

PUBLIC

AI Index: ASA 31/104/2003

11 December 2003

UA 363/03      Fear for safety/possible "disappearance"

NEPAL      Yuba Raj Chaulagain (m), aged 31, taxi driver  
Rebakala Tiwari (f), aged 21, student  
Subash Shrestha (m), aged 18, student  
Shaha Dev Ghimire (m), aged 29, government surveyor  
Lila Dahal (f), aged 34, women's activist  
Ganesh Dhakal (m), aged 24, teacher

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Amnesty International is concerned for the safety of Yuba Raj Chaulagain, Rebakala Tiwari, Subash Shrestha, Shaha Dev Ghimire, Lila Dahal, and Ganesh Dhakal, who were reportedly arrested in Kathmandu district between 22 November and 3 December. Their whereabouts are unknown.

**Yuba Raj Chaulagain** lives in Tinkune, Kathmandu, and works as a taxi driver. He was arrested at 9am on 3 September by four members of the security forces. He was taken away in his taxi. A witness reports seeing him being taken into army barracks in Singha Durbar, Kathmandu. The second taxi that Yuba Raj Chaulagain owns was taken by members of the security forces on 13 October. Efforts to locate Yuba Raj Chaulagain, including visiting the army barracks in Singha Durbar, have so far failed.

**Rebakala Tiwari** lives in Chabahil, Kathmandu, and is a student at Padma Kanya Multiple Campus, Bagbazar, Kathmandu. She was arrested at her home at 2.30pm on 30 October by members of the security forces in plain clothes. Efforts to locate Rebakala Tiwari, including informing the National Human Rights Commission (NHRC), have so far failed.

**Subash Shrestha** lives in Jyatha, Kathmandu, and is a student at Saraswati Campus, Thamel, Kathmandu. He was arrested at his home at 7.30pm on 22 November by members of the security forces in plain clothes. His uncle was also arrested at the same time but released after three days. It is not known where he was held. Efforts to locate Subash Shrestha, including informing the NHRC, have so far failed.

**Shaha Dev Ghimire** lives in Biruwa, Bhaktapur, and works for the government of Nepal as a surveyor in Meenbawan, Kathmandu. He was arrested at his home at 11pm on 22 November by members of the security forces in plain clothes. Efforts to find Shaha Dev Ghimire, including contacting the local police station and informing the NHRC and the International Committee of the Red Cross (ICRC), have so far failed.

**Lila Dahal** is originally from Mameshowra Village Development Committee (VDC), Sindhupalchowk district, and currently lives in Batisputali-9, Kathmandu. She is the Sindhupalchowk district committee president of the *Nepal Mahila Sangh* (Nepal Women Organization), a sister organization to the Nepali Congress Party. She was arrested at her home at midnight on 28 November by nine members of the security forces in plainclothes. The owner of the house was also arrested, but was released at 9.30am the next day. He says he was blindfolded and does not know where they were taken. Efforts to locate Lila Dahal, including informing the NHRC, the Home Ministry, and the Defence Ministry, have so far failed.

**Ganesh Dhakal** lives in Ghattekulo, Kathmandu, and works as a teacher at New Summit Boarding School, Maitidevi, Kathmandu. He was arrested at his home at 5.30pm on 3 December by approximately 15 members of the security forces, five of whom were members of the police in uniform, while the others were unidentified and in plain clothes. Another unidentified man was also arrested at the same time. Efforts to locate Ganesh Dhakal, including informing the NHRC, 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 Yuba Raj Chaulagain, Subash Shrestha, Shaha Dev Ghimire, Lila Dahal, Rebakala Tiwari, and Ganesh Dhakal who were reportedly arrested by members of the security forces in Kathmandu district between 3 September and 3 December;
- urging the authorities to make public the whereabouts of the six people 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.

## **APPEALS TO: (*Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT*)**

Deputy Brigadier General Nirendra Prasad Aryal

Head, Army Human Rights Cell

Army Headquarters

Kathmandu, Nepal

**Telegram:** Deputy Brigadier General, Kathmandu, Nepal

**Fax:** + 977 1 4 226 292/ 229 451

**Salutation:** Dear Deputy Brigadier General

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

## **COPIES TO:**

Prime Minister Surya Bahadur Thapa

Prime Minister's Office

Singha Durbar

Kathmandu, Nepal

**Fax:** + 977 1 4 227 286

**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 23 January 2004.