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FOR HUMAN RIGHTS IN NEPAL



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**Impunity remains major obstacle to the peace process  
five years after killing of Maina Sunuwar**

Tuesday will mark five years since the torture and killing of 15-year-old Maina Sunuwar by members of the former Royal Nepal Army. Despite a September 2007 Supreme Court ruling that police conduct an investigation and years of advocacy by the human rights community, the alleged perpetrators have yet to be brought to justice. The lack of progress in the case of Maina Sunuwar is emblematic of the overall lack of accountability for human rights violations which occurred both during and after the conflict in Nepal between 1996 and 2006.

OHCHR-Nepal encourages the Government, once again, to ensure that the Nepal Army (NA) cooperates fully with the Nepal Police and the District Court in Kavre so that those responsible for the killing of Maina Sunuwar can be brought to justice. This includes turning over court-martial documents and making two of the alleged perpetrators, who continue to serve with the NA, available for investigation and arrest by the relevant authorities.

The case of Maina Sunuwar is not only about the torture and killing of one person. The continued impunity for conflict-related violations sends a message that political violence carries with it no consequences and thus emboldens those who seek to use violence to further their criminal and political agendas today. This culture of impunity applies to both past and present human rights violations. Justice has been denied equally to the families of Maina Sunuwar, to five students in Dhanusha District and hundreds of persons in Bardiya abducted and disappeared during the conflict, and to the families of more recent victims, including those killed in Dang District two days prior to the CA election, as well as Birendra Sah and Ram Hari Shrestha. The NHRC has issued recommendations in many of these cases, most of which have gone unimplemented.

OHCHR-Nepal encourages the Government to take prompt action to investigate and prosecute these incidents, to ensure that police and prosecutors' offices have sufficient resources and receive all necessary cooperation, and to make a renewed commitment to implement the many outstanding NHRC recommendations – including a recommendation for compensation in the Maina Sunuwar case – and Supreme Court decisions. OHCHR-Nepal remains willing to support the Government in these efforts.

“Nepal has made remarkable strides since the beginning of the peace process. However, lack of accountability and a widespread perception that human rights violators are not subject to the rule of law threatens to undermine the many successes of the process so far,” said OHCHR-Nepal Representative Richard Bennett. “The successful prosecution of human rights violators, including in the case of Maina Sunuwar, will demonstrate to all Nepalis, and to the world, that the Government is fully committed to justice as an integral component of durable peace and stability.”

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