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Nepal: Twenty steps to stop slide towards human rights catastrophe

At the end of a two-week visit to Nepal, an Amnesty International delegation urged the government to take urgent measures to prevent the country sliding towards a human rights catastrophe.

The delegates conducted on-site investigations in Dhanusha, Sarlahi, Kavre and Nuwakot districts where they investigated reports of extra-judicial executions, arbitrary arrests and "disappearances" by the security forces and reports of human rights abuses by the Communist Party of Nepal (CPN (Maoist)).

On the basis of information gathered on this visit, and previous visits to the country since the start of the armed insurgency between the security forces and the Communist Party of Nepal (CPN) (Maoist) in 1996, Amnesty International concluded that elements of the armed forces seem to be pursuing a strategy of "disappearances" and extra-judicial executions as part of their counter-insurgency operations.

As a result, hundreds of people have "disappeared", are in unacknowledged detention or have been extra-judicially executed. Relatives of victims have found themselves powerless and in a judicial limbo because the justice system is failing in its duty of establishing the whereabouts of their loved ones, or the circumstance of their killing or "disappearance".

Amnesty International also strongly condemned abuses by the CPN (Maoist), including the abduction and killing of civilians and the forced recruitment and indoctrination of school students. Amnesty International is investigating the recent reports of a mass abduction of school students in Bajura district, Western Nepal.

The delegates spent two days meeting with government authorities including Prime Minister Surya Bahadur Thapa, Major General Kul Bahadur Khadka, Chief of the National Security Council, Deputy Superintendent of Police Nawa Raj Silwal, from the Human Rights Cell at Police Headquarters, Ravi Raj Thapa, Additional Inspector General of Police of the Armed Police Force and Major General Amar Panta and other members of the Royal Nepal Army (RNA) human rights cell. They also met with members of the National Human Rights Commission (NHRC) and Mr Kul Ratna Bhurtel of the Human Rights Promotion Centre.

Among Amnesty International's recommendations -- many of which can be implemented rapidly if there is political will -- are:

Amnesty International calls on the government to sign the Human Rights Accord, which would give the NHRC a mandate to establish up to five regional offices to monitor human rights with technical assistance provided by the United Nations (UN);

Reports of extra-judicial executions and "disappearances" by the security forces should be independently and impartially investigated and the findings made public, and alleged perpetrators brought to justice under normal criminal proceedings and not by military tribunals;

The Royal Nepal Army should end the practice of illegal *incommunicado* detention in army barracks and should hand over detainees to police custody within 24 hours of arrest;

The authorities should end the practice of "disappearance" and should make "disappearance" an offence under Nepali law;

The authorities should ensure that interrogation takes place only at official recognized places of detention. In order to eliminate the practice of torture the authorities should adopt the recommendations of the UN Special Rapporteur on Torture;

The government should take immediate steps to invite the UN thematic mechanisms, including the UN Working Group on Enforced or Involuntary Disappearances, the UN Working Group on Arbitrary Detention and the UN Special Rapporteur on torture, and the UN Special Rapporteur on extra-judicial, summary or arbitrary executions, to visit the country as soon as possible.

Among recommendations to the leadership of the CPN (Maoist) are:

The leadership should sign the Human Rights Accord, drawn up by the NHRC, which would provide for human rights monitoring in the country;

It should cease the policy of abduction and killing of civilians;

The CPN (Maoist) should make a commitment not to recruit or otherwise use children in activities related to the conflict;

The leadership of the CPN (Maoist) should make a public commitment to respect the humanitarian missions of all humanitarian agencies, including NGOs, the UN and relief missions.

Amnesty International called on the international community to take steps to prevent the human rights catastrophe continuing to unfold.

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