

Shooting in Janakchok and Attacking of Police Station in Dhanusha, Janakpur Fact Finding Mission

Human Rights Treaty Monitoring Coordinating Committee (HRTMCC)

Secretariat: Informal Sector Service Center (INSEC)

28 March '06

Summary

Two policemen were killed and four other injured during the attack made by Maoists in Mujeliya, about four km northwest from Janakpur city. One civilian also got minor injuries when he fled to hide in a room. One of the policemen was shot dead when he was captured even though he laid down his gun and begged mercy for life. This is considered a violation of human rights and the Geneva Convention's Common Article 3.

Similarly, in Janakchok, in the centre part of the city, two civilians, Mr. Ram Chandra Yadav and Mr. Dayaram Pariyar, were shot by police personnel. Mr. Yadav died immediately in the site and Mr. Pariyar passed away in Kathmandu, during his treatment. Mr. Yadav was an active member of the Rastriya Prajatantra Party (not involved in the government) and the Mr. Pariyar was a member of the National Human Rights Commission. Mr. Pariyar was declared dead 2am of 15 March 2006.

This incident is considered a criminal activity committed by police personnel, it is a misuse of police weapons. The police violated the right to life, which is a fundamental right. Similarly, they have violated the rule of law fixed by the Civil Act (Muluki Aina) of the country. According to the Act, they don't have the right to open fire on innocent civilians.

HRTMCC urges the government to arrest all of the convicted police personnel who fired to death the civilians. They fired indiscriminately on civilian, which is clearly prohibitive by the law. Similarly, all the victims' families should be compensated immediately.

As the findings prove that Maoists violated the human rights and the humanitarian law in Mujeliya's attack, we urge the rebels to follow their commitment not to attack civilians.

HRTMCC

Member of the Fact Finding Mission

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