

PUBLIC

AI Index: ASA 31/003/2001

31 January 2001

Further information on UA 08/01 (ASA 31/001/2001, 15 January 2001) - Fear of torture/"disappearance"

NEPALStudents belonging to the All Nepal National Free Students Union (ANNFSU)  
(Revolutionary):

Keshar Raj Rimal  
Munal Khadka

Shadhuram Devkota

Shova Khanal (f)

Phanindra Devkota

Purna Poudel, ANNFSU General Secretary

Yubaraj Bhattarai  
Deepak Devkota  
Krishna Kumar Malla  
Madhav Adhikari  
Sagar Sapkota  
Hem Ghimirey  
Shailendra Devkota  
Atindra Neupane  
Chetnath Dhungaga  
Yagya Kharel

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On 30 January the 16 students named above were brought before officials at the district administration office in Kathmandu to have their statements recorded. This is the first time they have been seen since they were arrested on 28 December 2000 from the office of the All Nepal National Free Students Union (ANNFSU) (Revolutionary).

Fifteen of the students had reportedly been coerced into signing statements that they were not allowed to read on 29 January. These statements were used by police to obtain extensions on the detention orders against them. The district administration set bail at 10,000 rupees per student. As none of the students was able to pay this, they were remanded to custody in Central Jail, Kathmandu.

Following their arrest, the students had reportedly been detained at Hanuman Dhoka police station, where some of them were allegedly subjected to torture. The police denied having them in their custody. The students were later transferred to an unofficial place of detention, where they were held incommunicado.

The students were first brought before the district authorities four days after their arrest. They were detained under the Public Security Act, which allows local authorities to keep people in preventive detention "in order to maintain public order" for up to 30 days. Such detention orders can be extended for up to 90 days at the Home Ministry's discretion.

Although the National Human Rights Commission (NHRC) has asked the authorities for access to the students, its officers have apparently not been able to visit them to date. The students have also not been allowed access to their families or lawyers while in police custody.

**FURTHER RECOMMENDED ACTION:** Please send telegrams/telexes/faxes/express/airmail letters in English or in your own language:

- expressing concern that some of the 16 students, including Keshar Raj Rimal and Munal Khadka, were allegedly subjected tortured while in police custody, and may be in need of medical treatment;
- calling on the authorities to allow the detainees immediate access to their relatives, lawyers and any medical treatment they may require;
- expressing concern that the NHRC has not been given access to them;
- urging that they be promptly charged with a recognizably criminal offence, or else immediately released;
- requesting the government to instigate an independent and impartial investigation into the reported torture and illegal detention of the sixteen students, and, if the reports are substantiated, take steps to bring those responsible to justice.

**APPEALS TO:**

Rt Hon Prime Minister Girija Prasad Koirala  
Prime Minister  
Office of the Prime Minister  
Singha Durbar  
Kathmandu  
Nepal

**Telegrams: Prime Minister, Kathmandu, Nepal**

**Faxes: + 977 1 227 286 or 428 570**

**Salutation: Dear Prime Minister**

Hon Ram Chandra Poudel  
Deputy Prime Minister and  
Minister of Home Affairs  
Ministry of Home Affairs  
Singha Durbar  
Kathmandu  
Nepal

**Telegrams: Home Affairs Minister, Kathmandu, Nepal**

**Faxes: + 977 1 225 156**

Mr Pradeep Shamsher J B Rana  
Inspector General of Police  
Police Headquarters  
GPO Box 407  
Naxal  
Kathmandu  
Nepal

**Telegrams: Inspector General of Police, Kathmandu, Nepal**

**Faxes: + 977 1 415 593 or 415 594**

**Salutation: Dear Inspector General**

**COPIES OF YOUR LETTERS TO THE PRIME MINISTER TO:**

Nayan Bahadur Khatri  
Chairperson  
National Human Rights Commission  
Harihar Bhavan  
Pulchowk  
Lalitpur  
Nepal

**Telegrams: Chairperson, National Human Rights Commission, Nepal**

**Faxes:+ 977 1 525 842**

**Salutation:Dear Chairperson**

and 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 14 March 2001.