

PUBLIC

AI Index: ASA 31/085/2005

22 November 2005

Further Information on UA 275/04 (ASA 31/169/2004, 29 September 2004) and follow-ups (ASA 31/179/2004, 9 November 2004; ASA 31/080/2005, 18 October 2005) - Incommunicado detention/Fear of "disappearance"/Fear of torture

NEPAL

Raju Sharma Dhakal (m), aged 17, student

Raju Sharma Dhakal was released on 8 November in the presence of representatives from Nepalese human rights organizations, and has returned to his family. He had been held for under two months in Nakkhu jail in Lalitpur, Kathmandu District.

Raju Sharma Dhakal was first arrested in Chitwan district on 18 June 2004, while walking home from his college. His whereabouts were unknown for 22 days, before the army admitted that he was being held at Bharatpur army barracks. When his father, Bal Krishna Dhakal, tried to visit him on 23 August he too was arrested. Both were later transferred from the army barracks to Bharatpur prison in Chitwan district.

On 3 November 2004 Raju Sharma Dhakal was reportedly released from Bharatpur prison, but was immediately re-arrested by security forces at the prison gates and returned to the same prison, where he was held under the Terrorist and Disruptive Activities (Control and Punishment) Ordinance (TADO), which allows for preventive detention for up to one year. In early September 2005 he was transferred to Nakkhu prison.

On 13 September 2005, Bal Krishna Dhakal was released from Bharatpur prison. He had been neither charged nor brought before a judicial authority during his imprisonment, and is still required to report every two weeks to district police headquarters.

Many thanks to all who sent appeals. No further action is requested from the UA network.