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2005 UN Commission on Human Rights: Nepal human rights crisis continues: Member states must stand firm on Nepal at the Commission on Human Rights Joint statement

Amnesty International, Human Rights Watch and the International Commission of Jurists today called on the international community to stand firm in its response to the human rights crisis in Nepal at the Commission on Human Rights and continue to monitor ongoing violations.

"The release of some political prisoners on 1 April must not be mistaken by the international community as an improvement in the human rights situation in Nepal. Hundreds remain detained and arrests continue," said Brad Adams, Asia Director of Human Rights Watch. "A careful examination of the conduct by the government of Nepal by independent and credible sources in Nepal reveals that the government's record is getting worse, not better."

Over 600 rights activists, journalists, lawyers, students, and political activists remain detained for their peaceful and legitimate activities since the State of Emergency was declared on 1 February. Madav Kumar Nepal, General Secretary of CPN (UML) who was arrested just prior to the King's proclamation on 1 February remains under house arrest. Madav Kumar Nepal, like many others, has now been detained for over 50 days with no charge.

"We see no sign that the rule of law is being restored. The appalling violence against civilians carried out by the Maoists and security forces continues and the democratic parties, human rights organisations and the media are still intimidated and controlled under the State of Emergency," said Nicholas Howen, Secretary-General of the International Commission of Jurists.

On 20 February, in the east of Nepal, two political activists and a local trade union leader were detained, beaten, kicked and threatened that they would be killed by the military after leading a peaceful pro-democracy demonstration. They were handed to the police on the following day and later released.

In a disturbing trend civilians are increasingly becoming victims of vigilante violence by so called village defence forces. In a recent case in Navalparasi District, a group of villagers reportedly tortured and killed a civilian. Following a recent case of village militia violence in Kapilbastu the Home Minister went on public record to applaud allegations of extra-judicial executions by vigilante groups, stating that recourse to the courts "is not relevant during a war".

The atmosphere of intimidation and control has prevented human rights investigation and reporting.

In spite of its critical role in this context, and notwithstanding government affirmations to the contrary, the National Human Rights Commission (NHRC) has been prevented from exercising its mandate, most recently on 31 March 2005, when military authorities refused the NHRC access to detainees held in military barracks in Kathmandu. In February, members of the NHRC were prohibited from travelling to Kapilbastu District where they were planning an investigation into reports of killings, sexual violence and house-burning by village militia.

"These abuses must be fully investigated and those responsible brought to justice," said Purna Sen, Director of the Asia and Pacific Programme at Amnesty International. "The Commission on Human Rights must take a decisive stand by appointing a Special Rapporteur and ensuring the establishment of a stand-alone Office of the High Commissioner for Human Rights that can contribute to monitoring and protecting human rights throughout Nepal."

The organisations called on the members of the Commission on Human Rights to approve a resolution urging the establishment of a UN High Commissioner for Human Rights office with a strong monitoring mandate and the appointment of a Special Rapporteur on human rights to report publicly on the human rights situation in Nepal.

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