

PUBLIC

**AI Index: ASA 31/004/2007
26 June 2007**

Further Information on UA 138/07 (ASA 31/002/2007, 07 June 2007) – Fear of torture/medical concern

NEPAL Bablu Rai (m), aged 34

Bablu Rai was reportedly transferred from the Banke District Police Station to the Banke District Prison on 3 June, and is believed to be no longer at risk of torture. However he has not yet received adequate medical treatment for injuries reportedly caused by previous torture.

He had been arrested on 6 May, and reportedly tortured in police custody. The police took him to hospital later that day, but reportedly refused to let him have adequate medical treatment for the injuries the torture had caused. The prison authorities have apparently also refused him medical treatment. This is despite complaints filed by local human right organisation Advocacy Forum, at the district and appeal courts, attempting to compel the authorities to give Bablu Rai access to medical care immediately. The Police Human Right Cell have told Advocacy Forum that Bablu Rai has received a medical check-up and has not been tortured, but Advocacy Forum maintain that he has sustained injuries during detention which require further medical investigation.

Since 10 June Advocacy Forum has had unrestricted access to detainees in the Banke District Police Station, though they had been denied such access from 29 May. Advocacy Forum staff have also been able to visit Bablu in Banke District Prison and have reported that his health has improved but he requires a medical check-up.

BACKGROUND INFORMATION

Amnesty International has received a number of reports of torture in police custody in Nepal in recent weeks.

On 4 May, eight young men were reportedly arrested by armed police officers as they waited at a bus stop in the Ganapur area of Banke District. The police accused them of stealing, and according to a statement given by one of the men to Advocacy Forum, for about an hour the police officers beat all eight men all over their bodies with a torch, a bamboo stick and the butts of their guns, as well as kicking them.

Three or four of the men were also reportedly kicked and beaten when they were taken to be interrogated at Banke District police station later in the night. The men were first taken to Bheri Zonal Hospital. However, according to Advocacy Forum, they were not thoroughly checked by medical staff or given any medicine. They reportedly complained of pain caused by torture the day they were arrested, but were only taken to hospital for a medical check-up on 14 May, following an Advocacy Forum application in court on 11 May. They were reportedly not thoroughly examined in the hospital or provided with medication. All eight were released on bail on 23 May.

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

- calling on the authorities to grant Bablu Rai appropriate medical treatment immediately;
- urging the government to ensure that Bablu Rai's complaint, and all other allegations of police brutality, torture and ill-treatment, are promptly and thoroughly investigated by an independent authority, and that those responsible are brought to justice;
- calling on the government to implement its obligations under international law and standards, especially the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights.

APPEALS TO:

Om Bikram Rana
Inspector General of Police
Police Headquarters
GPO Box 407
Naxal, Kathmandu, Nepal
**Fax: +977 1 4 415 593
+977 1 4 415 594**
Salutation: Dear Inspector General

Superintendent of Police
Mr Navaraj Silwal
Head, Human Rights Cell
Police Headquarters
GPO Box 407, Naxal

Kathmandu, Nepal

Fax: +977 1 4415593

Salutation: Dear Superintendent of Police

Banke District Superintendent of Police

Mr Uttam Karki

District Police Office

Nepalgunj

Banke district, Nepal

Fax: +977 81 524395 (Also a phone line; if someone answers, ask them to switch on the fax machine)

Salutation: Dear Superintendent of Police

COPIES TO:

Mr Narendra Bikram Nembang

Minister of Law, Justice and Parliamentary Affairs

Ministry of Law, Justice and Parliamentary Affairs

Singha Durbar, Kathmandu, Nepal

Fax: +977 1 4220684

Salutation: Dear Minister

and to diplomatic representatives of Nepal accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 7 August 2007.*****