

## **Attack of a woman human rights defender and repression by the police of a peaceful sit-in**

**NPL 001 / 0409 / OBS 062**

**Physical assault / Denial of justice /**

**Repression of a demonstration / Ill-treatments**

**Nepal**

April 16, 2009

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in Nepal.

### **Brief description of the situation:**

The Observatory has been informed by reliable sources about the attack of a woman human rights defender and the repression by the police of a peaceful sit-in in the Chimdi village, Sunsari district (eastern region of Nepal), resulting in 14 women human rights defenders being severely beaten and injured.

According to the information received, on April 9, 2009, **Ms. Kara Devi Sardar**, a woman human rights defender, was beaten by the relatives of a girl, Ms. Lalita Gurung, after she had called for the respect of the fundamental right of any person to marry and to choose freely her/his mate. Ms. Gurung had planned to have an inter caste wedding with a boy belonging to the dalit community, which was vehemently rejected by her relatives. It was also reported that the two young people were beaten up by Ms. Gurung's relatives for talking to each other in public. Immediately after the assault, Ms. Kara Devi Sardar then approached the Illaka police station of Chimdi to file a complaint, but Sub Inspector Rajesh Chaudhari refused to file the complaint.

Furthermore, on April 11, 2009, the Women Human Rights Defender Network Sunsari and more than 500 women from eight Village Development Committees (VDC)[[1](#)] staged a demonstration in front of the police station in Chimdi VDC, in order to call for sanctions against the police for refusing to register Ms. Kara Devi Sardar's complaint and to denounce the denial of access to justice, evoking at the same time the statement made by the Prime Minister on January 25, 2009, in which he committed to establish a complaint centre for women to register cases in order to end all forms of violence against women and criminalise caste-based discrimination against dalits. They also asked for apologies as, the day before, those women had already walked towards the police station in Chimdi VDC, and police officers had publicly insulted them.

The women human rights defenders were then assaulted and charged with batons and rear end of guns by around 10 police officers and four other unknown people. The police beat the women on the head, the chest, the thighs and the legs and some even tried to force the stick into the vagina of some women. At least 14 women were injured, including **Ms. Thakani Mehta, Ms. Sita Kamat, Ms. Bina Chaudhari, Ms. Sunita Sah and Ms. Laxmi Chaudhary**, who were seriously injured and were brought to the Koshi Zonal hospital for medical treatment.

It was also reported that the journalists **Rajan Niraula, Krishna Bhattra**i and **Gopal Kolirala** as well as **Mr. Sukudev Chaudhari**, representative for the Informal Sector Service Centre (INSEC), who had gone to investigate the incident to the police station were also manhandled and their vehicle vandalised by the police. Likewise, **Mr. Binod Chaudhary**, a member of the Women's Rehabilitation Centre (WOREC) in the Sunsari district, an organisation helping victims of domestic and sexual violence, was also threatened.

The Observatory expresses its deep concern about the above-mentioned events, which clearly demonstrate the rampant culture of impunity in Nepal and the failure of the State to protect and promote the right of freedom of expression. Furthermore, those events illustrate that women human rights activists continue to face barriers to access justice and seek redress for acts of violence, including sexual violence and gender discrimination, and that they remain at risk of attack because they dare to challenge the patriarchal and caste-based system.

### **Action requested:**

Please write to the Nepalese authorities and ask them to:

0. Take all necessary measures to guarantee, in all circumstances, the physical and psychological integrity of all women human rights defenders in Nepal;
0. Order a thorough, immediate, effective, and impartial investigation into the above-mentioned events, the result of which must be made public, in order to identify all those responsible, bring them before a competent, independent and impartial tribunal and apply to them the penal, civil and/or administrative sanctions provided by the law;
0. Put an end to any act of harassment against all human rights defenders in Nepal;
0. Comply with the provisions of the Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998, in particular Article 1, which states that “everyone has the right, individually or collectively, to promote the protection and fulfilment of human rights and fundamental freedoms at the national and international levels”, as well as Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually or in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
0. Guarantee the respect of human rights and fundamental freedoms in accordance with the Universal Declaration on Human Rights and other international human rights instruments ratified by Nepal.

## Addresses:

- Mr. Pushpa Kamal Dahal, Prime Minister's office, Singha Durbar, Kathmandu, Nepal. Fax: + 977 1-4428220
- Mr. Bam Dev Gautam, Home Minister, Singha Durbar, Kathmandu, Nepal. Tel: +977 1 4211232  
Email: moha@wlink.com.np
- Mr. Janardan Sharma, Minister for Peace and Reconstruction, Peace Secretariat, Singha Durbar, Kathmandu, Nepal. Fax: +977 1 4211186 / 4211173. E-mail: info@peace.gov.np
- Ms. Pampa Bhusal, Minister for Women, Children and Social Welfare, Singha Durbar, Kathmandu, Nepal. Fax: 977-1-4241516, E-mail: mowcsw@ntc.net.np
- Ms. Nainkala Thapa, Chairperson, National Women's Commission, Bhadrakali Plaza, Kathmandu, Nepal, Fax: 977-1-4256783, E-mail: nwc@htp.com.np
- Mr. Kedar Nath Uppadhya, Chairman of the National Human Rights Commission, (Headquarter-Kathmandu) Harihar Bhawan, Pulchowk, Lalitpur, Nepal G.P.O. Box:9182, Kathmandu, Nepal, Email: nhrc@nhrcnepal.org / complaints@nhrcnepal.org, Fax: +977 1 5547973
- Mr. Pushpa Kamal Dahal (Prachanda), Chairman Communist Party of Nepal (Maoist) Lalitpur Nepal. Fax: 00977-1-4784045
- Mr. Jhala Nath Khanal, Member Secretary Nepal Communist Secretary (UML) Fax: 9771-1 425184, 4112241
- Mr. Lilamani Pokharel, Janamorcha, Nepal, Kathmandu, Nepal. Fax: 977-1- 4251841
- H.E. Mr. Dinesh Bhattarai, Ambassador, Permanent Mission of Nepal to the United Nations in Geneva, 81 rue de la Servette, 1201 Geneva, Switzerland, Fax: +4122 7332722, E-mail: mission.nepal@ties.itu.int
- Embassy of Nepal in Brussels, Brugmannlaan 210, 1180 Brussels, Tel: +32 2 346 26 58 / 2 346 66 38, Fax: +32 2 344 13 61, E-mail: mne.bru@skynet.be

Please also write to the diplomatic representations of Nepal in your respective countries.

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Geneva - Paris, April 16, 2009

Kindly inform the Observatory of any action undertaken quoting the code number of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of human rights defenders and aims to offer them concrete support in their time of need.

The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

**Tel and fax: FIDH : +33 (0) 1 43 55 20 11 / 33 (0) 1 43 55 18 80**

**Tel and fax: OMCT : + 41 (0) 22 809 49 39 / + 41 (0) 22 809 49 29**

**Email : [Appeals@fidh-omct.org](mailto:Appeals@fidh-omct.org)**

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[1] A Village Development Committee (VDC) is the lower administrative part of the Local Development Ministry. Each district has several VDCs, similar to municipalities.

L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

Contact : [omct@omct.org](mailto:omct@omct.org)