

Right to Truth

Finding out exactly what happened during a conflict helps to establish an accurate record of a country's past, clarify uncertain events, and lift the veil of silence and denial from a contentious and painful period of history. According to various victim surveys, knowledge of past events helps prevent similar violations from happening again, and is the first step towards justice and accountability. The right to truth has also been codified in various national and international laws. A study on the right to the truth from the Office of the United Nations High Commissioner for Human Rights explains the right to the truth in this way:

The right to the truth implies knowing the full and complete truth as to the events that transpired, their specific circumstances, and who participated in them, including knowing the circumstances in which the violations took place, as well as the reasons for them. In cases of enforced disappearance, missing persons, children abducted or during the captivity of a mother subjected to enforced disappearance, secret executions and secret burial place, the right to the truth also has a special dimension: to know the fate and whereabouts of the victim (E/CN.4/2006/91, para. 59).

On 18 December 2013, the UN General Assembly adopted a resolution on the right to the truth. The resolution stresses how important it is for the international community to recognize the right of victims of human rights violations, the right of their families, and the right of society to know the truth about the violations. In its resolution, the Human Rights Council:

1. *recognizes the importance of respecting and ensuring the right to the truth to contribute to ending impunity, and to promote and protect human rights.*
2. *welcomes the establishment of specific judicial mechanisms and non-judicial mechanisms such as truth and reconciliation commissions, that complement the justice system.*
3. *encourages the states concerned to disseminate, implement, and monitor the recommendations of non-judicial mechanisms such as truth and reconciliation commissions, and provide information regarding compliance with the decisions of judicial mechanisms.*
4. *encourages other states to consider establishing judicial mechanisms, and truth and reconciliation commissions to complement the justice system.*

5. *encourages states to provide assistance regarding the right to the truth by means of, among others, technical cooperation and exchange of information*
6. *encourages states and international organizations to acknowledge the important role of civil society in monitoring the implementation of recommendations of truth commissions*
7. *urges all states that have not done so to consider signing, ratifying, or acceding to the International Convention for the Protection of All Persons from Enforced Disappearance and*
8. *calls upon States to work in cooperation with the Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence.*

The International Convention for the Protection of All Persons from Enforced Disappearance, which entered into force in December 2010, also provides for the right to truth. In further support of the right to truth, UNGA Resolution 65/196 proclaims 24 March as the International Day for the Right to the Truth Concerning Gross Human Rights Violations and for the Dignity of Victims. This international observance was inaugurated on 24 March 2011.

Sources

- Priscilla Hayner, *Unspeakable Truths: Confronting State Terror and Atrocity*, New York and London: Routledge, 2011, p. 24.
- ICTJ, "Nepali Voices: Perceptions of Truth, Justice, Reconciliation, Reparations and The Transition in Nepal," available at <<https://www.ictj.org/sites/default/files/ICTJ-Nepal-Voices-Reconciliation-2008-English.pdf>>
- Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity ("Impunity Principles"), U.N. Doc. E/CN.4/2005/102/Add.1, 8 February 2005, adopted by the UN Commission on Human Rights in Resolution E/CN.4/2005/81, 15 April 2005; <<http://www.refworld.org/docid/42d66e780.html>>
- Promotion and Protection of Human Rights, Study on the right to the truth, Report of the Office of the United Nations High Commissioner for Human Rights E/CN.4/2006/91, 8 February 2006; <<http://www.refworld.org/docid/46822b6c2.html>>

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