

PUBLIC

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Prisoners of conscience

6 June 2001

\* PLEASE NOTE: THIS URGENT ACTION IS LIMITED TO 100 APPEALS PER SECTION \*

**NEPAL** Yubaraj Ghimirey, editor-in-chief of the *Kantipur*  
Binod Raj Gyawali, director of the *Kantipur*  
Kailash Sirohiya, managing director of the *Kantipur*

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Yubaraj Ghimirey, Binod Raj Gyawali and Kailash Sirohiya, the editor-in-chief, director and managing director of the main Nepali newspaper *Kantipur*, have been arrested solely for exercising their right to freedom of expression. Amnesty International considers them prisoners of conscience and is calling for their immediate and unconditional release.

Plainclothes policemen arrested the three men from *Kantipur's* offices around 6pm (local time) on 6 June. They were brought to the Hanuman Dhoka police station in the capital, Kathmandu, in an unmarked vehicle. They have reportedly been charged with fomenting hatred, malice or contempt towards the King under the Anti-State Crime and Punishment Act of 1989, which carries a maximum punishment of three years.

The arrests appear to be connected to *Kantipur's* publication on 6 June of an article by Dr. Baburam Bhattarai, one of the leaders of the Communist Party of Nepal (CPN) (Maoist). In the article Dr. Baburam Bhattarai reportedly urges the Nepalese people not to recognize the new King, and blames India for masterminding the killings of members of the Nepalese royal family. He claims that the entire incident was part of "a grand design of the Indian expansionist forces who had grown impatient with King Birendra for showing softness toward the Maoist movement."

#### **BACKGROUND INFORMATION**

The situation in Nepal remains tense following the recent killings of members of the royal family. The military has imposed a series of curfews amidst widespread rioting. The international media have reported that at least three people have been killed after the police or army fired into crowds of demonstrators. The exact number of casualties has not yet been verified, and some sources have put the death toll at seven. It has also been reported that around 300 people have been arrested for breaking the curfew. Amnesty International is concerned that widespread human rights violations may take place in the current climate, and is monitoring the situation closely.

King Birendra Bir Bikram Shah Dev, the Queen and eight other members of the royal family were killed on 1 June. The son of King Birendra, Dipendra, who was seriously wounded, was declared King on 2 June and Prince Gyanendra, brother of King Birendra, was appointed regent. After King Dipendra died in hospital on 4 June, Gyanendra was declared the new King. At first, it was reported that Dipendra had shot his family before turning the gun on himself following a family dispute over his choice of bride. However, 2 June the then regent and current King said that the killing was an accident that happened when an automatic weapon misfired.

The killing of so many members of the royal family has thrown Nepal, which has been a parliamentary democracy with a constitutional monarchy since 1990, into turmoil. People are reportedly suspicious of the official versions of events. On 4 June, a curfew was imposed after demonstrators protested against

the newly-appointed King Gyanendra Bir Bikram Shah Dev and his son Paras Shah, and demanded to know the truth about the killings. Further curfews were imposed on 5 June (midday to midnight) and on 6 June (9pm to 3am).

On 4 June King Gyanendra announced the appointment of a three-member committee to undertake an inquiry into the killings, consisting of the Chief Justice, Speaker of the House and the Leader of the Opposition in Parliament. However, the latter refused the appointment, reportedly because he believed the committee should have been appointed by the government rather than the King. He has reportedly also insisted that other political parties should be represented on the inquiry panel.

The CPN (Maoist), an armed political group which declared a "people's war" in February 1996, has maintained a strong anti-monarchy position and has been demanding the establishment of a republic. The party's call for the Nepali people to reject the current royal establishment as a "puppet of Indian expansionist forces" may be a move to cash in on the current crisis.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:**

- expressing concern about the arrest of Yubaraj Ghimirey, Kailash Sirohiya and Binod Raj Gyawali, the editor-in-chief, director and managing director of the *Kantipur* newspaper;
- expressing concern that they appear to have been arrested solely for exercising their right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds - either orally, in writing or in print, in the form of art, or through any other media;
- calling for their immediate and unconditional release.

**APPEALS TO:**

Rt Hon Prime Minister Giriji Prasad Koirala  
Prime Minister  
Office of the Prime Minister  
Singha Durbar  
Kathmandu, Nepal

**Telegrams: Prime Minister, Kathmandu, Nepal**

**Faxes: + 977 1 227 286 or 428 570**

**Salutation: Dear Prime Minister**

Hon Ram Chandra Poudel  
Deputy Prime Minister and Minister of Home Affairs  
Ministry of Home Affairs  
Singha Durbar  
Kathmandu, Nepal

**Telegrams: Home Affairs Minister, Kathmandu, Nepal**

**Faxes: + 977 1 241 942**

**Salutation: Dear Minister**

Mr Pradeep Shamsheer J B Rana  
Inspector General of Police  
Police Headquarters  
GPO Box 407  
Naxal  
Kathmandu, Nepal

**Telegrams: Inspector General Police, Kathmandu, Nepal**

**Faxes:+ 977 1 415 593/415 594**

**Salutation:Dear Inspector General**

**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 18 July 2001.