

PUBLIC

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14 January 2005

UA 12/05 Possible "disappearance"/fear for safety

NEPAL Ramesh Shrestha (m) aged 34, businessman
Santosh Bista (m) aged 21, student
Khila Prasad Chaulagain (m) aged 29, manager
Yuv Raj Dhakal (m) aged 26

The four men named above were arrested by security force personnel in Kathmandu between 4 and 10 January 2005. Their whereabouts are now unknown, and Amnesty International is concerned that they may be tortured, or "disappear".

Ramesh Shrestha owns a small shop in Nayabazar, Balaju, Kathmandu. On 4 January, he was in the Bhotahiti area of Kathmandu to buy goods to sell in his shop. According to a witness, he was approached by three security forces personnel who told him that they wanted to talk to him about something, and took him away, at around 5pm. His wife managed to talk to him on his mobile phone the following day. Although he could not talk freely he indicated that he was being detained by the security forces.

Khila Prasad Chaulagain is the director of a company in Kathmandu. According to witnesses, nine security forces personnel in civilian clothes entered his home in Maitidevi, Kathmandu, at 1:30am on 5 January. They reportedly searched his room before taking him away. The reason for his arrest is unknown.

Yuv Raj Dhakal was preparing to have dinner when two security forces personnel in civilian clothes reportedly came into his rented room, in Jorpati Chowk, Khatmandu, at 8:30pm on 6 January. According to a witness, they searched his room and then took him away in a van.

Santosh Bista has been studying at a university in Cabahil, Kathmandu. In the morning of 10 January he went to catch a bus back to his village in Makawanpur district, central Nepal. According to a witness, he was on his way to catch the bus when five security forces personnel in civilian clothes came in two red cars and arrested him at around 7:30am.

All of these incidents have been reported to the National Human Rights Commission, the security forces and relevant government ministries but the whereabouts of all four men are still unknown.

BACKGROUND INFORMATION

Since the Communist Party of Nepal (CPN) (Maoist) declared a "people's war" in February 1996 Nepal has been in the grip of nationwide conflict and human rights crisis. Human rights abuses by both the security forces and the CPN (Maoist) have escalated since a seven-month ceasefire broke down in August 2003.

In both 2002 and 2003, Nepal recorded the highest number of "disappearances" of any country in the world. People detained by the security forces are often held in army barracks with no access to their families, lawyers or medical treatment. They also face a high risk of torture, including beatings, and are sometimes held in solitary confinement or kept blindfolded for the entire time they are in custody. The government has made public commitments to end "disappearances" and the United Nations Working Group on Enforced and Involuntary Disappearances visited Nepal in December 2004. However since the beginning of this visit more than 10 people have reportedly "disappeared" at the hands of the security forces.

The CPN (Maoist) is also reported to have abducted hundreds of people, including large numbers of teachers and schoolchildren, for the purpose of "political education".

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

- expressing concern for the safety of Santosh Bista, Khila Prasad Chaulagain, Ramesh Shrestha and Yuv Raj Dhakal, who were all arrested in Kathmandu between 4 and 10 January 2005;
- calling on the authorities to immediately make public their whereabouts and grant them immediate access to their relatives, lawyers and any medical attention they may require;
- urging that they be treated humanely while in custody and not tortured or ill-treated;
- calling for them to be released immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

APPEALS TO:

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

Fax: + 977 1 4 226 292 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).

Salutation: Dear Lieutenant Colonel

Baman Prasad Neupane
Chief District Officer, Kathmandu district
Office of the Chief District Officer,
Kathmandu District, Nepal

Salutation: Dear Chief District Officer

COPIES TO:

Prime Minister Sher Bahadur Deuba
Prime Minister's Office
Singha Durbar
Kathmandu, Nepal

Fax: + 977 1 4 227 286 (Faxes may be switched off outside office hours, GMT+5 ½)

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 25 February 2005.