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AI Index: ASA

Fear for safety/ possible 'disappearance'

07 January 2005

NEPAL **Baburaja Mali, (m), aged 22, student**
 Om Krishna Shrestha, (m), aged 46, farmer
 Arjun lal Shrestha, (m), aged 33, farmer/ businessman
 Om Nath Siwakoti, (m), aged 33, political worker

The four men named above were arrested by security forces personnel in or close to the capital Kathmandu during December 2004. Their whereabouts are now unknown and Amnesty International is concerned for their safety and fears that they may be 'disappeared'.

Baburaja Mali was reportedly arrested at 12pm midday on 18 December from Lalitpur district near Kathmandu by security forces personnel in civilian clothes. Though there were no eyewitnesses to his arrest, his family later received an anonymous call from a mobile telephone reporting that he was being held in Maharajgunj Barracks, Kathmandu. This however, has not been confirmed officially and his family are still trying to locate him.

Om Krishna Shrestha was reportedly re-arrested at 10.30pm on 20 December at his home at Ward No. 8, Thaib Village Development Committee (VDC), Lalitpur District near Kathmandu. According to reports about 16 armed security forces personnel in civilian clothes arrived at his home in two white pickup vans. He had previously been arrested at 1.30pm on 30 April 2004, at his home but was later released.

According to witnesses, Arjun lal Shrestha was arrested at 8pm on 18 December from Manamajju Village Development Committee (VDC) in Kathmandu by six security personnel in civilian clothes. His current location is unknown.

Om Nath Siwakoti was reportedly arrested at midnight on 12 December from his residence in Dhumbhari, in Kathmandu, by six security forces personnel in civilian clothes. Om Nath is an activist for the Communist Party of Nepal (United Marxist Leninist) and the reasons for his arrest are unknown.

Nepalese human rights organisations have taken up these cases with the National Human Rights Commission and are actively seeking their whereabouts.

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 United Nations Working Group on Enforced and Involuntary Disappearances visited Nepal between 6 and 14 December 2004. However since the beginning of their visit at least seven people have reportedly been arrested by security forces and have consequently 'disappeared'.

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 Baburaja Mali, Om Krishna Shrestha, Arjun Lal Shrestha and Om Nath Siwakoti, who were all arrested, in or close to Kathmandu during December 2004 (see above for respective dates);
- 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/ 229 451 (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

Fax: + 977 1 4 267691 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).

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, 5 ½ hours ahead of GMT)

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 18 February 2005