

PUBLIC

AI Index: ASA 31/174/2004

13 October 2004

Further Information on UA 363/03 (ASA 31/104/2003, 11 December 2003) and follow-ups (ASA 31/108/2003, 16 December 2003; ASA 31/087/2004, 26 March 2004; ASA 31/156/2004, 19 August 2004) - Fear for safety/possible "disappearance"

NEPAL **Yuba Raj Chaulagain (m), aged 31, taxi driver**
Rebakala Tiwari (f), aged 21, student
Subash Shrestha (m), aged 18, student
Shaha Dev Ghimire (m), aged 29, government surveyor
Bhawanath Dhamala (m), aged 27, student

Yuba Raj Chaulagain was released on 29 September, but re-arrested on 1 October, at his home in Baneswor, Kathmandu, by seven people who told him they were security forces personnel. According to a witness he was taken away in a white van. His whereabouts are now unknown, and Amnesty International is concerned for his safety.

He had been arrested on 3 September 2003 in Koteshwor, Kathmandu, and had been held at Singha Durbar army barracks since then.

There is no further news of the other detainees named above, who were reportedly arrested between 3 September and 3 December 2003. Amnesty International is very concerned for their safety, as their whereabouts have been unknown since they were arrested.

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 CPN (Maoist) are 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 Yuba Raj Chaulagain, who was reportedly released on 29 September, but rearrested on 1 October in Kathmandu, and whose whereabouts are now unknown;
- expressing concern for the safety of Rebakala Tiwari, Subash Shrestha, Shaha Dev Ghimire and Bhawanath Dhamala, who were reportedly arrested between 3 September and 3 December 2003, and whose whereabouts remain unknown;
- 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 them to be released immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

APPEALS TO:

Lieutenant Colonel Raju Nepali

Head Royal Nepal Army Human Rights Cell

Royal Nepalese Army Headquarters

Singha Durbar

Kathmandu

Nepal

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

Fax: + 977 1 4 226 292 / 245 020 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).

Chief District Officer

Baman Prasad Neupane

Office of the Chief District Officer,

Kathmandu District, Nepal

Fax: +9771 4267691

Salutation: Dear Chief District Officer

COPIES TO:

His Majesty the King Gyanendra Bir Bikram Shah Dev

c/o The Chief of Protocol Division

Protocol Division

Ministry of Foreign Affairs

Chital News, Kathmandu

Nepal

Fax: + 977 1 4 416007

Salutation: Your Majesty

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 24 November 2004.