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

4 June 2004

Dear Lt. Colonel,

Open letter on “disappearances”

I am writing to express concern about the reported arrests and subsequent “disappearances” of seven persons named Tanka Prasad Khanal, Jetendra Khadka, Kamal Dhoj Karki, Ram Prasad Bidari, Bishnu Prasad Bidari, Deepak Bidari and Chini Maya Majhi between 29 April and 31 May 2004.

Tanka Prasad Khanal is a primary school teacher from Ward No. 1, Pakbadi Village Development Committee, Belchaur Village, Syanja district. At 1.30pm on 29 April, about ten security forces personnel in plain clothes, believed to be from the Armed Police Force (APF), arrived at the school and asked eight teachers to gather. They were then made to lie down and were beaten. The security forces then took Tanka Prasad away. His family members deny he has any involvement with the Communist Party of Nepal (CPN) (Maoist) but believe that someone may have informed against him. It is believed that he may be detained at the army camp at Putali Bazar Municipality, in the Syanja district headquarters, but this has not been confirmed by the authorities. There is grave concern for his safety.

Jetendra Khadka is a 23-year-old shop keeper from Ward No. 9, Tinthana VDC, Kathmandu district. He was arrested from his shop at midnight on 18 May by 13 army personnel in uniform and two men in plain clothes, who said they were taking him for inquiries and took him away in an army van. Jetendra Khadka had reportedly been involved with the Maoists, but had surrendered to the authorities in September 2002 and issued a statement saying he was no longer involved. He had been required to report to the Panighat army barracks in Thankot, Kathmandu. His family members therefore went to the Panighat army barracks to find out if he had been taken there but the authorities denied he was detained there. Relatives informed local human rights organizations and the National Human Rights Commission (NHRC) who are reported to have made inquiries on his behalf with the authorities. His current whereabouts remain unknown and there are fears for his safety.

Kamal Dhoj Karki, a 31-year-old businessman, is originally from Ward No. 8, Bhedpu VDC, Dolakha district. He is currently running a watch repair shop near the Triveni Building, Putalisadak, Kathmandu. He was arrested at 5pm from his shop by two security forces personnel in plain clothes, who took him away in a taxi. Relatives went to Singha Durbar army barracks the next day to make inquiries but the authorities there refused to allow them to see him. They tried again on 28 and 31 May

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to see him, but were again denied entry. There are fears that Kamal Dhoj Karki may be subjected to torture and ill-treatment in custody, and there are grave concerns for his safety. Appeals on his behalf have been sent to the NHRC and government authorities, including the Home and Defence Ministries, Human Rights Protection Centre, Prime Minister's office and Armed Forces Human Rights Cells.

Ram Prasad Bidari is currently living at Matatirtha VDC, Ward No. 3, Naya Basti, Kathmandu district, from where he runs a family business supplying construction materials. His brother Bishnu Prasad Bidari, and his cousin Deepak Bidari, are currently residing in Dhumbarahi Kathmandu. At 9pm on 27 May, four security forces personnel in plain clothes arrested Bishnu Prasad Bidari and Deepak Bidari from Dhumbarahi and took them in a private vehicle to the residence of Ram Prasad Bidari. They stopped the vehicle 100 metres from the house, and three of them entered, showed their identity cards and said that they wanted to take Ram Prasad Bidari for questioning. They said they would bring him back within one hour. Since that time, the whereabouts of Ram Prasad Bidari, Bishnu Prasad Bidari and Deepak Bidari are unknown, and there are fears for their safety. Relatives have informed the NHRC who are reported to be making inquiries with the authorities on their behalf.

Chini Maya Majhi, a 34-year-old social worker living at Ward No. 4, Chandol, Kathmandu, was arrested from her home at 10pm on 31 May by about eight security forces personnel in plain clothes. The reasons for her arrest are unknown. Chini Maya Majhi is President of the *Nepal Majhi Mahila Utthan Sangh*, an organization campaigning for the rights of women of the Majhi indigenous ethnic group, and Secretary of the *Adibasi Janajati Mahila Mahasangh* (Federation of Ethnic Women), neither of which organizations have any affiliation with the Communist Party of Nepal (CPN) (Maoist). The security forces personnel who came to the house introduced themselves and made Chini Maya Majhi's husband sign a piece of paper which he was not allowed to read. They also warned him against contacting the police. Chini Maya was taken away in a jeep to an unknown destination and there are fears for her safety. The NHRC is reported to be making inquiries on her behalf.

Amnesty International is appealing for the whereabouts of Tanka Prasad Khanal, Jetendra Khadka, Kamal Dhoj Karki, Ram Prasad Bidari, Bishnu Prasad Bidari, Deepak Bidari and Chini Maya Majhi to be made public; for assurances that they will be treated humanely and not subjected to torture or ill-treatment; and for them to be given access to their relatives, lawyers and any medical treatment they may require. We urge the authorities to release them immediately and unconditionally unless they are to be charged with a recognizably criminal offence.

We look forward to receiving your response to the concerns we have raised about the individuals named above.

Yours sincerely,

Catherine Baber
Deputy Program Director
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