

PUBLIC

AI Index: ASA 31/136/2004

21 June 2004

Further Information on UA 194/04 (ASA 31/128/2004, 7 June 2004) - Fear of torture / Fear for safety

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

Phulmaya Dahal, Dilliram Rizal and Gangaram Lamitaray were reportedly released on 7 June, on condition that they report back regularly to the security forces, putting them at risk of harassment and ill-treatment. Amnesty International has also learned that Chandra Prasai and Debraj Pradhan are being held in Chandragadi Jail, Jhapa district. All five had been arrested in Beldangi 1 refugee camp, Jhapa district on 2 and 3 June.

Phulmaya Dahal and Dilliram Rizal were reportedly interrogated at Beldangi armed police force barracks. Later they were both held with Gangaram Lamitaray at Chandragadi police post. All three were released from the police post reportedly without charge, but must now report back to the security forces every five days.

Chandra Bahadur Prasai's family have been able to visit him once in Chandragadi jail. However, it is still unclear whether he or Debraj Pradhan have been formally charged, have access to a lawyer or have been presented before a judicial authority. Both were reportedly severely beaten when they were arrested. However, the beatings reportedly stopped when they were transferred to jail.

BACKGROUND INFORMATION

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

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. To date, they have not been resumed.

Many thanks to all those who sent appeals. If possible, please send a final round of appeals to arrive as quickly as possible, in English or your own language:

- welcoming the release of Phulmaya Dahal, Dilliram Rizal and Gangaram Lamitaray;
- expressing concern at reports that they must regularly report back to the security forces, and calling for their release to be made unconditional;
- expressing concern at allegations that Chandra Prasai and Debraj Pradhan were both beaten while in detention, and asking for an immediate, impartial and independent investigation into these allegations, with those responsible brought to justice;
- urging the authorities to treat Chandra Bahadur Prasai and Debraj Pradhan humanely in detention and allow them access to their families, lawyers and any medical treatment they may require.
- calling for them to be released unless they are charged with a recognizably criminal offence.

APPEALS TO:

Shaha Bir Thapa
Inspector General of the Armed Police Force
Armed Police Headquarters
Swayam
Nepal

Fax: + 977 1 4 275 685
Email: armedpolice@wlink.com.np
Salutation: Dear Inspector General

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

COPIES 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

and 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 2 August 2004.