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Member of Parliament Hospitalized



Mr Amik Sherchan, Member of Parliament representing United People's Front (UPF), was seriously beaten by police during his arrest in Chitwan district. After his release, he was brought to Kathmandu for treatment and admitted at Teaching Hospital. He has sustained serious injuries by police beating. He was undergoing treatment in the Hospital till the moment of writing this report (August 13, 1993).

EDITORIAL

ON THE MEMORY OF PRAKASH KAPHLEY

We lost our beloved friend and leader Prakash Kaphley in the air-crash of the Thai Airways International just one year back, on July 31, 1992.

Lots of things have happened since then, but this is the time we have to look behind and try to find out where we are in this course.

We promised to fulfill the mission initiated by Prakash Kaphley and follow the path and vision which he had foreseen.

Some of the initiations undertaken by him are; Emancipation of Bonded Labor in Nepal (a multi-phased program), setting up an organization Forum of Victimized Women, publication Human Rights Year Book and formal establishment of South Asian Human Rights Organization as well as organizing International Congress on Democratic Alternative for Development, Human Rights, Justice and Peace and Peoples SAARC.

Within a year, INSEC has completed the research work on Identification of Bonded Labor (first phase) and working on second phase, organized Forum for Victimized Women in the far-west Nepal and planning to organize second such Forum and published Human Rights Year Book 1992 (which was released on July 31, 1993). The preparatory meeting of South Asian human rights organizations held in February 1993 has formally established South Asian Forum for Human Rights (SAFHR). Its headquarter is located in Nepal and INSEC is workings as its Secretariat. SAFHR has decided to hold Peoples SAARC during the coming SAARC Summit. And, we are still trying to get support to hold International Congress on Democratic Alternative for Development, Human Rights, Justice and Peace.

One of our friends has mentioned: "Very much alive is Prakash's vision and mission -- his unfinished agenda. Yes, Prakash left behind a series of unfinished agenda -- one agenda of mission to struggle against all forms of social injustice and inhuman wrongs".

We are committed to fulfil the vision and mission of Prakash and thus we will remember him all the time.

"We can't think of you, Prakash, you were in the past, you are very much in the present".

Last but not the least, let us pay tribute in the word of Swami Agnivesh: "Prakash! let the light of your memory be with us. Unknown in which street, the brightness of life declines and the journey is finished".

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SOUTH ASIA : HUMAN RIGHTS SITUATION REPORT

BANGLADESH

CHT: Arbitrary Arrest of Tribal Students

Four Hill Student leaders were arrested by the army in Khagrachari town and Panchari Thana in Khagrachari Hill District. They are: Prodipan Khisha (25) who was arrested on February 17, 1993 along with 5 others; Kushum Prio Chakma (24) convener of the CHTHSC of Panchari Thana Branch, Prodip Lal Chakma (23) Secretary of the Council of Panchari Thana. Prodipan was called to the Khagrachari army camp by Major Sahadat and Brigadier Jitu of Khagrachari Brigade in the morning on that day and was held there. The other three who were held in Panchani army camp were arrested from their residence in Panchari on the same day.

Despite cease-fire since Sept 10, 1992 by the SB, the army continued their provocative and fictitious operations in the CHT. The army published several news on alleged attacks and killings by the SB, just to investigate the situation and to justify the army presence there. But so far no response or statement was given by the SB or JSS.

Finally on Feb 28, 1993 the last Additional Sessions Judge and Election Tribunal Judge in Chittagong declared null and void the election results of Jatyo Sangsad Seat-298 (Khagrachari) in a Judgement in Election Tribunal Case No.6/92. The elected AL MP of Khagrachari, Mr. Kalparanjan Chakma was accused of being influenced by the SB directly and indirectly about the election results and that he had close contact with the JSS and SB. He also was accused of violation of election rules and that ballot papers of 12 centers were not found during recounting by the tribunal in 1991.

March 16, 1993

Proshit Bikash Khisha phoned at about 8 am saying that Sanchoy Chakma has been taken away by the police and plain-clothe law enforcing agencies at 2 am from his Jagannath Hall residence, Room No.320. At about 1:30 am about 50/60 policemen along with two DB (Detective Branch) went to Room No.320 and asked them to open the door, while four of the students

were asleep. When they opened the door the DB asked the students where was Sajal but there was nobody by the name Sajal. So they asked the students' names. When Sanchoy said his name the DB asked his ID card. Unfortunately he lost the key of his locker that day. He tried to open the locker and finally he wanted to break the lock. But the DB said to him "No need, you come with us". Then they took him with them. When they were leaving two tribal students from another hall were passing by and the police stopped them and asked their names and then left them. These two boys went to Proshit and informed him that Sanchoy was taken away by the police. Then immediately Proshit along with some other students wanted to see the VC but they were obstructed by the police.

In the morning the students approached Prof. Dr. Prodhanendu Khisha who spoke with Naba Bikram Tripura (SB) who said that the DB got an order from the HM to arrest Korunamoy Chakma and Sanchoy. Mr. Tripura tried to visit Sanchoy but was not allowed. He was told by the DB that Sanchoy was not tortured, neither treated badly. But when food was given by the students, the DB did not allow them to give it to Sanchoy. He talked to some prominent lawyers about filing a case if needed against the illegal arrest of Sanchoy. When I asked Korunamoy what could be the reason of this arrests he said that government is searching for the video tape which was prepared after the Logang massacre. The four students who were in the same room of Sanchoy are: Hillal Rema (20) s/o. Livingston Rema, 1st year in Law; Guilbert Rema (20) s/o. Daniel Dawa, 1st year in Management, Uthwaiching Marma (20), M.S.S. 1st year in Pol. Science.

March 17, 1993

This morning Proshit and Prodhir phoned and said that there was no development at all. There was no news of Sanchoy. I telephoned to Jennifer Evans in British H. Commission, Gabriella Bernaman in German Embassy, Reidar Kvam in NORAD, Joe Novak in US Embassy, etc. and informed them about Sanchoy. All the newspapers published the statement of the students which they gave during the protest rally yesterday in the campus. Last night the BBC broadcast this news and demanded for immediate release.

Korunamoy phoned me at 10:45 pm to inform me that Sanchoy was produced to the Metropolitan Magistrate Court sometime today, but he was not brought to public. The police asked for ten days' remand but the court granted 3 days. He could not say on what ground Sanchoy was arrested. He said only after 3 days when he would be sent to jail after submitting a charge against him only then we could go legally to defend him.

On 21 March Sanchoy was produced in the Metropolitan Magistrate Court and the police asked for 3 days remand. The Magistrate granted for one day.

Sanchoy was produced in the Metropolitan Magistrate Court on 23 March, 93. Bail petition was moved by Adv. Adilur Rehman and Adv. Sayeed Mahabubur Rahman but the Magistrate said that the Home Ministry has claimed detention order against Sanchoy so the court gave him 1-month detention and sent him to central jail. Sanchoy was arrested under Art.54 of CRPC.

March 29, 1993

After arrest of Sanchoy, bail petition was moved but no bail was granted. He has been placed under detention for 120 days. Adv. Adilur Rahman and Najimul Haque are going to challenge the government under section 491 or 102 for his release. However section of the CRPC will be decided by today (29-3-93). (As detailed by Adv. Adilur Rahman)

On April 4, 1993 High Court under the Supreme Court Division has issued a Rule against the government challenging the detention of Sanchoy. The High Court Division Bench composed of Justice Fajale Hossain Habibur Rahman and Justice Abu Sayed Ahmed. The Habeas Corpus petition was filed under Section 491 of the BCP. The court has ordered the government to reply within two weeks from the date. The case is run by Adv. Nizamul Haq Nasim and Adv. Adil on behalf of the petitioner.

March 18, 1993

Md. Iqbal, the Inspector of the SB along with the ASP of the SB came to CJP office at about 11:50 am and asked me all my particulars and the particulars of the newsletters: Hotline and Najyota, about the newsletter committee/board, the legality of the newsletters

whether we have legal permission or registration from the government, how many staff we have and their particulars, etc. They also wanted to have the written particulars of the staffs working at CJP. I told them that we can't have anything in writing officially. I told them that we had applied for the registration 3 years ago and the CID who investigates, told me that he gave good reports, but we did not get yet the registration. While he was asking me all these every now and then he was asking me where I live, where my other relatives live, who lives with me and the address of my residence here in Dhaka. I told them that as I stay most of the day in the office, I use always this address and never give my residence address to anyone, not even to my own brothers. It seemed to me that the main purpose of this questioning was to detect my residential address. (Source: CJP, Bangladesh)

BHUTAN

Will the Issue Now be Solved ?

Once again, the Bhutan issue has become the matter of concern and discussion. It is not necessary to mention that thousands of Bhutanese people have become stateless due to the repression by autocratic regime, led by King Jigme Singhye Wangchuk. Those Bhutanese people are taking shelter in Nepal and India as refugees.

It was expected that the discussion held between the Prime Minister of Nepal Girija P. Koirala and the King of Bhutan during the South Asian Association for Regional Cooperation (SAARC) Summit held in Dhaka, Bangladesh in April 1993 would solve the issue. But, unfortunately, the dialogue ended in vain. Moreover, after the SAARC Summit, both the heads of governments of Bhutan and Nepal blamed each other for not showing interest to solve the issue. Even they scolded each other beyond diplomatic norms. It was an irony that both the heads of governments sat for dialogue without any prepared agenda.

"Time is running out and it seems we are left with no option but to prepare ourselves to internationalize the issue," Girija P. Koirala, Prime Minister of Nepal, told foreign diplomats at a meeting at his residence in Baluwatar on April 20, 1993 adding, "before we internationalize this issue we request India to use its good offices to solve this problem."

However, if everything failed then "there is no option left for Nepal (except) to go to the United Nations" said Prime Minister Koirala who discussed early this month in Dhaka with the Bhutanese king, Jigme Singhye Wangchuk, without any success to work out any solution to return the refugees to their homes in Bhutan from camps in Nepal.

Prime Minister Koirala further added, "when the draft was being negotiated by the officials the Bhutanese side took a very adamant position and was totally unprepared to accept any mention of the phrase **problem of Bhutanese refugees**".

According to the strategy of Nepalese government, a strategy to internationalize the problem of Bhutanese refugees in three phases.

In the first phase, Nepal will raise the issue's economic, social and environmental problems created by the refugees. In the second phase, Nepal will draw attention of international community towards violation of human rights in Bhutan and the burning problems arising therefrom. In the third phase, the ill treatment by the Bhutanese Government to the Nepali Bhutanese will be raised.

King Jigme Blames Nepal

Bhutan's absolute ruler, King Jigme Singhye Wangchuk, believes that all dialogues between Thimpu and Kathmandu have "achieved nothing" despite the fact that his officials have met Nepali representatives on eight different occasions. He claims that last year when there were about 5000 refugees in the camps inside Nepal, he had requested Prime Minister G. P. Koirala "to stop or discourage people from coming to the camps because it would only increase the influx."

Fielding questions from Calcutta journalists during his four-day "private" visit to the city, the King recapped his now-familiar contention that the majority of these refugees were not Bhutanese. Kuensel, Bhutan's official organ, quotes the King as saying, "While there were some Bhutanese in the camps in Nepal, they had all applied to emigrate and left the kingdom after completing necessary legal procedures which have to be routed through the District Development Committee and witnessed by the concerned gups and chimis.

"They are all fully aware that as per the law, people who emigrate and voluntary leave the country forfeit their citizenship," said the King, alleging, "A large

number of people in the camps were persons who had worked as laborers in Bhutan and were now claiming to be Bhutanese. Many others had not even been to Bhutan but had gone to the camps from nearby areas in the region."

The major obstacle, as King Jigme sees it, is "lack of response" from Kathmandu on the issue of former Bhutanese officials and other ethnic Nepalese who were given asylum in Nepal although they had been involved in criminal activities in Bhutan. Accuses the ruler: the terrorist groups, who engage in violent anti-national activities along the Indo-Bhutan border, and in all the southern districts, also belonged to anti-Bhutan organizations based in Nepal.

To Do or Not To Do ?

The Bhutanese people in exile and the concerned sectors were expecting that Nepal will raise this issue during the World Conference on Human Rights in Vienna, as well as in the UN. However, before his departure to Vienna, Prime Minister Koirala later said that Nepal will not internationalize the issue of Bhutanese refugees. "The issue will be solved through dialogue and bi-lateral cooperation".

The development, regarding the issue of the Bhutanese refugees, that has been observed during the last few months has clearly shown "total failure" of Nepal's foreign policy. On the one hand, the rulers of Bhutan are blaming Nepal beyond diplomatic norms, while, on the other, Nepal is remaining quiet. Why Nepal cannot ask the UN to inspect the Bhutanese refugee camps (in Nepal), when the Bhutan King is claiming that so-called Bhutanese in exile are trained on terrorist activities in Nepal ?

Bhutan King's Interview 'Misleading'

Nepal, consistent as it is with its policy of non-interference in the internal affairs of other countries, has not and will not allow political activities directed against Bhutan from Nepalese soil.

The foreign ministry spokesman said this to the news agency when asked in a recent interview given by King Jigme Singhye Wangchuk of Bhutan to BBC. Regarding the allegations that people are being trained in Nepal in the use of weapons, the spokesman said, "This is totally baseless." He further said that Nepal has never encouraged acts of violence within Bhutan as alleged in the interview.

The spokesman said that the interview of the King of Bhutan, on the whole, was "misleading and one-sided."

Also, when the attention of the spokesman was drawn to the BBC report in which the Bhutanese Foreign Minister reportedly said that Bhutan would take back genuine Bhutanese refugees, the spokesman said that Nepal was always prepared to set up a joint committee to work out modalities for resolving this issue.

What India thinks ?

India voiced concern at the political situation in neighboring Pakistan and the possible effect on bilateral relations of the dismissal there of Prime Minister Nawaz Sharif and the dissolution of Parliament.

External Affairs Minister Dinesh Singh told, in a statement, that India could not rule out a phase of uncertainty in ties with Pakistan stemming from Sunday's political developments in Islamabad.

The events were an internal affair for Pakistan, he said, but added: "There is no gainsaying the fact that events in this important neighboring country always have implication for us both in general and in terms of our security," he said, adding, "We cannot remain indifferent towards the situation in Pakistan". "Being a democracy ourselves, we would wish to see democracy flourish in Pakistan."

If India can voice in favor of democracy in Pakistan, why can't it voice in favor of democracy in Bhutan ?

New Step

However, one positive sign in the process of solving the issue is seen. The Bhutanese Foreign Minister met with the Prime Minister of Nepal in Vienna and handed over a letter to him from the King of Bhutan. Prime Minister Koirala said King Jigme Singhye Wangchuk had in his letter requested the Prime Minister to resolve the Bhutanese refugee problem bilaterally. "There is not even an inch of change in the stand of Nepal on the question of Bhutanese refugees," Mr Koirala said. Consequently, a team of Nepalese delegation led by the Home Minister visited Bhutan in July 1993 for dialogue.

According to the report, Nepal and Bhutan have agreed to form a ministerial level joint committee to

resolve the Bhutanese refugees problem urgently on a permanent basis.

A joint communique to this effect was signed in Thimpu by Home Minister Sher Bahadur Deupa and his Bhutanese counterpart Dago Tshering.

Let's see what happens in the days to come.

INDIA

Extra-judicial Executions in Kashmir

The day the commercial capital of Srinagar, Lal Chawk, i.e., April 9, 1993 was set on fire by the security forces causing huge destruction to life and property, the adjacent mohalla, Abi Guzzar, situated on the bank of river Jhelum, along with the other areas, was put under crackdown/encirclement by the security forces. As a result of the custodial deaths on April 7, 1993, in which five youth were lifted from Sarai-Balla and their dead bodies were returned to their relatives through local police, the youth of Abi Guzzar got panicky and endeavored to move to other places in order to avoid the risk of getting killed by the security forces. In this process several young men boarded a boat in order to cross the river. A patrol party stopped them and one fleeing boy, Farooq Ahmad Gash, 31, a daily wager, was killed by the security forces at the bank of the river. His body was thrown into the river. The boat was allowed to go. In mid-stream the security forces from the other side of the river started indiscriminate firing on the boat. As a result four persons in the boat received bullets and others managed to jump in the river to save themselves. Two boys, Imtiyaz Ahmad, 21, B.Com. student and Bilal Ahmad, also a student, sons of one Shariefa, were victims of the unwarranted firing. The bodies of Imtiyaz Ahmad, Manzoor Ahmad Koka, Ali Mohmd. Malik were recovered/fished out on the same day and buried thereafter. The body of Bilal Ahmad was fished out after twenty days on April 30 from the river. It may be noted here that:

- * All the five victims were non-militants. In earlier crackdowns many times they were paraded before CATS, and were not arrested.
- * No warning was given to the fleeing youth, nor the security forces fired in the air to discourage them from giving slip to the crackdown.

* In order to apprehend the suspects/fleeing youth the security forces could have easily transmitted a message to their counterpart on the other side of the river. No such thing appears to have been done.

* The security forces had gone amuck in the whole Lal Chawk area and its surroundings, after the Sanatan Dharma building was set on fire by unidentified youth, and they killed people with vengeance, particularly the youth.

An FIR no. 3293 has been lodged with the police station under Arms Act 3(1) 2(1), 302, 307 of RPC (Ranbir Penal Code).

Parvez Imoroz Manzoor Muzloom Mohd. Altaf Fazli Convenor.

Source: PUCL Bulletin
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MALDIVES

Political Prisoners, Including Prisoners of Conscience, still Held after Three Years

Amnesty International on June 29, 1993 issued a report detailing the cases of over three dozen political prisoners, including prisoners of conscience, who have been detained since 1990 in the Republic of Maldives and called on the government to take action to safeguard human rights.

Some were arrested in March 1990 for distributing leaflets which alleged that there had been vote-rigging during parliamentary elections in November 1989. Others were arrested in November and December 1990 in connection with an alleged conspiracy to explode petrol bombs during the Fifth Summit of the South Asian Association of Regional Cooperation in the capital, Male, and for planning other acts of violence.

Several people involved in these cases were journalists and writers who had been critical of the government during a period of liberalization which followed the

elections. Another group of prisoners whose cases have a political dimension were arrested for attacking the home of the Head of the Police in August 1991. Some of those arrested have now been released, but others remain imprisoned.

Not all the prisoners have been charged or tried and some have been held for long periods without trial. Others were sentenced to periods of imprisonment or banishment after trials which failed to meet international standards for fair trial. For example, at least 15 were charged under the Prevention of Terrorism Act, which was passed in December 1990 and applied retroactively. Some were ill-treated while under interrogation by the police.

The ill-treatment suffered by prisoners included being held in solitary confinement for long periods while under interrogation. Prisoners have also described being held in hinged hand-cuffs, which greatly restricted their movement and chafed their wrists, for up to six weeks during their solitary confinement. Some complain of lasting weakness as a result.

Amnesty International delegates visited the Republic of Maldives in November 1991 and October 1992 and talked with government officials about the organization's concerns. The organization's requests to observe the trial of one political prisoner and to visit Dhoonidhoo detention centre and Gamadhoo prison were refused.

Amnesty International is urging the government of the Maldives to implement a series of human rights safeguards to ensure that: people cannot be detained on grounds of conscience; trial procedures conform to internationally accepted standards of fairness; and prisoners are humanely treated. It is also calling for the immediate release of any existing prisoners of conscience, a review of the cases of all other political prisoners who are serving sentences, and for political prisoners detained without trial to be released or promptly charged and tried.

[Source: Amnesty International, Weekly Update NWS 11/62/93, ASA 29/WU 01/93 External].

NEPAL

GOVERNMENT SAYS "NO" TO HUMAN RIGHTS

1. BACKGROUND

The one-man government probe commission of former Supreme Court Justice Prachanda Raj Anil and the CPN (UML) Commission headed by K.P. Oli constituted to investigate into the dubious Dashdhunga jeep accident in which the-then CPN(UML) General Secretary Madan Kumar Bhandari and the department head of the party organization Jeev Raj Ashrit were killed, presented their report on June 17, 1993.

The findings revealed by both the commissions, however, significantly differ. The CPN (UML) has alleged Anil's report to be false, one-sided and misleading. The CPN (UML) has fired Amar Lama, the driver of the ill-fated jeep, from the party membership, branding him a traitor.

Former justice Prachanda Raj Anil of the Anil Commission submitted his report to the Minister of Tourism and Civil Aviation Ram Hari Joshi, then in charge of the Home Ministry also, at the Home Ministry. Similarly, the head of the CPN(UML)-formed Commission K.P.Oli and a standing committee member, also presented his report to the Central Committee meeting of the Party on the same day.

Anil's report has revealed that the accident occurred because of gross negligence on the part of the driver Amar Lama.

It is also stated in the report that Lama appears to be committed to the CPN (UML) and it cannot be said that the accident was engineered out of personal motives. The commission could not accept the contention that it was a deliberate attempt to kill the two leaders.

In the conclusion, the commission's report says late Bhandari fell into the water with the jeep involved in the accident and driver Lama lied to cover up his negligence.

On the other hand, CPN (UML) has accepted and approved the report submitted by K.P.Oli, the head of the Oli Commission. In a statement distributed by Madhav Nepal, General Secretary of CPN (UML), it has been stated that, based on the facts revealed by the Oli Commission, situation of the accident site, Lama's mental and physical state, condition of the dead bodies, post mortem reports, statements of eye-witness, and driver Lama's frequent attempts at telling lies, the accident cannot be accepted as a natural one and the death of the leaders is an outcome of a preplanned conspiracy.

Amar Lama seems to be the visible criminal in this accident and the supporting facts have proved that Lama is not the only one involved in this murder, the statement said.



Police: What does Human Rights Mean?

For June 25, 1993 the Communist Party of Nepal (UML) called a Valley Bandh program to pressure the government to form an Investigation Commission, headed by the a sitting Justice of Supreme Court of Nepal, to investigate into the jeep accident occurred on May 16, 1993 in which Mr Madan Bhandari, General Secretary, CPN (UML) and Mr Jeev Raj Ashrit, member of Standing Committee of the same party, were travelling.

Previously, the government of Nepal had formed a one-man Commission headed by Mr Prachanda Raj Anil on May 17, 1993. At the same time, the CPN (UML) formed another Commission to investigate into the accident. Similarly, the third commission was

formed by the civilian and human rights activists. The CPN (UML) took the accident as a planned conspiracy and a sabotage. They claim it as a murder.

The Commission formed by the government published its report on June 17, 1993 while the Prime Minister Girija P. Koirala and Home Minister Sher Bahadur Deupa were out of Nepal. The CPN (UML) could not accept the report of the commission, saying that it is not based on the truth.

The peaceful program of June 25, 1993 turned to be violent. The CPN (UML) accused the government of spreading violence and terrifying people. Even the CPN (UML) accused that the government encouraged miscreants to destroy public properties to show that the demonstration was not peaceful. When the incidents of June 25 and thereafter took lives of many people, the CPN (UML) could not stand on its single demand. The previously announced single demand was of forming of an investigation commission, headed by a sitting judge of Supreme Court, to prove into the Dasdhunga jeep accident.

In the meantime, other six left parties joined the movement led by CPN (UML). They jointly announced different demands to be fulfilled including resignation of Prime Minister Girija P. Koirala.

In a joint press release it is mentioned that if the demands are not fulfilled they will launch a series of different programs.

On June 25, the Bandh program remained peaceful in the morning. About 9:00 am police lathi-charged on a peaceful procession led by the MPs of CPN (UML). Some of the MPs were seriously injured by police action. Yet, the leaders kept the demonstration peaceful. Demonstration started from different parts of the city. Finally, the demonstrators, reached at the Open Theater (Khulla Manch) for mass meeting. The door of the open theater was locked, which was supposed to be opened. The demonstrator tried to break the lock. Suddenly, the police lathi-charged and fired tear gas shells on the mass. The demonstrator broke the lock and entered into the open theater. The police shot tear gas shells even into open theater.

Police intervened every procession. As a result, clash took place between police and demonstrators.

Finally, police opened indiscriminate fire on demonstrators. The injured persons by firing and

lathi-charge were brought in Bir Hospital for treatment. But, the gate of the emergency service of Bir Hospital was closed, locked. Police were kept alert in front of Bir Hospital. People requested to open the door. Police refused to open the door. The people became agitated and reacted. The police lathi-charged and shot tear gas shells. However, people opened the door forcibly.

2. INCIDENTS OF JUNE 25 - JULY 5, 1993

2.1 Arrest and Release

According to the police source (unofficial and verbal) 1280 persons were arrested and released from June 24 to July 4, 1993. Among them 57 have been charged with Curfew Defiance Act and 93 with Public Offence Act. (However, the Secretary of Home Ministry refused to give any data of the arrested and released persons saying that they may have security problem). Others were arrested and detained without any charge and released later on. However, we guess the number of arrest and release should have crossed over 1280.

2.2 Police Attacks on MPs

Police lathi-charged on a peaceful rally led by MPs on June 25, during Nepal Bandh program called by CPN (UML). The police manhandled and misbehaved the MPs. Some of the MPs were seriously injured by police action. They are:

1. Mr Bamdev Gautam
2. Mr Amrit Bohara
3. Ms Astalaxmi Shakya
4. Mr Bisnu B. Raut
5. Mr Laxmi Chaudhari

2.3 Attacks on Journalists

During the movement some journalists became the victim of physical attack. On June 25, 1993, Mr Rabin Sayami, a cartoonist and a photographer of Dristi Weekly, was beaten with stick by police. He was taking pictures of demonstrations at Babarmahal. Similarly, the camera of Mr Deepak Shrestha was snatched by police. He was taking picture of police intervention on demonstrations at Babarmahal. His camera was given back later.

On the same day Mr Krishna Pokhrel of Deshantar Weekly was attacked by some individuals at Baneshwor and Mr Rosan Bhattarai of Pristhabhumi weekly was

beaten by demonstrators at Ratnapark. Firstly, the camera of Mr Bhattarai was snatched by the police. Then, demonstrators took back camera from police forcibly. Unfortunately, camera was lost among the demonstrators. Quarrel took place between the journalist and demonstrators followed by attack on the journalist.

On July 4, 1993, during the Nepal Bandh program, Mr Lokendra Budathoki, representative of Dristi Weekly, was severely beaten by Binod Dev and Dhruba Dev in Rajbiraj. Both culprits are learnt to be the supporters of ruling Nepali Congress. Mr Budathoki was later admitted to the hospital for treatment.

2.4 Death and Killing

Police opened fire on peaceful demonstrations and gathering without any notice and warning. Firing was indiscriminate. A number of people sustained bullet injuries and a number of people lost their lives. Record of the deaths reported from June 25 to June 28, 1993 is as follows:

1. Name : Mohit Krishna Baiju
Age : 16 years
Sex : Male
Address : Naya bazaar, Kathmandu
Occupation : Student
2. Name : Rajesh Bajracharya
Age : 20 years
Sex : Male
Address : Temporary - Nagal, Kathmandu
Permanent - Sankhu, Kathmandu
Occupation : Student
3. Name : Mahesh Manandhar
Age : 26 years
Sex : Male
Address : Naya Baneshwor, Kathmandu
Occupation : Painter
4. Name : Sagar Ratna Napit
Age : 38 years
Sex : Male
Address : Bageswori, Kathmandu
5. Name : Ashok Karmacharya
Age : 23 years
Sex : Male
Occupation : Labor

6. Name : Ram Prasad Sapkota
Age : 24 years
Sex : Male
Address : Temporary - Kupandole, Kathmandu
Occupation : Civil Servant

7. Name : Asim Rai
Age : 19 years
Sex : Male
Situation : Died of police beating
Remark : His body not handed over.

8. Name : Sudama Thapa
Age : 21 years
Sex : Male

9. Name : Bharat Tuladhar
Sex : Male

10. Name : Suresh Bastakoti
Age : 18 years
Sex : Male
Address : Dhading, Nepal

11. Name : Rabindra Shrestha
Sex : Male

12. Name : Manoj Gautam
Sex : Male
Address : Samakhushi, Kathmandu

Patan, June 28

1. Name : Rajman Shakya
Age : 38 years
Sex : Male
Address : Bakumbahal, Patan
2. Name : Rita Silakar
Age : 24 years
Sex : Female
Address : Ikhalkhu, Patan
Occupation : A College Student and a Teacher of Primary School
3. Name : Krishna Narayan Manandhar
Age : 39 years
Sex : Male
Address : Hakha, Patan
Occupation : Retailer
4. One dead person is not identified yet.

2.5 Disappearances

During the recent movement, a rumor spread that a number of people are missing. One of the newspapers, quoting a parent of deceased, wrote that the unidentified dead bodies were kept at Mahendra Police Club. But, it was not found while visited by the human rights activists. However, it could be possible, because of indiscriminate firing, a number of people might have been killed. Police might have kept the dead bodies. The police themselves might have burnt the dead bodies. It is difficult to know the missing persons, because most of the students, laborers, and civil servants live in a rented rooms. Their family might not know in time, if they were missing. It cannot be said for the time being. Yet, we have name of a person who is missing since starting of the movement. His background is given below:

1. Name : Mr Prabakhar Subedi
- Age : 20
- Address : Permanent - Rupandehi
Temporary - Engineering College
Hostel, Kathmandu.
- Profession : Student
- Last seen : June 25, 1993
- Situation : On June 25, 1993, at 10:00 p.m. he had gone out from the hostel with slipper and has not come back yet. It is suspected that he might have become a victim of police brutality. But nobody saw it. It is to be noted that, during the tense time, police usually raid on the Hostels of Engineering and ASCOL campuses. Therefore, students leave the hostels earlier. Unfortunately, he did not leave the hostel.

2.6 TORTURED TO DEATH

[Based on the investigation report prepared by Mr Thakur Dhakal and Mr Shiva Hari Dahal].

The small ancient and artistic town Bhaktapur stunned with blood and terror during the Nepal Bandh program of July 4-5, 1993, organized by the seven left parties.

On July 5, 1993, Bhaktapur was completely closed. Police van and groups were patrolling on the streets and roads. One of the part of the Bhaktapur district,

Suryavinayak, was very tense in the evening due to police intervention.

According to one of the eye-witnesses, the Chief District Officer (CDO) and District Superintendent of Police (DSP) themselves came in the street shouting on the megaphone, followed by police. They were shouting and asking people to close doors and windows and remain in the home. It created a kind of tense and terror.

At the same time, about 100 policemen were ported in different corners, simply hidden. People kept themselves confined in the home. Suddenly, a gang of few people (may be policemen in civil dress) came cycling; shouting and making noise.

People started peeping from window to see what was happening outside. Some of them came to the street.



Pravakar Subedi: Dead or Alive?

The number started increasing. Suddenly the police, who were kept hidden, surrounded the people. Then, they started arresting people. According to the eye-witness people were seriously beaten (with stick and boot) during their arrest.

Police forcibly entered into the house of people; threatened and made a search. Some of the people were arrested from the house.

2.6.1 Case of Bijaya Lama

Name : Bijaya Lama
Age : 18
Sex : Male
Place of Birth : Kavre District
Religion : Buddhist
Marital Status : Unmarried
Occupation : Labor (Bhujunga Carpet Factory,
Suryavinayak, Bhaktapur)
Date of Arrest : July 5, 1993
Present Status : Dead (on July 7, 1993)

One of the arrested persons was Mr Bijaya Lama. He was kept one night in police custody in Bhaktapur. Next day morning, he was brought by police to Bhaktapur Hospital at 8:45 am for treatment. According to the record of Bhaktapur Hospital, he had a head injury. The Bhaktapur Hospital immediately referred to send the victim to Bir Hospital for treatment, saying that there is no such facility as required. Then, the police themselves brought him to Bir Hospital. Nobody was there, except police. Mr Bijaya Lama later died while undergoing treatment at Bir Hospital.

2.6.2 Government's Propagation

The Home Minister informed the parliament that Bijaya Lama was picked up by police from the street for treatment. He was unconscious. He was neither arrested nor detained by police.

While asked, the police office of Bhaktapur refused to accept the fact of his arrest.

2.6.3 Our Findings

However, we cannot accept the response of the Home Minister and the police. We suspect he died due to the impact of extreme torture by police. In this regard, we made an on-the-spot investigation. We contacted the relatives of the deceased as well as eye-witnesses and obtained verbal interview. Their statement is printed below. The name and identity of the eye-witness is being withheld to ensure anonymity and to guard against possible reprisals.

Mr. A (One of the eye-witnesses)

Statement

I am a labor working in a carpet factory in Suryavinayak, Bhaktapur. I was staying at a friend's room. Suddenly,



Bijaya Lama: Victim of Police Brutality

police entered into the room and arrested me at about 8:00 pm on July 5. I was severely beaten with stick and boot on way to the DSP office. I was interrogated. They accused me as a terrorist. Not only me, the police shouted angrily that all the labor working in the carpet factories are terrorists. We were altogether 7 persons in the custody. We were also beaten in the police custody. One of us was very serious. His body was wet with blood. He vomited twice. He was unconscious. No treatment, no care on him. Till this time (night) I was unaware of his name. In the meantime, one policeman came inside. He threw his sight on him. The policeman shackled his body. Then, the policeman murmured that his name was Bijaya Lama. His name was written on one of the hands. Then, I also read it on his hand.

Police dragged him outside the room next morning (on July 6, 1993) at about 8:00 am. I don't know what happened after then.

Police has threatened me, saying that I will not be allowed to stay in Bhaktapur district, if I told anything to anybody what I saw in the police custody. Not only me, other detainees were also threatened. Therefore, please do not mention my name anywhere.

After 3 days, I was released on bail. My owner paid off the bail amount. Thanks to him.

Mr. Sakkal B. Lama (Uncle of the Deceased)

Statement

He (Bijaya Lama) was telling me of slight pain on his neck. About 7:30 pm on July 5, he went outside to fetch medicine. But, he did not come back. Next day morning, I went to the police office. Police told me that they don't know about Bijaya. I came to Mr Minu Lama, owner of the carpet factory where Bijaya used to work. Mr Minu Lama and myself went to the police office. Then, the police informed us that Bijaya was sent to hospital for treatment. We also went to the Bhaktapur Hospital. We saw him at the hospital. He was unconscious. The sign of dried blood could be seen on his face. His body was covered with mud. It seemed that he had a serious head injury. I could not see his face for a long time. 3 policemen were kept alert standby. Police themselves transported him to Bir Hospital. We even did not know it, because we were just out of hospital for few minutes to arrange money for his treatment. The police did not leave the victim nor did they allow us to take care.

It was not possible to search Mr Bijaya on July 5. The situation was very tense. The CDO and the DSP had ordered people not to come out from home. It seemed as if curfew was imposed. If we had come out, we would have been arrested.

Mr Minu Lama (Owner of Carpet Factory)

Mr Bijaya was working at my factory. My factory remained closed on July 5. When he asked, I gave him NRs. 30.

Next day morning, his uncle came to me. I came to know that Bijaya was missing. We went to the police office. I asked the police about Bijaya. One of the policemen, whom I know since long time back, told me that Mr Bijaya was sent to the hospital. In the meantime, another policeman disclosed that Mr Bijaya Lama was arrested and brought to the DSP office the day before (July 5).

2.7 Visit by INSEC Members

2.7.1 Detention Centre Visited

A Team comprising some of the human rights activists including Sushil Pyakurel, INSEC Coordinator, Kundan Aryal, INSEC volunteer, Gauri Pradhan,

CWIN, Padma Ratna Tuladhar, MP, Badri P. Khatiwada, FOPHUR and an editor of a weekly paper Mr Malla K. Sundar visited one of the detention centers -- Mahendra Police Club on June 29. The police officials informed them that there were 94 detainees. However, the Team counted 134 detainees. Most of them were teen-agers and laborers and few students. During an interview, the detainees informed the Team that they were not provided with any food since June 25 (the date of arrest). They were forced to sleep on the cemented floor. They were tortured during interrogation. They were beaten with stick on legs severely. Meanwhile INSEC activist Mr Prem Parajuli was also found there. All the detainees were not given any charge sheet or warrant paper.

It is said that a number of persons are kept in different police custodies and detention centres. The Team could not visit all the places.

The police officials also informed that about 500 persons have been arrested. The process of arrest and release continues.

Similarly, the team visited all other detention centers of Kathmandu and has brought the report on the following days.

2.7.2 Hanumandhoka

While visiting the police custody of Hanumandhoka, during the movement before July 1, one of the police officer told that 16 persons were kept there. They were transferred to another place, and some were set free. However, another police officer disclosed that about 60-62 persons were transferred to another place.

2.7.3 Injured Persons Visited

On 29th June INSEC volunteers Ms Meena Sharma, Mr Pramod Kaphley and Mr Thakur Dhakal visited Patan hospital and the firing spot of Patan. They reported that the police fired indiscriminately. Rita Silakar (24) was shot while staying in the fourth floor. Among the bullet injured, most of them were shot from back. It was also revealed on the finding that all the victims were not participating in the demonstration.

On 30th June a team of Mrs Santosh Pyakurel and Meena Sharma visited Bir Hospital and Teaching Hospital of Kathmandu. It was found that a child of ten year old Jagat B. Tamang and Ram B. Phuyal (12

years) were injured by bullet. In Teaching Hospital only a girl injured by bullet was found. She was brought from Patan Hospital on June 29.

1. Name : Saraswati Maharjan
- Age : 20 years
- Education : C.L. Last year
- Address : Dhalachhe, Patan
- Injured on : Chest and wrist
- Shot at : Sundhara (Dalachhe)
- Family : Two sisters and mother

Saraswati said, "I had come down from the room for a break. As my examination is going on, I was studying". Her friend Prakash said, "We were in a group just discussing about the last paper of our ongoing exam. We didn't see from where the bullet came. The procession was much ahead of our place".

In Bir Hospital, the INSEC members met two bullet victims. There, four victims were already discharged. After meeting two victims, they were asked about the permission from the Director of the Hospital. Informally they had it from the ward nurse. So, they were told to obtain permission. Those two victims the INSEC members met were reluctant and a bit afraid to talk about themselves. Later on, the victims said, "Till now policeman has come to us thrice and forced to sign a paper. If we refuse, we will taken again into custody after discharge". Two victims the INSEC members visited were:

1. Name : Gyan Kaji Maharjan
- Age : 20
- Address : Indrachowk
- Shot at : Between Indrachowk and Itumbahal
- Injured on : Armpit
- Profession : Press labor
- Hospital : Bir Hospital, Bed No. 22

He was coming back from his office. He said, "I didn't know the situation has reached to the extent of firing. I didn't smell tear gas, so had I no idea that I would be shot while going through the area. I was shot from behind".

2. Name : Sambhu Sapkota
- Age : 19 years
- Address : Permanent - Panauti
Temporary - Dillibazar
- Shot at : Dillibazar

- Injured on : Left, right armpit and elbow
Profession : Labor
Hospital : Bir Hospital, Bed No. 21

He said, "I was buying vegetables on foot-path. Suddenly police came in a van and started firing".

2.8 Curfew Imposed

The Kathmandu Chief District Officer imposed curfew on the different parts of the Kathmandu Valley during the recent movement, under Clause 6(a) of the Local Administration Act, 2028 BC.

The curfew was imposed and continued for:

- June 26, 1993 : 7 pm - 4 am
June 27, 1993 : 7 pm - 4 am
June 28, 1993 : 8 pm - 3 am
June 29, 1993 : 8 pm - 2 am
June 30, 1993 : 8 pm - 2 am

2.9 INSEC's Findings

- Many victims were pedestrians who were either going to their job or returning home.
- Their involvement in the demonstration was not found. Saraswati Maharjan (20 years F), Patan was discussing with her friends about her ongoing examination.
- Mr. Mohit Krishna Bainju, 20, was coming back from school with his friend.
- Rajesh Bajracharya (20 years) was going to a Saloon to dress (cut) his hair with his friend Dinesh Shrestha, as his friends commented on his hair style.
- People ranging from a boy of 10 years Master Jagat Bahadur Tamang to 45 years Ram Bahadur Khadka was found injured by police firing.
- The police fired indiscriminately killing people like Ms Rita Silakar, 24, Patan. She was on the fourth floor of the building. The bullet went through a closed window and killed her on the spot.
- Firing was indiscriminate and rampant. The victims like Mr. Sambhu Sapkota injured in left,

right armpit and elbow, almost all victims are hit above the knee.

- Two more women were found shot dead by the police, but one woman's body is not identified another is still missing.
- Ratna Sagar Napit was shot during the curfew at night on June 26. He was shot while coming down from the room to go to the toilet.
- Ram Prasad Sapkota was shot on way back to his home, nearby Bagmati bridge. He had a night duty. It is said that he showed his identity card. The security personnel did not care it. Mr Sapkota followed the order of security personnel. He returned from the bridge. In the meantime, he was shot at back. His dead body was found on the other side of the bridge, which is a part of Lalitpur district. It is to be noted that curfew was not imposed in that area. (According to government's version, he was shot dead when he tried to snatch gun of security personnel).

2.10 Observation Committee Formed

Considering the present situation of Nepal, a "Human Rights Violation Observation Fact Finding Committee" has been formed under the co-convenorship of Mr Birendra Keshari Pokhrel and Mr Badri P. Khatidawa on July 1, 1993. The members of the committee are:

1. Mr Birendra Keshari Pokhrel - HURON
2. Mr Badri Prasad Khatiwada - FOPHUR
3. Mr Sushil Pyakurel, Coordinator, INSEC,
4. Dr Rajesh Gautam - HURON
5. Mr Gauri Pradhan - CWIN
6. Ms Mina Paudel - WATCH,
7. Dr Bhogendra Sharma - CVICT
8. Mr Subodh K Singh - INHURED,
9. Mr Krishna Prasad Siwakoti - FOPHUR,
10. Mr Kunwar Kant - Human Rights Federation

On 2nd and 3rd July the committee members met with the Home Minister, the Prime Minister and Leaders of Nepali Congress and the General Secretary of CPN(UML). On 4th July some of the committee members visited different parts of Kathmandu and Patan from 7 am to 5 pm. Besides them, other INSEC's

volunteers went around the town on their own. Their effort has helped to prevent casualties on July 4. In Tripureswor, the police were about to open fire; the committee with white flag reached on time and convinced both parties and the tension was brought down. Similarly, in Patan the tension was brought down by them. According to the committee report, police has arrested three persons from Tripureswor - (1) Bachhu Ram (2) Bhakta Bahadur (3) Unknown. They reported that the police broke a shop and badly beat Mr Bhakta Bahadur and arrested them. The report also says that on 4th July, 497 people were detained in Kathmandu (according to police source). Other sources say that the number is more than the police source.

2.11 Committee's Report

On July 5, during the Nepal Bandh program, the Observation Committee visited different parts of Kathmandu and Lalitpur. During the observation, the Committee found that two buses of Sajha Yatayat and one trolley bus were damaged. In Tripureswor, police lathi-charged and arrested 3 persons. Police forcibly entered into a hotel and beat few people severely.

While contacted with the Mahendra Police Club in the morning the same day, the Committee was informed that 450 persons had been arrested so far.

On July 16, the Committee made an observation during the demonstration and mass meeting organized by Nepali Congress, the ruling party, and the left parties in the afternoon and early evening, respectively. In different places, some demonstrators came out against NC demonstration. Stone throwing and brick-batting was observed from both sides. 24 cases of injury were registered at the Hospital, when the Committee visited at 2:00 pm.

Police lathi-charged on the procession led by left parties in different places.

The Committee members went to visit the detainees at the Mahendra Police Club. However, they were not allowed to visit the detainee.

2.12 Fact Finding Mission

The Observation Committee has sent Fact-Finding missions to Damak, Jhapa and Chitwan to investigate the firing incidents that took place during the recent movement.

3. CASE STUDY

Ms Rita Shilakar : Death by the Window

[Kathmandu Post, June 29]

"It was more cruel than killing an innocent bird", says Gita Shilakar, sobbing. "At least a bird flutters before dying. But she couldn't even move. She could not even say maa (mother)". For Gita Shilakar, the shooting by the police of her sister-in-law, Rita Shilakar, was too sudden. So was it for the whole family.

At around nine-thirty in the morning, Rita Shilakar left her home in Ikhalakhu to see her sister-in-law, who was ill. But just as she reached Ikhubahal, she heard commotion in the street below. She went to the fourth-floor window to look outside and it was then that a bullet shattered the window glass and pierced her temple. She died on the spot. "I heard a shot and ran out of the kitchen," says Gita, recalling the tragic incident. "What I saw was so terrible. Her skull was cracked and blood was gushing all around the room".

Rita Shilakar, 24, was one of the victims of sporadic firing by the police in Patan on June 28. The aggrieved family kept her body in the house the whole day and did not allow even the police to take it until late in the afternoon.

On Monday, July 5th Rita's mother, Laxmi was so grief-stricken to talk. She cowered in the hot and humid low storey building in Ikhubahal. Other mournful relatives sat in the dark room pacifying her. At around 3:30 in the afternoon, the family called the police, who took her to the Military Hospital. Her father, Swayambhu Raj Shilakar, and other members of the family were later allowed to take her to Shankhamul for cremation.

Studying in the Patan Multiple Campus, Rita was giving her exams of Intermediate level. She also used to teach at the Lalit Kalyan Kendra in Patan. As recently as in February this year, Rita had gone to Japan for a three-week training.

Nepali Congress office in Patan claimed her to be a party supporter.

Rita's neighbor, Amrit Lal Shrestha, 78, was at a loss. "She was a nice girl", he said. Sitting in a patio in Ikhalakhu, Amritlal was too dumbfounded to understand anything going around him. Seeing the

death of his neighbor he complained, "The shooting is unjustifiable".

4. STATEMENT OF MR PREM PARAJULI

[INSEC staff Mr Prem Parajuli was arrested by the police on June 25 and released on June 29, 1993].

As per our official decision I went to observe the situation of June 25, 1993. I arrived at Sahidgate at 8:30 am. I was just reading a newspaper while stopping there. In the meantime, I saw a procession coming from the bus-park. I decided to observe the situation, presuming police intervention on the procession as usual. Just after a few minutes a police pick-up van from Sundhara and a police van from Bhadrakali side came and stopped nearby me at Sahidgate. Suddenly, the police arrested me including some other individuals. We were brought to Mahendra Police Club. I thought they will release me soon because I was arrested without any reason and no warrant was given to me. On the contrary, they (police) told me that I was accused of destroying a vehicle at Bhadrakali. Then, I was detained. Latter I was released after a team of human rights activists lead by INSEC Coordinator Sushil Pyakurel insisted Mahendra Police Club detention center and saw me then. Below is the brief description of what I saw in the detention centre.

June 25

I was the third person so far brought to the Mahendra Police Club upto 9:00 am. Just about 9:00 am 15 persons including Mr Gyanu Bajracharya, Mr Yukta Bhetwal, Mr Balbahadur Siwakoti, Mr Nirmal Phunyal. All were injured and blood was flowing over their bodies. Mr Balabahadur was seriously injured on head. All of them were beaten with stick. No medical treatment was given to them, except pain-killer. Altogether 46 persons were brought upto 1:00 pm. Of them, 16 were charged under Some Public Crime and Punishment Act. I told the police that I am a human rights activist working at Informal Sector Service Centre (INSEC). I denied any charge against me. It was amazing they made an imaginary accusation, imagined a eye-witness and signed the charge-sheet themselves as a eye-witness. The process of bringing people continued. All the detainees, including injured, were forced to sleep on cemented floor. No food was supplied. The detainees were of 11 to 65 years old.

June 26

The police started bringing people from early in the morning in the Club. After 10:00 am, they started bringing a large number of people. We asked the people about their arrest. They were beaten seriously. The police wanted to beat them again. We protested it. Then, we 16 persons were kept separately. We were denied to meet other detainee. The process of bringing people continued. We saw that they were beaten while getting off from the police vehicle. The detainees were manhandled while entering into rooms. Even the detainee were beaten while going to and coming from toilet.

In the evening, about 6:00 pm, about 50-60 detainee were released. We 16 detainees, including other 30, were shifted to DSP office at Hanumandhoka at 9:00 pm. About 300 detainees were at Mahendra Police Club after our departure.

At DSP office, we were kept in a small congested room. The room was not even sufficient to sit. We made a complaint. Next day, they kept us in two rooms. We were denied reading materials. We were not allowed to see anybody from outside. Even the relatives were not allowed to visit us.

9 persons out of 46 were already shifted to other place. On June 29, 37 persons including myself were again shifted to Mahendra Police Club. We were interrogated there. 7 persons were asked to pay Rs 5000 as bail. They could not pay the amount. They were sent to jail. The rest 30 persons, including myself, were asked to pay Rs 100 to Rs 2500 as bail. I paid Rs 100 as bail amount and they released me. Those who could pay the bail-amount were released and those who could not were sent to jail.

5. COMMENTS ON INCIDENTS

5.1 Gift from Vienna : PM

Addressing a press conference on return home from the Europe visit on June 26, 1993, Girija P. Koirala, Prime Minister, expressed the satisfaction for being able to participate at the UN World Conference on Human Rights held in Vienna, June 1993, as the head of a democratic government which is fully committed to the protection and promotion of democracy and human rights.

He said, "Human rights are highly valuable to us and we participated at the Vienna Conference with our complete commitment to human rights".

Nepal expressed its views and stand on human rights at the conference.

In reply to a question concerning reports in some Nepalese media about protest at the Conference when the Prime Minister was addressing it, Mr Koirala said, "I did not see any black flag while I was speaking from the rostrum of the Conference".

News appeared in Nepali and Foreign media that Nepali HR Activist protested while the PM was entering the meeting hall and they also protested during his speech.

He retorted, "Those people who are in Vienna and who claim that there are no human rights in Nepal are themselves violating human rights".

He said that at the Conference Nepal was on the list of countries where there were no human rights violations, and added, "this is a matter of respect and pride for us".

5.2 Home Minister

Home Minister, replying the questions raised by the MPs in the Parliament, on the incidents in Kathmandu, made it clear that force had to be used to disperse the mob that was obstructing a fire engine from reaching the municipality building that was set ablaze, to prevent the financial company building from being vandalized and to check further loss and damage of public property.

Home Minister said, "Police had to charge batons and fire tear-gas shells as per necessity with a view to preventing the public property from being damaged and maintaining law and order", informing that "seven died and some others injured with the bullets fired by the police with a view of controlling vandalism and arson during the incidents that took place on June 25-27".

Stressing the need for all not to indulge in activities like setting ablaze the telephone cabinets, he questioned who will benefit from such destruction of property.

As regards the incident that took place in Patan, the Home Minister said as the situation was very tense with demonstrators pelting brickbats at the police

from the early morning conjuring up the gherao (surrounding) of June 29, the security personnel got panicked and fired out of fear that they themselves will be killed.

Regarding the incident of Bhaktapur, the Home Minister said police took a man lying unconscious on the road to hospital where he died later.

5.3 PM's Reaction on Incidents and Anil Report

Prime Minister Girija P. Koirala on June 26 condemned leftist forces for spreading violence and hinted he will not order the formation of another commission of enquiry into the Dasdhunga jeep accident.

Upon his arrival at the airport from his visit to Europe, he said "the government will not do anything under pressure".

"Anil Commission is a respectable and neutral commission", he said. "I fully support its report though I have not seen it".

"It is unfortunate that the demonstrations were not organized in a peaceful and disciplined manner" he said. "It is certainly condemnable".

However, in a function held at the parliament building on June 30 to bid farewell to National Assembly members who have completed their terms and welcome new members, Prime Minister made a call: "Let the opposition come and talk to me, bringing a sitting judge of the Supreme Court into any commission is no great matter".

Latter on July 3, 1993 the Government has requested the King to appoint a sitting judge for the investigation. Since the case is in under Chitawan District Court. The Government can not form a commission on a sub-judicial case.

6. MPs Denied Visit

Ten members of the Foreign and Human Rights Committee of the House of Representatives in a joint statement have regretted over the action which made inactive and undecided to a proposal forwarded with a view to get approval of the committee to send a team to study the condition of the people arrested in connection with the recent movement.

They have claimed that the proposal forwarded by four members of the committee had received support from majority of the members.

"The government has ignored the proposal in an indecent way", they said, adding "it has seriously violated the norms of human rights".

Among the ten members issuing the joint statement were Siddhi Lal Singh, Kaman Singh Lama, Lal Babu Pandit, Lila Mani Pokhrel, Bishnu Bahadur Raut, Pashupati Shamsher, Padma Ratna Tuladhar, Hiranya Lal Shrestha, Siva Raj Gautam and Mani Kumar Limbu.

7. INCIDENT OF JULY 19-20, 1993

7.1 Arrest of Political Leaders

The Joint Struggle Committee of seven left political parties, including CPN (UML), the main opposition party in the parliament, called a nation-wide transportation strike for July 19 and 20, 1993. The government started arresting political workers from July 17. Today (July 19) about 1700 persons have been arrested only in Kathmandu valley. Most of them are political workers. While contacted with the officials of Home Ministry through phone, they said that only about 400 persons have been arrested so far. Of the arrested persons, 16 are Members of Parliament, representing CPN (UML) and United Peoples Front. The MPs were arrested while they were about to start peaceful procession from Ratnapark, Kathmandu. Of the 16 MPs, 12 were arrested in Kathmandu, two in Chitwan, one in Pokhara and one in Kanchanpur. Nowadays parliament session is going on. According to the constitutional provisions, no MP will be arrested while parliament session is in progress. Regarding the arrest of the MPs, we contacted the Speaker Daman Nath Dhungana. In a telephone conversation he replied that he does not know anything about the arrest of the MPs.

Most of the arrested persons are students. The All Nepal National Free Students' Union (ANNFSU) General Secretary Mr Ramnath Dhakal and Mr Keshav Pandey of ANNFSU, Foreign Department, have also been arrested.

Military was mobilized in Kathmandu. The vehicles with armed military personnel are marching in

Kathmandu. It is said that the military are marching only for observation.

Similarly, political workers have been arrested in other parts of the country. In some places, the local administration has imposed restriction to carry out peaceful demonstrations.

According to the different sources, about 4,500 persons have been arrested all over the country on July 19 and 20.

7.2 Name of Arrested MPs

~~June 19~~ July 19

1. Mr Amrit Bohara (in Kathmandu)
2. Mr Mukunda Neupane "
3. Mr Somnath Pyasi "
4. Mr Golchhe Sarki "
5. Mr Lalbabu Pandit
6. Mr Dambar Sumbahamphe "
7. Mr Rakam Chemjong "
8. Mr Dhanaharka Rai "
9. Mr Hemraj Rai "
10. Mr Shivaraj Gautam "
11. Mr Khagaraj Sharma "
12. Mr Bisnu B. Rawaut "
13. Mr Tul B. Gurung (in Pokhara)
14. Mr Prem Singh Dhani (in Kanchanpur)
15. Mr Jagrit P. Bhetwal (in Chitwan)
16. Mr Amik Sherchan (in Chitwan)

Release: All the MPs arrested on July 19 have been released at night the same day.

MP Mahesh Chaudhari, member, National Council, was arrested on June 20 in Dang and released the same day. Similarly, Mr Salim Miya Ansari, Member of Parliament, was arrested on June 19 and released on 20.

7.3 Visit Denied

Nobody is allowed to visit the detainees in the detention centers and police custodies. The Observation Committee made a request to visit the detention centers, but in vain. According to our Network in different districts, they were also not allowed to visit the detainees.

MP Beaten Severely

MPs Jagrit P. Bhetwal and Amik Sherchan were seriously beaten by police during their arrest. Mr Amik Sherchan after his release was brought to Kathmandu and admitted at Teaching Hospital. Speaker of the House of Representatives Daman Nath Dhungana visited the TU Teaching Hospital and inquired about the health of Mr. Amik Sherchan, leader of the Samyukta Jana Morcha, undergoing treatment there. He has sustained serious injury by police beating. He is still in the Hospital till writing this report (August 13, 1993). Similarly, Man Mohan Adhikari, chairman of CPN (UML), and other political leaders visited him. He was also visited by different human rights activists.

7.4 Bullet Incidents

Police opened fire indiscriminately on peaceful demonstrations and gatherings in Jhapa, Chitwan, Rupandehi, Palpa and Nawalparasi districts. It is reported that more than 50 persons have been injured by police firing. No warning was announced before firing. 5 persons were shot to death whose names are given below. 3 persons injured with bullet are very



Dilli P. Gautam: Dead

serious in Chitwan. Similarly, police firing was observed in Chitwan and Nuwakot on June 20. 4 persons sustained bullet injury in Nuwakot.

Name of Deceased

1. Mr Dilli Prasad Gautam, 24, Jhapa
2. Ms Kaushalya Rana, 25, Chitwan
3. Mr Nara B. Nepali, Rupendehi
4. Mr Purna Pariyar, 34, Nawalparasi
5. Mr Yam B. Karki, Nawalparasi
6. Mr Buddiman Shrestha, 25, Chitwan (injured with bullet on July 19. Died on July 26, while undergoing treatment)



Mother and Daughter of deceased Dilli P. Gautam

7.5 Government's Version : "No Intention to Lock up MPs"

Home Minister Sher Bahadur Deupa has made it clear that His Majesty's Government had no intentions of locking up MPs beating them up or harming their feelings.

Mr. Deupa said that a democratic government cannot have such intentions.

Home Minister Deupa made these remarks in reply to questions raised by opposition MPs in connection with the incidents of yesterday and the day before at the House of Representatives and the National Council today.

Mr. Deupa said that a few groups of people were arrested by the police to prevent the possibility of

vandalism and violence taking place during the "chakka jam", program called by the leftists on July 19 and 20. A few MPs who were not recognized were also arrested along with the groups, he added.

Stating that the police officers had tried to escort them to their houses after they recognized them, the Home Minister said as they declined to be released unless other detainees were also freed, other 40 persons were also released.

Similarly, MP Mahesh Chaudhary arrested in Dang was released yesterday, said Deupa, adding that MP Prem Singh Dhami has been also released.

Home Minister Deupa also informed that MPs Amik Sherchan and Jagrit Prasad Bhetuwal were wounded in a lathi-charge by police which was applied to prevent vans of the chief district officer and SP from being further vandalized.

MP Sherchan along with some others were brought by helicopter to Kathmandu for treatment yesterday, he further disclosed.

Making it clear that he never said the opposition leaders abetted workers for vandalism during transport strike, the Home Minister claimed that some untoward incidents have taken place

and some even lost their lives in this connection.

The Minister said that he had given all information about the arrest of the MPs to the Speaker.

Answering the questions of MPs asked about MP Amik Sherchan, Home Minister Deupa said - MP Amik Sherchan sustained injuries from lathis, but he was not in the custody nor beaten.

7.6 Fisticuffs in Upper House

One of the MPs, Mr Golchhe Sarki, who was arrested and detained by the police, could not keep his patience when the Home Minister gave wrong version of the incident. Mr Sarki beat the Minister Ram Chandra Poudel during the session in National Council. Mr. Golchhe Sarki's attempt of physical assault on the Minister for Agriculture Ram Chandra Poudel, who

looked after the Home Minister during the absence of Home Minister Sher Bahadur Deupa recently, drew in a suspension order for seven days for the "indecent" lawmaker.

"Mr. Golchhe Sarki has been suspended as the member of the National Council for seven days", National Council Chairman Beni Bahadur Karki announced his ruling on grounds that Mr. Sarki had "misbehaved" in the Upper House. This followed Mr. Sarki's assault on Mr. Poudel during the course of debate on the recent leftist movement.

Another MPs reacted on the version of Home Minister and even gave his identity card to the Chairman of National Council. It is to be noted that every MPs always hang their identity card on the cloth.

8. RELEASE

Almost all the detainees, arrested in-between June 25 - July 20, 1993, have been released on different dates. However, till writing this report (August 8, 1993), about 150 persons are still either in detention centres or jails, it is learnt.

9. CONCLUSION

The incidents that are taking place after the elected government resumed power in 1991 clearly show that the government does not follow the democratic norms and values as well as lacks of human rights culture.

Tolerance is a main factor in consolidating and strengthening democracy. Tolerance is a key component in protecting and promoting human rights culture. We have many instances that the government has lost tolerance.

The government is only expressing "lip service" for the protection and promotion of human rights. It has forgotten its commitment. For example, the proposal of forming National Human Rights Commission was rejected in National Council by the ruling party. Similarly, a proposal in human rights committee of parliament to send a team to study the condition of the people arrested in connection with the recent movement was also rejected.



A Scene of Nepal Bandh Program

We, the NGOs working in the field of human rights, have asked the government from time to time to form an impartial commission to investigate in the incidents that took place after general election held in May 1991. But it has never heeded.

In the recent incidents that took place during June 25 - July 20, 1993, the government lost its patience and spread state-terror and violence. In many instance, police opened fire indiscriminately and without any prior notice and warning. As a result, a number of people lost their lives, a number of people sustained bullet injury.

There is also some shortcoming in the part of the opposition which called for movement. In some instances the demonstrators destroyed public properties. The opposition has denied its involvement.

The incidents of June 26 and 27 took lives of people. Public properties were destroyed. The CPN (UML) said that it had no program on these date. It is to be noted that the CPN (UML) had called a Kathmandu Bandh program on June 25. It is but natural the program of June 25 may have some sort of impact on following days. The questions arise now, whether there is any moral responsibility or not.

However, while talking about the damage of public properties, it is to be noted that, if the police can open fire due to psychological terror while surrounded by people, as the Home Minister informed the parliament, it is but natural that the people surrounded by armed police may also throw stones at police for self-defence as most of the newspapers write nowadays. Moreover, the people have reacted after police opened fire on demonstrations without any pre-warning.

In many cases the government has clearly violated constitutional provisions as well as special rights of the MPs. The MPs were manhandled and arrested while parliamentary session was going on. The Speaker of the house was not informed of the arrest of MPs, though it was necessary. The MPs say that they had shown their identity card. But police did not care it. It is an irony that the Home Minister said in the parliament, "police could not recognize the MPs". How funny! Is it a democratic culture?

10. INSEC'S CONCERN

We vehemently condemn the state terror and violence that made a gross loss to human lives and public properties.

We ask all the concerned sectors and political parties to solve the issue through peaceful dialogue.

We ask the government to form an impartial investigation commission to probe into the loss of lives and properties during the incidents of June 25 - July 20, 1993.

WOMEN'S ISSUE

DOWRY DEATHS: MURDER, BORN OUT OF GREED

Chandra Kanta tried desperately to save herself from the fire. Both of her hands and feet were tied and the body was drained in petroleum. A flake of fire did with her. The villagers said, "around 8:00 pm we saw fire in the room and came to see. Ramesh (her husband) was watching her with daughters crying on his arm". Only four of them live together. On the particular night, she, with her two daughters were already to the bed. Ramesh covered her mouth and tied her hands, drenched her in petrol and sneaked to fire. Her fault was that she ignored their material greed: dowry. Her father Mr. Birbal Biraji of Saptari district said, "we had heard of maltreatment towards her since early days of marriage, but didn't imagine the matter is so serious". He has reported the case to the police station. The IGP was quoted in a local paper: "the culprit was on mourning. So, we couldn't arrest him. But later, he has already fled". A crook, a murder of an innocent girl, then, vanished in the air. There is less hope that he will be punished.

This is not the first time that an inefficiency and rather negligence of law enforcing agency has helped a culprit to escape. Sometime it happens as in Chandra's case and other time they just don't move because of "big hands" on the back. Last year, in April 1992, Rinku Agrawal was tortured and threatened to life for not fulfilling dowry demands of her in-laws. 37 days before her case, Sandhya Gupta suffered the same fate. Her intellectual father-in-law, who is a lecturer at the Tribhuvan University of Nepal, with his family, was constantly torturing daughter-in-law for not fulfilling their demand of dowry. Sandhya was asked by her parents to adopt the only ornament of a Hindu woman "be patient". But on the night of March 17, 1992 the lava inside her burst out. On the night she was beaten severely and fell unconscious which made them to take her to the hospital. There she revealed her sufferings. Sandhya and her family went to the lawyer. The case was filed. But the Marwari Society (their community) said, "quarrel between husband and wife, is a fire on straw", and asked girl's side to compromise. Her family agreed to let both live separately and her husband is to compensate her for a year. Sandhya afraid of defame of her parents and her future life sank into the uncertainty.

Before them, Lila Dev of Rajbiraj and Sharmila Acharya of Rupandehi were murdered for dowry in 1990 and 1991, respectively. Lila was also tortured physically and mentally. In 1990, she died due to severe beating. The death of an only daughter touched her mother too. Her father is trying utmost to bring the culprit to the court, but is not successful yet.

These are a few cases made public. There, many go unreported and hidden; an inefficiency of law enforcing agencies to give justice to the victim. The fear of defame of families and exposure in the newspapers are the major discouraging factors for not bringing the case to public. Sometime "big hands" behind the curtain plays a major role on hiding cases. People believe it happened in Sandhya's case. She has said, "they constantly threaten us on taking the case further".

The realities are bitter. To have justice -- the path is tough, expensive and most patience-demanding for the victims. But, the close-ones instead of extending encourage and sympathy, harass and pullback. They are afraid of their defame and prestige. Nobody tries to understand the depth of injury that is inside the victim's heart.

Women are victimized in every sector of the society. Dowry causes torture and death, if not fulfilled. In the Nepalese context, the dowry system is becoming a new sector of women's victimization. The increasing data of victims urge us to think twice and demand sincere commitment from Women's Organizations to fight against these inhumanities.

On June 2, 1993 Shankuntala Paudel of Ganganagar was murdered by her husband Baburam Paudel within

3 months of their marriage. Her body was found floating on the river. In the same month Ms Anjudevi Sethia of Sunsari, Harinagar VDC-7 was set ablaze.

Dowry, an imported custom from India, is spreading like an epidemic in our society. It demands attention of each concerned individual. It is a murder, born out of greed, discussed less but acute and dangerous !

FROM NEPAL TO VIENNA

For the first time in the history of human rights movement in Nepal, a large team of Nepalese delegation of more than 20 persons representing different NGO participated in the NGO Forum and UN World Conference on Human Rights held in Vienna.

After the Asian regional preparatory meeting held in Bangkok in March, 1993, the Nepalese NGOs working in the field of human rights formed a committee in preparation to participate in the World Conference. INSEC was also one of the member organizations.

Upto the last hour the government did not show any concern and interest on Un World Conference on Human Rights. However, one of the most laughing matter is that, during the course of preparation from government side, the Nepal Police organized a meeting on "Nepal Police and Human Rights". This meeting was addressed by Prime Minister and Home Minister. One of the police officer, addressing the meeting, said, "Now you can see how much were are concerned with human rights. Our Prime Minister and Home Minister are addressing the meeting organized by police". Prime Minister Koirala inaugurating the seminar on Nepal Police and Human Rights said, "Holding of this human rights seminar shows a new attitude in police circles also, he said and stressed that such activities would be a boost to the establishment of democracy and its institutions".

The NGOs working in the field of human rights were also invited to participate the meeting. Some of the NGOs advised the police to organize this meeting after Vienna Conference. They even expressed concern that the meeting organized by police should not be used as "show piece" in the Vienna Conference. The NGOs further asked to postpone the meeting saying that they were leaving for Vienna and they cannot prepare anything. But, unfortunately, it happened. The Prime Minister of Nepal, while addressing the World Conference, departing from the text, verbally told, "that with a view to orienting police on human rights, a seminar was held in Nepal on the initiative of the police themselves sometime back. We are committed to human rights. Even our police organize meeting on human rights". How funny ! It is to be noted that we have seen the repressive government of different countries used to organize such meeting "Police and Human Rights", to show that they respect human rights.

It is not necessary to mention all the cases of human rights violation. The incidents mentioned in this bulletin show how the Nepalese government is committed in protecting and promoting human rights.

The government's delegation was led by the Prime Minister himself. It is to be noted that no head of governments from South Asia participated in the World Conference. Another ironical factor is that the Home Minister of Nepal was also one of the delegate from the government. It was a matter of discussion and a question was raised among the intellectuals and human rights activists that: Why the Home Minister is participating the World Conference ? Does he want to say in the World Conference that he did not order to kill people ?

During the NGO Forum and World Conference the Nepalese NGOs delegation raised the issue of human rights violations after the general election held in May 1991. Even they protested to the Prime Minister while he was entering to the hall.

The full text of the address by Prime Minister Koirala in World Conference on Human Rights held in Vienna is printed below.

NEPAL FOR HOLISTIC APPROACH TO HUMAN RIGHTS

(Speech of Nepalese Prime Minister)

Mr Chairman,
Excellencies,
Distinguished delegates,
Ladies and Gentlemen,

It gives me a great pleasure to congratulate you, Mr Chairman, on your unanimous election to the chair of this very important conference, the first of its kind to have taken place at a very crucial period of history. I am confident that your wisdom and vast experience will guide us to make our deliberations and the outcome rewarding and bring this conference to a successful conclusion. I would also like to express our sincere gratitude to the government and people of Austria for the excellent preparations for the conference and for extending to us generous and warm hospitality in this beautiful city of Vienna.

Our appreciation is also due to the Secretary-General of the United Nations, Mr Boutros Boutros Ghali, who has been instrumental in organizing the conference. We in Nepal have watched with admiration the various initiatives taken by the secretary-general towards reorientation of the United Nations in line with the emerging realities. I would also like to commend Mr Ibrahim Fall, the secretary general of this conference whose untiring efforts and admirable qualities have immensely contributed to bringing this conference to this stage. We also sincerely thank other United Nations officials and all those who have put in their toil and talent for the preparation of this conference.

Mr Chairman,

The timing of this conference would not have come at a better moment. We are passing through one of the great epochs of human history. The cold war has tapered off: ideological divides have crumbled giving way to a new era of democratization in politics and liberalization in economics: a number of festering wounds manifesting themselves in conflicts and even wars are healing and the world has grown more interdependent than at any time before. These and many other momentous changes have ushered in a new era of hopes, progress and higher values, and offered new opportunities for a global meeting of

minds in areas of common concern that should help evolve shared beliefs, values and principles.

Much ground has been covered since the adoption by the United Nations of the Universal Declaration of Human Rights. From the seminal four freedoms and the declaration of 1948 we have made a notable progress in setting common human rights standards through various international instruments. In particular, major advances have been made in the promotion of human rights since the Teheran Proclamation of 1968. While the International Bill of Human Rights has now come into force, several new instruments particularly those that address the most frequent and serious violations of human rights have come into being. Notable among these are the convention on the elimination of all forms of discrimination against women, convention against torture and other cruel, inhuman or degrading treatment or punishment, and convention on the rights of child. Monitoring and enforcing mechanisms have also been put in place to ensure an effective implementation of the provisions of various human rights covenants. If accession to these instruments constitutes an initial step, ratification and assimilation of the provisions into national laws as well as the enforcement thereof is what can bring these ideals into reality. My delegation views that the universal ratification of the International Bill of Human Rights would be milestone in the annals of the promotion of worldwide respects for human rights.

These brighter prospects notwithstanding, we have also to admit that all is not well in our planet. Despite the progress made in promoting and protecting human rights, ethnic cleansing, forced eviction of people from their homeland, xenophobia, racism, discrimination on one ground or the other and international conflicts, all with their attendant atrocities, are still with us. Millions of people are reeling under the pains of poverty and deprivation. The gap between the rich and the poor is far from being narrowed and is even widening thus breeding social tension. Mother nature has not been very kind to many places thus pushing the people to the verge of displacement, starvation and death. The causes of these problems may be diverse but the effect is often a pervasive violation of human rights and mostly the victims are the weak and innocent people.

Mr Chairman,

I feel happy to inform this august gathering that Nepal has made great strides towards improving the human rights situation in the country after the restoration of multi-party democracy in 1990. Our constitution has abolished death penalty altogether and guaranteed fundamental freedoms and human rights to all citizens without any discrimination based on religion, caste, sex, face, ethnicity of conscience. Many other steps have been, and are being taken by the democratic government to promote respect for and observance of human rights. The assimilation and incorporation of human rights provision into national laws is underway in earnest. We all know, implementation of all human rights standards is a lofty goal we all have yet to realize, but Nepal is working towards achieving this goal with a strong sense of commitment.

Mr Chairman,

Nepal believes in a strong and inalienable inter-relationship between human rights, democracy and development and recognizes their mutual contributions to sustain and nurture each other. Thus we subscribe to a holistic approach which ensures greater freedom and long-term prosperity for all. This, we feel, is the human rights philosophy, which as a common strand pervades the charter and many other international instruments and resolutions of the United Nations.

Nepal upholds the principles of universality, objectivity and indivisibility of fundamental freedoms and human rights for the well-being of every human person—a human person who should be at the centre of all our activities. If the promotion of civil and political rights without a decent and respectable living will hardly be meaningful to the people, the promotion of social economic and cultural rights without civil and political rights will be hollow and unsustainable. Coming from a least developed country I can tell you how debasing poverty is and how onerous it is to enforce human rights standards in a situation of persistent poverty. We must therefore recognize the mutually reinforcing nature of these categories of human rights and follow a balanced approach in pursuing them. We see a clear need for encouraging concerted efforts at national, regional and international levels to correct the imbalances and also for discouraging the temptation to selectively use human rights for political expediency. We do, however, feel the enforcement of one category of human rights should not be stipulated as a

precondition for the implementation of other category of human rights.

Today, we live in a civilized world which must protect and promote human rights of all segments of the population without discrimination. This entails that we bring minorities, indigenous people and the weaker and underprivileged sections of our societies to the mainstream of socio-economic development and political process, ensuring for them the fuller enjoyment of human rights. All people should be allowed without prejudice to live in peace, liberty and harmony and to engage themselves in the pursuit of happiness without the fear of persecution, forceful eviction and abrogation of universally recognized human rights.

Similarly, the promotion of rights of women, who constitute one half of the world's population, should get a high priority. We must make sure that women enjoy human rights at the same plane as their men counterparts by ensuring equal rights for women and by creating conducive social attitude.

Mr Chairman,

We live in an age of global interdependence. A gross and systematic violation of human rights, which crushes the dignity and worth of human person, has implications transcending national boundaries. Therefore, we have all recognized human rights as a legitimate concern of international community and international cooperation as an instrument of promotion respect for universal human rights and fundamental freedoms. We do, nonetheless, strongly believe that international concern for human rights and the principle of sovereignty of state must not be permitted to work against each other. While international cooperation should be primarily directed to capacity building for the promotion and observance of human rights, the responsibility and prerogatives to implement them must rest with the states themselves. The United Nations should have a pivotal role in the emerging international framework for the protection and promotion of human rights.

The charter of the United Nations and international instruments of human rights have made provisions for the use of United Nations mechanisms to ensure promotion and protection of human rights. In consonance with those provisions there is a need for more coordination and streamlining of the existing human rights mechanisms with a view to enhancing their efficiency and effectiveness. Similarly, their

growing responsibility should be met with the availability of resources at an enhanced level so that these bodies could provide support and assistance to the requesting states and effectively fulfil their duties demanded by the treaty provisions.

It needs to be stressed that the full realization of human rights by all demands a concerted action at all levels. We are appreciative of the role played by non-governmental organizations in enhancing the awareness of human rights and urge them to be transparent, accountable and credible in promoting the great cause of human rights.

Mr Chairman,

All eyes of the world are now set on Vienna while we are in conference here to deliberate on such a vital issue of global concern. The decisions we make here

will greatly contribute to a new world order which is in the making now a world order which should be comprehensive in nature, stable in content and equitable in essence. As we prepare to enter into the twenty-first century, we should ensure that the coming one would be a better century in which human rights, democracy and development thrive together, the principles of sovereignty of states and international cooperation for the promotion of human rights coexist and flourish in peace and harmony and human being can live with more dignity and honor. To achieve these larger goals it is essential for us to put our differences behind and work in a spirit of understanding, cooperation and accommodation. I would like to assure you, Mr Chairman, Nepal shall extend all possible cooperation for a successful, meaningful conclusion of this important conference.

Thank you!

NEWS IN BRIEF

A WOMAN AND A CHILD DIED OF POLICE FIRING

Mrs Dhalariya Devi Mazi and her eleven months old daughter Anarba Kumari Mazi died on May 22, 1993 of police firing.

In Rautahat district, Orahariya VDC-6, a clash between the night police patrol and the local people took place. Police opened fire killing two persons by one fire and injuring Mrs Khushiya Musaharni. She is undergoing treatment in Birgunj Hospital.

According to the local people, on that particular day, there had been a debate between the policemen and local people on a issue of a girl. On night around 8:45 pm, the drunken policemen Mr Saukhilal Ray Yadav, Inspector and Mr Taslim Husen, came to the village and again the debate began to rise. The people began to beat them. The inspector ran away and Mr Taslim Husen opened fire indiscriminately.

The victims are undergoing treatment. The government has announced to give rupees fifty thousand as compensation to the family. The villagers have demanded impartial inquiry into the incident.

Similarly, on May 27, 1993, the police opened fire in Chitwan district, Tikauli VDC, Katipur. Nobody is

reported injured. But five people sustained injury of lathi-charge on the same day.

LAWYER ATTACKED IN THE COURT PREMISES

Ramesh Lal Mandal, lawyer of Rajbiraj district court, was attacked on in the court premises on March 19, 1993. A report says that a local residence Mr Kameshwor Thakur attacked the lawyer with hair-knife. Lawyer was pooled on blood and taken to the hospital immediately. The people say, "it happened so suddenly". The police found the culprit hiding inside the room.

It is believed that the culprit was angry with the lawyer for advocating for his opponent. He is going under trial.

[Courtesy: Suruchi Weekly, March 21, 1993]

POLICEMEN BEAT HIM TO DEATH

Kagiman Kami (Male, 42 years) of Makawanpur, Handikhola-4 was beaten to death by policemen. On March 9, 1993 he denied to give the chicken, which he was taking for his wife, to the policemen when they asked.

Three policemen, namely, Ganesh Bahadur Khatri, Dal Bahadur KC and Chandra Bahadur Khatri were on duty on Rajaiya Checkpost. Kagiman Kami was coming from his fathers' house to his own. He had two chickens. The policemen asked for them and he denied to give the chicken he was taking them for his wife.

The policemen beat him and tried to snatch the chicken. Kagiman was taken into custody. He was tortured there too. A report of "Nepal Victimized - Under Privileged Liberation Society" says that the police had forced a truncheon into his anus.

Around 6:00 pm Kagiman was taken to the hospital. An eyewitness says that Kagiman had died in the custody, but the administration propagated that he died on way to hospital.

The day after, the local people together with other political party members, pressured the DSP to punish those policemen responsible for Kagiman's death and provide compensation to the victim's family. The police opened blank fire and tear-gas shells to disperse the crowd. Nobody is reported to be injured. Although the DSP has assured that those involved in killing will be punished; but nothing has been done yet.

RELIEF TO THE VICTIMS OF FLOOD

The heavy rainfall, landslide and flooding that took place in different parts of Nepal in July has taken the lives of thousands people and destroyed the property worth millions of rupees. Mostly, the eastern and central parts of the country are badly affected by the heavy rainfall, landslides and flooding.

This natural calamity has jeopardized life in Kathmandu, the capital city. Kathmandu was totally isolated from other parts of the country for weeks. The river damaged and/or swept away roads and bridges which joined the Kathmandu with other parts of the country.

According to the report more than 1000 people have already been found dead and more than 1000 are missing. However, we assume the number is higher. For example, a village in Sarlahi district of central Nepal, where 500 families were living, has sank into heavy flooding.

To provide immediate relief, the INSEC members have donated their salary of one week.

A committee named "NGOs for Disaster Relief", consisting of 9 NGOs, has been formed. INSEC is one of the Coordinators. This Committee mobilizes, especially the doctors, to provide medical treatment to the victims.

However, it is distressing to mention the government's behavior and intention to the initiative taken by NGOs. On the one hand, the government is requesting the NGOs to help the victims of flood, while, on the other, it has prevented the doctors who want to go to help the victims on behalf of NGOs initiative. The government has tried to prevent NGOs' initiative to help the victims, by not granting leave to the doctors who wanted to go to the victims. What an irony !

ON THE MEMORY OF PRAKASH

On July 31, 1993, INSEC organized a program on "the Memory of late Prakash Kaphley : Human Rights Year Book - 1992 Public Program". Mr Prakash Kaphley, the prominent human rights activist of South Asia, who passed away in the air-crash of Thai International Airways TG 311 on July 31, 1992, Ghoptebhir (Nuwakot), Nepal, was then Director of INSEC.

In this program the Human Rights Year Book, 1992, was made public. Addressing the meeting, Mr Sushil Pyakurel, INSEC Coordinator, announced that Human Rights Award will be given on the memory of Prakash.

The program was participated by different prominent personalities, human rights activists, intellectuals, political and social leaders and the relatives of Prakash.

The program was also participated by Mr Kailash Satyarthi, President of South Asian Coalition for Child Servitude, India, and Mr Ehsan Ullah Khan, President, Bonded Labor Liberation Front, Pakistan.

Similarly, a Prakash Kaphley Memorial Trust has been set up in Hetauda. The Trust will grant from next year an award of Rs 15,000 (fifteen thousand) to the journalists who have considerable contribution to the human rights movement in Nepal.

WHERE YOU CAN BUY A HUMAN BEING

One of the French journalist visited the bonded labors in Kailali, Kanchanpur and Bardiya, of far-west Nepal, in July 1993. During his visit to these districts, he met Mr Asharam Chaudhari (we had published his story in our bulletin. We have again printed the same in the following page).

The French journalist became so sentimental that he paid off all the loan of Mr Asharam Chaudhari. However, it is heart-touching to mention that Mr Asharam is not set free yet. According to the verbal agreement with his owner, he will only be released on mid-January, 1994. The French journalist took a signed agreement from the owner of Asharam. The text reads:

"I, Mr Bhim Bahadur Bam, the owner of Mr Asharam Chaudhari and his family, received NRs 15,000 (NRs

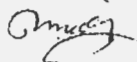
fifteen thousand only) through Mr Patrice Piquard (the French Journalist), as repayment of loan, on July 17, 1993. From today, Mr Asharam and his family do not burden any of my loan. No previous agreement, written or verbal, will be imposed on them. The following are the eye-witness:"

Eye-Witness

1. Mr Hikmat Bahadur Shah
2. Mr Jaya Bahadur Koli,
(Vice-Chairman, Sripur VDC)
3. Mr Ramlal Chaubari

आजो आज मिति २०५०/८/२ का दिन म धरने श्री
/भिम बहादुर बमर्ले /आशामी आशाराम चौधरी नंदा
माया देवी चौधरी सँग सौकीको कपमा रहेको
स्थल रकम रु १५०००/- अक्षरणी रूपैया-पन्ध्र हजार
मात्र श्री पेट्रीस पेक्वार्डिहाट (PATRICE PIQUARD)
निकन लिखित साक्षीकता रोहवामा बुझि लिए /
आजका दिन धरने आशाराम र निजको परिवार सँग
मैले कुनै रकम लिउ पिउ केन / पुरानो कुनै
पनि नभएक, काजयम आजका मिति धरि मात्र बुझे वैन /

दाहनेको सहीछाप



अक्षरीको सही छाप

दाया

बाया



१) श्री हिक्मत बहादुर शाह
जयपुर, श्रीपुर ज. वि. स.

२) श्री जय बहादुर कोली
जयपुर, श्रीपुर ज. वि. स.

३) श्री रामलाल चौधरी
चौकीदार माकगण्ड