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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Jean Lambert, Bart Staes, H el ene Flautre, and G erard Onesta,

on behalf of the Verts/ALE Group

on Nepal

European Parliament resolution on Nepal

The European Parliament,

- having regard to the public hearing on the situation in Nepal held by the Subcommittee on Human Rights on 20 February 2006;

- having regard to the EU Presidency Declaration of 25 April 2006;

A. Whereas King Gyanendra on 1 February 2005 in an unconstitutional act dismissed the government, assumed direct power and declared a state of emergency;

B. Whereas violently repressed pro-democracy and peace rallies finally forced the King to abandon the de facto military rule on 24 April, to reinstate Parliament and to hand over administration to a multi-party government by the seven-party alliance;

C. Whereas at least 15 people reportedly died in the popular demonstrations between 6 and 17 April and more than two thousand were left injured;

D. Whereas the reinstated House of Representatives under interim Prime Minister Girija Prasad Koirala adopted the roadmap, in line with the 12-point-agreement reached between the seven-party-alliance and the Maoists last November, including to hold constituent assembly elections to draft a new constitution;

E. Whereas the seven-party alliance is further debating a landmark resolution in parliament to curtail the powers of the king, including taking away his control of the army, compelling the king to pay taxes, stripping him of his formal title of supreme commander-in-chief of the armed forces and transferring power to parliament;

F. Whereas the new government annulled the municipal elections conducted by the previous government on 8 February 2006, arrested 5 former royal government ministers, including the home and foreign ministers and the government's most visible spokesman; whereas it has also appointed a judicial commission to investigate charges of excessive force by state security forces against the demonstrators and suspended the heads of three security forces on charges of use of excessive force and human rights violations in suppressing the pro-democracy movement in the Himalayan kingdom;

G. Whereas the New Prime Minister Girija Prasad Koirala responded positively to the ceasefire announcement by the CPN-M (Communist Party of Nepal-Maoists), which the king had earlier rejected, and invited the Maoists for talks;

H. Whereas the government rescinded 6 of 19 laws adopted by the King on media freedom, land reform and aid groups;

I. Whereas more than one third of Nepal's 27 million citizens live in severe poverty, earning less than the equivalent of US\$1 (euro1) a day and whereas two-thirds of Nepal's development budget comes from foreign donors.

1. strongly welcomes Nepal's return to democratic rule which was achieved thanks to the engagement of millions of citizens in a people's movement;

2. expresses its hope that the recent transformation will open the way for serious peace negotiations and liberate the necessary energies to invest into improving the fate of the deprived and impoverished majority of the population;

3. calls on the Council and the Member States to support a follow-up of the London conference of 2002 and welcomes the plan of Nepali civil society activists to start the process by organising their own conference in Kathmandu this coming June;

4. calls on the Commission to support a people-driven process and to assist where requested in facilitating public consultations and a wide political debate;

5. calls on Commission and Council to propose support for the monitoring of the ceasefire and to create a Contact Group in order to regularly evaluate the progress towards peace and democracy as well as the needs for the right kind of financial and technical support to back up the peace and democratisation process;

6. welcomes the fact that Nepal's new government has frozen the previous administration's purchase of military planes and weapons, and the recruitment of soldiers and calls on the Council and the Member States to continue the freeze of all military aid;

7. calls on the Nepalese government to do all in their capacity in order to ensure full and transparent investigations of human rights violations, including unresolved cases of forced disappearances, and insists that adequate sentencing of those convicted will be essential for the reestablishment of social peace;

8. reiterates its concern about respect for minority rights, the necessary devolution of power to the regional and local levels, a more representative electoral system and the democratic control of the security forces and expresses its hope that the interim government will engage in the necessary reforms;

9. Instructs its President to transmit this resolution to the Commission, the Council and the Government and Parliament of Nepal.