

PUBLIC

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UA 56/05 Possible "disappearance" / Fear for safety

NEPAL Dilli Ram Apagain (m), aged 25, student

At around midnight on 27 February, Dilli Ram Apagain was taken from his home in the town of Biratnagar, in southeastern Nepal, by 15 people dressed in civilian clothes, who identified themselves as security personnel. His whereabouts are unknown and there are concerns for his safety.

Dilli Ram Apagain's mother and his wife both witnessed his abduction. Before taking him into custody, security personnel told the family that Dilli Ram Apagain would be returned home following an investigation. However, the family has been unable to obtain any information about him since then.

Members of Dilli Ram Apagain's family reported his apparent "disappearance" on 2 March to the eastern regional office of the National Human Rights Commission (NHRC) in Biratnagar. The Human Rights Organization of Nepal (HURON) has appealed on his behalf to the NHRC and to relevant government authorities, including the Ministry of Defense, the Home Ministry, the Royal Nepal Army, Armed Police Force, and the Police.

Relatives say that Dilli Ram Apagain may have been arrested on suspicion that he was involved with the Communist Party of Nepal (Maoist), but they do not know about any such activities.

BACKGROUND INFORMATION

On 1 February, King Gyanendra of Nepal dismissed the Government, assumed direct power, and declared a nation-wide State of Emergency (SoE). Under the SoE, fundamental rights were suspended, including freedom of expression, press and publication rights, and freedom of assembly. Within days, the security forces had arrested hundreds of people - including political leaders, trade unionists, student activists, journalists, and human rights defenders. While some people have been released, many others remain in detention, and arrests are ongoing.

The King's actions plunged the country deeper into a human rights crisis and put the Nepalese people at even greater risk of gross abuses. The routine violation of human rights was already a widespread feature of the nine-year conflict in Nepal between government forces and the Communist Party of Nepal-Maoist (CPN) (Maoist). Amnesty International has documented a dramatic increase in the scale of human rights abuses since the breakdown of a ceasefire between the government and the CPN (Maoist) in August 2003, including torture, detention, "disappearances", displacement, abductions, and unlawful killings. More than 400 cases of "disappearance" have been reported to Amnesty International since August 2003.

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

- expressing concern for the safety of Dilli Ram Apagain, who is believed to have been abducted by security forces personnel on 27 February 2005;

- calling on the authorities to immediately make public his whereabouts and grant him immediate access to relatives, lawyers and any medical attention he may require;
- urging that he be treated humanely while in custody and not tortured or ill-treated;
- calling for him to be released immediately and unconditionally, unless he is to be charged with a recognizably criminal offence.

APPEALS TO:

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

Fax: + 977 1 4 226 292

Email: humanrights@rna.mil.np

Salutation: Dear Lieutenant Colonel

Inspector General of Police Shyam Bhakta Thapa
Police Headquarters
GPO Box 407
Naxal
Kathmandu, Nepal

Fax: + 977 1 4 415 593 / 4 415 594

Email: info@nepalpolice.gov.np

Salutation: Dear Inspector General

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

Fax: + 977 1 4 423 951

Salutation: Your Majesty

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 20 April 2005.