

**PUBLIC**

**AI Index: ASA 31/094/2003**

**02 December 2003**

**Further Information on UA 308/03 (ASA 31/063/2003, 29 October 2003) Fear for safety/possible "disappearance"**

**NEPAL**                      **Himal Sharma Chapagain (m), aged 34, political activist**  
**Sharita Devi Sharma (f), aged 26, student, his sister**

**Released:**                      **Bhim Prasad Chaulagain (m), aged 30, shop worker**

---

Bhim Prasad Chaulagain was released from army custody in Singha Durbar at 10.00am on 25 November. He has been released on condition that he report back to the barracks after fifteen days. He was originally arrested on 24 October by two security personnel in plain clothes from the shoe shop where he worked in Kamalachhi, Kathmandu. Relatives of Bhim Prasad Chaulagain had been making inquiries to the authorities concerning his whereabouts.

Amnesty International has not received any further reports regarding the whereabouts of Himal Sharma Chapagain, or his sister Sharita Devi Sharma. Himal Sharma Chapagain was reportedly arrested by security forces whilst he was walking in the street in Ason, Kathmandu, on 21 October. Sharita Devi Sharma was arrested from her room in Baluwatar, Kathmandu on 23 October. She was seen as she was being taken away in a vehicle, whilst blindfolded, to an unknown destination. Relatives of Himal Sharma Chapagain, and Sharita Devi Sharma have made inquiries to the authorities concerning their whereabouts, but have received no response so far.

**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 Act (TADA), 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 detention in army custody without access to their families, lawyers or a doctor. The CPN (Maoist) are also reported to have abducted scores of people.

On 29 January 2003, both sides agreed to a cease-fire. Three round of peace talks were held- in April, May and August- between the government and representatives of the CPN (Maoist). The CPN (Maoist) had listed among their central demands 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 cease-fire agreement on 27 August 2003. Since then, fighting between the two sides has resumed throughout the country, and Amnesty International has received reports of human rights abuses committed by both sides in the conflict

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

- welcoming the release of Bhim Prasad Chaulagain;
- expressing concern for the safety of Himal Sharma Chapagain and Sharita Devi Sharma who were reportedly arrested in Kathmandu on 21 and 23 October respectively by security forces personnel;
- urging 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 on the authorities to guarantee that they be humanely treated while in custody and not be subjected to torture or ill-treatment;
- calling for their immediate and unconditional release, unless they are to be charged with a recognizably criminal offence.

**APPEALS TO:**

Prime Minister Surya Bahadur Thapa  
Prime Minister's Office  
Singha Durbar  
Kathmandu, Nepal

**Telegram: Prime Minister, Kathmandu, Nepal**

**Fax: + 977 1 4 227 286 (fax may be switched off outside office hours, 5 ½ hours ahead of GMT)**

**Salutation: Dear Prime Minister**

General Pyar Jung Thapa  
Chief of Army Staff (COAS)  
Army Headquarters  
Kathmandu, Nepal

**Telegram: Commander-in-Chief, Kathmandu, Nepal**

**Fax: + 977 1 4 242 168**

**Salutation: Dear Commander-in-Chief**

Brigadier General B A K Sharma  
Head, Army Human Rights Cell  
Army Headquarters  
Kathmandu, Nepal

**Telegram: Brigadier General, Kathmandu, Nepal**

**Fax: + 977 1 4 226 292 / 229 451**

**Salutation: Dear Brigadier General**

**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 13 January 2004.