

**PUBLIC**

**AI Index: ASA 31/037/2003**

**26 September 2003**

**UA 278/03**      **Fear for safety/possible "disappearance"**

**NEPAL**      **Kiran Usa Pun (also known as Navin Bivas) (m), aged 25 - journalist/writer**  
**Ek Nath Chaulagain (m), aged 42 - businessman**  
**Akash Lama (m), aged 16 - bus company employee**  
**Akash Lama's friend (name unknown) (m), aged 22**

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The four people named above were reportedly arrested by security forces personnel in Kathmandu between 8 and 21 September. Their whereabouts are unknown and there are concerns for their safety.

Kiran Usa Pun, also known as Navin Bivas, was reportedly arrested by plain clothes security forces personnel from his rented room in Panga, Kirtipur, Kathmandu, at 11pm on 21 September. The security forces personnel told his room mate that they were taking him for interrogation. Kiran Usa Pun is Vice-President of the Central Committee of the Indigenous Journalists Union (IJU) and is also studying for a Masters Degree in English Literature at Tribhuvan University in Kirtipur.

Ek Nath Chaulagain was allegedly arrested from his home at Koteshwor, Kathmandu, at 6.30pm on 11 September. The plain clothes security forces personnel who arrested him reportedly said they were taking him away for interrogation. He was reportedly last seen being forced to get into a red pick-up van with the number plate Ba.1 Pa.4169. He has not been seen since. His relatives have informed the Royal Nepal Army's human rights cell about his "disappearance", but have not received any response.

The reason for the arrests of Kiran Usa Pun and Ek Nath Chaulagain are unknown, but may be due to the fact that the authorities suspect them of having links with the Communist Party of Nepal (CPN) (Maoist).

Sixteen-year-old Akash Lama, who is from the Tamang ethnic group, works as a helper for a bus company. He was reportedly arrested at 2am on 8 September while asleep on a bus which had stopped overnight in Lalitpur, near Kathmandu. According to reports, five uniformed army personnel arrested both Akash Lama and a friend who was also sleeping on the bus, whose name is not known. The reasons for their arrest are unknown but may have been because they were considered to be breaking the curfew which had been declared by the District Administration Office in Lalitpur. The owner of the bus company and relatives of Akash Lama have made inquiries at the local District Police Office (DPO) and the nearby army barracks at Lagankhel, but have not yet received any information about their whereabouts.

The arrests of all four men have been reported to the National Human Rights Commission (NHRC), which is said to be making inquiries on their behalf.

#### **BACKGROUND INFORMATION**

Amnesty International has been concerned about a deterioration in the human rights situation in Nepal since the CPN (Maoist) launched a "people's war" in February 1996. Reports of human rights abuses by both 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. Many people were arrested under the 2002 Terrorist and Disruptive Activities Act (TADA), which gave the security forces the power to arrest without warrant and detain suspects in police custody for up to 90 days. Scores of people are reported to have been held for weeks or even months in illegal detention in army custody without access to their families, lawyers or a doctor. The CPN (Maoist) are also reported to have abducted scores of people.

On 29 January 2003, both sides agreed to a cease-fire. Three round of peace talks were held- in April, May and August- between the government and representatives of the CPN (Maoist). The CPN (Maoist) had listed among their central demands a round table conference, the formation of an interim government and elections to a constituent assembly to draft a new Constitution.

The CPN (Maoist) announced they were withdrawing from the cease-fire agreement on 27 August 2003. Since then, fighting between the two sides has resumed throughout the country, and Amnesty International has received reports of human rights abuses committed by both sides in the conflict.

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

- expressing concern for the safety of Kiran Usa Pun (also known as Navin Bivas), Ek Nath Chaulagain, Akash Lama (who is of Tamang ethnicity) and his friend, who were reportedly arrested in Kathmandu and Lalitpur between 8 and 21 September by security forces personnel;
- urging the authorities to make public their whereabouts and to grant them immediate access to their relatives, lawyers and any medical attention they may require;
- calling on the authorities to guarantee that they be humanely treated while in custody and not be subjected to torture or ill-treatment;
- calling for their immediate and unconditional release, unless they are to be charged with a recognizably criminal offence.

**APPEALS TO:**

Prime Minister Surya Bahadur Thapa  
Prime Minister's Office  
Singha Durbar  
Kathmandu, Nepal

**Telegram: Prime Minister, Kathmandu, Nepal**

**Fax: + 977 1 4 227 286 (fax may be switched off outside office hours, 5 ½ hours ahead of GMT)**

**Salutation: Dear Prime Minister**

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**

**Salutation: Dear Commander-in-Chief**

Brigadier General B A K Sharma  
Head, Army Human Rights Cell  
Army Headquarters  
Kathmandu, Nepal

**Telegram: Brigadier General, Kathmandu, Nepal**

**Fax: + 977 1 4 226 292 / 229 451**

**Salutation: Dear Brigadier General**

**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 7 November 2003.