





**VIOLENCE TREND AND CIVIC  
SPACE ANALYSIS AMID  
COVID-19 IN NEPAL**

**A MONTHLY BRIEF: 16 JANUARY – 15 FEBRUARY, 2021**

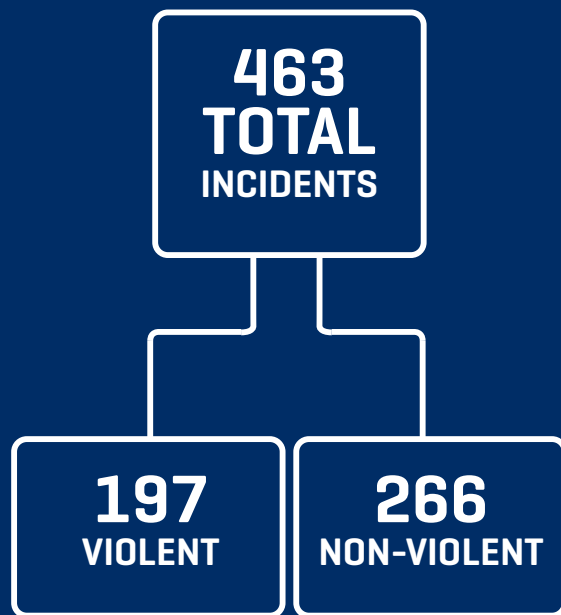
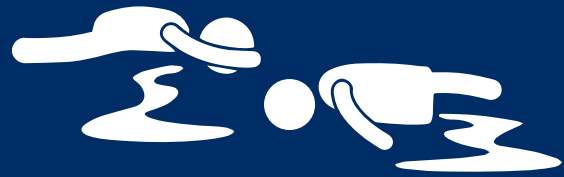


This report from Violence Monitoring and Shrinking Civic Space in Nepal amid Covid-19 (VMSCS) Project evaluates the trends of violent and non-violent contestation with the objective of presenting their impact on civic space in Nepal from 16 January to 15 February 2021. Data of violent and non-violent incidents are compiled from reports mapped by NepalMonitor.org, which uses a broad range of information from all major online news portals, national and local newspapers, Nepal Police, Civil Society Organizations (CSOs) working for human rights, and incident reports directly submitted to the Collective Campaign for Peace (COCAP).



## OVERVIEW OF INCIDENTS

From 16 January to 15 February 2021, a total of 463 incidents were recorded. Compared to the previous month (16 December 2020-15 January 2021), there was an increment of incidents by 25.13%. Of the total incidents recorded, 197 incidents were violent and 266 incidents were non-violent. The violent incidents injured 78 people and took the lives of 34 people.



The violent incidents mainly involved group clash, violent demonstrations, arson, vandalism, assault, sexual assault, murder, infanticide and symbolic violence (pressure cooker bomb planted by Biplav led group to manifest power and threat to the country).

The non-violent incidents included peaceful demonstrations, sit-ins, arrests, roadblocks and strike/bandh.

**78  
INJURED**



**34  
KILLED**



## **CIVIC SPACE SITUATION AMID COVID-19**

The state of civic space in Nepal has been progressive with the development of every new constitution over the years. The most recent Constitution of Nepal, promulgated by the constituent assembly in 2015, guarantees the freedom of expression and association, as well as the right to assemble peacefully. Despite these efforts, the state of civic space in Nepal continues to obstruct, especially for those who congruously make use of their rights to stand against injustice. The pandemic has also added to this obstruction, limiting the exercise of rights and freedom. It has also allowed the government to gain more control over civic space, from inconsistency in their approach toward CSOs to tabeling of various legislative measures and the suppression of peaceful protestors in an attempt to silence all forms of criticism.

### **THREATS AND ATTACKS AGAINST JOURNALISTS AND HUMAN RIGHTS DEFENDERS**

This month saw incidences of violation of freedom of expression and civil rights. From 16 January - 15 February, Human Rights Defenders (HRDs), Journalists, media persons, and a media house faced challenges in carrying out their work often facing mistreatment, threats, intimidation, and violent physical attacks. For instance, on 22 January, 5 Women Human Rights Defenders (WHRDs) were assaulted by Assistant Sub Inspector of Police Kamal Bhattarai of Area Police Office Lahan district while the WHRDs had gone to help a 20-year-old pregnant victim of domestic violence, who was kept in a shelter on December 26. According to Renu Karna, chairperson of the Women's Human Rights Defenders Network, the HRDs took the victim to the Area Police Office, Lahan, after the police called both parties for reconciliation but according to Karna, the victim was grabbed by the hand and taken out of the office under the direction of Inspector Suryanarayan Majhi.<sup>1</sup> On January 26, former minister Mahesh Basnet publicly threatened 3 media editors at a public event in Butwal saying that some media outlets had spread chaos in the name of democracy. The Federation of Nepali Journalists (FNJ) then issued a statement on January 28 stating it as direct interference in the freedom of the press.<sup>2</sup> On 4 February, a journalist was jointly abused and physically assaulted by a former minister, former mayor and other leaders of NCP while reporting during the general strike called by the Prachanda-Nepal faction of NCP in Kanchanpur, far-west province.<sup>3</sup> Likewise, 2 media persons including a journalist of an online news portal and a TV reporter were physically assaulted by Dahal-Nepal cadres in Koteshwar.<sup>4</sup>

### **POLICE INTERVENTION DURING THE PEACEFUL PROTESTS**

This month observed episodes of peaceful demonstrations from the different political parties, civil society members and rights defenders, of which the majority of the protests were around the dissolution of the House of Representatives (HoR). 5 incidents of a clash between the protesters/demonstrators and the security forces were witnessed this month, of which, 3 incidents were around the dissolution of the HoR by the Prime Minister KP Sharma Oli, which many considered to be undemocratic and unconstitutional as the constitution of Nepal does not allow the Prime Minister to do so.<sup>5</sup> The security personnel used excessive force to suppress the peaceful protest using water cannons, and batons charging the crowd in order to disperse them. For instance, on 25 January, 12 people were injured during the protest in Baluwatar, after police used force to control the crowd and tried to curtail the civilian rights to freedom of expression, and freedom to assemble peacefully. Over 20 human rights activists were detained by the police while protesting against the government's move to dissolve the HoR. Similarly, 4 people were injured in a clash between the police and the demonstrators in Dhading, after the symbolic torch rally organized by the Prachanda-Madhav faction on 04 February.

Following the peaceful demonstration turning violent, a day after the protest, the National Human Rights Commission (NHRC), released a press statement, urging the government to respect the citizens' rights to freedom of expression and peaceful assemblies. "The use of excessive force goes against the national and international laws, and urged the government to be sensitive in this regard", said NHRC in its statement. The NHRC restated that Article 20 of the Universal Declaration of Human Rights 1948, Article 21 of the International Covenant on Civil and Political Rights 1966, and Article 17 of the Constitution of Nepal have ensured the right to freedom of opinion and expression, and to assemble peacefully without arms.

## **POLICE BRUTALITY AGAINST THE CIVILIANS**

This month included incidents of police brutality on civilians including non-binary gender. A group of transgenders were accused of involvement in illegal activities and were arrested by the police on 21 January. The accused were then beaten by the police after the arrest while they were begging for help. The incident took place in Gongabu, Kathmandu and was recorded and posted on Instagram.<sup>6</sup>

On 6 February, two youths filed a petition at the District Administration Office demanding the protection of their human rights. 21-year-old Kanischal Jung Shah and 19-year-old Prashant Bahadur Deuba alleged four civil policemen posted at the District Police Office of Jajarkot of giving death threats to them. The victims confirmed receiving threats to kill by the police on their way home after visiting a friend in jail. The police also tried to impose charges of vandalism on them.<sup>7</sup>

## **GOVERNMENT STEP TO RESTRAIN ONLINE FREEDOM OF EXPRESSION**

Since coming into power, the PM Oli led communist government has introduced various controversial bills giving central power to the state authority to curtail civic rights, trying to silence the voices and not letting the citizens speak and express openly. Even before dissolving Parliament, the Oli Cabinet had attempted to push through a number of troubling bills targeted at controlling criticism and stifling freedom of speech. These new directives are an extension of the gradual stranglehold on free expression on the internet.

### **SOCIAL MEDIA DIRECTIVES 2021**

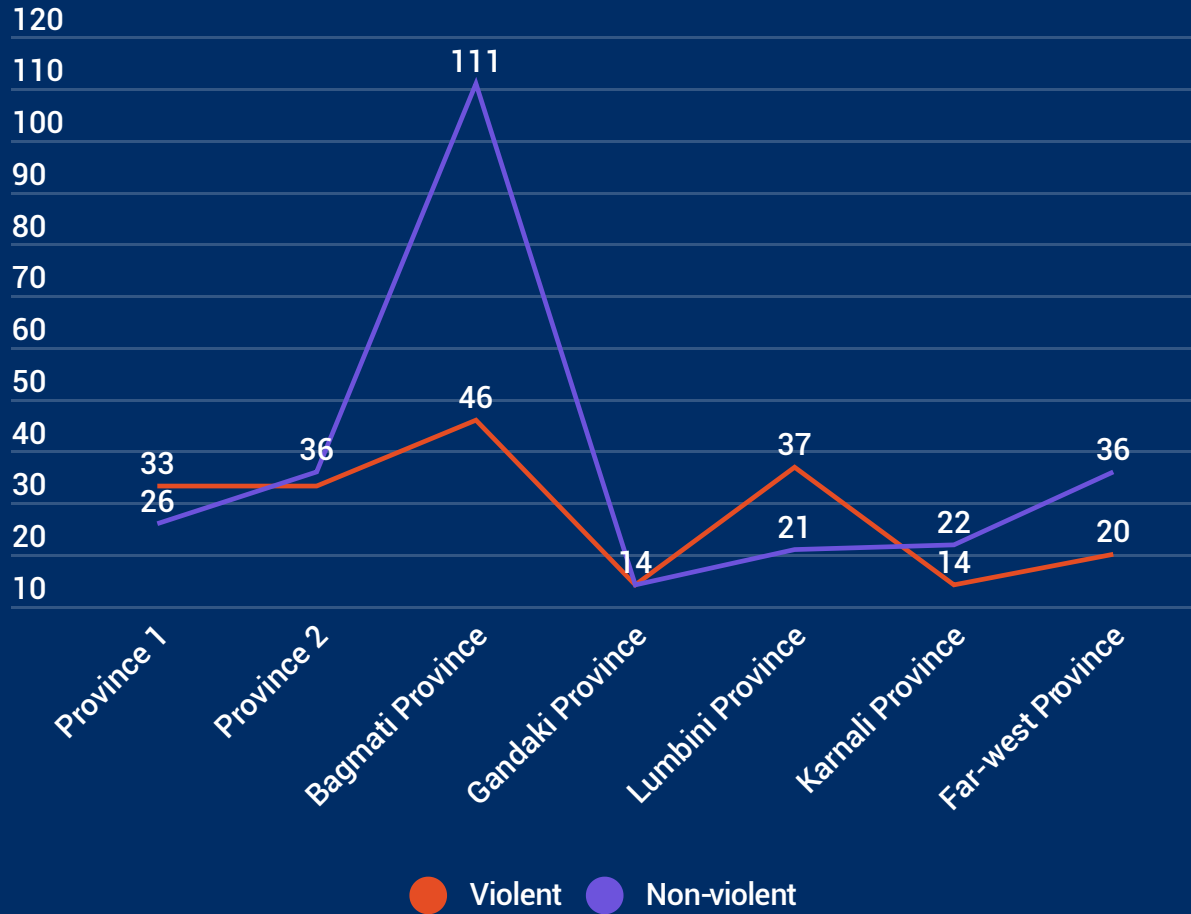
The new social media directives have been drafted in accordance with Section 79 of the Electronic Transaction Act which allows the creation of directives to implement the Act, according to ministry officials.

A draft directive has been prepared by the Ministry of Communication and Information Technology to regulate the use and registration of social media in the country. According to the draft, the government intends to give the Department of Information Technology broad authority to regulate social media, its operators, and users.<sup>8</sup> On 10 Feb 2021, the Ministry informed that the directive was being brought to control provocative speech and objectionable remarks in the name of freedom of expression on social media sites including Facebook and YouTube.<sup>9</sup>

The majority of the provisions in the draft are similar to those in the controversial Information Technology Bill, which was introduced in Parliament in February 2019 and approved by the relevant House Committee in December despite dozens of amendment proposals. The directive gives the department the right to block a social media account, delete content on the account and file a case if it does not meet its standards. If passed, the bill would allow the department full right of a court and make decisions to punish anyone.<sup>10</sup>

## VIOLENCE AND CONTESTATION IN NEPAL

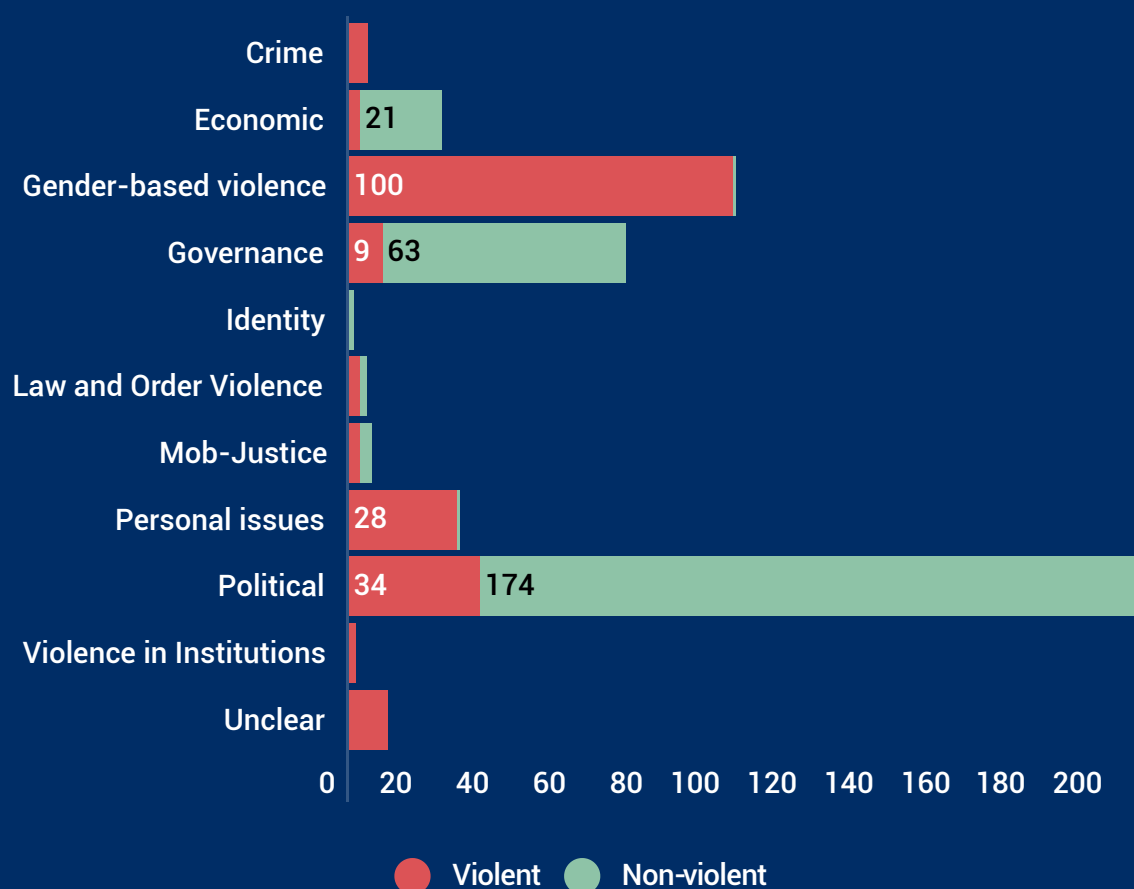
FIG. 1: PROVINCE-WISE DISAGGREGATION OF INCIDENTS



Bagmati Province recorded the highest number of incidents with a total of 157 incidents where 46 incidents were violent and 111 incidents were non-violent. However, Gandaki province recorded the lowest number of total incidents with 28 incidents. (See Fig 1)



FIG. 2: TRIGGERS OF VIOLENT AND NON-VIOLENT INCIDENTS

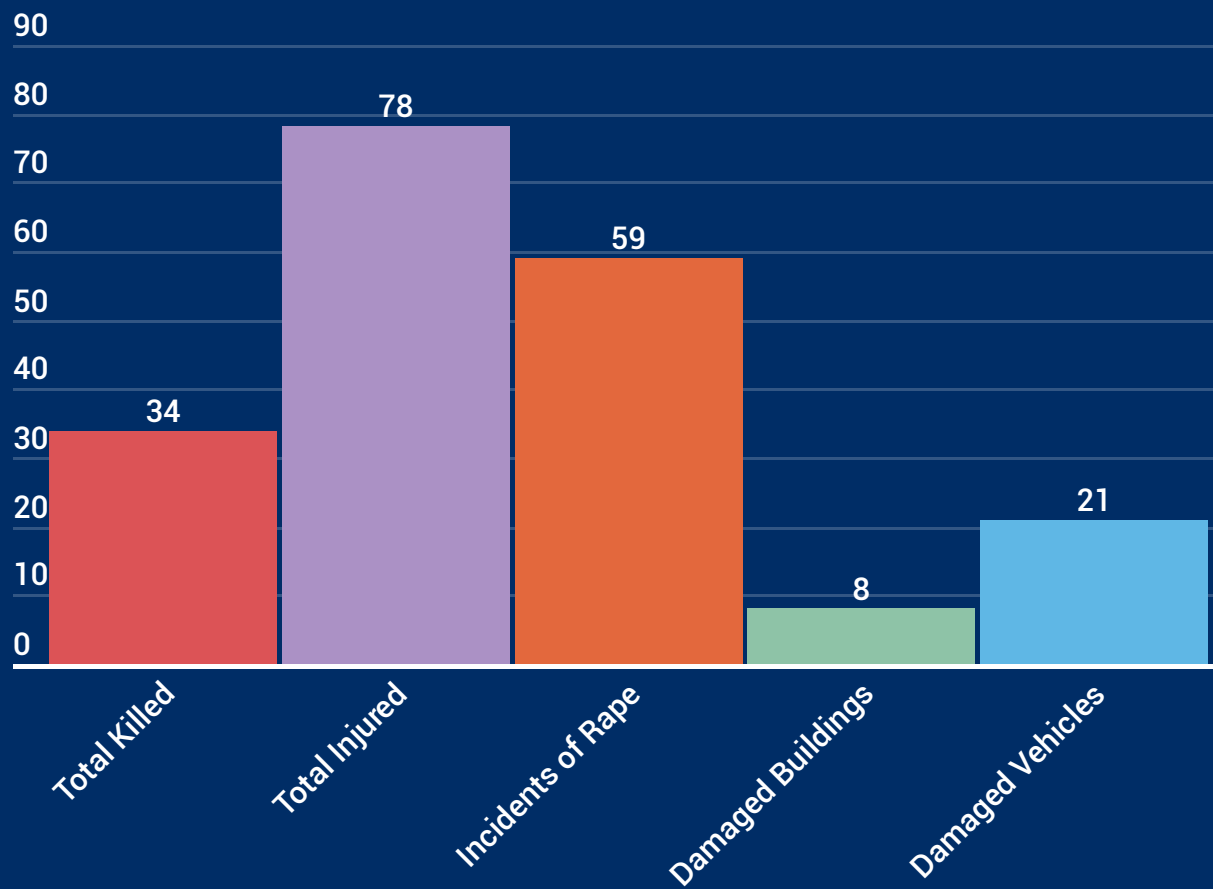


Political issues were the main trigger of incidents with a total of 208 incidents. The decision of PM KP Oli regarding the dissolution of the parliament triggered a number of violent and non-violent protests led by Nepali Congress (NC), Nepal Communist Party (NCP), Janata Samajwadi Party (JSP), Rastriya Janamorcha, Bibeksheel Sajha Party and CSOs. Political incidents also involved politically motivated arrests including the cadres of the Communist Party of Nepal (CPN) led by Netra Bikram Chand (Biplav).

Following political issues, 101 incidents related to GBV were recorded out of which 100 incidents were violent which mostly includes sexual assault and domestic violence. Subsequently, 72 incidents related to Governance were recorded. The main triggers of incidents related to Governance included issues related to policies, commodity availability, prices and subsidies, corruption, freedom of expression and civil rights, legal action and access to justice, quality of public services and others.

Doctors and hospitals were attacked in various parts of the country after alleged carelessness during the medical treatment. A doctor on duty at Teaching Hospital was assaulted after the death of a Covid-19 patient, allegedly by the patient's kin,<sup>11</sup> a community hospital padlocked in Syangja after the death of an infant,<sup>12</sup> and the kin of a woman who died during surgery vandalised a clinic in Biratnagar.<sup>13</sup>

FIG. 3: IMPACTS OF VIOLENT INCIDENTS





## POLITICAL INCIDENTS

From 16 January to 15 February 2021, a total of 208 political incidents were recorded out of which 174 incidents were non-violent and 34 incidents were violent. Most of the incidents were concerned with the dissolution of the parliament. PM Oli's announcement regarding the dissolution of the House of Representatives in December 2020 triggered a series of protests and demonstrations which were both in favor and against the decision. The Pushpa Kamal Dahal and Madhav Kumar Nepal-led faction of the Nepal Communist Party organized mass rallies against the decision in various parts of the country. Similarly, the PM Oli-led faction of the Nepal Communist Party organized mass rallies supporting the decision. The mass rallies organized by both the parties caused chaos and disruption in the lives of the people, damaging personal as well as public property and hampering the lives of the general public.

The protests were both violent and non-violent in nature and took place in various forms. Non-violent protests included motorcycle rally, whistle rally, sit-ins and strike/bandh. Violent protests were destructive that injured a total of 32 people and damaged 3 buildings and 18 vehicles. Some of the protests led to clashes between the police and the protestors while some violent incidents were intentionally initiated by the protestors to portray aggression towards the opposition. This act of violence by the protestors disrupted the lives of the citizens and also caused major loss of property in various parts of the country.<sup>14</sup>

TABLE 1: AFFILIATION OF PROTESTORS

ACTORS OF AFFILIATION	No. OF PROTESTS
NEPAL COMMUNIST PARTY	91
NEPAL CONGRESS	44
JANATA SAMAJWADI PARTY	12
CIVIL SOCIETY ORGANIZATIONS	15
BIBEKSHEEL SAJHA PARTY	5
RASTRIYA JANAMORCHA	2

### UNIDENTIFIED GROUP TORCHES TAXI IN GONGABU

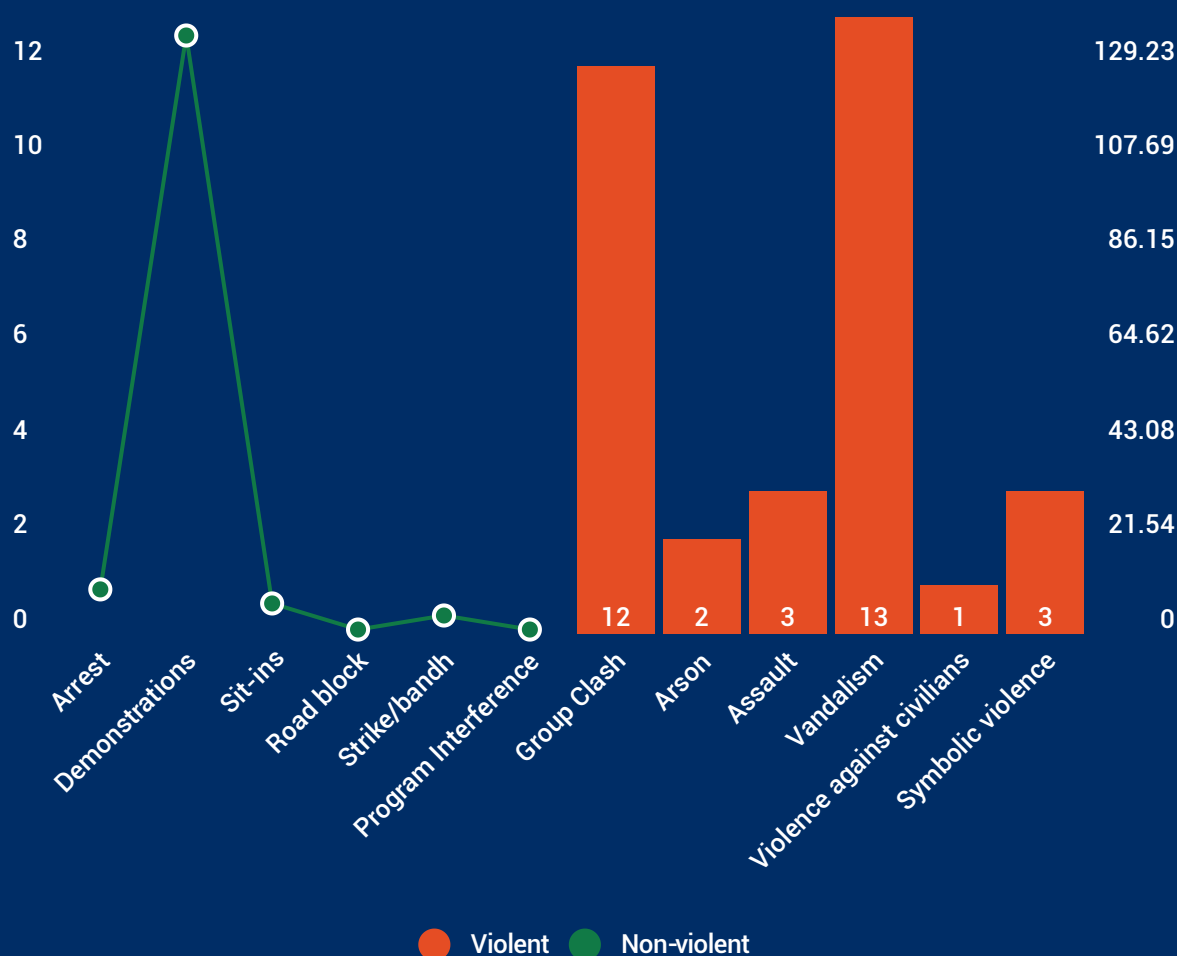
An unidentified group torched a taxi in Gongabu of Kathmandu early morning on Thursday during the general strike called by the Prachanda-Madhav faction of NCP. According to Senior Superintendent of Police Ashok Singh of Metropolitan Police Circle Kathmandu two unidentified persons torched the public taxi. The vehicle was completely engulfed in the flame. Police are searching for the perpetrators.

Cadres of Prachanda-Madhav led faction of NCP also protested demanding the release of communist leader Ram Kumari Jhakri who was arrested on February 11. Jhakri was summoned by Nepal Police to question her in connection to her recent comments on President Bidya Devi Bhandari.<sup>15</sup>

The Communist Party of Nepal (CPN) led by Netra Bikram Chand (Biplav) was involved in about 15 incidents in which 8 incidents were of politically motivated arrests of their cadres. Biplav was also responsible for shutting educational institutions in five districts including Dang.<sup>16</sup> Suspicious objects were also found in Chitwan and Siraha which are allegedly bombs planted by Biplav. On January 23, a pressure cooker bomb found in Banepa was defused which was indeed claimed to have been planted by Biplav.<sup>17</sup>

Ganga Maya Adhikari and her husband started their hunger strike nine years ago seeking justice for their son, Krishna Prasad Adhikari who was brutally killed in 2014 by then Maoist during the civil war. Ganga Maya's husband is no more but her fight for justice is still persistent. After she restarted her strike on December 22, 2020, many individuals and organizations have shown their support. Urging the government to save Ganga Maya's life and to support her demand for justice, Sajha Chautari (Conflict Victims) staged a sit-in in front of Bir Hospital on January 26.<sup>18</sup> Nepal Human Rights Organization led another rally on the same issue on February 9. The rally had marched from Narayanchaur, Kathmandu and converged into an assembly after reaching the Prime Minister's residence in Baluwatar, Kathmandu.<sup>19</sup> Currently, Gangamaya has demanded that the case related to the murder of her son Krishna Prasad should be expedited at Patan High Court, and the main accused Rudra Acharya living in Ireland, UK, be brought to Nepal and action initiated.

FIG. 4: FORMS OF VIOLENT AND NON-VIOLENT POLITICAL INCIDENTS



## INCIDENTS SURROUNDING GENDER BASED VIOLENCE

From 16 January - 15 February 2021, 101 incidents related to GBV were recorded. This marks an increase of 38.35% in the number of incidents related to GBV in comparison to the last month (16 December-15 January with a total of 73 incidents). The incidents included domestic violence, rape, sexual abuse, disputes over dowry, murder and cyber crime. Out of the total number of incidents, 100 incidents were violent which injured 4 people and took the lives of 16 people.

During this period, there were 59 cases of rape whose victims were both women and men. On February 13, a 30 year old man was allegedly raped by two men and was severely injured. The accused have been arrested although the victim is yet to file a complaint.<sup>20</sup> Similarly, an eight year old boy was also a victim of rape by a 19 year old boy.<sup>21</sup> The youngest victim of rape was a four year old girl,<sup>22</sup> and the oldest victim was a 76 year old woman.<sup>23</sup> The majority of the victims of sexual assault were teenage girls (13 -19 years) with 28 victims followed by minors (0-12) with 9 victims.

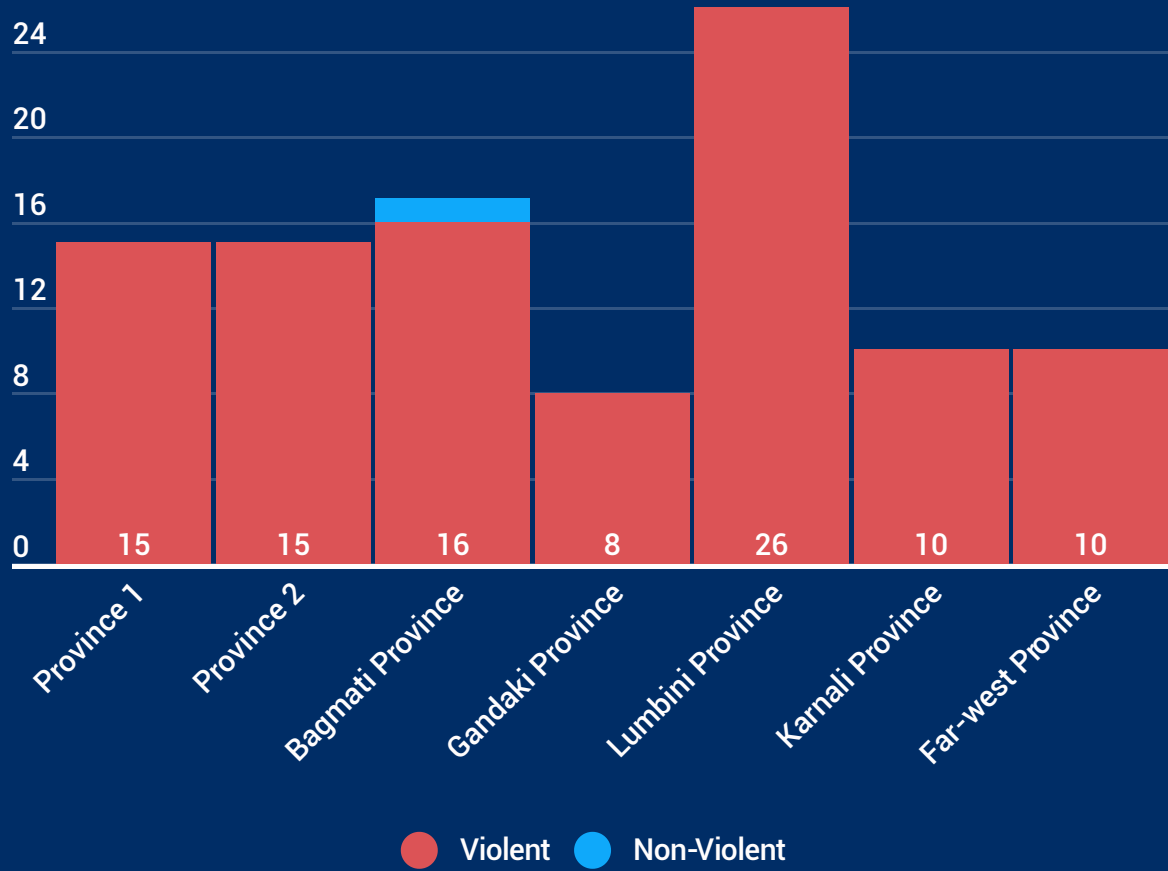
Furthermore, there were 18 incidents related to domestic violence whose victims were women and children. On January 20, a new born baby was found in the bush in Pavitranagar of Kathmandu. The police found the mother shortly after the news broke and are conducting further investigation into the matter.<sup>24</sup>

25-year-old Anita Devi Sah of Mahottari's Balwa municipality ward 6 became a victim of domestic violence due to dowry and was searching for justice along with her two-year-old son after her husband fled with another woman. She claims to have been assaulted by her in-laws a few days after marriage and has bruises all over her body. The police, however, did not support her even after several days of lodging complaints and thus accused them of inflicting further pain.<sup>25</sup> Domestic violence has been a pressing issue and is still prevailing in many parts of the country. Women are the primary victims of domestic violence and even though voices are being raised against this issue, it hasn't been heard as much. Support from security personnels and authorities are crucial to address and gradually eradicate such social crimes.

There was one case of cyber crime where a woman was sexually harassed on social media. The accused, who happens to be the victim's friend, has been arrested.<sup>26</sup>



FIG. 5: GBV RELATED INCIDENTS BY PROVINCE



## GOVERNANCE RELATED INCIDENTS

Out of the 72 incidents related to Governance, 63 incidents were non-violent and 9 incidents were violent. The triggers of incidents related to Governance included issues related to policies, commodity availability, prices and subsidies, corruption, freedom of expression and civil rights, legal action and access to justice, quality of public services and other governance issues.

The non-violent incidents included demonstrations, sit-ins, road blocks, threats, public humiliation and politically significant arrest whereas, the violent incidents included assaults, vandalism and manhandling. The violent incidents injured 3 people, damaged 1 building and 2 vehicles.

There were more than 20 protests demanding justice for Bhagirathi Bhatta. On February 3, Bhatta became a victim of rape and was brutally murdered which ignited anger among the people.

### ANOTHER RAPE INCIDENT EVOKES ANGER AMONG PEOPLE, DEMANDS TO PUNISH THE CULPRIT

A 17-year-old girl in Chadepani, Dokdakedar rural municipality-7 of the Baitadi district was raped and brutally murdered. Bhagirathi Bhatta went missing on February 3 while returning home from school and her dead body was found in a community forest near her house on February 4. The police have been conducting an in-depth investigation to find the culprit.

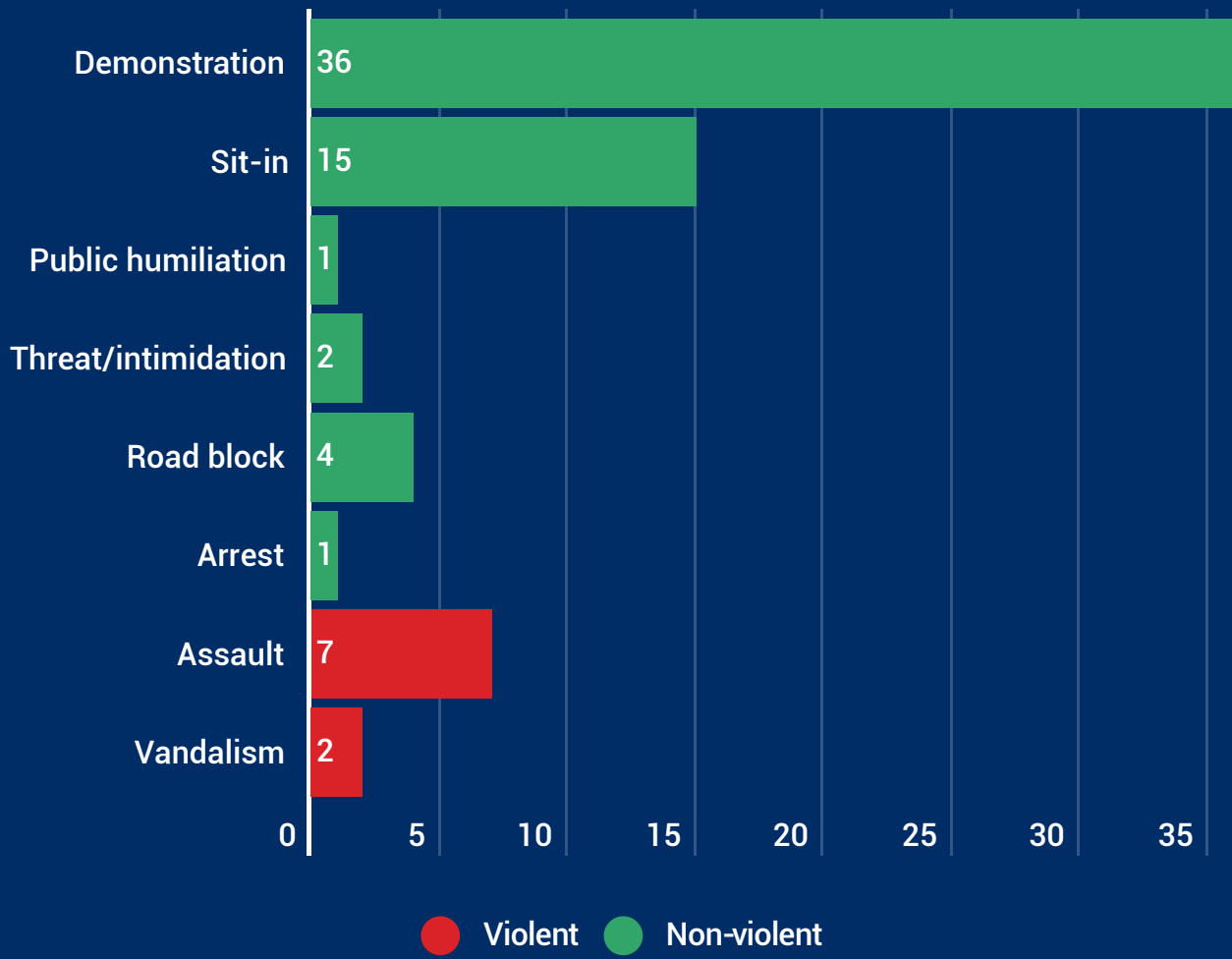
The case has sparked a debate on women's security in the country with yet another case adding piles on the misery. After the case of Nirmala Panta in 2018, Bhatta's case has led to widespread rage leading to protests demanding justice.

Following Bhatta's case, there were protests led by various communities against sexual violence against women. At the protest in Kathmandu, demonstrators dressed in white mourning clothes carried a young woman on a bamboo stretcher to symbolize the victims who lose their lives to such violent crimes. Several people wrapped black cloth around their eyes to symbolically protest the government turning a blind eye to the spate of cases.<sup>27</sup>

There were 6 non-violent protests organized by students regarding quality education and quality of the schools in different parts of the country and targeted towards different authorities.



FIG. 6: FORMS OF VIOLENT/NON-VIOLENT INCIDENTS RELATED TO GOVERNANCE



## ENDNOTES

1. See: Police manhandles Human Rights Defenders in Siraha
2. See: FNJ issues a statement against Mahesh Basnet's threats to the editors
3. See: Journalist physically assaulted for reporting during general strike in Kanchanpur
4. See: Strike enforcers assault on-duty reporters
5. See: The Constitution of Nepal 2015, Clause (4) of Article 232, Page-144
6. See: Video of police brutally beating transgender persons becomes viral in social media
7. See: Youths file petition demanding protection against threats from police in Jajarkot
8. See: Draft directives to regulate social media give authorities power to define decency and morality
9. See: New directives to regulate media, social networking sites in offing
10. See: Govt's new 'social media directive' is worse than pending IT bill in curtailing freedom of expression
11. See: On-duty doctor at Teaching Hospital assaulted after Covid-19 patient dies
12. See: Community hospital in Syangja padlocked over the death of an infant
13. See: Kin vandalise Biratnagar clinic as woman dies after gallbladder surgery
14. See: Prachanda-Nepal faction assaults a man in Surkhet, Dahal-Nepal faction cadres vandalize vehicle in which DPM Ishwar Pokharel was traveling to Nuwakot, Prachanda-Madhav faction cadres vandalize bus in Chitwan, Protestors vandalize tea shop in Biratnagar
15. See: Cadres of Prachanda-Nepal faction stage demonstration in Hetauda demanding Jhakri's release, Prachanda-Nepal cadres stage protest in Dhangadhi demanding Jhakri's release
16. See: Strike called by Netra Bikram Chand group shuts educational institutes in five districts including Dang
17. See: Pressure cooker bomb planted by Biplav-led group defused in Banepa
18. See: Sajha Chautari call on government to save Ganga Maya Adhikari's life
19. See: Rally staged in-front of Baluwatar demanding to save Gangamaya's life
20. See: Two youths arrested on the charge of raping a man in Jhapa
21. See: Youth arrested on charge of raping a minor boy in Nawalparasi West
22. See: 13-year-old boy arrested on charge of raping minor girl in Gorkha
23. See: Man arrested on charge of raping an elderly woman in Bara
24. See: Mother arrested on charge of abandoning her new-born baby in Kathmandu
25. See: Police accused of inflicting further pain on a victim of domestic violence
26. See: Man arrested on charge of sexually harassing a female friend on social media
27. See: Youths protest demanding justice to rape victims

## ABOUT THE PROJECT:

The Violence Monitoring and Shrinking Civic Space (VMSCS) is a joint initiative by Collective Campaign for Peace (COCAP) and Innovation for Change (I4C) - South Asia Hub. The project is supported by the USAID and the Tides Foundation. The project aims to focus on violence and contestation, with a view toward improving our understanding of, and response to, violence and shrinking civic-space incidents in Nepal amid Covid-19. The VMSCS also provides as an instrument to measure progress against Sustainable Development Goals (SDG) Targets 5.2 (elimination of violence against women) and 16.1 (reduction of all forms of violence and related death rates) in Nepal.





