

# Let's Ask: Where are they?

The history of Enforced Disappearance of people in Nepal dates back to more than seven decades. The citizens suffered from such violence of their rights utmost in a particular epoch of time and slightly less in some period. The practice of Enforced disappearance of citizens was adopted allegedly after the emergence of the armed conflict in 1996. During the period of armed conflict, the state reportedly proceeded with the practice of Enforced disappearance of citizens. Such actions were encouraged by the culture of impunity. The practice of the state mechanism remaining entirely silent on the heinous events of violation of human rights is prevailing to the date because of the status quo of impunity.

On the other hand, the then NCP (Maoist) also remained on the frontline in committing the act of kidnapping and Enforced disappearance of the people. Both parties involved in conflict adopted the abduction action and Enforced disappearance in violation of human rights as their war strategy. The armed conflict was formally ended after the Comprehensive Peace Accord concluded between the Government and the NCP (Maoist) on November 21, 2006. Still, the families of victims hopefully waiting for the implementation of the commitment to make public the status of enforcedly disappeared people within 60 days subject to the Peace Accord. The Conflict Victim's Profile published by INSEC consists of the updated details of 9 hundred 31 people being enforcedly disappeared by the state and the then revolting party. The state and the political parties are failing in their performance to

find out their status even after 15 years of the Peace Accord.

INSEC has continued to publish the details of monitoring reports of violations of human rights and the abuse every year in the Nepal Human Rights Year Book since 1992. It has continued its affairs during the armed conflict and the emergency period. Conflict Victims Profile of INSEC has contributed to mitigate the risks of not maintaining a detailed recording of such events that occurred during that epoch of time.

The subject matter of serious violation of human rights and abuses during the ten years-long armed conflicts and those that occurred in the subsequent days are being concern of the national and international level human rights communities till the date. During that period, many events of the abuses and violation of human rights could not be made public immediately due to the pressure and threat of both parties involved in the conflict. The threatened victims and their families were not able to inform such events. INSEC had made a detailed study of some events related to the armed conflict and those that happened afterwards. The details of some events based on the facts obtained from the study and on site monitoring are included herein. The only reason for the publication of the details now is to inform the matter regarding the nature of crimes committed in the past. If we forget the past, the present and future cannot be made better. It is the state's liability to ascertain the matter of non-repetition of such mistakes in the future by learning lessons from the past. INSEC

asks the question of accountability to the then conflicting parties, political leaders, transitional justice mechanisms, and stakeholders with the aim of identifying

the disappeared persons' whereabouts. Let's collaborate for the justice of the victims and ask: where are they?

### Carriers of the Injured Never Returned



Thagga Tharu



Kalaram Tharu



Bandhuram Tharu



Baburam Tharu

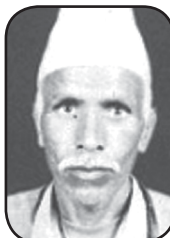


Kaliram Tharu

A team of Royal Nepalese Army from Rammapur dragged out 33 years old Thagga Tharu, a resident of Madaha under Ward number 4 of Bansgadhi Municipality, Bardiya District, from his house in the night on October 2, 2002, and battered him in his compound along with 2 round gunshot. The gunshot victim fell down on the compound, and the team loaded wounded Thagga Tharu on a bedstead furnished in the same compound, ordered his younger brother Kalaram, neighbors 41 years old Baandhuram Tharu, 27 years old Baburam Tharu, and villager 27 years old Kaliram Tharu to carry the loaded bedstead and took to the Army Camp. The situation of injured Thagga Tharu, his younger brother Kalaram, neighbors 41 years old Bandhuram Tharu, 27 years old Baburam Tharu, and 27 years old Kaliram Tharu is still unknown.

Thagga Tharu of Madaha, having returned home after five days of the event, had told the suffered families the matter of remaining other suffered persons also in the Chisapani Barrack. He was ordered to be present every day. When he visited the Barrack on the prescribed date, Baburam Tharu, a captive in the Army Barracks, had requested him to bring his clothes from home. The suffered families said that when they went to the Barrack to deliver him the clothes and food, the Army had not allowed them to stay there even for a second and threatened by pulling a gun on their chest stating that Baburam Tharu was not arrested.

### Irresponsible Security Personal



Bihari Godiya

Bihari Godiya, 50 of Narainapur Rural Municipality-6, was arrested by the security personnel from Dondra Joint Security Base Camp Sonbarsha of Gangapur in 2003 November 8. On a same day, his son Ayodhya Prasad Godiya, 20 was arrested on charge of being Maoist. On November 13, the victim's mother took the clothes of the victims in a basecamp in Sonbarsha and said that victims are kept in a camp. But the family were were never allowed to meet. After few days, their whereabouts were never made public.



Ayodhya P. Godiya

## Light of Hope Still Alive



Ganesh B. Choudhary

Ganesh Bahadur Chaudhary, 20 of Geruwa Rural Municipality, Ganeshpur, Bardiya and his brother Janak Bahadur Tharu were handcuffed and arrested from their house by the team of Nepal army from Thakurdwara in 2002, March 7. The victims were severely beaten prior to the arrest in suspicion of being Maoist. Prior to their arrest, three policemen with mask had already came to their house. The victim's family



Janak B. Tharu

said that they locked all the family members in the house and threatened to kill all if they make any noise. After the disappearance of sons for a long time, mother Ramwati died due to sorrow. The victim's elderly father is still hoping that his sons will return back.

## They Never Returned Back



Prem B. Tharu

A band of Maoist cadres had held 22 years old Prem Bahadur Tharu, a resident of Kakaure under Ward No. 8 of Bansgadhi Municipality, Bardiya District, and 23 years old Uttam Tharu from Motipur Village Development Committee Ward No. 7 under custody from home in the night on March 17, 2004, and enforcedly disappeared them. According to the eyewitness, four persons, including Prem Bahadur Tharu and Uttam Tharu, were kept in a personal house



Uttam Tharu

at Deudhakala. They were taken to the local Kunaithi forest in the same night by boarding on a tractor, and the tractor was returned empty. The situation of the suffered persons is unknown after that event.

## Captured while Drinking Water and Disappeared

Dataram Timalsina, 33, was arrested by a joint security force of Nepal Army and police from the District Police Office, Morang, while drinking water in a house of Biratnagar Sub-metropolitan city – 5 on September 27, 2003. Mr. Timalsina was central committee vice-chairperson of All Nepal Cultural Association, sister organization of the Communist Party of Nepal Maoist. The locals witnessed that the security personnel tied his hands with rope and took him towards Biratnagar Airport. No information was received regarding Mr. Timalsina after his visibility at the Eastern Command Headquarter of Nepal Army.



Dataram Timalsina

## Extreme of Inhumanity



Rupa Sapkota

Rupa Sapkota, 37 of Dumariya of Rautahat District and her 17 years old daughter Menuka Kumari Sapkota were arrested from their house by the civilian dressed police came from District Police Office by motorbikes in 2002 September 2. Mother Rupa Sapkota was in a house to look after her pregnant daughter. After the incident. The victim's family contacted the police office however the police denied of the arrest.



Menuka K. Sapkota

## Family Never Knew the Truth



Pradeshini Tharu



Sushila Chaudhary



Kalapati Tharu

Pradeshini Tharu, 16 of Thakurbaba Municipality-1, Bardiya, 18 years old Sushila Chaudhary, Kalapati Tharu, 18 were arrested from their house by a team of the then Royal Nepal Army from Thakurdwara Barrack in 2002 June 8. Their clothes were found scattered near the river in the jungle with a suspicion to the family that they might have been gang raped. The victim's family could not search for their loved once due to the fear and their whereabouts remains unknown.

## Where are the 49 other disappeared together with Tamang



Buddhi B. Tamang

Buddhi Bahadur Tamang of Kavre Madankundari was disappeared from 2003 November 29. The office of the United Nations Human Rights Commission, Kathmandu in its report on arbitrary detention, torture, and disappearance said that three of the former detainees at Nepal Army Barrack in Maharajgunj had given the similar statement that Buddhi Lama was severely tortured. He was arrested from Dukuchhap VDC in Lalitpur and as per the eye witness, he could not even sleep due to the severe torture inflicted in a barrack. The whereabouts of disappeared Buddhi Tamang along with other 49 from the Bhairabnath Battalion still remains unknown.