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No. 24 | October 2026

THE LONG ROAD TO JUSTICE

The Unfinished Struggle of Conflict-Era Sexual Violence Survivors



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1. INTRODUCTION

Following the signing of the Comprehensive Peace Agreement between the Government of Nepal and the then Communist Party of Nepal (Maoist) on November 21, 2006, Nepal embarked on a long process of peacebuilding, constitution-making and political restructuring. A transitional justice process was subsequently initiated to address the consequences of the conflict. Although sexual violence was perpetrated by both state and rebel forces during the decade-long armed conflict, its actual scale remains unknown. Following a call for previously unfiled complaints between May 18 and August 22, 2025, a total of 4,231 complaints had been registered, including the 314 complaints received earlier. Despite the registration of these complaints, no substantive progress has been made in investigation, documentation of the truth, accountability for perpetrators, treatment, reparations or long-term financial support.

This analysis examines the struggles of survivors of conflict-era sexual violence, the legal remedies available to them, and their difficult journey towards justice. It also assesses the progress made to date and the responsibilities and opportunities this issue presents for emerging political forces such as the Rastriya Swatantra Party (RSP). The analysis draws on interviews with survivors, their family members, human rights activists and other stakeholders, as well as a review of media reports and research publications on conflict-era sexual violence.

2. LEGAL AND INSTITUTIONAL NEGLECT

2.1 Legal Barriers

Even after the end of the conflict, survivors of sexual violence were unable to obtain justice for many years because of statutory limitation periods, difficulties in collecting evidence and political indifference. Article 33(s) of Nepal's Interim Constitution, 2007, envisaged the formation of a high-level Truth and Reconciliation Commission to investigate serious human rights violations and crimes against humanity committed during the armed conflict and to create an environment for reconciliation in society. However, it did not define serious crimes such as sexual violence or establish an implementation framework through which survivors could access justice. The Constitution of Nepal, 2015, also remained silent on these specific issues.

Devi Khadka, a survivor and political activist, recalls: "There was no definition of what constituted rape or what should be considered sexual violence."[1] When the Commission of Investigation on Enforced Disappeared Persons, Truth and Reconciliation Commission Act, 2014, was first enacted, rape and serious sexual violence were not explicitly listed as distinct offences. Consequently, survivors of sexual violence were required to register their complaints using forms designated for victims of torture in general.

Requiring survivors to report an heinous crime such as rape without appropriate institutional arrangements and procedures was insensitive and inadequate. Survivor groups and human rights activists challenged the legal shortcomings, including the limitation period, through the

[1] Interview with Khadka on May 14, 2026.

courts. The court's order to amend the law changed the course of Nepal's transitional justice process. However, it took nearly a decade for the amendment of the act. In the absence of political consensus and amid frequent changes of government, the amendment process repeatedly had to start from the beginning. According to human rights activist Mandira Sharma, it was only after the arrest of then Nepal Army Colonel Kumar Lama in the United Kingdom under the principle of universal jurisdiction that Nepal's political parties began to recognise that international law could also apply to these cases.[2]

Following sustained pressure from survivors, the third amendment to the Act in 2024 explicitly classified rape and sexual violence as serious violations of human rights and made them non-reconcilable offences.[3] The amendment also allowed survivors who had previously been unable to file complaints of rape or serious sexual violence, as well as victims of other cases who had been unable to file complaints due to circumstances beyond their control, to submit their complaints within a three-month period.

2.2 The Commission's Dependence and the Neglect of Survivors

When the Commission first collected complaints, only a limited number of cases of sexual violence were registered. These complaints were then disregarded for a prolonged period, while political parties remained silent on the issue. Recalling how the complaints registered with the Commission were not brought forward for discussion, survivor and political activist Devi Khadka said:

[2] Interview with Sharma on September 8, 2026.

[3] Commission of Investigation on Enforced Disappeared Persons, Truth and Reconciliation Commission Act, 2014 (Third Amendment), Sections 2(h) and 26(2).

> "In 2021, when we began organising survivors, we learned, after asking Ganesh Datt Bhatta, Chairperson of the Truth and Reconciliation Commission, that all 314 complaints related to sexual violence had effectively been placed in unofficial abeyance. We asked, 'Why were they not taken up for preliminary investigation?' He replied, 'A political decision at the highest level is required; our authority alone is not sufficient.' When we pressed further, he cited the lack of human resources, training and security to work on such sensitive cases. Had the first and second commissions completed their work, the report of the Truth and Reconciliation Commission would have concluded that 'there was no sexual violence during the conflict in Nepal'. This was a deliberate step by the state to suppress cases of sexual violence. As the saying goes, sometimes something bad can lead to something good: because the transitional justice process remained unfinished, we had an opportunity to continue working on this issue."[4]

This illustrates that even the investigation of heinous crimes such as sexual violence under Nepal's transitional justice process was dependent on high-level political approval. Survivors interviewed for this study said that the state began to listen only after they raised their voices and exerted pressure themselves. Conflict survivor and human rights activist Geeta Rasaili explained that, as the transitional justice process dragged on, survivors of abuses committed by both state and rebel forces came together and began advocating for their own cases.[5] As relevant stakeholders increasingly neglected the issue, organisations working with conflict-affected communities began focusing on survivor

[4] Interview with Khadka on May 14, 2026.
[5] Interview with Rasaili on July 20, 2026.

empowerment. Survivor 1[6] also said that she became willing to file a complaint as a survivor of sexual violence only after organisations supported the process and survivors themselves began organising collectively.[7]

Nepal's transitional justice process has long been affected by political negotiations, legal disputes and institutional weaknesses. Although the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons were established, investigations and justice processes did not advance as survivors had expected. Legal amendment was an important achievement, but it was not sufficient. Human rights activist Sharma identifies the lack of genuine political commitment as a major obstacle in the process of formulating transitional justice legislation.[8] She argues that the then rebel party, the CPN (Maoist), also failed to take adequate initiative. "Although the Maoists were repeatedly in government, they never prioritised conflict-era sexual violence. Since sexual violence had also been perpetrated by the Maoist side, they feared being held accountable and did not support even the survivors from their own side," she said.

After the Act was amended, new officeholders were appointed to the Commission for a third term, with the principal responsibility of concluding conflict-related cases, particularly cases of sexual violence and rape. However, the appointments were widely criticised as having been made through bargaining among political parties. While survivors had maintained critical engagement with the first two commissions, they boycotted the Commission following the appointment of its third set of officeholders, said transitional justice researcher Rukamanee Maharjan.[9]

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[6] Survivors who did not wish to be identified by name are referred to as Survivor 1, Survivor 2 and Survivor 3.

[7] Interview with Survivor 1 on September 3, 2026.

[8] Interview with Sharma on September 8, 2026.

[9] Interview with Maharjan on October 31, 2026.

When the RSP government formed on March 27, 2026, cancelled earlier political appointments, it also left the Truth and Reconciliation Commission without officeholders. According to Nirmala Adhikari Bhattarai, Secretary of the Commission, it has no legal authority to process complaints until officeholders are appointed. "It took a very long time to create an environment in which survivors of sexual violence could trust the Commission and share their experiences. Only now have they begun to speak about their suffering. However, in the absence of officeholders, we are unable to take the process forward," she said.[10]

The repeated expiry of officeholders' terms and the failure to extend them have serious consequences for survivors' trust. People who have waited for justice for years place hope in the appointment of new officeholders. They file complaints, share their experiences and expect investigations to follow. Yet when the institution becomes inactive or remains without officeholders, survivors risk being pushed back into uncertainty. The Commission has repeatedly been caught in disputes over political appointments. Conflict survivor and human rights activist Geeta Rasaili says that appointments to the Commission have failed to inspire survivors' confidence.[11] In her view, survivors themselves do not necessarily have to serve as officeholders in the commissions; what matters is leadership capable of working alongside and supporting them.

The state's responsibility does not end with a government or a commission. Even when governments change, responsibility for survivors' complaints, safety and access to justice remains with the state. Human rights activists Mandira Sharma and Geeta Rasaili therefore emphasise that institutional continuity, the preservation of records and communication with survivors must be insulated from political changes.[12]

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[10] Interview with Bhattarai on September 9, 2026.

[11] Interview with Rasaili on July 20, 2026.

[12] Interviews with Sharma on September 8, 2026, and with Rasaili on July 20, 2026.

3. SOCIAL STIGMA AND EXCLUSION

3.1 Social Stigma and Exclusion

A report[13] published in 2006 by the Institute of Human Rights Communication, Nepal (IHRICON), based on research in four districts, documented rape and sexual violence during the conflict. However, the issue entered public discussion only after Devi Khadka spoke about it in the Constituent Assembly in 2007. The then Maoist party itself had publicised the sexual violence committed against Khadka during the conflict.

Various studies have documented cases of rape and other forms of sexual violence against women by both state security personnel and the Maoist forces during the armed conflict. A 2014 report by Human Rights Watch documented sexual violence by both sides, as well as the stigma faced by survivors, their lack of access to treatment and the barriers to justice.[14] More than a decade later, a fundamental question remains: when and how will the state recognise those who experienced sexual violence during the war as conflict-affected survivors? Survivor 2 argued that establishing the facts and uncovering the truth are important, particularly because a misconception prevailed at the time that all women arrested by security forces had been raped.[15]

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[13] Institute of Human Rights Communication, Nepal (IHRICON). 2006. *Sexual Violence in the People's War: The Impact of Militarism on Women and Girls in Nepal.* Kathmandu: IHRICON.

[14] Human Rights Watch. 2014. *Silenced and Forgotten: Survivors of Nepal's Conflict-era Sexual Violence*. September 23. Available at www.hrw.org/report/2014/09/23/silenced-and-forgotten/survivors-nepals-conflict-era-sexual-violence; accessed on October 25, 2026.

[15] Interview with Survivor 2 on October 7, 2026.

Among the forms of conflict-related violence in Nepal, this was the least discussed, most concealed and latest to be acknowledged by the state. For a long time, rape and other forms of sexual violence during the conflict were neither formally recognised as crimes nor were survivors provided with a safe environment in which to share their experiences. As a result, survivors were victimised again through social mistreatment, institutional insensitivity and weaknesses in the justice process.

Many women and adolescent girls who experienced rape and sexual violence during the armed conflict remained excluded for years from the definition of conflict victims, official data and justice processes. "In rural areas, many women understand sexual violence not as a human rights violation or a crime, but as something shameful or as their fate. This social context has kept survivors from even entering the process of seeking justice," said Indu Tharu, a conflict survivor and activist.[16]

In a patriarchal society, women's sexuality is closely tied to family honour. Women are often encouraged to conceal crimes committed against them rather than speak about them. Many were compelled to hide their experiences out of fear that speaking about the violence would break up their families, lead their husbands to abandon them, expose them to humiliation in their communities or affect their children's lives. Some have still not been able to tell their husbands about the crimes committed against them. Others remain silent because they fear that their children would suffer psychological harm if they learned that their mothers had survived sexual violence. Since society often views survivors of sexual violence as of "bad character", many were first forced to struggle to restore their social standing. Khadka said: "At the very least, our demand is that you move us from being labelled women of bad character to being recognised as survivors."[17]

[16] Tharu's remarks shared at the Second National Memorial Conference 2026, held in Kathmandu on June 9–10, 2026.

[17] Interview with Khadka on May 14, 2026.

This demonstrates that the consequences of sexual violence are not merely physical or legal; they are deeply connected to social status and identity.

When Survivor 1 joined the Maoist movement at the age of 14, she dreamed of struggling for the upliftment of oppressed communities. She never imagined that she would one day have to undertake such a hard journey to seek justice for herself. Having grown up witnessing the exploitation of landless and marginalised people by landlords, she saw the Maoist movement as a path towards challenging social discrimination. Her political involvement began with carrying messages and later extended to the armed struggle. Yet, for many years, she could not tell anyone about the sexual violence she had experienced. She did not tell her family and could not speak about it even within her own party. She says that there was no environment in which she could speak about her suffering, even within a political organisation that advocated women's liberation.[18] She was unmarried when the incident occurred and has still not been able to tell her husband about the violence.

Years later, Survivor 1 filed a truthful complaint about what she had experienced. Although she had initially registered the complaint as a victim of torture, she explicitly identified sexual violence in her subsequent complaint. She also helped other survivors submit complaints. Recalling her experience of facilitating complaints, she said: "We did not go to a single woman's home to fill out the form. We met them in the places where they went to cut grass in the forest or were engaged in other work. Their social circumstances at the time of the incident and now are different. Most are married and have families. Confidentiality has become even more important, but they still do not feel secure. Some even tore up complaint forms that had already been completed. Survivors did not believe that they would get justice." Survivor 3, who also helped others to fill up complaint forms,

[18] Interview with Survivor 1 on September 3, 2026.

said that women who were married and living with their families were unwilling to file complaints.[19]

Survivor 2, who had initially filed a complaint as a victim of torture, had a similar experience. Following the amendment to the Act, she also submitted a new complaint identifying herself as a survivor of sexual violence. She said that although she did not have much hope of obtaining justice, she filed the complaint so that future generations would not forget the contributions and suffering of women who had struggled for change.[20] She expressed disappointment that the political party she had supported had repeatedly been in government but had done nothing, and that survivors themselves had to explain why sexual violence was a serious crime.

Because the state did not recognise survivors of sexual violence as victims, they remained 'invisible' for a long time while perpetrators continued to enjoy impunity. Conflict survivor and human rights activist Geeta Rasaili says that more than 50 survivors have died while the process has dragged on.[21] She also described the difficult struggle to seek justice for the sexual violence and murder of her own sister. Human rights activist Mandira Sharma emphasises that recognition as a survivor is important because it is linked to the rights to treatment, interim relief, reparations, justice and public remembrance.[22]

The physical, psychological, economic and social consequences of conflict-era sexual violence have persisted over many years. Some survivors have had to cope with physical injuries and chronic health conditions, while others have struggled to lead ordinary lives because of psychological trauma. Some left school, others lost their jobs, and some experienced exclusion from their families and communities. Limited financial resources have prevented survivors from accessing treatment,

[19] Interview with Survivor 3 on July 24, 2026.
[20] Interview with Survivor 2 on October 7, 2026.
[21] Interview with Rasaili on July 20, 2026.
[22] Interview with Sharma on September 8, 2026.

meeting daily needs and maintaining hope for the future.[23] In April 2023, the National Organisation of Women Rape Survivors conducted health camps in three provinces and examined 127 survivors. Of them, 85 per cent were reported to have mental health conditions; 11.2 per cent had undergone hysterectomies; 6.33 per cent were advised to undergo an immediate hysterectomy; and 70.8 per cent were advised to seek further treatment.[24]

In 2011, Nepal adopted its first five-year National Action Plan based on United Nations Security Council Resolutions 1325 and 1820. The plan's monitoring and evaluation report stated that service centres and one-stop crisis management centres had been established in 15 districts to provide health services, psychosocial counselling and legal assistance to conflict-affected women and girls who had experienced sexual violence.[25] However, the same report noted that survivors of conflict-era sexual violence were unable to speak openly and required targeted relief and dedicated programmes.[26]

During the first phase of the action plan, the government implemented a range of programmes, including awareness-raising among security personnel on human rights and the rights of women and girls; empowerment initiatives at the local level; rehabilitation

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[23] Noton, Elena, and Susan Risal. 2022. *A Study on Reparations Opportunities for Survivors of Conflict-related Sexual Violence in Nepal.* Kathmandu: International Center for Transitional Justice, Nagarik Aawaz, National Network of Conflict Victim Women and Global Survivors Fund.

[24] Khatiwada, Sudarshan. 2023. Severe Mental Health Problems among Women Raped during the Armed Conflict (in Nepali). *Onlinekhabar,* December 27. Available at: www.onlinekhabar.com/2023/12/1411471; accessed on October 28, 2026.

[25] The Government of Nepal Formulated its First National Action Plan (2010/11–2014/15) to Implement United Nations Security Council Resolutions 1325 (Women, Peace and Security) and 1820 (preventing conflict-related sexual violence), and brought it into effect on February 1, 2011. Saathi Nepal monitored and evaluated its implementation in ten selected districts.

[26] Saathi Nepal. 2014. Mid-term Monitoring Report on the Implementation of the National Action Plan (2010/11–2014/15) for the implementation of United Nations Security Council Resolutions 1325 and 1820. p. 12.

of survivors from both sides of the conflict and women combatants; transitional justice and conflict literacy through school curricula; and the integration of a gender-sensitive approach into policies.[27] The second three-year action plan prioritised relief and reparations, capacity development, resource management, and monitoring and evaluation. Despite these commitments, however, no tangible progress has been made in providing relief and reparations to survivors.

3.2 Male Survivors and Survivors of Other Gender Identities

Public debate on conflict-era sexual violence in Nepal has primarily focused on violence experienced by women and girls. This is understandable, as available studies and records indicate that they were disproportionately affected. However, cases of sexual violence against men in police custody and while under Maoist control have also come to light. Both parties to the conflict subjected men to acts such as stripping them naked, injuring their genitals, inflicting physical torture and sexually humiliating them.[28]

Nepal's current criminal code and legal definitions primarily recognise rape committed against women and girls. This has effectively closed off avenues for men, boys and transgender persons who experienced rape or sexual violence during the conflict or in other circumstances to seek justice or register complaints.

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[27] Rayamajhi, Ameesha, and Deepesh Shrestha. 2022. The Lasting Scars of War: Sexual Violence during the Conflict. *The Record,* January 22. Available at: www.recordnepal.com/the-lasting-scars-of-war-sexual-violence-during-the-conflict; accessed on October 28, 2026.

[28] Subedi, Dinesh. 2025. Transitional Justice: Who Will Listen to the Suffering of Men Who Experienced Sexual Violence? (in Nepali). *Nagarik Daily,* August 3. Available at: https://nagariknews.nagariknetwork.com/social-affairs/who-will-listen-to-the-suffering-of-men-who-have-been-sexually-assaulted-52-32.html; accessed on October 28, 2026.

The limited public discussion of sexual violence against men is rooted in patriarchal notions of masculinity. Questions have also been raised about the inadequate inclusion of men's experiences in the complaint process for sexual violence. Nirmala Adhikari Bhattarai, Secretary of the Commission, said that since no complaints had been opened, she could not say whether any complaints by men had been received.[29] Although special arrangements were made for women during the latest complaint process, no separate procedures were developed for men, boys or transgender persons. This indicates that the state continues to approach conflict-era sexual violence through a narrow lens. Mechanisms are therefore needed to address the experiences and needs of all survivors and ensure that no group is excluded.

[29] Interview with Bhattarai on September 9, 2026.

4. FROM COMPLAINTS TO JUSTICE: ACHIEVEMENTS AND REMAINING CHALLENGES

4.1 An Insensitive Complaint Process

The complaint process began only a decade after the rebel party and the then government signed the Comprehensive Peace Agreement. The Truth and Reconciliation Commission first invited complaints on April 17, 2016, setting a 60-day deadline for submission to the Local Peace Committee in each district or to the Commission's central office. The deadline was later extended by 30 days. A second round of complaints was accepted from July 1 to August 8, 2017. Of the 63,718 complaints received in total, only 314 concerned sexual violence. The low number of complaints, despite two calls for submissions, was largely a result of the complaint collection process itself. Complainants had to visit designated offices or submit their complaints by email. The structure and management of these offices were not accessible to survivors of sexual violence. Since most survivors lived in rural and remote areas, email was an even less appropriate means of submission.

The Truth and Reconciliation Commission Rules, 2015, provided that, where appropriate, the Commission could visit the place where a person lived to collect information rather than requiring the person to come to the Commission. The Rules also provided for separate rooms for complaints or information and, where necessary, interpreters or facilitators. Nevertheless, survivors reported that they were asked to fill out forms in public. Most staff members in the Local Peace Committees

responsible for collecting complaints were men and had not received training on handling sensitive cases such as sexual violence.[30]

Survivors also alleged that some Local Peace Committees in certain districts refused to register complaints of sexual violence.[31] Geeta Rasaili, a conflict survivor and human rights activist, recounted an experience in which a person receiving complaints asked inappropriate questions.[32] "They even asked, 'Where did the sexual violence take place? Show me.' There were also situations in which the person against whom the complaint was being filed could be seen at the Local Peace Committee office. How could anyone file a complaint in such an atmosphere of fear?" A report submitted to the United Nations Human Rights Council also noted that Nepal continued to face challenges in ensuring accountability for conflict-era sexual violence and that the Truth and Reconciliation Commission had not established a confidential mechanism for receiving such complaints.[33]

Because of these flawed structures and procedures, many survivors were compelled to register rape or sexual violence committed against them under the category of 'torture'. According to survivor and political activist Devi Khadka, both the then rebel and state parties had told survivors to remain 'silent' because complaints of sexual violence would

[30] Rai, Dewan. 2016. TRC Records 295 Complaints on Sexual Assault. *The Kathmandu Post,* December 2. Available at: https://kathmandupost.com/miscellaneous/2016/12/02/trc-records-295-complaints-on-sexual-assault; accessed on October 29, 2026.

[31] Human Rights Watch. 2024. Breaking Barriers to Justice: Nepal's Long Struggle for Accountability, Truth and Reparations. March 5. Available at: www.hrw.org/report/2024/03/05/breaking-barriers-justice/nepals-long-struggle-accountability-truth-and; accessed on November 3, 2026.

[32] Interview with Rasaili on July 20, 2026.

[33] International Commission of Jurists, Advocacy Forum–Nepal and Global Survivors Fund. 2025. Submission to the Universal Periodic Review of Nepal: 51st Session of the Working Group on the Universal Periodic Review. United Nations Human Rights Council.

bring national shame.[34] A complaint process should have been initiated only after putting in place basic safeguards such as confidentiality, security and psychosocial counselling. In addition, the law in force at the time prescribed a 35-day time limit for reporting rape and sexual violence.[35] No decision had been made on how this time limitation would apply to conflict-era sexual violence. The legal framework at the time therefore did little to encourage survivors to come forward.

In a case filed at the Supreme Court challenging the imposition of time limits for serious crimes, the Court issued an order stating that the provisions be amended and revised to align with the Constitution and the principles of justice.[36] The decision played an important role in bringing about legal reform. However, before the amendment, survivors of sexual violence had been denied opportunities to seek justice, relief or reparations because the law and relevant institutions themselves acted as barriers. The initial arrangements for registering complaints of conflict-era rape and sexual violence had imposed a time limit that was unsuitable for survivors.

Following the third amendment to the Commission of Investigation on Enforced Disappeared Persons, Truth and Reconciliation Commission Act, 2014, a public notice was issued on May 18, 2025, inviting complaints from survivors of rape or serious sexual violence. Human rights activists argue, however, that inviting complaints for only three months, on a single occasion, is inadequate in Nepal's patriarchal social context. Asking women who have carried the trauma of rape and sexual violence alone for two decades to "come and file a complaint within three months" suggests that the state still treats the

[34] Interview with Khadka on May 14, 2026.

[35] Following an amendment to the National Penal Code in 2022, the limitation period was extended to two years.

[36] Supreme Court of Nepal, Special Bench. Decision No. 9051, writ of mandamus, Nepal Kanoon Patrika, 2013, Issue 9. Decision dated January 2, 2014. Available at: https://nkp.gov.np/full_detail/256; accessed on October 27, 2026.

matter as an administrative process, without understanding women's distinct experiences and the depth of their suffering.[37]

Survivors had argued that the complaints registered in the initial phase did not represent the actual scale of incidents and demanded that all acts of sexual violence committed by the state and conflict parties during the war be registered. After the Act was amended, the number of complaints increased thirteenfold. Although survivors initially opposed the notice inviting complaints, describing it as insensitive,[38] various organisations working with conflict survivors later helped facilitate the registration process. Survivor and political activist Devi Khadka said that a campaign initiated by survivors themselves, with messages such as "you are not alone; there are many of us", as well as greater legal clarity, encouraged survivors to speak out.[39] Survivor and activist Sumitra Chaudhary, associated with the National Network of Conflict Victim Women, argued that a growing understanding among survivors that "this was not my fault, and therefore I deserve justice" had also encouraged more women to raise their cases.[40]

The increase in complaints of sexual violence under the transitional justice process is an important change. However, it should not be regarded as an achievement by the state in delivering justice. The increase was also the result of survivors' prolonged struggle, legal reform, civil society advocacy and the time required to create an

[37] Karki, Durga. 2026. Legal Loopholes in Addressing Conflict-Era Rape and Sexual Violence. *Shilapatra,* October 28. Available at: https://shilapatra.com/detail/197603; accessed on October 28, 2026.

[38] Sharma, Bhasha. 2025. A Stumbling Block at the Very Beginning for the Truth and Reconciliation Commission. *Nagarik Daily,* May 25. Available at: https://nagariknews.nagariknetwork.com/politics/1476857-1748183090.html; accessed on October 31, 2026.

[39] Interview with Khadka on May 14, 2026.

[40] Remarks by Sumitra Chaudhary at the Second National Memorial Conference held in Kathmandu on June 9–10, 2026.

environment in which survivors could speak about the violence they had experienced.

4.2 Challenges of Confidentiality and Investigation

Following the legal amendment, the complaint process became relatively more accessible. According to Naresh Pudasaini, a staff member of the Truth and Reconciliation Commission, women staff were assigned to the complaint registration process for survivors of rape and sexual violence, complaints were coded and registered through software, and a confidential team was established to conduct investigations.[41] Nevertheless, survivors appeared to place greater trust in fellow survivors and human rights activists than in the Commission. Survivors interviewed by DRCN said that, after submitting their own complaints, they helped other survivors complete their forms for this reason.

For the latest round of complaints concerning sexual violence, the Commission provided three options: submission in person at its central office; submission by email or registered post; or submission through the district government attorney's office most accessible to the survivor. A legal provision required survivors to place their complaints in a separate sealed envelope, which could be opened only by the Commission's central special investigation team. A separate complaint form was also developed for survivors of rape or serious sexual violence, or for those authorised to submit complaints on their behalf. The rules also replaced the earlier provision for "female staff wherever possible" with "a requirement for female staff". However, as noted above, no additional arrangements were made for men, boys or transgender persons.

[41] Interview with Pudasaini on June 3, 2026.

Survivors were able to submit complaints with greater confidence because organisations such as the National Organisation of Women Rape Survivors provided direct assistance. According to Devi Khadka, a survivor, political activist and the organisation's chairperson, more than 90 per cent of the complaints were registered through survivors' own efforts. To facilitate the process, 150 survivors were mobilised across 66 districts. Commission Secretary Nirmala Adhikari Bhattarai also acknowledged this contribution.[42] Survivor 3 said that the complaint process took place during the monsoon, making it difficult to reach remote areas.[43] Many survivors had married and were unwilling to file complaints given their changed circumstances. It would therefore be inappropriate to conclude that the latest call for complaints reached everyone concerned.

Survivors who had already faced legal and other obstacles encountered further barriers during this latest opportunity to submit complaints. Most conflict-survivor groups and human rights organisations announced a boycott of the complaint process, arguing that the government had appointed new commissioners on the basis of political quotas without consulting survivors. In this context, survivors of sexual violence faced a dilemma: on the one hand, they feared that the three-month deadline, secured after years of struggle for legal reform, would expire and that many survivors would be permanently excluded from the scope of justice; on the other, filing complaints could weaken the protest movement and be seen as legitimising a Commission considered hostile to survivors. Ultimately, survivors decided to submit their complaints. They remained concerned about being retraumatised, having their identities disclosed, facing social

[42] Khadka, Sudarshan. 2025. Men Also Experienced Sexual Violence during the Armed Conflict; Thousands of Survivors Await Justice. *Onlinekhabar,* September 7. Available at: www.onlinekhabar.com/2025/09/1758654/women-who-were-raped-in-the-conflict-reached-66-districts-collected-over-3900-complaints; accessed on October 28, 2026.

[43] Interview with Survivor 3 on July 24, 2026.

exclusion or experiencing consequences in their marital lives. Survivor and political activist Devi Khadka describes the struggle of survivors of sexual violence as a "struggle to make the truth acknowledged."[44] According to her, their initial demand was not limited to justice or punishment; it was also: "Recognise me as a survivor."

According to human rights activist Mandira Sharma, survivors had pursued legal action demanding that investigations into sexual violence be conducted in closed settings to protect confidentiality.[45] Although the court issued an order to this effect, it has not been implemented.

[44] Interview with Khadka on May 14, 2026.
[45] Interview with Sharma on September 8, 2026.

5. REPARATIONS

5.1 Discrimination in the Provision of Interim Relief

The Government of Nepal provided interim relief to families of people killed or disappeared during the Maoist conflict. It also provided financial assistance to people who were injured, disabled or had lost limbs during the conflict. Other forms of assistance included scholarships for children of deceased, disappeared and severely disabled persons; compensation for individuals whose private property was destroyed during the conflict; and skills training to support self-employment for members of affected families. Financial assistance ranged from NPR 25,000 to NPR 1 million. Survivors of sexual violence, however, have remained outside this interim relief framework. Despite extensive advocacy for relief, survivors of sexual violence and torture were not recognised as "conflict victims".[46] Consequently, they were not eligible for relief programmes.

Former National Human Rights Commission member Mohna Ansari has also argued that government relief programmes did not even recognise survivors of torture and sexual violence as eligible for interim relief.[47] Discrimination in the provision of relief has occurred not only at the federal level but also at the provincial and local levels. Although

[46] Rayamajhi, Ameesha, and Deepesh Shrestha. 2022. The Lasting Scars of War: Sexual Violence during the Conflict. January 22, *The Record*. Available at: www.recordnepal.com/the-lasting-scars-of-war-sexual-violence-during-the-conflict; accessed on October 28, 2026.

[47] Ansari, Mohna. 2016. Implementation of Comprehensive Peace Agreement: A Retrospective from Human Rights and Gender Aspects. In *Nepal Transition to Peace: A Decade of the Comprehensive Peace Accord (2006–2016)*. Pankaj Adhikari, Subash Ghimire and Vidyadhar Mallik, eds., pp. 210–227. Kathmandu: Nepal Transition to Peace Institute.

Karnali, Lumbini, Madhesh and Bagmati provinces provided relief and compensation to families of martyrs and to injured and disabled persons at different times, survivors of sexual violence continued to be neglected.[48] Although the third amendment to the Act prioritises survivors of sexual violence, the question of how to redress two decades of discrimination remains unanswered.

5.2 Reparations, Public Acknowledgement and Memorialisation

Reparations do not simply mean the distribution of relief or compensation payments. They encompass acknowledgement of the harm suffered by survivors, treatment, rehabilitation, justice and guarantees of non-recurrence. Immediate financial assistance, free healthcare, psychosocial support, educational assistance, livelihood opportunities, formal recognition of survivors and public acknowledgement may all constitute important elements of reparations.

Survivors of conflict-era sexual violence have primarily called for an end to impunity and immediate legal action against perpetrators; specialised health services for physical and psychological rehabilitation; psychosocial counselling and safe housing; and comprehensive reparations, including compensation. They have also prioritised independent monitoring and security throughout the justice process, dignified reintegration into society, compliance with the Peace Agreement and international law, meaningful participation in policymaking, and access to free legal assistance.[49]

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[48] Budhathoki, Abhas. 2026. Survivors of Conflict-Era Sexual Violence: Neither Recognition nor Relief (in Nepali). *Onlinekhabar,* October 22. Available at: www.onlinekhabar.com/2026/10/2040377/victims-of-conflict-era-sexual-violence-recognition-not-relief; accessed on October 30, 2026.

[49] Subedi, Dinesh. 2026. Demands of Survivors of Sexual Violence Inscribed on a Memorial Plaque (in Nepali). *Nagarik Daily,* August 11. Available at: https://nagariknews.nagariknetwork.com/social-affairs/demands-of-sexual-violence-victims-inscribed-on-inscription-55-25.html; accessed on November 1, 2026.

According to Survivor 1, a museum or memorial site is needed to document the experiences and struggles of survivors of conflict-era sexual violence. She said: "Women also struggled to establish a republic in this country. The fact that atrocities were committed against them during that struggle should be remembered and understood. Money alone is not a relief."[50] Conflict survivor and human rights activist Geeta Rasaili argues that such memorialisation can establish survivors as citizens whose contributions and experiences form part of the country's political history.[51] According to her, self-respect, truth-seeking and economic reparations are now important concerns for survivors. Some survivors, however, argued that remembrance has little meaning unless the state first recognises them.[52]

As the justice process has become prolonged, survivors' understanding of justice and their needs also appear to have changed. According to human rights activist Mandira Sharma, although survivors initially viewed revenge and severe punishment as justice, recognition, respect for their struggles and memorialisation have increasingly become priorities.[53]

More than two decades after the sexual violence occurred, the needs of survivors who have not received treatment or financial assistance may be different from what they were in the past. Their circumstances may have changed considerably during this period. Their health may have deteriorated, family members may have died, their children may have grown up, and they may have lost livelihood opportunities. Reparations programmes must therefore be responsive to survivors' current needs.

[50] Interview with Survivor 1 on September 3, 2026.

[51] Interview with Rasaili on July 20, 2026.

[52] Remarks made during an interaction organised by DRCN in Dhangadhi on July 7, 2026.

[53] Interview with Sharma on September 8, 2026.

Commission Secretary Nirmala Adhikari Bhattarai also observed that survivors' understanding of justice has changed over time.[54] Alongside the search for truth, survivors now want the state to recognise them and memorialise their struggles, she said.

[54] Interview with Bhattarai on September 9, 2026.

6. POLITICAL RESPONSIBILITY

The appointment of the third set of officeholders to the Truth and Reconciliation Commission was widely opposed by survivors. Following the protests of September 8–9, 2025, an election brought the RSP, a party that did not exist during the Maoist conflict, to power. After the RSP government cancelled the previous government's political appointments, the Commission was left without officeholders. The RSP's rise to power has given rise to two contrasting concerns among survivors. The first is that an RSP-led government may not take ownership of the transitional justice process. The second is that, as a political force not directly associated with the conflict, it may be able to conclude the process impartially and without prejudice.

Conflict survivor and human rights activist Geeta Rasaili believes that the RSP does not adequately understand transitional justice or the sensitivities associated with the conflict period.[55] Transitional justice researcher Rukamanee Maharjan similarly believes that, because the RSP was not directly involved in the political process during the conflict, it may lack sufficient institutional memory of the Comprehensive Peace Agreement and the historical sensitivities surrounding transitional justice.[56] Survivor 1 said: "We struggled greatly to establish a republic in this country. Now, no one is willing to listen to that. RSP lawmakers do not even want to speak to people from other parties."[57] Her concern was that most RSP lawmakers grew

[55] Interview with Rasaili on July 20, 2026.
[56] Interview with Maharjan on October 30, 2026.
[57] Interview with Survivor 1 on September 3, 2026.

up during the conflict and may therefore be unable to understand the struggles and suffering experienced by survivors.

In the House of Representatives election held on March 5, 2026, the four major parties represented in Parliament—the CPN-UML, Nepali Congress, Nepali Communist Party and the governing RSP—included commitments to conclude the transitional justice process in their election manifestos.[58] However, similar promises have appeared in the manifestos of political parties in every election since the signing of the Comprehensive Peace Agreement. Following the Gen Z movement, the interim government led by former Chief Justice Sushila Karki had also stated that it was working on transitional justice and reparations.[59] After the formation of the new government, Law Minister Sobita Gautam said that the government was committed to bringing the transitional justice process to a conclusion.[60]

The Gen Z movement raised questions about the credibility of the older political generation. In this context, the RSP, which claims to represent a different political approach, has an opportunity to demonstrate that difference by resolving a sensitive issue that other parties have failed to address. Human rights activist Mandira Sharma argues that transitional justice is not the concern of any one political party; it is the state's responsibility to ensure justice, regardless of which

[58] Bajgain, Raghunath. 2026. The Same Issue across Four Elections: The TRC (in Nepali). February 25, *Onlinekhabar*. Available at: www.onlinekhabar.com/2026/02/1878810/the-same-issue-in-four-elections-trc; accessed on November 1, 2026.

[59] Ratopati. 2026. Government Committed to Concluding the Transitional Justice Process: Prime Minister Karki (in Nepali). February 24. Available at: www.ratopati.com/story/546034/government-committed-to-completing-transitional-justice-prime-minister-karki; accessed on November 1, 2026.

[60] Onlinekhabar. 2026. Government Fully Committed to Concluding Transitional Justice: Minister Gautam (in Nepali). May 25. Available at: www.onlinekhabar.com/2026/05/1939099; accessed on October 30, 2026.

party is in government.[61] She further observed that previous major ruling parties had been either a party to the conflict as rebels or part of the state, and had therefore assessed transitional justice through the lens of political costs and benefits rather than showing sensitivity to cases of conflict-era sexual violence. As a new party, however, the RSP also faces the risk of reopening matters that may already have been settled. It can nevertheless begin with practical steps, such as designating a focal person to work on the issue, holding regular consultations with civil society and allocating dedicated time for discussion in Parliament.

In the past, political parties have used transitional justice either to protect individuals associated with their own side or to portray their opponents as perpetrators, turning survivors' experiences into an arena of political contestation. The justice process, however, must be based on survivors' experiences, evidence, law and impartial investigation. Bodh Narayan Shrestha, Chairperson of the Parliamentary Hearing Committee, has expressed a zero-tolerance position on sexual violence and said that officeholders capable of delivering results independently of political interests must be appointed in the Commission.[62]

Commission Secretary Nirmala Adhikari Bhattarai also said that the ministers and the RSP government were serious about the issue.[63] "It is not that the present government does not want to work on this issue. The current government has an opportunity to deal with these issues. The Prime Minister and the Law Minister have discussed how justice could be delivered and what preparations would be required," she said.

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[61] Interview with Sharma on September 8, 2026.

[62] Onlinekhabar. 2026. Survivors of Sexual Violence Find Themselves in a Double Conflict (in Nepali). July 5. Available at: https://www.onlinekhabar.com/2026/06/1956654/survivors-of-sexual-violence-find-themselves-in-a-double-conflict; accessed on October 27, 2026.

[63] Interview with Bhattarai on September 9, 2026.

Nevertheless, seven months after the Commission was left without officeholders, the government had still not made new appointments. Bhattarai herself said that work could not move forward without appointments. While the government has been making appointments to other institutions, it does not appear to have prioritised the Truth and Reconciliation Commission. The government's approach is likely to prolong further the struggle of survivors who have been seeking justice, relief and reparations for decades.

7. CONCLUSION

Survivors of conflict-era sexual violence continue to demand legal recognition, reparations and justice. The third amendment to the Commission of Investigation on Enforced Disappeared Persons, Truth and Reconciliation Commission Act, 2014, has addressed some of the legal ambiguities. However, the lack of institutional implementation and survivor-centred procedures continues to perpetuate injustice. Psychological distress, social stigma and the absence of sustainable financial resources have prevented survivors from returning to a life of dignity and security.

An effective and credible transitional justice mechanism is the first requirement for ensuring justice for survivors of conflict-era sexual violence. The Truth and Reconciliation Commission must have clear procedures for processing complaints, skilled human resources, adequate resources and an environment free from political interference. The appointment process for commissioners must also be transparent and result in a Commission comprising qualified and experienced individuals.

Reparations are another priority for survivors. Healthcare, psychosocial support, livelihood assistance and necessary financial support are basic needs that should be addressed without waiting for the conclusion of investigations. Immediate assistance can be provided on the basis of available evidence and each survivor's circumstances.

All three tiers of government must coordinate their efforts to this end. Above all, survivors' participation and needs must remain central to these measures. Ultimately, the government is responsible for appointing commissioners, implementing the law and providing the budget and human resources required for reparations programmes. This responsibility should not depend on which political party forms the government.

Founded in 2014, Democracy Resource Center Nepal (DRCN) is a national non-governmental organization dedicated to the study and research of social and political issues. Since its establishment, DRCN has consistently undertaken in-depth and evidence-based research into various aspects of Nepal's transitional political landscape, including the implementation of federalism, local-level restructuring, and election observation. The outcomes of these studies are shared with stakeholders, fostering discussions and debates. DRCN's overarching objective revolves around advancing efficient governance within Nepal's federal framework through these rigorous research endeavors and thoughtful discourse.

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