

# NEPAL

## Dandapani Neupane

Dandapani Neupane (pictured above) "disappeared" after his arrest at Sundhara, near Tebahal, Kathmandu, at about 5.30pm on 21 May 1999. He was on his way home after shopping at the nearby market. Witnesses report that he was stopped by four policemen in uniform who asked him his name and took him into custody. He was put into a van with five or six other policemen and driven away.

Relatives made inquiries at Hanuman Dhoka police station in Kathmandu, but were told by an Inspector that he was not detained there. They also inquired at Police Headquarters in Naxal, Kathmandu, but there senior police officers denied that he was in their custody. According to the relatives, they were later told unofficially by a Deputy Superintendent of Police from Police Headquarters that Dandapani Neupane was being held there.

Dandapani, who was aged 53 at the time of arrest, is a farmer originally from Gitanagar in Chitwan district. He and his wife had reportedly come to Kathmandu about one and a half months before his arrest in order to obtain medical treatment. He was not a member of any political party. It is believed that the government suspected he was sympathetic to the aims of the CPN (Maoist) which launched a "people's war" in February 1996.

Shortly after the "disappearance" of Dandapani Neupane, relatives filed a *habeas corpus* writ in the Supreme Court. Witnesses to the arrest were called to give a statement. The authorities denied his arrest. At a further hearing in July 1999, the writ petition was dismissed by the judges on the basis that not enough evidence had been presented by the petitioners to show that Dandapani Neupane had been arrested and detained by the police. Dandapani Neupane has no history of previous arrests.

### **Background Information:**

The establishment of multi-party democracy in Nepal in 1990 providing for a new Constitution with increased protection for human rights and the ratification of all major human rights treaties led to high expectations of an era of stability, development and increased human rights protection. Despite some improvements, progress towards bringing existing legal and administrative provisions fully in line with the principles enshrined in the Constitution and international standards has been slow and a climate of impunity has persisted among members of the police force. Nepal remains one of the poorest countries in the world and many people are denied their basic economic and social rights.

Reports of torture, alleged extra-judicial executions and "disappearances" have been reported in recent years in the context of a "people's war" declared by the Communist Party of Nepal (CPN) (Maoist) on 13 February 1996. Continued poverty and corruption are seen as among the main factors behind this conflict. Support for the "people's war" has been particularly strong in the most economically deprived areas of Nepal. The aims of the CPN (Maoist) include the establishment of a republican state. Members of the CPN (Maoist) have been responsible for scores of deliberate killings, abductions and torture of civilians. Grave human rights violations by the police, including hundreds of extrajudicial executions, dozens of "disappearances" and numerous incidents of torture and arbitrary arrests and detentions have been reported.

Amnesty International recognizes the responsibility of the Nepali state to maintain order and protect life and property, but asserts that this must be done by adherence to the human rights principles laid down in its Constitution and international standards to which it is a party. The organization calls on armed political groups to respect human rights and to halt abuses such as the abduction of civilians, hostage-taking, torture and unlawful killings.

Amnesty International is concerned about reports in recent years of an upsurge in human rights violations in Nepal, most of which have occurred in the context of a "people's war" declared by the Communist Party of Nepal in February 1996. The organization has called upon the government to ensure that all reports of extrajudicial executions, torture and "disappearances" are fully and impartially investigated and that those found responsible are brought to justice. It has also called on the CPN (Maoist) for an immediate halt to deliberate killings of civilians.

## **The re-emergence of "Disappearances" in Nepal?**

Amnesty International is disturbed by a re-emerging pattern of "disappearances" and long-term unacknowledged detention in the context of police operations against suspected members of the CPN (Maoist). Since the beginning of 1998, Amnesty International has recorded a total of 44 "disappearances", all of which have occurred within the context of the Maoist "people's war". There is evidence to suggest that some detainees have been held incommunicado in unofficial places of detention, including the Police Training Centre in Maharajgunj, Kathmandu.

Several "disappearances" were reported in Nepal in mid-1985 in the context of a civil disobedience campaign against the government and a series of bomb explosions in the capital. The United Nations Working Group on Disappearances retains four un-clarified cases from that period. In at least two of these cases, there were credible reports that detainees had been held at the Maharajgunj Police Training Centre.

## **TAKE ACTION!**

### **Please send telegrams/faxes/express/airmail letters/e-mails in English:**

- expressing concern for the safety of Dandapani Neupane, whose whereabouts remain unknown following his arrest by police on 21 May 1999;
- calling on the government to take steps to investigate his fate and whereabouts and to make the findings public;
- urging that, if he is found to be in detention, he be promptly charged with a recognizably criminal offence, or immediately released;

- ❑ calling upon the government, if he is in detention, to safeguard his physical integrity and to allow him immediate access to his family, legal counsel and medical care;
- ❑ expressing concern at the deteriorating human rights situation in Nepal and appealing for a halt to human rights violations.

## Addresses:

Rt Hon Prime Minister K P Bhattarai  
 Prime Minister  
 Office of the Prime Minister  
 Singha Durbar  
 Kathmandu, Nepal

**Salutation: Dear Prime Minister**

**Telegrams: Prime Minister, Kathmandu, Nepal**  
**Faxes: +977 1 227 286 or 428570**

Hon Purna Bahadur Khadka

**Salutation: Dear Minister**

Minister of Home Affairs

Ministry of Home Affairs

Singha Durbar

Kathmandu, Nepal

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

**Faxes: + 977 1 241 942**

**Email: [moha@mos.com.np](mailto:moha@mos.com.np)**

Mr Achyut Krishna Kharel

**Salutation: Dear Inspector General**

Inspector General of Police

Police Headquarters

GPO Box 407

Naxal

Kathmandu, Nepal

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

**Faxes: + 977 1 415593 or 415594**

**Email: [info@nepalpolice.gov.np](mailto:info@nepalpolice.gov.np)**

## For further information see:

- Amnesty International, Urgent Action 209/99 *Arbitrary arrest/"disappearance" on behalf of eight people including Dandapani Neupane* (AI Index: ASA 31/10/99)
- *Nepal: human rights and security*, February 2000 (AI Index: 31/01/2000)
- *Nepal: Human rights at a turning point?*, March 1999 (AI Index: 31/01/99)
- *Nepal: Human Rights violations in the context of a Maoist "people's war"*, March 1997 (AI Index: 31/01/97)

**Amnesty International, International Secretariat  
Easton Street, London WC1X 0DW, United Kingdom  
<http://www.amnesty.org>**