

NEPAL-RIGHTS: Where Fear Rules in High Altitudes

KATHMANDU, Feb 10 (IPS) - Kapil Shrestha, a commissioner with the Nepali National Human Rights Commission (NHRC), was not allowed by security forces at Tribhuvan airport to board a plane with his boss to the eastern part of the Himalayan nation bordering India. Both were on their way to Biratnagar - the second largest city in Nepal – to inaugurate the NHRC's new regional office.

The incident happened on Monday, but to date Shrestha has been very reluctant, out of fear, to reveal this to the media despite the prodding from his colleagues at the NHRC - an independent statutory body formed by parliament.

It was only on Wednesday that a section of the Nepalese media -- after an official leaked the information - carried news of the incident. But Shrestha still wouldn't comment. This incident shows why human rights defenders here are still hesitant to declare to the outside world that King Gyanendra imposed a state of emergency on the country on Feb. 1. It's fear that's prompting them to say instead that Nepal is under martial law. And it's this climate of fear that's making many local human rights groups feel helpless in their efforts to prevent abuses to their fellow countrymen.

In his Feb. 1 announcement on state-run television, King Gyanendra accused the government of failing to conduct parliamentary elections and being unable to restore peace in the country. "All the democratic forces and political leaders should have united to protect the country's democracy," Gyanendra said in a half-hour speech.

"Innocent children were found massacred and the government could not achieve any important and effective results. The crown traditionally is held responsible for the protection of national sovereignty, democracy and people's right to live peacefully," he said.

Nepal is currently facing a Maoist insurgency, which has seen more than 10,500 Nepalis die since the fighting began in 1996. The Maoists, who want to overthrow the government and establish a king-less Communist republic, have refused to come into the mainstream of Nepali politics and end the violence.

Soon after the king's address, a state of emergency was declared and Indian news agencies reported that all telephone lines and mobile phone networks were shut down - effectively cutting the country off from the rest of the world. While telephone lines have been restored, satellite phones are banned and according to sources in the Nepali capital Kathmandu, the army has confiscated the satellite phones of several embassies, donor agencies and U.N. offices.

On Wednesday, plainclothes police arrested a prominent and outspoken human rights campaigner, Krishna Pahadi, founder chairman of the Human Rights and Peace Society (HURPES), a day before the rally that his organisation had announced to hold to protest King Gyanendra's royal coup.

According to HUPRES, hundreds of students have been detained and 54 political leaders arrested or put under house arrest -- including the dismissed Prime Minister Sher Bahadur Deuba. Also under arrest are the former head of Nepal's Bar Association Sindhunath Pyakurel and a leader of the Federation of Journalists.

Late Wednesday, spokesperson of the Nepali Congress party Arjun Narsingh told IPS that some 1,000 activists from political parties, student groups and trade unions had been rounded up nationwide. He said some party leaders had crossed into India to avoid arrest but others who escaped the security net are meeting underground. "They can be detained for three months," the general said.

Before Feb. 1, the NHRC, on an average, received seven complaints daily ranging from enforced disappearances, torture to threats of detention. Since the royal proclamation, no cases were filed on Feb. 1 and Feb. 2. On Feb. 3 and Feb. 7 two complaints were filed respectively; one on an abduction carried out by the Maoists and the other, a disappearance in the custody of security forces. On Feb. 8, a human rights activist appealed for help from the NHRC, saying that he was threatened with arrest by the army.

On Monday, the Royal Nepal Army gave notice that it expects a long and bloody warfare against the Maoists before they are weak enough to be forced to the negotiating table. Army spokesman Brigadier General Dipak Gurung said that a security committee under the Home Ministry would determine how long activists remain locked up. "They can be detained for three months," the general said.

But the Brussels-based International Crisis Group (ICG) warned that King Gyanendra's royal coup is likely to strengthen the Maoist insurgency and intensify Nepal's civil war.

"King Gyanendra justified his coup on the need to beat back the Maoists, but it will have exactly the opposite effect," said ICG President Gareth Evans. "An absolute monarch undermining democracy will only aid the Maoists and do nothing to reduce the risk of them coming to power."

"Gyanendra has gambled that the world would be reluctant to criticise his move too harshly or to cut support for Nepal as long as Maoist insurgents remain a serious threat. However, as international condemnation has gathered pace over the past week, that gamble appears not to be paying off," added Evans.

The United States reiterated on Monday its strong concerns over the suspension of civil liberties and imposition of emergency rule last week. "We have real concerns about the steps back from democracy that have been taken in Nepal," said White House spokesman Scott McClellan. "We will continue to make our views known to the government in Nepal." "We urge everybody to continue to move forward on democratic reforms, and that includes the government of Nepal," he added.

Commenting on Nepal's current situation, the U.S. State Department described Gyanendra's move as a "step back from democracy."

By Devdoot Sharma