

UA 14/02

Fear of s

NEPALSubodh Pyakurel (m)]

Bhola Mahat (m)] Human rights defenders

Bishnu Raj Pokhrel (m)] with the Informal Sector

Kush Raj Shahi (m)] Service Centre (INSEC)

Amnesty International is very concerned for the safety of the four human rights defenders named above. They are all members of the Informal Sector Service Centre (INSEC), one of the leading human rights organizations in Nepal. They have been harassed and threatened by members of the police and the army in connection to their human rights work.

On the afternoon of 11 January, plain-clothed policemen visited the national office of INSEC at Kalanki, Kathmandu. They urged Subodh Pyakurel, General Secretary of the organization, to come with them to the "security office". When he asked them to identify themselves, they refused and tried to drag him away from the office. They were only prevented from taking him by the intervention of other human rights defenders. The police officers eventually left the office, but there remains concern for the safety of Subodh Pyakurel.

That same evening, the army reportedly entered INSEC offices in Nepalgunj and threatened Bhola Mahat, the regional coordinator of the organization. They reportedly searched the office and it is currently not known whether Bhola Mahat was arrested.

Bishnu Raj Pokhrel, an INSEC representative in Sankhuwasabha district, was arrested by the police on 8 January. His arrest is thought to be connected to photographs he had taken of four people who had been tortured in army custody. At the time of his arrest, the police took his camera and destroyed the film. They also beat him up as they took him to the police station in Khandbari.

On 4 December 2001, Kush Raj Shahi, an INSEC representative in Kalikot district, was threatened by police when he went to the district police office to ask for information about several people who he feared had "disappeared" after they were taken into custody. The deputy superintendent of police reportedly told him "you may be killed if you do this work" and "maybe tomorrow you will 'disappear'".

BACKGROUND INFORMATION

There is increasing concern for the safety of human rights defenders trying to monitor the deteriorating human rights situation in Nepal after the declaration of a state of emergency on 26 November 2001.

Peace talks aimed at ending the CPN (Maoist)'s five-year "people's war" and an accompanying cease-fire broke down on 23 November 2001. The Maoists attacked police and army posts. In response, the state of emergency was imposed, the army called out and a Terrorist and Disruptive Activities (Prevention and Control) Ordinance (TADO), 2001, which grants wide powers to arrest people involved in "terrorist" activities was officially announced. The CPN (Maoist) was declared a "terrorist organization" under the Ordinance.

Among the human rights defenders at risk are many lawyers. They are particularly afraid of being arrested under the TADO for "supporting terrorism" if they were to appear in *habeas corpus* cases on behalf of people arrested under the

Ordinance. Although more than 3,300 people have been arrested under the Ordinance, no *habeas corpus* petitions are being filed.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern about the harassment of human rights defenders, Subodh Pyakurel, Bhola Mahat, Bishnu Raj Pokhrel and Kush Raj Shahi, all workers of the non-governmental organization, INSEC, who have been threatened by police and army in connection to their human rights work;
- pressing the authorities to promote an environment in which it is possible for those promoting human rights and investigating allegations of human rights abuses to carry out their work without fear of harassment and violence;
- urging the authorities to ensure protection for human rights defenders;
- urging that action is taken against officials who have been responsible for harassing and threatening human rights defenders.

APPEALS TO:

Rt Hon Sher Bahadur Deuba
Prime Minister
Office of the Prime Minister
Singha Durbar
Kathmandu
Nepal

Telegrams: Prime Minister, Kathmandu, Nepal

Fax: + 977 1 227 286

Salutation: Dear Prime Minister

Rt Hon Khum Bahadur Khadka
Minister of Home Affairs
Ministry of Home Affairs
Singha Durbar
Kathmandu
Nepal

Telegrams: Home Minister, Kathmandu, Nepal

Fax: + 977 1 240 942

Salutation: Dear Minister

Padam Kumar Acharya
Secretary
Ministry of Defence
Singha Durbar
Kathmandu
Nepal

Telegrams: Defence Secretary, Kathmandu, Nepal

Fax: + 977 1 228 204

Salutation: Dear Secretary

(Please note that it may be difficult to get through to these fax numbers, but please keep trying.)

COPIES TO: diplomatic representatives of NEPAL accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 February 2002.