

# AMNESTY INTERNATIONAL PRESS RELEASE

## Public Statement

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### **Nepal: Lives must be protected during coming strike**

*In the run-up to a national strike (*bandh*) called by the Communist Party of Nepal (Maoist) from 23 to 27 April, Amnesty International is appealing to both the Maoists and the security forces to safeguard the lives of civilians and others not posing a direct threat to life.*

*Bandhs have been regularly called by the Maoists as part of a "people's war" declared in February 1996. They are often enforced by issuing threats or otherwise instilling fear among the people and result in transport, education, industry and markets grinding to a halt. During a meeting on 15 April, the main political parties called for people not to heed this latest call for a *bandh*.*

*Amnesty International is particularly concerned about wide powers given to the security forces to use lethal force "on anybody found to be indulging in destructive activities and any other activities aimed at disrupting the peace". Amnesty International fears that this vague formula provides official sanction to the security forces to commit extrajudicial executions.*

*"The powers given are in direct violation of Nepal's treaty obligations which requires that states' laws strictly control and limit the circumstances in which a person may be deprived of his life by the authorities," Amnesty International said.*

*Amnesty International is urging the government to ensure that principles on the use of force by law enforcement officials as laid down by*

*the United Nations in the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials are fully adhered to.*

*During previous bandhs, members of the CPN (Maoist) have been responsible for the deliberate killing of civilians not adhering to their call for a general a strike. On 22 February 2002, five civilians, including an eight-year-old girl, were burned to death when Maoists stopped a night bus in Chitwan district and set it on fire with the passengers inside, apparently because the bus driver was not adhering to the Maoist bandh declared that day.*

*"The disrespect for the lives of civilians repeatedly shown by the Maoists is making our organization very concerned about possible widespread killings during the forthcoming bandh", Amnesty International said.*

### **Background**

*In a report *Nepal: A spiralling human rights crisis* issued on 4 April 2002, Amnesty International expressed concern about an escalation of human rights abuses committed by the Maoists and security forces, especially since the declaration of a state of emergency in November 2001.*

*The right to life is not explicitly guaranteed in the 1990 Constitution of Nepal. Under Article 4 (2) of the International Covenant on Civil and Political Rights, to which Nepal is a party, there can be no derogations from the duty to uphold the right to life even "in time of public emergency which threatens the life of the nation". The Nepal Treaty Act of 1993 stipulated that provisions in international treaties to which Nepal is a party will supercede Nepalese law where there is divergence.*

*Since the start of the "people's war", there has been increasing concern that the authorities have failed to impose strict limitations on the use of force and firearms by the security forces or to take appropriate actions against abuses. This concern has heightened after the army was called out and the state of emergency imposed in late November 2001. Since then, the number of alleged unlawful killings have increased dramatically. The reported incidents have included killings of civilians in reprisal for the killing of police and army personnel by members of the CPN (Maoist); killings of armed members of the CPN (Maoist) in circumstances where they could have been taken into custody or where they already had been taken prisoner, and the avoidable use of lethal force.*

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