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Nepal: Authorities must stop ruthless evictions of Indigenous peoples

Nepal's authorities must immediately halt the forced eviction of the Chepang Indigenous peoples from their settlements and ensure those responsible for the destruction of ten homes are held accountable, Amnesty International said today.

On 18 July 2020, the authorities at Chitwan National Park, a UNESCO World Heritage site, set two houses ablaze and destroyed eight others with the use of elephants. The attacks were carried out without any prior warning. The Chepang families, belonging to one of Nepal's most marginalized Indigenous communities, lost not just their homes but also their money, identity documents and other possessions.

"Forcing anyone from their homes is an act of cruelty. To do so with the use of arson and charging elephants, risking lives and destroying the few possessions of an already marginalized community, is unconscionable and a human rights violation," said Nirajan Thapaliya, Director of Amnesty International Nepal.

"The Chepang community must be protected. Any further attempts to force them out of their homes must be stopped. The people who have been forcibly evicted must be given effective remedy including adequate alternative housing and compensation. Furthermore, the perpetrators responsible for these forced evictions should be held accountable for their actions."

One of the victims of the attack told Amnesty International that the park authorities first began approaching their homes by grazing elephants on the land used by the Chepang community for farming, damaging their crops. They then set two of the houses on fire and unleashed elephants to charge at and destroy eight other houses. According to information obtained by Amnesty International, the park authorities acted without even informing local government officials.

The members of the Chepang community who lost their homes are now in temporary accommodation in a school hostel nearby, and fear that other members of their community in Chitwan National Park could also suffer the same fate.

This is the second such attack that Nepal's Indigenous peoples have faced in two months. In June, the authorities at the [Bardiya National Park](#) attempted to forcibly evict members of the landless Tharu community from their settlements there.

Indigenous Chepang communities depend on subsistence farming, without having access to their own land. Nepal's laws, which fail to meet international standards, currently only protect people living "on land that they own" and fail to ensure adequate safeguards against forced evictions of people who do not have ownership titles.

"No one should be subjected to forced evictions. It is appalling that during a pandemic and ongoing rainy season, when having a home is critical to keeping oneself safe, Nepal's authorities have chosen to dispossess some of the most marginalized people and make them homeless." said Nirajan Thapaliya.

"Nepal's authorities should be focusing their energies on addressing the human rights of all including Indigenous peoples at this time, including their rights to adequate housing and access to livelihoods."

Background

International human rights law prohibits the eviction of people against their will from the homes or land they occupy, without due process or other legal safeguards. These safeguards include genuine consultation with affected communities to identify all feasible alternatives to eviction, prior and adequate notice, provision of legal remedies, compensation for losses, and adequate alternative housing to those who cannot provide for themselves.

Furthermore, in the case of Indigenous peoples, Article 10 of [the United Nations Declaration on the Rights of Indigenous Peoples](#) states "Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return."