



**COUNCIL OF
THE EUROPEAN UNION**



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**NEPAL: EU Troika
Press Release**

Kathmandu, 15 December 2004

A European Union (EU) Troika visited Nepal from 13-15 December 2004. The Troika travelled under a mandate from all 25 Member States of the EU to convey the growing level of concern felt throughout the EU at the situation in Nepal.

The EU has a long-standing commitment to co-operation with Nepal, expressed through the 1996 EC-Nepal co-operation agreement as well as bilateral agreements between EU Member States and Nepal.

The aim of the Troika was to offer EU support to all efforts aimed at promoting multi-party democracy – within the framework of a constitutional monarchy – and human rights as well as curtailing violence and renewing dialogue between the His Majesty's Government of Nepal (HMG/N) and the Communist Party of Nepal (Maoist) CPN(M).

P R E S S

Ending the political stalemate – Reinforcing political legitimacy

The EU sees no alternative to a Government with a broad-based democratic mandate, and urges all democratic and constitutional forces to rally behind the incumbent Government and present a united front.

Despite the difficulties in envisaging elections in the current climate, it is important to set out and begin work on the steps towards this goal. It is essential that a security environment is created to allow elections that will be free and fair.

Ending violence – Beginning talks

The EU strongly believes that it is fruitless for either side to pursue a solution by military or violent means. The only viable option is a political solution through negotiations between all sides. Only a negotiated solution will serve the short, medium and long-term interests of Nepal and her citizens. The EU stands ready to offer its full support to a peace process.

The present situation is clearly unsustainable. Dialogue must be the first step to initiate any changes in the political, societal and economic system that the Nepalese people may desire.

The EU expresses its full support to the incumbent Government's efforts to renew dialogue, and emphasises that a peace process must also address issues such as cease-fire monitoring, impunity, development and human rights.

The EU strongly urges the CPN(M) to respond positively – without preconditions – to the invitation for dialogue. Failure to do so on the part of CPN(M) will serve as evidence that CPN(M) has no real intention of pursuing political objectives through legitimate means. For the CPN(M) to be recognised as a legitimate political actor, it must renounce violence and commit to democracy and human rights.

Ending a culture of fear and insecurity – Respecting and protecting human rights

The EU is gravely concerned about the rapidly deteriorating human rights situation in Nepal. It reminds all sides that they have obligations under both Nepali law and international law.

The EU strongly condemns CPN(M)'s systematic and gross human rights violations, including the use of child soldiers, which run contrary to official claims by the CPN(M) that they respect human rights.

The EU recalls the international community's appeal for both sides to the conflict urgently to sign human rights accords as a first step toward curtailing the indiscriminate and arbitrary violation of rights.

The EU expresses its full support to the efforts of the National Human Rights Commission (NHRC) and the human rights movement in Nepal, and emphasizes that intimidation and harassment of human rights defenders are absolutely unacceptable. The EU draws attention to the importance it attaches to ensuring the safety and protection of human rights defenders in Nepal.

The EU attaches importance to the continued independence, effectiveness and legitimacy of the NHRC.

The EU welcomes the recent signing of a Memorandum of Understanding between HMG/N and the United Nations Office of the High Commissioner for Human Rights. The EU wishes to emphasise that urgent, targeted and concrete measures are needed to address a systemic culture of impunity and to implement the Government's Human Rights Commitments of 26 March 2004. The National Human Rights Commission (NHRC) must be given free and unhindered access to all places of detention without the need for prior notice.

The EU has serious misgivings about the promulgation of the Terrorist and Disruptive Activities Ordinance (TADO). Legalizing unlawful detentions will only worsen the human rights crisis in Nepal.

The EU will – in consultation with its other partners – revisit the human rights situation in Nepal at the 61st session of the Commission on Human Rights in Geneva in March-April 2005.

The EU recalls the support already being provided by the EU for human rights and offers full support to the Government to help it address the human rights crisis through practical, concrete and targeted assistance.

Ending the development crisis – Respecting and widening the development space

The EU recalls that it (European Commission and Member States together) provide more than €100 million per year in both development and humanitarian assistance targeted at the alleviation of poverty and human suffering. The EU is seriously concerned however that the current situation is making it increasingly difficult to implement development and co-operation assistance.

The EU is encouraged that the Government will respond to the need to open a high-level dialogue with the international donor community to address the issues raised at the Nepal Development Forum in May 2004.

The EU appeals to all parties to respect the Basic Operating Guidelines, and to safeguard development and ensure free and unhindered access to all regions of Nepal for development and humanitarian organisations.

The EU wishes to express its concern over the growing number of Internally Displaced Persons (IDPs) in Nepal. In order to respond to this concern the European Commission Humanitarian Office (ECHO) will be shortly establishing a permanent presence in Nepal.
