

PUBLIC

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UA 345/03 Fear for safety/possible "disappearance"

NEPAL **Shiva Prasad Gautam (m), aged 38, committee member of the Communist Party of Nepal – Unified Marxist Leninist (CPN-UML)**
Tara Bhandari (f), aged 26, former factory worker
Sujindra Maharjan (m), aged 30, council worker
Ram Chandra Bhandari (m), aged 49, former headmaster
Shomsher Rupakheti (m), aged 31
Kedar Gautam (m), aged 31, driver
Ram Prasad Gautam (m), aged 40, driver
Ram Krishna Shrestha (m), aged 39, construction businessman
Piman Singh Tamang (m), aged 22, bar worker

Amnesty International is concerned for the safety of the nine people named above, who were reportedly arrested in Kathmandu between 1 September and 21 November. Their whereabouts are unknown and they may have "disappeared".

Shiva Prasad Gautam is originally from Kavrepalanchok district, where his is a committee member for the Communist Party of Nepal – Unified Marxist Leninist (CPN-UML). He currently lives in Baneshwar, Kathmandu. He was arrested at 10am on 1 September by members of the security forces in plain clothes, while in a tea shop in Bir Hospital. Efforts to locate him by his family, including visiting army barracks, have so far failed. **Tara Bhandari**, from Nuwakot district, currently lives in Nayabazar, Kathmandu. She was working at a textile factory, but left two months ago due to an injury sustained in a motorcycle accident. She was arrested at 9.30am on 30 October by members of the army in Kalimati, Kathmandu. Efforts by her family to locate her, including visiting police stations, army barracks, and informing the National Human Rights Commission (NHRC), Ministry of Defence and Home Ministry, have so far failed. However, unconfirmed reports suggest that she may be held at the Balaju army barracks in Kathmandu.

Sujindra Maharjan lives in Kirtipur Municipality, Kathmandu district. He is an office worker for Kirtipur Municipality council. On 12 November members of the security forces searched his house looking for his brother, and took away a computer, a motorcycle and some money. The security forces personnel allegedly threatened that they would arrest another member of the family if the brother was not found. At 12am on 15 November members of the security forces in plain clothes returned and arrested Sujindra Maharjan. Efforts to locate him by his family, including informing the NHRC and International Committee of the Red Cross (ICRC) have so far failed.

Former headmaster **Ram Chandra Bhandari**, originally from Ramechhap district, currently lives in Koteshwar, Kathmandu. He is currently the general secretary of *Om Vaidic Sanatan Karmakanda Mahasangh Nepal*, a non-political Hindu organization. He was arrested at his home at 1pm on 16 November by six members of the security forces in plain clothes. According to witnesses he was taken away in a red car with the registration Ba 1 Cha 4347. Efforts by his family to locate him, including visiting army barracks, have so far failed. However, unconfirmed reports say that he may be being held at Singha Durba Army Barracks in Kathmandu. **Shomsher Rupakheti** is originally from Dhading district, and currently lives in Bafal, Kathmandu. He was arrested at his home at 2.30pm on 17 November by three members of the security forces in plain clothes. According to witnesses he was blindfolded and taken away in a red car. One of the members of the security forces rode a motorcycle with the registration Ba 13 Pa 6785. Efforts by Shomsher Rupakheti's family to locate him have so far failed.

Brothers **Kedar Gautam** and **Ram Prasad Gautam** are originally from Ramechhap district, and currently live in Koteshwar, Kathmandu. They were arrested at their home at 11pm on 17 November by approximately 10 members of the security forces in plain clothes. Efforts to locate them, including informing the NHRC, have so far failed. Their arrest is believed to be in connection with their sister's alleged membership of the Communist Party of Nepal (CPN) (Maoist). **Ram Krishna Shrestha** lives in Sitapaila Village Development Committee (VDC), Kathmandu district. He runs a stone and concrete business. He was arrested at his home at 9.30pm on 20 November by 5 or 6 members of the security forces in plain clothes. Efforts by his family to locate him, including informing NHRC, have so far failed. **Piman Singh Tamang** is originally from Nuwakot district, and he currently lives in Goldhunga VDC, Kathmandu district. He works in a bar at a casino in Kathmandu. He was arrested at 3am on 21 November at his home by ten members of the security forces. Efforts to locate him by his family, including visiting army barracks, police stations, and informing NHRC, ICRC, 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 cease-fire. 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' by 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 Shiva Prasad Gautam, Sujindra Maharjan, Tara Bhandari, Ram Chandra Bhandari, Shomsher Rupakheti, Kedar Gautam, Ram Prasad Gautam, Ram Krishna Shrestha and Piman Singh Tamang who were reportedly arrested by members of the security forces in Kathmandu district between 1 September and 21 November;
- urging the authorities to make public the whereabouts of the nine individuals 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 whilst in custody and not be subjected to torture or ill-treatment.

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 6 January 2004.