

PUBLIC

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Possible "disappearance"/fear of torture/ fear for safety

24 September 2004

NEPAL

**Dinesh Limbu (m) aged 34, unemployed**  
**Balaram Rai (m) aged 35, shopkeeper**  
**Siddant Paudel (m) aged 21, business person**

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The three people named above were reportedly arrested in Kathmandu district between 24 August and 17 September. Amnesty International is concerned for their safety as their whereabouts are now unknown.

**Dinesh Limbu** (also known as Rajesh Limu) was reportedly arrested at the office of "Nepal Disabled and Neglected Women Society" in the Koateshowr area of Kathmandu. According to witnesses, nine security personnel in civilian clothes arrived at the office at 11am on 24 August. They arrested Dinesh Limbu and said they wished to question him before driving him away in a van. The reasons for his arrest are unknown.

**Balaram Rai** and six other men were reportedly arrested at midnight on the evening of 4 September from a house in Jorpati Village Development Committee (VDC), Kathmandu district. According to a witness, 20 security forces personnel in civilian clothes surrounded the house whilst the seven men were sleeping. Some of the security force personnel reportedly searched the house before taking the men away in a truck. Six of the detainees were released on 16 September and 18 September. However, Balaram Rai was not released and the reasons for his arrest are unknown.

**Siddant Paudel** owns a communications centre and internet cafe in the Galkopakha area of Kathmandu. On the evening of 17 September five armed security force personnel in civilian clothes reportedly came to his business and searched it while others questioned him. According to witnesses Siddant Paudel was taken to his nearby rented room which was searched. He was then driven away in a truck and it is not known why he has been arrested.

A national human rights organisation has reported the three arrests to the National Human Rights Commission (NHRC), the security forces and to relevant government ministries. Despite this, the whereabouts of all three men remains unknown.

#### **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 members of 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 CPN (Maoist) is also reported to have abducted hundreds of people, including large numbers of teachers and schoolchildren, for the purpose of "political education".

On 1 July 2004, the Home Ministry announced that a five-member commission would investigate what had happened to people who had "disappeared" after arrest by the security forces, and submit a report to the government. However, the commission only appears to have investigated less than 80 reports of "disappearances". This figure is very disappointing, as over 700 cases of "disappearance" have been reported to the National Human Rights Commission since August 2003.

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

- expressing concern for the safety of Dinesh Limbu, Balaram Rai and Siddant Paudel who were reportedly arrested by security forces personnel between 24 August and 17 September 2004;
- urging that they be treated humanely if in custody and not tortured or ill-treated;
- calling on the authorities to make their whereabouts public and to grant them immediate access to their relatives, lawyers and any medical attention they may require;
- calling for them to be released immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

**APPEALS TO: (faxes may be switched off outside office hours, GMT + 5½)**

Lieutenant Colonel Raju Nepali  
Head Royal Nepal Army Human Rights Cell  
Royal Nepalese Army Headquarters  
Singha Durbar  
Kathmandu  
Nepal

**Fax: + 977 1 4 226 292 / 245 020 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).**

**Salutation: Dear Lieutenant Colonel**

Chief District Officer  
Baman Prasad Neupane  
Office of the Chief District Officer,  
Kathmandu District, Nepal

**Salutation: Dear Chief District Officer**

**COPIES TO:**

His Majesty the King Gyanendra Bir Bikram Shah Dev  
C/O The Chief of Protocol Division  
Protocol Division  
Ministry of Foreign Affairs  
Chital News, Kathmandu  
Nepal

**Fax: + 977 1 4 416007**

**Salutation: Your Majesty**

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 5 November 2004.