



वकालत मञ्च-नेपाल
ADVOCACY FORUM- NEPAL
Lawyers forum for human rights and rule of law

Press Statement

19 June 2021

Kathmandu Nepal

A Call for a Prompt, Impartial and Independent Investigation into the Extra-Judicial Execution of Kumar Poudel

Two years have passed since Kumar Poudel, a resident of Sarlahi District who was in charge of the Biplab-led Communist Party of Nepal, was killed on the 19th of June 2019 (5 Ashad 2076) after taking into custody by Nepal Police officers in the Lalbandi Municipality-1, Lakhendehi jungle. Advocacy Forum-Nepal (AF) reiterates its demand for an immediate and independent investigation into the killings of Poudel and ensure justice to Poudel and his grieving family.

The police claimed that Poudel died in an “armed exchange.” However, a field-monitoring report published by Advocacy Forum-Nepal (AF) and other human rights organizations found that Poudel was killed extra-judicially. The investigation of the National Human Rights Commission (NHRC) also corroborated that finding and concluded that Poudel’s death was indeed an extra-judicial execution. The NHRC recommended immediate suspension of the police officials involved in the execution; Inspector Krishna Dev Prasad Shah and Constables Binod Shah and Satya Narayan Mishra. The NHRC further recommended filing criminal charges against these individuals and issue a warning to Inspector Kiran Prasad Neupane and Sub-Inspector Surya Kumar Karki for erring while concluding deed on scene of the incident site. Unfortunately, rather than implementing the recommendations of the NHRC, the Ministry of Home Affairs asked the NHRC to review and reconsider its recommendations. Advocacy Forum-Nepal condemns the apathy shown by the Government towards the recommendations of the NHRC and strongly urges the Government to immediately implement the recommendations of the NHRC.

In October 2019, the Government of Nepal received a Joint Communication from three United Nations Special Rapporteurs which urged the Government to carry out an independent judicial investigation into the killing of Kumar Poudel. The Government responded on 3 January 2020 and refuted all the allegations by claiming that police personnel had opened fire on Poudel in self-defense.



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After the failure of multiple attempts to lodge a First Information Report (FIR) with the District Police Office, Sarlahi, the victim's family was forced to file a writ petition at the Supreme Court on 27 November 2020. The Supreme Court has not yet rendered a decision on the case and the court hearing has been postponed due to the COVID-19 pandemic. Meanwhile, the victim's family members have been constantly receiving threats and intimidation while they have sought justice for Poudel. This has been an awful and wrenching experience in their time of grief. Therefore, AF calls on the Government of Nepal to immediately order the police to register the FIR and to conduct an independent investigation. AF also asserts that to do so is one of the explicit and mandatory provisions of the Nepal Police.

AF adamantly draws the attention of the Government towards the lack of accountability and persistent impunity that has too long been entrenched in the justice system of Nepal. AF urges the Government to take immediate steps in ensuring the victim and his family receive justice through a prompt, impartial and independent investigation that ultimately brings the perpetrators of this horrendous crime to justice.

Om Prakash Sen Thakuri
Executive Director