

PRESS RELEASE:

**Appeal of Civil Society, Human Rights Activists and Victim Community against the Conspiracy to Provide Immunity to Criminals of War Crimes, Crimes against Humanity and Serious Crimes
18 November 2018, Kathmandu**

It has been twelve years on 21 November 2018 since the signing of the Comprehensive Peace Accord to end the 10-year long Maoists armed conflict in Nepal. In this violent conflict, both the State and insurgents got involved in blatant violation of humanity. Seventeen thousand persons were killed, and thousands of persons became victims of other serious crimes including disappearance, abduction, torture, mutilation, rape and displacement. Series of incidents of war crimes, crimes against humanity and other heinous or serious crimes took place. There are hundreds of thousands of victims of conflict-era crimes in search of justice in Nepal. The rights of the victims to truth, justice and reparation have not been fully guaranteed in these 12-years of post-conflict period. However, because of pressure created by the national/international human rights movement, transitional justice campaign has been successful to complete the task of preliminary phase. Various national/international agencies, non-governmental organizations, media, civil society, victims and human rights community have documented the cases of these atrocities. More than 65000 complaints received by specialized mechanisms for transitional justice, namely the Truth and Reconciliation Commission and the Commission for Investigation of Enforced Disappeared Persons- are in the process of investigation. Various Courts, National Human Rights Commission (NHRC) and United Nations' mechanisms have already rendered judgments in hundreds of cases, and many are still sub-judice. However, the perpetrators' class, which has been able to succeed in capturing or controlling the State power, has become an obstacle to complete the remaining task of transitional justice. Therefore, the major task of the human rights movement now is to defeat the ill-attempt of the perpetrators who are in search of permanent guarantee for immunity or amnesty in serious crimes directly or indirectly; to penalize the perpetrators by establishing the truth behind the crimes; and to provide justice and reparation through empowerment of the victims.

Unfortunately, some colleagues within the human rights community have been found surprisingly taking leadership in conspiring to abort the main agenda of the human rights movement of Nepal; to provide immunity to the perpetrators of war crimes, crimes against humanity and other heinous or serious crimes; and to frustrate the witness, evidence and victims of the incidents. Named as 'an initiative from the new point', the completely new outlook presented in the road-map prepared on the basis of secret strategy, has attempted to establish transitional justice merely as the subject of political solution (through a so-called high-level mechanism). To get the agreement from the victims on this, the strategy of intimidation, lure and deception has been applied. In substance, the army integration model based on *quid-pro-quo* (something for something) seems to have been adopted as the strategy to resolve it. From the implementation of the strategic conspiracy formulated with party and personal interests as murky deals raised with perpetrators, it is sure to abort the ongoing campaign in search for justice and completely frustrate all the achievements till this date relating to transitional justice. It is our claim that the direct involvement of the persons trading party and personal interests with the current government occupied with the perpetrators' class, in the confidential agreement masking themselves as the representatives of the human rights community; their involvement in formulating strategic road-map or work schedule and in giving direction to its

operation and implementation - is against the standards of good conduct relating to conflict of interests. This has impacted on the integrity of entire human rights fraternity. Therefore, we would like to make it public that we do not have agreement or participation in the non-transparent, deceitful, factionist, immoral tactics, and so-called road map and its implementation which is against the entire human rights movement and victim community. Moreover, we strongly condemn the government action in lodging fake serious case on attempt to murder against Mr. Nur Prashad Adhikari – the son of conflict-era crime victim Satyagrahi Ms. Ganga Maya Adhikari, apparently with mala fide intention, as the recent case in the sequence of conspiracy of the perpetrators' side, and we hereby appeal for his release rendering fair justice.

Lastly, we would like to request Federal Parliament, National/International Law Enforcement Agencies, National Human Rights Commission (NHRC), Transitional Justice Mechanisms, United Nations Security Council, OHCHR, Human Rights Council, UN Member States, National/International Civil Society, Media, Nepali Community across Nepal and abroad to act for investigating, prosecuting and penalizing to the maximum extent the perpetrators of war crimes, crimes against humanity and other heinous or serious crimes, and ensuring legally the rights of the victims to truth, justice and reparation, to save humanity. Further, we appeal everyone concerned to take initiative from own sector to bring the perpetrators under the scope of universal jurisdiction, stop the entry permit for foreign visit, apply vetting, and expose the conspiracy made with party and personal interests.

Appellants

1. Satyagrahi Ms. Ganga Maya Adhikari, Conflict-Era Crime Victim
2. Advocate Om Prakash Aryal, Lawyer/AWC
3. Indra Prashad Aryal, Chairperson, HURON/Lawyer
4. Advocate Badri Prashad Bhusal, Chairperson, COCAP/Lawyer
5. Sabitri Shrestha, CVCP Central Member/AWC
6. Sagar Adhikari, Bandarmudhe Incident Victim Family
7. Devi Sunar, CVCP Vice Chairperson
8. Gopal Bahadur Shah, CVCP Vice-President
9. Rajan Kuikel, Former Chairperson of AI Nepal
10. Sr. Advocate Dinesh Tripathi, Lawyer/AWC
11. Basanta Jung Thakuri, HURON Nuwakot
12. Pritam Subedi, Social Activist
13. Advocate Shiva Hari Timilsina
14. Pro. Kapil Shrestha, Human Rights Activist/AWC
15. Lok Raj Awasthi, Mission Naya Abhiyan
16. Charan Prasai, Human Rights Activist/AWC Chairperson
17. Sr. Advocate Babu Ram Giri, Lawyer/AWC
18. Safalta Bogati, Nuwakot
19. Dr. Kedar Narsingh K.C (Civil Society Representative)
20. Mohan Gyawali, Teachers' Federation
21. Advocate Puspa Raj Poudel, Advocacy Forum
22. Lenin Bista, Ex-Child Soldier/Chairperson