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22 January 2019

To,
Mr. Ram Bahadur Thapa "Badal"
Hon'ble Home Minister
Ministry of Home Affairs
Singhdurbar, Kathmandu
Nepal
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Sub: Investigate Torture Case, Take Legal Action against Perpetrators, Provide Immediate Medical Support and Compensation to Victim

Dear Sir,

The recent incident of torture of Som Basnet, 40, a resident of Harichaur Rural Municipality-6, Baglung district has drawn our attention. We express our serious concern on the brutal police torture on him at around 9pm on 13 January 2019 in Hatiya Police Post, Baglung district. According to the source, he was brutally tortured by two policemen by beating him with sticks and kicking with police boots. Due to brutal torture his bile duct, pancreas and urinary bladder were damaged. Doctor has removed his damaged internal organs and he has received 52 stitches on his stomach. *Please, find the enclosed document for detailed information and photographs.*

We, the members of Asian Alliance against Torture, request you and the other concerned authorities to thoroughly investigate the case, take legal action against the perpetrators, provide immediate medical support and adequate compensation for the loss he has suffered and future opportunities, guarantee the non repetition of such heinous crimes in future.

Asian Alliance against Torture (A3T) is a coalition of 15 civil society organizations covering 10 Asian countries to work in solidarity for prevention of torture in Asia. Established in 2018, its secretariat is based in Jakarta, Indonesia.

Thank You,

Regards,

Cc:

Office of the Prime Minister and Council of Ministers
Singha Durbar, Kathmandu, Nepal info@nepal.gov.np

National Human Rights Commission
Central Office, Hariharbhawan
Kathmandu, Nepal
complaints@nhrcnepal.org
Tel.: 00977-(0)1-5010015 (Hunting Line)
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Office of the Attorney General
Ram Shah Path, Kathmandu
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Human Rights Section
Nepal Police Headquarters, Naxal, Kathmandu
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Man Seriously Injured due to Police Torture, Demands Investigation into the case, Legal Action against the perpetrators, Medical Support and Compensation

Personal details:

Som Bahadur Basnet, 40 is a permanent resident of Harichaur RMC-6, Baglung district. He has a 82-year-old father, wife Krishna Kumari Basnet, 22-year-old married daughter and 20- and 13-year-old unmarried sons. He works in a hotel in Thailand and returned to Nepal 4 months ago to meet his sick father and family.

Alleged Perpetrators:

1. Police Constable Prem Thapa from Police Post Hatiya, Baglung
2. Police Constable Buddha Bista from Police Post Hatiya, Baglung

Torture details:

He was severely tortured by policemen at around 9 pm on 13 January 2019 [2075/09/29] at Galkot Municipality-3, Hatiya Baglung while he was returning to his home along with other two villagers.

Incident details:

During the first visit to the Fewa City Hospital on 18 January 2018, a nurse didn't let AF staff talk to the victim as he was sleeping after operation.

Statement of Krishna Kumari Basnet on 18 Jan:



Figure 1: SomBasnet after operation. PC: Krishan K Basnet.

My husband is working in Thailand for last 12 years. As my father-in-law was sick he came to Nepal in September 2018. As my father-in-law's health condition is improving he was planning to go back to Thailand after 1 or 2 months.

At around 4.30pm on 13 January 2019 [2075/09/29] my husband told me that he needs to attend a meeting for road construction in Galkot and went out of the home.

At around 10pm the same day, he returned home and complained of pain in his stomach. When I asked what had happened, he told me as follows: "I was returning home with Bikki Gaire and Krishna KC. When we reached near to Police Post in Hatiya at around 9pm, one policeman shook hand with Bikki Gaire. I also took out my hand from my pocket and tried to shake hand with him, he verbally abused me saying "Ma saale" (bloody bastard). Then I asked in English what do you mean by 'ma saale.' Then the policemen became angry for talking with

them in English and beat me with sticks and kicked with police boots."

As he suffered from intolerable pain, I and our son took him to the Arati Medical in Hatiya. The video x-ray was not clear so they advised to come the following morning with empty stomach. Then we returned home. Once at home my husband felt dizzy and fell down. He vomited. He also suffered from loose motion that continued for the whole night.

The following morning we took him to the same medical centre. A doctor gave him saline water and did an x-ray. He said that there is internal injury in his stomach. Then we took him to Fewa City Hospital in Pokhara. In the hospital it was diagnosed that his bile duct, bladder and pancreas were damaged. Around 3 liters of blood was clotted in his stomach. The doctor said that if he had been admitted few hours late he could have died. Now he has

received 52 stitches in his stomach.

Immediate support is needed for us. He was the breadwinner of the family. Now I am worried for the future of the family.

Follow-up documentation on 20 January 2019 [2075/10/6]:

Short Statement of Victim Som Basnet:

When I tried to handshake with a policeman, he said to me "ma saale" (bloody bastard) and then I asked him in English what he meant by "ma saale." Then rank unidentified policemen Prem Thapa and Buddha Bista from Hatiya police post beat me with sticks and kicked me with police boots randomly on different parts of my body. My friend Bikki didn't say anything but Krishna requested them not to beat me but they beat him too with sticks. After that incident I returned home with difficulty. When there was intolerable pain in my stomach we went for a medical check-up in Hatiya. When we were going to the medical we crossed the police post but they were not in the police post but when returning from medical, they had already changed their police uniform and were in plain clothes. When my son



Figure 2: Damaged internal organs removed after surgery. PC: Krishna K Basnet.



Figure 3: Blood removed after operation. PC: Krishna K Basnet

asked them why they beat me, they told him to come the following morning at 10 am for discussion.

Then we returned home. I don't know why they beat me.

Hira Chhetri, elder sister of Som Basnet:

I met my brother after he was admitted in the Fewa City Hospital. Due to police torture he was badly injured. After operation his health condition is improving gradually. We demand legal action against the perpetrators, medical treatment for my brother and adequate compensation for the pain he suffered and loss of future opportunities.