

PUBLIC

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18 April 2005

UA 90/05            "Disappearance" / Fear for safety

NEPAL            Punya Lal Dahal (m), aged 23

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Punya Lal Dahal has not been seen since his arrest on 6 April. His whereabouts are unknown and there are fears for his safety.

At around 3.30am on 6 April, a group of around 10 uniformed soldiers of the Royal Nepalese Army arrested Punya Lal Dahal at his home in the Tinkune area of the capital, Kathmandu. The soldiers, who also searched the room, did not reveal the reason for his arrest. However, they told Punya Lal Dahal's brother that he would be released following an investigation. Nearly two weeks later, Punya Lal Dahal's family have received no information about his whereabouts or any charge brought against him.

Reports about Punya Lal Dahal's apparent "disappearance" have been filed with Nepal's National Human Rights Commission and with the International Committee of the Red Cross.

#### **BACKGROUND INFORMATION**

Amnesty International has repeatedly raised concerns over the escalating number of "disappearances" occurring in Nepal. These are taking place in the context of counter-insurgency operations by the security forces, in response to the "people's war" being fought by the Communist Party of Nepal (CPN) (Maoist) since 1996. The problem intensified following the breakdown of the ceasefire between the government and the CPN (Maoist) in August 2003. Amnesty International has received information on more than 400 people who have "disappeared" since then.

In addition to these widespread "disappearances", the organisation has received reports of hundreds of extrajudicial executions, thousands of arbitrary arrests and widespread torture by security forces. Meanwhile, the CPN (Maoist) has been responsible for thousands of abductions and hostage-takings, as well as killings and torture. At the heart of the problem is the environment of impunity within which the security forces and the CPN (Maoist) operate. Despite high profile pledges of commitment to human rights, both the Nepali government and military and the CPN (Maoist) leadership have failed to investigate human rights abuses or punish those responsible.

The human rights crisis has deteriorated further following the events of 1 February, when King Gyanendra of Nepal dismissed the Government, assumed direct power, and declared a nationwide State of Emergency. Under the State of Emergency, fundamental rights have been suspended, including freedom of expression, press and publication rights, and freedom of assembly. Within days of the King's seizure of power, the security forces had arrested hundreds of people - including political leaders, trade unionists, student activists, journalists, and human rights defenders. While some people have been released, many others remain in detention, and arrests are ongoing.

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 Punya Lal Dahal, who is believed to have been arrested by members of the Royal Nepalese Army on 6 April;

-calling on the authorities to immediately make public his whereabouts and grant him immediate access to relatives, lawyers and any medical attention he may require;  
- urging that he be treated humanely while in custody and not tortured or ill-treated;  
-calling for him to be released immediately and unconditionally, unless he is 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 Nepalese Army  
Human Rights Cell  
Royal Nepalese Army Headquarters  
Singha Durbar  
Kathmandu, Nepal

**Fax: + 977 1 4 226 292 (Please ask for the fax)**

**Email: humanrights@rna.mil.np**

**Salutation: Dear Lieutenant Colonel**

Minister Dan Bahadur Shahi  
Ministry of Home Affairs and Law, Justice and Parliamentary Affairs  
Singha Durbar  
Kathmandu, Nepal

**Fax: + 977 1 4 243025**

**Salutation: Dear Minister**

**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 30 May 2005.