



# Accountability Watch Committee (AWC) जवाफदेहिता निगरानी समिति

**Press Release: 8 September 2016**

## **Accountability Watch Committee Statement on the Col. Kumar Lama Case**

The Accountability Watch Committee's attention has been drawn to the decision reportedly taken by state prosecutors in London to drop the case against Nepal Army Colonel Kumar Lama of torture during the armed conflict.

The case of Col. Lama was the first instance of proceedings taking place outside the country on grave human rights abuse during the armed conflict. The case was conducted under the convention of 'international jurisdiction', and it appears that the investigation was affected by the failure of the Nepal Government to fulfill its obligations under the Convention against Torture to provide available evidence.

Rather than focus on the 'winner' or 'loser' in the three-year-long case, the AWC would like to point out that the proceeding against Col. Lama was the result of wrongful implementation of the transitional justice process in Nepal and its resulting lack of credibility. Let no one forget that the victims have a fundamental right to seek 'international jurisdiction' if they do not trust the entrusted national mechanisms. The present case establishes the right of victims to approach the judicial systems of other countries if they find it impossible to get justice in-country on human rights excess, including torture.

The AWC is firm on its demand that conflict era cases should be addressed according to the highest judicial principles within Nepal, and that the transitional justice process must follow international values and standards. Further, we demand that the transitional justice mechanisms of Nepal must be victim-centric so that the pain of victims of grave human rights abuse is addressed while the perpetrators are held accountable.

Finally, we would like to alert the Nepal Government to be pay heed to the need for security of the victims and witnesses who were involved in the present case brought before the British courts.

Signed on behalf of the Accountability Watch Committee

Charan Prasai  
Coordinator

Contact: Yagya Thapa, 98510-10587