

PUBLIC

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Fear for safety/fear of "disappearance"

NEPAL

Ajaya Shahi (m), age 24, butcher

Ajaya Shahi was reportedly arrested on 19 July at 11am, by six men in plain clothes who said they were members of the security forces. His whereabouts are now unknown and there are fears for his safety.

Ajaya Shahi has been living in rented accommodation at Tusal Tole, Boudhanath Marg, Kathmandu municipality, Ward No. 6. Witnesses saw two men go into his room while the other four waited outside. They said they were taking him for inquiries and took him away.

Ajaya Shahi was a member of the Kathmandu branch of the Newa National Liberation Front, an organization promoting the rights of the Newari ethnic group, which is reportedly affiliated to the Communist Party of Nepal (CPN) (Maoist). This may be the reason why he has been arrested.

The arrest and "disappearance" of Ajaya Shahi has been reported to the Defence and Home Ministries, the heads of the security forces, the National Human Rights Commission (NHRC) and the Human Rights Promotion Centre in the Prime Minister's office.

BACKGROUND INFORMATION

The human rights situation in Nepal has deteriorated since the Communist Party of Nepal (CPN) (Maoist) launched a "people's war" in February 1996. Human rights abuses by both the security forces and members of the CPN (Maoist) have been reported during the eight-year armed conflict, and have escalated since a ceasefire that had lasted seven months broke down in August 2003.

In both 2002 and 2003, Nepal recorded the highest number of "disappearances" of any country in the world. The CPN (Maoist) are also reported to have abducted hundreds of people, including large numbers of teachers and schoolchildren, for the purpose of "political education".

On 1 July 2004 the Home Ministry announced that a five-member committee would spend 30 days investigating the fate and whereabouts of people who have "disappeared" after arrest by the security forces, and submit a report to the government.

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

- expressing concern for the safety of Ajaya Shahi, who was reportedly arrested on 19 July 2004 in Kathmandu, and whose whereabouts are now unknown;
- urging that he be treated humanely while in custody and not tortured or ill-treated;
- calling on the authorities to make public his whereabouts and to grant him immediate access to his relatives, lawyers and any medical attention he may require;
- calling for him to be released immediately and unconditionally, unless he is to be charged with a recognizably criminal offence.

APPEALS TO:

Sher Bahadur Deuba
Prime Minister
Prime Minister's Office
Singha Durbar

Kathmandu, Nepal

Fax: + 977 14 227 286 (faxes may be switched off outside office hours, 5 and a half hours ahead of GMT)

Salutation: Dear Prime Minister

Lt. Colonel Raju Nepali
Head, Royal Nepal Army Human Rights Cell,
Army Headquarters
Singha Durbar
Kathmandu, Nepal

Fax: + 977 14 245 020 or + 977 14 226 292 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).

Salutation: Dear Lt. Colonel

Narayan Gopal Malego
Joint Secretary, Home Affairs
and Chair, Investigative Committee on Disappearances
Ministry of Home Affairs
Singha Durbar
Kathmandu
Nepal

Fax: + 977 1 227 186 or 4 227 187

Salutation: Dear Joint Secretary

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 9 September 2004.