

PUBLIC

AI Index: ASA 31/103/2004

16 April 2004

**Further Information on UA 118/04 (ASA 31/073/2004, 19 March 2004) - Fear for Safety/possible "disappearance"**

**NEPAL**

**Released: Indra Raj Pathak (m) aged 25, health worker  
Ramesh Dhungana (m) aged 36, businessman  
Ravindra Kumar Pudasani (m) aged 24, businessman**

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Ravindra Kumar Pudasani was reportedly released from Soarkhutte Police Station, Kathmandu, on 13 April. He has been asked to report back to the station on 19 April. He says he is in good health and was not ill-treated during his detention, and thanks Amnesty for the work done on his behalf. He had reportedly been arrested on 16 March by security forces personnel in civilian clothes.

The whereabouts of Indra Raj Pathak and Ramesh Dhungana remain unknown. Indra Raj Pathak was reportedly arrested by armed men in civilian clothes, believed to be soldiers, on 8 March. Ramesh Dhungana was reportedly arrested by soldiers on 12 March.

**BACKGROUND INFORMATION**

Amnesty International has been concerned about a deterioration in the human rights situation in Nepal since the Communist Party of Nepal (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 (Control and Punishment) 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 army custody without access to their families, lawyers or medical treatment. The TADA was renewed by royal ordinance, after it expired on 9 April 2004. In both 2002 and 2003, Nepal recorded the highest number of "disappearances" of any country in the world. The CPN (Maoist) are also reported to have abducted scores of people.

Both sides agreed to a ceasefire on 29 January 2003, and held three rounds of peace talks, in April, May and August 2003. Among the CPN (Maoist)'s central demands were 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 ceasefire agreement as of 27 August 2003. Since then, fighting has resumed throughout the country, and Amnesty International has received reports of both sides committing human rights abuses. In particular there has been a rise in the number of "disappearances" at the hands of the security forces and abductions by the CPN (Maoist).

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

- welcoming the release of Ravindra Kumar Pudasani;
- expressing concern for the safety of Indra Raj Pathak and Ramesh Dhungana, who were reportedly arrested by soldiers on 8 March and 12 March 2004 respectively;
- urging that they be treated humanely while in custody and not tortured or ill-treated;
- calling on the authorities to make public their whereabouts and to grant them immediate access to their relatives, lawyers and any medical attention they may require;
- calling for Indra Raj Pathak and Ramesh Dhungana to be released immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

**APPEALS TO: (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT)**

General Pyar Jung Thapa  
Chief of Army Staff (COAS)  
Army Headquarters  
Kathmandu, Nepal

**Telegram:** **Commander-in-Chief, Army Headquarters, Kathmandu, Nepal**

**Fax:** **+ 977 1 4 242 168**

**Salutation:** **Dear Commander-in-Chief**

Colonel Nilendra Prasad Aryal  
Head of Army Human Rights Cell  
Army Headquarters  
Singha Durbar, Kathmandu, Nepal

**Telegram:** **Colonel NP Aryal, Army Headquarters, Singha Durbar, Kathmandu, Nepal**

**Fax:** **+ 977 1 4 245 020/ 229 451 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).**

**Salutation:** **Dear Colonel**

**COPIES TO:**

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

**Fax:** **+ 977 1 4 227 286**

**Salutation:** **Dear Prime Minister**

and 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 28 May 2004.