

UA 262/99

Disappear

NEPAL
Kalpana Subedi (f)
Indra Prasad Dhungel
Yudhasingh Kuwar

The three people named above were re-arrested by police on 24 September 1999, on the premises of a court which had just ordered their release. Their whereabouts are now unknown: Amnesty International is concerned for their safety, and believes they are at risk of torture.

The three had been detained since 14 March 1999 in Birgunj Jail, Parsa district, under the Public Security Act. When police investigations were completed, they were taken to Parsa District Court to obtain release orders from the court.

According to an eye-witness, immediately after their release the three were re-arrested outside the court by police from the Parsa District Police Office. When relatives inquired at the Parsa District Police Office, the Deputy Superintendent of Police denied they had been arrested. It is believed that the three may have been transferred to the district police office in Sindhuli, but the police there have reportedly denied having them in custody.

Kalpana Subedi and Indra Prasad Dhungel are residents of Kamalamai Municipality, Sindhuli district. Yudhasingh Kuwar is a resident of Mahadevsthan Village, also in Sindhuli district,

BACKGROUND INFORMATION

There has been a serious deterioration in the human rights situation in Nepal since the Communist Party of Nepal (CPN (Maoist)) declared a "people's war" in February 1996. The police have reportedly committed widespread human rights violations, including extrajudicial executions, "disappearances", torture and arbitrary arrests. Serious human rights abuses by the CPN (Maoist) have also been reported.

Over the last year or so, Amnesty International has received increasing numbers of reports of "disappearances" and unacknowledged detention. These have included several cases of detainees who have been re-arrested by police at court premises immediately following a court order to release them. The police's blatant disregard for the authority and independence of the judiciary is a particularly disturbing aspect of the current human rights situation in Nepal.

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

- expressing serious concern for the safety and welfare of Kalpana Subedi, Indra Prasad Dhungel and Yudhasingh Kuwar, who are reported to have been re-arrested from the Parsa District Court premises following an order to release them on 24 September 1999;
- urging the authorities to find and make public their whereabouts, and take steps to ensure their safety;
- calling on the authorities to establish an independent and impartial investigation into their re-arrest, and to make the findings public;
- calling upon the authorities to allow them immediate access to their relatives, lawyers and any medical treatment they may need;
- urging that they be promptly charged with a recognizably 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:

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 or 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

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 November 1999.