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FOR HUMAN RIGHTS IN NEPAL



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**OHCHR-Nepal regrets sweeping restrictions on assemblies,
seeks clarification from Government**

OHCHR-Nepal deplores all further loss of life following the ending of the unilateral ceasefire by the Communist Party of Nepal (CPN) (Maoist) and recognises the serious security situation affecting Kathmandu and other areas of the country. However, OHCHR-Nepal regrets that the sweeping restrictions now imposed to ban all assemblies, processions and sit-ins in most of Kathmandu and Lalitpur represent an extreme limitation on the right to freedom of peaceful assembly, which the High Commissioner for Human Rights has called on the authorities to respect.

The right to freedom of peaceful assembly is guaranteed under Article 21 of the International Covenant on Civil and Political Rights, to which Nepal is a party, subject to only those restrictions which are necessary and proportional to the objective of maintaining public order in a democratic society. OHCHR-Nepal is seeking clarification from the Government regarding the measures imposed and the basis on which they are deemed necessary and proportional.

OHCHR-Nepal has monitored demonstrations and their policing, and has promoted dialogue between organisers and police, in order to avoid situations which might escalate into violence. These include the demonstration in Janakpur on 12 January 2006, where it is to the credit of the organisers and police that a very large demonstration took place without violence. The internationally-guaranteed right is the right to peaceful assembly, and OHCHR-Nepal has called for demonstrations and rallies to remain peaceful. Excessive restrictions on peaceful assembly at a time of legitimate political debate however carry the risk of contributing to violence.

“We urge the Government to maintain the maximum freedom of peaceful assembly consistent with legitimate security considerations, and we call on those who organise or participate in demonstrations and rallies to act peacefully at all times,” said Ian Martin, Representative of the UN High Commissioner for Human Rights in Nepal.

It will be recalled that the High Commissioner called for the extension of the unilateral ceasefire, the declaration of a reciprocal ceasefire by the Government, and full respect for international humanitarian and human rights law. OHCHR-Nepal is monitoring closely the conduct of both parties. This includes its on-going investigation into the attack by the CPN (Maoist) on the Thankot Police Post on 14 January 2006 to determine whether international humanitarian law was violated.

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