

## Appendix

### Kathmandu

#### 1. *Dinesh (Rajesh) Limbu*



At around 12 p.m. on August 24, 2004 (Bhadra 8, 2061), ten men in civilian dress came to the office of Apanga Mahila Sang, an organization for disabled women in Koteshwor-35, Kathmandu. Thirty-four-year-old **Dinesh Limbu**, who had come there to visit a friend, was taken away by the men. His friend told the family about the arrest, saying he believed the men were from the army. Limbu has not been seen since then.

A relative informed NHRC and Amnesty International, as well as local human rights organizations, of the “disappearance,” and added Limbu’s name to the list prepared by the “disappeared” persons’ relatives who were on hunger strike in August 2004.<sup>1</sup> The family was unable to obtain any information on his whereabouts.

Limbu was running a small shop and was actively seeking foreign employment (two years ago he worked in Saudi Arabia). The family did not know whether he was politically involved.<sup>2</sup>

#### 2. *Arjun Ojha*

At about 3 p.m. on March 25, 2004 (Chaitra 12, 2060), two RNA soldiers in civilian dress detained thirty-four-year-old **Arjun Ojha** while he was buying groceries in the Kalimati market of Kathmandu. Later that same day, at about 7 p.m., a group of about ten RNA soldiers came to the apartment of Ojha and asked a relative where Ojha was,

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<sup>1</sup> In June 2004 the families of the “disappeared” organized a hunger strike, demanding that the government provide information on their relatives’ whereabouts. In response, in July 2004, the government formed a Committee for the Investigation of Alleged Disappearances of Persons by the State. Disappointed by the Committee’s initial report which dealt with only thirty-six cases of “disappearance,” the families resumed their hunger strike in August 2004.

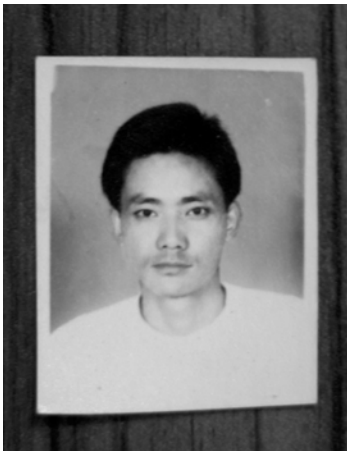
<sup>2</sup> Human Rights Watch interview with a relative of Dinesh Limbu, Kathmandu, September 18, 2004.

and why he had not reported to Khanikhola Police Station that day, as he was required to do (see below).

Ojha's relatives learned of the arrest the next day, and reported the detention to the ICRC, NHRC, Amnesty International, and other human rights groups. A second person arrested together with Ojha<sup>3</sup> was released after about three months, and informed the family that he had been held together with Ojha at the Chaunni army barracks for thirty days. During this period, according to the released detainee, Ojha had been severely beaten by RNA soldiers and had suffered injuries to his chest. The family was unable to obtain any more information until late September 2004, when they received a one-minute phone call from Ojha, who told them he was "fine inside," but was unable to state where he was being held.

Ojha was originally from Goganpani VDC in Dhading district, but was living in Kathmandu, working as a construction supplies dealer, at the time of his arrest. He had earlier been active in the Maoist movement, but surrendered himself on January 28, 2002 (Magh 15, 2058) to the RNA. After his surrender, he was held for fifteen days at the Dhadingbesi army camp, and then transferred to the CDO's office in Dhading, where he spent ninety days in detention under TADA. After his release, he was required to report regularly to the Khanikhola police station. He did not resume his Maoist activities after his surrender, according to family members.<sup>4</sup>

### 3. Surendra Rai



Thirty-eight-year-old **Surendra Rai**, a member of the ethnic Rai community, worked in a carpet factory in Kathmandu. On February 27, 2004 (Falgun 15, 2060), a group of four RNA soldiers in civilian dress came to the factory accompanied by a co-worker of Surendra Rai, who pointed him out to the soldiers. The soldiers detained Rai at the factory, but nine days later they returned Rai to his home and released him. On March 15, 2004 (Chaitra 2, 2060), two RNA soldiers in civilian dress came to Rai's home and asked him to accompany them. Other RNA soldiers were waiting outside the home. He was released again the next day and told to report to the

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<sup>3</sup> The name of the second detainee is on file with Human Rights Watch. His identity is being withheld to protect his safety.

<sup>4</sup> Human Rights Watch interview with a relative of Arjun Ojha, Kathmandu, October 11, 2004.

Rajdal army barracks on March 18, 2004 (Chaitra 5, 2060). He went to report to Rajdal Barracks on March 18, 2004, as ordered, and was never seen again.

A relative repeatedly tried to gain access to Rai at Rajdal barracks. On March 29, 2004 (Chaitra 16, 2060), the relative managed to fool a guard into believing that she had an appointment to see Rai. The soldier went to check, and confirmed that Rai was at Rajdal barracks but could not be visited. When the relative returned two weeks later, a guard at the gate went to check and told her that Rai no longer was at the barracks. Although the government included Surendra Rai's name on a list of acknowledged detainees reportedly released, he remains in detention.

The family reported the case to the NHRC, ICRC, and various human rights organizations, and received two letters from Rai through the ICRC. The letters confirmed that Rai was alive and in custody, but provided no information as to his whereabouts.

Rai was not a member of CPN-M, but was active in Rai cultural organizations and a trade union. The co-worker who identified Rai to the soldiers had previously been arrested by the RNA on suspicion of being a Maoist.<sup>5</sup>

#### ***4. Parlad Waiba***

On March 1, 2004 (Falgun 18, 2060), five or six RNA soldiers in civil dress came to Krishna Secondary School in Chhaimale, Kathmandu, at 11:30 a.m. The soldiers went to the school's headmaster, identified themselves as RNA soldiers, and asked to see a student, seventeen-year-old **Parlad Waiba**. After Waiba was brought to the headmaster's office, the soldiers said they would need to take Waiba away for about ten minutes of questioning, collected his books from the class room, and departed with Waiba. The soldiers were recognized by faculty and students as belonging to the nearby Farping Army Camp. Waiba has not been seen since then.

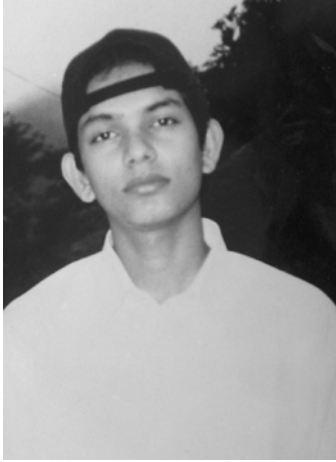
The family registered the "disappearance" with the NHRC, ICRC, and various human rights organizations. An elderly relative of Waiba also went to the Farping army camp to ask about him, and was told by the guards at the gate not to worry, because Waiba was being provided with food and shelter and was fine. No other information has been received by the family.

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<sup>5</sup> Human Rights Watch interview with a relative of Surendra Rai, Kathmandu, September 18, 2004.

According to the family and school officials, Waiba was not involved with the Maoists.<sup>6</sup>

### 5. *Dilip Chandra Hadkhale*



**Dilip Chandra Hadkhale**, a nineteen-year-old resident of Byas VDC-1 in Tahanun district, was a student at Amrit Science Campus in Kathmandu. In September 2003 (Ashoj 2060), he was detained by a group of RNA soldiers at the entrance gate to Amrit Science Campus. The soldiers blindfolded him and took him to the Chaunni army barracks. Following a direct intervention by the campus administration, which vouched for Hadkhale, he was released the next day. He went home to his family in Tahanun district, and told them he had been severely beaten in detention, and questioned about his friend Hari Thapa, a CPN-M activist who had been killed earlier by the RNA. Apparently, the army had discovered a photograph that included Hadkhale in Hari Thapa's possession. After recovering, Hadkhale returned to his studies in Kathmandu. On January 21, 2004 (Magh 7, 2060), he left his room to meet a friend and never returned; the campus administration, his friends, and his relatives all believe he was re-arrested by the RNA.

The family contacted influential politicians, including a former deputy prime minister and the secretary of defense, looking for information. They filed applications with the RNA's Chief of Staff, and reported the "disappearance" to the ICRC, NHRC and various human rights organizations, but have not received any information about the fate of Hadkhale. The family is adamant that Hadkhale was an active member of the Nepali Congress party and was not involved with CPN-M activities; he was simply friends with a CPN-M member, the late Hari Thapa.<sup>7</sup>

### 6. *Mukunda Sedai*

At around 4 p.m. on December 19, 2003 (Poush 4, 2060), three RNA soldiers in civilian clothes arrested thirty-five-year-old farm owner **Mukunda Sedai** in a tea shop in Bhimsenthan, Kathmandu. The shop owner told the family that the soldiers ordered

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<sup>6</sup> Human Rights Watch interview with a school official, Kathmandu, September 18, 2004 (the name of the witness is on file with Human Rights Watch; his identity is being withheld to protect his safety). Human Rights Watch interview with a relative of Parlad Waiba, Kathmandu, September 18, 2004.

<sup>7</sup> Human Rights Watch interviews with two relatives of Dilip Chandra Hadkhale, Tahanun, September 21, 2004.

everybody in the shop to put their hands up, asked the customers whether they were involved with the Maoists, and then called Sedai by name and took him away.

Two days later several dozens soldiers came to search Sedai's house in Swayambhu-15, Kathmandu, and the neighbors saw that Sedai himself, blindfolded, was with them. However, when the family asked the soldiers about Sedai, they denied having him in custody.

A month after the arrest, Sedai sent his family a letter saying that he was being held in the Chhauni army barracks. His cell mate later informed the family that Sedai was there but that he might later have been transferred to another barracks.

A relative went to the Chhauni barracks but was told that detainees were not held there. The family filed an application with army headquarters, police headquarters and armed police headquarters, and reported the case to NHRC, Amnesty International, and ICRC. Both the police and the armed police denied holding Mukunda Sedai, while the army has never responded.

The family is adamant that Sedai was never involved with the Maoists or any other political party. He owned a small farm Jivanpur-6, Dhading district and was coming to Kathmandu to sell vegetables. The family believes that other villagers have reported on Sedai to the army, accusing him of supporting the Maoists.<sup>8</sup>

## ***7. Nischal Nakarmi***

According to his family, the army had been actively searching for twenty-seven-year-old **Nischal Nakarmi**, and Nakarmi had gone into hiding to avoid arrest. On December 3, 2003 (Mangshir 17, 2060), Nakarmi was detained by RNA soldiers in the Koteshower area of Kathmandu. He was able to call his family on December 8, 2003 (Mangshir 22, 2060), telling them that he had been detained, but that he did not know where he was being held. This was the last contact between Nakarmi and his family. A weekly newspaper later reported that the RNA had detained Nakarmi and that he was being held at Sundrarijal investigation center in Kathmandu.

The family reported the "disappearance" to Amnesty International, INSEC, ICRC, and the NHRC, but received no information. Even after the arrest, RNA soldiers came to the family's residence several times, inquiring about the whereabouts of Nakarmi.

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<sup>8</sup> Human Rights Watch interview with a relative of Mukunda Sedai, September 18, 2004.

Nakarmi is suspected by the Nepali authorities of being an organizer for CPN-M, and was previously detained for six months during the state of emergency.<sup>9</sup>

## 8. Bhaikaji Ghimire

### 9. Bhim Giri



On December 3, 2003 (Mangshir 17, 2060), at about 3:30 p.m., a group of armed men in civilian clothes followed twenty-nine-year-old **Bhim Giri**, a college student, and his friend (age unknown) **Bhaikaji Ghimire** as they left the Mahendra Ratna College in Kathmandu on motorbike. The armed men followed the motorbike in two taxis that had their license plates covered up. Outside the college, a scuffle broke out between the armed men and Bhim Giri and his friend, until the armed men fired into the air and identified themselves as RNA soldiers. As the RNA soldiers bundled the two men into the taxis, Bhim Giri yelled out his name and asked the onlookers to notify journalists and human rights organizations of his arrest. A

relative of Bhim Giri was among the witnesses to his arrest.

Relatives of Bhim Giri contacted journalists, and informed the Nepal Bar Association, the NHRC, Amnesty International, the ICRC, and other human rights organizations. They met with the Chief District Officer of the area, who denied any knowledge of the arrest. The family has not received any information about the whereabouts of Bhim Giri or Bhaikaji Ghimire since their arrest.

Bhim Giri was a student at Mahendar Ratna College. He had previously served as secretary of the college branch of the All-Nepal Free Students' Union (Revolutionary), a Maoist-affiliated organization, but no longer served in that position at the time of his arrest. Bhaikaji worked as managing director of the *Sama Dristi* weekly newspaper, the official newspaper of CPN-M.<sup>10</sup>

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<sup>9</sup> Human Rights Watch interview with a relative of Nischal Nakarmi, Kathmandu, September 18, 2004.

<sup>10</sup> Human Rights Watch interview with a relative of Bhim Giri, Kathmandu, September 18, 2004.

On November 9, 2004, a NHRC representative claimed that Bhaikaji Ghimire, among others, was held in the Bhairabnath army barracks.<sup>11</sup>

#### *10. Arjun Pokharel*

#### *11. Kaushala Pokharel*

On November 26, 2003 (Mangshir 10, 2060), at around 1 p.m., two men in civilian clothes took twenty-four-year-old student **Arjun Pokharel** from his home in Chabahil, Kathmandu. The neighbors who witnessed the arrest informed the family. Three days later, on November 29 (Mangshir 13), at around 6 a.m., an army patrol arrested Arjun's sister, twenty-two-year-old **Kaushala Pokharel** in Bungamati, Lalitpur, where she was visiting a friend.

A family member inquired at the Maharajgunj, Bhadrakali, Chhauni and Balazu army barracks in Nepalgarh, Kathmandu, as well as at the District police office and police posts in Chabahil. Both army and police denied having Arjun or Kaushala Pokharel. The relative filed a petition with Kathmandu district court and, along with other relatives of "disappeared" persons, signed a petition to the prime minister, but has not received any information of Arjun or Kaushala Pokharel's whereabouts. A year before his arrest Arjun Pokharel was elected the Balazu campus president of a Maoist-associated student group, All-Nepal Free Student Union (Revolutionary). The family did not know whether his sister was also politically involved.<sup>12</sup>

#### *12. Kiran Maharjan*

At around 6:30 a.m. on November 11, 2003 (Kartik 25, 2060), five RNA soldiers in civilian clothes came in two vehicles (a red and a white van) to the house of twenty-eight-year-old construction worker **Kiran Maharjan** in Chovar-15, Kirtipur, Kathmandu. His mother saw him being put in one of the cars, and then the soldiers drove the man away.

The family went to the Chhauni army barracks, but the army denied having Maharjan there. For nine months the family had no information of his whereabouts. In late August 2004, a detainee just released from the Bhairabnath Gulm (Maharajgunj) army barracks told the family that Kiran Maharjan was held in this barracks, and was still there as of August 2004.

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<sup>11</sup> Cited in: "Krishna K.C. in RNA detention: NHRC," *The Kathmandu Post*, November 9, 2004.

<sup>12</sup> Human Rights Watch interview with a relative of Arjun and Kaushala Pokharel, Kathmandu, September 18, 2004.

The family went to Bhairabnath Gulm barracks, but the army denied having Maharjan or any other detainees. The relatives signed the petition to the prime minister together with other relatives of “disappeared” persons submitted on June 21, 2004 (Ashad 7, 2061), and contacted several human rights organizations, but have not received any further information. Maharjan’s family did not know whether he was politically involved.<sup>13</sup>

On November 9, 2004, a NHRC representative claimed that Kiran Maharjan, among others, was still held in the Bhairabnath army barracks.<sup>14</sup>

### 13. Govinda Ghimire



On August 29, 2003 (Bhadra 12, 2060), three plainclothes Nepali security officials, two of them masked, came to the home of **Govinda Ghimire** in Chabahil area of Kathmandu. The security officials surprised Ghimire while he was taking a bath. They blindfolded Ghimire and tied his hands, and then led him away in front of a group of neighbors who had gathered to watch, telling the neighbors not to interfere. Ghimire has not been heard from since.

Ghimire, a twenty-two-year-old commerce student at Chabahil College in Kathmandu, was a district committee member of the Maoist-affiliated All-Nepal Free Students’ Union (Revolutionary), according to newspaper reports. The family initially hoped he would be released, but after receiving no news for several months, went to report the case to the ICRC, NHRC, and local human rights organizations, and filed a habeas corpus petition in the Supreme Court, which has not yet been decided.<sup>15</sup>

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<sup>13</sup> Human Rights Watch interview with a relative of Kiran Maharjan, September 18, 2004.

<sup>14</sup> Cited in: “Krishna K.C. in RNA detention: NHRC,” *The Kathmandu Post*, November 9, 2004.

<sup>15</sup> Human Rights Watch interview with a relative of Govinda Ghimire, Kathmandu, September 18, 2004.

*14. Bipin Bhandari*



*15. Dil Bahadur Rai*



Twenty-four-year-old **Bipin Bhandari** was the secretary of the All-Nepal Free Students' Union (Revolutionary), a CPN-M-affiliated students' organization. According to well-placed sources, Bhandari's father is a political official in CPN-M. Nepali security forces were actively searching for Bipin Bhandari, so he had left his family home and sought alternative accommodation.

At 5 a.m. on June 17, 2002 (Asadh 3, 2059), Nepali security forces, including police officials, came to the lodgings of Bhandari in Kapan area of Kathmandu and arrested him together with twenty-three-year-old **Dil Bahadur Rai** and one other suspected Maoist. The latter was released after six months in detention, and told the family that he and the others had first been detained at Balazu police station for two days, and then transferred to Shorakutte police station for fifteen days, both located in Kathmandu. The released detainee then lost contact with the two others. Bhandari and Rai remain missing to date.

The family informed various human rights organizations, ICRC, and the NHRC of the "disappearance," but received no information from any source.<sup>16</sup>

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<sup>16</sup> Human Rights Watch interview with a relative of Bipin Bhandari, Kathmandu, September 18, 2004.

*16. Purna Poudel*

*17. Nabin Kumar Rai*

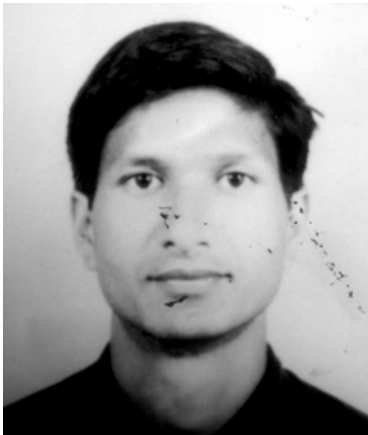
*18. Ishower Kumar Lama*

Twenty-four-year-old **Purna Poudel** was the secretary-general of the Maoist-affiliated All-Nepal Free Students' Union (Revolutionary), and participated in the dialogue between the Nepali authorities and CPN-M during the first ceasefire in Nepal in June-July 2001. On April 26, 2002 (Baishak 13, 2059), a group of police officers came to a house in Kalmati, Kathmandu, where he was having dinner with two other Maoists, twenty-eight-year-old **Nabin Kumar Rai**, a central committee member of CPN-M, and nineteen-year-old **Ishower Kumar Lama**, the treasurer for CPN-M-affiliated All-Nepal Free Students' Union (Revolutionary) at the Ratna Rajya College campus. The officers arrested the three men.

Since the arrests, the families have received no information about the detainees' fate, and all three men remain missing. The family of Purna Poudel reported his case to the ICRC, NHRC, and various local human rights organizations, and recently filed a habeas corpus petition on his behalf, which remains undecided.<sup>17</sup>

## **Lalitpur**

*19. Rajendra Thapa*



At around 11 p.m. on December 18, 2003 (Poush 3, 2060), five RNA soldiers in civilian clothes came to the house of thirty-five-year-old farmer **Rajendra Thapa** in Imadol-9, Lalitpur. A relative of Thapa's who was accompanying the army called him out "to see some friends," and Thapa went outside with him.

A day after the arrest the relative who had accompanied the army informed the family that Rajendra had been taken for questioning to the Bhairabnath Gulm (Maharajgunj) army barracks, and would be released in a few days. Thapa has not been seen or heard from since then.

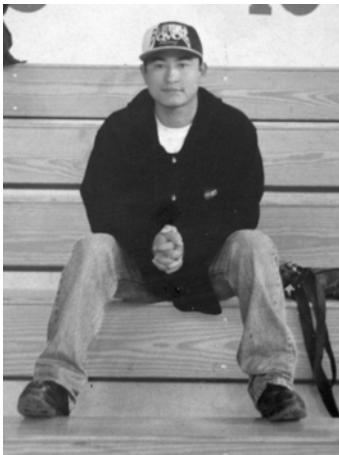
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<sup>17</sup> Human Rights Watch interview with a relative of Purna Poudel, Kathmandu, September 18, 2004; Habeas Corpus petition filed on behalf of Nabin Kumar Rai and Ishower Kumar Lama.

The family went to the Bhairabnath Gulm (Maharajgunj) and the Rajdal army barracks, but the army denied having Thapa. One of his relatives reported the case to Amnesty International, INSEC, the ICRC and the NHRC. The relative also filed petitions with army headquarters, Kathmandu District Court, and the prime minister, but has not received any information.

According to the family, Thapa was supporting the Nepal Communist Party (Mashal), which now is a part of the Maoist movement.<sup>18</sup>

## 20. Surjeman Maharjan



At about 1:15 a.m., on the night of September 29, 2003 (Ashoj 12, 2060), a group of around thirty-five uniformed RNA soldiers came to the Pulchowk, Lalitpur home of **Surjeman Maharjan**, a thirty-four-year-old music teacher. The soldiers, who were armed, showed the family their army identification. After searching the home, the soldiers took Maharjan with them, promising his pregnant wife to return him the next day. The next morning at 9 a.m., the soldiers returned with Maharjan and searched the home again. They told the family they had come from Bhadra Kali, the RNA's headquarters in Kathmandu. The soldiers then left again with Maharjan. A friend was

arrested at the same time as Surjeman Maharjan from Rajdal Gulm, Lalitpur, and released six months later. The released detainee told the family he had been held together with Maharjan for the first two months of their detention, first at Bhadra Kali, the army headquarters, and later at Bhairabnath Gulm (Maharajgunj) army barracks.

The family tried to locate Maharjan and obtain his release through many avenues, registering his "disappearance" with various human rights organizations, the Nepal Bar Association, the ICRC, Amnesty International, the NHRC, the RNA's human rights cell, and the Home Ministry. After filing a habeas corpus petition, the family obtained an order from the Supreme Court ordering the army to reveal the whereabouts of Maharjan, but the army responded by denying Maharjan was in their custody. On September 13, 2004 (Bhadra 28, 2061), the family received a phone call from Maharjan, who tried to reassure his family he was safe, but could not discuss his whereabouts.

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<sup>18</sup> Human Rights Watch interview with a relative of Rajendra Thapa, Kathmandu, September 18, 2004

Maharjan was a low-level activist in the Maoists' political front organization, the United Peoples Front (UPF), during the early 1990s, before the Maoists turned to violence. More recently, he was involved in the activities of Mangka Khala, a Newari cultural organization. The founding chair of Mangka Khala, Dilip Maharjan, is also a central committee member of CPN-M, and the Nepali authorities have accused Mangka Khala of being a front organization for the CPN-M.<sup>19</sup>

## ***21. Dharma Raj Dangol***

On September 23, 2003 (Ashoj 6, 2060), at 6 a.m., a group of fifteen uniformed RNA soldiers, their faces covered with bandanas, came to the parental home of nineteen-year-old **Dharma Raj Dangol** in Khokana area of Lalitpur. Dangol was a student at Shree Rudrayani Secondary School. The soldiers asked for Dangol, who was not at home at the time, but was guarding a nearby club that had been burglarized recently. After the soldiers reassured the family they would not harm Dangol, a relative led the soldiers to the club, and the soldiers promptly arrested Dangol, taking him away blindfolded. He has not been seen since then.

The family reported the “disappearance” to the NHRC, the ICRC, and Amnesty International, but has received no information to date. Dangol was a member of the Nepali Congress political party, and his relatives were not aware of any Maoist involvement.<sup>20</sup>

On November 9, 2004, a NHRC representative claimed that Dharma Raj Dangol, among others, was still held in the Bhairabnath army barracks.<sup>21</sup>

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<sup>19</sup> Human Rights Watch interview with two relatives of Surjeman Maharjan, Lalitpur, September 17, 2004.

<sup>20</sup> Human Rights Watch interview with a relative of Dharma Raj Dangol, Kathmandu, September 18, 2004.

<sup>21</sup> Cited in: “Krishna K.C. in RNA detention: NHRC,” *The Kathmandu Post*, November 9, 2004.

## 22. Padam Narayan Nakarmi



On the night of September 22, 2003 (Ashoj 5, 2060), at 1 a.m., a group of about twenty uniformed RNA soldiers burst into the Lalitpur home of **Padam Narayan Nakarmi**, surprising the sleeping family in their beds. The soldiers identified themselves as army, and ordered Nakarmi to come with them, reassuring the family they would return him soon.

Nakarmi was never seen after his arrest. He was not a known Maoist, but did participate in a Newari cultural organization, Mangka Khala, which the government accuses of being a Maoist front organization. Nakarmi was also a friend of Ram Shahi (see case below), who was arrested just days prior to Nakarmi in possession of Maoist literature and bomb-making equipment.

When relatives went to inquire at the Rajdal and the Bhairabnath Gulm (Maharajguni) barracks, the soldiers denied any knowledge of the arrest. The family filed a habeas corpus petition with the Supreme Court, which is still pending, and informed the ICRC and NHRC of the arrest and “disappearance.”<sup>22</sup> According to credible sources, including a released detainee, Nakarmi was killed in military custody, but there has been no formal acknowledgement of his death.

## 23. Ram Shahi



**Ram Shahi**, a twenty-seven-year-old poultry farm owner from Bungmati, Lalitpur, was arrested by RNA troops on the night of September 16, 2003 (Bhadra 30, 2060). Two RNA troops came to his house, and a group of five or six uniformed, masked soldiers came inside to search. During the search of the home, the soldiers discovered Maoist literature and bomb-making equipment. A number of other men were arrested at the same time, but later released.

The released men confirmed to the family that they had spent two months together with Ram at the Rajdal army barracks, but that Ram Shahi

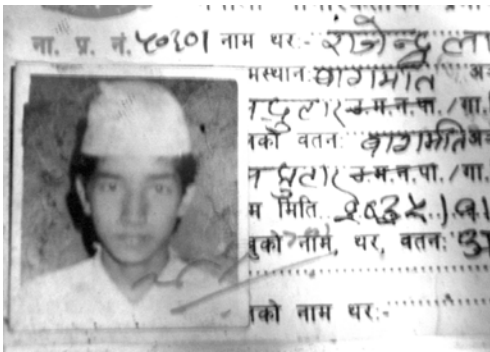
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<sup>22</sup> Human Rights Watch interview with a relative of Padam Narayan Nakarmi, Kathmandu, September 18, 2004.

and two other detainees were then transferred to the Bhairabnath Gulm (Maharajgunj) army barracks. When the relatives visited Maharajgunj barracks, the guards denied Ram Shahi was detained there. The family has filed a habeas corpus petition with the Supreme Court which remains undecided, and reported the “disappearance” to the ICRC, the NHRC, and various human rights organizations.<sup>23</sup>

## Nuwakot

### 24. Rajendra Lamichhane



On October 12-14, 2003 (Ashoj 25-27, 2060), a large group of RNA soldiers conducted house-to-house searches throughout Bhadurtar VDC, Nuwakot. On October 14 (Ashoj 27), at around 6 a.m., part of the group arrested twenty-six-year-old farmer **Rajendra Lamichhane** in Bhadrutar VDC-4, where he had gone to buy a buffalo. The soldiers brought along a blindfolded person

in military uniform who said he knew Lamichhane to be a Maoist. After interrogating Lamichhane, the soldiers took him away. They held him overnight in Seule Bazaar in a neighboring village, and later the villagers saw him being taken in the direction of Kathmandu.

The family went to the Kakani army barracks in Kathmandu several times, but the guards did not let them in. The relatives reported the case to a local human rights group, the ICRC, Amnesty International and NHRC, but have not received any information.

According to the family, Lamichhane was never involved with any political or student movement.

Three other people (names unknown) who were arrested along with Rajendra Lamichhane later came back to the village.<sup>24</sup>

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<sup>23</sup> Human Rights Watch interview with a relative of Ram Shahi, September 18, 2004.

<sup>24</sup> Human Rights Watch interview with a relative of Rajendra Lamichhane, Kathmandu, September 18, 2004.

## Kavre

### 25. Satya Narayan Prajapati



Thirty-eight-year-old **Satya Narayan Prajapati**, a Kathmandu-based lawyer, was arrested by Nepali security forces at a teashop in Sangachowk, Kavre district, on April 26, 2002 (Baishak 13, 2059). Prajapati was a village-level activist for the United People's Front party, which served as a front-organization for CPN-M, and was likely traveling to Kavre district to meet other political activists.

When his relatives learned of his arrest on April 29, 2002 (Baishak 16, 2059), they immediately went to the Chief District Officer in Bhaktapur, and were informed that Prajapati was being held at Naxal police headquarters. The next day, the CDO office informed the family that Prajapati had been transferred to the Suryabinayak army barracks in Bhaktapur. After multiple efforts to see him, a relative finally succeeded in visiting Prajapati a month after his arrest at Suryabinayak barracks on May 27, 2002 (Jestha 14, 2059).

Prajapati told the relative that he had been severely tortured, and complained of pain in his kidneys and two broken teeth. When the relative tried to see Prajapati again a few days later, the soldiers said he had been transferred to Kathmandu. A guard at the Balazu army camp in Kathmandu later told the family that Prajapati had been held there briefly but had been transferred again. The family has lost all contact with Prajapati.

The “disappearance” was reported to the ICRC, NHRC, Nepal Bar Association, and various local human rights organizations.<sup>25</sup>

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<sup>25</sup> Human Rights Watch interview with a relative of Satya Narayan Prajapati, Kathmandu, September 18, 2004.

## Dhading

### 26. Hari Prasad Luintel



At around 1 a.m. on February 28, 2004 (Falgun 16, 2060), a dozen men in civilian clothes came to the house of thirty-five-year-old farmer **Hari Prasad Luintel** in Bhadaure, Naubashie-2, Dharke, Dhading. The family believed the men were RNA soldiers. The soldiers smashed the light bulb above the door, entered and searched the house, and took away Luintel and a visitor who was staying with the family. The visitor, one of Luintel's former workers, was released the same day, but Luintel "disappeared" without a trace.

His wife could not search for her husband because she had to take care of the children and elderly in-laws. According to her, Luintel was suffering from a mental illness, and she did not know if he was ever involved with any political party.<sup>26</sup>

### 27. Hari Sharan Thapa



At 9 p.m. on January 30, 2004 (Magh 16, 2060), a group of about twelve to fifteen uniformed RNA soldiers came to the home of **Hari Sharan Thapa**, a thirty-eight-year-old farmer, in Thangre VDC, Dhading district, adjacent to the main Kathmandu-Hetauda highway. The soldiers surrounded the house, and several soldiers then entered the home and ordered

Thapa to come with them. The soldiers explained to Thapa's family that they wanted Thapa to accompany them to the main road to sign a statement, but when they reached the main road, the soldiers bundled Thapa into their car and departed.

Thapa's father, a farmer, went to the Khani Kola army barracks to try to find his son, but received no information. He also went to Kathmandu to search for his son, without result. Unaware of the existence of human rights organizations, he did not seek their

<sup>26</sup> Human Rights Watch interview with a relative of Hari Prasad Luintel, Dhading, September 19, 2004.

help or report the case to the ICRC or NHRC. According to the family, Thapa, a father of four, had no known links to CPN-M.<sup>27</sup>

**28. Navaraj Thapa**

**29. Indra Bahadur Aryal**

**30. Ram Prasad Acharya**



Between midnight and 4 a.m. on November 12, 2003 (Kartik 26, 2060), a large group of RNA troops arrested five people in nearby Thakre and Naubisa VDCs in Dhadhing. Two of the detainees were released, but the other three “disappeared” without a trace.

At about midnight on November 11, 2003 (Kartik 25, 2060), family members of thirty-eight-year-old **Indra Bahadur Aryal** were awakened by knocking at the door of their home in Thakre VDC, Dhadhing district. When they opened the door, they saw a group of fifty to sixty uniformed RNA soldiers outside. The soldiers entered the home and found Aryal’s membership card of the mainstream CPN-UML. They then ordered Aryal to go with them and put him in an RNA truck. They also confiscated Aryal’s motorcycle.

Aryal’s arrest took place one day after the arrest of Indra Thapa from the same village, but Thapa was released immediately. A third villager<sup>28</sup> was arrested the same night as Aryal and released about three months later. After his release, the villager informed the family that he and Aryal had been held together at Chaunni Army Barracks in Kathmandu. The released detainee also told the family that the army accused Aryal of allowing a Maoist to use his motorcycle. A relative of Aryal went to the Chaunni barracks on several occasions but was unable to meet with Aryal; however, a guard at the gate of the Chaunni barracks did confirm to the relative that the motorcycle was at the barracks.

The family sought information at the Chaunni army barracks, the Baireni army camp in Dhading, and at the CDO’s office in Dhading, but received no further information.

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<sup>27</sup> Human Rights Watch interview with a relative of Hari Sharan Prasad, Dhading, September 19, 2004.

<sup>28</sup> The name of the villager is on file with Human Rights Watch. His identity is being withheld to protect his safety.

They reported the “disappearance” to the ICRC and various human rights organizations, and petitioned the King, but have received no further official information.<sup>29</sup>

At around 2 a.m. on November 12, 2003 (Kartik 26, 2060), about twenty armed RNA soldiers in civilian clothes came to Thakre VDC-2, Dhading. They arrested **Navaraj Thapa**, thirty-year-old shop owner, in a small guesthouse in the same village, which they found with the help of the man’s younger brother. They also seized his motorcycle, a Hero Honda Splendor (Ba.9 Pa 4537).

The family went to NHRC and the ICRC, but was unable to obtain any information. The family said that Thapa was never involved in politics, but that other villagers, envying their relative prosperity, falsely accused him of lending his motorcycle to the Maoists for the transportation of weapons.

The family also heard from one of the released detainees that Thapa was held along with them at the Chhauni barracks for the first several days.

Navaraj Thapa had been arrested before, on October 1, 2003 (Ashoj 14, 2060), along with his younger brother. Both men were then brought to the Bhairabnath Gulm (Maharajgunj) army barracks in Kathmandu. The army released Navaraj eight days later, and his younger brother spent another seven months in detention, first in Bhairabnath, and then in the 6 No Bahini Bareni army barracks.<sup>30</sup>

At 4 a.m. on the morning of November 12, 2003 (Kartik 26, 2060), just hours after Navaraj Thapa’s arrest, a group of eight or nine soldiers, one of them uniformed and the others in plainclothes, came to the home of forty-nine-year-old **Ram Prasad Acharya**, a businessman who lived in Naubise VDC of Dhading district, on the main Kathmandu-Pokhara road. Acharya owned a bus that plied local roads, and was in the process of building a small motel on his property along the main road. The soldiers woke up the workers sleeping in the front of the construction site and ordered them to direct them to Acharya’s room. When the soldiers located Acharya, they locked his wife in the bedroom and took Acharya with them. Acharya’s wife was only freed when villagers came to find out what had happened the next morning.

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<sup>29</sup> Human Rights Watch interview with a relative of Indra Bahadur Aryal, Kathmandu, October 11, 2004.

<sup>30</sup> Human Rights Watch interview with two relatives of Navaraj Thapa, Dhading, September 19, 2004.

The family informed the ICRC, Amnesty International, and the NHRC of the “disappearance.” They also approached the human rights cell of the RNA and filed a habeas corpus petition in the Supreme Court, which remains undecided. They received no information from official sources, but a released detainee told them in December 2003 that he had spent two months in the same cell with Acharya at the Jagadal army barracks in Kathmandu.

According to the family, Acharya was not involved in politics. Earlier, in 1996, Acharya had been elected as a ward chairman from the CPN-UML party, which has no links to CPN-M.<sup>31</sup>

### *31. Baikuntha Bhujel*



### *32. Hari Prasad Acharya*



On the night of October 29, 2003 (Kartik 12, 2060), a group of about ten men in civilian clothes came to the house of Ram Sharan Thapa in Jivanpur VDC-9, Dharke, Dhading district. The forty-eight-year-old Ram Sharan Thapa had previously served as the CPN-UML ward chairman.

The men did not identify themselves, but the family believes they were army, as they were carrying different types of automatic weapons ordinarily used by the RNA.

The armed men asked him about his cousin Baikuntha Bhujel's whereabouts, and then took him away on foot, ordering the family to turn off the lights in the house and to

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<sup>31</sup> Human Rights Watch interview with a relative of Ram Prasad Acharya, Dhading, September 19, 2004.

stay inside. Just fifteen meters from the home, the soldiers shot Thapa, and then dragged his body into a nearby field. The family found the body the next morning.<sup>32</sup>

On November 5, 2003 (Kartik 19, 2060), **Baikuntha Bhujel**, a twenty-five-year-old shop owner, was attending the funeral ceremony at Ram Sharan Thapa's house in Jivanpur VDC-9. At around 1 a.m., three uniformed RNA soldiers came to the house. One of them approached Bhujel asking for his name and, after Bhujel responded, ordered him to go outside. The soldiers then took Bhujel away, locking others present at the ceremony inside the house.

His family went to the Dhading army barracks, petitioned Army headquarters and NHRC, but has not received any information.

Baikuntha Bhujel had been arrested before, on October 14, 2002 (Ashoj 28, 2059), and detained first in the Bahini Baireni barracks and then in the Dhading barracks, from where he was released several months later. The army requested that he should check in with the barracks every month, which he did. According to his family, he was arrested because other people reported that he was a Maoist, but the family denies he was ever politically involved.<sup>33</sup>

On the same night of November 5, 2003 (Kartik 19, 2060), also at 1 a.m., a group of RNA soldiers arrived at the home of **Hari Prasad Acharya**, a forty-six-year-old poultry farmer who lived in Naubise VDC of Dhading district, just off the main Kathmandu-Pokhara road. The soldiers arrived in a white minibus and a white van,<sup>34</sup> and some were in uniforms while others were in civilian dress. Two soldiers came inside, asked for Acharya by name, and took him away in his sleeping clothes.

The family went to several army barracks over the next few days, but was unable to find Acharya. A relative who worked at the Chaunni army barracks in Kathmandu informed the family that Acharya was being detained there, but the relative was too low-ranking to arrange a meeting with him.

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<sup>32</sup> Human Rights Watch interview with a relative of Ram Sharan Thapa, Dhading, September 19, 2004. After appealing to the government, the army accepted responsibility for the killing and the family was paid compensation of 150,000 rupees (about U.S.\$2,080).

<sup>33</sup> Human Rights Watch interview with a relative of Baikuntha Bhujel, Dhading, September 19, 2004.

<sup>34</sup> In Nepal, minibuses are normally used for public transport. The slightly smaller vans are normally used for private transport and by some government agencies.

A released detainee told the family that he had seen Baikuntha Bhujel at the Chaunni army barracks and that Bhujel had stated that he was being detained there together with Acharya.

The family reported the case to Amnesty International, the NHRC, and the ICRC, and also wrote to the chief of staff of the RNA and the prime minister, but received no further information. The family also filed a habeas corpus petition in the Supreme Court, which remains undecided.

Acharya was not an active member of the CPN-M, but had on several occasions provided Maoists with food and shelter. It is often dangerous for civilians to deny Maoist requests for food and shelter, so such activity cannot be seen as active, voluntary support for CPN-M. He had previously been arrested on July 25, 2002 (Shrawan 9, 2059), for providing food to Maoists, and had spent twenty-two days in RNA custody, followed by four months' imprisonment. After his release, he was required to report monthly to the police.<sup>35</sup>

## Lamjung

### *33. Lila Khannal*

In October-November, 1997 (Kartik 2054), twenty-year-old **Lila Khannal**, who had joined a low-level CPN-M cadre about a year before, was detained following a shoot-out with Nepali security forces in a shop in Deuthapani VDC of Lamjung District.

Witnesses to the incident told her relatives that one Maoist had been killed during the incident, but that Khannal and another Maoist had been detained and taken away unharmed by the security forces. Upon learning of the detention, the family went to the CDO's office and the District police office in Gorkha, but was not given any information. The relatives also went to see police officials in Deuthapnani VDC and in Lamjung's district headquarters, but the police refused to acknowledge that Khannal had been detained.

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<sup>35</sup> Human Rights Watch interview with a relative of Hari Prasad Acharya, Dhading, September 19, 2004.

Afraid for their own security, the family did not file applications with government officials or the ICRC. The family has not heard any information about the fate of Khannal since her arrest.<sup>36</sup>

## **Gorkha**

*34. Niru Pokhrel*

*35. Keshar Bahadur Nepali*

*36. Durga Pokhrel*

*37. Khadanade Pande*

*38. Bishnu Marahatta*

*39. Kalika Poudel*

*40. Purna Chandra Acharya*

*41. Kumar Thapa*

*42. Nabin Shirestha*

**Niru Pokhrel**, a twenty-one-year-old student at Gorkha University, was arrested from her home in the Pritihivi Narayan Municipality of Gorkha district on December 4, 2002 (Mangshir 18, 2059). According to a relative who was at home at the time, several police officers and RNA soldiers in civilian dress came to the home, showed their security force IDs, and said they wanted to take Pokhrel in for questioning and would return her the next morning. Pokhrel was never seen again.

However, relatives brought Pokhrel clean clothes several times over the next few weeks at the District Police Headquarters in Gorkha, and were given her dirty clothes for washing, strongly suggesting that Pokhrel was alive and being held at the District Police Headquarters. On several occasions, police officers extorted money from the family, saying Pokhrel had requested the money. According to her family, Pokhrel was not an active member of CPN-M, but she did like to attend CPN-M cultural events, sing CPN-M songs, and was an outspoken person on campus.<sup>37</sup>

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<sup>36</sup> Human Rights Watch phone interview with Rohini Khannal (brother), Gorka, September 20, 2001.

<sup>37</sup> Human Rights Watch interview with a relative of Niru Pokhrel, Gorkha, September 20, 2004.

On December 5, 2002 (Mansir 19, 2059), a group of RNA soldiers came to the Choprak VDC, Gorkha district home of **Keshar Bahadur Nepali**, a fifty-year-old teacher who had been appointed to head the local village committee of the Maoists' "People's Government." Nepali was arrested from his home at about 5 p.m., and according to his family was taken to the Lakeside Army Camp, where he was used by the RNA to identify other CPN-M members over the next days.<sup>38</sup>

A high school teacher who had been held in detention around the same time confirmed to Human Rights Watch that he had seen Niru Pokhrel and nineteen-year-old **Durga Pokhrel**, both of whom had been his students, at the Gorkha District Police office, where he had been detained from December 28, 2002 to January 17, 2003 (Poush 13 to Magh 4, 2059). He also heard the voice of Keshar Bahadur Nepali, who is from his home village, at the police station. Other detainees also pointed out a fourth detainee, forty-seven-year-old **Khadanada Pande** to him. When he was released, he was told by Keshar Bahadur Nepali's brother that all four had been killed.<sup>39</sup>

About one month after the arrest, local FM radio and newspapers carried a government announcement that Pokhrel and Nepali, together with Durga Pokhrel, a nineteen-year-old student from Choprak VDC-6 in Gorkha district, and Khadanada Pande, identified as a CPN-M, were killed in an "encounter" with security forces.<sup>40</sup> Given the fact that at least two of the killed persons were known to have been in detention prior to the killings, the "encounter" appears to have been staged, and a more credible conclusion is that the four were killed while in detention. Because the Nepali government has never formally acknowledged the killings or handed over the bodies to the relatives, the four remain "disappeared" to date.

The killing of these four persons in detention is not the only such suspected case in Gorkha. According to local human rights activists, on January 2, 2003 (Poush 18, 2059), just five days later, Nepali security forces executed another five detained Maoists suspects: twenty-one-year-old **Bishnu Marahatta**; twenty-two-year-old **Kalika Poudel**; twenty-two-year-old **Purna Chandra Acharya**; nineteen-year-old **Kumar Thapa**; and twenty-year-old **Nabin Shirestha**. The "disappearance" of all nine persons remains

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<sup>38</sup> Human Rights Watch interview with a relative of Keshar Bahadur Nepali, Gorkha, September 20, 2004.

<sup>39</sup> Human Rights Watch interview, Gorkha, September 20, 2004. The name of the witness is on file with Human Rights Watch. His identity is being withheld to protect his safety.

<sup>40</sup> Human Rights Watch interview with a relative of Niru Pokhrel, Gorkha, September 20, 2004; Human Rights Watch interview with a relative of Keshar Bahadur Nepali, Gorkha, September 20, 2004; Human Rights Watch interview [name withheld], Gorkha, September 20, 2004; Human Rights Watch interview with INSEC official, Gorkha, September 20, 2004.

unresolved, and the substantiated allegations that they were all killed in custody have not been investigated by the authorities.<sup>41</sup>

#### ***43. Tul Bahadur Nepali***

On January 11, 2002 (Poush 27, 2058), twenty-two-year-old **Tul Bahadur Nepali**, who operated a small medical supplies shop in Gorkha District Headquarters, went to the CDO's office to try to obtain a passport because he intended to seek employment in Malaysia. Nepali never returned from his appointment at the CDO's office.

When an uncle went to find out what had happened to Nepali, he himself was arrested and detained for six months. Another detainee released in January-February, 2002 (Magh 2058), told the family that he had been detained with Nepali at a detention facility in Gorkha district headquarters, but this is the only information the family has been able to obtain about Nepali's fate. The family informed various human rights organizations in Gorkha and Kathmandu, but has received no other news about Nepali.<sup>42</sup>

#### ***44. Sanjaya Dhakal***

#### ***45. Kumar Dhakal***



On February 23, 1999 (Falgun 11, 2055), police officers from Choprak police station in Gorkha detained eighteen-year-old **Kumar Dhakal** and eighteen-year-old **Sanjaya Dhakal**, classmates at Gorkha University. The two men were detained from Choprak VDC while they were walking home after visiting Kumar Dhakal's sister and having lunch at her house.

The villagers and a police officer who knew Kumar Dhakal's family informed them that the two men were kept at least twenty-three days at the Choprak police station, where they were forced to do menial work such as collecting firewood and reinforcing the police post. On at least one occasion, the two men were walked through the village with their hands bound.

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<sup>41</sup> Human Rights Watch interview with INSEC activist, Gorkha, September 20, 2001.

<sup>42</sup> Human Rights Watch interview with a relative of Tul Bahadur Nepali, Gorkha, September 20, 2001.

The family has been informed by several sources that the two men were later executed close to the police post, but have been unable to get official confirmation of the deaths or retrieve the bodies. Convinced that the men were killed, the family did not inform the NHRC or ICRC of the “disappearances.” The family of Kumar Dhakal said they were not aware the two men had any involvement in CPN-M activities.<sup>43</sup>

#### ***46. Geeta Thapa Magar***

Nineteen-year-old **Geeta Thapa Magar**, a grade ten student, was arrested on January 1, 1999 (Poush 17, 2055), by Nepali security forces while seeking medical attention for a fever at the Appipal Hospital in Chaprak VDC, Gorkha district. She was a member of a low-level CPN-M cadre at the time, having joined CPN-M in January – February, 1998 (Magh 2054). A second CPN-M member escaped during the arrest operation and informed the family that Magar had been detained.

After learning of her arrest, her relatives filed a habeas corpus petition in the Pokhara Supreme Court in February-March, 1999 (Falgun 2055). After the Gorkha District Police Office replied that they had no information about Magar, the habeas corpus petition was dismissed. The “disappearance” was reported to the NHRC and various human rights organizations, but the family has received no information about Magar’s fate since her detention.<sup>44</sup>

### **Chitwan**

#### ***47. Juna Dhakal***

Twenty-six-year-old **Juna Dhakal** was the wife of Hari Adhikal, a Maoist commander in Gorkha district. After her marriage, she also joined CPN-M. A month after joining the Maoists, in February-March 2003 (Falgun 2059), Dhakal and another female Maoist were wounded during a gunfire exchange with Nepali security forces at Tandi village in Chitwan district, but local villagers told the family that the two women were taken away alive by the security forces.

Relatives went to enquire about Dhakal at a nearby police post and at the Bharatpur army barracks in Chitwan district, but the security forces denied any knowledge of the incident. Afraid to ask more questions about the fate of a known Maoist, the family

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<sup>43</sup> Human Rights Watch interview with a relative of Kumar Dhakal, Gorkha, September 20, 2001.

<sup>44</sup> Human Rights Watch interview with a relative of Geeta Thapa Magar, Gorkha, September 20, 2001.

abandoned their search, reporting the case to local human rights activists, but too afraid to go to the ICRC and NHRC to seek assistance.<sup>45</sup>

## Nawalparasi

### *48. Pushpa Raj Devkota*

Twenty-eight-year-old **Pushpa Raj Devkota** was a local Maoist activist responsible for propagandistic work. He was arrested on December 24, 2003 (Poush 9, 2060), in Parasi Bazaar, Nawalparasi district. The family found out about his arrest about a month and a half later from a letter delivered by a messenger. The letter indicated that Devkota was arrested by “security personnel in civilian clothes.”

Several days later the family reported the case to INSEC and the ICRC. On July 11, 2004, after a visit to the Nawalparasi barracks, a respected international organization informed them that the army had admitted they killed Devkota in the barracks on May 20, 2004 (Jestha 7, 2061).

The organization urged the army to inform the family, but the RNA refrained from doing so. The relatives did not dare to contact the barracks themselves, fearing persecution. They contacted the CDO, and were told that nobody was killed inside the barracks, but that one person died while being transported to a hospital from the barracks, and that that might have been Devkota. The death was never formally acknowledged, and Devkota remains “disappeared” to date.<sup>46</sup>

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<sup>45</sup> Human Rights Watch interview with a relative of Juna Dhakal, Gorkha, September 20, 2001.

<sup>46</sup> Human Rights Watch interview with a relative of Pushpa Raj Devkota, Gorkha, September 20, 2001.

## Tanahu

49. *Malati Lamsal*

50. *Narayan Pandit*

51. *Shree Ram Ghimire*



At around 11 a.m. on April 14, 1999 (Baishak 1, 2056), a patrol of the police commander post surrounded a house in Ramgha, Chundhi, Tanahu and arrested thirty-one-year-old **Shree Ram Ghimire**, a messenger for the CPN-M, along with nineteen-year-old **Malati Lamsal** and twenty-three-year-old **Narayan Pandit**. One other person managed to escape, and informed the families of the arrest. The arrest was also reported in the local Maoist newspapers, *Janadesh* and *Janauthan*.

Local villagers saw the patrol taking the men to a temporary police camp in Bhanu VDC, but when the families went there, the police denied having the arrestees.

Members of Ghimire's family inquired at the CDO and with the district superintendent of the police, but have not received any information. The Supreme Court dismissed their habeas corpus petition, saying they would have "to search themselves," because the court "cannot do it."

The family heard that Ghimire had been seen at Bhansar police post in Tanahu district, Bharatpur police post, and Pokhara police post, but was unable to confirm the information.

According to Ghimire's relatives, they searched for the "disappeared" together with the families of Lamsal and Pandit, and the whereabouts of these two people also remain unknown.<sup>47</sup>

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<sup>47</sup> Human Rights Watch interview with a relative of Shree Ram Ghimire, Tanahu, September 21, 2004.

## Kaski

### 52. *Parbati Poudel (right)*

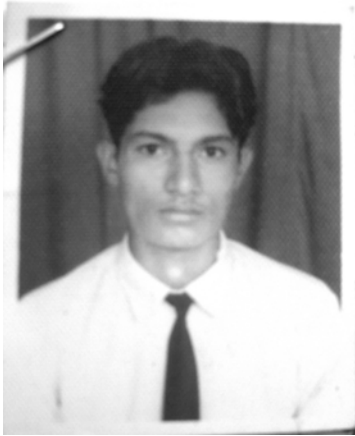


**Parbati Poudel**, a twenty-year-old president of the district branch of All-Nepal Women's Organization (Revolutionary), was arrested at around 11 p.m. on April 11, 2004 (Chaitra 29, 2060), at the house of Ghan Shyam Dhakal in Simalchour, Pokhara.

Her family learned about the arrest from Poudel's friend, and then heard a local radio report that said that Poudel was arrested by RNA troops. The family heard that one of the detainees released from Fulbari barracks in Kaski had seen Parbati Poudel in detention there, but Poudel's relatives did not go to the barracks themselves, fearing persecution.

The family reported the case to INSEC and the ICRC, but has not received any information.<sup>48</sup>

### 53. *Netra Prasad Baral (alias Amar)*



### 54. *Budhi Pande (alias Bigul)*



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<sup>48</sup> Human Rights Watch interview with a relative of Parbati Poudel, Kaski, September 21, 2004.

55. *Tirtha Nath Luitel (alias Sagar)*



56. *Prakash Khanal (alias Sailesh)*



Between November 4 and November 10, 2003 (Kartik 18-24, 2060), Nepali security forces arrested a group of nine persons from the Pokhara area, following a CPN-M attack on a police post in Dadanak, Kaski district. The arrest of the nine persons was announced in local newspapers, and involved mostly students, some of whom were involved in CPN-M or its affiliate, the All-Nepal Free Students' Union (Revolutionary). CPN-M issued its own statement on November 11, 2003, identifying the nine arrested persons as CPN-M activists and “well-wishers,” and giving the CPN-M party names for many of the detainees.<sup>49</sup>

At around 5 a.m. on November 5, 2003 (Kartik 19, 2060), about a dozen armed RNA soldiers in civilian clothes arrested 24-year old **Netra Prasad Baral**, in Bharat Pokhari VDC-7, where he was staying at a friend's house. The army also arrested three other people and the owner of the house they were staying in. The owner of the house was later released, while the other three people remain missing. The next day one of Baral's friends who had witnessed the arrest informed his family.

Through a relative who works in the police the family found out that Baral was first taken to Fulbari barracks. On April 20, 2004, Baral sent his family a letter saying that on December 26, 2003, he was transferred to the Mahendra Gand army barracks in Gorkha. The family did not inquire with the barracks, fearing persecution.

Baral's relatives reported the case to the ICRC and INSEC. The latter announced the “disappearance” in a local newspaper and on the local radio, but the family did not receive any further information on Baral's whereabouts.

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<sup>49</sup> See CPN-M press statement signed by CPN-M party secretary Jeevan, November 11, 2004; newspaper accounts in *Micronews Pokhara* and *Sandhyakalin Daily*, November 12, 2004 (on file at Human Rights Watch).

Baral was a recent school graduate and a member of All-Nepal Free Student Union (Revolutionary), a Maoist-affiliated organization.<sup>50</sup>

About a year before his arrest twenty-year-old **Tirtha Nata Luitel**, from Hemja VDC in Kaski district, was befriended by some CPN-M activists, who convinced him to drop out of school, join CPN-M, and become an underground activist. His family had not heard from Luitel in nearly a year when they learned from the newspaper that he had been arrested on November 8, 2003 (Kartik 23, 2060). The family reported the “disappearance” to INSEC and other human rights organizations, and was visited by ICRC representatives who also documented the case. They did not approach government officials, unsure about what could be done for them. They have had no information about Luitel since reading about his arrest in the newspaper.<sup>51</sup>

Two of the arrested men, twenty-six-year-old **Budhi Pande** and twenty-five-year-old **Prakash Khanal**, were from Chitwan district, and had come to Pokhara for their studies. Their families had not had extensive contact with them during their studies, and were thus unaware if they were actively engaged in CPN-M activities.

Budhi Pande was studying at the Prithivi Narayan (PN) campus in Pokhara at the time of his arrest on November 4, 2003 (Kartik 18, 2060). He had been living in Pokhara for nine years, and his family learned of his arrest through the newspaper. The family reported the “disappearance” to the ICRC and Amnesty International, as well as to local human rights groups. On March 15, 2004 (Chaitra 2, 2060), the family received a short phone call from Pande, who confirmed he was still being held in detention but could share few other details, and told his family not to worry.<sup>52</sup>

Prakash Khanal had failed his high school exit exams, and had been moving from city to city, first living in Birgunj and then moving to Pokhara, where he arrived just weeks before being arrested on November 9, 2003 (Kartik 23, 2060). After learning of the arrest five days later, his relatives went to report the case to the ICRC, INSEC, NHRC, and other human rights organizations. The family has had no information or contact with Khanal since his arrest.<sup>53</sup>

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<sup>50</sup> Human Rights Watch interview with a relative of Netra Prasad Baral, Kaski, September 21, 2004.

<sup>51</sup> Human Rights Watch interview with a relative of Tirtha Nata Luitel, Kaski, September 21, 2004.

<sup>52</sup> Human Rights Watch interview with a relative of Budhi Pande, Kaski, September 22, 2004.

<sup>53</sup> Human Rights Watch interview with a relative of Prakash Khanal, Kaski, September 22, 2004.

## 57. Raju Chettri



At about midnight on October 18, 2003 (Kartik 1, 2060), a group of fifty to sixty RNA soldiers, some of them in uniform and others in civilian dress, surrounded the home of thirty-one-year-old **Raju Chettri** (also known as Mekh Bahadur Chettri) in Pumdi Bhumdi VDC, Kaski district. Chettri tried to hide, but the army began beating his two brothers, threatening to kill them if Chettri didn't surrender, so he came out of the house and went with the soldiers.

The day after the arrest, Chettri's relatives went to the CDO's office, who confirmed that Chettri was in custody, but told the family not to worry, explaining it was "only for a small interrogation." The family reported the "disappearance" to Amnesty International, the ICRC, INSEC, and the Federation of Journalists, among others. They visited the Fulbari barracks, the Bijayapur barracks, and the Gairapatan Police Post, but everyone they spoke to denied any involvement in the arrest. However, two detainees released from the Fulbari barracks told the relatives that they had been kept together with Chettri, and smuggled a short, two-line letter out from Chettri around March 2004.

Chettri was a journalist for the pro-Maoist newspaper, *Rastriya Shavhiman Weekly*. The newspaper was later shut down by the government because of its pro-Maoist sympathies. When his relatives tried to visit him at Fulbari barracks, the soldiers refused them entry, saying that "a journalist who only writes about army killings is not a true journalist."<sup>54</sup>

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<sup>54</sup> Human Rights Watch interview with a relative of Raju Chettri, Kaski, September 22, 2004.

## 58. Chaman Lal Baral



For about half a year in 2002, the RNA was looking for **Chaman Lal Baral**, forty-six-year-old president of a local branch of Laborers' Union (Maoist), coming to his family home in Amar Singh Chowk-10, Pokhara, every other day, while Baral was in hiding.

On August 5, 2002 (Shrawan 20, 2059), at around 2 p.m., a large group of uniformed RNA soldiers surrounded a house in Kudahar Path, Pokhara sub-municipality, where Baral was staying. His family believes someone had disclosed his whereabouts to the

army. Baral tried to escape, but surrendered when the army opened fire. An eyewitness who told the family about the arrest said he recognized the soldiers from the Fulbari army barracks in Kaski. A local newspaper published a report about the arrest.

Through contacts in the army, the family found out that for at least two months Chaman Lal Baral was held in the Fulbari barracks, although the army at the barracks never confirmed it. The family visited several prisons in Kathmandu, but was unable to locate the man. Police at the district police office in Kathmandu told them that he had been brought there for an interrogation, and then transferred somewhere else, but did not provide any more details. A police officer at the Dillibazar Prison in Kathmandu once told the relatives that she had seen Baral in the district court in Kathmandu.

For two years the family continued to inquire at Fulbari barracks and at the CDO, but has not received any information. They believe Baral has been killed while in custody.<sup>55</sup>

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<sup>55</sup> Human Rights Watch interview with a relative of Chaman Lal Baral, Kaski, September 22, 2004.

### 59. *Som Bahadur Bishwokarma*



At around 9 a.m. on July 7, 2002 (Ashad 23, 2059), a twenty-nine-year-old carpenter, **Som Bahadur Bishwokarma**, was visiting his aunt in Gandaki regional hospital in Pokhara. Two other visitors called the nearby Fulbari barracks and told the army he was in the hospital. A group of uniformed RNA soldiers from the barracks came some twenty minutes later and took Bishwokarma away. According to the family, Bishwokarma was not involved with any political party, and was arrested on the sole basis of this false denunciation.

He was taken to the Fulbari barracks, where his family visited him regularly. However, three months later, an army official at the barracks told the family that Bishwokarma had been transferred to a prison, but did not say which one. The family searched every prison in the area, but was unable to find Bishwokarma.

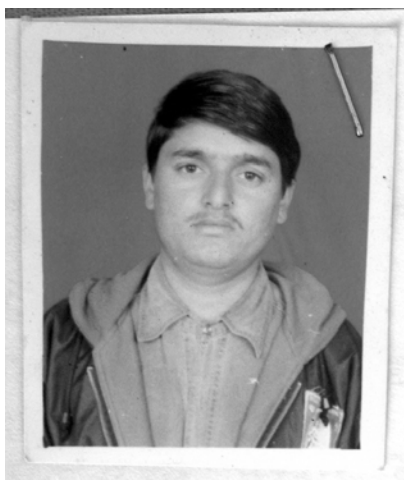
A year later the family inquired at the district police office in Pokhara, where a police official told them that they had received Bishwokarma's case, and were expecting him to be brought there. The police assured Bishwokarma's relatives that he would come home soon, but he never did.

Over the next year the family and INSEC, whom the family informed of the case, kept inquiring at the district police office, local prisons, and at the Fulbari barracks. In July 2004 the army at the barracks told INSEC that Bishwokarma was still alive but would not disclose his whereabouts. The police had no information.<sup>56</sup>

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<sup>56</sup> Human Rights Watch interview with a relative of Som Bahadur Bishwokarma, Kaski, September 21, 2004.

## 60. Tanka Sharma



At 7 a.m. on January 22, 2002 (Magh 9, 2058), a group of RNA soldiers came to Dulegaunda VDC ward 7, apparently searching for CPN-M cadres who were responsible for the previous month's destruction of a police post located one hour's walk away. The RNA soldiers arrested nine men from the ward that day, of whom eight were released over the next months. However, one of the detainees, thirty-two-year-old **Tanka Sharma**, remains missing. The family denies that Sharma had any CPN-M affiliation.

After their release, the other detainees told the family that they had all been held together at the Fulbari army barracks for the first five days. Sharma complained of severe chest and stomach pains at the time, apparently from beatings he had received, and begged the soldiers to see his six-month old daughter "one more time." After five days, the other eight men were transferred away from the Fulbari army barracks, and lost contact with Sharma, who remained behind. About one month after his detention, the family was informed that Sharma had been seen in the company of army soldiers, presumably being used to point out suspected CPN-M members during army patrols.

Following his arrest, relatives regularly went to the Fulbari army barracks and to the CDO office to seek information about Sharma. Later, the family was directed to the Bijayapur army barracks in Kaski district, and was repeatedly told to come later because Sharma was "out with the army." Then, the army battalion stationed at the Bijayapur army barracks was transferred to Gorkha district. When the family sought information from Gorkha district, the army denied any knowledge of the case. The family informed the ICRC and INSEC of the "disappearance," but has received no news about the fate of Sharma.<sup>57</sup>

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<sup>57</sup> Human Rights Watch interview with a relative of Tanka Sharma, Kaski, September 21, 2004.

### 61. Shiva Prasad Parajuli

Twenty-two-year-old **Shiva Prasad Parajuli**, a university student at the Prithivi Narayan (PN) campus in Pokhara, was the publisher of a weekly newspaper. According to his relatives, Parajuli was serving as a recruiter for CPN-M, and had been seen handing out CPN-M membership cards in the Nirmal Pokhari VDC of Kaski district.

On January 1, 2002 (Poush 17, 2058), Parajuli and a friend traveled to a *Mela* celebration. On their return the next day, plainclothes RNA soldiers tried to arrest the two men at a teashop in Pumdi Bhumdi VDC ward 2. The friend managed to escape, and later informed the family that Parajuli had been taken into custody. Following the arrest, RNA soldiers and police officers came twice to Parajuli's family home, and confiscated several official documents, including school certificates and a photo album.

After learning of the arrest, the family contacted various RNA officials and the speaker of the House of Representatives, and wrote an application to the Chief District Officer to get information about Parajuli. The family also informed INSEC and the ICRC, but received no information about Parajuli from any source since his arrest.<sup>58</sup>

### 62. Rita Nepali



On January 1, 2002 (Poush 17, 2058), RNA soldiers arrested nineteen-year-old **Rita Nepali** and a male unidentified CPN-M member from Pumdi Bumdi VDC of Kaski district. Over the next few days, Nepali was taken several times to her home by RNA soldiers, who searched the home and questioned the family about Maoist activities in the area. The soldiers who came to Nepali's family home gave her relatives the phone number of Fulbari army barracks, where Nepali was being detained at the time, and ordered the family to contact them if any Maoists came to the home. After three RNA visits with Nepali to the family home shortly after the arrest, the family never heard again from Nepali.

Rita Nepali had joined CPN-M about one year prior to her arrest and was underground at the time of her arrest. Because the arrest took place during the state of emergency, the family was too afraid to leave their village and report the "disappearance." The case was

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<sup>58</sup> Human Rights Watch interview with a relative of Shiva Prasad Parajuli, Kaski, September 21, 2001.

later reported to INSEC, who informed the ICRC and NHRC of the “disappearance,” but there has been no further information.<sup>59</sup>

### 63. Hari Prasad Poudel (alias Tate)



On December 11, 2001 (Mangshir 26, 2058), RNA troops arrested twenty-six-year-old **Hari Prasad Poudel**, together with another CPN-M member, when he was traveling on a bus from Pokhara town to his home village in Kaskikot VDC, Kaski district.

A relative of Poudel was also arrested the same day from a local school where he teaches, and spent three days in detention at an army barracks around Pokhara, most likely the Fulbari army barracks, with Poudel and the other CPN-M member (who was later released). After three days, the relative was transferred to the Kaski district police headquarters, and released from there three days later, but was required to report to the police every fifteen days. Since then, the family has had no contact with Poudel. A released detainee told them he had seen Poudel at the Fulbari army barracks during January-February, 2002 (Margh 2058). The family has heard rumors that Poudel was later killed during a staged “encounter,” but has been unable to confirm this rumor.

Poudel was a Kaski district committee member of the Maoist-affiliated All-Nepal Free Students’ Union (Revolutionary). Because of Poudel’s known status as a Maoist sympathizer, the family was too afraid to approach the RNA or CDO for information. The “disappearance” was reported to INSEC and the ICRC.<sup>60</sup>

## Dang

### 64. Pramila Chowdhury

On the morning of April 8, 2004 (Chaitra 26, 2060), fifteen-year-old student **Pramila Chowdhury** was on her way home to Hadime, Bijaure VDC-6. At around 10 a.m., a large group of uniformed RNA soldiers who arrived in two trucks arrested her near

<sup>59</sup> Human Rights Watch interview with a relative of Rita Nepali, Kaski, September 22, 2004.

<sup>60</sup> Human Rights Watch interview with a relative of Hari Prasad Poudel, Kaski, September 22, 2004.

Hapur river. A female relative who was accompanying Chowdhury ran away and informed the family of the arrest. Both women had previously been involved with the Maoists. Chowdhury's family has not heard anything about her whereabouts since her arrest.

A local NGO that learned about the case inquired at the Ghorhai army barracks on behalf of the family, but the army denied having Chowdhury in detention.

### **65. Dhanbir Chowdhury**



Twenty-eight-year-old **Dhanbir Chowdhury** had been a CPN-M activist, but had left the Maoists and returned to civilian life some three months before his arrest. On November 22, 2003 (Mangshir 6, 2060), he left his home in Karmatiya VDC, Dang district to shop in the district's headquarters, Ghorahi. He was arrested at about noon by Nepali security forces, while shopping in the Ghorahi market.

The family was too afraid to approach the authorities for information, but the case was reported to INSEC, who forwarded the information to the ICRC and NHRC. The family has received no information about his fate since the arrest.<sup>61</sup>

### **66. Kodu Lal Chowdhury**

On October 21, 2003 (Kartik 4, 2060), at around 4 a.m., a large group of uniformed RNA soldiers surrounded the house of thirty-five-year-old **Kodu Lal Chowdhury** in Bawsgadhi, Parsewa, Bijauri VDC-8. The soldiers took Chowdhury away, telling the family they would interrogate and then release him in the evening. He has not been seen since then.

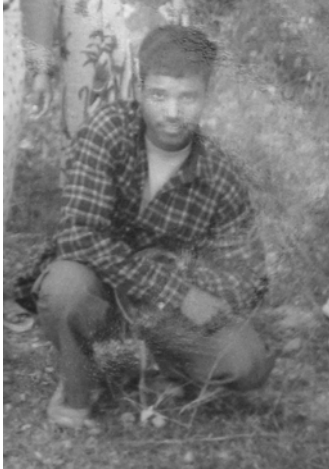
One man told the family that he had seen Chowdhury in the Tulsipur army barracks in Dang district wearing an army uniform. The family inquired at the Tulsipur and Ghorahi army barracks, as well as at the CDO. The army denied having Chowdhury, and CDO staff said they had no information and no power to request it from the army.

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<sup>61</sup> Human Rights Watch interview with a relative of Dhanbir Chowdhury, Dang, September 26, 2004.

Chowdhury was a carpenter and formerly an active member of CPN-M, but, according to his family, had left the party two years before his arrest.<sup>62</sup>

#### 67. *Birju Chowdhury*



On April 2, 2003 (Chiatra 19, 2059), twenty-one-year-old **Birju Chowdhury** walked from his home village in Tribuwan VDC, Dang district, to the market of Ghorahi, the district's headquarters, to sell some vegetables his family had grown and to obtain some supplies. After visiting a shopkeeper he knew, Birju Chowdhury was arrested by RNA troops from Ghorahi Army Barracks, who informed the shopkeeper of the arrest. The shopkeeper unsuccessfully tried to convince the soldiers that Birju Chowdhury was merely a farmer and had nothing to do with Maoist activities.

Upon learning of the detention, the family immediately contacted government officials in Ghorahi. An ex-mayor of Ghorahi contacted the Ghorahi army barracks on the family's behalf, and was informed that Birju Chowdhury was undergoing interrogation, but would be released in due time. Over the next few months, released detainees repeatedly informed the family that they had seen Birju Chowdhury in detention at the Ghorahi army barracks. The family reported the case to various human rights organizations, who in turn informed the ICRC and NHRC of the "disappearance." About six months after his arrest, the family stopped receiving new information about the whereabouts of Birju Chowdhury.<sup>63</sup>

#### 68. *Dil Bahadur Gharti*

#### 69. *Ram Pura Gharti*



At about 7 p.m. on November 30, 2002 (Mansir 14, 2059), a group of approximately fifty uniformed RNA soldiers surrounded the home of twenty-four-year-old **Dil Bahadur Gharti**, in Tribuwan Municipality of Dang district. The soldiers ordered Gharti to get dressed and asked the family about their father, who was working in Saudi Arabia. The soldiers then ordered Gharti to come

<sup>62</sup> Human Rights Watch interview with a relative of Kodu Lal Chowdhury, Dang, September 24, 2004.

<sup>63</sup> Human Rights Watch interviews with two relatives of Birju Chowdhury, Dang, September 24, 2004.

with them, but promised the family they would release him the next day.

Because the arrest and “disappearance” took place during the state of emergency, the relatives were unable to inform INSEC until a year after the event. A young relative tried to bring Gharti clothes at the Tulsipur barracks, after hearing a rumor that he was detained there, but the soldiers denied he was in their custody. Gharti had attended some CPN-M events—according to his relatives, “at that time, there was a lot of pressure on everyone to participate in Maoist meetings, so he went sometimes,”—but the family did not know if he was an active Maoist.<sup>64</sup>

The same day, November 30, 2002 (Mansir 14, 2059), at around 3 a.m., a group of RNA soldiers arrested eighteen-year-old **Ram Pura Gharti** in her parental home in Tribhuwan Municipality, Ward 8. Part of the group surrounded the house, while others entered and brought Gharti, who had been sleeping in her room, downstairs.

The soldiers interrogated and beat her, asking if she was a Maoist. They took her away, threatening to kill her family members should they dare to leave the house. The family later went to the district army headquarters and reported the case to INSEC, but to date has not received any information. Gharti was a student at a local school and, according to her relative, “used to go with the Maoists.”<sup>65</sup>

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<sup>64</sup> Human Rights Watch interview with a relative of Dil Bahadur Gharti, Dang, September 24, 2004.

<sup>65</sup> Human Rights Watch interview with a relative of Ram Pura Gharti, Dang, September 24, 2004.

70. Sohan Lal Chowdhury



71. Som Raj Chowdhury



72. Kuira Chowdhury



73. Chanak Lal Chowdhury



74. Jagi Ram Chowdhury



75. Khushi Ram Chowdhury



On September 6, 2002 (Bhadra 21, 2059), a group of dozens of RNA soldiers in civilian dress arrived at about noon in the village of Paharwa, Duduwa VDC, Dang district. At the time, the villagers were taking part in the Gurua festival. The soldiers moved through the village, arresting men apparently at random and taking them to the river area where the festival was taking place. Near the river, the soldiers beat the detainees, and then blindfolded and tied the hands of thirteen men, who were taken away. Several of the men were later released, while one of the detained men, Shree Harsa Subedi, was found dead that night near the village. Six of the detained men remain missing.

Forty-one-year-old **Sohan Lal Chowdhury** was at his home being measured by a tailor when the tailor warned him that soldiers were approaching. Sohan Lal Chowdhury told the tailor he had done nothing wrong and had no reason to be concerned. When they reached the home, the soldiers asked for Sohan Lal, who came outside and was ordered to accompany them. He was never seen again by his family. According to his family, Sohan Lal Chowdhury was a farmer who had nothing to do with CPN-M.<sup>66</sup>

Twenty-five-year-old **Som Raj Chowdhury**, a former bonded laborer, was grazing his cows when soldiers asked him to come with them, and was not allowed to go home. His family never saw him again.<sup>67</sup> His family is adamant that he was not a Maoist.

Three other farmers were similarly arrested: thirty-seven-year-old **Kuira Chowdhury**,<sup>68</sup> thirty-three-year-old **Chanak Lal Chowdhury**,<sup>69</sup> twenty-three-year-old **Jagi Chowdhury**<sup>70</sup>, and seventeen-year-old **Khushi Ram Chowdhury**.<sup>71</sup> All of their families deny the men were involved with CPN-M in any way.

Human Rights Watch managed to locate one of the men who had been detained with the others but was later released. The released detainee explained that all of the detainees were taken to the Tulsipur army barracks, where the soldiers photographed them, and then beat them severely with fists, boots, and bamboo sticks. The men were detained together in a single room for four days, after which the three detainees who were later released were taken to the Ghorahi District Police Post and lost touch with the others.<sup>72</sup>

The families reported the “disappearances” to the ICRC, INSEC, and other human rights organizations.<sup>73</sup> The VDC chairman went to see the CDO about the “disappearances” right away, but the army denied that the men were in custody, so he returned home without any news. Nothing has been heard about the “disappeared” men since they were last seen alive at the Tulsipur army barracks by the released detainees.

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<sup>66</sup> Human Rights Watch interview with a relative of Sohan Lal Chowdhury, Dang, September 24, 2004.

<sup>67</sup> Human Rights Watch interview with a relative of Som Raj Chowdhury, Dang, September 24, 2004.

<sup>68</sup> Human Rights Watch interview with a relative of Kuira Chowdhury, Dang, September 24, 2004.

<sup>69</sup> Human Rights Watch interview with a relative of Chanak Lal Chowdhury, Dang, September 24, 2004.

<sup>70</sup> Human Rights Watch interview with villagers in Paharwa, Duduwa VDC, Dang, September 24, 2004.

<sup>71</sup> Human Rights Watch interview with a relative of Khushi Ram Chowdhury, Dang, September 24, 2004.

<sup>72</sup> Human Rights Watch interview, Dang, September 26, 2004. The name of the witness is on file with Human Rights Watch. His identity is being withheld to protect his safety.

<sup>73</sup> Human Rights Watch interview with a relative of Sohan Lal Chowdhury, Dang, September 24, 2004; Human Rights Watch interview with a relative of Som Raj Chowdhury, Dang, September 24, 2004.

### 76. Gyani Chowdhury



Fifteen-year-old **Gyani Chowdhury** had joined CPN-M while still in school. She was arrested by Nepali security forces on June 10, 2002 (Jestha 27, 2059), from her home in Gobaddiya VDC, Dang district, while her parents were out of the house feeding their cows. After the arrest, her parents were ordered to report to the Lamahi APF barracks for questioning about their daughter's activities, but did not get to meet their daughter there.

The case was reported to INSEC, who forwarded the information to NHRC and the ICRC. There is no information about Chowdhury's fate since her arrest.<sup>74</sup>

### 77. Resham Gharti



Just after noon on May 31, 2002 (Jestha 17, 2059), a group of uniformed RNA soldiers arrested thirty-four-year-old **Resham Gharti**, a farmer, from his home in Bijauri VDC, Dang district. Gharti had just finished his lunch, and was carrying 3,000 rupees (about U.S.\$42) to buy an ox in town when soldiers arrested him near his house. His wife managed to get the money back after some efforts; however the soldiers kept Gharti in detention, taking him away in a blue van that had been parked on a nearby road.

Gharti reportedly was not involved in CPN-M activities and worked as a laborer in India for most of the year, returning home only during the farming season. The family was too afraid to approach the army barracks for information, because other villagers told them they might be killed if they went to ask questions. They did inform INSEC and the ICRC, but have received no information about the whereabouts of Gharti.<sup>75</sup>

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<sup>74</sup> Human Rights Watch interview with a relative of Gyani Chowdhury, Dang, September 25, 2004.

<sup>75</sup> Human Rights Watch interview with a relative of Resham Gharti, Dang, September 24, 2004.

*78. Babu Ram Chowdhury*



*79. Sharad Chowdhury*



On May 16, 2002 (Jestha 2, 2059), two students, sixteen-year-old **Babu Ram Chowdhury** and twenty-four-year-old **Sharad Chowdhury**, were attending a religious ceremony in Bijaure, Hapur VDC. At around 4 a.m., a group of about fifty uniformed RNA soldiers burst into the house where the ceremony was taking place and took the two men away. The villagers later informed their families of the arrest.

Sharad Chowdhury's family went to the Ghorahi army barracks, but the army did not provide any information. A local NGO reported the case to INSEC and NHRC.

His relatives believe Sharad Chowdhury was not involved with the Maoists, although a statement published in a local Maoist newspaper several months after the arrest suggested that Sharad Chowdhury was a Maoist activist.<sup>76</sup>

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<sup>76</sup> Human Rights Watch interviews with a relative of Sharad Chowdhury, Dang, September 26, 2004; Human Rights Watch interviews with a relative of Babu Ram Chowdhury, Dang, September 24, 2004.

### 80. *Bir Bahadur Thapa*



handcuffed.

At about 3 p.m. on April 28, 2002 (Baishak 15, 2059), sixteen-year-old **Bir Bahadur Thapa**, a grade ten student, was arrested by a group of five or six civilian-clothed RNA soldiers from his home in Bijauri VDC, Dang district. The soldiers reassured the family they just wanted to ask Thapa some questions, and that he would return home soon. Villagers in the next village later told the family that the soldiers had ordered Thapa to run away—a common tactic used by RNA soldiers, who then shoot the detainee and claim he was trying to escape—but Thapa refused, and was then blindfolded and

The family was unable to report the case immediately, because the state of emergency was declared soon after the arrest and they were afraid to leave their village. During the ceasefire, relatives went to report the “disappearance” to human rights organizations and the ICRC, and visited all the army barracks in the district, but learned no news. Another relative was arrested in August 2004 (Bhadra 2061), and was told by a subinspector at the regional police station in Ghorahi that Bir Bahadur Thapa had been detained there for three months, but was not told what happened to him afterwards.

The family is adamant that Thapa was a student, and not involved in politics. However, Thapa’s father is active in the political structures of CPN-M, and the family believes Thapa was “disappeared” because of his father’s political activities.<sup>77</sup>

### 81. *Tej Man Chowdhury*

On April 20, 2002 (Baishak 7, 2059), fifteen-year-old student **Tej Man Chowdhury**, along with several other students, was on his way home from Satbaria VDC, where he was attending a Maoist program. A group of RNA soldiers was waiting on the road and started shooting at the group of approaching students. They wounded Chowdhury in the collar-bone area and detained him, while the others ran away. He has not been seen since then.

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<sup>77</sup> Human Rights Watch interviews with two relatives of Bir Bahadur Thapa, Dang, September 24, 2004.

A local NGO inquired at the Ghorahi barracks on the family's behalf, but the army denied having Tej Man in detention. The NGO also reported the case to INSEC and NHRC, but the family has not received any information on Chowdhury's whereabouts.<sup>78</sup>

*82. Dani Ram Chowdhury, 83. Kedarnath Chowdhury, 84. Hari Lal Chowdhury*



*85. Bhim Bahadur Chowdhury, 86. Udaya Chowdhury, 87. Khim Bahadur Pun*



At about noon on April 19, 2002 (Baishak 6, 2059), a large contingent of uniformed RNA soldiers arrived in Katberawa village, Bela VDC, Dang district. The RNA soldiers were supported by military helicopters that landed repeatedly in the area.<sup>79</sup> Apparently, the RNA operation was in response to a Maoist attack on the nearby Lamahi army barracks four months earlier on November 23, 2001 (Mangshir 8, 2058).

The soldiers rounded up a large number of men from the village and took them to a nearby river for questioning. One person, twenty-seven-year-old Chatak Bahadur

<sup>78</sup> Human Rights Watch interviews with a relative of Tej Man Chowdhury, Dang, September 26, 2004.

<sup>79</sup> Rights Watch interview with a relative of Dani Ram Chowdhury, Dang, September 25, 2004; Human Rights Watch interview with a relative of Kim Bahadur Pun, Dang, September 25, 2004.

Chowdhury, was killed by the soldiers as he was working to repair a neighbor's roof (see below). According to the villagers, Chatak Bahadur Chowdhury was not affiliated with the Maoists, and had spent most of the previous eight years working in India.

Twenty-five-year-old **Dani Ram Chowdhury** was arrested by a group of twenty to thirty RNA soldiers while repairing the roof of his home, together with many of the villagers who had come to help him.<sup>80</sup> Twenty-eight-year-old **Kedarnath Chowdhury**, a carpenter by trade, and thirty-two-year-old **Bhim Bhahadur Chowdhury** were arrested from the same home where Cheilak Bahadur was killed, while also helping to repair the roof.<sup>81</sup> Sixteen-year-old **Hari Lal Chowdhury** was also arrested there, and then brought to his parental home in the same village, where the soldiers then tried to arrest his disabled uncle. However, the man could not walk, and the soldiers only took Hari Lal away. Hari Lal's other uncle, forty-year-old **Udaya Chowdhury**, was also detained that day.<sup>82</sup>

Fifty-year-old **Khim Bahadur Pun**, a farmer, was working at his rice mill when soldiers came to his home, asked for him by name, and took him away. His young son followed the soldiers to the river, where they gave him his father's watch and money, and told him they were going to kill his father.<sup>83</sup>

A large group of detained villagers, estimated at about fifty, was taken to the nearby river, where they were interrogated by the soldiers. The soldiers left with the six detainees named above, who were never seen again. The families informed local human rights organizations, the NHRC, and the ICRC of the "disappearances," and visited various detention centers in the district, but were unable to obtain any further information. Several times, relatives were told by officials that the men had been killed in an "encounter," and local newspapers also published rumors to that effect, but there has been no official confirmation. The group of six men "disappeared" after last being seen alive in RNA custody.<sup>84</sup>

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<sup>80</sup> Human Rights Watch interview with a relative of Dani Ram Chowdhury, Dang, September 25, 2004.

<sup>81</sup> Human Rights Watch interview with a relative of Kedarnath Chowdhury, Dang, September 25, 2004.

<sup>82</sup> Human Rights Watch interview with a relative of Hari Lal Chowdhury, Dang, September 25, 2004.

<sup>83</sup> Human Rights Watch interview with a relative of Kim Bahadur Pun, Dang, September 25, 2004.

<sup>84</sup> Human Rights Watch interview with a relative of Kim Bahadur Pun, Dang, September 25, 2004; Human Rights Watch interview with a relative of Dani Ram Chowdhury, Dang, September 25, 2004.

**88. Gita Ghartimagar**



**89. Nanda Bahadur K.C.**



On February 22, 2002 (Falgun 10, 2058), at around 2 p.m., a unified group of armed police and RNA soldiers arrested twenty-year-old student **Gita Ghartimagar** in Chandanpur, Gadawa VDC-9, where she went to work in the field. The group also arrested twenty-five-year-old **Nanda Bahadur K.C.** and the owner of the house they were staying in. They were taken to the Lamahi armed police barracks, from where the owner was released three days later.

Nanda Bahadur K.C. joined CPN-M after Maoists helped him get treatment for an illness in India. Maoists informed his family of his arrest. According to Ghartimagar's family, she was never involved with any political parties. She had been a student, but had left school two months before the arrest to help the family about the house.

About two months after the arrest, Ghartimagar wrote a letter saying she was in Tulsipur prison, and the family visited her there twice. The family of Nanda Bahadur K.C. also had no information about his whereabouts until May-June 2002 (Jestha 2059), when he sent a letter saying he was being held at Tulsipur prison. A relative went to meet him there and brought him some clothes and books.

Three months after the arrest and a few days after the relatives' last visit to the prison, a local newspaper *Naya Yugbodb* reported the release of twenty-one detainees, including Gita Ghartimagar and Nanda Bahadur K.C., but neither detainee returned home.

Officials at the Tulsipur prison told K.C.'s family that they had transferred the detainees to the district police headquarters, but the headquarters told the family they had no knowledge of the detainees. A year later, the prison authorities told the ICRC, which was

inquiring on behalf of Ghartimagar's family, that they had handed Ghartimagar over to municipal authorities.

Ghartimagar's family believed the detainees were rearrested after release. The "disappearances" were reported to the ICRC and to various human rights organizations.<sup>85</sup>

**90. Bal Dev Chowdhury**

**91. Nirmal Raut**



**92. Roshani Raut**



Eighteen-year-old **Nirmal Raut** and eighteen-year-old **Bal Dev Chowdhury**, both from Gobaddiya VDC, Dang district, were active Maoists. On December 17, 2001 (Poush 2, 2058), one month after the end the first ceasefire period, RNA soldiers captured the two men while they were sleeping at the home of a villager in Sohanpur village, Sundevri VDC, Dang district. Upon learning of the arrests, the families went to inform the ICRC as well as local human rights organizations. The families have received no information about the fate of the two men since their arrests.<sup>86</sup>

Nirmal Raut's wife, seventeen-year-old **Roshani Raut**, was detained by Nepali security forces in an area police post in Rajpur VDC, Dang district on January 2, 2002 (Poush 18, 2058). Roshani Raut had joined CPN-M following her marriage to Nirmal Raut, and had become an underground activist.

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<sup>85</sup> Human Rights Watch interview with a relative of Nanda Bahadur K.C., Dang, September 25, 2004.

<sup>86</sup> Human Rights Watch interview with a relative of Nirmal and Roshani Raut, Dang, September 25, 2004; Human Rights Watch interview with a relative of Bal Dev Chowdhury, Dang, September 25, 2004.

A relative was able to meet with Roshani Raut at Tulsipur prison on May 20, 2002 (Jeshta 6, 2059), and gave her some food and clothes. When the relative returned the next week to see Roshani Raut again, she was told Roshani was no longer there and had been “released.” However, Roshani never came home, and never sent word to her family. Her relatives believe that Roshani was transferred back to RNA detention, and “disappeared” in RNA custody. According to a relative, “if Roshani was released, she would definitely come home.”<sup>87</sup>

### **93. Maya Kumari Chowdhury**

On June 27, 2001 (Ashad 13, 2058), at around 11 a.m., a group of security personnel in civilian clothes arrested nineteen-year-old **Maya Kumari Chowdhury** in Bela, Bela VDC, where she had gone for a Maoist meeting. Chowdhury heard the security personnel coming and tried to escape by running through a corn field. Another Maoist who witnessed the arrest told the family that the security people seized Chowdhury in the field, beat her and took her away.

The family heard that she was taken to Lamahi barracks, but did not go there to inquire, fearing persecution. Armed police came to Maya Kumari’s parental home in Gobaddiya, Gobaddiya VDC-8 several times and had once arrested her father, and another time her father along with her brother, but had released them both times.<sup>88</sup>

## **Bardia**

### **94. Prakash Tharu**



Twenty-five-year-old **Prakash Tharu**, a tractor driver from Suryapatuwa VDC, Bardia district, was detained by RNA soldiers in Nepalgunj on September 17, 2004 (Ashoj 1, 2061), while he was entering a cinema with friends. He had gone to Nepalgunj to buy parts for his tractor. He called his family one week after the arrest, saying he was in detention and asking them to come to Nepalgunj to try to find him, but unable to specify where he was being kept.<sup>89</sup>

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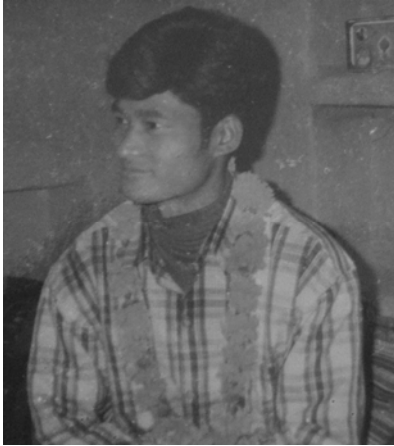
<sup>87</sup> Human Rights Watch interview with a relative of Nirmal and Roshani Raut, Dang, September 25, 2004.

<sup>88</sup> Human Rights Watch interview with a relative of Maya Kumari Chowdhury, Dang, September 25, 2004.

<sup>89</sup> Human Rights Watch interview with a relative of Prakash Tharu, Bardia, September 28, 2004.

The “disappearance” was reported to the ICRC, NHRC, and local human rights organizations. As of this writing, the family has received no information on Tharu’s whereabouts.

#### 95. Jagat Kumar Chowdhury



Twenty-two-year-old **Jagat Kumar Chowdhury** was CPN-M area-in-charge in Motipur VDC, Bardia district. On January 19, 2003 (Magh 5, 2059), he went to Nepalgunj to seek medical assistance for a stomach problem. On his way home from the hospital, he was arrested by a joint group of RNA soldiers and APF in Kohalpur.

The family reported the detention to local human rights organizations and the ICRC. Relatives went repeatedly to the Chisapani army barracks, the RNA office in Nepalgunj, and the APF training camp at Samsargunj, but the officials denied any knowledge of the arrest. In May-June, 2003 (Jestha 2060), a released detainee told the family that he had been detained together with Jagat Kumar Chowdhury at the Chisapani army barracks, and that Jagat Kumar had asked him to inform his family upon his release.<sup>90</sup>

#### 96. Nepali Tharu

#### 97. Ram Karan Tharu



At about 11 p.m. on January 7, 2003 (Poush 23, 2059), a group of RNA soldiers came to the home of thirty-eight-year-old **Ram Karan Tharu**, a farmer living in Bhimapur VDC-7, Bardia district. The soldiers pretended to be Maoists, and told Ram Karan they wanted him to join them in an attack on the nearby Tapara temporary army camp, but Ram Karan knew they were soldiers and did not respond. The soldiers then ordered Ram Karan’s family to go inside the house, and ordered Ram Karan to come with them.<sup>91</sup>

<sup>90</sup> Human Rights Watch interview with a relative of Jagat Kumar Chowdhury, Bardia, September 28, 2004.

<sup>91</sup> Human Rights Watch interview with a relative of Ram Karan Tharu, Bardia, September 29, 2004.

The same night, the soldiers went with Ram Karan to the home of fifteen-year-old **Nepali Tharu**, a student in nearby Rajapur who provided food and shelter for the Maoists, according to her family. The relatives believe that Ram Karan brought the soldiers to their house and told them that Nepali was a Maoist. The soldiers took Nepali Tharu with them, and the two detainees were never seen again.<sup>92</sup>

The next morning, the families immediately went to the Tapara temporary army camp, the only RNA base in the remote Rajapur area at the time. A helicopter had arrived and departed shortly before they reached the army camp. The soldiers denied arresting the two people. The families reported the case to INSEC and other local human rights groups, but have received no information.<sup>93</sup>

### **98. Sita Chowdhury**

Twenty-four-year-old **Sita Chowdhury**, an active CPN-M area member, was detained by Nepali police together with another woman from the village of Holdapur, Bardia district on January 4, 2003 (Poush 20, 2059). The second woman was released after eleven days, and informed the family that she and Sita Chowdhury had been held together in detention at the Kohalpur area police post. Relatives immediately went to the Kohalpur police post with some clothes for Sita Chowdhury, but were told that she was not there.

A second released detainee later came to tell the family that he had been detained with Sita Chowdhury at the Thakurdwara army camp in Bardia district, where she was forced to work washing dishes. The family reported the “disappearance” to local human rights organizations and the ICRC, but received no further information.<sup>94</sup>

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<sup>92</sup> Human Rights Watch interview with a relative of Nepali Tharu, Bardia, September 29, 2004.

<sup>93</sup> Human Rights Watch interview with a relative of Nepali Tharu, Bardia, September 29, 2004.

<sup>94</sup> Human Rights Watch interview with a relative of Sita Chowdhury, Bardia, September 28, 2004.

### 99. Siya Ram Chowdhury



Seventeen-year-old **Siya Ram Chowdhury** was a CPN-M activist from Deudakala VDC, Bardia. He was arrested by RNA soldiers at the checkpoint of the Rambhapur temporary army camp on November 14, 2002 (Kartik 28, 2059). Local villagers who witnessed the arrest informed Chowdhury's relatives.

The next month, in December 2002, a local FM radio station announced that Siya Ram Chowdhury had been killed in an "encounter." The family has informed local human rights organizations of the "disappearance," but has not received any information from the authorities about the fate of Siya Ram.<sup>95</sup>

### 100. Gita Kumari Chowdhury



Twenty-six-year-old **Gita Kumari Chowdhury** was an area member of CPN-M. On September 4, 2002 (Bhadra 19, 2059) she was detained by RNA soldiers from the Chisapani army barracks at Damauli town in Motipur VDC. A relative was with Gita Kumar Chowdhury at the time of her arrest, and saw the soldiers detain her and take her away.

After her arrest, the family informed local human rights organizations and the ICRC in Nepalgunj. They filed a habeas corpus petition in the Supreme Court, but the petition was dismissed. During the Tihar festival in October 25-27, 2003 (Kartik 8 to 10, 2060), a soldier serving at the Chisapani army barracks, home to visit his family, told Gita Kumar's family that she was being held at the Chisapani army barracks. The family was unable to confirm this, and has received no other information about the whereabouts of Gita Kumar.<sup>96</sup>

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<sup>95</sup> Human Rights Watch interview with a relative of Siya Ram Chowdhury, Bardia, September 28, 2004.

<sup>96</sup> Human Rights Watch interview with a relative of Gita Kumar Chowdhury, Bardia, September 28, 2004.

101. *Gopal Chowdhury*

102. *Sunawa Tharu*

103. *Fula Ram Tharu,*      104. *Ram Kharan Tharu,*      105. *Runchya Tharu*

106. *Radheshyam Tharu,*      107. *Raj Kumar Tharu,*      108. *Basantu Tharu*

109. *Lautan Tharu,*      110. *Bagale Tharu,*      111. *Pharek Tharu*



112. *Bagi Ram Tharu,*

113. *Patti Ram Tharu,*

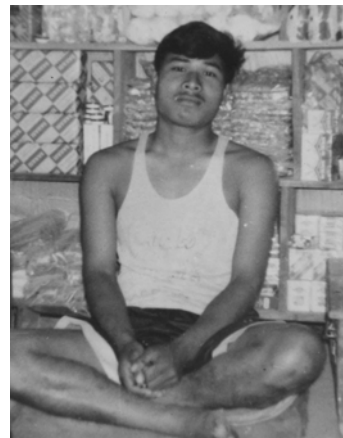
114. *Moti Lal Tharu*



115. Kessar Kumar Chowdhury,



116. Mangru Chowdhury



Between October 20 and 22, 2002 (Kartik 3 and Kartik 5, 2059), RNA soldiers and APF officers based at the Manpur Tapara temporary army camp in the Rajapur area of Bardia, conducted a large-scale operation in the area, arresting and “disappearing” at least sixteen people. The RNA/APF operation came at a time of great tension in the Rajapur area. Maoists had destroyed many government offices in the months before the operation, and had given an ultimatum to the family members of security personnel to coerce their relatives to resign from the security forces or leave Rajapur. According to the relatives of the disappeared, family members of the security forces participated in the operation, pointing out suspected Maoists during the searches.<sup>97</sup>

There is no doubt that the “disappeared” detainees were taken to the Manpur Tapara Secondary School, which the RNA had temporarily occupied as their “Manpur Tapara temporary army camp.” Relatives of the disappeared went daily to the school, where they saw the detainees being held blindfolded in a school room. Many recognized their relatives from the clothes they were wearing at the time of their arrest. Then, around October 24 or 25, the Manpur Tapara temporary army camp was dismantled, and the sixteen detainees were never seen again.

On the night of October 20, 2002 (Kartik 3, 2059), at about 11 a.m., the soldiers arrested three men from Manpur Topara VDC-8, Jamunabachi village. Twenty-six-year-old **Fula Ram Tharu**, a farmer, was sleeping when RNA soldiers surrounded his home and came inside. One soldier said, “He’s a Maoist,” and the soldiers began taking Fula Ram outside. When his wife, holding a baby, tried to stop them, she was roughly pushed to the ground.<sup>98</sup> The soldiers also went to the home of seventeen-year-old **Ram Karan**

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<sup>97</sup> Human Rights Watch interview with a relative of Raj Kumar Tharu, Bardia, September 30, 2004.

<sup>98</sup> Human Rights Watch interview with a relative of Fula Ram Tharu, Bardia, September 30, 2004.

**Tharu**, a grade ten student, and ordered him to get dressed and come with them, threatening to kill him if his mother didn't stop crying. Before leaving with Ram Karan, the soldiers locked the family inside their home. According to his family, Ram Karan was "a student and not involved in politics. He was preparing for his [college] entrance exams."<sup>99</sup> Also arrested that night was thirty-year-old **Runchya Tharu**, a farmer who shied away from any political involvement, according to his family.<sup>100</sup>

For the next four days after the arrest, the relatives of Fula Ram went repeatedly to the Tapara temporary army camp, where soldiers confirmed that Fula Ram was in their custody, once saying: "[Fula Ram] is inside and he has not been killed. Just go home and wait for him." Relatives of Runchya Tharu also went to the Tapara temporary army camp, and spotted all three of the detained villagers standing at a window in the room they were held with other detainees.<sup>101</sup>

The same night of October 20, at about 2 a.m., a combined group of uniformed RNA soldiers and APF officers also carried out two arrests in a second village in Manpur Topara VDC-8, Vikrampur village. At the home of thirty-year-old **Radheshyam Tharu**, a farmer, soldiers held back his wife while they arrested him. When his wife tried to follow the soldiers, they threatened to shoot her.<sup>102</sup> The soldiers also arrested thirty-three-year-old **Raj Kumar Tharu**, beating back his wife and brother with their guns.<sup>103</sup>

The relatives of Radheshyam saw him in detention in Tapara temporary army camp two days afterwards, but were not allowed to enter. Raj Kumar's relatives also saw him at Tapara five days after the arrest, with his hands tied behind his back and blindfolded, but still wearing the clothes he had been arrested in.<sup>104</sup>

Also on October 20, at about 3 a.m., a combined force of RNA and APF soldiers carried out arrests in Badalpur VDC-9, detaining four persons. Twenty-six-year-old **Basantu Tharu**, a mill worker, was arrested after the security forces broke down his door and immediately began beating him.<sup>105</sup> The security forces also broke down the door of

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<sup>99</sup> Human Rights Watch interview with a relative of Ram Karan Tharu, Bardia, September 30, 2004.

<sup>100</sup> Human Rights Watch interview with a relative of Runchya Tharu, Bardia, September 30, 2004.

<sup>101</sup> Human Rights Watch interviews with the relatives of Fula Ram Tharu and Runchya Tharu, Bardia, September 30, 2004.

<sup>102</sup> Human Rights Watch interview with a relative of Radheshyam Tharu, Bardia, September 30, 2004.

<sup>103</sup> Human Rights Watch interview with a relative of Raj Kumar Tharu, Bardia, September 30, 2004.

<sup>104</sup> Human Rights Watch interviews with the relatives of Radheshyam Tharu and Raj Kumar Tharu, Bardia, September 30, 2004.

<sup>105</sup> Human Rights Watch interview with a relative of Basantu Tharu, Bardia, September 30, 2004.

twenty-year-old **Lautan Tharu**'s home and detained him. Lautam had returned from working in India seven days before his arrest and "disappearance."<sup>106</sup> A grade nine student, twenty-year-old **Bagale Tharu**, was also arrested,<sup>107</sup> as was twenty-one-year-old **Pharek Tharu**, a farmer and his family's main breadwinner.<sup>108</sup> The families denied that any of the four were members of CPN-M. Relatives of Basantu went daily to Tapara, and spotted him there in detention on three separate occasions. Lautam was spotted on two separate occasions by his relatives, with his hands tied behind him.<sup>109</sup>

RNA soldiers further arrested four people from Harinagar village, Khairi Chandanpur VDC-8 during the day of October 21, 2002. From witnesses' accounts, when the soldiers arrived in the village, a Maoist flag was hanging in a tree near the field of forty-five-year-old **Sunawa Chowdhury**. The soldiers ordered Sunawa to remove the flag, and then took him with them.<sup>110</sup> The soldiers also arrested twenty-four-year-old **Bagi Ram Chowdhury** while he was working in his field.<sup>111</sup> Nineteen-year-old **Kessar Kumar Chowdhury**, a grade six student and thirty-eight-year-old **Pati Ram Chowdhury**, a medical shop owner, were also detained.<sup>112</sup> The four men were never seen again.

On October 21, RNA soldiers arrested twenty-eight-year-old **Mangru Chowdhury**, a former tractor driver who had seriously injured his back in a work accident and was operating a small shop at the time of his arrest. The soldiers locked his family into their home in Chapti village, Badalpur VDC-4, and took him away.<sup>113</sup>

The soldiers then brought Mangru Chowdhury to the parental home of seventeen-year-old **Gopal Chowdhury**, a grade nine student in the same village. The soldiers searched the house and found some Maoist literature. They accused Chowdhury of being a Maoist, beat him and his three brothers, and walked both men away.

Gopal Chowdhury's family searched for him extensively. At one point, soldiers in Kohalpur barracks in Banke district told them that Chowdhury was there but was at the

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<sup>106</sup> Human Rights Watch interview with a relative of Lautan Tharu, Bardia, September 30, 2004.

<sup>107</sup> Human Rights Watch interview with a relative of Bagale Tharu, Bardia, September 30, 2004.

<sup>108</sup> Human Rights Watch interview with a relative of Parek Tharu, Bardia, September 30, 2004.

<sup>109</sup> Human Rights Watch interviews with the relatives of Basantu Tharu and Lautan Tharu, Bardia, September 30, 2004.

<sup>110</sup> Human Rights Watch interview with a relative of Sunawa Chowdhury, Bardia, October 1, 2004.

<sup>111</sup> Human Rights Watch interview with anonymous witness, Bardia, October 1, 2004.

<sup>112</sup> Human Rights Watch interview with a relative of Kessar Kumar Chowdhury, Bardia, October 1, 2004; Human Rights Watch interview with a relative of Pati Ram Chowdhury, Bardia, October 1, 2004.

<sup>113</sup> Human Rights Watch interview with a relative of Mangru Chowdhury, Bardia, September 30, 2004.

moment out “in training.” Several months later, a fellow villager told the family that he had seen Chowdhury at the Badalpur temporary army base. A respected international agency told the family later that Mangru Tharu was killed, but that it had no information about Chowdhury.<sup>114</sup>

On October 22, RNA soldiers came to Pahadipur village, Badalpur VDC-3. The soldiers asked the villagers to point out forty-one-year-old **Moti Lal Tharu**, a farmer and local-level CPN-M activist, who was working in his field at the time. The soldiers ordered Moti Lal to come with them, after which he was never seen again. Soldiers at the Tapara temporary barracks denied he was in detention there, but another detainee who was later released confirmed to the family that Moti Lal had been held at the Tapara barracks.<sup>115</sup>

On October 25 (Kartik 8), the soldiers left the Manpur Tapara temporary army camp and redeployed to nearby Guleria, the district’s headquarters. Attempts by the relatives to get information about what happened to the disappeared men were unsuccessful. Some families received unofficial confirmation through contacts in the security forces that some of the men had been moved to the Rajdal army barracks at the Nepalgunj airport, but were unable to visit any detainees there.<sup>116</sup> The “disappearances” were reported to the ICRC, INSEC, CIVICT, and to other local human rights organizations.

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<sup>114</sup> Human Rights Watch interview with a relative of Gopal Chowdhury, Bardia, September 28, 2004.

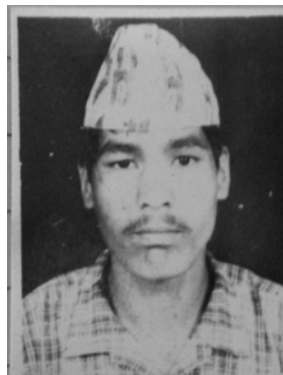
<sup>115</sup> Human Rights Watch interview with two relatives of Moti Lal Tharu, Bardia, September 30, 2004.

<sup>116</sup> Human Rights Watch interview with a relative of Basantu Tharu, Bardia, September 30, 2004.

117. Khagga Tharu



118. Kala Ram Tharu



119. Badhu Tharu



120. Babu Ram Tharu



On the night of October 2, 2002 (Ashoj 16, 2059), about five hundred RNA troops, some uniformed and some in civilian clothes, surrounded the village of Madaha in Motipur VDC-5.

At around 1 a.m., a group of soldiers came to the parental home of thirty-four-year-old **Khagga Tharu** and his twenty-three-year-old brother **Kala Ram Tharu**. Keeping the family at gunpoint, the soldiers first walked Khagga Tharu away from the house, and shortly thereafter the family heard gunshots from across the field. Soon afterward, a group of soldiers brought Khagga Tharu's body back and put it on a wooden bed taken from the house.<sup>117</sup>

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<sup>117</sup> Human Rights Watch interview with two relatives of Kala Ram and Khagga Tharu, Bardia, September 28, 2004.

Meanwhile, other groups of soldiers detained four other men from the village – Khaga Tharu’s brother Kala Ram Tharu, forty-nine-year-old **Badhu Tharu**, twenty-six-year-old **Babu Ram Tharu**, and one other man. The soldiers ordered the four detainees to carry the bed with Khaga Tharu’s body and escorted them out of the village.

Kala Ram Tharu, Badhu Tharu, and Babu Ram Tharu have not been seen since then. The body of Khagga Tharu was also never returned to the family, and thus he numbers among the “disappeared.” The fourth detainee was released a week after the arrest and told the families that after the four men brought Khaga Tharu’s body to a military van parked in a neighboring village, they were blindfolded and brought to the Rambhapur army post. He was transferred to Chisapani Army Barracks and released from there, but did not know what happened to the other three.<sup>118</sup>

The relatives of the “disappeared” men went to the Chisapani barracks, but the soldiers did not let them in. They also inquired at the Ranja army barracks, but army officials told them the detainees were not there. The case was reported to INSEC and NHRC.

Badhu Tharu was a farmer and a member of CPN-UML, a party not affiliated with the Maoists. Babu Ram Tharu was not involved with CPN-M, but had a sister who was an active CPN-M member. Both Kala Ram and Khagga Tharu were Maoist activists for about a year before their arrest.

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<sup>118</sup> Human Rights Watch interviews with the relatives of Kala Ram and Khagga Tharu, Badhu Tharu, and Babu Ram Tharu, Bardia, September 28, 2004.

121. *Raj Dev Mandal,*



122. *Ram Kishan Tharu,*



123. *Nar Bagar Rana*



At about 1 a.m. on September 30, 2002 (Ashoj 14, 2059), a group of uniformed RNA soldiers arrived at Magaraghadi VDC-8, Bardia district. They first went to the home of forty-year-old **Raj Dev Mandal**, a teacher at the local secondary school, and after questioning him ordered him to accompany them to the home of the headmaster of the school, promising to send him home afterwards.<sup>119</sup>

The soldiers also arrested twenty-four-year-old **Ram Kishan Tharu**, a carpenter and farmer, from his home, saying they just had a “little business” with him and ordering his family to remain inside.<sup>120</sup>

Forty-year-old **Nar Bahadur Rana**, who had worked most of his life in India and who had organized a forestry group to protect the nearby forest, was also taken from his home by the soldiers, who told his relatives that they only wanted him to point out another home in the village.<sup>121</sup> The three men were never seen again.

The relatives went to the Rambhapur army barracks the next day, but the soldiers there denied arresting the men. Soldiers at the Chisapani army barracks also denied having any knowledge of the arrests. The relatives reported the “disappearances” to local human rights organizations in Nepalgunj.<sup>122</sup>

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<sup>119</sup> Human Rights Watch interview with a relative of Raj Dev Mandal, Bardia, September 29, 2004.

<sup>120</sup> Human Rights Watch interview with a relative of Ram Kishan Tharu, Bardia, September 29, 2004.

<sup>121</sup> Human Rights Watch interview with a relative of Nar Bagar Rana, Bardia, September 29, 2004.

<sup>122</sup> Human Rights Watch interview with a relative of Ram Kishan Tharu (father), Bardia, September 29, 2004; Human Rights Watch interview with a relative of Nar Bagar Rana, Bardia, September 29, 2004.

#### 124. Ram Prasad Tharu



On September 2, 2002 (Bhadra 17, 2059), at around 3 a.m., about a dozen uniformed RNA soldiers came to the house of twenty-seven-year-old teacher **Ram Prasad Tharu** in Magaragadi VDC-9, Magaragadi. Two soldiers entered the house and ordered Tharu to follow them, telling his family they would let him go soon. The family has not seen him since then.

An acquaintance from the military inquired on behalf of the family at the Rambhapur army post. Army officials said that Tharu was not there, but that he would return home in a few days, although they could not disclose his location. Two months later, the family inquired at the Chisapani barracks, where they found out that Tharu was held there for a month and then transferred. The army did not say to which location he was transferred. The family reported the case to INSEC and the ICRC, but has not received any further information.

According to his relatives, Tharu was a teacher for young children and was not politically involved, but the Maoists had come to his house twice, and on those two occasions he had given them food.<sup>123</sup>

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<sup>123</sup> Human Rights Watch interview with a relative of Ram Prasad Tharu, Bardia, September 29, 2004.

125. *Pati Ram Tharu*

126. *Sher Bahadur Tharu,*      127. *Buddi Ram Tharu,*      128. *Lahanu Chowdhury*



129. *Bhava Kumar Chowdhury,*

130. *Bhook Lal Chowdhury*



On the afternoon of September 1, 2002 (Bhadra 16, 2059), soldiers at the Rambhapur army checkpoint in Magragadi VDC stopped a bus and ordered the passengers to get out. They wrote down the passengers' names and checked their hands and shoulders for marks from holding weapons. From the bus, the soldiers detained seven men from Dangpur village in Motipur VDC, Bardia district: twenty-four-year-old **Sher Bahadur Tharu**, twenty-one-year-old **Bhava Kumar Chowdhury**, eighteen-year-old **Buddi Ram Tharu**, twenty-five-year-old **Pati Ram Tharu**, twenty-three-year-old **Bhook Lal Chowdhury**, twenty-three-year-old **Lahanu Chowdhury**, and another man from the village who was later released.<sup>124</sup>

The next day, Radio Nepal reported the arrest of “seven Maoists” from their village.”<sup>125</sup>

<sup>124</sup> Human Rights Watch is withholding the identity of the released man to protect his security.

<sup>125</sup> Human Rights Watch interview with a relative of Bhook Lal Chowdhury, Bardia, September 27, 2004.

All of the men were farmers, on their way to India for work after the cultivation season had ended in Nepal; the relatives of the men strongly deny that any of the men had links to CPN-M and say that they spent the majority of their time as laborers in India.

The seventh detainee was released after about a month in detention, and confirmed that he was held with the six “disappeared” men at the Chisapani army barracks in Nepalgunj. Three or four days after their arrival at the Chisapani army barracks, the released detainee was separated from the six “disappeared” detainees, and never saw them again.

The families reported the “disappearance” to INSEC, to other human rights organizations and to the ICRC. There has been no news about the fate of the six men.<sup>126</sup>

**131. Jilla Sandesh Tharu, 132. Shree Ram Tharu, 133. Chuluwa Tharu**



On August 17, 2002 (Bhadra 1, 2059), at around 6.30 a.m., a group of RNA soldiers detained six people in the village of Magaragadi, Magaragadi VDC-9, including twenty-six-year-old teacher **Jilla Sandesh Tharu**, thirty-eight-year-old **Chuluwa Tharu**, and nineteen-year-old **Shree Ram Tharu**. The army brought all six to the market place in the village, and asked the ward’s ex-chairman to identify them. The ex-chairman did not identify Jilla Sandesh, Chuluwa, and Shree Ram—although, according to their relatives, he knew them well—and the soldiers drove these three away in a van. The three others were released.<sup>127</sup>

<sup>126</sup> Human Rights Watch interviews with the relatives of Sher Bahadur Tharu, Bhava Kumar Chowdhury, Buddi Ram Tharu, Pati Ram Tharu, Bhok Lal Chowdhury, and Lahanu Chowdhury, Bardia, September 27, 2004.

<sup>127</sup> Human Rights Watch interview with a relative of Jilla Sandesh Tharu, Bardia, September 29, 2004; Human Rights Watch interview with a relative of Shreeram Tharu, Bardia, September 29, 2004; Human Rights Watch interview with a relative of Chulluwa Tharu, September 29, 2004.

A relative of Jilla Sandesh Tharu immediately went to the Rambhapur army post because she had recognized an officer from there—Jamdar Mahendra Thapa—in the group that had come to the village. She found out that the van with detainees had arrived at the Rambhapur post, but a soldier near the post told her that Jilla Sandesh was not inside.

A week later, the family visited the Chisapani and Ranja army barracks. At the latter, an officer told them to bring Jilla Sandesh Tharu's photo. When they did, the officer said that the man "was taken from this barrack" to the Thakurdwara barracks to do some electricity work, and that he would be returned to the Ranja barracks three months later. The family has been unable to obtain any information regarding his whereabouts since then. The case was reported to INSEC and the ICRC.<sup>128</sup>

Chulluwa Tharu's relatives paid 5,000 Nepali rupees (about U.S.\$70) to a government official who promised to seek his release from the army, but there was no result. Soldiers at the Chisapani army barracks denied any knowledge of the arrests. The family reported the case to local human rights organizations and the ICRC. Two years after the arrest, a Nepali working for an international organization told the family that Chulluwa Tharu had been killed in army custody, but there has been no official confirmation of his death.<sup>129</sup>

The relatives of all three men say they were never involved with the Maoists.

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<sup>128</sup> Human Rights Watch interview with a relative of Jilla Sandesh Tharu, Bardia, September 29, 2004.

<sup>129</sup> Human Rights Watch interview with a relative of Chulluwa Tharu, Bardia, September 29, 2004.

*134. Basant Prasad Chowdhury*



*135. Raju Tharu*



On August 17, 2002 (Bhadra 1, 2059), at around 7 p.m., a group of uniformed RNA soldiers came to the village of Manpur in Magaragadi VDC-4. They detained thirty-three-year-old **Basant Prasad Chowdhury** in the shop he owned and brought him to his home to look for his brother, who was not there at the time.

The soldiers then took Chowdhury to the house of twenty-five-year-old **Raju Tharu**, who had worked as a laborer in India for the previous five years. The soldiers ordered Raju Tharu to accompany them, saying they had “a little business” with him, and walked both men away.<sup>130</sup>

A relative of Chowdhury, who took a side street and followed the soldiers, saw them putting him in a white van and driving away.

Chowdhury’s family inquired at the Rambhapur army barracks, but the army denied having him in their custody. The case was reported INSEC and the ICRC.

Chowdhury’s relatives say that the Maoists once came to his house and beat him, but do not know if he was ever involved with them.<sup>131</sup>

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<sup>130</sup> Human Rights Watch interview with a relative of Raju Tharu, Bardia, September 29, 2004.

<sup>131</sup> Human Rights Watch interview with a relative of Basant Prasad Chowdhury, Bardia, September 29, 2004

### **136. Raj Kumar Tharu**

Twenty-four-year-old **Raj Kumar Tharu**, a farmer from Magargadi VDC-4, Bardia district, with no known Maoist connections, was arrested by Nepali security forces at Kataliya village, near Bansgadhi town, on August 16, 2002 (Shrawan 31, 2059). He was returning home after getting his CD-player repaired in Bansgadhi town. His family only discovered a week later what had happened, when a villager who had witnessed the arrest came to inform them that Raj Kumar had been arrested by soldiers from Rambhapur Army Barracks.

The family was too afraid to go to the Rambhapur army barracks, because they had been told by other villagers that the soldiers there would arrest and kill them. They did go to the Chisapani army barracks, but were told Raj Kumar was not there. The family later approached a top leader in the RPP, Nepal's largest Royalist party, who again contacted the Chisapani army barracks and confirmed that Raj Kumar had been held there until the Dashain festival (October 7-15, 2002). The case was reported to local human rights organizations, but no information has been obtained.<sup>132</sup>

### **137. Sita Chowdhury**

On August 13, 2002 (Shrawan 28, 2059), at around 2 a.m., about a dozen uniformed soldiers from the Rambhapur army post came to the parental home of twenty-three-year-old student **Sita Chowdhury** in Machaghar, Deudakala VDC-3. She recognized some of the soldiers because she used to work near the post for an organization providing training for “backward people.” Chowdhury told her parents—whom the soldiers held at gunpoint inside the house—that she would go with the soldiers because she knew them.

The next day, the parents heard a report on Radio Nepal saying that a “Maoist called Sita Chowdhury was killed in an encounter,” along with three other persons.

The family has not found Chowdhury or her body. They went to the Rambhapur army post once, hoping to see Sita, but did not dare to go in or ask about their daughter.

The family reported the “disappearance” to INSEC and to other human rights organizations.<sup>133</sup>

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<sup>132</sup> Human Rights Watch interview with a relative of Raj Kumar Tharu, Bardia, September 29, 2004.

<sup>133</sup> Human Rights Watch interview with a relative of Sita Chowdhury, Bardia, September 28, 2004.

138. Jangu Tharu



139. Ram Bharose Tharu



140. Jagana Tharu



141. Jagat Ram Tharu



On August 11, 2002 (Shrawan 26, 2059), at around 9 p.m., a large group of RNA troops arrived at the village of Sonpur in Magragadi VDC-5. They searched several houses and took away forty-eight-year-old farmer **Jangu Tharu**, thirty-one-year-old farmer **Ram Bharose Tharu**, thirty-four-year-old farmer **Jagana Tharu**, and thirty-six-year-old farmer **Jagat Ram Tharu**. The soldiers had a list with them and called each of the detainees out by name during the arrest. In each house the soldiers held the families at gunpoint to prevent them from following their arrested relatives.

Villagers saw the soldiers taking the detainees to a van parked on the edge of the village, and an hour later they heard two long rounds of gunshots from the same location. After the vehicle had left, the villagers came to the spot, but did not find anything there.

An ex-chairman of the village inquired at the Rambhapur army post, where an officer asked him to bring a petition to release the detainees signed by the acting chairman, which the latter refused to do. The officer then suggested that the men had been abducted by the Maoists, and finally said they had been taken to the Chisapani army barracks. The army officials at the Chisapani barracks denied having any information. The families reported the case to INSEC and the ICRC, but have not received any further information.

The families of all four detainees deny their having any involvement with CPN-M. All of the men were farmers, and Jangu Tharu was a member of CPN-UML, a party not affiliated with the Maoists.<sup>134</sup>

#### 142. Hari Ram Chowdhury



#### 143. Tate Ram Tharu

On August 9, 2002 (Shrawan 24, 2059), at 4 a.m., a large group of uniformed RNA soldiers came to Magargadhi VDC-5, Bardia district. The soldiers fanned out across the village, looking for certain men by name. Five men were arrested from the village, of whom three were released and two remain missing.

About fifty uniformed RNA soldiers came to the home of twenty-four-year-old **Hari Ram Chowdhury**, who had just returned from work in India two days before. The soldiers asked for Hari Ram by name, tied his hands behind his back, and ordered him to go with them.<sup>135</sup> The soldiers also surrounded the house of forty-year-old **Tate Ram Tharu**, a village shopkeeper, and told him to come with them, telling his worried family he would be released in a few hours.<sup>136</sup> The two men remain missing to date.

<sup>134</sup> Human Rights Watch interview with a relative of Jangu Tharu, Bardia, September 29, 2004; Human Rights Watch interview with a relative of Ram Bharose Tharu, September 29, 2004; Human Rights Watch interview with a relative of Jagana Tharu, September 29, 2004; Human Rights Watch interview with a relative of Jagat Ram Tharu, September 29, 2004.

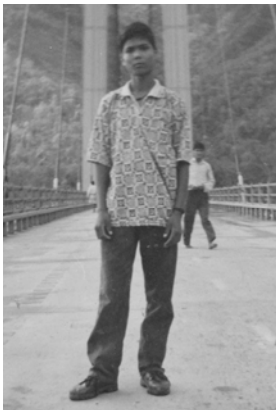
<sup>135</sup> Human Rights Watch interview with a relative of Hari Ram Chowdhury, Bardia, September 29, 2004.

<sup>136</sup> Human Rights Watch interview with Ram Dulari Tharu (wife), Bardia, September 29, 2004.

Human Rights Watch spoke to one of the three detainees who had been arrested with the two missing men, but was released the next day. The forty-six-year-old farmer explained how the soldiers had beaten his whole family before taking him and his son away, blindfolded. The soldiers beat the men so badly on the way to their vehicle that the farmer fainted. When they arrived at the security post—the released detainee was blindfolded throughout the incident, but he and the relatives of the missing believe they were taken to the Rambhapur army barracks—each of the men was individually beaten and questioned. The men were then left tied up outside in the cold rain for hours. The next afternoon, the soldiers took the farmer to a nearby jungle, and left him, still blindfolded, telling him not to remove the blindfold for thirty minutes. When he finally managed to make it home, he learned his son had been released earlier.<sup>137</sup>

When the relatives of the two “disappeared” men went to the Rambhapur army barracks, they met with a senior officer who told them that if they could bring a recommendation from village leaders certifying the men had nothing to do with the Maoists, they might be released—strongly indicating that the men were indeed in his custody. However, when the families went back again to Rambhapur, the officials said they knew nothing about the case. Officials at the Chisapani army barracks also denied all knowledge of the case. The “disappearances” were reported to the ICRC, INSEC, and other local human rights organizations, but there has been no news about the two men, “not even rumors.”<sup>138</sup>

#### 144. *Likha Ram Tharu*



Twenty-three-year-old **Likha Ram Tharu**, from Mohamadpur VDC, Bardia district, went to work at the Chisapani army barracks as a cook for an RNA captain. On visits home, he frequently complained about the behavior of the captain, saying that the officer acted erratically, would demand food in the middle of the night when he arrived home intoxicated, and would frequently beat his staff. In July 12, 2002 (Ashad 28, 2059), Likha Ram Tharu went to Chisapani barracks with two of his friends who wanted to join the RNA and did not return.

After searching for him for nearly two months, his relatives were finally contacted by Tharu’s friend who said he had spent three days in detention at the Chisapani barracks

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<sup>137</sup> Human Rights Watch interview [name withheld], Bardia, September 29, 2004.

<sup>138</sup> Rights Watch interview with a relative of Hari Ram Chowdhury, Bardia, September 29, 2004; Human Rights Watch interview with a relative of Tate Ram Tharu, Bardia, September 29, 2004.

with Likha Ram Tharu, who had been arrested by the captain he worked for. The family went to the Chisapani army barracks, where the captain involved met with them, told them Likha Ram was not at the base, and ordered them to go home. The “disappearance” was reported to the ICRC, NHRC, and INSEC. A habeas corpus petition was filed in the Supreme Court, but was dismissed three months later for lack of evidence. No further information has been obtained about the fate of Likha Ram Tharu.<sup>139</sup>

#### ***145. Bali Ram Tharu***

On the afternoon of June 22, 2002 (Ashad 8, 2059), twenty-year-old farmer **Bali Ram Tharu**, who had just joined CPN-M, was meeting with other Maoists near a rice mill in Dudha, Mohamadpur VDC. A group of about twenty-five policemen in civilian clothing, all armed, arrived on bicycles and detained Tharu, together with eighteen-year-old Tate Ram Tharu and nineteen-year-old Rabindra Tharu. The latter two were released on March 16, 2004 (Chaitra 3, 2060).

A villager who works with the police informed the families that the detainees were brought to the Guleria district police office, held there overnight and during the following day, and then handed over to the army. He did not know to which location they were transferred.

The head of the village inquired on behalf of the family at the police station and at nearby army barracks, but has not received any information. The case was also reported to the ICRC.<sup>140</sup>

#### ***146. Janak Prasad Upadhaya***

A group of about thirty uniformed RNA soldiers came to the Deudakala VDC, Bardia district home of twenty-seven-year-old **Janak Prasad Upadhaya**, a farmer, during the night of June 18, 2002 (Ashad 4, 2059). The soldiers broke down the door of the home, and demanded to know which person was Janak Prasad. Prasad identified himself, and the soldiers ordered him to get dressed and come with them. He has not been seen or heard from since.

Three months after the “disappearance,” a relative went to Chisapani Army Barracks to seek information, but the officials told her they knew nothing about the case. The family

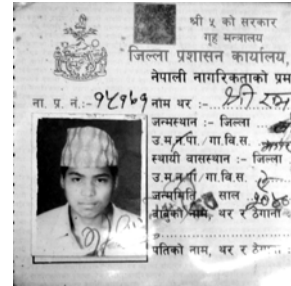
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<sup>139</sup> Human Rights Watch interview with a relative of Likha Ram Tharu (father), Bardia, September 27, 2004.

<sup>140</sup> Human Rights Watch interview with a relative of Bali Ram Tharu, Bardia, September 27, 2004.

reported the case to local human rights organizations. According to the family, Janak Prasad was not involved with the Maoists.<sup>141</sup>

147. Shree Ram Chowdhury    148. Bom Bahadur Shahi    149. Shree Ram Tharu



150. Tirtha Bahadur Thapa

151. Hira Singh Bathamagar



On the night of May 23, 2002 (Jestha 9, 2059), the RNA conducted a large-scale operation in the village of Machaghar, Deudakala VDC-3, and detained five men, all of whom were taken from their homes and beaten during the arrest.

Twenty-five-year-old **Tirtha Bahadur Thapa** used to work in India, and had recently returned home to build a house, intending to return to India afterwards. The soldiers came inside his family's home, initially trying to fool the family into thinking they were Maoists by saying such things as, "We've sent ten comrades to your house, why didn't you feed them?," but Thapa and his family were not fooled, repeatedly telling the soldiers they didn't know what they were talking about. The soldiers then kicked Thapa

<sup>141</sup> Human Rights Watch interview with a relative of Janak Prasad Upadhaya, Bardia, September 28, 2004.

repeatedly, ordered him to get dressed, and took him with them. Soon after the soldiers left, several gunshots rang out in the village.<sup>142</sup>

Twenty-six-year-old **Shree Ram Tharu** was also roused from his bed by the soldiers, who, after beating and kicking him in the courtyard, led him away.<sup>143</sup>

Twenty-seven-year-old **Hira Sing Bathamagar**, who worked as a laborer in India, was sleeping when the soldiers entered his home and called him by his name, saying, “Hira Sing, get up.” Before he could get up, however, a soldier punched him three times in his face. He was taken to a corner of the courtyard, where the soldiers severely beat and interrogated him for about thirty minutes before leading him away.<sup>144</sup>

The soldiers then brought Bathamagar to the house of twenty-six-year-old **Bom Bahadur Shahi**, whom he used to work with in India. The soldiers searched Shahi’s house, telling the family “not to tell anyone that the patrol was there.” Then they walked both men away.<sup>145</sup>

Twenty-five-year-old **Siya Ram Chowdhury** was also arrested the same night at his home. The soldiers called him out by name, dragged him into the street and beat him there, and then took him away. Chowdhury’s relative heard a gun shot about an hour after the soldiers left with Chowdhury.<sup>146</sup>

Early in the morning, Bom Bahadur Shahi’s relative saw four vehicles leaving the village: a van and a jeep proceeded toward the Rambhapur army post, and a green truck and another jeep went in the direction of the Chisapani barracks.<sup>147</sup>

Four months after the arrests, a detainee released from the Chisapani barracks told the family of Bom Bahadur Shahi that he had seen a man who looked like him in the barracks.<sup>148</sup>

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<sup>142</sup> Human Rights Watch interview with a relative of Tirtha Bahadur Thapa, Bardia, September 28, 2004.

<sup>143</sup> Human Rights Watch interview with a relative of Shree Ram Tharu, Bardia, September 28, 2004.

<sup>144</sup> Human Rights Watch interview with a relative of Hira Singh Bathamagar, Bardia, September 28, 2004.

<sup>145</sup> Human Rights Watch interview with a relative of Bom Bahadur Shahi, Bardia, September 28, 2004.

<sup>146</sup> Human Rights Watch interview with a relative of Siya Ram Chowdhury, Bardia, September 28, 2004.

<sup>147</sup> Human Rights Watch interview with a relative of Bom Bahadur Shahi, Bardia, September 28, 2004.

<sup>148</sup> Human Rights Watch interview with a relative of Bom Bahadur Shahi, Bardia, September 28, 2004.

The families continuously inquired at the Chisapani barracks and with RNA officials at Nepalgunj, but but the authorities denied any knowledge of the case. The cases were reported to INSEC and the ICRC.

The relatives of Shree Ram Chowdhury and Bom Bahdur Shahi said the two men were not Maoists, but did attend a Maoist meeting once, like most other villagers. The families of the other three men deny that the men had any links to the Maoists, explaining that most worked in India as laborers.<sup>149</sup>

#### *152. Janaki Chowdhury*

#### *153. Krishna Prasad Tharu*



On April 23, 2002 (Baishak 10, 2059), the Maoist-affiliated All-Nepal Free Students' Union (Revolutionary) held a meeting in Motipur VDC, Bardia district. An APF unit at Thappua Bridge detained two members of the group after the meeting, as they were returning to their village: twenty-seven-year-old **Krishna Prasad Tharu**, and **Janaki Chowdhury** (age unknown), who was a central committee member of the All-Nepal Free Students' Union (Revolutionary). Both remain missing to date.

A released detainee informed Tharu's family that he had been in detention with Tharu at the Chisapani army barracks. Thereafter, the relatives went repeatedly to the Chisapani army barracks to obtain information, but the soldiers denied any knowledge. The case was reported to the ICRC and local human rights organizations.<sup>150</sup>

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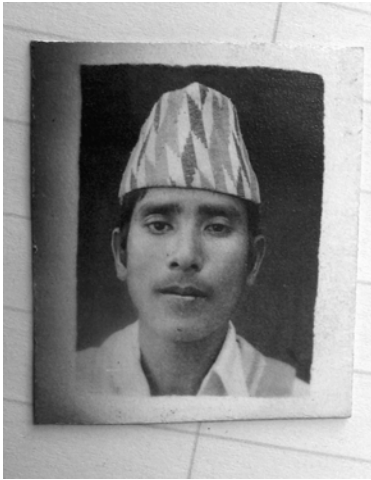
<sup>149</sup> Human Rights Watch interviews with the relatives of Tirtha Bahadur Thapa, Shree Ram Tharu, Hira Singh Bathamagar, Bom Bahadur Shahi and Siya Ram Chowdhury, Bardia, September 28, 2004.

<sup>150</sup> Human Rights Watch interview with a relative of Krishna Prasad Tharu, Bardia, September 28, 2004.

*154. Keshav Kumar Chowdhury*

*155. Pati Ram Chowdury*

*156. Bagauti Chowdhury*



Forty-three-year-old **Bagauti Chowdhury**, nineteen-year-old **Keshav Kumar Chowdhury** and thirty-eight-year-old **Pati Ram Chowdhury**, all farmers in Mangalpur village, Khairi Chandanpur VDC-2, Bardia district, were arrested by uniformed RNA soldiers at 3 a.m. on April 11, 2002 (Chaitra 29, 2058).

The next day, relatives of the three men went to Rajapur police headquarters, but were told the men were not there, and ordered to go away. The family members have received no further information about their missing relatives.<sup>151</sup> They reported the

“disappearances” to the ICRC, NHRC, and local human rights organizations.

*157. Ghanashyam Chowdhury*

Thirty-two-year-old **Ghanashyam Chowdhury**, from Manau VDC-8, Bardia district, never returned from a wedding ceremony for his landlord that he had gone to attend on March 3, 2002 (Falgun 19, 2058).

According to three other villagers who accompanied him to the wedding, he was arrested by RNA soldiers at the landlord’s home. The landlord told the family he would do what he could to seek the release of Chowdhury without result. The family informed local human rights organizations in Nepalgunj of the arrest.<sup>152</sup>

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<sup>151</sup> Human Rights Watch interview with a relative of Bagauti Chowdhury, Bardia, October 1, 2004.

<sup>152</sup> Human Rights Watch interview with a relative of Ganashyam Chowdhury, Bardia, October 1, 2004.

158. *Chillu Tharu*

159. *Dhani Ram Tharu*

160. *Sani Ram Tharu*

161. *Nirmal Chowdhury*



162. *Kamali Tharu*



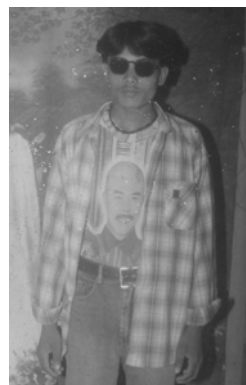
163. *Lauti Tharu*



164. *Radhu Lal Chowdhury*



165. *Prem Bahadur Tharu*



166. *Mohan Chowdhury*



167. *Jagat Prasad Chowdhury*

At about 4 a.m. on February 25, 2002 (Falgun 13, 2058), a group of about fifty RNA soldiers came to the house of twenty-two-year-old **Nirmal Chowdhury** in Baspur village, Manau VDC-9, Bardia district. The soldiers accused Nirmal of involvement in the killing of Amrit Man Shreshtra, a landlord from a nearby village who had been murdered by Maoists just weeks before (see below), tied his hands and blindfolded him, and took him away. Soldiers remained in the village until 9 a.m.<sup>153</sup> During the night, they also arrested thirty-eight-year-old **Jagat Prasad Chowdhury**, beating him in a courtyard and asking him what he knew about Amrit Man's killing.<sup>154</sup>

Two other villagers were arrested that same night, but released after six days. They told the relatives of the two missing detainees that they all had been taken to the Thakurdwara army barracks, where they were kept together and severely beaten. In response to the relatives' inquiries, officials at the Thakurdwara army barracks denied that the two missing men were in their custody. The families reported the "disappearances" to local human rights organizations and to the ICRC.<sup>155</sup>

On April 11, 2002 (Chaitra 29, 2058), a large group of RNA soldiers carried out a major sweep of Nauranga village in Manau VDC-8, Rajapur, Bardia. It is believed that the RNA raid was also in response to the Maoist killing of Amrit Man Shreshtra, a large landowner in the village, about two months before the sweep.

According to the witnesses, relatives of the late Amrit Man accompanied the RNA soldiers, pointing out people to arrest.<sup>156</sup> At many of the homes the soldiers visited, they initially tried to fool the villagers into thinking they were Maoists, and asked the villagers to join them in blowing up a local bridge. The RNA soldiers arrested eight people from the village, none of whom were seen alive again.

Many of the families affected by the incident were bonded laborers, and, after being later released from their bonded labor contracts, resettled in different areas of Nepal, making it difficult to locate all the families of the "disappeared."

The soldiers came to the home of thirty-year-old **Prem Bahadur Tharu**, a tractor driver who was not involved in politics. The soldiers and Amrit Man's relatives called out to

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<sup>153</sup> Human Rights Watch interview with a relative of Nirmal Chowdhury, Bardia, October 1, 2004.

<sup>154</sup> Human Rights Watch interview with a relative of Jagat Prasad Chowdhury, Bardia, October 1, 2004.

<sup>155</sup> Human Rights Watch interview with a relative of Nirmal Chowdhury, Bardia, October 1, 2004.

<sup>156</sup> Human Rights Watch interview with a relative of Prem Bahadur Tharu, Bardia, September 28, 2004; Human Rights Watch interview with a relative of Dhani Ram and Sani Ram Tharu, Bardia, October 1, 2004.

him, impersonating Maoists and saying they were going to blow up a local bridge. The family realized the men were actually RNA soldiers and tried to stop the men from taking Prem Bahadur, but the soldiers reassured them, saying they just wanted to ask some questions and would release him soon.<sup>157</sup>

Nineteen-year-old **Dhani Ram** and his seventeen-year-old brother **Sani Ram Tharu**, both farmers who, according to their family, were not involved with CPN-M, were sleeping at their home when a group of RNA soldiers arrived at about midnight. Three soldiers entered the home and, pretending to be Maoists, told the brothers to join them in blowing up a local bridge, but the family realized they were actually RNA soldiers. The soldiers told the two brothers to get dressed and took them away. They were never seen again.<sup>158</sup>

The soldiers came to the house of twenty-year-old **Radhu Lal Chowdhury**, a carpenter who according to his family was not involved with CPN-M, and ordered the other villagers already detained to call him out of his home. Again, the soldiers pretended to be Maoists, saying they were going to blow up the bridge. The family tried to stop the soldiers from taking Radhu Lal—they knew immediately the men were soldiers, not Maoists—but the soldiers promised to bring him back soon, and threatened to shoot his mother if she did not stop crying.<sup>159</sup>

The soldiers similarly arrested twenty-one-year-old **Mohan Chowdhury**, a farmer and occasional laborer, from his home. He was not involved with CPN-M, according to his family.<sup>160</sup> Soldiers came to the home of sixteen-year-old **Lauti Tharu**, ordered her to come with them and told her relatives to stay inside, saying they wanted to ask the girl some questions. Like many young people, Lauti Tharu occasionally attended CPN-M cultural events, but she was not an active Maoist.<sup>161</sup> Soldiers arrested nineteen-year-old **Kamali Tharu**, a student in grade seven, from her home, while a son and a cousin of the late Amrit Man Shrestha, the murdered landlord, called out, “This is the girl.”<sup>162</sup> An eighth villager, **Chillu Tharu** (age unknown) was also arrested and “disappeared.”

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<sup>157</sup> Human Rights Watch interview with a relative of Prem Bahadur Tharu, Bardia, September 28, 2004.

<sup>158</sup> Human Rights Watch interview with a relative of Dhani Ram and Sani Ram Tharu, Bardia, October 1, 2004.

<sup>159</sup> Human Rights Watch interview with a relative of Radhu Lal Chowdhury, Bardia, October 1, 2004.

<sup>160</sup> Human Rights Watch interview with a relative of Mohan Chowdhury, Bardia, October 1, 2004.

<sup>161</sup> Human Rights Watch interview with a relative of Lauti Tharu, Bardia, September 28, 2004.

<sup>162</sup> Human Rights Watch interview with a relative of Kamali Tharu, Bardia, September 28, 2004.

The relatives of the disappeared tried to obtain information from various security and government officials based in Tikapur Kaili District, Guleria, Thakurdwara, and Rajapur, but did not succeed. The relatives also reported the case to the ICRC and various local human rights organizations.<sup>163</sup> Nothing has been heard of the eight persons since they were taken from the village.

#### **168. Tulsi Ram Tharu**

#### **169. Lachi Ram Tharu**

#### **170. Darbari Tharu**

On January 24, 2002 (Magh 11, 2058), a group of dozens of uniformed police officers came to Madaha village in Motipur VDC, Bardia district. The police arrested three men from the village.

Twenty-four-year-old **Tulsi Ram Tharu**, a farmer, was feeding his family's cattle when he saw the police approach, and went to hide under his bed. The police found and arrested him and searched his home, demanding that the family hand over their weapons, which the family denied having in its possession. The police then blindfolded Tulsi Ram and led him away.<sup>164</sup>

The police also arrested thirty-six-year-old **Lachi Ram**, a carpenter, from his home and beat him severely.<sup>165</sup> Twenty-eight-year-old **Darbari Tharu** was arrested by the police while he was walking to his job at a nearby brick factory.<sup>166</sup> The families of all three men denied any links to CPN-M.

The families immediately searched for the three missing men at police stations in the area, and soon established they were being held at the Banshghadi police post, but were not allowed to visit them. The men were then transferred to the detention center at the Guleria district police office, where the families were allowed to visit them for a period of about two and a half months. Suddenly, on April 25, 2002 (Baishak 12, 2059), the prison authorities told the families that the men were no longer at the prison, but provided no explanation for what had happened to them.

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<sup>163</sup> Human Rights Watch interviews with the relatives of Dhani Ram and Sani Ram Thar, Bardia, October 1, 2004; Human Rights Watch interview with a relative of Prem Bahadur Tharu, Bardia, September 28, 2004.

<sup>164</sup> Human Rights Watch interviews with two relatives of Tulsi Ram Tharu, Bardia, September 28, 2004.

<sup>165</sup> Human Rights Watch interview with a relative of Lachi Ram Tharu, Bardia, September 28, 2004.

<sup>166</sup> Human Rights Watch interview with a relative of Darbari Tharu, Bardia, September 28, 2004.

Kantipur newspaper announced the release of the three men on July 31, 2003, but they never arrived home. The families informed the ICRC, INSEC, and other human rights groups of the “disappearances,” but have received no further news.<sup>167</sup>

### *171. Tribhuwan Giri*

In December 2001, twenty-two-year-old farmer **Tribhuwan Giri** was receiving technical training in a shop run by his relative in Khohalpur, Pipalchautara. On December 18, 2001 (Poush 3, 2058), at around 8 a.m., police arrived at the shop in a van, and a policeman named Ramu called out and arrested Giri.

The police took him to the Khohalpur police station, then to the Bansghari police station, and then transferred him to the Guleria police office, where Giri stayed for over two months. He was then transferred to Guleria prison on February 13, 2002 (Falgun 1, 2058).

His family had been visiting him regularly both in the Guleria police office and in prison. Giri told them that he was accused of being a Maoist, but assured them that he was innocent and that he would come home soon.

The family last met him on May 2, 2002 (Baisakh 19, 2059). When they came on May 7, prison authorities told the family that he was not there anymore and showed them a paper stating that nine people, including Giri, were released on May 2. A detainee released from the prison later told the family that on that day, the nine people had been taken away from the prison in an RNA truck. Prison officials told the family that Giri “might have been taken” for interrogation to the Guleria district police office. A police inspector there, however, confirmed that Giri had been taken from the prison by the army, although he did not know where exactly he was being held.

The family reported the case to the ICRC, NHRC and INSEC, but has not received any further information on Giri’s whereabouts.<sup>168</sup>

### *172. Sita Ram Tharu*

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<sup>167</sup> Human Rights Watch interviews with the relatives of Tulsi Ram Tharu, Lachi Ram Tharu, and Darbari Tharu, Bardia, September 28, 2004.

<sup>168</sup> Human Rights Watch interview with a relative of Tribhuwan Giri, September 28, 2004.

Thirty-five-year-old **Sita Ram Tharu**, a villager from Magarghadi VDC-4, Bardia district, was detained by RNA soldiers who arrived in his village at about 4 p.m. on December 16, 2001 (Poush 1, 2058). The soldiers also arrested three other villagers, including two relatives of Tharu, all of whom were later released. The arrests were likely sparked by the recent detainment of a Maoist who had spent the night several times in Tharu's home.

According to one of the released detainees, all of them were taken to the Chisapani army barracks. At the barracks, the released detainee witnessed what appears to have been the execution of Sita Ram Tharu. He said that after interrogating Tharu, the soldiers took him away into the forest, blindfolded and with his hands tied, and several minutes later, the witness heard two gunshots.<sup>169</sup>

The execution has not been confirmed by the authorities, and the body was not handed over to the family. The family reported the case to INSEC, but has not received any further information.

*173. Raj Kumar Chowdhury*

*174. Asha Ram Chowdhury*



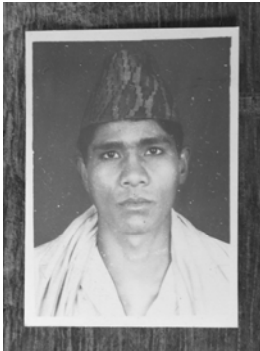
Twenty-six-year-old **Raj Kumar Chowdhury** and seventeen-year-old **Asha Ram Chowdhury**, a grade six student, both from Belbariya village, Manau VDC-5, Bardia district, were arrested by RNA soldiers on November 8, 2001 (Kartik 23, 2058). They were on their way to a picnic organized by friends to celebrate the Dipawali festival. Others who had attended the picnic returned afterward and reported the event to the families.

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<sup>169</sup> Human Rights Watch interview with a relative of Sita Ram Tharu, Bardia, September 29, 2004.

The detainees' relatives contacted the Chisapani army barracks, the Thakurdwara army barracks, and Guleria district headquarters after the arrests, but were told the men were not there. Local human rights organizations in Nepalgunj were informed, but there has been no further information about the fate of the men. The men were not associated with CPN-M, according to their relatives.<sup>170</sup>

175. Kali Ram Chowdhury



176. Bhag Ram Chowdhury



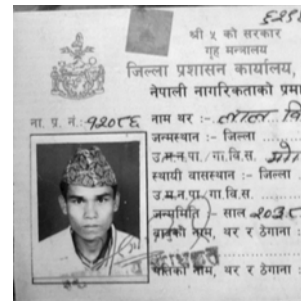
177. Hari Charam Tharu,



178. Kalpalti Tharu,



179. Lal Bihari Tharu



During the night of August 23, 2001 (Bhadra 7, 2058), a large group of uniformed RNA soldiers with backpacks came to the village of Pipal Tandi, Motipur VDC, Bardia district. The soldiers arrested a total of five persons from the village, and the five detainees were never seen again.

The family members of thirty-year-old **Kali Ram Chowdhury** were awakened in the night by soldiers shining their flashlights into the home, and were ordered to come outside. The soldiers initially detained Kali Ram's sister, but released her when Kali Ram surrendered to them. The soldiers then left with Kali Ram and his father and continued

<sup>170</sup> Human Rights Watch interview with relative of Raj Kumar Chowdhury, Bardia, October 1, 2004; Human Rights Watch interview with relative of Asha Ram Chowdhury, Bardia, October 1, 2004.

to surround houses, detaining four others from the village. Then they ordered Kali Ram's father to go back home, telling him they would not hurt Kali Ram and would release him soon. Shortly after he was released, Kali Ram's father heard gunshots from nearby the village's school, but nothing was found there the next day.<sup>171</sup>

Kali Ram Chowdhury had been involved with CPN-M, and regularly attended CPN-M events. However, according to his family, he had left the CPN-M and returned to civilian life prior to his arrest.

The soldiers also came to the home of twenty-two-year-old **Bhag Ram Tharu**, a farmer with no Maoist links. The family initially refused to open the door, as the soldiers did not identify themselves, whereupon the soldiers broke it down. The soldiers asked, "Who is Bhag Ram?" and then ordered him to come with them. The soldiers told his relatives to go back inside the home, saying they would shoot them if they tried to follow them.<sup>172</sup>

The soldiers also arrested forty-five-year-old **Hari Charan Tharu**, a farmer with no Maoist connections. His family was ordered to stay inside their home, and Hari Charan was taken away.<sup>173</sup>

Around 3 a.m., two groups of soldiers surrounded the houses of thirty-seven-year-old housewife **Kalpalti Tharu** and twenty-six-year-old farmer **Lal Bihari Tharu**. Keeping their relatives at gunpoint, the soldiers took the two away, saying they would release them soon. The relatives of both Kalpalti and Lal Bihari Tharu are adamant that the two were never involved with the Maoists, and do not know why they were arrested.

About fifteen minutes after the arrest, both families heard gunshots in the forest near the village school, yet in the morning they did not find any signs of execution there.<sup>174</sup>

Following the arrests, the relatives went to the Rambapur army barracks, to the chief district officer in Guleria, to the Thakurdwara army barracks, the Chisapani army

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<sup>171</sup> Human Rights Watch interview with a relative of Kali Ram Chowdhury, Bardia, September 28, 2004.

<sup>172</sup> Human Rights Watch interview with a relative of Bhag Ram Tharu, Bardia, September 28, 2004.

<sup>173</sup> Human Rights Watch interview with a relative of Hari Charan Tharu September 28, 2004.

<sup>174</sup> Human Rights Watch interview with a relative of Kalpalti Tharu, Barida, September 28, 2004; Human Rights Watch interview with a relative of Lal Bihari Tharu, Barida, September 28, 2004.

barracks, and to officials in Nepalgunj, but received no information. The “disappearances” were reported to the ICRC and local human rights organizations.<sup>175</sup>



### **180. Firu Tharu**

At about 2 a.m. on May 20, 2001 (Jestha 7, 2058), a group of fifty to sixty uniformed RNA soldiers came to Kakaura village, Deuda Kala VDC, Bardia district. The soldiers first went to the home of Jaga Ram Tharu, a twenty-seven-year-old farmer, and immediately began beating him, accusing him of providing food to the Maoists. They then asked him to lead them to the home of thirty-six-year-old **Firu Tharu**, a teacher at the boarding school in the village.

When the soldiers arrived at Firu Tharu’s house, they entered the home, brought Firu Tharu out to the courtyard, and began beating him. The soldiers then blindfolded Firu Tharu and ordered both men to walk with them. When they arrived at the main road, two vehicles were waiting. The soldiers released Jaga Ram Tharu, taking Firu Tharu with them. Firu Tharu was never seen again.

Firu Tharu’s family traveled to Chisapani Army Barracks and to the RNA office in Nepalgunj four days after the detention, but the officials denied any knowledge of the arrest. They then reported the case to local human rights organizations, but have not received any information about the fate of Firu Tharu.<sup>176</sup>

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<sup>175</sup> Human Rights Watch interview with a relative of Hari Charan Tharu, Bardia, September 28, 2004; Human Rights Watch interview with a relative of Kali Ram Tharu, Bardia, September 28, 2004.

<sup>176</sup> Human Rights Watch interview with a relative of Firu Tharu, Bardia, September 27, 2004; Human Rights Watch interview with Jaga Ram Tharu (released detainee), Bardia, September 27, 2004.

181. *Kaliya Ram Tharu,*



182. *Shiva Prasad Tharu,*



183. *Prem Kumar Tharu*

On the afternoon of April 25, 2001 (Baishak 12, 2058), three young men—nineteen-year-old **Kaliya Ram Tharu**, twenty-year-old **Shiva Prasad Tharu**, and twenty-year-old **Prem Kumar Tharu**, all farmers—were busy killing rats in the rice fields around Maishahi village, Mohamadpur VDC, Bardia district. A mixed group of police and RNA soldiers, some uniformed but most in civilian clothes, came from the direction of the Guleria district police headquarters, surrounded the men in the field, and detained them. Three others were detained, bringing the total number of detainees to six.

The six detained men were brought to the village, where they were interrogated for approximately one half hour about a recent Maoist attack on a nearby government office, the Cotton Development Committee.<sup>177</sup> The security forces released two of the men and brought the other four to Guleria District police office.

One of the detainees was released four days later, after the ex-chairman of the village came to the police office and vouched for him. According to the released detainee, the ex-chairman also asked about the other three men, but the police said that they “had handed them over.”<sup>178</sup>

Kaliya Ram Tharu, Shiva Prasad Tharu, and Prem Kumar Tharu were last seen by the released detainee in the Guleria district police office. None of the men had any ties to the CPN-M, according to their families.

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<sup>177</sup> Human Rights Watch interview with a relative of Shiva Prasad Tharu, Bardia, September 27, 2004.

<sup>178</sup> Human Rights Watch interview, Bardia, Spetmebr 27, 2004. The name of the released detainee is on file with Human Rights Watch. His identity is being withheld to protect his safety.

The day after the arrests, a local FM radio station announced that the three men had been killed in an “encounter” with the security forces, although the broadcast did not give the men’s names.

The families of the “disappeared” have reported the “disappearance” to the ICRC and to various human rights organizations, and visited army and police barracks throughout the district, but have not obtained any information about the fate of the three men.<sup>179</sup>

## Banke

### *184. Bhupendra Upreti*

Thirty-eight-year-old **Bhupendra Upreti**, a hardware-shop owner in the Birendra Chowk Bazaar of Nepalgunj, was detained together with a friend by RNA soldiers on December 9, 2003 (Monsir 23, 2060), while walking to a barbershop after closing his shop. According to his relatives, Bhupendra Upreti had been drinking at the time, and may have argued with the soldiers.

Three days after the arrest, Upreti sent a message to his family through a vegetable seller, saying he was being held at Rajha Airport Barracks near Nepalgunj, and saying he would probably be released in a few days. A relative went to Rajha Airport Barracks, where soldiers confirmed that he was being detained, telling the relative: “Don’t worry; if he is not guilty he will be released.” Two weeks later, the friend who was detained with Upreti was released, and informed the family that he had been kept together with Upreti for the first four days at Rajha Airport Barracks, but had then been separated from him when soldiers took Upreti out of the room.

The family again began searching for Upreti and managed to see the commander of Rajha Airport Barracks. The commander denied that Upreti had been arrested by his soldiers or that he was being held at the base. When the family informed him that the fellow detainee had confirmed he and Upreti had been kept there, the commander asked for the family’s phone number and said he would call them. The family has not been able to get any more information about the fate of Upreti. The case was reported to the ICRC, NHRC, and various human rights organizations. The family also petitioned the king and filed a habeas corpus petition, which remains undecided.<sup>180</sup>

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<sup>179</sup> Human Rights Watch interviews with the relatives of Shiva Prasad Tharu, Kaliya Ram Tharu and Prem Kumar Tharu, Bardia, September 27, 2004.

<sup>180</sup> Human Rights Watch interview with Chandra Kala Upreti (wife), Banke district, October 4, 2004.

### *185. Raj Bahadur Tharu*

### *186. Fula Raj Tharu*

At 3 a.m. on the morning of September 9, 2002 (Bhadra 24, 2059), a group of uniformed RNA soldiers came to Banaibar village in Naubasta VDC-8, Banke province. The soldiers went to many homes in the village, rounding up men as they progressed through the village and taking them to a large courtyard. After questioning the villagers, the soldiers took two of the detainees with them: thirty-year-old **Fula Raj Tharu**, a shopkeeper who had recently returned to the village after working for years in Kathmandu, and twenty-one-year-old **Raj Bahadur Tharu**, a farmer. Both families deny that the men were involved with CPN-M. The families do, however, state that a large group of Maoists had come to their village four months before the arrests, and that most of the villagers including themselves had been forced to feed and house two Maoists each for the night.

The families of the two men repeatedly went to Chisapani Barracks for information about the detained men. For the first several days, the soldiers at the entrance gate admitted the two men were detained there, but refused the relatives entry. After three days, the soldiers told the families the army had not detained the men, and told them to go away. The families reported the case to the ICRC, INSEC, and other local human rights organizations.<sup>181</sup>

### *187. Karna Bahadur Chowdhury*

**Karna Bahadur Chowdhury** (age unknown), an unskilled laborer who had no links to CPN-M, was walking around Baniyabar Market with two village friends when he was arrested by uniformed RNA soldiers at about 4 p.m. on August 14, 2002 (Shrawan 29, 2059). According to his two friends, the soldiers simply stopped Karna Bahadur, blindfolded him, and took him with them in a convoy of two army trucks, not even asking for his name.

The family immediately went to Chisapani army barracks, but the soldiers there denied any knowledge of the arrest. However, a released detainee later came to inform the family that he had spent almost two months in detention at Chisapani army barracks

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<sup>181</sup> Human Rights Watch interview with Dhaniya Tharu (sister), Banke district, October 3, 2004; Human Rights Watch interview with Gaumati Tharu (stepmother), Banke district, October 3, 2004.

with Karna Bahadur Chowdhury. The family reported the case to the ICRC and local human rights organizations, but has received no news about their missing relative.<sup>182</sup>

#### **188. Sita Ram Tharu**

On 21 Shrawan 2059, twenty-one-year-old **Sita Ram Tharu**, a farmer, left his village home in Boding Basti, Naubasta VDC-8, Banke district, to buy rice in the district capital of Kohalpur. He never returned home. The next day, the family was informed by other villagers that he had been arrested by RNA soldiers on his way back. According to the family, Sita Ram Tharu had no affiliation to CPN-M, but had the same name as another man from the same village who was a known Maoist.

The family tried to locate Sita Ram Tharu without success. They gave money to a corrupt local official who promised to help them, but received no information. At Chisapani barracks, the soldiers said they had not arrested him, and told the relative to go away. The case was reported to local human rights organizations, which passed on the case information to NHRC and ICRC.<sup>183</sup>

#### **189. Yagya Budha**

#### **190. Nar Bahadur Budha**

#### **191. Narda Ram Gharti**

#### **192. Gagan Bahadur Gharti**

On June 10, 2002 (Jestha 27, 2059), a large group of police officers, some uniformed and others in civilian dress, conducted a large arrest operation in Jammunitole village, Kohalpur VDC-6, Banke district. The police operation apparently was in response to a CPN-M arson attack on a nearby forestry ranger station that had occurred on May 12, 2002 (Baishak 29, 2059). The police arrested a total of fourteen people from the village. Three villagers remain missing to date: thirty-year-old **Yagya Buddi** and his twenty-eight-year-old brother **Nar Bahadur Buddi**, and twenty-year-old **Gagan Bahadur Gharti**, all of whom worked as seasonal laborers in India. A fourth detainee, fourteen-year-old **Narda Ram Gharti**, died from torture injuries while in detention.

One of the released detainees, who was a sixteen-year-old boy at the time of the events, told Human Rights Watch that the detainees were blindfolded by the police and taken to the Kohalpur district police station. At the police station, the men were questioned

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<sup>182</sup> Human Rights Watch interview with Drupati Chowdhury (mother), Banke district, October 3, 2004.

<sup>183</sup> Human Rights Watch interview with Anjana Tharu (mother), Banke district, October 3, 2004.

about the destruction of the forestry ranger post, but were not beaten or tortured. The men were then taken to Chisapani barracks, where they repeatedly suffered severe beatings. The detainee, aged sixteen at the time of the beatings, recalled:

We were kept in the yard of the barracks and then were called one by one for questioning. Inside [the interrogation room], they asked us about the attack on the forestry range post and beat us with heavy bamboo sticks. I couldn't even breathe for five minutes after one beating. I was blindfolded, so I couldn't see how many they were. They hit me with the bamboo stick four or five times, and then they ordered me to stay out in the sun all day. In the evening, I was called back to the same room and beaten again with the stick, four or five times.<sup>184</sup>

After eleven days of beatings and interrogation at Chisapani Army Barracks, most of the men were shifted back to Kohalpur district police station. However, the three men who remain missing to date stayed behind at Chisapani Army Barracks: "The soldiers called out all of our names except three." By the time of the transfer back to Kohalpur district police station, fourteen-year-old Narda Ram Gharti was close to death from the beatings he had faced: "He was with us, but he was very sick. When I last saw him, he was swollen all over his body." The ailing boy was soon transferred to Nepalgunj, where he died from his injuries.

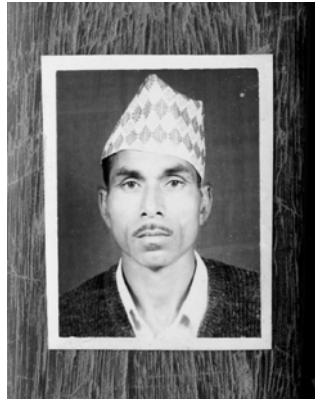
The remaining men were soon released from Kohalpur police station, but the three detainees who remained behind at Chisapani Army Barracks remain "disappeared" to date. The relatives of the "disappeared" informed ICRC and various human rights organizations, but have received no information of their fate.<sup>185</sup>

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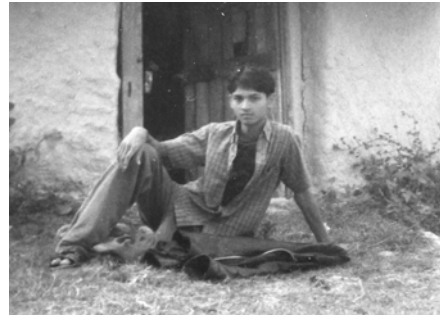
<sup>184</sup> Human Rights Watch interview with Dhambir Gharti (brother), Banke district, October 3, 2004.

<sup>185</sup> Human Rights Watch interview with Dhambir Gharti, Banke district, October 3, 2004; Human Rights Watch interview with Manka Singh Buddi, Banke district, October 3, 2004.

193. *Dhan Bahadur B.K.*



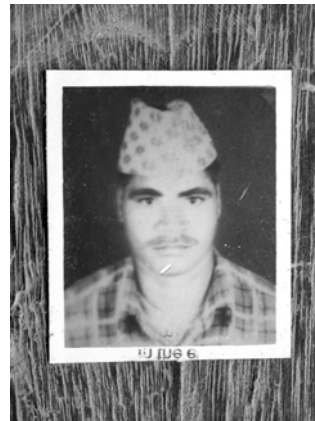
194. *Hikmat Bista*



195. *Yek Bahadur Kami*



196. *Ram Milan Balmiki*



The arrest spree in Kohalpur VDC began at about 11 a.m. on April 26, 2002 (Baishak 13, 2059), when police arrested eighteen-year-old **Yek Bahadur Kami**, a laborer who suffered from serious mental illness, at the market in Kohalpur. He was among the five men who disappeared, and the families believe the delusional man may have “informed” on the other arrested persons.<sup>186</sup>

One of those arrested in the night was **Ram Milan Balmiki**, a twenty-seven-year-old man, who worked in a milk marketing company. He and his mother had been beaten in his house before he was taken away by the soldiers.<sup>187</sup> Forty-seven-year-old **Dhan Bahadur B.K.**, owner of a furniture shop, was arrested after police came to his house, called out his name, and said the chief of the police station wanted to talk to him.<sup>188</sup>

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<sup>186</sup> Human Rights Watch interview with a relative of Yek Bahadur Kami, Banke, October 2, 2004.

<sup>187</sup> Human Rights Watch interview with a relative of Ram Milan Balmiki, Banke, October 2, 2004.

<sup>188</sup> Human Rights Watch interview with a relative of Dhan Bahadur B.K., Banke, October 2, 2004.

Twenty-three-year-old **Hikmat Bista**, a small shopkeeper who avoided political involvement, was also arrested at his home by police. The family recognized one of the officers as an assistant subinspector from the Kohalpur police station nearby. The police officer promised the family that they would return Hikmat before 11 a.m. the next morning.<sup>189</sup>

On the night of April 26, the soldiers also broke into the house of Goma Devi Shahi, who has been an active member of the left-of-center Majdoor Kisan Party since her student days.<sup>190</sup> Goma Shahi's husband was not at home; she was there with her four young daughters. The soldiers asked for her by name, and when she identified herself, one of the soldiers threw her against the door. She was put into a van where she found five other people who had been arrested.

The soldiers drove these six detainees to a field in front of the police administration headquarters in Kohalpur, where they were taken inside one by one. According to Goma Shahi, she was severely beaten and heard other detainees being beaten as well. She was put in a cell and, from sounds she heard, realized that the other detainees were in a separate cell for men at the other end of the corridor. At around 4:00 a.m., she heard the sound of a car in the driveway, and then heard the detainees in the other room being taken away. The five men have not been seen or heard from since then.

Goma Shahi was transferred the next day to district administration offices for further questioning and released fifteen days later.<sup>191</sup>

Ram Milan Balmiki's parents were informally told by the police the morning after his arrest that he had been taken into army custody. His relatives searched for him in different army barracks, but the army everywhere denied having him in detention. The courts have issued three habeas corpus orders to the army to produce Ram Milan Balmiki, but the army has not responded.<sup>192</sup>

## **197. NAME UNKNOWN**

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<sup>189</sup> Human Rights Watch interview with a relative of Hikmat Bista, Banke, October 2, 2004.

<sup>190</sup> Majdoor Kisan Party is a left-of-center party whose insignia includes the sickle and hammer common to most communist parties.

<sup>191</sup> Human Rights Watch interview with Goma Devi Shahi, Banke, March 17, 2004.

<sup>192</sup> Human Rights Watch interview with S.L. Balmiki and Maili Balmiki, Banke, March 17, 2004.

*198. Bhagwati Prasad Tharu*

*199. Pahadi Tharu*

*200. Raj Kumar Tharu*

On April 17, 2002 (Baishak 4, 2059), a large group of uniformed RNA soldiers came to Channawa village in Samserung VDC-4, Banke district. The soldiers asked for the location of the home of thirty-four-year-old **Bhagawati Prasad Tharu**. When they reached Bhagawati Prasad Tharu's home, they woke him, took him outside, and began kicking him with their boots. They then tied him up and took him away. Bhagawati Tharu had previously served as the village chairman of the royalist RPP party; his family is adamant that he had no CPN-M connections, although they and the families of the other two men "disappeared" that night admit to providing food and shelter to a group of Maoists about five months prior to the "disappearances." The family explained that they had no choice: "If we didn't provide food to the Maoists, they would have killed us."<sup>193</sup>

The same group of soldiers also arrested thirty-five-year-old **Pahadi Tharu**, a farmer who was feeding his buffalos that morning. During the arrest, the soldiers began kicking Pahadi Tharu with their boots and accused him of being a Maoist. Thirty-two-year-old **Raj Kumar Tharu**, a social worker implementing a children's education project in the village for an international NGO, was also arrested from his home.

None of the three men were ever seen again. The families believed the men were taken to the nearby Chisapani Army Barracks and tried to gain information there soon after the arrests, but they were told that the army didn't arrest people and ordered to go away. The families reported the case to the ICRC, NHRC, and to local human rights organizations.<sup>194</sup>

*201. Dayamanti Pun*

Twenty-year-old **Dayamanti Pun** was an active district member of the Maoist-affiliated All-Nepal Women's Organization (Revolutionary). She was detained on February 23, 2002 (Falgun 11, 2058), from Dhageri village, VDC, Banke District by Nepali security forces, together with three other suspected Maoists whose names are unknown to Human Rights Watch.

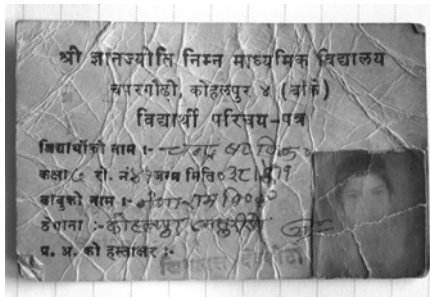
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<sup>193</sup> Human Rights Watch interview with Kalu Tharu, (brother), Banke district, October 2, 2004.

<sup>194</sup> Human Rights Watch interview with Hinderiya Tharu (wife), Banke district, October 2, 2004; Human Rights Watch interview with Kumali Tharu (wife), Banke district, October 2, 2004.

The following day, relatives went to the Chisapani army barracks, where the guards at the gate denied the girl was there, but a local worker told the family he had seen her in detention. Five days after her arrest, guards at the Chisapani army barracks confirmed to the family that she had been transferred to Thakurdwara Army Barracks. There has been no further information regarding Pun's whereabouts. The case has been reported to the ICRC and local human rights organizations.<sup>195</sup>

## 202. Chandra Bahadur B.K.



## 203. Jit Bahadur Pun



Twenty-two-year-old **Jit Bahadur Pun**, a CPN-M activist, and twenty-four-year-old **Chandra Bahadur B.K.**, a CPN-M platoon commander also known as “Ranjit,” were arrested by a group of about forty to fifty plainclothes officers from the Criminal Investigation Division (CID) of the police from their home village of Masurikheta, Kohalpur VDC, Banke district, on May 12, 2001 (Baishak 29, 2058). The families were too afraid to visit the police barracks to find out about the men's fate, because other villagers warned them that they too might be arrested. The case was reported to the ICRC and various local human rights organizations, but nothing has been heard about the two men since their arrest.<sup>196</sup>

## 204. Jog Bir Pun

## 205. Prem Bahadur B.K.

On February 13, 1999 (Falgun 1, 2055), a group of uniformed police officers arrested **Jog Bir Pun**, a CPN-M commander,<sup>197</sup> and eighteen-year-old **Prem Bahadur K.C.**, a student who was not affiliated with CPN-M, from nearby Prem Bahadur K.C.'s school at Nibuwa village, Kohalpur VDC, Banke district. Prem Bahadur K.C.'s family believes

<sup>195</sup> Human Rights Watch interview with Gaumati Pun, Banke (mother), October 2, 2004.

<sup>196</sup> Human Rights Watch interview with Devi Pun (mother), Banke district, October 2, 2004; Human Rights Watch interview with Dhansari B.K. (mother), Banke district, October 2, 2004.

<sup>197</sup> Jog Bir Pun is the elder brother of Jit Bahadur Pun, who was arrested on Baishak 29, 2058 and has also “disappeared.”

that the only reason he was arrested is because he was walking with a known Maoist at the time the police arrived. The family of Jog Bir Pun went to the Kohalpur police station to obtain information about their son, but the police officials claimed they knew nothing about the arrest. Nothing has been heard of the two men since their detainment. Because of heavy police operations in their area after the arrests, the families were not able to take further steps to locate the missing men.<sup>198</sup>

### ***206. Karan Singh Pun***

Twenty-four-year-old **Karan Singh Pun**, a student, was arrested by two Criminal Investigation Department (CID) police officials at 4 p.m. on September 5, 1998 (Bhadra 20, 2055), from the house of a neighbor in Masurikhet village, Kohalpur VDC-4, Banke.

His relatives went to the CDO and the Kolahpur police station, but authorities claimed they had no information about his detention. The case was reported to the ICRC and local human rights organizations.

The family is unaware of any CPN-M involvement by Karan Singh, but suspects he was detained because the family had moved to Kohalpur-VDC from Rukum, a district which is a CPN-M stronghold. A sister of Karan Singh, Dayamanti Pun, was an active Maoist who also “disappeared” in February, 2002 (Falgun 2058).<sup>199</sup>

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<sup>198</sup> Human Rights Watch interview with Devi Pun (mother), Banke district, October 2, 2004; Human Rights Watch interview with Dhansari K.C. (mother), Banke district, October 2, 2004.

<sup>199</sup> Human Rights Watch interview with a relative of Karan Singh and Dayamanti Pun, Banke, October 2, 2004.