

PUBLIC

AI Index: ASA 31/17/99

This is a limited action. Please restrict appeals to 20 appeals per section.

Further information on EXTRA 125/99 (ASA 31/13/99, 8 September 1999) -

Disappearance / Fear of Torture

3 December 1999

NEPAL Bishnu Pukar Shrestha, school teacher and human rights defender

Amnesty International continues to be gravely concerned for the safety of Bishnu Pukar Shrestha who is reported to be held in unacknowledged detention at the Maharajgunj Police Training Academy, Kathmandu, an unofficial place of detention, where he may be at risk of torture and possibly death.

Bishnu Pukar Shrestha, a secondary school teacher, was reportedly arrested on 2 September 1999 at Satumangal, Kathmandu. Witnesses saw six men in civilian dress, believed to be police officers, force him into a Maruti Gypsy jeep with black tinted windows.

In a hearing in the Supreme Court in response to a writ of habeas corpus (a writ to produce a prisoner in person in order to establish the legality of detention) filed by relatives of Bishnu Pukar Shrestha, the authorities denied he had been taken into custody. At a further hearing, witnesses of his arrest gave their testimony and the judge ordered the Transport Department to reveal the name of the owner of the jeep. The owner, Dr Raj Kumar Agrawal, has now been ordered to attend the next court hearing, the date of which has not been set.

Amnesty International delegates visiting the country in November expressed grave concern about the case to both the Inspector General of Police and the Home Secretary. The Inspector General told the delegates that he would find out if Bishnu Pukar Shrestha was detained at the Maharajgunj Police Training Academy and that, if he was, he would take action, since it is illegal to hold people there. He also assured the delegates that he would inform them of the outcome of his inquiries. To date, this has not happened.

Bishnu Pukar Shrestha, also a qualified lawyer, is a member of the Nepal Bar Association and the People's Rights Concern Movement (PRCM), a human rights organization. He has taken part in fact-finding missions to investigate reports of human rights violations in the context of the Maoist "people's war", declared in 1996. He has been arrested several times before.

FURTHER RECOMMENDED ACTION: As this is very urgent we are asking just for appeals by telegram, telex and fax, in English or in your own language:

- expressing serious concern for the safety and welfare of Bishnu Pukar Shrestha, who is reported to be held in unacknowledged detention at the Maharajgunj Police Training Academy in Kathmandu since his reported arrest by plain-clothes policemen on 2 September 1999 at Satumangal, Kathmandu;
- calling on the authorities to establish an independent and impartial investigation into his fate and whereabouts and to make the findings public;
- calling on the authorities, if he is found to be in detention, to allow him immediate access to his relatives, a lawyer and medical treatment, if required;
- urging that, if he is detained, he is promptly charged with a recognizable criminal offence, or immediately released and that steps be taken in the meantime to safeguard his safety;
- expressing grave concern at the deteriorating human rights situation in Nepal and appealing for an immediate halt to human rights violations.

APPEALS TO (fax numbers can be difficult to reach but please keep trying):

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

Telegrams: Prime Minister, Kathmandu, Nepal

Faxes: + 977 1 227 286 / 428 570

Salutation: Dear Prime Minister

Hon Purna Bahadur Khadka
Minister of Home Affairs
Ministry of Home Affairs
Singha Durbar
Kathmandu
Nepal

Telegrams: Home Affairs Minister, Kathmandu, Nepal

Faxes: + 977 1 241 942 (this number can be difficult to obtain)

Salutation: Dear Minister

Mr Achyut Krishna Kharel
Inspector General of Police
Police Headquarters
GPO Box 407
Naxal
Kathmandu
Nepal

Telegrams: Inspector General of Police, Kathmandu, Nepal

Faxes: + 977 1 415 593

Salutation: Dear Inspector General

and to diplomatic representatives of Nepal accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.