

PUBLIC

AI Index: ASA 31/029/2005

06 April 2005

UA 81/05 Possible "disappearance" / fear of torture

NEPAL Narayan Bajgain (m), aged 40
Tika Ram Uprety (m), aged 50
Prem Prasad Chapagain (m), aged 55
Damber Pandey (m), aged 36

The four men named above were reportedly detained on 3 April, and are now believed to be held incommunicado at the Charali Army Barracks, in the eastern district of Jhapa. They are at risk of torture. All four are political activists. It is not clear why they were taken into custody.

Narayan Bajgain was reportedly detained at his home at around 8am. Tika Ram Uprety, Prem Prasad Chapagain and Damber Pandey were detained by Royal Nepal Army (RNA) personnel at around 3pm, while attending a meeting of an environmental group, the Forest Users Committee.

Other detainees previously held at Charali have claimed that they were tortured, which included having cold water poured over them, being beaten with bamboo sticks, and being kicked on their backs and in their faces. Some have reported being victims of mock executions.

BACKGROUND INFORMATION

The routine violation of human rights has been a widespread feature of the nine-year conflict in Nepal between government forces and the Communist Party of Nepal (CPN) (Maoist). Amnesty International has documented a dramatic increase in the scale of human rights abuses since the breakdown of a ceasefire between the government and the CPN (Maoist) in August 2003, including torture, detention, "disappearances", displacement, abductions, and unlawful killings. More than 400 "disappearances" have been reported to Amnesty International since August 2003.

The human rights crisis has deteriorated further following the events of 1 February, when King Gyanendra dismissed the government and assumed direct power. He declared a nationwide State of Emergency, under which fundamental rights were suspended, including freedom of expression, press and publication rights, and freedom of assembly. Since then, the security forces have arrested thousands of people, including political leaders, trade unionists, student activists, journalists, and human rights defenders. While many have since been released, many others are still in custody, and arrests are continuing.

The King's takeover has strengthened the hand of the military, reduced the prospect of a political process toward peace, and increased the likelihood of intensified violence, with the attendant risk of increased human rights abuses.

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

- expressing concern for the safety of the four men named above, who are believed to be held at the Charali Army Barracks in Jhapa;
- calling on the authorities to immediately make public their whereabouts and grant them immediate access to their families, lawyers and any medical attention they may require;
- urging that they be treated humanely while in custody and not tortured or ill-treated;
- calling for them to be released immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

APPEALS TO:

(It may be difficult to get through to fax numbers in Nepal. Please keep trying)

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

Fax: + 977 1 4 226 292
Email: humanrights@rna.mil.np
Salutation: Dear Lieutenant Colonel

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

Fax: + 977 1 4 423 951
+ 977 1 4 416 016
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 17 May 2005.