

PUBLIC

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Fear of torture / fear for safety

11 July 2003

NEPAL

**Tularaj Bista, [m] aged 52, secretary, Kalikot District Committee
Til Bahadur Shahi, [m] aged 35, member, Kalikot District Committee
Man Bahadur Malla, [m] aged 38, secretary, All Nepal Peasant's Association
Kal Bahadur Malla, [m] aged 28, president, Democratic National Youth Federation**

The four activists named above, who belong to the Communist Party of Nepal - Unified Marxist-Leninist (CPN-UML), were reportedly abducted by armed members of the Communist Party of Nepal (CPN) (Maoist) from Jubitha Village Development Committee (VDC), Kalikot District, between 22 and 28 June. Witnesses claim that the four were tortured in public by their abductors.

Tularaj Bista and Til Bahadur Shahi were reportedly abducted on 28 June, whilst Man Bahadur Malla and Kal Bahadur Malla were reportedly abducted on 22 June.

Amnesty International fears for the safety of the four men, particularly in light of previous abductions by the CPN (Maoist), which have resulted in the ill-treatment, torture and execution of the victims.

BACKGROUND INFORMATION

The CPN (Maoist) have been consistently accused of the abduction and/or killing of members of political parties since declaring a "people's war" in February 1996. On 29 January 2003 the government and the CPN (Maoist) declared a cease-fire. In mid-March, both sides agreed a 22-point Code of Conduct which includes a number of welcome human rights provisions, including the prohibition of "unnecessary search, arrest or kidnapping." However, the Code remains silent on other long standing concerns reported in the context of the "people's war," including "disappearances" at the hands of security forces and the CPN (Maoist). Amnesty International has urged the government and the CPN (Maoist) leadership to address this issue in their negotiations. So far both sides have engaged in two rounds of formal talks.

However, in addition to the case described above, credible accounts of cease-fire violations against members of other political parties, including abductions, torture and killings continue to be reported.

Between May and June 2003 there were several reported cases of activists from the Nepali Congress Party (NC) being abducted and/or killed, allegedly by members of the CPN (Maoist). In May, nine members of the same family, including 75 year old Yadunandan Yadav, were reportedly abducted by members of the CPN (Maoist). All were NC members. Amnesty International has no further information on the whereabouts of the nine individuals.

In June, the dead body of Buddharaj Giri, was found by the Lamaha river, near Rangpauer (VDC), Rautahat District; and that of Kabikant Chaudhary in Harpur (VDC), Parsa District. Both were NC activists. The NC accused the CPN (Maoist) of killing the two men.

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

- expressing concern for the safety of Tularaj Bista, Til Bahadur Shahi, Man Bahadur Malla and Kal Bahadur Malla, who were reportedly abducted between 22 and 28 June 2003;
- expressing concern at reports that the men were tortured;
- urging that they be treated humanely and not subjected to further torture or ill-treatment;
- urging that they be released immediately.

APPEALS TO:

Mr K B Mahara
Representative of the CPN (Maoist)
Office of the CPN (Maoist)
Anamnagar

Kathmandu
Nepal

Telegram: Mr K B Mahara, Office of the CPN (Maoist), Anamnagar, Kathmandu, Nepal

Salutation: Dear Mr Mahara

NB: Unfortunately, the available fax number is too unreliable to use.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 August 2003.