

PUBLIC

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UA 266/08 **Torture**

NEPAL **Sumitra Khaws (f), aged 38**

A woman has been tortured by police in southern Nepal: she is still held at the same police station, and at risk of further torture. Police are now refusing to allow a human rights organization to visit her, which puts her in further danger.

Sumitra Khaws was arrested in the early hours of 9 September near her home in the Morang District, and detained at the Belbari Police Station, charged with murdering her husband, which she denies. Nepali human rights organization Advocacy Forum was able to visit her at the police station shortly after she was detained, to take a statement from her, but has not been allowed to see her since 15 September.

Sumitra Khaws told Advocacy Forum that police had tortured her for at least two hours on 10 September and tried to make her sign a confession to the murder. She said that during her interrogation the officer in charge of the station, an inspector, together with a female and a male police officer, beat her repeatedly with the inner tube from a car tyre, and punched her repeatedly all over her body. The inspector threatened to give her electric shocks and put poisonous lizards inside her clothes, and ordered her to strip naked. This went on for two hours.

As a state party to the International Covenant on Civil and Political Rights and the UN Convention Against Torture and Other Cruel, Inhuman Or Degrading Treatment Or Punishment, Nepal is obliged to enforce an absolute prohibition on torture, to conduct prompt and impartial investigations of any complaint of torture or ill-treatment, and to bring those responsible to justice. Following a 2005 visit to Nepal, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, concluded that the practice of torture in Nepal was "systematic." His concern was heightened, he said, by one official telling him that "a little bit of torture helps." There have been a number of reports of torture in police detention in the past six months, raising concern that the practice of torture remains widespread.

BACKGROUND INFORMATION

Human rights NGOs in Nepal have reported a number of cases of violence against women by police and other security forces over the last year to Amnesty International.

On 14 May 19-year-old Soni Kurisi and her 13-year-old sister Moni Kurisi were arrested after a relative accused them of stealing money. They were detained at the Surkhet District Police station, where both sisters told Advocacy Forum they were tortured. Soni Kurisi said she was beaten for a total of 30 minutes with a plastic pipe and sticks, on her back, hands and legs; police tied her legs together, beat the soles of her feet and hammered nails into her big toes. She was then given electric shocks until she confessed to the theft.

Soni Kurisi and Moni Kurisi organized a press conference on 17 June, where they said what had been done to them, and named the officers responsible. However, the authorities have not ordered any investigation, and the sisters have been threatened by one of the officers who tortured them.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern that Sumitra Khaws was tortured by the inspector and other officers at the Belbari Police Station, in the Morang District, on 10 September;
- urging the authorities to ensure that police do not subject Sumitra Khaws to any further torture or ill-treatment;
- urging them to ensure that Sumitra Khaws's complaint that she was tortured is investigated promptly and thoroughly by an independent authority, and bring those responsible to justice;
- urging them to suspend all police officers accused of involvement in the torture immediately, including those in command, and move Sumitra Khaws to a safer place, if she is to remain in custody;
- reminding the authorities that Nepal is a state party to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights, which expressly forbid the use of torture and require them to investigate any complaints of torture.

APPEALS TO:

Bamdev Gautam
Minister of Home Affairs
Singha Durbar
Kathmandu
Nepal

Fax: +977 1 4211264
Email: moha@wlink.com.np
Salutation: Dear Minister

Dev Gurung
Minister of Law and Constituent Assembly Affairs
Singha Durbar, Kathmandu
Nepal

Fax: +977 1 4220684
Email: molaw@wlink.com.np
Salutation: Dear Minister

Hem Bahadur Gurung
Inspector General of Police
Police Headquarters
GPO Box 407
Naxal, Kathmandu, Nepal

Email: info@nepalpolice.gov.np
Salutation: Dear Inspector General

COPIES TO: diplomatic representatives of Nepal accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 October 2008.