

PUBLIC

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Further information on UA 262/99 (ASA 31/15/99, 5 October 1999) -
"Disappearance" / Fear of Torture

NEPAL

Kalpana Subedi (f)
Indra Prasad Dhungel
Yudhasingh Kuwar

The whereabouts of Kalpana Subedi, Indra Prasad Dhungel and Yudhasingh Kuwar, previously reported "disappeared" after they were arrested in September 1999, are now known.

Amnesty International delegates visiting Nepal were informed that Kalpana Subedi and Yudhasingh Kuwar are being held at Birjung jail, Parsa district, and that Indra Prasad Dhungel is being held at Rautahat district police office, though he is expected to be transferred to Sindhuli district police office. All are being held under the Public Security Act (PSA). The delegation was unable to get any information about their state of health.

The three, who were initially detained on 14 March under the PSA, obtained release orders from Parsa district court on 24 September only to be rearrested immediately afterwards.

Over the last year or so, Amnesty International has received reports of increasing numbers of "disappearances" and unacknowledged detentions. These have included detainees who have been re-arrested by police at court premises immediately following a court order to release them. The police's blatant disregard for the authority and independence of the judiciary is a disturbing aspect of the current human rights situation in Nepal.

The delegation expressed concern to local and national authorities about repeated re-arrests under the PSA, which allows for people to be held in preventive detention "in order to maintain public order" under detention orders issued by local authorities for a period of up to 90 days. This period can be extended for another 90 days by the Home Ministry. A further extension up to 12 months from the original date of issue can be obtained subject to the approval of an Advisory Board established under the Act.

No more action is required by the Urgent Action network at present. Many thanks to all who sent appeals.