

NEPAL Om Sharma (m), Editor, *Janadisha Daily*
Deepak Mainali (m), Computer Operator, *Janadisha Daily*
Govinda Acharya (m), Editor, *Janadesh Weekly*
Khil Bahadur Bhandari (m), Executive Editor, *Janadesh Weekly*
Deepak Sapkota (m), Reporter, *Janadesh Weekly*
Ram Bhakta Maharjan (m), computer operator, *Janadesh Weekly*
Ishwor Chandra Gyawali (m), Executive Editor, *Dishabodh Monthly*
Manarishi Dhital (m), *Dishabodh Monthly*
Nim Bahadur Budhathoki (m), Computer Operator, *Dishabodh Monthly*

Nine editors, journalists and computer operators working for three publications, *Janadisha Daily*, *Janadesh Weekly* and *Dishabodh Monthly*, were arrested at their offices in the capital, Kathmandu, on 26 November, on suspicion of being members or sympathizers of the Communist Party of Nepal (CPN) (Maoist). Their whereabouts are now unknown. Amnesty International is concerned for their safety and fears that they may "disappear".

According to some sources, they are held at a police barracks near the Police Training Centre in Maharajgunj, Kathmandu. People held in such unofficial places of detention are frequently tortured or "disappear".

The nine were reportedly arrested under the Terrorist and Disruptive Activities (Prevention and Control) Ordinance 2001, which had been announced by the government that day. It is feared that the reason behind their arrest might be the fact that the government sees the publications they work for as mouthpieces of the CPN (Maoist).

The nine detainees should ordinarily have been brought before a judicial authority within 24 hours, but this is not known to have happened. No *habeas corpus* petitions have been filed on their behalf.

BACKGROUND INFORMATION

Peace talks aimed at ending the CPN (Maoist)'s five-year "people's war" and an accompanying cease-fire broke down on 23 November. The Maoists attacked police and army posts in Dang, Syangja and Solukhumbu districts.

In response, on 26 November, the King of Nepal declared a nationwide emergency and authorized the deployment of the army. He also announced the Terrorist and Disruptive Activities (Prevention and Control) Ordinance, 2001 which grants wide powers to arrest people involved in "terrorist" activities. The CPN (Maoist) was also declared a "terrorist organisation" under the ordinance.

Since then dozens of people, including lawyers, students and teachers, have been arrested throughout the country on suspicion of being members or sympathizers of the CPN (Maoist).

On 28 November the Minister for Information and Communications issued directives to the media not to publish news, articles, interviews, audio-visual or reading materials "that are likely to promote and instigate violent and terrorist activities".

Under the state of emergency, a number of fundamental rights guaranteed in the Constitution including freedom of assembly, freedom of expression and right

to constitutional remedy have been suspended. While the right of *habeas corpus* (order requiring a detainee to be brought before a judge or into court) is not suspended, there are reports that lawyers are fearing to exercise this right in case they too are arrested under the Ordinance for "supporting terrorism".

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

- expressing concern about the arrest of the nine people named above from *Janadisha Daily, Janadesh Weekly* and *Dishabodh Monthly* and asking the authorities to make public their whereabouts immediately;
- asking for them to be released immediately and unconditionally unless they are to be charged with a recognizably criminal offence;
- urging the government to ensure that they are humanely treated while they are in custody;
- calling upon the authorities to allow them access to their relatives, lawyers and any medical attention they may need.

APPEALS TO:

Rt Hon Prime Minister Sher Bahadur Deuba
Prime Minister
Office of the Prime Minister
Singha Durbar
Kathmandu
Nepal

Telegrams: Prime Minister, Kathmandu, Nepal
Faxes: + 977 1 227 286/ 428 570
Salutation: Dear Prime Minister

Hon Khum Bahadur Khadka
Home Minister
Ministry of Home Affairs
Singha Durbar
Kathmandu
Nepal

Telegrams: Home Minister, Kathmandu, Nepal
Faxes: + 977 1 241 942
Salutation: Dear Minister

Mr Pradeep Shamsheer J B Rana
Inspector General of Police
Police Headquarters
GPO Box 407
Naxal
Kathmandu
Nepal

Telegrams: Inspector General of Police, Kathmandu, Nepal
Faxes: + 977 1 415 593/ 415 594
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 10 January 2002.