

PUBLIC

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Medical concern

NEPAL

Yagya Raj Pant (m), student activist

Student activist Yagya Raj Pant was reportedly severely beaten by police when he was arrested on 26 January 2006. According to the non-governmental organization, the Forum for Protection of People's Rights – Nepal (PPR-Nepal), he has not received adequate medical treatment for his injuries.

Police wielding batons reportedly assaulted student demonstrators at the Patan Multiple Campus of Tribhuvan University in Lalitpur district on 26 January, injuring several people. Yagya Raj Pant, joint secretary of the Lalitpur district committee of the All Nepal National Free Students' Union (ANNFSU), which is affiliated to the Communist Party of Nepal (United Marxist-Leninist), was allegedly kicked, punched, and beaten with batons by police. He was then taken away in a police van. While he was in the van, a police officer allegedly pointed a gun at Yagya Raj Pant's head and threatened to kill him, while other officers beat and kicked him. He was first taken to the District Police Office in Jawalakhel, Lalitpur district, and then taken to the nearby Patan Hospital for treatment of his injuries. His left hand is injured, with at least one finger broken, and he is said to be suffering from severe headaches and body pain.

Yagya Raj Pant is now held at the Armed Police Force compound, Gan No. 1, in the Naxal area of the capital, Kathmandu, under the provisions of the Public Security Act (PSA), which authorizes preventative detention for up to 90 days. PPR-Nepal attempted to file a report against the officers responsible at the District Police Office in Jawalakhel, but the Superintendent of Police there did not register the case or investigate further.

On 6 February, the Kathmandu District Court ordered a medical examination for Yagya Raj Pant. Though he was taken to a hospital, he was not treated because he could not afford the medical costs. Section 5(3) of Nepal's Torture Compensation Act of 1996 requires that the government provide medical treatment to victims of torture.

BACKGROUND INFORMATION

The security forces have detained more than 800 political activists, students, journalists, and human rights defenders across the country since mid-January 2006 in a renewed crackdown on dissent. The vast majority of those detained were arrested for exercising their right to freedom of peaceful assembly or for expressing their political opinion. The government has periodically tightened restrictions on civil and political rights since King Gyanendra of Nepal seized absolute power on 1 February 2005. Recent protest demonstrations are calling for an end to the king's rule and the restoration of democracy and human rights in Nepal. There have been reports of excessive use of force by police in their response to public demonstrations as well as beatings and other abuse of activists taken into custody.

According to Amnesty International's research, torture and ill-treatment of detainees in Nepal are systematically practised by the police, armed police, and Royal Nepalese Army. This has been confirmed by the United Nations Special Rapporteur on torture following his visit to the country in September 2005.

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

- expressing concern for the safety of Yagya Raj Pant, who was reportedly assaulted by police and injured during his arrest on 26 January 2006;
- urging that he be treated humanely while in custody and not tortured or ill-treated;

- calling on the authorities to immediately grant him free access to medical attention, as ordered by the Kathmandu District Court and as required by Nepal's Torture Compensation Act of 1996;
- calling for him to be released immediately and unconditionally, unless he is to be charged with a recognizably criminal offence;
- urging the government to ensure that all allegations of police brutality, torture and ill-treatment are promptly and thoroughly investigated by an independent authority.

APPEALS TO:

Minister Kamal Thapa
Minister of Home Affairs
Singha Durbar, Kathmandu, Nepal

Fax: +977 1 4211 232

Salutation: Dear Minister

Minister Niranjana Thapa
Minister of Law, Justice and Parliamentary Affairs
Singha Durbar, Kathmandu, Nepal

Fax: +977 1 4220 684 (please keep trying)

Salutation: Dear Minister

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 22 March 2006.