

Nepal: Prompt investigation needed after Armed Police Force kills youth at India border

Joint Statement

Kathmandu – Geneva, 15 June 2021

The Advocacy Forum Nepal and the World Organisation Against Torture (OMCT) condemn the recent ill-treatment of a 17-years-old boy and the killing of his brother at the Nepal-India border, which appear to be part of a trend of violent behaviour by law enforcement under Covid-19 measures.

The latest incident took place on 18 May, when 17-years-old Bipin Rajbar was allowed to cross the Nepal border into India to get medicines for his seriously ill father. According to witnesses, Nepal Armed Police Force assaulted him upon his return the same day, slapping him and seizing the keys of his motorbike. When his 23-years-old brother Abinash came to check the situation, a police officer shot him. Abinash died on the way to the hospital.

Immediately after the incident, the police issued a statement speaking of five people who had tried to cross the border and showed aggressive behaviour, while youth from a village nearby had attacked the officers who then acted in self-defence. This version is contested by the victim's family and eyewitnesses, who say a crowd gathered only after the officer had shot Abinash.

"Since the enactment of Covid-19 measures, Advocacy Forum Nepal recorded more incidents of excessive use of force by law enforcement.¹ In the name of enforcing the lockdown, security forces randomly harass and torture people on the streets. There have also been more incidents of police shooting and ill-treating people who cross the Nepal-India border. More often than not, the perpetrators go unpunished", said Om Prakash Sen Thakuri, Executive Director of Advocacy Forum. India's district of Bihar and Nepal share an 800 km long border. Before movements were restricted by the pandemic, Nepalis and Indians were able to move freely and work in both countries without visas or permits. The communities in the border regions, on both sides, share the same culture and language and cross-border marriages are common.

In March 2020, however, movements were severely restricted in the face of the pandemic. As people from both sides continued trying to cross to visit their families, tensions steadily grew and incidents where police use their firearms started to increase. Locals allege that those who pay bribes to the police have been allowed to freely cross the border despite the Covid-19 related regulations.

On 20 May 2021, the Ministry of Home Affairs formed an Investigation Committee that was mandated to investigate the incident and to submit a report to the Ministry of Home Affairs by 26 May. The report has yet to be submitted.

¹ For more information see 'Human rights Impact of COVID-19: Advocacy Forum-Nepal's Field Monitoring Report', available at: <http://advocacyforum.org/downloads/pdf/publications/af-briefing-paper-covid-19-and-human-rights-june-2020.pdf>.

“While we welcome the investigation into this incident, we ask that its findings be made public and urge the authorities to prosecute the alleged perpetrators, as well as to provide adequate redress to the victims and their family”, said Gerald Staberock, OMCT Secretary General.

The World Organisation Against Torture (OMCT) is the largest global NGO group actively standing up to torture and protecting human rights defenders worldwide. It has more than 200 members in 90 countries. Its international Secretariat is based in Geneva, Switzerland.

Advocacy Forum (AF) is a leading non-profit, non-governmental organization working to promote the rule of law and uphold international human rights standards in Nepal. Since its establishment in 2001, AF has been at the forefront of human rights advocacy and actively confronting the deeply entrenched culture of impunity in Nepal

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