

Report on the killings in April 2010
(based on INSEConline news)

Background

Killing, abduction and extortion among other problems have persisted in Nepal even after the successful April Movement 2006 and Comprehensive Peace Agreement 2006. Activities as those common during the 10 years of conflict were thought of being numbered after the peace agreement but the things did not turn out had expected by the people. A new wave of Madhesh Uprising emerged in January 2007 and sprouting armed groups calling for the cause of Madhesi people and other nationalities have only added to the difficulties. The state is struggling to deal with the groups and address their logical demands and checking on untoward activities. The political scenario and the political parties' struggle to grab and remain in power have also exacerbated the chaos. The senior police officers and administrators admit that political interference is impeding fulfillment of their duty as the political interference is blatant in some cases.

The present report focuses on the incidents of killing filed to INSEC's human rights news portal INSEConline on the month of April. This report has tried to omit any individual killing. The killings where the perpetrators are unknown are included so are the killing as a result of violence against women and children 16 years of age or below. This INSEconline report on killing also includes the killing attempts and threats recorded in INSEConline.

Summary

INSEConline recorded killing of 17 persons in March. Among them, one was killed at the hands of the states while seven persons were killed by unidentified groups. Three persons were killed by husband or relatives while acquaintance killed two. Five persons were shot dead and three died when being attacked by sharp weapon. Six persons were beaten to death. Three of the killed persons were UCPN-M affiliate while one each was member of UML and NC. Eleven of the killed were male while one deceased was a child.

State killing

One man was killed by the state in the month of April. The man was a prison inmate serving 10 years of jail sentence after being convicted of raping a minor girl. He was shot by prison security guard as he attempted to escape the jail by crossing the wall.

Some facts on the trend of killing in April

Districts: Udaypur- 1, Siraha- 1, Banke- 3, Tanahun- 1, Baitadi- 2, Dang- 2, Saptari-1, Nawalparasi- 1, Khotang- 1, Mahottari- 1, Kapilbastu- 1, Morang- 1

Perpetrator:
Police- 1; NC- 1, JTMMP- 1, TJMM- 1, Unidentified- 7, Family/Husband- 3, Acquaintance- 2

Sex:
Male- 11; Female- 6

Age: Adult- 16; Child- 1

Political affiliation of victims:
UCPN-M- 2, UML- 1, NC- 1, NSP (A)- 1; Matrika Yadav-led CPN-M

Victims of Armed Group: 0

Motive/ Cause:
Police action-1, Allegation of theft- 1, Domestic dispute- 1, Clash- 1, Dispute- 3, Unknown- 8

Attempted killing: 0

Death Threat:
Dolakha- 1

Killing of Politically-affiliated Persons

Six politically-affiliated persons were killed this month. Among them, two were related to UCPN-M while one each was linked with Nepal Sadbhawana Party- Anandi Devi (NSP-A), UML, NC and Matrika Yadav led CPN-M respectively. Out of two UCPN-M cadres, one was a worker at Gorkha Brewery in Nawalparasi who was killed in a clash with a group of fired workers. One was UCPN-M's Abadh State Committee member shot dead by an unidentified group. One UML cadre died while undergoing treatment for injuries he sustained in an attack by NC cadres. The beating took place after a dispute of construction of local road in the village. The NC cadre killed was shot injured in front of his house by unidentified men and died four days later while undergoing treatment at BPKIHS in Dharan. District vice-chairperson of Nepal Sadbhawana Party (Anandi Devi) was killed by unidentified persons.

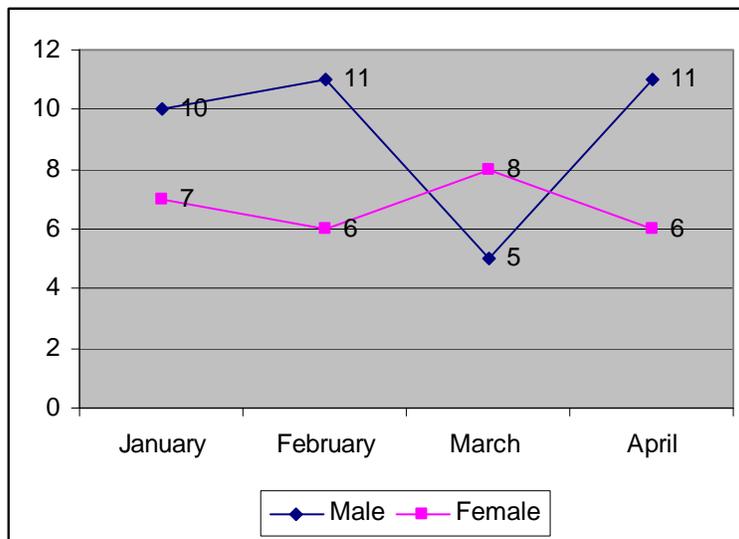


Figure: Number of persons killed since January 2010

Violence against women

Six out of 17 persons killed in April were women. Among them, three were killed by family members while two by local villagers. In Dang, a man beat his wife to death after a dispute and in Baitadi, a woman was beaten to death by her brother-in-law. In another case in Morang, mother-in-law strangulated her daughter-in-law and tried to cover it up by making her death look like a suicide. One woman was killed by an acquaintance when she refused to sell more liquor to already drunk man. In another case, a woman was beaten to death on charge of stealing the key of the cycle.

Death of Children

One boy was among the 17 killed this month. The boy was found dead in a safety tank

with deep cuts in his throat and abdomen. The 13-year-old boy, son of a wage earner, had gone out of his home.

Types of killing

Six out of 17 persons were beaten to death while sharp weapon killed three persons. Three persons were shot dead while a woman was strangled by her mother-in-law. Nature of death of two persons could not be established. One of the men shot dead was at the hands of police as he tried to escape the prison. One man was killed after abduction.

Perpetrators

Police shot dead one man, prison inmate, in an attempt to stop him from fleeing from prison. NC cadres were involved in the killing of a UML cadre in Banke. He died of the injuries inflicted in the beating. A man injured in the shooting by Janatantrik Tarai Madhes Mukti Party (JTMMP) died few days later at BPKIHS, Dharan. Tarai Janatantrik Mukti Morcha shot dead a civilian belonging to low economic strata. The group gave no reason. Three women killed in domestic violence were killed at the hands of husband, brother-in-law and mother-in-law while acquaintances killed two women over minor scuffle.

Killing on Geographic basis

Nine persons out of 17 were killed in Tarai while other eight persons were killed in hilly district. Three persons were killed in Banke while two were killed in Dang. Udaypur, Siraha, Saptari, Nawalparasi, Mahottari, Kapilbastu and Morang had one killing each. In Baitadi, two women were killed while Tanahun, Khotang and Udaypur had one each.

Death Threat

This month, INSEOnline reported death threat of one person. A boy was abducted in Dolakha by unidentified group and the family received threats of killing the boy unless the demanded money was paid.

Present Status

Police firing killed an inmate trying to escape the jail. A fact finding mission conducted later concluded that the police had used excessive force and could have left him injured rather than fatally shooting him down. Police arrested few persons in relation to the killing of Matrika Yadav led CPN-M cadre who also happened to be involved in community forest committee. Police had advised him to remain vigilant causing an uproar about involvement and incompetence of the police who might have some hint about threat to him. Many of the unknown assailants could not be

Some national and international provisions related to right to life

Article 3 of the **Universal Declaration of Human Rights** says, "Everyone has the right to life, liberty and security of person".

Article 6.1 of the **International Covenant on Civil and Political Rights** says, "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life".

Article 12.1 of the **Interim Constitution, 2007** has the provision that "Every person shall have the right to live with dignity".

identified. In case of a woman strangled by her mother-in-law, the perpetrator was arrested and also in the case of a woman killed by her brother-in-law. In Dang, where a man was found dead after abduction, the family filed an FIR accusing local gang for being responsible but the police were yet to arrest the members.

Observations:

- Number of killings increased by four
- Less number of attempts on life and death threats
- Police killing of a man trying to escape
- Known Tarai armed groups emerged
- Political parties involved in killing and number of political cadres increased
- In fighting could have been causing people's death

Recommendations:

- Police should avoid fatal attack when other means are possible
- Domestic violence is should be given proper attention
- Use of arms should be controlled and regulated
- Extra effort should be put on arresting the members of illegitimate tarai groups
- Tarai security problem should be tackled by increasing number of security persons.
- Police and other concerned stakeholders should be motivated to find out the unidentified killers