



## **Press Statement**

**20 June 2020**

**Kathmandu Nepal.**

### **Obstruction of Justice on Kumar Poudel Case-One Year of Impunity**

On 20 June 2019, Kumar Poudel, Sarlahi district in-charge of the Biplab-led Communist Party of Nepal, was taken into control and shot dead by the police at Lalbandi Municipality-1, Lakhandehi jungle. One year after the extrajudicial execution and obstruction to the justice process, victim's family are still waiting for justice. Advocacy Forum-Nepal (AF) condemns the politicization of unlawful execution and draws the attention of the Government as well as the concerned authorities on lack of impartial and independent investigation of the incident and ensure justice to the victim and victim's family.

The execution of Kumar Poudel and subsequent delay and denial of justice to the victim and victim's family is a manifestation of obstruction to the access to justice and a glaring example of impunity deeply embedded in incidents of serious human rights violations of the past and present. On 31 July 2019, Advocacy Forum-Nepal and INSEC jointly published a field monitoring and investigation report providing ample evidence that the incident was a pre-mediated extrajudicial execution. After repeated advocacy and campaign, on 21 October 2019, the National Human Rights Commission (NHRC) recommended<sup>1</sup> to the government stating that the incident violates Article 16 of the Constitution and Article 6 of the ICCPR so the Government should investigate and prosecute the ones responsible for the incident. The NHRC also recommended the Government to provide NRS. 300,000 as compensation to the victim's family as a violation of Article 16 of the Constitution. However, even after 8 months since the NHRC recommended the Government, no action has been taken. Instead, the Sarlahi Police denied registering the First Information Report (FIR) lodged by the victim's family on 06 February 2020 and later submitted to the District Attorney Office Sarlahi lacks progress. Lack of accountability on the case increases various forms of threats and intimidation and raises security concerns to the victim's family.

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<sup>1</sup>

[https://www.nhrcnepal.org/nhrc\\_new/doc/newsletter/Recommendation%20to%20the%20Government%20of%20Nepal%20Concerning%20Kumar%20Poudal.pdf](https://www.nhrcnepal.org/nhrc_new/doc/newsletter/Recommendation%20to%20the%20Government%20of%20Nepal%20Concerning%20Kumar%20Poudal.pdf)



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In light of the persistent impunity and lack of access to justice, we call upon the Government to immediately implement the recommendations of the NHRC and bring the perpetrators within the parameters of justice. Furthermore, AF strongly urges the Government to order the concerned police office to register the FIR and conduct a prompt, independent and impartial investigation into the case and ensure justice to the victim family.

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Director

Advocacy Forum - Nepal