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Nepal: U.N. Human Rights Field Operation a Step Forward Continuing abuses and state of emergency must still be addressed by the Commission on Human Rights

Amnesty International, Human Rights Watch and the International Commission of Jurists today welcomed the signing of a Memorandum of Understanding between the Government of Nepal and the United Nations High Commissioner for Human Rights providing for deployment of an international human rights presence to Nepal.

The agreement calls for UN offices to be established in Kathmandu and, importantly, in regional centres, to help establish accountability for rights abuses and prevent further violations by both government forces and Maoist rebels, who have been locked in a civil war since 1996.

The organisations stated that full and rapid implementation of the agreement is necessary in order to stem the tide of abuses being committed by the security forces and Maoists.

They stressed that the U.N. monitors must have complete freedom of movement in all parts of Nepal, not just to monitor, but also to investigate and report on allegations by any party.

"The establishment of a free-standing Office of the High Commissioner for Human Rights in Nepal is an important step towards protecting human rights in Nepal," said Brad Adams, Asia Director of Human Rights Watch. "The U.N. human rights operation will monitor, and act on abuses by both the government security forces and the Maoists. Although the agreement is clear, the international community must remain vigilant to ensure that this agreement is complied with effectively and fully."

The organizations emphasized the challenges facing the UN, particularly after the King seized power on 1 February.

"Civilians across Nepal -- particularly those in rural areas -- have experienced gross human rights abuses, terror and violence for many years now," said Purna Sen, Director of the Asia and Pacific Programme at Amnesty International. "These abuses have only increased since the King's seizure of power, suspension of fundamental rights and crackdown on civil society. The establishment of an effective UN human rights operation can help provide the protection these civilians so desperately need."

On 5 April the Maoists publicly called for an international presence and committed themselves to cooperating with such an operation.

"We now have a clear commitment by the Maoists and the government of Nepal, which must be translated into sustained and real cooperation by both sides," said Nicholas Howen, Secretary-General of the International Commission of Jurists. "The Maoists have carried out brutal acts against civilians. This is the first opportunity to test whether their promise to bring their behaviour into line with international standards will be backed up by deeds."

Nepal's vibrant civil society will continue to play an essential role in promoting and protecting human rights and documenting abuses, and it is vital that the UN human rights operation provides them with the support and protection required to do this.

The organizations said that while the agreement with the UN is an important mechanism to address the grave human rights situation in Nepal, equally important is a frank recognition by the international community of this situation and a determination to resolve it. In a resolution the Commission on Human Rights must recognise the gross and systematic abuses of human rights that have been continuing on both sides for years and set out clearly the action that must be taken by both sides to protect human rights. The Commission for Human Rights must also provide an Independent Expert who can provide guidance to the UN operation, the Government of Nepal, Nepali civil society and others, as well as represent the human rights situation in Nepal in the international arena.

"One of the major roles of the Commission is to set out the benchmarks for change that should guide the Government, the Maoists and this new UN human rights operation," said Nicholas Howen.

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