

**PUBLIC**

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**Fear for safety/ possible "disappearance"**

**06 February 2004**

**NEPAL**

**Narendra Maharjan (m), aged 38, transport company supervisor**

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Narendra Maharjan was reportedly arrested while at work on 21 January 2004. His whereabouts are unknown, and Amnesty International is concerned for his safety.

Narendra Maharjan is a resident of Sagal, in Ward no. 5 of Kirtipur municipality, Kathmandu district. He works as a Field Supervisor for a bus company, and was at the company office in Kirtipur on 21 January, when five men in plain clothes arrived, identified themselves as security forces and took him away in a white Tata jeep, with civilian registration number Ba.3 Cha.5915, heading in a north-easterly direction.

Narendra Maharjan may have been targeted because of his former involvement with the Newar Khala (Newari Family) which is an organisation campaigning for language rights for minorities, and promoting the rights of the Newar community (the ethnic group indigenous to the Kathmandu valley). Amnesty International is aware that in the past the security forces have made arrests at Newar Khala meetings, and have also targeted members of other ethnic and cultural organisations. Whilst observers have noted that the Communist Party of Nepal (CPN) (Maoist) has in the past been aligned with ethnic and minority-based movements, the Newar Khala has never had links of this kind.

Narendra Maharjan's relatives have tried to find him, so far without success. They have informed the National Human Rights Commission (NHRC).

### **BACKGROUND INFORMATION**

Amnesty International has been concerned about a deterioration in the human rights situation in Nepal since the 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 medical treatment. 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 ceasefire. Three rounds of peace talks were held - in April, May and August - between the government and representatives of the CPN (Maoist). Among the CPN (Maoist)'s central demands were 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 ceasefire agreement on 27 August 2003. Since then, fighting between the two sides has resumed throughout the country, and Amnesty International has received reports of both sides committing human rights abuses. 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:**

- expressing concern for the safety of Narendra Maharjan, who was reportedly arrested by security personnel in plain clothes in Kathmandu district 21 January 2004;
- urging that he be treated humanely while in custody and not tortured or ill-treated;

- urging the authorities to make public his whereabouts and to grant him immediate access to his relatives, lawyers and any medical attention he may require;
- calling for him to be released immediately and unconditionally, unless he is 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**

**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 17 March 2004.