

PUBLIC

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Further information on UA 20/02 (ASA 31/011/2002, 21 January 2002) -
Torture/Fear for Safety

NEPAL Bidur Khadka (m), aged 21
Santosh Karki (m), aged 13

After more than six weeks in detention, Bidur Khadka and Santosh Karki appeared before the Special Court in Kathmandu on 18 February. At a further hearing on 20 February, the Special Court ordered the release of Bidur Khadka on payment of 20,000 rupees bail (about \$260). Since he was unable to pay the bail amount, Bidur Khadka was remanded to Dillibazar Sadar Khor Prison in Kathmandu. It is expected that he will be released in the next few days. Santosh Karki was released unconditionally.

Both of them are reportedly showing signs of having been tortured in custody. Lawyers are reportedly planning to file a case under the Torture Compensation Act (TCA), 1996 in Kavre District Court on their behalf shortly.

Under the TCA, the family of the victim, or a lawyer acting on their behalf, can file a complaint within 35 days of the alleged torture taking place, at the district court. The court may make an order for the medical examination of the detainees, and can award compensation to the victims of up to a maximum of 50,000 rupees (about \$660). The court can also order the authorities to take departmental action against the alleged perpetrators.

No further action is required. Many thanks to all those who sent appeals.