

STOP KILLING IN NEPAL – CONSTITUTION 2015 BUILDING

Amit Ranjan, September 13th, 2015

Abstract:

This video is about the ongoing violence in Nepal during the Constitution Building Process. More than 40 people are dead including 35 Madhesi and 8 policemen during the political protest. Government of Nepal has resorted to extreme major of crowd control that resulted in policemen and majority of protesters casualties. Human Rights Agencies such as National and International have reported the ongoing declining human rights condition. The core of the issue is the protest by the marginalized madhesi and JanJatis (Indigenous Population) who are sidelined from the constitution building process. The political protests are mostly in the southern Nepal where people are increasingly isolated and discriminated based on ethnicity. These are purely political protest against Government stand on unilateral constitution without inclusiveness. The protests are not in any means directed toward any person or communities.

The violence in protest are fueled by irresponsible communal statements made by the ruling three party leaders who claims that killing few will not make any difference to the constitution making. In fact more than 50% of population is dissatisfied by the constitution draft. Government is adamant not to include the marginalized factions - Madhesis and Janjatis in the process.

Please share this video to depict the other aspects of the ongoing protest which are being covered by the national media influenced by the ruling class.
#StopKillingMadhesiInNepal #StopKillingInNepal

Reference: <http://www.madhesiyouth.com/human-rights/summary-of-human-rights-violations-in-madhesh-nepal/>
<http://www.madhesiyouth.com/news/deaths-in-nepal/>
<http://www.madhesiyouth.com/news/deaths-in-a-timeline/>
<https://petitions.whitehouse.gov/petition/stop-killing-ethnic-group-madhesi-nepal-amidst-unilateral-constitution-promulgation-process-more-40-killed-0>
<https://www.change.org/p/government-of-nepal-stop-nepal-state-terrorism-against-its-own-innocent-people>

Video Audio Transcript:

Nepal, a land of birthplace of Buddha- a bearer of peace and human equality, is burning like a fire ball for its fight for equality. After the terrible earthquake that hit earlier this year, there has been massive influx of foreign aid. In the meantime the final process of constitution making is in process. It seems that the three ruling parties lead by Nepali Congress, CPN UML and Maoist are in a big hurry to finalize the constitution, thereby sidelining the marginalized madhesi and Indigenous populations commonly known as 'JanJatis'. Madhesis and JanJatis represent more than 50% of population in Nepal.

As of now, more than 40 madhesi people in southern Nepal are killed in different incidents. 8 policemen are killed in two different incidents during the clashes between madhesi protesters and the Nepal security forces. The major demand of the protesting marginalized group that includes Madhesis and Janjatis are to honor the previous agreement explicitly written as the "INTERIM CONSTITUTION" of 2006 & 2007, which was amended in the Interim constitution in 2007 after the great madhesi revolution that claimed about 60 people who were killed by the government during the protest.

Interim Constitution of 2063 (2007) about the Progressive restructuring of the State (1) - There shall be made progressive restructuring of the State with inclusive, democratic federal system of governance,⁹⁷ by doing away with the centralized and unitary structure of the State so as to end discriminations based on class, caste, language, gender, culture, religion and region.

(1a)98 Recognizing the desire of the indigenous peoples and of the people of backward and other areas including Madhesi people towards autonomous provinces Nepal shall be a federal democratic republican state. Provinces shall be autonomous and vested with full authority.

The commissioner of NHRC, Mohna Ansari has said, "We have found excessive use of force by the state to control the protesters in all districts. Such approach has fuelled locals' anger. Security forces applied the same tactics to control the protesters without analyzing the situation. [NHRC has issued six press releases since August 24](#), the day Tikapur incident happened. Five of these press releases advise protesting political parties and lawmakers to exercise restraint. Following this, the police have erupted with violence in Nepal's Terai. They are not following minimum standard in the use of force and have been shooting directly with intent to kill, with a revenge and tribal mentality that cannot be justified under any circumstances. Terai now burns; are 2-5 deaths almost every day.

Amnesty International calls on the Nepali Police and Armed Police Force to refrain from using excessive and lethal force during ongoing demonstrations against an agreement by Nepal's major political parties to form six federally-administered states under the proposed new Constitution. Any use of force in the policing of demonstrations, even when they have turned violent, must comply with international standards. Principle 5 of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials states that police officers must exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved. Firearms may only be used as a last resort in self-defense or to protect others against the imminent threat of death or serious injury. While a number of protests have turned violent and have needed to be contained, Nepal police have gone beyond what constitutes acceptable use of force in some situations by firing live ammunition into crowds and beating protesters, even after calm has been restored. The government must immediately send clear instructions to the police only to use proportionate force.

Similarly Terai Human Rights Defenders Alliance (THRD) has published several reports detailing human rights violations by Nepal Police and APF in Mahesh region of Nepal. In a [report published on September 9](#), THRD investigated causes of seven out of 12 deaths. The report states. There is serious concern that at least two out of the protesters killed on 31 August and 1 September (Raj Kishor Thakur in Rauthat and Dilip Chaurasiya in Parsa) in police firing were hit in the back. This suggests that the Nepal Police and Armed Police Force were shooting when people were fleeing rather than posing an imminent threat to life. One victim was shot twice while he lay injured on the ground (Hefajat Miya Ansari in Bara). All victims were found to have sustained bullet injuries above the knee in the head, chest and stomach, further suggesting that police were not minimizing their use of lethal force, as required under both international standards and national law. Five people died in Birgunj as a result of police opening fire on 31 August and 1 September. On the same day (1 September) Shanta Lal Yadav was injured when police opened fire on the people sitting at Inarwa chowk, Birgunj. After such occurrences the local residents of Parsa district were incensed and their leaders along with the local residents said that they did not want any police offices in Parsa. Bara On August 31, 2015, about 20,000 people had joined the "laathi julus" which was entirely peaceful. The report states, suddenly, a group of police arrived and immediately resorted to a baton charge. Everyone was shocked. The protestors were scattered after the laathi charge. Then the protestors pelted the police with stones. Police opened fire on the scattered agitators and Hefajat Miya Ansari initially sustained a bullet injury in his right elbow. Eyewitnesses said police fired another two shots at him after he fell to the ground. Despite this, thousands of protesters defied the curfew and came to replace the office boards. The protesters were stopped at a distance of 500 meters from the

BP chowk. The situation became tense. The protesters started pelting stones at the police and security reinforcements opened fire on the protesters. Raj kishor Thakur, a bystander, was killed by police fire while he was making a phone call. Thakur's dead body was kept in the hospital for a week and no one had access to the hospital as it was totally controlled by security forces.

TIMELINE OF VIOLENCE IN NEPAL

August 10, 2015 – 2 civilians killed by Police, 1 killed in stampede, six injured in Surkhet

August 18, 2015 - Rajendra Raut was killed by police in Bhardah

August 20, 2015 - 4 civilians killed by Police in Rupandehi

August 22, 2015 - 1 Civilian killed in Rupandehi by Nepal Police

August 23, 2015 - 1 Civilian killed in Karnali by Killed in Nepal Police

August 24, 2015 - 1 Civilian killed in Gaur, Rautahat in Nepal Police

August 24, 2015 – 7 policemen killed by the angry mob, 1 infant, and 3 civilians killed by Nepal Police in Tikapur. Dozens injured.

August 25, 2015 – 1 innocent bystander civilian killed in Rautahat

September 1, 2015- 4 civilians killed in Birgunj and 1 in Kalaiya by Nepal Police. Several dozen critically injured.

September 9, 2015 – 5 civilians killed in Jaleswor by Nepal Police. Several injured.

September 11, 2015 - 3 Civilians killed by Nepal Police in Jaleswor, 1 Police Officer killed by angry mob in Jaleswor, Killed in Jaleswor, 3 Civilians Killed by Nepal Police in Janakpur

September 15, 2015 - 4 Civilians killed including 4 year old and 13 year old and a woman. All taken into control and shot in point blank range. Apparently, a grandfather and grand son

There is biasedness in media coverage of human right violations in Nepal. A majority of prominent Nepal media outlets based in Kathmandu have refrained from providing adequate audio visual coverage of these protests. However, social media websites like twitter and Facebook are full of photographs and videos that depict the protest. Several of these photographs and videos are extremely graphic where the victims lay in the pool of blood and have their skulls damaged due to bullet injury. Hash tags used are #StopKillingInNepal #StopKillingMadhesi #StopGenocideInNepal

The ongoing protests are purely political against the government led by three parties and their unilateral stance in promulgating constitution sidelining the marginalized madhesi and Janjatis. It is not against any communities. However, the government has portrayed the protest as communal and sighted the madhesi protest as a threat to nation. Several instigating remarks by the government official have infuriated the entire population of mashes which is close to half of the population of Nepal. This has further led to the escalation of protest and provocation of protesters. In several instances, the provocations by the protesters have led the security forces to counteract. However, the human rights and local reports suggests that the number of people killed shows that government has resorted to live ammunition easily shooting protesters mainly in the upper bodies like head, chest and back. In some extreme cases the protesters were surrounded and shot like 13 year old and 15 year old killed by police in Janakpur. Most local believes that this is a sign of ethnical cleansing and hence genocide by the government accused of being led by one ethnic class. The timely international intervention is the only way to end the violence as the protesters are unarmed and are fighting with bare hands, stick and stones while the security forces are resorting to expired tear gases, thousands of rounds of live ammunition. There is a hope that the government will delay the constitution building process to bring the dissatisfied marginalized madhesi to talk table. At the same time reckless and

ambiguous messages by the government and its influenced media are portraying the dissatisfied as evil and government seems to be ready to quench the people voices.

Unfortunately, the land of Buddha is killing its own people and heading towards the Civil War in Nepal.

PLEASE STOP KILLING IN NEPAL!

PLEASE STOP KILLING MADHESI IN NEPAL!

PLEASE STOP KILLING POLICEMEN IN NEPAL!

PLEASE RESTORE PEACE; IT IS THE RESPONSIBILITY OF THE LEADERS OF THREE PARTIES TO MAKE PEACE!

GOVERNMENT, PLEASE STOP KILLING OF YOUR OWN PEOPLE IN NEPAL!

PLEASE STOP KILLING MADHESI IN NEPAL!

PLEASE STOP VIOLENT PROTESTS!

With only hope for Peace.