to justice,” he said.

Despite Mallick’s assuring words to the families of the disappeared, prosecution of those involved in disappearance cases is still far away under the existing law.

The government has not yet formulated an Act to criminalise forced disappearance cases so far. Despite the Supreme Court’s orders and requests from rights bodies, the government has not prepared the proposed Act.

“We have limited jurisdiction under the existing transitional justice law, which requires amendments even to incorporate the court’s directives,” said Mallick.

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Kin of 1,530 seek closure ...

On June 1, 2007, the SC had directed government to criminalise forced disappearance cases. The court has issued two other orders to criminalise forced disappearances, amend the laws in line with international human rights laws and practices, and ensure participation of victims in the transitional justice process.

Despite being a signatory to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Nepal is yet to criminalise the gross human rights violation.

The National Network of Families of the Disappeared and Missing, Conflict Victims Common Platform and human rights organisations on Sunday organised a joint programme to commemorate the day.

In a joint statement, they urged the government to ensure investigations to determine the fate and whereabouts of disappeared persons and prosecute the suspects without any delay.

“Ending impunity, ensuring accountability, and strengthening the rule of law are essential for a durable transition from armed conflict to sustainable peace in Nepal. Without disclosing the fate and whereabouts of the victims of enforced disappearance, and ensuring accountability thereto, transition could never be complete,” read the statement.