

PUBLIC

AI Index: ASA 31/176/2004

22 October 2004

Further Information on UA 326/03 (ASA 31/073/2003, 12 November 2003) and follow-ups (ASA 31/087/2003, 26 November; ASA 31/107/2003, 16 December 2003; ASA 31/004/2004, 12 January 2004; ASA 31/011/2004, 28 January 2004; ASA 31/051/2004, 25 February 2004) - Fear for safety/medical concern/arbitrary detention

NEPAL **Bhagirath Kharel (m), aged 60, retired school teacher**
Maha Prasad Angai (m), aged 22, teacher

Maha Prasad Angai was released on 19 September. He thanked Amnesty International for campaigning on his behalf.

He had been arrested on 7 November 2003. He was reportedly held at Bhairabnath army barracks in Maharajgunj, Kathmandu, and later transferred to Baireni army barracks, in Dhading district. Later he was taken to Gorka, from where he was finally released.

There is no further news of Bhagirath Kharel, who is believed to be held at the Central Jail in Kathmandu: he had been released on bail on the orders of the Appellate Court in December 2003, but rearrested immediately. At the time he was suffering from a heart condition, and it is not clear whether he has received any treatment. However, he is not believed to be in immediate danger.

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 ceasefire, that had lasted seven months, 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) are also reported to have abducted hundreds of people, including large numbers of teachers and schoolchildren, for the purpose of "political education".

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

- welcoming the release of Maha Prasad Angai;
- expressing concern that Bhagirath Kharel has been detained without charge since December 2003, and expressing concern for his health in view of his heart condition;
- calling for Bhagirath Kharel to be released immediately, as he was granted bail by the Appellate Court.

APPEALS TO:

Shyam Bhakta Thapa
Inspector General of Police
Police Headquarters
GPO Box 407

Naxal
Kathmandu, Nepal
Fax: + 977 1 4 415 593 / 4 415 594
email: info@nepalpolice.gov.np
Salutation: Dear Inspector General

Chief District Officer
Baman Prasad Neupane
Office of the Chief District Officer,
Kathmandu District, Nepal
Fax: +97714267691
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

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 3 December 2004.