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Colonel Nilendra Prasad Aryal
Head, Royal Nepal Army Human Rights Cell
Army Headquarters
Singha Durbar
Kathmandu
Nepal

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Dear Colonel,

Open letter on “disappearances”

I am writing to express concern about the reported arrests and subsequent “disappearances” of Pramananda Barma, Prabhudayal Randh and a third person known as Binod on 29 April; Raj Kumar Limbu, Madan Limbu and Padamhari Paudel on 18 April; and Arjun Ojha on 25 March.

Pramananda Barma, age 32, is from Ward No 2, Sonpur VDC, Sonbarsa, Banke district. According to witnesses, Pramananda Barma, together with Prabhudayal Randh and a third person known only as Binod, were on their way home after attending a wedding festival when they were arrested by army personnel in Ward No. 2, Sonpur Village Development Committee, Banke district. The reason for their arrest may be because the authorities suspect that they may be members or supporters of the Communist Party of Nepal (CPN) (Maoist). Relatives of the three men believe that they are being held at the Pritana army regional headquarters at Imamnagar, Ranjha, Banke district, although the authorities have not confirmed this. They have informed the National Human Rights Commission (NHRC) which is reported to be making inquiries on their behalf.

Raj Kumar Lumbu (also known as Raju), age 37, and his brother, Madan Limbu, age 48, were arrested by five security forces personnel in plain clothes on 18 April 2004 in Kumarigal, Kathmandu. Both men are residents of Ward No. 7, Kumarigal, Kathmandu, where they run a hardware and a vegetable shop. According to witnesses, security forces personnel came to Raj Kumar Lumbu’s house at 1.30pm and asked him to take them to the shop belonging to his brother, Madan Limbu. Both men were then arrested and taken away in a red van. There are concerns for the health of Raj Kumar Limbu who has been receiving medical treatment for a long-term health problem. Relatives deny that either Raj Kumar Lumbu or Madan Limbu has any involvement with the activities of the CPN (Maoist).

Padamhari Paudel, age 49, is an ex-serviceman and former accountant with the Agriculture Development Bank. He is originally from Majuwa Village Development Committee (VDC), Okhaldhunga district, and is currently residing at Ward No. 7, Kumarigal, Kathmandu. According to witnesses he was arrested at 7pm on 18 April 2004 by five security forces personnel in plain clothes who took him away in a red van to an unknown location. There were two other detainees in the red van, believed to be Raj Kumar Limbu and Madan Limbu. There are fears for Padamhari Paudel’s health, since he is a heart patient. The reasons for his arrest are unknown.

The arrest of Raj Kumar Limbu, Madan Limbu and Padamhari Paudel has been reported to the NHRC and to local human rights organizations which are making inquiries on their behalf with the Prime Minister, Defence and Home Ministries and the Royal Nepal Army (RNA) human rights cell.

Arjun Ojha, age 34, is originally from Ward No 6, Goganpani Village Development (VDC) Mankhu, Dhading district, but had been renting a room in Bafal, Kathmandu, while working in the concrete and construction material business there. According to witnesses, about seven security forces personnel in plain clothes came to his accommodation and asked for him. Since he did not report for work the next day, his relatives suspect that he has been arrested. Arjun Ojha had previously been a member of the Communist Party of Nepal (CPN) (Maoist) and had given himself up to the authorities in Dhading district. Following his surrender, he had been reporting regularly to the Dhading District Administration office and the area police station in Khanikhola. However, since 25 March he has not gone to report to the police station and the police have been asking his family where he is.

Amnesty International is appealing for the whereabouts of Pramananda Barma, Prabhudayal Randh, Binod, Raj Kumar Limbu, Madan Limbu, Padamhari Paudel and Arjun Ojha to be made public, for assurances that they will be treated humanely and not subjected to torture or ill-treatment and for them to be given access to their relatives, lawyers and any medical treatment they may require. It urges that they be released unless they are to be charged with a recognizably criminal offence.

We look forward to receiving your response to the concerns we have raised about the individuals named above.

Yours sincerely,

Donna Guest
Acting Program Director
Asia & Pacific Regional Program