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LONG LIVE PRAKASH RAJ KAPHLEY



TEARFUL FAREWELL TO PRAKASH RAJ KAPHLEY (December 26, 1952 - July 31, 1992)

A prominent human rights activist in Nepal and the Director of Informal Sector Service Centre (INSEC), Prakash Kaphley passed away in the air-crash of the Thai International Airbus TG311 flight from Bangkok to Kathmandu near Suryakund, 14 nautical miles northwest of Kathmandu, on July 31, 1992. He was returning to Nepal by the airline after participating in the meeting of South Asian Task Force on Judiciary for Human Rights held in Sri Lanka.

EDITORIAL

BE PRAKASH OUR VISION

Be PRAKASH our vision, by day or by night
Walking or sleeping, your presence be our light.

We are writing this page with tearful eyes and committed heart. July 31, 1992 was the most tragic day for us, beyond imagination. Biting leaps in-between our teeth we have to bear with the cruelest fact that PRAKASH is no more with us.

Our builder, leader, guide and friend, all in one, had an encounter with a tragic air-crash and left us in lurch.

He was a man with strong conviction in action, that too, in prompt action. He was a fighter against oppression and exploitation.

The less privileged third world is being ruthlessly exploited by capitalistic tentacles in the sweet name of freedom. It is a pity that the poor in the developing countries are made victims of various obsessions in their own soil. Thus essentially two faces of the coin minted by the exploiter cunningly depict RULING and CONTROLLING under the guise of HUMAN RIGHTS heading which in spirit suck human tears and blood with the least concern for HUMANITY.

In declarations, conventions, letters and commitments, the oppressed search JUSTICE, EQUALITY and FREEDOM, whereas the supremos either get in with FREE MARKET to make everything SALEABLE or with EQUALITY, everyone PUNISHABLE.

Humanity is always above money and democracy is always above tyranny.

Physically weak, mentally innocent and, in fact, very potential third world has always been the target of super powers. Amongst the poor third world countries, South Asia is a jumble of the poorest.

After getting walkover by the dismantled USSR, the USA has become the uncontrolled domineer and the plight of poor South Asian peoples have become like that of shanty dwellers.

PRAKASH was very clear on the issue of human rights, that human rights is abreast journey side by side towards economic, political, social and cultural rights. As a member of economically least developed society, he was a direct sufferer. So he had his mission for human rights, a real tool to enhance and strengthen participatory democracy at the grassroot level.

In his mission, besides many plans, he had three major activities on hand; they are — **Forum for Forgotten People, International Congress on Democratic Alternatives for Development, Human Rights, Justice and Peace** and **Peoples SAARC**. At the home-front he had gone deeply through **Human Rights and Social Awareness Raising Programme** all over the country.

About PRAKASH, Dr Clarence J. Dias has pointed out correctly "...Yesterday's human rights activist ... tomorrow's legend and leader..."

We, the INSEC family, pledge to fulfil the vision that PRAKASH had, though we know that without manifold labour and whole-hearted support of all the concerned this herculean tasks are impossible to materialize. But the large family spread all over the world is with us. Above all, PRAKASH, the name itself, is a dazzling light-house that will guide us forever.

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PRAKASH KAPHLEY

A FRONTLINE FIGHTER FOR HUMAN RIGHTS MOVEMENT

A prominent human rights activist in Nepal and the Director of Informal Sector Service Centre (INSEC), **PRAKASH Kaphley** passed away in the air-crash of the ill-fated Thai International Airbus TG311 flight from Bangkok to Kathmandu near Suryakund, 14 nautical miles northwest of Kathmandu, on July 31, 1992. He was returning to Nepal by the airline after participating in the meeting of South Asian Task Force on Judiciary for Human Rights (formed under the chairmanship of Justice P.N. Bhagawati) held in Sri Lanka. Of 113 passengers and crew members on board the aircraft, there were 28 Nepalese. Late Mr Kaphley has been survived by his wife and two daughters

PRAKASH Kaphley, who, in his discussion with other co-activists, always insisted on "Let's work unceasingly; results will confirm truth" as the motto of life, was the first to launch human rights movement in Nepal and had always been in the frontline to fight for cause.

Born at Nangedanda of Sindhuli district (Nepal) on December 26, 1952, **PRAKASH Kaphley** was brought up in his childhood in Dhanusha and Mahottari districts. A SLC graduate from Padmodaya High School in Kathmandu in 1967, he later completed I.Sc. course from Tri-Chandra College and B.A. course as a private candidate.

With Hetauda and Kathmandu as the focal points of his activities, Kaphley began his public life as a journalist. He first started to edit Prachi, a literary magazine, in 1973 and later took to writing for Samaj (a daily newspaper) as a free-lancer. In 1982 Kaphley started to publish Saptahik Khabar (weekly news) from Hetauda. Standing in the forefront of journalism to combat the Panchayat autocracy, Kaphley also worked for editing newspapers like **PRAKASH**, Bhhalphal and Jwala. As a journalist he was harassed and arrested several times by the Panchayat regime. **PRAKASH Kaphley** was the first foreign journalist to interview the President of ruling Janata Party in India when it assumed power in 1977.

Kaphley, who had cultivated as his life-style to keep himself abreast with political and social aberrations and stand up against them, could not resist himself for long from joining active politics. In March, 1978, he, in collaboration with the Communist activists in the mid-Terai region, organized a Revolutionary

Communist Organization. However, after this organization merged into the-then Communist Party of Nepal (ML) in 1980, he continued to work for the combined party in Janakpur and Narayani Zones for some time.

To proliferate the democratic movement in the nation to different sectors, Kaphley dedicated himself to human rights activities. Since then he had been entirely involved in the human rights campaign and proved himself to be a milestone in the human rights movement in Nepal.

With the establishment of Forum for Protection of Human Rights (FOPHUR) in 1984, he was elected its general-secretary. Later he was re-elected to the post at its first and second general conventions. It was at his behest and active role that Human Rights Day has begun to be celebrated in Nepal on December 10 every year since then.

From its inception till 1992, late Kaphley has made significant contributions to the FOPHUR-sponsored activities like Prisoners' Release Campaign, the Enquiry of Laxmi Pandey's Murder and Protection of Civilians oppressed by the-then regime. He was also a member of the Election Observation Civic Body constituted to observe the National Panchayat polls in 2042 BS (1987) which the leftist forces decided to utilize.

Prior to launching the people's movement, late Kaphley played a key role as the FOPHUR general secretary to keep live contact with various political parties and personalities and assemble them together. After the movement broke out, it was publicized by the-then Panchayat communication media that the movement was slipping into terrorists' clutches. The FOPHUR

then decided to depute late Mr Kaphley for European visit in order to publicize the movement in its right perspective and to create congenial public opinion in its favour in Western nations. Accordingly, he visited Europe in the third week of Falgun. He formed Nepal Cooperation Groups in Holland and Germany. He also organized a publicity campaign in Switzerland to help the movement and created public opinion to use Western media in support of the movement.

During the period of the interim government constituted following the movement, he played an active role for restructuring the nation. Later, he was on the Commission to Investigate the Lost Persons after 2017 BS, the Committee to Collect Information about Human Rights Violation, and a high-level Committee for the Oppressed during the People's Movement. During the same period, he was also designated as a member of Prachandraj Anil Commission, but he tendered his resignation from it after all the political parties protested against the procedure of its formation. He also served as a member of the Committee set up for Collecting Names of Freedom Fighters. Late Kaphley had been the mastermind and secretary of the National Election Observation Committee constituted at the behest of the FOPHUR to hold the first general elections impartially and peacefully.

Late Kaphley was the Director of INSEC set up to create a network to promote the human rights movement in the nation following the people's movement and to link Nepal's movement with the South Asian human rights movements. He was the pioneer of the Human Rights and Social Awareness Raising Programme recently undertaken by the INSEC. This important programme, first initiated in Nepal, later proliferated all over the South Asian region. Late Kaphley had been active in this field till the last moment of his life.

Involved in the pursuit of introducing Nepalese politics to the world in right perspective and keeping himself abreast with the human rights situation in the country, late Mr Kaphley was a member of various international agencies like Asian Cultural Forum on Development (ACFOD), Asia-Pacific Bureau of Adult Education, South Asian Task Force on Judiciary for Human Rights and Asia-FORUM

As a journalist, late Kaphley had paid visits to Pakistan, Bangladesh, China, North Korea, India and Hong Kong,

and, while, as a human rights activist, he had been to Thailand, Philippines, Germany, Switzerland, Netherlands, Sri Lanka, India, Bangladesh, Pakistan, Hong Kong, Taiwan, Columbia and Mexico. He also worked as a member of the International Observation Team to observe the general elections held in Bangladesh in 1990.

Late Mr Kaphley made significant contributions to the editing of several publications on human rights. Recently, he started the regular publication of the South Asian Exchange Bulletin under his editorship. In addition, he used to contribute to different magazines and newspaper under his pen-names like Sushil-PRAKASH, Rupesh Kumar and Smriti.

Quite recently, late Mr Kaphley entirely dedicated himself to the activities to support Bhutan's democratic movement. He was always found at the forefront in writing in its favour, extending assistance to its refugees, and helping the political parties and agencies involved in this movement. As his latest initiative in this regard, he convened the South Asian Judiciary to study the existing situation of human rights in Bhutan and played a most significant role in publishing "The Bhutan Tragedy: When Will It End?", which is the first reliable document on the history of Bhutan's democratic movement.

Late Kaphley is physically no more with us, but his dynamic vision is still with us — the vision which seeks to consolidate human rights as a people's force to combat their oppression and exploitation and safeguard their rights amidst the predicament created by human rights issues, the concepts of the ruling class in the Western affluent nations and the relative vacuum resulting from ousted Eastern European rulers and also to realize the fact that one cannot think of installing human rights without fulfilling economic ones. Above all, we still have his dream with us to materialize this vision through South Asian nations, which are by far the most oppressed, and to organise Peoples SAARC and International Congress on Democratic Alternatives for Development, Human Rights, Justice and Peace.

Late Kaphley's contributions will remain eternal.

Finally, we pledge to dedicate ourselves with firm determination to the process of materializing this dream into reality.

**INSEC
Nepal**

DEATH, BE NOT PROUD

A tribute and pledge to

PRAKASH KAPHLEY

[Dr Clarence J. Dias, President, ICLD]

On July 31, 1992 the Thai Airways flight to Nepal crashed into the Himalayan mountains some 50 miles from Kathmandu, leaving not a single survivor. On board was PRAKASH Kaphley — my friend and comrade in many a struggle against social injustice. He was heading home but he never made it. He was so near and yet so far — a phrase which perhaps so aptly describes PRAKASH's favourite struggle: the struggle for human rights for all the peoples of South Asia. So near, and yet so far!

I first met PRAKASH in May, 1989 and yet that seems unbelievable. Because, as I recall PRAKASH's work during those scant three years, I find I am reflecting on what, for most people, would be a lifetime's achievement. In February, 1990, when the people of Nepal rose together to launch a struggle for democracy, PRAKASH was in the forefront of the struggle. During the hectic months when Nepal was making a new Constitution to safeguard the democracy so dearly won, PRAKASH and his colleagues launched a Constitutional literacy drive — trying to bring constitutional issues before the rank and file of Nepal so that, together, the people of Nepal would give onto themselves, a living Constitution. Not just a Constitution drawn in ink on paper. But, rather, a Constitution that would live in the hearts and minds of the people. At the time, PRAKASH, working through organizations like FOPHUR and INSEC, turned to his friends and colleagues in the neighbouring countries of South Asia. Consultations were held with South Asian experts, first on constitutional experiences and later on election-related experiences in South Asia. The idea was to learn from such South Asian experiences, avoid past mistakes and adapt to Nepal conditions the few regional success stories

This was the start for PRAKASH of two years of intensive work at a South Asian level. When Nepal conducted its highly acclaimed general elections,

PRAKASH was actively involved, both at national level (on an election literacy drive and a national election monitoring mission) as well as at a regional (SAARC) and international level (co-ordinating a massive international election observers' mission). PRAKASH became a firm believer in the strength and solidarity of the peoples of the SAARC region. He was an active participant, coordinator, catalyst, or leader in a variety of South Asian initiatives such as the South Asian Judiciary Task Force, the South Asian Forum for the Protection of Human Rights, and the still-to-be born Peoples SAARC. It was through his efforts that, at Kathmandu, a South Asian working group was formed on Protection and Promotion of Human Rights under exceptionally difficult circumstances (such as Burma, Bhutan, Kashmir, Punjab, Assam, Jaffna, Chittagong). It is indeed fit that we remember him now in the bi-monthly Bulletin that is the voice of that South Asian network on Human Rights under exceptionally difficult circumstances. PRAKASH was also a key in organizing two meetings, in Kathmandu, of concerned journalists from South Asia to work towards the formation of a South Asian Journalists Forum on Human Rights — a task that still remains to be fully achieved.

A dry listing of the innumerable activities that PRAKASH threw himself into (indeed often instigated) to fight against social injustice and for human rights in Nepal and in South Asia, does not convey the dynamism, humanism and dedication of the man that was PRAKASH Kaphley. He was tireless and insistent; a hard taskmaster (indeed, truth to tell, something of a slave driver) as he exhorted human rights activists to do more, indeed much more. "Is it enough to love and let die?" seemed to be the challenge he would constantly pose to us. I have many a recollection of days when, in his own gentle insistent way, PRAKASH would drive us to exhaustion to ensure that what needed to be done was done. Perhaps the best example of this was the First SAARC Jurists Mission on Bhutan. PRAKASH not only brought the Mission together and facilitated its visit and its work, but barely one month after the Mission had ended, PRAKASH made sure that its 180-page Report was ready in printed form and disseminated among the NGO human rights community in Asia and around the world, and among the UN human rights organizations in Geneva and

elsewhere. For those of us involved in the effort, it was obviously a strenuous month. And yet, PRAKASH, who made it so strenuous, also made it so rewarding. My memories are of working long days, and even longer nights. But also of the warmth of meals taken together and companionship among the entire Mission team — and that was PRAKASH's gift, and his contribution.

Those of us who were privileged to know PRAKASH cannot help but feel an acute sense of grief and loss. Yet even now, PRAKASH challenges us to do more than grieve. "Though nothing can bring back the hour of splendour in the grass, of glory in the flower. We will grieve not, rather, find strength in what remains behind". For me, that is the legacy of PRAKASH Kaphley. I cannot write, or speak, or think of him in the past tense. For he is still very much a presence. Yesterday's human rights activist, and today's tragic figure, has already become, for me, tomorrow's legend and leader. Very much alive is PRAKASH's record of achievements. Very much alive is PRAKASH's vision and mission — his unfinished agenda. And now, as ever before, PRAKASH's gentle but firm insistence leads, nay, drives us to pursue that unfinished agenda.

PRAKASH's immediate agenda centered on three favourite projects. Over the last several months with numerous colleagues, he has been working to help convene the first-ever Forum of the Forgotten People (i.e., people forgotten by the human rights movement). In Nepal, the "forgotten people" in this first forum would be women. But his hope was that the Forum for the Forgotten People would become a regular, periodic activity and not just in Nepal but in every SAARC country. We must ensure that such hope becomes a reality. It is through the Forum of the Forgotten People that we will ensure that PRAKASH will not be forgotten.

A second dream of PRAKASH was to convene, in February, in Kathmandu next year (on the anniversary of Nepal's democracy struggle) an International Congress on Democratic Alternatives for Development, Human Rights, Justice and Peace. The International Congress seeks to bring together some 150 foreign participants to interact with a wide cross

section of Nepalese society. The participants (both foreign and local) will be drawn from mass organizations (such as trade union and peasant organizations); youth (from schools, university and from the informal sector of education); peoples movements (women movements, environmental movements, consumer movements, movements of indigenous peoples); non-governmental organizations and social action groups (especially those engaged in conscientisation, grassroots education and rights awareness activities); progressive political parties; representatives of liberation movements (such as the African National Congress); former leaders of countries (such as Tanzania, Nicaragua, Cuba) and prominent government officials and leaders of opposition parties. PRAKASH hoped that this International Congress would help Nepal find ways through which it could move beyond representative democracy to participatory democracy: especially at the grassroots level.

PRAKASH's third dream was of a Peoples SAARC — a vibrant set of people-to-people actions through which the peoples of the SAARC countries could assert and exercise popular sovereignty together: in a spirit of SAARC solidarity.

Death, be not proud. You will not succeed in extinguishing those dreams. PRAKASH lives if we can keep those dreams of his alive.

Death be not proud. In struggles against social injustices and inhuman wrongs, you may have won a battle but you will lose the war. Because South Asia will continue to produce the sons and daughters needed to win the war on want and injustice. For PRAKASH, justice was an obsession. For those of us who share his vision and mission, that becomes our call to action as we rededicate ourselves, and pledge to PRAKASH that we will strive to make his obsession our reality — a reality for all of the peoples of SAARC. Only then will his favourite struggles for human rights for all people of South Asia, seem so near and not so far.



TRIBUTE, PLEDGES AND CONDOLENCE ON PRAKASH (Upto August 15, 1992)

.Heartfelt condolence on sad demise of Mr PRAKASH Raj Kaphley.

His Majesty the King and Her Majesty the Queen of Nepal.
Royal Palace. Kathmandu. Nepal

...FOPHUR is shocked in sadness. He was a devoted person for the cause of human rights. His death is irreparable loss in the field of human rights.

B.K. Mainali, General Secretary, Forum for Protection of Human Rights,
Kathmandu, Nepal

...Yesterday's human rights activist and today's tragic figure has already become, for me, tomorrow's legend and leader.

Dr Clarence J. Dias President, International Centre for Law in Development
New York, USA

...I was deeply impressed by the work that PRAKASH and your other comrades and friends have done in helping to bring democracy to Nepal and now in helping to consolidate this into a genuine peoples democracy.

Robert Reid Asia Pacific Workers' Solidarity Links,
Aotearoa, New Zealand

...We all are acquainted with his contribution towards human rights and pro-democracy movement in Nepal. As a General Secretary of FOPHUR, Mr Kaphley used to give us upto date information on ongoing pro-democracy movement of Nepal in 2046 BS, on the basis of which international support was acquired in North America and the whole international community.

Nepal Human Rights Committee-USA
Washington, DC

...Mr Kaphley's selfless effort in internationalization of violation of human rights in Bhutan and his support for the Bhutanese democratic movement can never be forgotten by the Bhutanese people. They will always remember the 'Great Soul'.

Rakesh Chhetry, Chief General Secretary,
Bhutan Peoples Party, Kathmandu Office (in exile)

...It is very very difficult in today's world to find a man like him who very much cared and fought for the less privileged, the oppressed and the deprived ones. . He died struggling for repatriation. He taught the world a lesson — "Live and let others live."

Kamal Dhital, Students' Union of Bhutan
Kathmandu Office (in exile)

A man who worked for humanity is not only an irreparable loss to your organization, but to the entire human family. And for us Bhutanese in exile already orphaned by our very government, the encouragement and substantive support we received from persons like Mr Kaphley was most valuable.

R.B. Basnet, D.P. Basnet, Om Dhungel, N. Katel, N. Sharma Bhutanese Movement for Human Rights and Democracy,
Kathmandu, Nepal (in exile)

...PRAKASH! let the light of our memory be with us,
unknown, in which street, the brightness of life
declines, and the journey is finish

V.R. Krishna Iyer, Swami Agnivesh, Anwar Zamal, Kailash Satyarthi, Smitu Khottari, Vinod Agnihotri
New Delhi, India.

...His relations with us was just like in-between comrades of two journalists unions. We never felt that he worked for the cause of human rights rather than journalism and that also not within our country but in a foreign nation.

Anil Shukla, General Secretary, DUWJ,
New Delhi, India

...Mr Kaphley's death is an irreparable loss to all democratic movement not only in Nepal but also in South Asia as a whole.

D. Prem pati, President, Third World Studies Centre,
New Delhi, India

...In this moment of deep sorrow, it is perhaps useful to remind ourselves of the ideals and aims that PRAKASH stood for and pursued. Our best homage will be through our deeds, carrying forward the tasks that PRAKASH began.

Rajesh Tondon — President, Asian South Pacific Bureau of Adult Education,
New Delhi, India

...He had many friends in different parts of the world. He will live through his great works thousand years. His ideal will continue to inspire the young generations.

M. Abdus Sabur
ACFOD, Bangkok, Thailand

...Asian people have lost a great friend and Nepal a great democrat.

Gamini Yapa — ACT Member, ACFOD, Sri Lanka

...PRAKASH is a great human rights leader who devoted all his time, energy and strength for promoting and protecting human rights in Nepal, Asia and the world.

Kalyananda Tirangama, Manel Tirangama, Mohan Genviratne
Lawyers for Human Rights and Development (Colombo) Sri Lanka

We hope that his work will go on as a memorial to him

Father Timm Commission for Justice and Peace
Dhaka, Bangladesh

...Owing to the untiring efforts of Mr Kaphley, the organizations with which he was connected, could rightly claim their considerable share of the success which were instrumental in bringing about the recent changes in the history of Nepal.

However, PRAKASH Kaphley's interest and affection for his fellow-men did not allow him to limit his activities to his own country. We all know the zeal and favour with which he adopted the cause of the Bhutanese refugees who have lost in him a true friend.

I shall miss, we shall all miss PRAKASH, and it is a great loss.

And v. Johansen Charge d'affaires e.p.
Royal Danish Embassy, Kathmandu, Nepal

...The sad demise of people like PRAKASH Raj Kaphley is irreparable loss to the whole national life.

Kapil Shrestha, Human Rights Organization of Nepal

...This condolence meeting expresses heartfelt grief on the sad demise of people like PRAKASH Kaphley. His contributions for restoration of human rights in Nepal is great.

FOPHUR, Lalitpur, Nepal

...I think the human rights movement lost a great man. He will continue to keep the special place in my heart. He always had, but my future visit to Nepal will never be the same.

Eveline Bolt Nepal Support Group.
Holland

...I have not lost only my closed friend but one of the important men in our movement. Perhaps one of the budding stars in the field of human rights in Nepal as well as in SAARC region.

S.B.Subba Human Rights Organization of Bhutan
Kathmandu, Nepal (in exile)

...We have lost a very good friend and a champion of the oppressed and voiceless people. I join the thousands of well-wishers to express my sincere condolence.

Ashish Gurung Executive Director
CARITAS/Nepal

PRAKASH was a deeply committed person. He was energetic and so giving of himself for others.

Lourdes Ledesma Asia Partnership for Human Development
Kowloon, Hong Kong

...Untimely death of our dear friend and comrade PRAKASH Kaphley is a big loss to the struggle of the people of Nepal for a more just, humane and democratic social order.

Documentation for Action Groups in Asia
Kowloon, Hong Kong

...His deep commitment and love for his people and his relentless pursuit of justice were unwavering.

Maitet Diokno — Asian Regional Exchange for New Alternative, Hong Kong

...His works is his legacy to all of us. He will always be with us through his works.

Carlos P. Medina — Secretary, LAWASIA Human Rights Committee,
Philippines

...It is a big loss for every one involved in human rights activities in the region. I rest, however, confident that you will be able to keep the works...

Aslaug Maire Haga — Charge d Affaires a.i.
Royal Norwegian Embassy, New Delhi, India

...My condolences on the sudden death of Mr PRAKASH Raj Kaphley... see you continuing that important work despite the great loss...

Mervi Hietanen — UNV Programme Officer
Kathmandu, Nepal

...Terribly sorry I am about the loss of Mr KAPHLEY ... a committed and a talented man he was ... an enormous loss this is to the Nepalese and world human rights community.

Leah Leatherbee — The Fund for Peace
New York, USA

...A sad loss to human rights activists in Southeast Asia is PRAKASH Raj Kaphley (Nepal) ... was instrumental in initiating a campaign to urge international human rights organisations to investigate abuses in Nepal during the pro-democracy demonstrations in April, 1990 with the relegation of King Birendra Bir Bikram Shah to a constitutional monarch, PRAKASH was primarily responsible for organising an international election monitoring team with support from Interim Prime Minister K.P. Bhattarai.

Editorial, THE NATION (newspaper)
Thailand, August 4, 1992

CONDOLENCE ON VISIT BOOK BY OTHER VIPS

1. Mr G.P. Kourala, Prime Minister, Nepal
2. Mr Man Mohan Adhikari, President, CPN (UML)
Opposition leader in Lower House of the Parliament
3. Mr Daman N. Dhungana, Speaker, House of Representatives
4. Mr Ganesh Man Singh, Supreme Leader, Nepali Congress (ruling party)
5. Mr Madan K. Bhandari, General Secretary, CPN (UML)
6. Mr Madhav K. Nepal, CPN (UML), Opposition leader in Upper House
7. Mr Narayan Man Bijuchhe, President, Nepal Majdoor Kisan Party
8. Mr R.K. Mainali, CPN (UML), Chairman —Public Accounts Committee, Lower House of Parliament
9. Dr Devendra R. Pandey, Ex-Minister, Nepal
10. Mr Anand Swaroop Verma, Third World Studies Centre, India
11. Mr Surya P. Shrestha, Chief Election Commissioner

More than 500 VIPs from all walks of life — political parties, trade unions, cultural organizations, literacy and journalist associations, human rights organizations, women forums, child organizations, organizations of backward class, ethnic minorities, research and service organizations besides all NGOs were present at late Kaphley's residence to express condolence on his sad demise.

Dear Friend(s),

Our beloved friend, guide and leader Mr PRAKASH Kaphley passed away on a plane-crash on July 31, 1992.

He was in prime of devoting all his energies for human rights and democracy for the peoples at grassroot level, who were his primary concern.

His ideals will continue to inspire us forever. We promise to carry forward the tasks that PRAKASH began.

In near future, we are going to publish a book on him. Therefore, I request all interested friends and well-wishers to contribute by writing articles on PRAKASH regarding his mission and personality and by furnishing rare important speeches or writings by PRAKASH, if possible with photographs, which you might have with you.

Your kind contribution will be highly appreciated.

Sincerely yours,

Sushil Pyakurel
Co-ordinator
INSEC

HUMAN RIGHTS SITUATION REPORT IN SOUTH ASIA

Protection and Promotion of Human Rights in Exceptionally Difficult Circumstances (such as Burma, Bhutan, Kashmir, Punjab, Assam, Nagaland, Jaffna, Chittagong) in South Asia was one of the dreams, and one of the efforts, that late PRAKASH Kaphley initiated. In this regard, through his effort, a South Asian Working Group was founded and a meeting was convened in Kathmandu, on August 24-25, 1992.

Considering the need to extend moral support and solidarity and adequate flow of information among the people of the region struggling for human rights and according to the decision of the meeting, late Kaphley keenly concentrated in publishing the INSEC bulletin: South Asian Exchange, covering the human rights information of those difficult circumstances. Now, let us concentrate on the human rights situation in brief of the regions under difficult circumstances.

BHUTAN

A number of literature has been published regarding human rights situation in Bhutan. No sign of improvement on human rights situation in Bhutan has been observed. Moreover, the government of Bhutan has implemented new ruse in Southern Bhutan to suppress the movement. The number of Bhutanese refugees has been increasing day by day. Only in Nepal, the number of refugee has crossed over 80,000.

Regarding Bhutan issue, a SAARC Judiciary Mission was sent to Bhutan, of whose late Kaphley was a member. However, the Mission was denied access into Bhutan. The report of the Mission, including other related documents, has been published in book a forum entitled "The Bhutan Tragedy, When Will It End?"

Now, it is hoped that the international community will pay considerable attention toward Bhutan issue. So far as Nepal is concerned, the Prime Minister of Nepal has recently informed the parliament that the Nepal government is going to hold talk with Bhutan government regarding refugee issue.

BANGLADESH

Where Police Still Rules

Dawn to dusk strike was observed on 21st June throughout Bangladesh which was called by Nirmul Samannaya Committee. (National Coordination

Committee for Realization of the Spirit of the Liberation War and Resistance to the Killers and Collaborators of 1971). At about 5:45 pm when the Nirmul Samannaya Committee was holding a meeting in front of the office of Bangladesh Communist Party, two cocktail were blasted on the road near the House Building Finance Corporation. The participants of the meeting tried to catch the bomb-attackers immediately and marched towards Purana Paltan. In the meantime police force on duty was requested by a group of participants to arrest the terrorists but the police did not comply with their request. Police instead of resisting the miscreants charged baton on the participants of the meeting. When the police lobbed tear gas shells and started arresting several people, the working photo journalists took snaps of those actions. At this the police became furious and they attacked the journalists. Photo journalist of Daily Al-Amin M. Alam was the first victim of the police attack and was injured seriously. While Mr Humayun Kabir, Hiru photo journalist of Daily Star was trying to take snaps of Alam's torture he also fell prey to police action. Police Inspector Shahabuddin of Motijheel Police Station gave a strong blow on Hiru's forehead and his fellow colleagues kicked him to the nearby island of the street. The Police snatched his camera also. When staff reporter of Aijker Kagoug Mr Gazi Abu Baker was rushing towards national Press Club for arranging ambulance to take Mr Alam to the Hospital, a group of police led by Inspector Delwar jumped on him and started beating him. Witnessing this, the journalists waiting in front of the National Press Club came forward but police kept attacking on them also and entered the National Press Club premises.

According to the eye witnesses, the police raid at the National Press Club and its adjoining areas continued for more than two hours from 6:15 pm to 8:30 pm under the direct supervision of Patrol Inspector Shahbuddin Dilip of Motijheel Police Station, office-in-charge of Ramma Police Station Syed Akhalq Hussain and Assistant Commissioner of Detective Branch Ruhul Amin. In the meantime, a group of injured photo journalists after a short demonstration at the Zero Point were returning back to the Press Club. They met Dhaka Metropolitan Police Commissioner Mr Mirza Raquibul Huda on their way back. The mob apprised him of the facts. But he too ordered their men to attack the journalists even after their identification. The journalists told the Bangladesh Human Rights Commission's Team that police snatched away their money bags, wrist watches, mini-cassette recorders and also damaged the motor cycles standing inside the National Press Club. Inspector Shahabuddin and OC Akhalq along with their men unleashed a reign of terror in the National Press Club area. The horror let more than 50 journalists injured, 16 of them were admitted to the Dhaka Medical College Hospital and two of them to Holy Hospital. Nine journalists received out door treatment from DMCH.

The fact-finding report made by Bangladesh Human Rights Commission (BHRC) on the Press Club incident on June 21, 1992, has held the police fully responsible for the attack and torture on the journalists. BHRC believes that the law enforcing agency has put the Press Freedom under attack and thereby violating the constitutional rights as well as internationally recognized human rights. The BHRC conducted an extensive survey on the incident by a two member fact-finding mission composed of Justice K.M. Subhan and Mr Akram H. Chowdhury, Chairman and Secretary-General of BHRC respectively.

In this regard, INSEC condemns the unprovoked attack on newsmen and ask the government of Bangladesh to make public the report of the Enquiry Commission set up by the government and take appropriate action against police responsible for the incident.

Chittagong Hill Tracts

Though the issue of Chittagong Hill Tracts seems long-standing, new horrible incidents and massacres are taking place.

There is no more military rule. The democratic government has been set up. However, the CHT people do not seem receive the fruit of democracy. It is the recent incident that a horrible massacre took place in CHT where more than hundred were killed and many injured, as reported by human rights organizations.

In this regard INSEC also made an appeal to the government of Bangladesh for impartial and independent judicial enquiry into the incident. But we have not yet received any information regarding any action taken by government on this issue.

BURMA

Analysis on Recent General Situation

- Aye Chan Naing
ABSDF, Stockholm,
Sweden, May 27, 1992

Today, we have passed the 2nd year-anniversary of multiparty general election in Burma which held on May 27, 1990. However, the major opposition party, National League for Democracy led by Nobel Laureate, Daw Aung San Suu Kui won landslide in the election has been barred from forming a government, instead over hundred of elected MPs have been disqualified and or detained and many were put in prison. One of them has already been tortured to death in prison. Several of others were forced to take refuge in the ethnic control areas along the Burmese border.

SLORC's Recent Changes

On 23rd of April, the ruling military junta in Burma, State Law and Order Restoration Council announced that its chairman Gen Saw Maung has taken leave due to the health grounds and his responsibility has been handed over to Gen Than Shwe. It was not very much

surprising for many observers for the resignation of Gen Saw Maung because of his behaviour. Saw Maung has reported to have been suffered a nervous breakdown since late November last year.

More interesting than Saw Maung's resignation is that the junta announced, one day after the Saw Maung's resignation, it will release the political detainees those who are no reasons to endanger the security of the state and will meet and co-ordinate with the leaders of the Hluttaw Representatives within two months to convene the National Convention within six months.

Besides, on 25th April, the military junta announced that the 1991 Nobel Peace Winner Daw Aung San Suu Kyi's family will be given permission to visit her. Moreover, on 27th April, Maj-Gen Maung Hla, Chief of the Military Operation Control Commander said the present offensive in Karen State would be stopped to expedite attainment of amity among all national races for national unity, during the military operations coordination meeting. The junta also signed an agreement with the Bangladesh's Foreign Minister to take back hundred of thousands of Burmese refugees in Bangladesh, on 28th April.

Release of Political Prisoners

The recent release of hundred of political prisoners out of over 2,000 by the end of May also includes former prime minister U Nu and some of his colleagues, former NLD General-Secretary U Chit Khaing, Daw Aung San Suu Kyi's personal secretary, Ma Theingi and some of Daw Aung San Suu Kyi's personal security members, Ma Nita(a) Daw Nita Yin Yin May of the information office at the British Embassy in Rangoon and Daw Cho Cho Kyaw Nyein, Secretary-General for the Anti-Fascist People Freedom League (AFPFL).

However, many observers and Burma opposition groups believe that it is just to cool down the growing international pressure against the SLORC. The international pressure on the Burmese junta has been mounting for their blatant violation of human rights toward its own people and various crimes and atrocities committed by the Burmese soldiers especially in the areas belong to the ethnic indigenous groups. The pressure grew especially after Daw Aung San Suu Kyi

was given the 1991 Nobel Peace Prize in November and after driving out tens of thousands of Rohingya refugees into Bangladesh.

SLORC's Plan to Gain Control Over Power

There is no doubt about the recent changes of the SLORC's policy is not because of the Gen Than Shwe. It appears the junta is presenting its ailing Gen Saw Maung, as a scapegoat responsible for Burma's status as an international pariah.

The junta has systematically planned to step down the opposition movements to be able to convene the National Convention which they could manipulate the process.

The recent policy of the SLORC to meet and coordinate with the elected MPs and convene the National Convention is referred to the declaration No. 1/90 issued years ago, on 27th of June 1990 which barred the elected MPs to convene the parliament and made possible to harass, arrest and detain the opposition movements and its leaders.

With last two years after the NLD won over 392 out of 485 seats in parliament, the SLORC has systematically trying to control over the opposition movements inside the country step by step.

Conclusion

The junta has systematically planned to control over the opposition movements inside the country and silence the voices of the people. The junta has already single out all opposition leaders who could threaten their stability and is trying to cool down the growing international pressure.

It is not clear whether the recent changes of the SLORC is their genuine desire or just cosmetic moves to reduce the growing international pressure.

The junta has still detained thousands of political prisoners despite the release of a few. The junta said it won't release any political prisoners who endanger the national security; in other words, those who could threaten the Junta's seats in the government such as Daw Aung San Suu Kyi.

The SLORC has not yet revoked its Martial Law Order 2/88, which prohibits gathering of more than five people, and Notification 8/88, which bans public criticism of the military. The country has been under the rule of martial law since 1988.

Despite the signing of the agreement to take tens of thousands of exodus Rohingya refugees in Bangladesh by the Junta's Foreign Minister, the influx of the refugees into Bangladesh has not yet stopped. The Bangladesh authorities have already postponed the date of the repatriation of the refugee indefinitely.

Obviously, the Junta has no authority to convene the National Convention and even if it forcibly assembles, the solutions that guarantee for the national stability and national unity in the long-run cannot be certain. Under these situations, the fair and complete national convention cannot assemble

INDIA

We are shocked to read the report on human rights abuses in India. The recent report published by Amnesty International on India clearly depicts the state of human rights situation in India.

Despite its international obligation, the government of India has imposed many repressive laws on its own people, especially in Punjab, Kashmir, Nagaland, Assam UP, Andrapradesh and other places. People of these areas have been suffering and suffocating under state terror. We have been receiving information of killing people by police in so-called encounter.

It will be worth mentioning that Justice Ajit Singh Bains, the 70-year-old Chairman of Punjab Human Rights Organization, was arrested on April 3, 1992 and accused of making anti-national speech. He was arrested by police in Chandigarh, which is in Punjab state in India. He is kept in jail under Terrorist and Disruptive Activities Act

INSEC has been demanding with the government of India to release Justice Bains without any pre-conditions and respect norms and values of democracy and human rights

NEPAL

Does the Government Intend to Promulgate Repressive Laws ?

Quite recently the government has distributed draft copies of two laws to parliament members. These draft proposals are contrary to the universal declaration of human rights and our constitution itself. This has caused uproar in both the houses of parliament by all opposition parties and even some ruling party MPs have deplored the bills. Hence, these bill are matter of serious concern to all human rights activists.

1. **Bill on Information (Information Act):** According to the bill any information on public issues can be blacked out by government officials. Press should apply for any desired information to the authority and the authority shall decide within 15 days. The information, if refused, is final, beyond reach of court.

Government can hide information on any matters, including decisions passed by the cabinet, proposals to the parliament, report of enquiry commissions, proposals in cabinet and other matters like signing of treaties with other countries and its contents thereto, financial policy matters, matters related to Royal Nepal Army and suggestions or recommendations put to His Majesty the King by the cabinet, authorities or officer, etc. Even parliament members can be kept away from such information.

2. **Bill on Amendment to Some Public Crime and Punishment Act, 2027:** This bill has been brought to the Upper House on August 3, 1992. This not only prohibits any sort of procession with torches such as candle, lantern, etc. but also stipulates that the organizer of such protest is equally punishable.

The official appointed by the Minister is the sole prosecutor in such cases. The prosecutor can fine ransom of upto five thousand or one year of imprisonment or the both

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ARTICLE OF LATE PRAKASH RAJ KAPHLEY

HUMAN RIGHTS: IN NATIONAL AND INTERNATIONAL CONTEXT

Human rights do not merely mean freedom of assembling, organization and expression. They also include right to life, right to health and right to education. Human rights are not only the concern of constitution, laws and regulations, but are a recognition of life and humanity. Questions of human rights, humanity and struggle for human rights have broadened the definition of human rights. Over the last one decade, there have been intensive discussions and debates on the issue of human rights and attempts have also been made to use human rights issue as a political weapon.

In the present world, there is no single country that opposes human rights and denies its significance. Instead, attempts have been made to define the human rights terminologies at convenience of an individual and group. According to the western concept, human rights are believed to be guaranteed in a country where people are provided with civil and political rights. This concept has indirectly influenced the Third World countries as well. Human rights organizations in the Third World countries, too, have been psychologically influenced by the western concept. The worldwide recognized human rights organization — Amnesty International -- in its field of work, has given more importance to civil and political rights.

As the situation of human rights is gauged in terms of circumstances of a particular country, human rights have thus become synonymous with civil and political ones. The works being carried out by the Amnesty International in the field of human rights are, of course, a matter of glory for the entire humanity. However, the revered organization like Amnesty International has sometime become a victim of political rivalry.

Amnesty International published a report on human rights situation of Kuwait after Iraq's military invasion on August 2, 1990. The report clearly stated that Iraqi army killed more than three hundred children in Al-Rahaji and Al-Adan hospitals alone. Of them, most of

the dead children had been thrown to dust bins. The report was covered by almost all newspapers throughout the world. This was not only condemned all over the world but also created a worldwide hatred against Iraq.

When Iraq was defeated and it withdrew from Kuwait, a senior doctor in Al-Rahaji and Al-Adan hospital published a report denying the earlier report that Iraqi soldiers had killed children. A doctor clarified before the foreign journalists that American and Kuwaiti officials had used him to spread propaganda. Thus, human rights organisations are, sometimes, misused to create hatred against a particular country.

Nepal and Human Rights

All political parties, which were banned in the past 30 years of now defunct Panchayat regime, had always been raising the issue of human rights in Nepal. It was believed that after the restoration of democracy the condition of human rights would improve. The interim government installed after the restoration of multiparty polity ratified various international conventions and covenants relating to human rights. However, the situation of human rights has not yet improved. It is not that fundamental rights like right to freedom of assembling, organization and expression have been denied. Despite this, there have been incidents of human rights violation like arbitrary arrest, torture, detention, firing at peaceful protests and fabricating a false case against the workers and leaders of opposition parties by misinterpreting the provisions of law. Owing

to this, Nepal has again been known as a country of human rights violation in the world scene. The Amnesty International has again started its campaign against human rights violation in Nepal as it did during the Panchayat regime because of the intolerant posture of the government towards civil servants' movement, police torture in various places like Baglung and Bajhang, indiscriminate firings at protest rallies and Nepal Bandh (Nepal closure) programme on April 6

and killings during the elections. Reports of human rights situation during the civil servants' movement and after have again been widely circulated throughout the world.

Why violation of human rights?

When someone kills the other, there is a law to take action against him and court takes action accordingly. The assassin should be punished for depriving the other of his human rights. Human rights organizations consider it the duty of the state to take action against a human rights violator. When the government itself violates human rights by using state machineries like police and army, it normally does on the basis of some provisions of existing laws. In this circumstance, the government does not appear to be a criminal in terms of laws (the government has not been treated as a criminal even after the killing of more than seven persons during the protest programme of April 6). In such circumstances, human rights related organizations decide such incidents as the act of human rights violation and initiate their own action relating to these cases.

Government officials often raise the question with the human rights workers — why do you raise the issue of human rights violation when police killed some one in their effort of maintaining security, and remain mute when the other party indulges in vandalism? There is a law against vandalism. Police can arrest some one on the charge of murder. Does people have right to arrest the police for shooting somebody to death?

The main function of the state is to protect the life of people. Thus, law has provided the government with the right to fire only below the knee in some special circumstances. But no action has been taken against the police for violating this provision. As a matter of fact, our police lack education. There have been instances that police were used to be sent to suppress the peaceful protest by offering a plenty of drinks during the Panchayat regime. Police were used as a machinery to protect the Panchayat system. They were taught that people who believed in political ideologies other than the Panchayat were anti-nationals. It is due to this that police used to maltreat the Nepal Congress workers and the Communists. Even after the

restoration of multiparty polity, police have not been educated in line with the democratic system. They have not been taught that the duty of police is not to serve the petty interest of a particular political party but to provide security to the people.

Thus, there have been newspaper reports of police maltreating the leaders and workers of opposition and making attempt to win favour from the people of the ruling party. Taking this into account, we have submitted a memorandum to the Prime Minister demanding that Nepalese police be educated with the help of International Committee of the Red Cross and local non-governmental organizations.

Whatever may be the laws, human rights situation cannot be guaranteed unless grassroot level people understand the interpretation and spirit of laws. Democracy can only be a means to strengthen the situation of human rights but it cannot fully ensure human rights. Thus, the acts of human rights activists always continue. Government's role also remains vital for safeguarding human rights. But government, under the influence of a political party and relatives of officials, always violates human rights. In these circumstances, responsibility lies on the human rights activists to muster national and international support in favour of human rights by disseminating the facts and figures of incidents. The main reason to continue human rights violations in Nepal even after the restoration of democracy is keeping the Panchayat Acts like Public (Crime and Punishment) Act intact and providing Chief District Officers with legal authority to implement this act.

The other reasons leading to violation of human rights are lack of democratic reorientation in line with the democratic system to the Chief District Officers who had been trained in accordance with Panchayat system, lack of new Acts complying with the democratic set up and lack of alertness in political parties relating to human rights.



SRI LANKA

The human rights situation in Sri Lanka, more or less, is clear to us. Human rights organizations and activists working for human rights are now undergoing difficulties. They have been receiving even death threats.

According to the Lawyers for Human Rights and Development (LHRD), "On June 29, 1992 mid-night four gunmen clad in black trousers and black T-shirts with their faces partly covered with dark glasses have come up to the door-step of our office situated on the top floor of a 3-storey building and inserted barrels of their guns through the grill adjoining the door and inquired from the peon working at our office about our General Secretary, Kalyananda Tiranagama and Mohan Seneviratne, another Legal Officer working at the office. When he replied that we were not there, they had gone back saying they'll return later."

Similarly, they received such kind of intimidation and threats on following days. In this connection, on July 6, 1992, LHRD made an appeal to the President of Sri Lanka mentioning, "The constant threats have immensely disrupted the work of our office and we are unable to pursue our normal activities and as a result we may be compelled to give up filing fundamental rights applications in the Supreme Court. We strongly feel there is a grave danger to the lives of our lawyers.. Therefore, we kindly request Your Excellency to take effective steps to ensure the security of our members and office and enable us to continue our work without hindrance in the promotion of human rights in Sri Lanka"

It is also to be noted that Mr Kalyananda Tiranagama, General Secretary of LHRD, Sri Lanka, was one of the participants on the Group Meeting on Protection and Promotion of Human Rights in Exceptionally Difficult Circumstances, held in Kathmandu, on August 24-25, 1991.

INSEC ACTIVITIES

Here is the brief description of past activities carried out by INSEC wherein PRAKASH Kaphley played a vital role, concentrated all his effort to make these programmes a success, and, therefore, all the credit on the success of these programmes goes to him. Similarly, the proposed programmes to be carried out and the present ongoing activities launched by INSEC are given below. The concept of launching these activities was the idea of late Kaphley.

Past Activities

National

1. Literacy, Sanitation and Health Education for Cart-Pushers.
2. Voters' Education/Awareness Raising Programme (July 1990 - May 1991).
3. Training for National Election Observation Committee (NEOC) Local Observers (April 4-8, 1991).
4. Research on Jari System (A social tradition which represses women) (August - September 1991).
5. Publications.

Regional

1. Training Workshop on Human Rights Information and Documentation Handling (March 18-25, 1991).
2. SAARC Journalists Meeting (April 23, 1991).
3. Group Meeting on Protection and Promotion of Human Rights in Exceptionally Difficult Circumstances (August 24-25, 1991).
4. Meeting of South Asian Journalists for Human Rights (March 23-24, 1992).
5. SAARC Jurists Mission on Bhutan (May 7-10, 1992).

On-going Programmes

1. **Bonded Labour (National):** The bonded labour programme has four phases. Its first phase Research on Identification of Bonded Labourers and their existing situation has been completed. Report of the research programme has been finalized and is in the press for publishing it in book form. After completion of the first phase, INSEC is planning to launch the second phase of the programme.
2. **Human Rights and Social Awareness Raising Programme (National):** This programme got momentum in 25 districts of Nepal from April, 1992. During this period, following major activities have been carried out: (1) Formation of district, area and village activist groups. In these groups there are about 30 persons as human rights activists and 500 persons involved in regular awareness group in each district. The awareness group comprises peasant, labour, school teacher and student and people of other life. (2) The member and district volunteers regularly monitor human rights situation, organize fact-finding team and visit prison to find out the situation of jails. (3) During the local election, volunteers and member of the activist group organized voters education programme and observed the election in each 10 polling booths of 25 districts. (4) Besides, creative programmes like plantation of trees in public place with a slogan "It is good environment for human rights, green trees for healthy environment" were launched and the World Environment Day was observed.

Keeping in mind to continue the process of raising awareness as a culture of the society after the programme period is over, the programme has mainly focussed on people at grassroots level and the following programmes have been planned to be organized in coming days: (1) Training for trainers on human rights at central level. (2) The workshop training for all local activists

(3) To popularize the World Human Rights Day in all 25 districts, etc.

This programme has been launched through conducting meeting and class at grassroot level, group discussion, essay competition in school, lecture programme, providing educational materials; displaying posters and video film; singing song and making campaign like World Environment Day and Human Rights Day.

3. **Monitoring Human Rights Situation in Exceptionally Difficult Circumstances in South Asia:** According to the decision of the Group Meeting on Protection and Promotion of Human Rights in Exceptionally Difficult Circumstances, INSEC has been monitoring human rights situation in South Asia. For this purpose, INSEC has been publishing a bulletin: South Asian Exchange
 4. **Victims Forum for Women (November 4-5, 1992):** INSEC is going to convene a meeting on Victims Forum for Women. The date is fixed for November 4-5, 1992. The main objective of the meeting is to bring out the hidden torture and untold sufferings of the women of the community. Mainly it seeks to bring the women victimized by tradition, social injustice, economy and urbanization, development works, environmental degradation and political movement.
- INSEC has also planned to convene this meeting at SAARC level as a small gesture to ensure that PRAKASH is not forgotten.
5. **Human Rights Education; Reaching Unreachable:** INSEC has planned to organise a workshop on "Human Rights Education; Reaching Unreachable" in collaboration with Asia South Pacific Bureau of Adult Education (ASPBAE) and Third World Studies Centre (India), in Kathmandu, Nepal on October 28-30, 1992. The objectives of this workshop are:

- (a) to understand the concepts of human rights education in South Asia;
- (b) to study INSEC's work in human rights education in rural areas of Nepal, and
- (c) to draft concrete planning in human rights education by participating NGOs as well as at South Asian level for 1993-94.

Proposed Programmes

1. *International Congress on Democratic Alternatives for Development, Human Rights, Justice and Peace* (Kathmandu, February 18-25, 1992): The International Congress is being held in Nepal where despite the dawn of democracy in the past few years (with the successful culmination of the peoples struggle for democracy and the successful holding of a free and fair election with record voter participation) serious problems still impede the fullest realization of democracy. The representative government has been installed. But participatory democracy, especially at grass-root level, remains a challenge to be strived for.

The Congress will begin on February 18 — they very date when the mass-based pro-democracy struggle was launched in Nepal and both main political parties joined together in the struggle. Similarly, both the ruling party and the main opposition party in Nepal are joined together in helping organise and participate in the International Congress. This marks a realization among all sections of Nepalese government and society that even today there are real problems, real needs, real tasks in realizing democracy in Nepal. There is also a sober realization that even as Nepal presently searches for viable alternatives, it does so amidst a changed global context which is hostile to any democratic alternatives to the liberal, capitalist approaches. Hence, Nepal seeks in the International Congress to pursue its search for democratic alternatives along with others in the Third World with similar pursuit.

2 *Regional Programme on Protection and Promotion of Human Rights in South Asia:* INSEC is trying to co-ordinate several regional programmes. It is dealing with the refugee problems of Bhutan and raising voices for the Bhutan people's movement for human rights and democracy. It also organized a South Asian Journalists' meeting before the general election of May 1990 in Nepal to apprise the peoples of these countries about the real situation of Nepal. Journalist is one of the main instruments nowadays to play a crucial role for the right to be informed.

There is wide acceptance by the South Asian people that the people of this sub-continent know each other very little. During the pro-democracy movement in Nepal, Bangladesh people were getting information from the Netherlands, Germany and Britain. Likewise, the people of this South Asian Region know the events of Sri Lanka through Western media.

Similarly, Indian people are getting information about Punjab through the USA and the UK. Because of this prevailing situation, in every international seminar, there is discussion on South Asian Co-operation at people's level.

First initiation has been taken at the World Congress on Human Rights in New Delhi in 1990. A "South Asian Forum on Human Rights" concept emerged and a second follow-up meeting was organized in Sri Lanka. Subsequently, many NGOs and people have spoken of the need of such sub-regional coordinated efforts in different meetings and forums.

Taking all these into consideration INSEC is planning to launch a 4-fold programme whose components complement each other. The following are the proposed programmes:

- (a) Documentation on Human Rights in SAARC through Forums for the Forgotten Peoples.

(b) **Protection and Promotion of Human Rights in Exceptionally Difficult Circumstances.**

(c) **Human Rights Education for Policy Makers and Law Enforcement Agencies.**

(d) **South Asian Campaign on International Human Rights Instruments.**

FIRST SOUTH ASIAN SEMINAR ON CARPET CHILD LABOUR

The First South Asian Seminar on Carpet Children held in New Delhi, India, on July 11-13, 1992 was the second last meeting attended by PRAKASH Kaphley.

A number of social organizations are going to raise issue of child slavery in carpet industry before the United Nations Human Rights Commission. The plight of inhuman exploitation of one million children engaged in carpet industry would be testified by South Asian Coalition on Child Servitude at Geneva during the coming session of the Commission. The Coalition will also urge the International Labour Organization and UNICEF to appeal the carpet exporting countries to take steps for elimination of child labour. They would also be requested to put pressure on the importing countries to ask for carpets free of child labour.

This decision was taken in three-day South Asian Consultation on Child Labour in Carpet Industry concluded in New Delhi. The Seminar was organized by the Committee for the Eradication for Child Labour. About 50 delegates from India, Pakistan, Nepal, UK, Germany and Sweden participated.

The participants at the Consultation included eminent dignitaries such as Justice P.N. Bhagawati; Ms Lesley Roberts (Director, Anti-Slavery International, UK); Swami Agnivesh of Bandhua Mukti Morcha; Mr Phil Bartic (Representative of Save the Children International

of Sweden); Mr George Chira (Programme Coordinator in Terre-des Homes of Germany); Mr Khudad of Weavers Union, Pakistan; Ehsan Ullah Khan, Pakistan; Mr Gauri Pradhan, CWIN; Ms Shanti Choudhary, Srijana Kendra, Nepal; PRAKASH Kaphley and Sushil Pyakurel, INSEC, Nepal.

According to the decision of the meeting, INSEC was chosen the head-office of South Asian Coalition on Child Servitude. Moreover, a decision to publish a bulletin on Carpet Child Labour to be published and distributed by INSEC was taken by the Seminar.

CONDOLENCE



Dorze



Hoftun

Two frontline fighters for human rights and close associates of PRAKASH were also travelling in the ill-fated plane that crashed on July 31, 1992. Mr Ang Dorze Lama — one of the fighters for restoration of democracy — and Mr Martin Hoftun — one of the closest supporters, writer and scholar of human rights movement in Nepal.

Of 113 passengers and crew members on board the aircraft, there were 28 Nepalese.

We express our heartfelt condolence on their sad demise and pray for the eternal peace of the departed souls.

FINAL FAREWELL AND SALUTE TO PRAKASH, AUGUST 3, 1992

Late Kaphley's last rites were performed by lighting fire to the funeral pyre with a dead body made of Kusha, a sacred grass, since no organ of his dead body could be identified.



Long Live PRAKASH ! Funeral procession attended by thousands from all spheres of life.



Paying the highest salute to PRAKASH. Comrade Madan Bhandari, General Secretary of CPN (UML), the largest opposition party in the parliament, laying the party flag in honour of late PRAKASH Raj Kaphley.



We all are feeling alone, but PRAKASH the legend and his dedication would not let us rest for a second. **Woeful homage to my half of the heart.**



Founders of INSEC : SUSHIL- PRAKASH

"The Human Rights we talk about are not merely rights to freedom of press and association; they are the universal Human Rights declared by the United Nations, including right to health care, right to education, right to social justice and right to development with a vision that the people are the masters of their nations's wealth and resources."

- Prakash Kaphley

AIR MAIL

BOOK-POST

Informal Sector Service Centre (INSEC)
P.O. Box : 2726
Kathmandu, Nepal.
Tel : 270770