

PUBLIC

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UA 194/04 **Fear of torture / Fear for safety**

NEPAL	Phulmaya Dahal (f), age 19]	
	Chandra Bahadur Prasai (m), age 22]	
	Debraj Pradhan (m), age 35]	Bhutanese refugees
	Dilliram Rizal (m), age 30, teacher]	
	Gangaram Lamitaray (m), age 40]	

Five Bhutanese people living in Beldangi 1 refugee camp, in the Jhapa district of eastern Nepal, are feared to be at risk of torture or ill-treatment following their arrest by Nepalese security forces on 2 and 3 June.

The four men and one woman are all being held in incommunicado detention, and may be without access to their relatives, lawyers or medical attention. They appear to have been arrested on suspicion of involvement with the activities of the Communist Party of Nepal (CPN (Maoist)).

Phulmaya Dahal and Chandra Bahadur Prasai were reportedly arrested on 2 June by around 10 plain-clothes security forces personnel, who searched their huts in Sectors E1 and E2 of the refugee camp and reportedly took away some documents. They were taken to a nearby army barracks before being transferred first to the Padajungi Security Post, and then reportedly to the Chandragadi Police Post early the next morning. There are reports that Chandra Bahadur Prasai was beaten during his interrogation. A sixteen-year-old girl, Januka Tiwari, who was arrested at the same time, was released on 2 June on condition that she reported to the Beldangi 1 army barracks every afternoon.

On 3 June, security forces took Debraj Pradhan and Dilliram Rizal from their homes in Sector E1 and G2 of the refugee camp; witnesses reported that Debraj Pradhan had his hands tied behind his back. The men were taken to the local army barracks and then transferred to Padajungi security post. Although their current whereabouts has not been made official, it is believed that they too were subsequently taken to the Chandragadi Police Post.

A fifth person from the refugee camp, Gangaram Lamitaray, is also believed to be held at Chandragadi Police Post following his transfer from the Damak police post on 3 June.

The Camp Management Committee of Beldangi 1 refugee camp is reported to be making inquiries with the authorities to establish their whereabouts and the grounds for their detention.

BACKGROUND INFORMATION

At least 100,000 southern Bhutanese people, who were arbitrarily stripped of their nationality and expelled from their homes in southern Bhutan in the early 1990's, are living in eight refugee camps in Jhapa and Morang districts in eastern Nepal, administered by the United Nations High Commission for Refugees (UNHCR).

During eight years of conflict between armed members of the Communist Party of Nepal (CPN) (Maoist) and the Nepalese security forces, there have not been any reports to date that the Maoists or their supporters have been active in the camps where the Bhutanese refugees are living.

Tension among the refugees about their uncertain future has increased in recent months, after bilateral talks between the governments of Nepal and Bhutan about the continuation of verification of the refugees in the camps and their planned repatriation broke down in December 2003, and to date have not been resumed.

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

- expressing concern at reports that the five people named above have been arrested by the security forces and are being held incommunicado at an unconfirmed location;
- urging the authorities to make public the whereabouts of all five people and allow them immediate access to their relatives, lawyers and any medical attention they may require;
- urging that they be treated humanely while in custody, and not subjected to any form of torture or ill-treatment;
- calling for them to be released immediately and unconditionally unless they are charged with a recognizably criminal offence.

APPEALS TO:

Sher Bahadur Deuba
Prime Minister
Prime Minister's Office
Singha Durbar
Kathmandu
Nepal

Telegram: Prime Minister, Singha Durbar, Kathmandu, Nepal

Fax: + 977 14 227 286 (faxes may be switched off outside office hours, 5 and a half hours ahead of GMT)

Salutation: Dear Prime Minister

Lt. Colonel Raju Nepali
Head, Royal Nepal Army Human Rights Cell,
Army Headquarters
Singha Durbar, Kathmandu, Nepal

Telegram: Lt. Colonel Raju Nepali, Army Headquarters, Singha Durbar, Kathmandu, Nepal

Fax: + 977 14 245 020 or + 977 14 226 292 (If someone answers the telephone please ask them in English to switch on the fax machine, and resend the fax).

Salutation: Dear Lt. Colonel

Deputy Superintendent of Police Nawa Raj Silwal
Head, Human Rights Cell
Police Headquarters
GPO Box 407
Naxal
Kathmandu, Nepal

Telegram: neppol, Kathmandu, Nepal

Fax: + 977 14 415 593 or + 977 14 415 594

Salutation: Dear Deputy Superintendent of Police

COPIES TO: diplomatic representatives of Nepal accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 July 2004.