

Prime Minister Girija Prasad Koirala  
Office of the Prime Minister and Council of Ministers  
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Kathmandu, Nepal

Your Excellency,

I am writing to you, to express my deep sorrow regarding the treatment of Tibetans attempting to take part in peaceful protests in Nepal. It is my understanding that Nepal police have consistently, and with excess force, suppressed peaceful protests by exiled Tibetans, who are merely attempting to express their deep anxiety about human rights violations in Tibet.

I wish to express my grave concerns regarding restrictions imposed by your government on the rights of non-refoulement, movement, assembly, and expression of the Tibetan community in Nepal. As a party to the International Covenant on Civil and Political Rights (ICCPR), the government of Nepal is responsible for the protection of the human rights of any individual living within its borders.

I understand that in the period since 10 March, the Nepal police have:

- detained without justification more than 1,500 people, including many pre-emptively, in an attempt to prevent protests from taking place.
- used lathis and tear gas and handled protestors with excessive force, resulting in numerous injuries. Human Rights Watch and Amnesty International have said that direct interviews with detainees suggest a pattern of delayed and limited medical treatment, and have reported beatings in Boudha and Singha Durba police stations.
- restricted freedom of movement of Tibetans in parts of Kathmandu; this especially applies to monks and nuns.

Various human rights organizations have documented unnecessary and excessive use of force during arrests, as well as ill treatment during arrests and detention. I am particularly concerned by increasing evidence of police use of sexual and other forms of assault, including of minors, during arrests, violating the right to physical integrity. Police have also used lathis and tear gas on some occasions without necessity or with excessive force, resulting in numerous injuries.

Furthermore, your government has threatened to deport Tibetans who engage in protest. As many governments have pointed out on a number of occasions in the past, this places the individuals concerned in extreme danger of torture and imprisonment by China. As a party of the Convention against Torture, Nepal should respect its to Article 3 and not deport individuals to any country where they may be tortured.

Your foreign Ministry spokesman, Hira Bahadur Thapa, told the Italian Inter Press Service on 2 April that Nepal "cannot allow the use of Nepali land to activities detrimental to the interests of China". Nepal may be responding to pressure from China to restrict peaceful protests by Tibetans, but it risks the condemnation of the rest of the world for its failure to allow Tibetans the right to freedom of expression, and brutal suppression of peaceful protests.

The government of Nepal should immediately restore the rights of freedom of assembly, expression, and movement, by allowing Tibetans to go about their daily lives and carry out peaceful protests without fear of arrests or threat of deportation. Should the Nepal police continue to engage in conduct that was condemned by all of the current governing parties, Nepali human rights defenders, and the international community, during the People's Movement of 2005-2006, it will betray its own record of restoring in April 2006 fundamental civil and political rights.

Yours truly,