

Nepal: Sanjiv Kumar Karna (m)

Concern: "Disappearance"

"All I want is to know is where my child is."

Sanjiv Kumar Karna's mother, speaking to Amnesty International in March 2006.

On 8 October 2003, Sanjiv Kumar Karna, a 24 year old student at Ram Sagar Ram Swarup Multiple College in Janakpur was picnicking with a group of friends when he and ten others were arrested by a group of 25-30 joint security force personnel in Janakpur, Nepal.

While they were being transported to police detention Sanjiv and his friends were reportedly brutally beaten before being interrogated. Six were subsequently released, but Sanjiv and four friends - Durgesh Kumar Labh, Pramod Narayan Mandal, Shailendra Yadav, and Jitendra Jha - have not been heard from since.

Sanjiv's arrest is believed to be linked to his interest in student politics and his former membership with the All Nepal National Independent Student Union (Revolutionary) (ANNISU-R), which is aligned with the Communist Party of Nepal (CPN) (Maoist). However, he resigned from the ANNISU-R in 1998 and his family say that he had no involvement with the CPN (Maoist).

For four months Sanjiv's father, Jai Kishor Labh, desperately sought information about his son's detention however, all enquiries made to officials went unrewarded until Sanjiv's relatives received a reply on the 13 January 2004. The letter was from the Inspector General of Police in Kathmandu stating that an investigation was underway and that they would be informed when it was complete.

Two years later in March 2006, Sanjiv's father received correspondence from the Nepali National Human Rights Commission (NHRC), detailing the findings of their investigation. The letter denied any police involvement in the arrest of Sanjiv and his friends whereas, the Nepal Army had told the NHRC that the five young people had all been killed in a 'police action' on the day that they were arrested.

In July 2006 villagers came forward to allege that five bodies had been buried in a nearby location around the time of the 'disappearance' of Sanjiv Kumar Karna and his friends.

There has so far been no confirmation of any of these claims. The Nepal Army has informed Amnesty International that the investigation into the 'disappearances' is still ongoing. So far **no** moves have been made for exhumations at the alleged burial site. Amnesty International considers this to be critical for furthering the investigations.

In July 2006 Jai Kishor and a lawyer from Advocacy Forum, an organisation supporting the family in their pursuit of justice, raised the case with the United Nations. Meetings were positive, but obstacles remain. On 10 July 2006, Jai Kishor and one of the other families filed a First Information Report (FIR) with the Nepal police about the 'disappearance' of their loved ones, which legally requires the police to investigate what has happened. However, no investigation has yet begun as the police claim that the FIR for this important case should be registered in a 'special diary'.

Please write to the authorities:

- Urgently conclude and make public the findings of the investigation into the fate of Sanjiv Kumar Karna, Durgesh Kumar Labh, Pramod Narayan Mandal, Shailendra Yadav, and Jitendra Jha, ensuring that the families are kept fully informed of progress.
- If it is found that Sanjiv and his friends are alive, ensure that they are immediately and unconditionally released, unless they are to be charged with recognisably criminal offences.

- If as recent allegations indicate, Sanjiv Kumar Karna, Durgesh Kumar Labh, Pramod Narayan Mandal, Shailendra Yadav, and Jitendra Jha have been killed, establish what happened and ensure that the perpetrators are brought to justice.
- Establish an independent commission to investigate all cases of “disappearances” and extrajudicial killings in Nepal.

Please send appeals to:

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Inspector General of Police
Police Headquarters
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Kathmandu
Nepal