

URGENT APPEAL - THE OBSERVATORY

Nepal: harassment

Wednesday 13 June 2007, by [FIDH](#), [OMCT](#) (Date first published: 5 June 2007).

NPL 002 / 0607 / OBS 061

Harassment

Nepal

June 5, 2007

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in Nepal.

Brief description of the situation:

The Observatory has been informed by reliable sources about obstacles to the work of Advocacy Forum, a Nepalese non-governmental organisation (NGO) that has been providing legal aid to detainees in police detention centres since 2001.

According to the information received, while on a regular visit to the police detention centre of Banke district on May 29, 2007, the lawyers of Advocacy Forum were denied any access to the detainees by the District Police Office (DPO). When the regional office of Advocacy Forum in Midwestern, Banke district, attempted to regain access to the detention centre by phoning the Chief of the DPO and the Superintendent of Police (SP), Mr. Uttam Kark, the latter justified this denial by the fact that Advocacy Forum would have “made unnecessary reports stating that Bablu Rai was tortured by the police”.

Indeed, on May 22, 2007, Advocacy Forum had lodged a complaint to the District Court of Banke on behalf of Mr. Bablu Rai, currently detained at the District Police Office of Banke and who was subjected to acts of torture while in detention [1].

On May 31, 2007, lawyers from the Regional Office of Advocacy Forum in Nepalgunj met Mr. Uttam Kark and the Deputy Superintendent of Police (DSP), Mr. Kuber Kadayat, to discuss the impasse. There, Mr. Uttam Kark blamed Advocacy Forum for giving the DPO “unnecessary burdens”, and questioned the relationship between the lawyers of Advocacy Forum and the DPO detainees, before stating that lawyers of Advocacy Forum would need a written request from the detainees to have access to them. Furthermore, he accused Advocacy Forum of fabricating Mr. Bablu Rai’s

claim and promised that he “would continue to work on his own terms”.

Finally, on June 3, 2007, representatives from the central office of Advocacy Forum in Kathmandu met Mr. Manoj K.C., of the Human Rights Police Cell in the Kathmandu Police Headquarters, who stated that he would discuss with the higher office at police headquarter and try to solve the problem soon. However, no progress has yet been made.

The Observatory expresses its deep concern about these acts of intimidation and obstacles to the human rights activities of Advocacy Forum.

Actions required:

Please write to the Nepalese authorities urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Advocacy Forum lawyers;
- ii. Ensure that Advocacy Forum be granted again an immediate access to detainees in police stations and put an end to any kind of obstacle to their work;
- iii. Put an end to any kind of act of harassment and threats against Advocacy Forum lawyers as well as against all human rights defenders in the country;
- iv. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels” and article 12.2, which states that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- v. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Nepal.

Addresses :

- His Majesty King Gyanendra, Narayanhity Royal Palace, Durbar Marg, Kathmandu, Nepal, c/o Permanent Mission of the Kingdom of Nepal to the United Nations, 81 rue de la Servette, 1201 Geneva, Switzerland, Fax: +4122 733 27 22; E-mail: mission.nepal ties.itu.int
- Mr. Girija Prasad Koirala, Prime Minister, Singh Durbar,

Kathmandu, E-mail : [info @opm.gov.np](mailto:info@opm.gov.np)

· Mr. Nayan Bahadur Khatri, Chairman of the National Human Rights Commission, Pulchowck, Lalitpur, Nepal; E-mail: nhrc ntc.net.np

· Home Minister Krishna Prasad Sitaula, Government of Nepal, Ministry of Home Affairs, Singha Durbar, Kathmandu, Nepal. Tel: +977 1 4211211 / 4211229, Fax: 97714211232 Email: moha wlink.com.np

· Mr. Baman Prasad Neupane, HR Cell, Government of Nepal Ministry of Home Affairs, Singha Durbar, Kathmandu, Nepal. Tel: + 977 1 4 211 205/ 97714211206 Fax: +977 1 4211266

· Mr. Yagya Murti Banjade, Attorney General, Office of the Attorney General, Ramshahpath, Kathmandu, Nepal, Fax : +97714262582, Email : attorney mos.com.np

· Mr. Shaha Bir Thapa, Inspector General of the Armed Police Force, Armed Police Headquarters, Swayam, Nepal, Fax: + 977 1 4 275 685, E-mail: armedpolice wlink.com.np

· IGP Om Bikram Rana, Chief, Nepal Police Head Quarter, Naxal, Kathmandu, Nepal, PO. Box No.: 407, Tel: +977 1 4 412 737 / +977 1 4 412 732, Fax: +977 1 4 415 593. Email : phqigs nepalpolice.com.np

· SP Nava Raj Silwal, HR Cell, Nepal Police Head Quarter, Naxal, Kathmandu, Nepal PO. Box. No.: 407, Tel: +977 1 4 411 618 Fax : 9771415593 E-mail: hrcell nepalpolice.gov.np

· Ambassador Thata Yarayan, Embassy of Nepal in Brussels, Brugmannlaan 210, 1180 Brussels, Tel: +32 2 346 26 58 / 2 346 66 38, Fax: +32 2 344 13 61, E-mail: rne.bru skynet.be

Please also write to the diplomatic representations of Nepal in your respective country.

Geneva - Paris, June 5, 2007

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

Email : Appeals fidh-omct.org

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[1] mhtml:mid://00000002/#_ftnref1

See OMCT Urgent Appeal NPL 050607,
issued on June 5, 2007.

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