

PUBLIC

AI Index: ASA 31/004/2004

12 January 2004

Further Information on UA 326/03 (ASA 31/073/2003, 12 November 2003) and follow-ups (ASA 31/087/2003, 26 November 2003; ASA 31/107/2003, 16 December 2003) - Fear for safety / possible "disappearance"

NEPAL

**Bhagirath Kharel (m), aged 60, retired school teacher
Maha Prasad Angai (m), aged 22, teacher
Naresh Maharjan (m), aged 16, student**

Amnesty International has received reports that Naresh Maharjan killed himself on 9 January, one month after he was released. He appears to have taken his own life to escape threats and harassment by the security forces.

Amnesty International has received information that following his release he was harassed by security forces personnel who asked him to contact them regularly. On 8 January security forces personnel reportedly told him that if he did not hand over another person – whom Naresh Maharjan apparently did not know – they would come to his house to arrest him the following evening. The security forces personnel also said that if they did not find Naresh Maharjan in his house when they came for him, they would arrest members of his family instead. Naresh Maharjan is reported to have killed himself at around 3pm.

There is no further information on the whereabouts of Bhagirath Kharel and Maha Prasad Angai. Amnesty International is increasingly concerned for the safety of these two prisoners, in view of the fact that the security forces apparently harassed Naresh Maharjan to the point that he took his own life. Bhagirath Kharel is said to have a heart condition and may be in need of medical attention.

BACKGROUND INFORMATION

The human rights situation in Nepal has deteriorated since the Communist Party of Nepal (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 sides agreed to a ceasefire. The CPN (Maoist) announced they were withdrawing from the ceasefire agreement on 27 August. Since then, fighting has resumed and there have been reports of human rights abuses by both sides. In particular there has been a rise in the number of "disappearances" at the hands of 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:

- urging the authorities to thoroughly investigate the circumstances leading up to Naresh Maharjan's death, and the reports that he was harassed and intimidated by the security forces;
- expressing concern for the safety of Bhagirath Kharel and Maha Prasad Angai in the light of these reports;
- expressing particular concern for the health of Bhagirath Kharel, who may require urgent medical attention for a heart condition;
- urging the authorities to make public the whereabouts of the two men 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:

Deputy Brigadier General Nerendra 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 (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT)

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 (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT)

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 (Faxes may be switched off outside office hours, 5 ½ hours ahead of GMT)

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 February 2004.