

PUBLIC

AI Index: ASA 31/058/2004

27 February 2004

UA 88/04 **Fear for safety/ Incommunicado detention**

NEPAL **Renu Ale (f), aged 13, school student**

Renu Ale was arrested on 13 November 2003, and is reportedly held at Bhairab Nath Gan army camp in Maharajganj, Kathmandu. Relatives have tried to visit her there, but have not been allowed into the camp. It is not known why she was arrested, and she has not been formally charged, or presented before a court, at any time during the four months of her detention.

Renu Ale is a resident of ward no.8 of Malta Village Development Committee (VDC), in Lalitpur district. Witnesses say that she was staying with relatives in Thapathali, ward no.11 of Kathmandu municipality, at the time of her arrest. Three men in plain clothes came to their room and identified themselves as security forces personnel. Before they took her away, they told her relatives that Renu Ale was needed for questioning, and that she would be returned by morning.

Renu Ale had been arrested before, on 8 September 2003. She was released on 27 October. Her family did not know why she had been arrested or where she was held. She returned to live with her family in Malta VDC for about two weeks, and then returned to Kathmandu to continue her studies at school. She had been in Kathmandu for no more than two days when the security forces arrested her for the second time.

Renu Ale's family received reliable reports that she was held in Bhairab Nath Gan army camp, and when they went to visit her there, soldiers confirmed that she was held there, and that she was in good health. The family were not allowed into the camp, and were told that they would not be able to meet with Renu.

There is no information as to why she has been arrested, or why the security forces should repeatedly target a young girl in this way. Amnesty International is concerned for her safety in army custody, particularly as she is being held incommunicado, and without charge.

BACKGROUND INFORMATION

Amnesty International has been concerned about a deterioration in the human rights situation in Nepal since the Communist Party of Nepal (CPN) (Maoist) launched a "people's war" in February 1996. Reports of human rights abuses by both the security forces and the CPN (Maoist) escalated after the army was mobilized and a state of emergency imposed between November 2001 and August 2002. Many people were arrested under the 2002 Terrorist and Disruptive Activities (Control and Punishment) Act (TADA), which gave the security forces the power to arrest without warrant and detain suspects in police custody for up to 90 days. Scores of people are reported to have been held for weeks or even months in illegal army custody without access to their families, lawyers or medical treatment. In 2002, Nepal recorded the highest number of "disappearances" of any country in the world. The CPN (Maoist) are also reported to have abducted scores of people.

On 29 January 2003, both sides agreed to a ceasefire. Three rounds of peace talks were held - in April, May and August - between the government and representatives of the CPN (Maoist). Among the CPN (Maoist)'s central demands were a round table conference, the formation of an interim government and elections to a constituent assembly to draft a new Constitution.

The CPN (Maoist) announced they were withdrawing from the ceasefire agreement as of 27 August 2003. Since then, fighting has resumed throughout the country, and Amnesty International has received reports of

both sides committing human rights abuses. In particular there has been a rise in the number of "disappearances" at the hands of the security forces and abductions by the CPN (Maoist).

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

- expressing concern for the safety of 13-year-old Renu Ale, who was reportedly arrested on 13 November 2003;
- urging that she be treated humanely while in custody and not tortured or ill-treated;
- calling on the authorities to grant her immediate access to her relatives, lawyers and any medical attention they may require;
- calling on the authorities to fulfil their obligations under Article 37 (covering the arrest, detention, or imprisonment of a child) of the United Nations Convention on the Rights of the Child, which Nepal ratified in 1990;
- calling for Renu Ale to be released immediately and unconditionally, unless she is to be charged with a recognizably criminal offence.

APPEALS TO:

General Pyar Jung Thapa
Chief of Army Staff (COAS)
Army Headquarters
Kathmandu, Nepal

Telegram: Commander-in-Chief, Army Headquarters, Kathmandu, Nepal

Fax: + 977 1 4 242 168 (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT)

Salutation: Dear Commander-in-Chief

Colonel Nilendra Prasad Aryal
Head of Army Human Rights Cell
Army Headquarters
Singha Durbar, Kathmandu, Nepal

Telegram: Colonel NP Aryal, Army Headquarters, Singha Durbar, Kathmandu, Nepal

Fax: + 977 1 4 226 292/ 229 451 (Faxes may be switched off outside office hours, 5½ hours ahead of GMT)

Salutation: Dear Colonel

Prime Minister Surya Bahadur Thapa
Prime Minister's Office
Singha Durbar
Kathmandu, Nepal

Fax: + 977 1 4 227 286 (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT)

Salutation: Dear Prime 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 10 April 2004.