

PUBLIC

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Fear for safety/"disappearance"

14 October 2003

NEPAL

Prem Sagar Karmacharya (m), aged 40, businessman and social worker

At 9.45pm on 10 October, Prem Sagar Karmacharya was reportedly arrested at his home in Bagbazar, Kathmandu by five plain clothed security forces personnel, four of whom were wearing masks. His current whereabouts are unknown and there are concerns for his safety.

At the time of the arrest, relatives asked the masked men who they were. They replied that they were security forces personnel and wanted to ask Prem Sagar Karmacharya some questions, which would take about five minutes. He was put into a Maruti van with the number plate 9585 and taken away.

The reason for Prem Sagar Karmacharya's arrest is not known. He is a former member of the Communist Party of Nepal-United Marxist Leninist (CPN-UML), but is no longer a member of any political party. He is the central committee member of a youth organization called the *Lyamha Pucha* and committee secretary of the Blood Donors' Club.

Prem Sagar Karmacharya's relatives have reported his arrest and "disappearance" to the District Police Office (DPO) and the National Human Rights Commission (NHRC), who are reported to be making inquiries.

BACKGROUND INFORMATION

Amnesty International has been concerned about a deterioration in the human rights situation in Nepal since the 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 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 detention in army custody without access to their families, lawyers or a doctor. The CPN (Maoist) are also reported to have abducted scores of people.

On 29 January 2003, both sides agreed to a cease-fire. Three rounds of peace talks were held- in April, May and August- between the government and representatives of the CPN (Maoist). The CPN (Maoist) had listed among their central demands 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 cease-fire agreement on 27 August 2003. Since then, fighting between the two sides has resumed throughout the country, and Amnesty International has received reports of human rights abuses committed by both sides in the conflict.

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

- expressing concern for the safety of Prem Sagar Karmacharya, who were reportedly arrested by security forces personnel in Kathmandu on 10 October;
- urging the authorities to make public his whereabouts and to grant him immediate access to his relatives, lawyers and any medical attention he may require;

- calling on the authorities to guarantee that he be humanely treated while in custody and will not be subjected to torture or ill-treatment;
- calling for his immediate and unconditional release, unless he 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, Kathmandu, Nepal

Fax: + 977 1 4 242 168

Salutation: Dear Commander-in-Chief

Brigadier General B A K Sharma
Head, Army Human Rights Cell
Army Headquarters
Kathmandu, Nepal

Telegram: Brigadier General, Kathmandu, Nepal

Fax: + 977 1 4 226 292 / 229 451

Salutation: Dear Brigadier General

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

Telegram: Prime Minister, Kathmandu, Nepal

Fax: + 977 1 4 227 286 (fax 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 25 November 2003.