

## **NEPAL: AN APPEAL FOR SOLIDARITY AND SUPPORT**

### **URGENT: Women Human Rights Defender Murdered**

The National Alliance of Women Human Rights Defenders (NAWHRDs) requests your urgent intervention in the following situation in Nepal.

#### **Introduction:**

NAWHRDs is shocked and appalled about death of Ms. Laxmi Bohara, 28, a member of Women Human Rights Defender Network, Kanchanpur and a resident of Champapur, Ward No. 8, Daji Village Development Committee in Kanchanpur district. She was severely beaten and physically injured by her husband and mother in law and later died in the zone hospital.

Ms. Bohara was a health volunteer and Secretary of Women's Empowerment Centre. She was an active women's rights activist and engaged in advocating for health rights of women. She was married to Tek Raj Bohara for the past 12 years and lived with him and her mother in law, Dhana Devi Bohara in the same house. She was a mother of three children; her daughter is 6 years old and sons are 12 and 4 respectively. She has been severely criticized and harassed by her husband and mother in law for committing herself to social work, suspicious if she talked with anyone on the road, sexual baiting, regular beaten up by her husband who even threatened to throw her out of the house. Sharda Chand, the Secretary of Women Human Rights Defenders Network shared that ten days before Laxmi's death, she was thrown out of the house by her husband and she took safe shelter in the house of her three friends and later after went back to her husband after the consultation with him that he will not beat her up again. There have been instances that the father beats up the children as well as shared by Laxmi to her friends.

Kanchanpur district is known for the highest number of cases on Violence Against Women with Domestic Violence (especially dowry) shooting up to at least 2-3 cases per day. The cultural practices of Chaupadi are perverse and violate the right of women to access safe health facilities and Right to Food. Likewise there are issues regarding women's access to lands, concerns of Badi women and demands of Widows are some of the key issues that this district has been grappling for a long time. The situation of Women Human Rights Defenders fighting for injustice towards women and creating support mechanisms for women to access justice also faces threats of all forms such as Murder, Attacks against Personhood and Reputation, threats (such as death threats, warnings, psychological harassment, Attacks and Intimidation of office staff and family members.

#### **Brief Description of the Situation:**

On 6 June, 2008, Laxmi Bohara was severely beaten and then forced to take poison ( Selfos) and rushed to the hospital by her husband. Laxmi Bohara passed away while being treated in the hospital at 10:30 AM after the news of her death, the husband fled from the hospital. Once the women's rights activists heard the news, they demanded that the husband should be apprehended as he was suspected as the murderer of his wife by severely beating her and then poisoned her. There are evidences of blue marks and severe bruises all over her body. It was also found out by the statement given by the 6 year old daughter who said that her mother was severely beaten the whole night by her father though legally as the child is a minor, her statement cannot be used as an evidence.

The father of Laxmi Bohara submitted a First Hand Information (FIR) to the District Police Office (DPO) stating that his daughter has been murdered by the son in law and his mother. The father was informed by the Police that his case has been registered under number 224. However as a part of the Hindu culture, the dead has to be cremated by a man of the family and follow a ritual of 13 days also known as the mourning period. Since the religion demands that a "man" has to follow such "holy" procedures, the Police informed the family members that if a FIR is registered then the husband will not be allowed to be involved in this procedure and since he has to perform the "ritual" the FIR can be registered after 13 days. Hence the husband was freed given the situation that he has to fulfill the rituals and also signed an agreement paper with the Women Rights Activists that he will be present in the Police station after 13 days. The body has been cremated.

However to the dismay to the Women Human Rights Defenders, it was found out that the FIR registered by the father of Laxmi Bohara was actually not in his name but it was registered by the family of the Tek Raj Bohra. Such irresponsible and distrustful demeanor of a responsible state agency is seriously denounced.

The post mortem was conducted by Dr. Khagendra Bhatta who is a cousin of Mr. Tek Raj Bohara in the zone hospital who examined the dead body and even submitted a report that clearly states that Laxmi Bohara died of poison and there were presence of minor bruises.

However to ensure that the investigation is taken up seriously by the District Police Office, the Women Human Rights Defenders went to meet with Mr. Kisan Chand, District Superintendent of Police (DSP). However his attitude and behaviour towards the Women's Rights Activists was aggressive and he said that he is not scared of anyone and even if the women's movement takes their protest to the streets, it will not make any difference to anyone. Such threat and harassment has become common. On 7 June, he even ordered his sub officers to throw the Women Human Rights Defenders from his office. The Chief District Officer has also shown a negative attitude towards the Women Human Rights Defenders stating that registering an FIR does not fall under his mandate and he should not be bothered. On 10 and 11 June, 2008, the father of Laxmi Bohara went to the Police Station to register the FIR to which he was told that without any legal and strong evidences, it cannot be registered.

### **The After Effects:**

The NAWHRDs has been informed by the WHRD district network, Kanchanpur that they have been facing threats and harassment as well however it is crucial that the FIR is registered and a proper and in discriminatory investigation is done. They have denounced the medical report and expressed that Laxmi was severely beaten by her husband and mother in law and murdered her by forcing taking poison and have questioned on the attitude of the state on such a sensitive matter. Likewise they are going to organize a huge sit in protest in the district and have requested the women's movement all around the world to show their support and solidarity to pressurize the state to show their accountability and that the victim gets justice.

Office of the High Commissioner for Human Rights, United Nations Mission In Nepal and National Human Rights Commission, Dhandagi district has already been informed of the incident.

The state is accountable to ensure women's human rights. It is a gross violation of human rights when a woman faces domestic violence to such an extent that it leads to death. It is even worse when there is a creating of such an atmosphere where women fighting for the rights of the other women are unsafe and insecure.

## **CALL TO ACTION:**

Please write to the names of the following persons given requesting that:

1. Request the authorities to proper investigation of the incident and the steps to penalize the perpetrator;
2. To engage with the National Human Rights Commission Nepal, Government of Nepal and Office of the High Commission of Human Rights Nepal to ensure that the due process of law is respected;
3. Denounce irresponsible and distrustful behaviour of the District Police Office of Kanchanpur district especially DSP Kisan Chand;
4. Stop intimidation and harassment of other Women Human Rights Defenders who are fighting for the Justice
5. Immediate assurance that the Women Human Rights Defenders do not face violence and threats ;
6. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its Article 9 that states that Right to Remedy/Justice for violation of Rights;
7. Ensure that the children are well and safe.

## **PLEASE SEND YOUR LETTERS TO:**

1. Mr. Girija Prasad Koirala  
Prime Minister's office  
Singha Durbar  
Kathmandu  
NEPAL  
**Fax: + 977 1-4428220**

2.Mr. Krishna Prasad Sitaula  
Home Minister  
Singha Darbar  
Kathmandu  
NEPAL  
**Fax: +977 1 4211232**  
Email: [moha@wlink.com.np](mailto:moha@wlink.com.np)

3. Mr. Ram Chandra Poudel  
Minister for Peace and Rehabilitation  
Peace Secretariat  
Singh Durbar,  
Kathmandu, Nepal.  
**Fax: +977 1 4211186 and 4211173**  
**E-mail: [info@peace.gov.np](mailto:info@peace.gov.np)**

4. Ms. Pampa Bhusal  
Minister for Women, Children and Social Welfare  
Singha Durbar  
Kathmandu, Nepal  
**Fax: 977-1-4241516**

**E-mail:** mowcsw@ntc.net.np

5. Ms. Nainkala Thapa  
Chairperson  
National Women's Commission  
Bhadrakali Plaza  
Kathmandu, Nepal  
**Fax: 977-1-4256783**  
**E-mail: nwc@htp.com.np**

6. Mr. Pushpa Kamal Dahal ( Prachanda)  
Chairman Communist Party of Nepal (Maoist)  
Lalitpur  
Nepal  
**Fax: 977-1- 4784045**

7. Mr. Jhala Nath Khanal  
Member Secretary  
Nepal Communist Secretary ( UML)  
Fax: 9771-1 425184, 4112241

8. Mr. Lilamani Pokharel  
Janamorcha Nepal  
Kathmandu  
Nepal  
Fax: 977-1- 4251841

9. Mr. Kedar Nath Udadhaya  
Chairperson  
National Human Rights Commission ( Headquarter - Kathmandu)  
Harihar Bhawan, Pulchowk, Lalitpur, Nepal  
G.P.O. Box: 9182, Kathmandu, Nepal  
**Fax: +977-1-5547973**  
E-mail: [nhrc@nhrcnepal.org](mailto:nhrc@nhrcnepal.org)

10. National Human Rights Commission (NHRC) - Nepal, Far-Western Regional Office, Dhangadi  
Uttar Behadi, Ratopul, Dhangadi, Kailali, Nepal  
Tel: 091-525621,525622  
**Fax: 00977-91-525623**  
E-mail: [nhrcdhn@nhrcnepal.org](mailto:nhrcdhn@nhrcnepal.org)

11. Mr. Richard Bennet  
Representative of the United Nations High Commissioner for Human Rights in Nepal ( OHCHR)  
Museum Road, Chhauni, G.P.O. Box 24555, Kathmandu  
**Fax: 977 1 4670712, 4670713**

Field Office Far-Western Region  
Hasanpur-5, Dhangadhi Municipality, Kailali  
**E-mail: registry.dgd.np@ohchr.org**

12. Ms. Margaret Sekaggya  
Special Representative of the Secretary General for human rights defenders  
Att: Melinda Ching Simon  
Room 1-040, c/o OHCHR-UNOG  
1211 Geneva 10  
SWITZERLAND  
Tel: +41 22 917 93 88  
**Fax: +41 22 917 9006**  
**E-mail: [MChingSimon@ohchr.org](mailto:MChingSimon@ohchr.org)**

13. Ms. Yakin Erturk  
Special Rapporteur on Violence against Women  
Room 3-042  
c/o OHCHR-UNOG  
1211 Geneva 10  
SWITZERLAND  
Tel: +41 22 917 9615  
**Fax: +41 22 917 9006 (ATTN: SPECIAL RAPPORTEUR VIOLENCE AGAINST WOMEN)**

14. Committee on the Elimination of Discrimination against Women  
c/o Division for the Advancement of Women, Department of Economic and Social Affairs  
United Nations Secretariat  
2 United Nations Plaza  
DC-2/12th Floor  
New York, NY 10017  
United States of America  
**Fax: 1-212-963-3463**