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INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
NEW YORK, 16 DECEMBER 1966

NEPAL: NOTIFICATION UNDER ARTICLE 4 (3)

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 8 March 2002.

(Original: English)

“..... in view of the serious situation arising out of terrorist attacks perpetrated by the Maoists in various districts, killing several security and civilian personnel and attacking the government installations, a state of emergency has been declared in the entire Kingdom effective from 26 November 2001, in accordance with the Article 115 of the Constitution of the Kingdom of Nepal, 2047 (BS). Accordingly, His Majesty the King, on the recommendation of the Council of Ministers, has suspended the right to freedom of opinion and expression (Article 12.2a), freedom to assemble peacefully without arms (12.2b) and to move throughout the Kingdom (12.2d). Press and publication right (13.1), right against preventive detention (Article 15), right to information (Article 16), right to property (Article 17), right to privacy (Article 22) and right to constitutional remedy (Article 23) have also been suspended. However, the right to the remedy of habeas corpus has not been suspended.

The Permanent Representative also would like to inform the Secretary-General that, while suspending the rights and freedoms, His Majesty’s Government has fully observed the provision of Article 4, paragraphs 1 and 2 of the above mentioned Covenant. Accordingly, the rights and freedoms as contained in Articles 6, 7, 8 (1), 11, 15, 16 and 18 of the Covenant, which are also guaranteed by the Constitution of the Kingdom of Nepal, remain in effect.”

22 March 2002

