

PUBLIC

AI Index: ASA 31/001/2004

09 January 2004

Further Information on UA 358/03 (ASA31/101/2003, 05 December 2003) Fear for safety/possible "disappearance"

NEPAL Keshav Chaulagain (m), aged 26, nursing home employee (not security guard, as given previously)
Umesh Subedi (m), aged 21, student
Pushkar Subedi (m), aged 22, student
Tej Prasad Gautam (m), aged 19, office worker
Dev Bahadur Maharjan (m), aged 30, teacher
Shankar Nepali (m), aged 43, tailor
Deependra Karki (m), aged 20, tailor
Shyam Nepali (m), aged 21, tailor
Hom Prasad Gautam (m), aged 26, security guard

Released: Kumar Prasad Pant (m), aged 23, office worker

Kumar Prasad Pant was released from the Hanumandokha District Police Office (DPO) in Kathmandu on 6 January at 1pm. He was handed over to his family on condition that he report back to the DPO every three days.

He was transferred to Hanumandokha on 1 January, and he does not know where he was held before that as he had been kept blindfolded. He had been arrested at work in Kalanki, Kathmandu, at 3.30pm on 19 November 2003 by four members of the security forces in plain clothes. Relatives had contacted the Home and Defence Ministries, as well as the National Human Rights Commission (NHRC), in efforts to secure his release.

There is no further information on the whereabouts of the other men, who were all arrested in Kathmandu district between 31 August and 1 December. Efforts to locate them, including informing the Defence Ministry, Home Ministry, NHRC, and visiting army barracks and police stations, have so far failed.

BACKGROUND INFORMATION

The human rights situation in Nepal has deteriorated since the CPN (Maoist) launched a "people's war" in February 1996. Reports of human rights abuses by 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. On 29 January 2003, both the CPN (Maoist) and the security forces agreed to a ceasefire. The CPN (Maoist) announced they were withdrawing from the cease-fire agreement on 27 August. Since then, fighting between the two sides has resumed and there have been reports of human rights abuses committed by both sides in the conflict. In particular there has been a rise in the number of 'disappearances' at the hands of 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:

- welcoming the release of Kumar Prasad Pant on 06 January 2004;
- expressing concern for the safety of Keshav Chaulagain, Umesh Subedi, Pushkar Subedi, Dev Bahadur Maharjan, Tej Prasad Gautam, Shankar Nepali, Deependra Karki, Shyam Nepali and Hom Prasad Gautam

who were reportedly arrested by members of the security forces in Kathmandu district between 31 August and 1 December;

- urging the authorities to make public the whereabouts of the nine men 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;
- urging that they be treated humanely in custody and not tortured or ill-treated.

APPEALS TO:

Brigadier General B A K Sharma

Head, Army Human Rights Cell

Army Headquarters

Singha Durbar, Kathmandu, Nepal

Telegram: Brigadier General, Kathmandu, Nepal

Fax: + 977 1 4 226 292/ 229 451 (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT)

Salutation: Dear Brigadier General

General Pyar Jung Thapa

Chief of Army Staff (COAS)

Army Headquarters

Singha Durbar, Kathmandu, Nepal

Telegram: Commander-in-Chief, 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

COPIES 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 20 February 2004