

Maina Sunuwar was only 15 years old when on 17 February 2004 she was taken from her home by members of the Nepal Army. They took her to a nearby army camp used to train soldiers prior to going on UN Peace keeping missions. There soldiers repeatedly pushed her head under water and administered electric shocks to her wet hands and feet. After one and a half hours of this torture she was handcuffed, blind folded and left to die. When Maina's mother, Devi, initially went to search for her daughter, the army denied any involvement. Undeterred, Devi continued to campaign for truth and justice. Under sustained pressure, the army conducted an internal inquiry, resulting in a court martial decision in September 2005. However, it only found those responsible guilty of minor offences and sentenced them to six months imprisonment. Having spent time confined to army barracks they were set free. Pressure on the police resulted in Maina's body being located at the army camp and exhumed in March 2007. Yet despite the weight of evidence and wide public outcry those suspected of killing Maina have not been arrested and tried in a civilian court. Maina's murder and Devi's campaign for truth and justice is one of hundreds of other cases that have not been investigated, and those it undermines Nepal's justice system allowing those who committed horrendous crimes to walk free. With your help this can change – add your signature to the attached postcard and join the campaign. **'Prosecutions Now! Save Justice!'**

Maina Sunuwar

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- It is the responsibility of the police to investigate all crimes no matter who the suspects are. Not only in Maina's case, but many others, the family have to get court orders to get the police to accept the complaint or start investigations.
- The police should act as an independent and impartial authority and pro-actively investigate crimes.
- The police have the power to arrest anyone suspected of a crime. In Maina's case the police have arrested no one in connection with her murder.
- The police must carry out their duty to arrest suspects, and be able to do so without interference.
- Serious crimes should be tried in an independent civilian court. It was a military court martial that tried the army personnel involved in torturing Maina resulting in her death.
- State security forces or other combatants are not exempt from the authority of civilian courts. They must cooperate with the courts as requested.
- Murder carries life imprisonment in Nepal. In Maina's case despite actions resulting in her death the court martial only found the individuals guilty of minor offences carrying six months imprisonment.
- 'Disappearance', unlawful killings, torture and rape must carry a sentence that reflects the gravity of such crimes. Amnesties should not be given to those responsible for these crimes.

What is wrong and how to fix it.

PROSECUTIONS NOW!

SAVE JUSTICE!

CENSORED!
This image of the skeletal remains of Maina Sunuwar has been censored in respect for your sensitivities. Unfortunately, the same respect has yet to be given to the families of the 'disappeared' and those they have lost. Thousands still do not know the fate of their loved ones, have not been able to conduct last rites, nor have those responsible been brought to justice.

EXH. M.S.
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Dear Prime Minister Pushpa Kamal Dahal,

Justice in Nepal is dying. Unless you take urgent action we fear for its future. Below are the serious problems our 'patient' faces and the steps we believe must be taken to save it.

SYMPTOMS: Vital signs – Critical: Maina Sunuwar's case is just one of hundreds yet to receive independent professional investigation and treatment contributing to a [systemic] failure of justice; **Vital organs – Failing:** the Nepal Army is obstructing the flow of justice and the police are not investigating, both of which are preventing state organs like the courts from functioning properly. Political pressure is low, possibly indicating weakness at the heart of government.

DIAGNOSIS: Justice in Nepal today is dying. The symptoms are there for all to see, before, during and now after the conflict. If urgent action is not taken then it may be too late.

PRESCRIPTION: 1] Immediate arrest of those wanted for the murder of Maina; 2] Ensure pro-active investigations into the hundreds of outstanding cases of 'disappearances', unlawful killings, torture and rape by an independent body; 3] Ensure the army and the UCPN-Maoist fully cooperate with these investigations.

Signed: _____