

PUBLIC

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Further information on UA 280/00 (AI INDEX: ASA 31/27/00, 13 September 2000)  
- Disappearance

**NEPAL**Ishwari Dahal (60)

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The Nepalese authorities have finally acknowledged the detention of Ishwari Dahal, who "disappeared" following his arrest on 6 September 2000.

On 6 March the Nepalese government published a list of 294 people detained because of their activities on behalf of the Communist Party of Nepal (CPN) (Maoist). Ishwari Dahal's name appeared on the list, which stated that he had been detained on 5 March 2001 and was being held in the Sindhupalchowk district. After the publication of the list, Ishwari Dahal's relatives heard that he was being held at the Hanuman Dhoka police station in Kathmandu. They tried to visit him twice, but the Deputy Superintendent denied that he was being detained there. However, at the end of March they were finally allowed to see him.

On 28 March Ishwari Dahal was brought before a local court in the Sindhupalchowk district with another detainee, Matrika Yadav. Both were charged in connection with an attack on a local police station, and the murder of four police officers. The next day, they were transferred to Kathmandu, where they were brought before a special court and charged with Maoist-related activities under the Anti-State Crimes and Penalties Act. The court ruled that there was insufficient evidence to support the charges and ordered a new hearing at a later date. On 3 April, both men were once more brought before the Sindhupalchowk court, where the judge likewise ruled that there was insufficient evidence, and released them on bail. However, rather than being freed, both men were remanded to the Hanuman Dhoka police station in Kathmandu. It is believed that they will be charged with crimes allegedly committed in other districts. Ishwari Dahal's relatives were allowed to visit him in Sindhupalchowk on 3 April, and at Hanuman Dhoka police station on 4 April.

The Nepalese authorities had denied that Ishwari Dahal was being held in custody in response to a writ of *habeas corpus*, a legal challenge filed by Ishwari Dahal's relatives, which requires the authorities to produce a detainee in person in order to establish the legality of detention. The Supreme Court subsequently dismissed the writ, and it is still not clear where Ishwari Dahal was held during the six months he was secretly detained.

**No further action is needed. Thank you to all those who sent appeals.**