

PUBLIC

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Further information on UA 235/98 (ASA 31/04/98, 3 September 1998) - Torture / Fear for Safety

NEPAL Dor Bahadur Poudel, aged 49

- (previously spelt Bal Bahadur Poudel)

Parbat Raj Bhattarai, aged 21

- (previously spelt Bharat Bhattarai)

Thala Bahadur Poudel, aged 30

- (previously spelt Thala Bahadur Poudel)

Ram Bahadur Shrestha, age 37

Thir Bahadur Poudel Khatri

- (previously spelt Thir Bahadur Khatri)

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Amnesty International has learned that the five above-named men were remanded to jail on 11 August 1998 to await trial. The organization believes that the danger of torture, now they are out of police custody, has therefore subsided.

The five men, who were arrested in June and July, reportedly suffered extreme forms of torture while in detention at Okhaldhunga police station prior to being remanded to jail. Methods used included *falanga* (beating on the soles of the feet), *telephono* (simultaneous boxing on the ears) and *chepuwa* (clamping of the thighs with bamboo sticks or similar objects). Parbat Raj Bhattarai, Ram Bahadur Shrestha and Thir Bahadur Poudel Khatri were also reportedly made to adopt the "chicken position" for long periods of time (where the victims are forced to bend over, place their arms between their legs and clasp their neck). In addition, Parbat Raj Bhattarai and Thir Bahadur Poudel Khatri were beaten on their hands, face and buttocks and lashed with wet stinging nettles, (which results in a painful burning sensation and inflammation). None of the victims were permitted to see their relatives, a lawyer or receive medical attention while in police custody.

The five men were arrested, along with 20 other people, in connection with the killing of Ujjwal Kumar Shrestha, a shopkeeper from Pokali Village Development Committee (VDC) in Okhaldhunga District. Criminal charges have been filed against 16 people including those named above. Of these, eleven have subsequently been released on bail. None were presented to a judicial authority within 24 hours of arrest, as required by the Constitution of Nepal.

The victims allege that their arrest was politically motivated because they were suspected of being sympathizers or supporters of the Community Party of Nepal (CPN) (Maoist).

Amnesty International will continue to closely monitor the situation and keep the network informed of any further news. No further action is required at present. Many thanks to all who sent appeals.