



Non-Resident Madheshis Association

गैर-आवासीय मधेशी संघ

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Ref. No.:

Date: September 23, 2018

His Excellency Mr. António Guterres
United Nations Secretary-General
U.N. Headquarters
New York, NY 10017
U.S.A.

Subject: Killing of Gandhian ethnic Madheshi activist Ram Manohar Yadav by Government of Nepal in police custody; body still not handed over to his family

Dear Secretary-General Guterres,

I am writing to you at this time to inform you about the killing of a Gandhian Madheshi activist Ram Manohar Yadav by the Government of Nepal in police custody, and seek your assistance in stopping the communist regime's brutality, violence and genocide of indigenous Madheshi ethnic people in Nepal.

Ram Manohar Yadav, a resident of Janaki Rural Municipality - 6 Kapasi of Banke district, was killed by Nepal Police in its custody on 31st August 2018, subjecting him to severe inhumane torture.

Yadav, along with Harpal Singh, Irfan Sheikh and Rajit Ram Verma, were arrested on 23rd August, 2018 from a political programme in Bardiya district, conducted in the presence of Deputy Prime Minister and Health Minister of Nepal. They were arrested from the programme hall fearing that they might ask questions or wave a black flag to the minister. The Government of Nepal arrested and filed sedition charges against all of them.

Nepal Police arrested, tortured and threatened to kill them several times in the past too. On 19th March 2016, Nepal Police had arrested them from an informal meeting of about a dozen people in Mahendra Park of Nepalgunj and filed sedition charges against them, on which the Special Court of Nepal gave them a clean chit on 15th February 2018. On 25th November 2016, they were again arrested from Nepalgunj while celebrating the "Anti-Racism Day". They were severely beaten and tortured in the custody and then released after two days on 27th November, after which they were airlifted to Kathmandu for medical treatment. Subsequently, on 29th November, they had filed their cases of torture with various human rights bodies including the Amnesty International and the

National Human Rights Commission (NHRC) in Kathmandu by personally meeting them and showing the injuries from the torture. They had even filed a torture case against Banke District Police in the Banke District Court, but the police have been threatening with life to withdraw the case ever since. On 16th June 2017, they were again arrested prior to the local election from their residences, for allegedly campaigning for "no vote", and were released only on 3rd July 2017, on the order of the Tulsipur High Court. With the ethnic Madheshi activists continually facing arbitrary arrests, torture and threats from the Government of Nepal, we have repetitively appealed to the United Nations office in Kathmandu in the past too.

Yadav, 30, is survived by his wife and three children, aged 7, 5 and 3 years. His wife is also diagnosed with cancer. His bereaved wife and children have been waiting to receive the body for last 22 days. But the Government of Nepal has inhumanly denied the body of the deceased to his family and children, even to perform his last rites, to deliberately delay the postmortem to erase all the evidences of torture by letting the deceased body to decay.

We hereby appeal to the United Nations to unequivocally condemn this heinous crime and torture by the Government of Nepal and its agencies and to advocate for justice to the deceased and his family.

Acknowledging that the rights to freedom of speech, movement, peaceful assembly and association are the fundamental rights of all human beings everywhere, as also mandated by the United Nations Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR), to which Nepal is a signatory, we expect acknowledgement and assurance of the rights to freedom of expression, movement and peaceful assembly from the state and its agencies.

We shall be very grateful to you if the United Nations can raise this issue with Nepal during the 73rd session of the UN General Assembly or during the bilateral meeting with the Nepalese PM on 27th September 2018. We are very hopeful that you will be responding to this matter in a due manner. Thank you very much.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Indrajeet", with a large circular flourish above the name.

Mr. Indrajeet Yadav
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CC:

1. Her Excellency Ms. Michelle Bachelet,
UN High Commissioner for Human Rights
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais des Nations
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2. Human Rights Committee (CCPR)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson - 52, rue des Pâquis
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3. Her Excellency Ms. Valerie Julliard
UN Resident Coordinator
Kathmandu, Nepal

About Non-Resident Madheshis Association

The Non-Resident Madheshis Association (NRM-A) was incorporated as a non-profit organization in the Commonwealth of Massachusetts, USA in 2010. The NRM-A is a global umbrella organization of Madheshis living abroad to promote the welfare of all Madheshis. It has presence in more than 40 countries.

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(Ram Manohar Yadav, died on Aug 31, 2018 in Police Custody)



