

**PUBLIC**

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**20 March 2006**

**Further Information on UA 42/06 (ASA 31/010/2006, 17 February 2006) Arbitrary detention/human rights defenders at risk New concern: Prisoners of conscience**

**NEPAL**                      **Krishna Pahadi (m)**  
                                    **Dr Devendra Raj Pandey (m)**  
                                    **Dr Mathura Prasad Shrestha (m)**  
                                    **Shyam Shrestha (m)**  
                                    **And hundreds of political party and civil society leaders and activists**

**Released:**                      **Kundan Raj Kafle (m)**

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Amnesty International has learned that student leader Kundan Raj Kafle was released on 20 February, along with 14 other student leaders and political party activists.

Human rights and peace activists Krishna Pahadi, Dr Devendra Raj Pandey, Dr Mathura Prasad Shrestha and journalist Shyam Shrestha continue to be detained. Amnesty International is calling for their immediate and unconditional release as prisoners of conscience, held solely as a result of their peaceful exercise of the rights of freedom of expression and of free association. Three of the detainees, Krishna Pahadi, Dr Devendra Raj Pandey and Dr Mathura Shrestha, are the leaders of an organization known as the Citizens' Movement for Democracy and Peace, which is campaigning for the restoration of democracy and human rights in Nepal.

Krishna Pahadi and Shyam Shrestha are detained at the Armed Police Force Barracks No. 2 at Ranibari, in Maharajgunj, Kathmandu. Dr Devendra Raj Pandey is reportedly detained at Naxal Armed Police Battalion No. 1 and Dr Mathura Prasad Shrestha at the National Police Academy, also located in Maharajgunj.

Krishna Pahadi's health has improved, following hospital treatment for high cholesterol and polycythemia (a disease affecting blood cell levels) on 15 February. He has returned to hospital for checkups on at least two occasions and continues to take medication.

The five men named above were among more than 3,000 political party and human rights activists were arrested in late January and early February 2006. Their arrests came just before and during demonstrations in Kathmandu and other districts of the country in protest against municipal elections called for 8 February. Demonstrators also called for the restoration of democracy and human rights. The great majority of these people were arbitrarily arrested for exercising their right to freedom of peaceful assembly or expressing their political opinion. The Office of the High Commissioner for Human Rights in Nepal noted that in every case that a detainee was brought before the courts, their detention was found to be illegal.

It is reported that eleven activists, including those named above, still remain in detention; ten in Kathmandu and one in the town of Pokhara. They are being held under the Public Security Act (PSA), which permits detention without trial, initially for up to 90 days, to prevent persons from committing actions that "undermine the sovereignty, integrity or public tranquility and order of the Kingdom."

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

- welcoming the release of Kundan Raj Kafle and other student leaders and party activists on 20 February;

- appealing for the immediate and unconditional release of Krishna Pahadi, Shyam Shrestha, Dr Devendra Raj Pandey, and Dr Mathura Prasad Shrestha, whom Amnesty International considers to be prisoners of conscience detained solely for the peaceful exercise of their right to freedom of expression and of free association;
- calling for all the detainees to be granted immediate access to their relatives and legal counsel, and medical treatment if required;
- urging that all detainees be held in an officially recognized place of detention and, in conformity with national law, be brought before a judicial authority promptly after detention;
- calling on the authorities to ensure that all legislation used to arrest and detain is in conformity with international standards to which Nepal is a state party.

**APPEALS TO:**

His Majesty the King Gyanendra Bir Bikram Shah Dev  
C/O The Chief of Protocol Division  
Dr. Rambhakta P.B.Thakur  
Protocol Division, Ministry of Foreign Affairs, Shital Niwas, Kathmandu, Nepal  
**Fax (C/O the Foreign Ministry): + 977 1 4423951 / 4416016**  
**Salutation: Your Majesty**

Minister Kamal Thapa  
Minister of Home Affairs  
Singha Durbar, Kathmandu, Nepal  
**Fax: + 977 1 4211 232**  
**Salutation: Dear Minister (please keep trying)**

Minister Niranjana Thapa  
Minister of Law, Justice and Parliamentary Affairs  
Singha Durbar, Kathmandu, Nepal  
**Fax: + 977 1 4220 684 (please keep trying)**  
**Salutation: Dear Minister**

Shyam Bhakta Thapa  
Inspector General of Police  
Police Headquarters, GPO Box 407, Naxal, Kathmandu, Nepal  
**Fax: + 977 1 4415 593**  
**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 3 May 2006.