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## **Nepal: No to 100 days of solitude**

(The 2<sup>nd</sup> weekly briefing paper on the key human rights concerns in Nepal  
from 11-16 February 2005)

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## 1. Introduction

In the light of growing international pressure against the *coup d'état*, King Gyanendra reportedly sought three months - 100 days – during his talks with the US envoy, James Francis Moriarty on 11 February 2005, to bring the situation in the country under control and remove curbs on citizens.<sup>1</sup> Such deadlines have become cruel jokes on the people of Nepal. At the instance of King Gyanendra, former Prime Minister Sher Bahadur Deuba had set 13<sup>th</sup> January 2005 as the deadline for the Maoists to enter into talks with the government. That deadline expired. And, Deuba was dismissed before the expiry of the second deadline on holding general elections by April 2005.

The Asian Centre for Human Rights (ACHR) welcomes the recalling of the envoys by India, European Union and the United States to the capitals for consultation. However, international donors must immediately hold a consultation to ensure that all military aid to Nepal is frozen with immediate effect until multi-party democracy and democratic freedoms are restored; political activists, journalists, academics and human rights activists are released and censorship on the media is withdrawn.

India has suspended its military aid to Nepal and called off the Indo-Nepal Joint Security Group that was to be held later this month, February 2005, to work out details of supplies to the Royal Nepalese Army (RNA).<sup>2</sup> However, such temporary sanctions will have little meaning if the other arms suppliers like the United Kingdom and the United States do not take similar measures or other potential suppliers such as Pakistan and China provide military assistance to Nepal.

With most of the RNA personnel engaged in enforcing emergency, protecting the King and the Kathmandu valley, and providing escorts to the vehicles caught in the Maoists' road blockade, King Gyanendra's deadline to bring normality in the country within three months is ludicrous. Yet, King Gyanendra is unlikely to allow the proposed demonstration of the political parties on 18 February 2005 coinciding with 55<sup>th</sup> "democracy day".<sup>3</sup> While some political leaders managed to flee to India, many have been arrested in the borders by the Indian security forces as alleged Maoists.<sup>4</sup> Under such circumstances, repression by the RNA and close monitoring of the borders by the Indian security forces are likely to force many political activists to align with the Maoists.

## 2. Repression on the political leaders

As a cosmetic gesture, King has released a little over half a dozen political leaders from house arrests such as former Prime Ministers Krishna Prasad Bhattarai and Lokendra Bahadur Chand, President of Nepal Workers' and Peasants' Party (NWPP), Narayanman Bijuckchhe, Rastriya Prajatantra Party (RPP) President Pashupati Shumsher Rana, CPN-

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<sup>1</sup>. Gyanendra seeks 100 days for results, The Deccan Herald, 12 February 2005

<sup>2</sup>. India turns up heat on Nepal: Meet off, The Hindustan Times, 14 February 2005

<sup>3</sup>. Nepal's political parties preparing for big protests, The Pioneer, 15 February 2005

<sup>4</sup>. Nepal envoy to brief Natwar on Monday, The Indian Express, 13 February 2005

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UML standing committee member Sahana Pradhan and former minister and president of Nepal Sadbhavana Party Badri Prasad Mandal<sup>5</sup> on 9 February 2005 and Prakash Man Singh, former minister and politician of the Nepali Congress (Democratic) and Nanda Kumar Prasai, General secretary of Nepal Communist Party - Marxist, Leninist and Maoist (MLM) on 14 February 2005.<sup>6</sup>

However, most political leaders including Nepali Congress President Girija Prasad Koirala, UML General Secretary Madhav Kumar Nepal, Nepali Congress (Democratic) President and Prime Minister of the dissolved government Sher Bahadur Deuba are still under house arrest. Asian Centre for Human Rights has documented continued detention of 122 persons even after the release of over a half dozen political leaders from their house arrest. Please refer to Annexure I on the list of the detainees.

The right to freedom of association and assembly remains suspended. The repression on the political activists continues.

On 15 February 2005, Raghubar Bhatta, Lok Raj Bhatta and Ganesh Datta Bhatta—district-level workers of the Nepali Congress were arrested along with Kantipur's Dadeldhura correspondent D R Panta at the district headquarters of Dadeldhura.<sup>7</sup>

On 15 February 2005, the security personnel arrested Nepali Congress Spokesperson Arjun Narsingh KC and Central member of the Party Meena Pandey from their party office at Sanepa. Narsingh was addressing a press meet called to make the party's official statement public on the declaration of emergency on 1 February 2005.<sup>8</sup>

On 10 February 2005, Nepali police smothered the first political protest in the capital against the February 1 royal proclamation. About 11 human rights activists were arrested.<sup>9</sup>

On 8 February 2005 at around 8 am, security personnel arrested former mayor of Dharan Municipality Manoj Kumar Meyangbo from his residence. Police also arrested CPN-UML cadres Pradeep Bhandari, Murari Subedi and Rajkumar Rai and members of Nepal Students Union (NSU) Shyam Pokhrel, Basanta Rai and Bikash Acharya.<sup>10</sup> On the same day, the security personnel also arrested Assistant District Secretary of the CPN-UML, Bikash Lamsal from his rented apartment in the district headquarters of Parbat. He was arrested on charges of possessing documents that denounced the latest royal proclamation.<sup>11</sup>

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<sup>5</sup>. Six leaders released unconditionally, The Himalayan Times, 11 February 2005

<sup>6</sup>. Govt frees more leaders, human rights activists, The Nepalnews, 15 February 2005

<sup>7</sup>. <http://www.kantipuronline.com/kolnews.php?&nid=31694>

<sup>8</sup>. <http://www.kantipuronline.com/kolnews.php?&nid=31732>

<sup>9</sup>. Police crushes protest in Nepal, The Tribune, 11 February 2005

<sup>10</sup>. Former mayor, students arrested, The Kathmandu Post, 10 February 2005

<sup>11</sup>. CPN-UML cadre arrested, The Kathmandu Post, 10 February 2005

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### 3. Repression on human rights defenders

A large number of human rights defenders have reportedly fled to India and many went to hiding fearing arrest and detention.

On 10 February 2005, as many as 11 human rights activists were reportedly arrested by the security forces from Kathmandu on the charge of protesting against the royal proclamation.<sup>12</sup> On 14 February 2005, these human rights activists namely Suresh Chandra Pokharel, vice president of Human Rights and Peace Society (HURPES), its treasurer Balaram Aryal, HURPES members Narayan Dutta Kandel, Laxmi Acharya, Suman Shrestha, Jayram Basnet, Jivlal Kharel, Laxman Acharya, Hiralal Acharya, Balram Neupane and representative of the Human Development and Peace Campaign, Basudev Devkota were released.<sup>13</sup>

However, President of the Human Rights and Peace Society, Krishna Pahadi continues to be under detention of the security forces.

### 4. Repression on the press freedom

The censorship continues unabated. The RNA personnel continue to be posted in the editorial offices of print and visual media to monitor every news report.<sup>14</sup> They continue to edit all the news items of the print media as well as national electronic media.

On 15 February 2005, Kantipur's Dadeldhura correspondent D R Panta was arrested along with three district-level workers of the Nepali Congress.<sup>15</sup>

On 14 February 2005, the Supreme Court issued orders to the government authorities to appear before the court with a written explanation within three days regarding the arrest of Bishnu Nisthuri, General Secretary of the Federation of Nepalese Journalists (FNJ). Nisthuri has been kept in police custody without any detention notice.<sup>16</sup>

On 13 February 2005, security forces arrested two journalists Basanta Parajuli and Narayan Adhikari, correspondents of the state owned Gorkhapatra and Rashtriya Samachar Samiti respectively from separate places in Chitwan district. The local administration stated that they were arrested for necessary interrogation.<sup>17</sup>

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<sup>12</sup>. Rights activists, journalist arrested, The Kathmandu Post, 11 February 2005

<sup>13</sup>. Govt frees more leaders, human rights activists, The Nepalnews, 15 February 2005

<sup>14</sup>. Army officials posted in Nepalese print, visual media offices, The Tribune, 14 February 2005

<sup>15</sup>. <http://www.kantipuronline.com/kolnews.php?&nid=31694>

<sup>16</sup>. Apex court seeks explanation on Nisthuri's arrest, The Nepal News, 16 February 2005

<sup>17</sup>. <http://www.nepalnews.com.np/archive/2005/feb/feb15/news06.php>

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On 10 February 2005, the security personnel detained a journalist, Suresh Chandra Pokharel, on the charge of participating in the peaceful demonstration called by the Human Rights and Peace Society (HURPES) in Kathmandu.<sup>18</sup>

Many journalists have gone underground. Jitman Basnyet, editor of Sagarmatha Times, a Nepali language weekly has gone underground to evade arrest. Earlier in February 2004, he was arrested by the Royal Nepal Army for reporting about the killing of 13 prisoners in Doramba village by the RNA. He was tortured in detention in the barracks of Bhairav battalion of Royal Nepal Army for about 10 months. Mr Basnyet also testified before the National Human Rights Commission about the ill-treatment and torture of the detainees.<sup>19</sup>

## 5. Repression on the academic freedom

Although Sindhu Nath Pyakurel, former President of the Nepal Bar Association has been released on the direction of the Supreme Court, the lawyers and academics also continue to be targeted.

On 7 February 2005, Professor Lokraj Baral, a well-known academic and former ambassador of Nepal to India, was arrested by the Royal Nepal Army at the Tribhuvan International Airport on his return from New Delhi by the Royal Nepal Airlines flight<sup>20</sup>. Dr. Baral is reportedly being held without any charges at the Maharajganj army barracks. He had reportedly given an interview to the All India Radio.<sup>21</sup>

## 6. Maoist actions

On 13 February 2005, the Maoists rejected the Government's offer of talks.<sup>22</sup> The Maoists called an economic blockade that almost paralysed the country from 12 November 2005, except Kathmandu.<sup>23</sup> Transport services were badly hit. Residents of Kathmandu might face a scarcity of essential items if the movement of the vehicles continues to remain off the road for the next a few days.<sup>24</sup>

Intensifying their war against the Maoists, the RNA allegedly shot dead a dozen Maoists in three separate incidents on 15 February 2005.<sup>25</sup> On 13 February 2005, at least 12 Maoists and three security personnel were killed in an encounter at Jante VDC of Morang district. Four students identified as Nisha Limbu, Dinesh Majhi, Mahendra Rai and Devi

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18. Rights activists, journalist arrested, The Kathmandu Post, 11 February 2005

19. UPDATE -Nepal, Asian Human Rights Commission, 10 February 2005

20. Statement of Dhruva Kumar, Krishna Khanal, Hari Sharma, Krishna Hachhethu, Dalman Dahal, Kanak Mani Dixit and Abhi Subedi to King Gyanendra on 16 February 2005.

21. Asian Human Rights Commission

22. Nepal rebels reject talks offer, The Hindu, 14 February 2005

23. Blockade fuels prices in Kathmandu, The Hindu, 16 February 2005

24. Transport services hit in Kathmandu, The Tribune, 14 February 2005

25. Blockade fuels prices in Kathmandu, The Hindu, 16 February 2005

Adhikari and their teacher Bishnu Ghimire, were reportedly injured in the incident.<sup>26</sup> Three students who went missing after the clashes were found to be dead.<sup>27</sup>

However, given strict media censorship, it was difficult to verify the claims of the security forces.

On the night of 9 February 2005, the Maoists attacked the prison in Dhangadhi town in western Nepal and freed about 100 of their colleagues incarcerated there. At least five security personnel were killed in the attack.<sup>28</sup>

### **Annexure I: Partial list of the detainees**

Apart from those who were released, the following list of 113 detained persons including 35 detainees in Biratnagar and 21 detainees at Dhangadhi under Public Security Act, is a compilation of the list of detainees reported by the Human Rights Watch<sup>29</sup> and the media as cited in this briefing paper.

The list of detainees:

The list of detainees:

1. Girija P Koirala, Nepali Congress, House Arrest
2. Sher B Deuwa, NC (Democratic), House Arrest
3. Surya B Thapa, RPP, House Arrest
4. Madhav K Nepal, CPN (UML), House Arrest
5. K P Sharma Oli, CPN (UML), House Arrest
6. Amrit K Bohara, CPN (UML), House Arrest
7. Bharat Mohan Adhikari, CPN (UML), House Arrest
8. Asta Laxmi Shakya, CPN (UML), House Arrest
9. Amik Sherchan, Janamorcha, House Arrest
10. C P Mainali, CPN (ML), House Arrest
11. Sushil Koirala, Arrest
12. Ram Chandra Poudel, Arrest
13. Chakra Bastola, Arrest
14. Amod P Upadhaya, Arrest
15. Surendra Chaudhari, Arrest
16. Ishwor Pokharel, CPN (UML), Arrest
17. Narahari Acharya, Arrest
18. Laxman P Ghimire, Arrest
19. Gopal Pahari, Arrest

<sup>26</sup>. 12 Maoists killed in Morang, The Himalayan Times, 15 February 2005

<sup>27</sup> . <http://www.kantipuronline.com/kolnews.php?&nid=31733>

<sup>28</sup>. King frees seven, Maoists 100, The Telegraph, 11 February 2005

<sup>29</sup> . <http://hrw.org/asia/nepal020905.pdf>

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20. Gopal Rai, NC Ex Central Committee, Arrest
  21. Lekhnath Neupane, NC District Chairperson (Bhaktapur), Arrest
  22. Tirtha Man Dongol, NC District Chairperson, Arrest
  23. Madhu Acharya, NC District Chairperson (Kavre)
  24. Ramnath Adhikari, NC Dhading
  25. Shiva Bastola, NC Khotang
  26. Trailokya P Sen, NC Gulmi
  27. Haribol Bhattarai, NC
  28. Bamdev Gautam, CPN (UML)
  29. Pradeep Nepal, CPN (UML)
  30. Krishna Gopal Shrestha, CPN (UML)
  31. Lilamani Pokharel, Janamorcha
  32. Bal Krishna Khad, Democratic
  33. Purna B Khadka, Democratic
  34. Nilamber Acharya, Senior Politician
  35. Gururaj Ghimire, NSU Ex-President
  36. Rajendra Rai, ANNFSU Ex-President
  37. Kishor Shing, NSU (D) President
  38. Kundan Kafle, NSU President of Ashupati Campus
  39. Rup Narayan Shrestha, ANNFSU Ex-student leader
  40. Indu Sharma NSU leader
  41. Sarashowti Sharma
  42. Yagya Raj Sunuwar, AFFNSU Student leader
  43. Bimalendra Nidhi, NC (D) Central Committee Member
  44. Hom Nath Dahal, NC (D) Central Committee Member
  45. Prakash Sharan Mahat, NC (D) Central Committee Member
  46. Minendra Rijal, NC (D) Central Committee Member
  47. Gangadutta Joshi, NC President of Kanchanpur District
  48. Tarinidutta Chatout, NC Central Committee Member
  49. Ashok Koirala, NC Member of National Assembly
  50. Guru Baral, CPN UML Central Committee Member
  51. Naresh Pokhrel, CPN UML District Secretary, Morang
  52. Raghubar Bhatta, NC district-level worker
  53. Lok Raj Bhatta, NC district-level worker
  54. Ganesh Datta Bhatta, NC district-level worker
  55. D R Panta, Kantipur correspondent
  56. Arjun Narsingh KC, NC Spokesperson
  57. Meena Pandey, NC Central member
  58. Manoj Kumar Meyangbo, former mayor of Dharan Municipality
  59. Murari Subedi, CPN-UML cadre
  60. Pradeep Bhandari, CPN-UML cadre
  61. Rajkumar Rai, CPN-UML cadre
  62. Shyam Pokhrel, Nepal Students Union (NSU) member
  63. Basanta Rai, Nepal Students Union (NSU) member
  64. Bikash Acharya, Nepal Students Union (NSU) member
  65. Bikash Lamsal, CPN-UML Assistant District Secretary

- 66. Dr Lokraj Baral, former ambassador of Nepal to India
- 67. In Biratnagar thirty-five political activists are detained under Public Security Act
- 68. In Dhangadhi twenty-one political activists are detained under Public Security Act