



HUMAN RIGHTS HOME

मानव अधिकार गृह

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24 July 2007

HM Ambassador Andrew Hall
British Embassy
Kathmandu

Your Excellency,

As human rights defenders, we are very concerned by the news that the British Government is officially hosting the Chief of the Army Staff of the Nepal Army, General Rukmangat Katuwal in London this week.

At the time of the appointment of General Katuwal, we urgently appealed to the Government against his appointment on grounds of his direct involvement in grave human rights violations in the Mid-Western Region in the first nine months of 2004. You will also recall his direct involvement in the planning and execution of the Royal takeover. He has expressed his negative views on human rights and democracy in numerous press articles. Sadly, our appeals were not heard.

While noting the statement issued by the Embassy yesterday stressing that human rights will be raised during the visit, we remain concerned that this official visit sends the wrong signal to the Government of Nepal, the Nepal Army and indeed the general public.

Despite more than a year since the Jana Andolan, so far no members of the security forces have been brought to justice for crimes committed during the conflict or during the people's movement. Numerous international bodies including the OHCHR have established that the pattern of violations during the period was widespread and systematic. The High Commissioner has stated that some of the violations constitute crimes against humanity.

The Nepal Army has repeatedly failed to cooperate with the courts, the police as well as the United Nations Office of the High Commissioner for Human Rights in relation to ongoing investigations into grave human rights violations, such as the death in custody of Maina Sunuwar and the mass disappearances at Bhairabnath battalion, Maharajgunj. We are aware of the internal NA investigation concerning Maina Sunuwar. We are also aware that the investigation found incontrovertible evidence of grave violation including torture.

The perpetrators chose to cover up the killing. Senior Army staff chose to cover up the investigation. The cover up continues under the COAS.

The EU has repeatedly stated that impunity is linked to all of the crucial elements of a sustainable peace. One example involving the UK is SSR. A successful SSR process underpins a sustainable peace. We understand that the UK is seeking to play a key role in SSR. We support the idea of a neutral party assisting in SSR but public perception is critical in such work. The public perception is also very crucial in this regard. This is clearly damaging the ability to carry out SSR with both sides to the conflict.


We welcome the condemnation by the Guardian newspaper in the article, **The greatest threat to peace in Nepal is military impunity** published last Friday. The writer in our view is absolutely right when she says that Britain is “wrong to roll out the red carpet for the head of a defiant army that so gravely imperils the path to democracy”. We fear that the Nepal Army will see this official visit as a sign of the British Government’s condoning of the Nepal Army’s appalling record of human rights violations and their refusal to allow investigation and prosecution of alleged military perpetrators.


In our view, there will no peace in this country unless the longstanding climate of impunity is addressed. We need the support of the international community to make our leaders understand and accept the importance of this.

We urge the British Government to urgently review its position and acknowledge the lack of impact to date of its engagement on human rights, and specifically accountability.


In your capacity as the current European Union Presidency in this country as well as British ambassador, we urgently ask you to convey our disappointment to your and other governments. We are seeking assurances from your and other European governments that you deplore the Nepal Army’s lack of cooperation with ongoing investigations and will take initiatives to press the Government and the Nepal Army to restore accountability in Nepal and thus contribute to sustainable peace and democracy.

Yours sincerely,

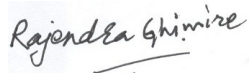

Sushil Pyakhural


Dr. Gauri Shankar Lal Das


Kapil Shrestha


Dr. Gopal Krishna Sivakoti

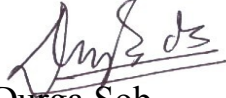
Subodh Raj Pyakurel



Rajendra Ghimire



Shovakar Budhathoki



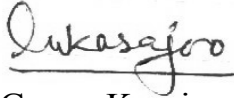
Durga Sob



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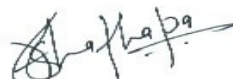
Kedar Khadka



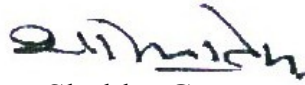
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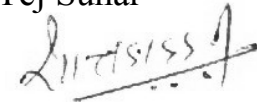
Reshma Thapa



Shobha Gautam



Tej Sunar



Shanta Lal Mulmi