

PUBLIC

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Fear for safety/possible "disappearance"

05 October 2004

NEPAL

**Hari Prasad Paudel (m), Nepal Telecom employee
Chandra Kanta Dhakal (m), aged 38, farmer**

Hari Prasad Paudel and Chandra Kanta Dhakal are believed to have been arrested by security forces personnel on 13 and 16 September respectively. Amnesty International is concerned that their whereabouts remains unknown and fears that they may be at serious risk of torture or "disappearance".

It is believed that Hari Prasad Paudel was arrested by the Royal Nepalese Army (RNA), on 13 September, whilst walking through the RNA headquarters near Singha Durbar, Kathmandu. Mr Paudel worked for the Nepal Telecom Company and was last seen by his colleagues at its Central Office in Singha Durbar at approximately 11am. He then left for his post at the Regional Office which is approximately a six minute walk away, but failed to reach his destination. In order to get there he had to walk through the RNA headquarters. Hari Prasad Paudel's relatives say they know no reason for his arrest and, despite informing the RNA and the police, his whereabouts remain unknown.

Chandra Kanta Dhakal was reportedly arrested at 3pm on 16 September 2004, from a relative's home in Kerbani Village Development Committee (VDC) Ward No.9, Rupandehi district. Witnesses claim that eight men in plain clothes arrived at the house on four motorbikes and identified themselves as security personnel. They reportedly beat Chandra Kanta Dhakal before taking him away on a motorbike. He had previously been arrested during the state of emergency that ran from November 2001 to August 2002 and was held at Rana Shardul army barracks, Ramnagar, Rupandehi district for more than a year before being released without charge. His relatives believe that he may again be held at Rana Shardul army barracks. However, when they tried to visit him on 26 September 2004, they were told that he was not being held there.

BACKGROUND INFORMATION

Since the Communist Party of Nepal (CPN) (Maoist) declared a "people's war" in February 1996 Nepal has been in the grip of nationwide conflict and human rights crisis. Human rights abuses by both the security forces and members of the CPN (Maoist) have escalated since a seven month ceasefire broke down in August 2003.

In both 2002 and 2003, Nepal recorded the highest number of "disappearances" of any country in the world. People detained by the security forces are often held in army barracks with no access to their families, lawyers or medical treatment. They also face a high risk of torture, including beatings, and are sometimes held in solitary confinement or kept blindfolded for the entire time they are in custody. 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 commission would investigate what had happened to people who had "disappeared" after arrest by security forces and submit a report to the government. However, the commission only appears to have investigated less than 80 reports of "disappearances". This figure is very disappointing, as over 700 cases of "disappearance" have been reported to the National Human Rights Commission since August 2003.

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

- expressing concern for the safety of Hari Prasad Paudel and Chandra Kanta Dhakal who are believed to have been arrested by security forces personnel on 13 and 16 September 2004 respectively;

- 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;
- urging that both men be treated humanely while in custody and not tortured or ill-treated;
- calling for both detainees to be released immediately and unconditionally, unless they are to be charged with a recognizably criminal offence.

APPEALS TO: (Fax machines may be switched off outside office hours +5.45 GMT)

Lieutenant Colonel Raju Nepali
Head Royal Nepal Army Human Rights Cell
Royal Nepalese Army Headquarters
Singha Durbar
Kathmandu, Nepal

Fax: + 977 1 4 226 292 / 245 020 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax)

Salutation: Dear Lieutenant Colonel

Please write to Kathmandu Chief District Officer on behalf of Hari Prasad Paudel:

Chief District Officer
Baman Prasad Neupane
Office of the Chief District Officer,
Kathmandu District, Nepal

Salutation: Dear Chief District Officer

Please write to Rupandehi Chief District Officer on behalf of Chandra Kanta Dhakal:

Chief District Officer
Dhruba Prasad Sharma
Office of the Chief District Officer,
Rupandehi District, Nepal

Fax: + 977 715 20158

Salutation: Dear Chief District Officer

COPIES TO:

His Majesty the King Gyanendra Bir Bikram Shah Dev
C/O The Chief of Protocol Division
Protocol Division
Ministry of Foreign Affairs
Chital News, Kathmandu
Nepal

Fax: + 977 1 4 416007

Salutation: Your Majesty

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 16 November 2004