

An Open Letter to Prime Minister Sher Bahadur Deuba

Hon. Sher Bahadur Deuba,
Prime Minister,
Office of the Prime Minister and Council of Ministers,
Singha Durbar, Kathmandu

Falgun 5, 2078.

Re: Seeking your commitment to uphold rule of law and respect the Court's decision.

Dear Prime Minister,

I tried to meet you in person but I have not been able to get access so far. Thus, I am writing this open letter to you, seeking your commitment to respect the rule of law by upholding the Court's decision in the case of my daughter, arresting her murderers, and giving us all some sense of security and justice.

Dear Prime Minister,

I hope you know the case of my daughter. If you have forgotten, let me refresh your memory. My 15-year-old daughter was arrested from our home by the then Royal Nepal Army on this day in February 2004. She was then made to disappear. Human rights organizations and human rights activists, including the National Human Rights Commission (NHRC) and the United Nations Office of the High Commissioner for Human Rights (UNOHCHR), helped me establish her whereabouts. They helped exhume her body from the compound of the Birendra Peace Operations Training Centre, Panchkhal, Kavre in March 2007.

The Nepal Army's own internal documents revealed how my child was tortured to death by soldiers and how different officers covered up the story, leaving us in great anguish for three years as we had no idea where our daughter was. We knew our daughter was taken by soldiers, and I, therefore, had hoped she would return home one day. However, the army continued to protect her murderers, instead of me and my family. The Nepal Army, on which the country spends a huge amount of money every year, never cooperated with the investigation. Nor did it respect court orders.

After a 13-years-long legal battle, on 16 April 2017, the District Court Kavre found three army officers responsible for murdering my daughter in absentia. Yet, these officers are still to be arrested and serve their punishment.

The democracy that made you prime minister is based upon my pain and suffering, as well as the ones of many families like mine. The constitution you vowed to implement states that no one is above the law and that all people have the right to justice. Then, why are those army officers, who were convicted for illegally arresting my daughter and killing her by inflicting severe torture, still above the law???

I was told by different political leaders that transitional justice mechanisms will provide us the justice we have been craving for, but when are these transitional justice mechanisms bringing those murderers to justice? The two commissions are not able to deliver on their mandates and their legal framework violates Nepal's constitution. Despite this, political parties are not amending the law. When will the Supreme Court's order to amend the Act of the TJ mechanisms be implemented?

Dear Prime Minister,

I have promised my daughter that unless I bring those perpetrators to justice, I won't rest. The remains of my daughter are still in the Teaching Hospital, and I am not able to perform her last rituals pending the implementation of the court's decision.

My daughter would have been 33 this year. I had many dreams for her, as I am sure you do too about your son. Everything was robbed from me and my family. Although I won't be able to bring my daughter back, and nothing could repair that loss, I want to see those responsible brought to justice and the Prime Minister fulfilling his primary duty by bringing those murderers to justice, respecting court orders. This will give a sense of security and hope, not only to me and my family, but also to hundreds of victims who suffered from similar losses during the armed conflict.

I am waiting to see your commitment to protecting victims instead of perpetrators and respecting court orders to ensure the rule of law in the country.

I am still hoping to meet you and speak to you in person about this.

Sincerely yours,

Devi Sunuwar

Kharelthok-11 Kavrepalanchowk