



**UNITED NATIONS
OFFICE OF THE HIGH COMMISSIONER
FOR HUMAN RIGHTS IN NEPAL**



**Press Release
17 April 2006**

Ian Martin meets Home Secretary, raises serious concerns

Ian Martin, Representative of the United Nations High Commissioner for Human Rights, met today with the Home Secretary of His Majesty's Government to raise serious concerns about human rights violations in the context of policing of recent demonstrations and arrests, and subsequent detentions.

Ian Martin expressed his particular concern at the excessive use of force by members of security forces in Gongabu and other places witnessed by OHCHR-Nepal staff. He acknowledged that police faced a difficult task in policing large demonstrations, some of which had seen violence resulting in police suffering injuries in the course of their duty. However he insisted on the authorities' legal obligation to use only the minimum necessary force in accordance with international standards on the use of force and firearms. The Home Secretary assured OHCHR-Nepal that appropriate instructions had already been issued to security forces.

During the meeting, Ian Martin insisted that investigations be undertaken into the killing of demonstrators or bystanders in Pokhara, Chitwan, Banepa and Parasi and the excessive use of force in Gongabu.

Serious concern was also expressed by Ian Martin at the widespread use of the Public Security Act, despite recent rulings by the Supreme Court that such arrests conducted last January were illegal. Ian Martin stated his particular concern that the use of the Public Security Act to justify detention of children as young as 12 years old, as well as political leaders, members of civil society and journalists. He asked that the Home Secretary issue clear instructions to security forces that lawyers should be allowed to visit detainees without restrictions in order to provide them with legal counsel, and that families of detainees receive prompt information about and access to their family members. Ian Martin raised OHCHR-Nepal concerns about the serious shortcomings in the conditions of detention for those held under the Public Security Act.

"I told the Home Secretary in the clearest terms of the concerns of our Office, and our expectation that his Ministry take responsibility for implementing measures that will ensure the protection of human rights in the course of policing demonstrations and the provision of acceptable conditions for those being held in detention," said Ian Martin.

In addition to the human rights concerns related to recent demonstrations, Ian Martin expressed concern about the incidents at Morang prison in the past week, in which a number of detainees held under TADO had been injured after being attacked by *naikhees* (prisoners who are given guard duties by the authorities) and who were subsequently denied medical treatment by authorities for several hours. He called for an investigation into the incidents and also urged that the system of allowing the prison to be "managed" by *naikhees* be seriously reviewed.

**For further information contact Mr. Kieran Dwyer at OHCHR-Nepal:
Tel.: 428 0164 (Ext.321); Mobile: 98510 14263, or Email: kdwyer@ohchr.org**