



# वकालत मञ्च-नेपाल ADVOCACY FORUM- NEPAL

*Lawyers forum for human rights and rule of law*

## Press Release

17 April 2017

### **The District Court Kavrepalanchowk Convicts Three out of Four Army Officers Accused of Maina's Murder**

**Kathmandu:** Today, after 13 years of legal battle, the District Court of Kavrepalanchok has convicted perpetrators involved in Maina's murder. The court has acquitted one of them, who is still serving the army. (For more detail of the case see, Maina Sunuwar: Separating Facts from Fiction, <http://advocacyforum.org/downloads/pdf/publications/maina-english.pdf>.)

Issuing the verdict yesterday evening, the District Court, Kavre convicted Army Officers Babi Khatri, Amit Pun and Sunil Prasad Adhikari and sentenced them to 20 years' imprisonment for murder. Major Niranjan Basnet was acquitted. None of the officers were present in the Court, and it remains to be seen whether they will be arrested and forced to serve their sentence.

Maina's mother, Devi Sunuwar had filed a First Information Report (FIR) with the District Police Kavre on 13 November 2005. Even after several months, no investigation was carried out so she was forced to knock on the Supreme Court's door. On 18 September 2007, the Supreme Court had ordered the police to complete the investigation within 3 months. Accordingly, on 31 January 2008, a charge sheet was filed in Kavre District Court by the Public Prosecutor, demanding life imprisonment for four alleged perpetrators.

The District Court issued an arrest warrant against the perpetrators on 14 February 2008. However, they were said to be remained absconded and police could not find them.

On 17 September 2013, Judge Ishwor Raj Acharya had decided to adjourn the case, which was challenged by Devi Sunuwar. After the legal challenge, Judge Awani Mainali (Bhattarai) decided to revive the case on 12 January 2016.

After postponement of the several hearing dates for different reasons, today the Court found the above-mentioned perpetrators responsible for the killing of Maina Sunuwar.

"The court's decision today has generated some hope for justice for conflict victims in general. I have not been able to conduct the last rites of my daughter as I had promised to her soul that I will keep fighting until those responsible for her death would be found guilty.

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I am torn whether to now conduct the last rites as I yet to see the court order being respected. I would also like to call upon my lawyers to objectively analyse the grounds for the acquittal of one of the accused, who still remains in the army." said Devi Sunuwar.

"It has been a very painful 13 years' journey to get to this result. During the conflict, Advocacy Forum-Nepal documented thousands of cases and represented them. Despite our continuous efforts hardly anyone has been brought to justice. We are troubled by the extent of impunity that perpetrators of human rights violations enjoy and how that affects the rule of law, the very basic foundation of democracy in Nepal. In this context, the decision in Maina's case is an important victory for us." said Mandira Sharma, founder of Advocacy Forum.

"We continued to monitor this case for more than a decade. We did not only represent the victim in the Court, accompanied the family in their quest for justice from the day of her arrest. The decision of the case has given us some hope that we could possibly get justice in the country for victims like Maina." said Om Prakash Sen Thakuri, Director of Advocacy Forum.

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