

**PUBLIC**

**AI Index: ASA 31/077/2004**

**UA 122/04**

**Fear for safety/ possible "disappearance"**

**23 March 2004**

**NEPAL**

**Govinda Ghimire (m), aged 22, student  
Achyut Kumar KC (m), aged 37, farmer**

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Amnesty International has recently received reports that Govinda Ghimire and Achyut Kumar KC were arrested in August 2003 and November 2003 respectively. Their whereabouts have not been established after months of searching by both men's relatives, and Amnesty International is concerned that they have "disappeared".

Govinda Ghimire is originally from Bethan Village Development Committee (VDC) in Dolakha district, although he had recently been residing in Chabahil, Kathmandu. At 9am on 29 August a group of about 12 armed security forces personnel in plain clothes arrived at his home. Govinda Ghimire was behind the house in a shower area where three of the security forces personnel took hold of him and pulled him away to a waiting van. Other members of the household were told not to come near, and no one in the house could find out why he was being arrested. It is believed that he may have been targeted because of his links to the All Nepal National Independent Student Union (ANNISU) (Revolutionary), which is aligned with the Communist Party of Nepal (CPN) (Maoist), in the two months prior to his arrest.

Achyut Kumar KC is a resident of Jivanpur VDC in Dhading district. He was returning home from his farm carrying a load of rice at 5pm on 17 November when he was stopped by an armed security forces patrol. Witnesses reported that his hands were tied and he was forced to carry the load of rice away in the direction of Kumari and Chaute VDCs. The reasons for his arrest are not known, and relatives are becoming increasingly afraid for him, given the length of time that has passed without any news of his whereabouts.

### **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 (Control and Punishment) Act, 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). Among the CPN (Maoist)'s central demands were 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 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 Govinda Ghimire and Achyut Kumar KC, who were reportedly arrested on 29 August 2003 and 17 November 2003 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 both men to be released immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

**APPEALS TO:**

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

**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 (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 1 May 2004.