

UA 08/01

Fear of t

NEPAL Students 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

Sixteen students have "disappeared" following their arrest on 28 December 2000. They were reportedly tortured at the police station where they were initially detained. They were then secretly transferred to an unofficial place of detention with no news about their safety and well being. Amnesty International is concerned that they may be at risk of further torture and other human rights violations.

The students, who belong to the All Nepal National Free Students Union (ANNFSU) (Revolutionary), a student organization affiliated with the Communist Party of Nepal (CPN) (Maoist), were arrested from their office in Bhurugnkhel, Kathmandu, and were reportedly taken to the Hanuman Dhoka police station in Kathmandu. However, the police are denying that they are detained there, but unofficial sources have said that have been transferred to another - so far unnamed, yet suspected unofficial - place of detention.

Others arrested at the same time and later released reported that the students were tortured at the Hanuman Dhoka police station during the first few days following their arrest. Keshar Raj Rimal and Munal Khadka were subjected to severe torture, including being subjected to *belana*, a method of torture whereby a heavy weighted stick or other object is rolled over the thighs of the victim. It is not known whether they have had access to medical treatment.

Amnesty International made initial inquiries about six of the above 16 students with the Minister of Home Affairs and the Inspector General of Police on 9 January, but has not received a response to date. The "disappearances" are also under investigation by the National Human Rights Commission (NHRC), but to Amnesty International's knowledge, the NHRC has not been given access to the students.

BACKGROUND INFORMATION

The arrests took place after a number of demonstrations took place in Kathmandu and other districts in late December to protest against negative remarks allegedly made by an Indian film star about Nepal and the Nepalese people. At least five people including two children aged 12 and 11, were killed in

violent clashes with police. Students belonging to ANNFSU (Revolutionary) were at the forefront of the demonstrations.

When Amnesty International launched its campaign against torture in Nepal on 10 November 2000, it called upon the government to ensure that torture is defined as a criminal offence punishable by law, that there is effective investigation and prosecution of alleged perpetrators and that reparation for victims becomes a reality. The organization has welcomed the fact that the Nepalese government has taken some steps which could help eradicate the practice of torture and "disappearance", for example by establishing the NHRC, which became functional at the end of May 2000. Amnesty International is urging the government to ensure the NHRC is able to function independently, is well resourced and receives full cooperation from the police and other authorities.

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

- expressing concern that 16 students, including Keshar Raj Rimal and Munal Khadka, have "disappeared" following their arrest on 28 December, and that they have reportedly been tortured while in police custody;
- urging the government to guarantee their safety and to ensure that they are not subjected to further torture or ill-treatment;
- expressing concern that the NHRC has not been given access to them;
- calling on the authorities to allow the detainees immediate access to their relatives, lawyers and any medical treatment they may require;
- urging that they be promptly charged with a recognizably criminal offence, or else immediately released;
- requesting the government to institute an independent and impartial investigation into the reports of torture and "disappearance" and to make its findings public;
- urging the government, if the reports of torture and "disappearance" are substantiated, to take steps to bring the perpetrators 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 1 244 484 or 240 942

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 26 February 2001.