

PUBLIC

AI Index: ASA 31/011/2003

18 February 2003

Further Information on UA 13/02 (ASA 31/006/2002, 11 January 2002) Fear for safety/ Incommunicado detention/fear of torture or ill-treatment

NEPAL **Bhuminanda Devkota (m), aged 40, Water Board employee**

Bhuminanda Devkota was released by order of the Supreme Court on 23 December 2002 after spending nearly one year in detention. A writ of *habeas corpus* was finally filed on his behalf on 28th November 2002 with the assistance of the Nepal Bar Association. Bhuminanda Devkota's release followed a month later.

He was originally arrested by the security forces from his home in Maharajgunj, Kathmandu, on 31 December 2001. He was reportedly held in army custody for three months, then handed over to the police and transferred to Central Jail, Kathmandu, one week later. He was allegedly subjected to torture and ill-treatment in army and police custody.

Bhuminanda Devkota had in the past been associated with the Nepal National Intellectual Organization (NNIO) which is alleged by the government to be close to the Communist Party of Nepal (CPN) (Maoist). The CPN (Maoist) was declared to be a "terrorist organization" under the 'state of emergency' imposed in November 2001. The state of emergency expired in August 2002 although the security forces continued to have wide ranging powers.

No further action from the network is required. Thank you to all those who sent appeals.