

**AMNESTY INTERNATIONAL NEPAL  
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**The Government of Nepal must fulfil its human rights obligations to prevent torture**

The Nepal government must put an end to the use of torture as a tool of law enforcement and ensure effective remedy for victims of torture, arbitrary arrests and ill-treatment, Amnesty International Nepal said today.

Using torture as a method of extracting evidence to substantiate criminal accusations is against the Constitution of Nepal and the International Covenant on Civil and Political Rights (ICCPR) as well as the Convention against Torture (CAT) to which Nepal is a party.

In contrary, the Authorities in Nepal continue to use torture as a method of extracting evidence. A recent report entitled "[Rise of Torture in 2018, Challenges Old and New Facing Nepal](#)" published by [Advocacy Forum](#) reveals that the reported incidents of torture have increased by 5% over the last three years.

Nepal has also failed to take adequate legislative measures to deal with crimes of torture committed during the decade-long armed conflict. Even the conflict victims of torture haven't yet been provided with the interim relief. Though the Government has enacted Criminal Code with a provision to penalize torture, this doesn't apply retroactively.

"Any form of torture or ill-treatment committed during the conflict or in the normal situation is against Nepal's Human Rights obligation and the government must ensure that no incident of torture goes unaddressed. All responsible for torture and other ill-treatment must be brought to justice without undue delay," said Nirajan Thapaliya, Director at [Amnesty International Nepal](#).

Amnesty International Nepal calls on the government of Nepal to improve its criminal investigation system. Torture must be criminalized and penalties appropriate to the gravity of the crime should be established against those responsible for ongoing as well as the conflict-era incidents of torture and other ill-treatment.

Adequate compensations and reparations should be made readily available to victims. "All security forces must abide by international standards when carrying out their duties. We urge the authorities to institute comprehensive reforms, including effective accountability mechanisms. The authorities have a responsibility to respect people's right to dignity," said Nirajan Thapaliya.

**Background information:**

Contrary to the commitments under the Convention against Torture that Nepal has been a party to since 1991, incidents of torture have occurred frequently.

In May 2019, Gyanendra Shahi, a campaigner of Nepali for Nepal was arrested and allegedly beaten in the police custody causing serious injuries to him. In April 2019, a 15-year boy detained by the police on the charge of theft died in the police custody in Jhapa district. In August 2018, 30-year-old Ram Manohar Yadav from Banke district died in police custody. He was arrested for protesting the health minister. Though suspected of having been occurred due to torture, no credible investigation of these incidents has taken place.

United Nations General Assembly declared 26 June the UN International Day in Support of Victims of Torture through a resolution 52/149 on 12 December 1997. Nepal ratified the Convention against Torture on 14 May 1991, while it is yet to ratify the optional protocol on the convention.

Article 22 of the Constitution of Nepal guarantees “No person who is arrested or detained shall be subjected to physical or mental torture or cruel, inhuman or degrading treatment”.