



Ref.: TG ASA 31/2004.42

ASA 31/154/2004

Lieutenant Colonel Raju Nepali
Head, Royal Nepal Army Human Rights Cell
Army Headquarters
Singha Durbar
Kathmandu
Nepal

13 August 2004

Dear Lieutenant Colonel,

Open letter on “disappearances”

I am writing to express Amnesty International’s concern about the safety of Ambar Bahadur Lama, Tej Prasad Adhikari, Amrit Bahadur Sarki, and Madhav Timalisina who were reportedly arrested between 29 June and 6 August, and whose whereabouts are now unknown. Amnesty International is also increasingly concerned about the safety of Mekh Bahadur Chhetri, Dharendra Basnet, Kedar Kunwar and Durga Raj Gautam, who have now been “disappeared” for over six months after reportedly being arrested by security forces.

Ambar Bahadur Lama (aged 25), also known as Dhiraj Lama, is a cook from Kabhre district. He was staying in the Boudhanath area of Kathmandu on 29 June when seven security force personnel reportedly came to his rented room at 5.15pm. According to a witness they searched his room without finding incriminating evidence and then took him away in an unmarked jeep. Ambar Bahadur Lama may have been targeted because he had previously been a member of the Communist Party of Nepal (CPN) (Maoist) even though he had no involvement with it since 2001. The National Human Rights Commission (NHRC), the security forces and relevant government ministries have been informed of his arrest, but his whereabouts remain unknown.

Tej Prasad Adhikari (aged 38) is a driver of a *tempo*, a three-wheeled motorised rickshaw, from Kathmandu. On 17 July at around 9am he was driving his *tempo* from Kaushaltar, Bhaktapur district to Tinkune, Kathmandu when he was stopped by four security personnel in a van. They reportedly asked him whether he owned the *tempo*, took away his mobile phone, blindfolded him and then took him away in the van towards Tribhuvan International Airport, Kathmandu. His whereabouts are still unknown.

Amrit Bahadur Sarki (aged 23) is a shoe maker from Sangla Village Development Committee (VDC), Kathmandu district. At around midnight on the evening of 2 August Amrit Bahadur Sarki was asleep at home when he heard calls from outside to open the door. At first he was afraid to come out, but when the people outside his home identified themselves as security force personnel he opened the door. After searching the house the seven security force personnel, in civilian clothes, reportedly told Amrit Bahadur Sarki to put on his clothes and took him away for questioning. Amnesty International is

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concerned that he may have been targeted because he is a member of the socially and economically deprived “Sarki” caste. His whereabouts are now unknown.

Madhav Timalsina (aged 30) is a farmer and committee member of a chicken farmers association, who also lives in Sangla VDC, Kathmandu district. At 2 am on 7 August witnesses report that 20 armed security force personnel in civilian clothes came to his home and took him away in a northerly direction. Madhav Timalsina was reportedly previously arrested during a state of emergency imposed between November 2001 and August 2002, and held for over one year by security forces. His arrest has been reported to the NHRC, the security forces and relevant government ministries but his whereabouts remain unknown.

Mekh Bahadur Chhetri (aged 30), also known as Raju Chhetri, is a journalist in Pumdi Bhumdi VDC, Kaski district. He worked for the *Rastriya Swavhiman*, a local newspaper in Pokhara which has published information about human rights violations allegedly carried out by the security forces. According to witnesses, he was arrested from his home by security force personnel at midnight on the evening of 18 October 2003. His arrest was reported to Kaski District Administration office but his whereabouts remain unknown. He was also reportedly arrested during the state of emergency in Nepal imposed between November 2001 and August 2002.

Dhirendra Basnet was a student at Ratna Rajya Laxmi University and a leader of a student union affiliated with the CPN (Maoist) at the time of his arrest. He is originally from Bhangbari, Jhapa district. According to a witness at 7am on 12 December 2003 four security force personnel arrested him outside a house where he was staying in Jorpati VDC, Kathmandu district. His arrest was reported to the NHRC but his whereabouts remain unknown.

Kedar Kunwar (aged 36) is a worker at a garment factory and was living in a rented room in Gaurighat, Kathmandu at the time of his arrest. Armed security forces personnel reportedly arrested him from outside his residence on the night of 20 October 2003. His whereabouts are now unknown.

Durga Raj Gautam (aged 31) owns a grocery shop in Deurali VDC, Nawalparasi district. He is also a member of the Communist Party of Nepal (United Marxist-Leninist) (CPN-UML) which is a peaceful Nepalese political party that has no known links the CPN (Maoist). According to witnesses around 30 security force personnel in civilian dress came to his home in the evening of 20 February 2004 and took him away. Former detainees, who were released in March from Bharatpur Army Barracks, Chitwan district, report seeing him there. His whereabouts are now unknown.

Amnesty International urges the authorities to make public the whereabouts of all eight people; to ensure that they are treated humanely and not tortured or ill treated; and that they are given access to their relatives, lawyers and any medical treatment they may require. Furthermore we urge the authorities to release all eight people immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

Yours sincerely,

Catherine Baber
Deputy Program Director
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