

PUBLIC

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UA 31/05 **Fear for safety / fear of torture**

NEPAL **Krishna Pahadi (m), founding chairman of the Human Rights and Peace Society (HURPES)**

Krishna Pahadi, the founding chairman of the Human Rights and Peace Society (HURPES), was arrested at the organization's office in the capital Kathmandu on 9 February. Krishna Pahadi, the former president of Amnesty International's Nepal section, is well-known as one of the country's leading human rights defenders. His whereabouts are unknown and there are serious concerns for his safety.

At about 3.15pm, around five police officers dressed in plain clothes entered the HURPES office, claiming that Krishna Pahadi was required to report to the traffic police. According to eyewitnesses, the officers then detained him and drove him away in a police van which was waiting outside the HURPES office building. The police officers did not produce an arrest warrant.

Krishna Pahadi is one of several human rights defenders to be arrested following King Gyanendra's assumption of direct power and the declaration of a state of emergency on 1 February. He was one of the organizers of a demonstration planned for 10 February against the King's seizure of power. In an article published by the Reuters news agency on 7 February, Pahadi was quoted as saying that human rights defenders had no choice but to protest. "Under the king's direct rule there is no future for those who are for fundamental human rights and freedom," he said. "The government would like to make Nepal a big jail."

BACKGROUND INFORMATION

On 1 February, King Gyanendra of Nepal dismissed the Government, assumed direct power, and declared a nation-wide state of emergency. The King's actions plunged the country deeper into crisis and put the Nepalese people at even greater risk of gross human rights abuses. The routine violation of human rights was already a widespread feature of the nine-year conflict in Nepal between government forces and the Communist Party of Nepal-Maoist (CPN-Maoist).

Following the emergency declaration, Nepal's state media reported the suspension of several provisions of the Constitution that protect fundamental human rights and freedoms, including the right to privacy and freedoms of expression, press, assembly and association. Hundreds of arrests have been reported, including political leaders, student activists, and human rights defenders. For the first week of the emergency, telephone lines and internet connections were cut, making it extremely difficult to obtain information about the scale of the crackdown. The army is said to be enforcing strict new rules on media censorship.

The human rights situation in Nepal has deteriorated in recent months in the context of the conflict between the government and the CPN (Maoist), which began in 1996. The King suspended parliament in 2002 and, since that time, has appointed three consecutive Prime Ministers. The most recent Prime Minister Sher Bahadur Deuba was appointed in May 2004 following protests of thousands of people calling for the reinstatement of an elected government. Following the King's direct seizure of power, Sher Bahadur Deuba, and members of his cabinet have been put under house arrest.

During the conflict there has been a pattern of killings, detentions, abductions, torture and threats against human rights defenders by the security forces and the CPN (Maoist). Amnesty International is concerned that following the seizure of direct control over government by the King, violations against human rights defenders will increase and journalists and human rights organisations will find it difficult if not impossible to operate freely.

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

- expressing concern for the safety of Krishna Pahadi, founding chairman of the Human Rights and Peace Society (HURPES), who was arrested in Kathmandu on 9 February;
- urging the authorities to reveal his whereabouts and grant him immediate access to his relatives, lawyers and any medical attention he may require;
- urging that he be treated humanely while in detention and not tortured or ill-treated;
- calling for him to be released immediately and unconditionally, unless he is to be charged with a recognizably criminal offence;
- calling on the authorities to ensure that human rights activists, journalists, lawyers and other members of civil society are able to carry out their work without fear of arrest or harassment by the security forces.

APPEALS TO: (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT. If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).

Shaha Bir Thapa
Inspector General of the Armed Police Force
Armed Police Headquarters
Swayam, Nepal
Fax: + 977 1 4 275 685
Email: armedpolice@wlink.com.np
Salutation: Dear Inspector General

Lieutenant Colonel Raju Nepali
Royal Nepal Army
Human Rights Cell
Royal Nepalese Army Headquarters
Singha Durbar
Kathmandu, Nepal
Fax: + 977 1 4 226 292
Email: humanrights@rna.mil.np
Salutation: Dear Lieutenant Colonel

His Majesty the King Gyanendra Bir Bikram Shah Dev
C/O The Chief of Protocol Division
Protocol Division
Ministry of Foreign Affairs
Chital News, Kathmandu, Nepal
Fax: + 977 1 4 4423 951
Salutation: Your Majesty

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 23 March 2005.