

PRESS STATEMENT



Thursday, 10 November 2011

UN concerned over recent Govt. decisions to appoint, pardon and promote alleged perpetrators of human rights violations

KATHMANDU – 10 November 2011 – The United Nations Human Rights Office in Nepal (OHCHR-Nepal) today expressed concern over a series of recent decisions by the Government of Nepal to appoint, promote or pardon public officials implicated in serious crimes and human rights abuses in Nepal. Such decisions, taken in relation to both senior politicians and officials of Nepal's security forces, undermine efforts to address impunity in the country, and taint recent positive progress on the peace process.

More recently, on 8 November 2011 the Council of Ministers decided to appoint Constituent Assembly (CA) member Suryaman Dong Minister of State for Energy, despite an outstanding warrant for his arrest in relation to the abduction and murder of Arjun Lama in 2005. This comes after a similar Government decision in May to appoint CA member Agni Sapkota, also implicated in the Lama case, as a Government Minister. At the same meeting the Council of Ministers further agreed to request the President to pardon CA member Bal Krishna Dhungel. Dhungel was convicted in 2004 on murder charges, a verdict upheld by the Supreme Court in 2010, which has since reaffirmed that the sentence should be served.

A week earlier the Government had also decided to promote Durj Kumar Rai to the position of Additional Inspector General of the Armed Police Force. Rai's promotion was approved despite his direct implication in the killing of pro-democracy demonstrators in 2006, for which the Rayamajhi Commission had recommended his criminal prosecution. In July 2011, the Nepal Army also promoted Brigadier General Victor Rana to Major General, despite his alleged command responsibility in relation to multiple cases of arbitrary detention, torture and disappearances at the Maharajgunj Barracks in 2003 and 2004. Neither Rai nor Rana have faced criminal investigation or prosecution in relation to these crimes.

"As the Government of Nepal takes important and positive steps to advance the peace process and establish transitional justice mechanisms to address past crimes, such decisions will establish a trend to entrench impunity and send the wrong message at the wrong time," said Jyoti Sanghera, head of OHCHR-Nepal. "The Government should respect Nepal's judiciary and the rule of law."

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