



NEWS RELEASE

INTERNATIONAL BAR ASSOCIATION the global voice of the legal profession

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Nepal: IBA Condemns Crackdown on Lawyers and Breakdown of the Rule of Law

The recent combination of injuries, hospitalisation, arrests, and detention of 89 lawyers, including the President of the Nepal Bar Association, Shambhu Thapa, on 13 April 2006 in Kathmandu, is of the greatest concern to the **International Bar Association** (IBA). Consequently, the IBA's **Human Rights Institute** (HRI) Co-Chairs, Justice Richard Goldstone and Ambassador Emilio Cárdenas, sent formal correspondence last week, to King Gyanendra condemning events, expressing alarm, and calling for a response from him to the letter.

Dr Philip Tahmindjis, IBA Programme Lawyer, says *'The excessive and unreasonable force used to break up demonstrations in Kathmandu and the breach of the right of freedom of expression provide a clear link between the violence in Nepal that the world is witnessing and the breakdown of the rule of law in that country.'* He added, *'Furthermore, the international legal community will be aware that the recent actions of the Royal Nepalese Army are a direct breach of Nepal's human rights obligations under the International Covenant on Civil and Political Rights, as well as the Torture Convention. Nepal has ratified a significant number of human rights treaties, but implementation is somewhat lacking.'*

In addition, Justice Goldstone and Ambassador Cárdenas reiterated concern with regard to *‘reports of extrajudicial killings, illegal detention and disappearances that continue to be instigated by the Royal Nepalese Army, as well as the extortion, murder, forced displacement of civilians, and abductions, which continue to be perpetrated by the Maoists.’* In their letter to King Gyanendra they wrote, *‘We draw to your attention the 2002 IBA report “Nepal in Crisis: Justice Caught in the Crossfire”. In that report we make 22 recommendations, including that the Royal Nepalese Army stop harassing the legal profession and that the Maoists desist from the intimidation of lawyers as well.’* The report also recommended that the Royal Nepalese Army be trained in human rights.

[Click here](#) to read the 2002 IBA report on Nepal.

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About the International Bar Association

- the global voice of the legal profession

In its role as a dual membership organisation, comprising 30,000 lawyer members and over 195 bar associations and law societies, the International Bar Association (IBA) influences the development of international law reform and shapes the future of the legal profession. Its Member Organisations cover all continents and include the American Bar Association, the German Federal Bar, the Japan Federation of Bar Associations, the Law Society of Zimbabwe and the Mexican Bar Association.

Grouped into two Divisions – the Legal Practice Division and the Public and Professional Interest Division – the Association covers all practice areas and professional interests. It provides members with access to leading experts and up-to-date information as well as top-level professional development and network-building opportunities through high quality publications and world-class conferences. The IBA’s Bar Issues Commission provides its Member Organisations with substantive programmes and social activities in and between meetings and the IBA’s Human Rights Institute works across the

Association, helping to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

Aims and Objectives

The principal aims and objectives of the IBA are:

- To promote an exchange of information between legal associations worldwide.
- To support the independence of the judiciary and the right of lawyers to practise their profession without interference.
- The support of human rights for lawyers worldwide through its Human Rights Institute.

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About the Human Rights Institute

In 1995, the International Bar Association (IBA) established the Human Rights Institute (HRI) under the Honorary Presidency of Nelson Mandela. The HRI is now a leading voice in the promotion of the rule of law worldwide.

The HRI works across the IBA, helping to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

The HRI:

- undertakes fact-finding missions leading to long-term technical assistance programmes;
- develops capacity building programmes to assist bar associations and law societies;
- sends trial observers to monitor the extent to which trials adhere to regional and international fair trial standards;
- organises human rights training for lawyers and judges;
- liaises closely with international and regional human rights organisations; and
- produces newsletters and other publications.

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