

**PUBLIC**

**AI Index: ASA 31/038/2004**

**18 February 2004**

**Further Information on UA 63/04 (ASA 31/031/2004, 13 February 2004) Fear for safety / possible "disappearance"**

**NEPAL**            **Deepak Thakuri (m), aged 17, shop assistant**  
**Yag Prasad Dulal (m), aged 32, farmer**

**New name:**        **Chet Bahadur Thakuri (m) aged 46, farmer**

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Chet Bahadur Thakuri was reportedly arrested on 13 January and his whereabouts are now unknown. He is the uncle of Deepak Thakuri, who was reportedly arrested on 27 January in Kathmandu.

At 3am Chet Bahadur Thakuri was asleep at his home in Ward no. 1, Jivanpur Village Development Committee (VDC), Dhading district, after a long day working in the fields. Seventeen people in civilian dress, who identified themselves as soldiers, reportedly came to his door and asked him to come with them to talk to an officer who was stationed in a nearby village. Witnesses report that he was then taken away from his house in a northerly direction. His family suspect that he is held at Baireni army barracks, but officials there have so far denied this.

Chet Bahadur Thakuri's family and local human rights organisations have appealed to the National Human Rights Commission, the Defence Ministry, the Home Ministry and the Army human rights cell to protect him and reveal where he is held, but so far they have not been told where he is.

Amnesty International has received no further information about Deepak Thakuri or Yag Prasad Dulal, who were reportedly arrested on 27 January and 6 February respectively, and is increasingly concerned for their safety.

#### **BACKGROUND INFORMATION**

Amnesty International has been concerned about a deterioration in the human rights situation in Nepal since the Communist Party of Nepal (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 (Control and Punishment) 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 army custody without access to their families, lawyers or medical treatment. In 2002, Nepal recorded the highest number of "disappearances" of any country in the world. The CPN (Maoist) are also reported to have abducted scores of people.

On 29 January 2003, both sides agreed to a ceasefire. Three rounds of peace talks were held - in April, May and August - between the government and representatives of the CPN (Maoist). The CPN (Maoist) announced they were withdrawing from the ceasefire agreement as of 27 August 2003. Since then, fighting has resumed throughout the country, and Amnesty International has received reports of both sides committing human rights abuses. 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:**

- expressing concern for the safety of Chet Bahadur Thakuri, who was reportedly arrested by security forces personnel on 13 January;
- expressing concern for the safety of his nephew, Deepak Thakuri and Yag Prasad Dulal who were arrested on 27 January and 6 February respectively;
- urging that they be treated humanely while in custody and not tortured or ill-treated;
- calling on 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 for the three men to be released immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

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

General Pyar Jung Thapa  
Chief of Army Staff (COAS)  
Army Headquarters  
Kathmandu, Nepal

**Telegram:** Commander-in-Chief, Army Headquarters, Kathmandu, Nepal

**Fax:** + 977 1 4 242 168

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

Colonel Nilendra Prasad Aryal  
Head of Army Human Rights Cell  
Army Headquarters  
Singha Durbar, Kathmandu, Nepal

**Telegram:** Colonel NP Aryal, Army Headquarters, Singha Durbar, Kathmandu, Nepal

**Fax:** + 977 1 4 226 292/ 229 451 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).

**Salutation:** Dear Colonel

**COPIES TO:**

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

**Fax:** + 977 1 4 227 286

**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 31 March 2004.