

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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NEPAL: AUTHORITIES MUST UNCONDITIONALLY RELEASE CK RAUT WITH IMMEDIATE EFFECT

Amnesty International calls for the immediate and unconditional release of Dr CK Raut who was charged with sedition on 8 October 2014 under Nepal's Crime against State and Punishment Act 1989. He faces the possibility of life imprisonment.

CK Raut was first arrested and detained without charge on 14 September 2014 following his participation in a public rally in Morang. In his speech, he called for the right to secession to be enshrined in Nepal's new constitution. He was arrested without a police warrant on his way home from the rally and subsequently charged under the Public Offence Act for his alleged involvement in "anti-national activities" and a campaign for an "independent Madhes." He undertook an 11-day hunger strike in protest.

Following the arrest, there were reports of clashes between police and demonstrators supporting CK Raut. Media reports at the time indicated that at least six people were injured in Bharadaha, Saptari, and four protestors were arrested in Siraha.

Amnesty International sent a formal letter to Nepal's Minister of Home Affairs on 18 September 2014 calling for CK Raut's release and expressing concern about the police's alleged excessive use of force against protestors. A month later no response has been received from the Government of Nepal.

The arbitrary arrest and detention of CK Raut on the basis of his peaceful expression of his political views is a breach of his right to freedom of speech as enshrined in Article 7.7.1 of the Interim Constitution of Nepal; it is also a violation of Nepal's international obligation to guarantee freedom of expression.

The sedition charges later brought against CK Raut by Nepal's Special Court are of particularly grave concern, not only because they violate his right to freedom of expression, but because they carry such a heavy sentence which appears designed to deter others from exercising their right to freedom of expression.

The Government of Nepal has an obligation not only to protect the right to freedom of expression, but also the right of others to receive information and ideas. The apparent attempt to silence CK Raut undermines the prospect of an open debate among all communities in Nepal about the country's proposed federal structure.