



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "

For immediate release
Geneva, 13 April 2006

P **Nepal: Arbitrary detention of 69 lawyers unlawful, ICJ calls for immediate release**

R The International Commission of Jurists (ICJ) today called for the immediate release of 69 Nepali lawyers who were arbitrarily arrested and detained as they began a peaceful pro-democracy demonstration this morning in Kathmandu. The ICJ also repeated its call for the immediate release of thousands of others similarly detained throughout the country.

E Those arrested today include some of Nepal's most respected lawyers, such as Shambhu Thapa (President of the Nepal Bar Association (NBA)), Sher Bahadur K.C. (NBA Vice President), Krishna Prasad Bhandari (Senior Advocate) and Satish Krishna Kharel (former General-Secretary of the NBA).

S "The ICJ and others have repeatedly called for the lifting of the blanket ban on public gatherings in central Kathmandu and Lalitpur and for an end to the excessive use of force and arbitrary detention by the security forces," said Nicholas Howen, ICJ Secretary-General.

S "The attention of the international community is on Nepal. Those responsible for human rights violations should be aware that they are accountable under national and international law for their actions," added Nicholas Howen.

R The 69 lawyers were arrested between 0845hrs and 0930hrs on Thursday morning in front of the Nepal Bar Association (NBA) as hundreds of lawyers began a peaceful demonstration. The first arrested by the waiting police was NBA's Vice President, Sher Bahadur K.C, as he stepped through the gate of the NBA premises. As the demonstration began the police reportedly opened fire with rubber bullets, released tear gas and baton charged the demonstrators. At least fourteen lawyers were reportedly injured, one receiving serious injuries from a rubber bullet and another from a tear gas shell that hit him in the chest.

E Some of the injured lawyers were taken by the police to hospital for medical treatment before being taken to Dashrath Stadium in Kathmandu. The remaining arrested lawyers were taken directly to the stadium. By nightfall all 69 lawyers had been transferred to Armed Police Force Training Centre Halchowk but had not been charged with any criminal offence or informed why they were being detained.

A "It is not only these lawyers who have suffered the consequences of exercising their rights to freedom of assembly and expression. In the past week over 2000 people have been arbitrarily detained and hundreds injured as a result excessive use of force by the security forces," said Nicholas Howen.

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The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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Background

On 5 April 2006 the International Commission of Jurists (ICJ) called for the immediate release of 14 arbitrarily detained lawyers, including Shambu Thapa, who were then detained in Ward No. 10 Police Office Baneshwar, Kathmandu. The lawyers were released later the same day.

While Article 21 of the International Covenant on Civil and Political Rights (ICCPR) allows for justifiable restrictions to be placed on the right to freedom of assembly, it is the ICJ's opinion that the grounds for the current blanket ban on public gatherings is neither proportionate or justifiable under Nepal's international human rights obligations.

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