

**PUBLIC**

**AI Index: 31/015/2004**

**UA 40/04**

**Fear for safety/ possible "disappearance"/ fear of torture**

**04 February 2004**

**NEPAL**

**Ajeet Man Tamang (m), aged 36, employee of Nepal Electricity Authority  
Deepak Raj Sitaula (m), aged 32, Businessman  
Devi Prasad Dhungel (m), aged 22, Businessman  
Prakash Dhungel (m), aged 21, Student**

---

Amnesty International is concerned for the safety of Ajeet Tamang, Deepak Raj Sitaula, Devi Prasad Dhungel, and Prakash Dhungel, who were reportedly arrested in Kathmandu by security forces in plain clothes, between 1 and 29 January 2004. The whereabouts of all four men remain unknown.

Ajeet Tamang is originally from Terishuli Koloni, in the Bidhur Village Development Committee (VDC) of Nuwakot district, although he currently resides in Kirtipur municipality, in Kathmandu district. At 3pm on 1 January 2004, he was arrested by two members of the security forces dressed in plain clothes, at his office in the Nepal Electricity Authority located in the Ratna park area of Kathmandu. Ajeet Tamang has no background in politics, although it is believed that his links to the Nepal Tamang Ghedung [an ethnic association that promotes the culture and literature of the Tamang people] may be a possible cause of his arrest.

Deepak Raj Sitaula is originally from Bhadrutar VDC in Nuwakot district, though he currently resides in Gongabu VDC, ward no. 4 of Kathmandu district. He was reportedly arrested at 8pm on 1 January 2004 from his room in Gongabu. Three security forces personnel dressed in plain clothes entered his room and told him that he was needed for questioning. Reports suggest that the authorities were given wrong information that Deepak Raj Sitaula was involved with the Communist Party of Nepal [Maoist] (CPN Maoist).

Devi Prasad Dhungel and Prakash Dhungel are cousins who originally come from Kumari VDC, ward no. 8 in Nuwakot district. Both currently live in the Khasibazar area of Kalanki in Kathmandu, where Devi Prasad Dhungel runs his own goat business. Both men were arrested at 3pm on 29 January when two security forces personnel in plain clothes approached them at Devi Prasad Dhungel's workplace. According to eye witness reports, the security forces personnel stopped only to ask where the two cousins originally came from and then took them away.

Witnesses stated that Devi Prasad Dhungel was brought back to the Khasibazar area on 30 and 31 January, looking pale and exhausted, and with torn clothing. He was kept close to two security forces personnel and not allowed to speak with anyone. Reports suggest that Devi Prasad Dhungel may have suffered beatings and torture whilst in custody. Nothing has been heard of either of the cousins since these last sightings.

Attempts to locate all four men by their relatives, including informing the National Human Rights Commission (NHRC), the Defence and Home Ministries, and visiting army camps, have so far failed.

#### **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 detention in army custody without access to their families, lawyers or a doctor. In 2002, 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.

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. In particular there has been a rise in the number of 'disappearances' by 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:**

- expressing concern for the safety of Ajeet Tamang, Deepak Raj Sitaula, Devi Prasad Dhungel and Prakash Dhungel, who were reportedly arrested by security personnel in plain clothes in Kathmandu district between 1 and 29 January 2004;
- expressing concern at reports that Devi Prasad Dhungel may have been beaten during interrogation;
- requesting an immediate, impartial and independent investigation into allegations that Devi Prasad Dhungel was ill-treated and for those responsible to be brought to justice;
- urging that all the men be treated humanely while in custody and not subjected to torture or ill-treatment;
- urging 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 their immediate and unconditional release, unless they are 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, Army Headquarters, Kathmandu, Nepal**

**Fax: + 977 1 4 242 168 (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT)**

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

Colonel Nirendra 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 4 226 292/ 229 451 (Faxes may be switched off outside office hours, 5½ hours ahead of GMT)**

**Salutation: Dear Colonel**

**COPIES TO:**

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

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

**Salutation: Dear Prime Minister**

and 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 17 March 2004.