

PUBLIC

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UA 285/03 Incommunicado detention/fear of torture or ill-treatment

NEPAL Ram Bahadur Limbu (m), aged 47, social activist

Ram Bahadur Limbu, an activist who campaigns on behalf of the Limbu ethnic group, is being held incommunicado by security forces at an unknown location. Amnesty International believes he may be at risk of torture or ill-treatment in detention.

Ram Bahadur Limbu was reportedly arrested by plain-clothed security personnel on 26 September in Indrapur Village Development Committee (VDC), Morang district. The Ministry of Defence has issued a press statement confirming his arrest, and claiming that he was the regional chairman of the Limbuwan Liberation Front, which is said to be affiliated to the Communist Party of Nepal (CPN) (Maoist). Ram Bahadur Limbu's brother has denied this accusation, and has stated that Ram Bahadur Limbu was not involved in any 'terrorist' activities.

Ram Bahadur Limbu is reportedly a central committee member of *Kirat Yakthung Chumlung* (KYC), an organization concerned with the preservation and promotion of the Limbu ethnic group. The KYC is registered non-governmental organization.

BACKGROUND INFORMATION

Amnesty International has been concerned about a deterioration in the human rights situation in Nepal since the Communist Party of Nepal (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 a doctor. The CPN (Maoist) are also reported to have abducted scores of people.

On 29 January 2003 both sides agreed to a cease-fire. Three rounds of peace talks were held - in April, May and August - between the government and representatives of the CPN (Maoist). The CPN (Maoist) had listed among their central demands 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 cease-fire agreement on 27 August. Since then fighting between the two sides has resumed throughout the country, and Amnesty International has received reports of human rights abuses committed by both sides in the conflict.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern for the safety of Ram Bahadur Limbu, who was reportedly arrested by plain-clothed security personnel in Indrapur VDC on 26 September;
- urging the authorities to make public his whereabouts, grant him immediate access to his relatives, lawyers and any medical attention he may require;
- calling upon the authorities to guarantee that he is not subjected to torture or ill-treatment while in custody;

- calling for his immediate and unconditional release, unless he is to be charged with a recognizable criminal offence.

APPEALS TO:

General Pyar Jung Thapa
Chief of Army Staff (COAS)
Army Headquarters
Kathmandu, Nepal

Telegram: Commander-in-Chief, Kathmandu, Nepal

Fax: + 977 1 4 242 168

Salutation: Dear Commander-in-Chief

Brigadier General B A K Sharma
Head, Army Human Rights Cell
Army Headquarters
Kathmandu, Nepal

Telegram: Brigadier General, Kathmandu, Nepal

Fax: + 977 1 4 226 292 / 229 451

Salutation: Dear Brigadier General

Prime Minister Surya Bahadur Thapa
Prime Minister's Office
Singha Durbar
Kathmandu, Nepal

Telegram: Prime Minister, Kathmandu, Nepal

Fax: + 977 1 4 227 286 (fax may be switched off outside office hours, 5 ½ hours ahead of GMT)

Salutation: Dear Prime Minister

Shyam Bhakta Thapa
Inspector General of Police
Police Headquarters
Naxal
Kathmandu, Nepal

Telegram: Inspector General of Police, Kathmandu, Nepal

Fax: + 977 1 4 415 593 / 415 594

Salutation: Dear Inspector General

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 13 November 2003.