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FOR HUMAN RIGHTS IN NEPAL



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OHCHR-Nepal calls for an end to violence by all sides in Terai protests

In the midst of reports of growing violence in many parts of the Terai, OHCHR-Nepal is urging the Nepal Police and APF to exercise restraint in response to protests. The Office also calls on protesting groups to use only peaceful means. Respect for human rights is even more essential during these times of tension.

In recent days OHCHR has monitored the actions of protesters and the response of the police to maintain order. In some instances, the police showed restraint despite provocation by protesters, who pelted stones at police who were protecting Government property or removing roadblocks. Police officers were also injured. In other instances however, OHCHR found that police used excessive force, sometimes against peaceful protesters, resulting in at least one death and numerous injuries to protesters. The Office continues to investigate other reported killings.

OHCHR-Nepal reiterates its call for thorough and independent investigations into all killings which have occurred as well as into allegations of serious beatings.

The Office has observed that dozens of people have been arrested and has received reports that some of those who were injured have been taken from hospital into police custody. It is essential that authorities observe international standards relating to the human rights of detainees.

One of the most violent incidents occurred in Nepalgunj on 17 February, where one person was shot dead by police and eleven hospitalized with bullet wounds, including a 14-year-old child. OHCHR witnessed violent acts by protesters, including instances in which they stoned police from the top of buildings and vandalized property. Of particular concern was the participation of children, some in the front line of protests, who were seen to throw stones at the police and were armed with sticks. OHCHR also observed several incidents of excessive use of force by the police after the curfew was imposed, in most cases by the APF, including the severe beating of protesters after they were caught. Of the persons injured by bullets, some were allegedly shot whilst running away.

OHCHR is extremely concerned about the use of live ammunition. In addition to Nepalgunj, four protesters were reportedly injured by police fire in Jaleswor, Mahottari district, on 17 February and three persons were reportedly hit by police bullets in Janakpur, Dhanusha district, on 18 February. Firearms must not be used in policing demonstrations unless there is a very serious threat to life and only once all other methods have been exhausted.

“My Office recognizes that the Government has issued directives to police to exercise restraint in maintaining law and order, and I also urge the police to use minimum force and if force is necessary, to ensure that it is proportional to the threat posed. The imposition of a curfew does not justify the use of firearms in non-life threatening situations,” said OHCHR-Nepal Representative Richard Bennett.

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In Birgunj on 17 February, the police reportedly *lathi*-charged a peaceful protest march and severely assaulted a cadre of the United Democratic Madheshi Front who appealed for them to stop. Police officers also reportedly forced entry into people's houses at several locations, including Jaleswor and Janakpur, and beat residents.

In the Eastern Terai, in most instances the police appeared to exercise patience and negotiated with demonstrators, who were sometimes armed with split bamboo, vandalized vehicles, and blocked roads, preventing the passage even of ambulances. However, OHCHR continues to have concerns about the inconsistency of police actions. In some cases, force was used to disperse demonstrators; on other occasions police failed to intervene to control aggressive crowds who were protesting against the *bandh* in Biratnagar on 19 February.

OHCHR also notes numerous reports of attacks against journalists in recent days, both by protesters and police. In Janakpur on 19 February, APF personnel reportedly entered a radio station and beat one person, interrupting programmes for a half-hour. Freedom of expression is a fundamental human right and an essential element of democracy that cannot be compromised by authorities.

In Biratnagar on 19 February, youths opposed to an ongoing protest verbally and physically threatened four OHCHR staff members who were monitoring and threatened to damage an OHCHR vehicle. Police deployed nearby when the incident occurred failed to intervene. As a consequence of these threats, human rights defenders, including OHCHR, were unable to effectively monitor the events.

“I again urge leaders of all groups taking part in protests and demonstrations to ensure that their supporters refrain from violence, which only serves to escalate tensions at this crucial phase of the peace process,” said Richard Bennett.