

PUBLIC

AI Index: ASA 31/22/00

\* This is a limited action - please restrict appeals to 10 per section \*

UA

Disappear

NEPAL Laxmi Mudbari (f), age 24

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Remand prisoner Laxmi Mudbari was seen being taken from prison by plainclothes police on 23 April, in a vehicle with a covered number plate, shortly after a Chief District Officer ordered her release. Her whereabouts are now unknown, and Amnesty International fears her life is in danger.

Laxmi Mudbari had been arrested under the Public Offences Act on 31 January 2000, when she went to a program organized by the *Akhil Nepal Mahila Sangh (Krantikari)*, All Nepal Women's Association (Revolutionary), at Ram Janaki Mandir in Biratnagar town, Morang district. The government believes the organisation may be sympathetic to the aims of the Communist Party of Nepal (Maoist).

She was taken to the District Police Office in Morang, and held incommunicado for six days, without access to her family, a lawyer or medical assistance, although she is five months pregnant. She was produced before the Chief District Officer on 28 February, who set bail of 28,000 rupees, which she was unable to pay. She was remanded to Morang prison, where she lodged a request for her case to be filed with the Appellate Court. The Appellate Court reduced bail to 5,000 rupees, which her relatives deposited on 23 April at the Biratnagar District Administration office, and a release order issued by the Chief District Officer was sent to the prison administration.

She was later seen being taken from Morang prison in a white Toyota Land Cruiser, its number plate covered with the false registration "Ba 1 Jha 144". Witnesses believe those who took her away were policemen in plain clothes.

#### **BACKGROUND INFORMATION**

Amnesty International is increasingly concerned about the deteriorating human rights situation in Nepal, including a widespread pattern of "disappearances" and a climate of impunity for illegal police actions during operations against the Communist Party of Nepal (Maoist), engaged in a "people's war" since February 1996.

The new Prime Minister, Girija Prasad Koirala, who took office in March 2000, has announced that the National Defence Council (NDC) has been activated and that a new, 15,000-strong paramilitary police force, the Armed Security Force (ASF), is being recruited. The NDC is made up of the Prime Minister, the Minister of Defence (currently the Prime Minister) and the Commander in Chief of the Army. It can recommend that the army be deployed to deal with emergencies. Observers have expressed concern that any deployment of the ASF and army may lead to a further escalation of human rights violations.

Between May 1998 and November 1999, Amnesty International recorded 42 "disappearances". The United Nations Working Group on Enforced or Involuntary Disappearances raised concerns with the Government of Nepal about six cases, including five reported to have occurred in 1999, according to its 1999 annual report.

It is feared that many of those reported "disappeared" have either been killed or died as a result of torture in police custody. In late March, four bodies

were recovered from an abandoned police station at Simrutu, Rukum district, and another from a police station in Salyan district. Among the bodies discovered in Rukum district were those of two 14- and 16-year-old girls who had been detained on 3 January 2000. Amnesty International wrote to Prime Minister Girija Prasad Koirala on 12 April urging an independent investigation into the recent reports of bodies exhumed from abandoned police stations and all other cases of "disappearance". The government has not yet replied.

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

- expressing concern for the safety of Laxmi Mudbari, who was reportedly taken away from Morang prison on 23 April by policemen in civilian dress;
- urging the authorities to find and make public her whereabouts, and take steps to ensure her safety;
- calling on the authorities to establish an independent and impartial investigation into her "disappearance", and others recently reported, and to make the findings public;
- urging that if she is in police custody, she is promptly charged with a recognized criminal offence, or immediately released;
- expressing grave concern at the deteriorating human rights situation in Nepal and appealing for an immediate halt to human rights violations.

**APPEALS TO:**

Girija Prasad Koirala  
Prime Minister  
Prime Minister's Office  
Singha Durbar  
Kathmandu  
Nepal

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

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

**Salutation: Dear Prime Minister**

Hon Govinda Raj Joshi  
Minister of Home Affairs  
Ministry of Home Affairs  
Singha Durbar  
Kathmandu  
Nepal

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

**Faxes: + 977 1 241 942**

**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 or 415 594**

**Salutation: Dear Inspector General**

**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 16 June 2000.