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OFFICE OF THE HIGH COMMISSIONER
FOR HUMAN RIGHTS IN NEPAL**



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**HIGH COMMISSIONER FOR HUMAN RIGHTS CALLS FOR STATE AND
MAOISTS TO RESPECT INTERNATIONAL HUMANITARIAN AND HUMAN
RIGHTS LAW IN NEPAL'S ARMED CONFLICT**

The United Nations High Commissioner for Human Rights today called for full respect for international humanitarian and human rights law in Nepal's armed conflict, following the end of a four-month unilateral ceasefire by the Communist Party of Nepal (Maoist).

"It is a tragedy for the people of Nepal that full-scale armed conflict may now resume. But there need not and must not be the same gross violations of international humanitarian law and human rights standards that have been perpetrated during previous phases of the conflict", High Commissioner Louise Arbour said. "Nepal is a party to the Geneva Conventions as well as to most international human rights treaties: its security forces are aware of and must fully respect their legal obligations. The leadership of the CPN(Maoist) has made general commitments to observe international humanitarian law and respect human rights: I call on them to declare publicly their acceptance of all that these principles require, and to explain to their cadres their responsibility to respect them in practice. Those on either side of the conflict who commit violations must be held accountable: not only the perpetrators but also those in command of forces which commit such acts may be subject to individual criminal responsibility before a court of law."

International humanitarian law, applicable in situations of armed conflict, prohibits murder or violence to persons taking no active part in hostilities. "I remind the CPN(Maoist) that this includes government officials, the families of security forces personnel, and persons alleged to be informers," the High Commissioner said; "and I remind the state security forces that this includes unarmed persons thought to be Maoists or to have aided the Maoists." The law prohibits attacks against civilians and acts or threats of violence intended to spread terror among the civilian population, and it requires that the parties to the conflict distinguish between civilian objects and military objectives.

Despite these clear legal obligations, during the course of the armed conflict in Nepal, both parties have committed serious violations of international humanitarian law. Extrajudicial executions, forced disappearances and abductions, attacks on public transport buses, the indiscriminate release of bombs from helicopters over targets where civilians were present and were subsequently killed and injured, the widespread torture of detained persons, the inappropriate use or disposal of improvised explosive devices

leading to the death or injury of civilians, have all occurred in the context of Nepal's armed conflict.

International human rights and humanitarian law provides special protection for children, including prohibitions on the recruitment and use of children as soldiers or in other capacities related to the conflict. In contradiction with these standards, children have been killed and injured, forcibly recruited, used as informers, and arbitrarily detained and beaten in the context of the armed conflict in Nepal.

“My Office in Nepal will be closely monitoring the conduct of both parties in the period ahead, and I will be reporting accordingly to the Commission on Human Rights,” the High Commissioner said.
