

AI INDEX: ASA 31/13/00
24 February 2000

**Public statement made by Secretary General of Amnesty International, Pierre Sane
in Kathmandu, Nepal**

Protecting human rights is the best way to bring peace. It may take time to negotiate a solution, but with the right political will human rights abuses can be ended immediately.

Nepal has what it needs to avert a human rights crisis - an active civil society and strong constitutional and international guarantees for human rights. But the time has come for politicians to put their differences aside when it comes to human rights.

Political leaders from across the spectrum have spoken to us of the need for "national consensus" in dealing with the "people's war". But national consensus should not be at the expense of human rights - it should be founded on respect for Nepal's international human rights commitments.

The need for action has never been more urgent. Even this week, while we have been in the country, there has been a dramatic escalation of the conflict with the killing of 18 police in Rolpa and 18 alleged Maoists "in retaliation".

The people of Nepal should not sit back and watch this death toll mount like a cricket score. Amnesty International joins human rights defenders in Nepal in demanding accountability from the authorities in upholding the fundamental human rights guaranteed in Nepal's Constitution.

WE also urge the leadership of the CPN (Maoist) to put an end to abuses and issue strict orders to its cadres not to attack civilians, take hostages, kill or torture prisoners or recruit children into their ranks.

We have been pleased to receive some positive commitments from the government authorities during the course of our visit.

WE were told by the Prime Minister that the National Human Rights Commission would be established immediately, a long overdue addition to human rights protection in Nepal. The special committee to nominate the members of the Commission will meet tomorrow morning and pass its recommendations to the King. The leaders of both major political parties confirmed their support for the prompt establishment of this body.

We were assured by the Prime Minister and leaders of both major political parties that the proposed Bill extending powers to the police and Chief District Officers (CDOs) will be amended to reflect national consensus and Nepal's international human rights obligations.

We were alarmed, however, at the degree to which police operations in the context of the "people's war" are not subject to proper control. There appears to be NO independent investigation of alleged "encounter" killings. There has not been a single case of any police officer being charged, let alone prosecuted, in relation to excesses committed in the context of the insurgency. Bodies are cremated and evidence lost before investigation can take place. Chief District Officers, prosecutors and district courts turn a blind eye as case after case of killings in disputed circumstances get reported.

Home Minister and police authorities have undermined the authority of the courts, failing to comply with *habeas corpus* orders to produce the detainees held under the Public Security Act or rearresting them after the courts orders their release. Evidence continues to emerge of police holding detainees in secret places of detention, such as the Armed Police Training Centre at Maharajgunj Police Academy.

We were promised that investigations would be carried out into 44 cases of "disappearances" recorded over the past two years.

The Nepal Government should seek international assistance from the United Nations (UN) and other donors in addressing the weaknesses and shortcomings in the legal framework that allow human rights violations such as "disappearances" to occur. In particular, we encouraged the authorities to invited the UN Working Group on Disappearances to visit Nepal to assist them in dealing with the alarming problem.

The Maoist problem should not be allowed to eclipse other longstanding human rights issues rooted in discrimination and poverty such as violence against women and *dalits*. They in turn feed the conflict and underline the need for a holistic strategy founded on human rights to solve the "people's war".

Once again, Amnesty International strongly condemns the human rights abuses that have been committed by both sides to this conflict. We urge Nepal's leaders to learn from the mistakes of Nepal's neighbours and not to repeat them - and to ensure respect for the human rights of all Nepalese people.

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