

**AMNESTY
INTERNATIONAL**



AMNESTY INTERNATIONAL REPORT 2020/21

**THE STATE OF THE WORLD'S
HUMAN RIGHTS**

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Preface

In 2020, a mere cluster of molecules shook the whole world.

Smaller than can be seen by the naked eye, a very local virus unleashed with marked rapidity a global pandemic. Whatever will be proven to be its precise genesis, the coronavirus (COVID-19) and its mass casualties flourished in part thanks to our global milieu of deeper, broader inequalities within and between countries. It has been made far worse by austerity policies that weakened public infrastructure and public health systems; by international architecture enfeebled in form, function and leadership. And it has been made far worse under pressure from leaders of states who demonize and exclude, asserting archaic constructs of state sovereignty and peddling rejectionist approaches to science, evidence and universal norms.

These are exceptional times. But have we risen to meet their challenge?

Exceptional times oblige exceptional responses and demand exceptional leadership.

In 2020, exceptional leadership came not from power, privilege, or profits. It came instead from nurses, doctors, and health workers on the frontlines of life-saving services. It came from those who cared for older people. It came from technicians and scientists running millions of tests and trials, frantically searching for vaccines. It came from those who, bunched together more often at the very bottom of the income scale, worked to feed the rest of us; who cleaned our streets; cared for the bodies of the hundreds of thousands of deceased; repaired our essential services; patrolled our streets; drove what remained of our public transport.

In 2020, as so much of the world shut down, it was those people who stood up, who stood out. So too, those who stayed home in solidarity, if they had a home to live in, who maintained emotionally costly physical distance, and who cared for those around them.

But underneath that heroism, pandemic times laid bare the devastating consequences of abuse of power, structurally and historically. The COVID-19 pandemic may not define who we are, but it certainly has amplified what we should not be.

Seeing this clearly, again people stood up. They rose against inequality, they rose against police violence targeted disproportionately against Black people, against minorities, poor, and homeless people. They rose against exclusion, patriarchy, and the hateful rhetoric and cruel conduct of supremacist leadership.

The demands of the Black Lives Matter and #MeToo movements echoed the world over. Public protest against repression and inequality poured onto the streets from Belarus to Poland, Iraq to Chile, Hong Kong to Nigeria. So often, at risk to their own safety, it was the leadership of human rights defenders and social justice activists the world over that urged us on.

At times we caught glimpses of exceptional political leadership, often from women leaders, who took bold and difficult decisions to protect lives, sustain health systems, make the investments needed for immediate solutions to be found at unprecedented speed, and issue economic support desperately needed by those whose livelihoods had all but disappeared.

But the pandemic also amplified the mediocre and mendacious, the selfish and the fraudulent, among the world's political leaders.

As I write this, the richest countries have effected a near-monopoly of the world's supply of vaccines, leaving countries with the fewest resources to face their worst health and human rights outcomes and thus the longest-lasting economic and social disruption.

And as people die in their millions, and millions more lose their livelihoods, what are we to make of the fact that top billionaires' incomes have soared, that tech-giants' profits have escalated, that the stock markets across the world's financial centres have grown? Crucially, what are their proposals for shouldering their fair share of the pandemic burden; for ensuring an enduring fair and equitable recovery? In the early days of 2021, still their silence on this is unbroken.

How can it be that, yet again, this time under a pandemic, the global economy has meant that those who had the least gave the most?

2020 revealed, too, the weakness of international co-operation: a crumbling multilateral system acquiescent to the most powerful and providing feebly for the weakest; a system unable when not unwilling to scale up global solidarity. China's gross irresponsibility in the early days of the pandemic by suppressing crucial information was utterly catastrophic, while the US decision in the midst of the pandemic to withdraw from the World Health Organization (WHO) showed an egregious disregard for the rest of the world.

Paltry half-measures – such as the G20 decision to suspend debt repayments for 77 countries in 2020 while demanding that the money be repaid with interest later – threatened to entrench structural inequalities and economic hardship in the pandemic recovery, with grave consequences potentially for millions of people's economic and social rights.

After years of magisterial failure, 2020 provided only further evidence that our global political institutions are not fit for the global purpose they should serve.

The pandemic has cast a harsh light on the world's inability to co-operate effectively and equitably at the onset of a low-probability, high-impact global event. Therefore, we can scarcely avoid a sense of impending peril as, looking ahead, we contemplate a crisis of an altogether grander scale for which there is no vaccine – namely the climate crisis.

In 2020, millions of people suffered the catastrophic effects of extreme climate events. Disasters, exacerbated by global warming and climate instability, severely affected millions of people's enjoyment of rights to life, food, health, housing, water, and sanitation, among others: from prolonged drought in sub-Saharan Africa and India to devastating tropical storms sweeping across Southeast Asia, the Caribbean, Southern Africa and the Pacific, to the catastrophic fires that afflicted California and Australia. And in reply? The commitment by developed countries, under the Paris Agreement, to ensure at least US\$100 billion worth of climate finance for developing countries by 2020 was simply not met. And States signally failed to put forward the commitments needed to meet the 2030 target of reducing global greenhouse gas emissions by half. A drastic change of course is required to avert a rise in the global temperature of more than 1.5°C over pre-industrial levels that would trigger irreversible consequences.

2020: 366 days that saw the fostering of lethal selfishness, cowardice, mediocrity, and toxic failures from xenophobia and racial hatred. 366 days that illustrated just how unchanged and how contemporary is the violent legacy of centuries of racism, patriarchy, and inequality. But 366 days that also gifted us rich sources of inspiration for our strength and resilience as a human family; days that showed people's determination to stand up for their rights and for a fair and a just recovery from the pandemic.

Exceptional times oblige exceptional responses and demand exceptional leadership. So what do we need to see, to create a world much more resilient to the huge challenges ahead of us?

The foundations for a sustainable, post-pandemic global society rest not merely on recovery. It requires accountability, human rights, and a rethink and reformulation of our relationship to our habitat, environment and the economy.

Immediately, authorities must work to accelerate production and delivery of vaccines for all. That is a most fundamental, even rudimentary, test of the world's capacity for co-operation: to think globally, act locally, and to plan for the long-term. This includes supporting a waiver to the World Trade Organization TRIPS agreement that will allow for much-needed expanded production of COVID-19 health products and ensuring pharmaceutical companies share their innovations and technology through open and non-exclusive licences and initiatives such as the WHO's COVID-19 Technology Access Pool (C-TAP).

Beyond that first step, recovery that "builds back better" will demand more than a reboot. It requires a reset that addresses the root causes of the crisis by protecting and respecting rights, indivisibly and universally.

Firstly, it requires an end to governments' agenda towards increasing "security" which, since 9/11, has driven a widespread suppression of civic space that has even expanded during the pandemic. That agenda, lending the false hue of normality to extraordinary executive and policing powers, now risks becoming permanent. It must be dismantled.

Secondly, fair and sustainable recovery demands resetting the world's public taxation regimes. Adequate taxation is a must to mobilize the resources needed to fulfil economic and social rights including our rights to health, education, and social security. Fair and human rights-compliant taxation of transnational profits will be key, as will be concerted efforts to end tax evasion and aggressive tax avoidance. States should put in place a new fossil fuel tax on the components of energy companies' profits and payments to shareholders derived from their fossil fuel business, in order to push shareholders and companies to move to renewable energy, and without imposing the main burden on consumers.

Short-sighted decision-making has no place in a post-pandemic society. So long as under-regulated, speculative, hyper-acquisitive investment in carbon-intensive assets dominates the global economy, the climate crisis will only deepen, carrying in its path multiple violations and accelerating us towards an irreversible singularity that imperils the very existence of the human family.

Thirdly, we must confront the reality that the sovereign nation state acting on its own for its own, is no better equipped to address these global challenges than is a bicycle handbrake to halt a passenger jet.

Reforming global governance and repurposing global institutions to strengthen and enable delivery on human rights is preconditional to robust recovery. We cannot accept the "pick and choose" approach adopted by some states, who take their preferred cherries from the global governance cake while leaving behind the "inconvenient" ingredients of human rights, accountability, and transparency.

Fit-for-purpose global governance requires global scrutiny of how the international norms and standards of human rights are implemented for the prevention of genocide and crimes against humanity; of abuse of power and corruption; of ruthless censorship and suppression of dissent; and of discrimination, brute force and torture by those whose job it is to protect us.

The innovation, creativity and inventiveness that we need to find our way to sustainable resilient recovery demand that our freedoms be upheld, defended and protected, not curtailed. Global governance will not be fit for global purposes until and unless, systematic engagement with, valuing of, and respect for global civil society are woven deep into its operations. We must demand that. We must claim that. We must organize for that. And as civil society, we must ensure we are fit for that too.

2020 taught us, yet again, lessons that we ignore at the peril of generations to come: the interdependence of the human family; the universality of what “we, the peoples” require of governance in times of crisis, and just how indivisible is our own future from the future we are creating for our planet. It taught us again the essence, in other words, of human rights.

The question that remains to be answered is: will we be bold enough to see what must be done and courageous enough to get on and do it, at scale and at pace?

Agnès Callamard

Secretary General

Preface

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Global analysis

During 2020 the world was rocked by Covid-19. The pandemic and some of the measures taken to tackle it had a devastating effect on the lives of millions, but also revealed, and sometimes aggravated, existing patterns of abuses and inequalities. Some had roots in discrimination based on race, gender and other grounds, which often intersected and rendered certain populations uniquely vulnerable. Those abuses and inequalities were spotlighted and vigorously challenged by people-powered movements such as Black Lives Matter and women's rights campaigns, whose resilience led to a few hard-won victories. The pandemic threw into stark relief the human rights impact of years of political and financial crises and flaws in global systems of governance and co-operation, which some states exacerbated by shirking their responsibilities or attacking multilateral institutions. These dynamics were illustrated by trends in three areas: violations of the rights to life, health and social protection; gender-based violence and threats to sexual and reproductive rights; and repression of dissent.

Meanwhile, in both long-running and new conflicts, government forces and armed groups carried out indiscriminate and targeted attacks on civilians, killing thousands, and caused or prolonged mass displacement and humanitarian crises. Despite a few notable convictions for war crimes and crimes against humanity, impunity in times of war and peace remained the norm and, in some countries, the rule of law was eroded. Millions of people suffered from disasters exacerbated by the climate crisis.

The overall picture was of a world in disarray. However, by grounding measures aimed at recovery from the pandemic and other crises in human rights, leaders have an opportunity to resuscitate international co-operation and fashion a more just future.

Lives, health and social protection

Covid-19 killed at least 1.8 million people worldwide in 2020. Health systems and social protection programmes, weakened by decades of underinvestment and a lack of preparedness, were ill-equipped to respond. Workers' incomes were hit by rising unemployment and inactivity, while the number of people facing acute food insecurity doubled to 270 million.

Governments failed to adequately protect health and other essential workers. Thousands lost their lives due to Covid-19 and many others were taken seriously ill due to shortages in personal protective equipment (PPE). Amnesty International documented allegations that state authorities harassed or intimidated health or other essential workers in the context of the pandemic in 42 out of the 149 countries it monitored; some faced reprisals, including arrest and dismissal, for raising concerns about safety or working conditions. Women health and care workers were particularly affected as they comprised 70% of the global workforce in the health and social sector, where they already experienced a significant gender pay gap.

Some government measures to tackle Covid-19 had a discriminatory impact on marginalized groups. Lockdowns and curfews led to particularly high numbers of workers in the informal economy losing their incomes without recourse to adequate social protection. Since they dominated the sector, women and girls were disproportionately affected. Another measure, the introduction of online only education without ensuring access to appropriate technology, disadvantaged many learners from marginalized groups. Women primarily bore the burden of home schooling, as well as other unpaid care resulting from closures of public services, including looking after sick relatives.

Furthermore, Covid-19 worsened the already precarious situation of refugees and migrants, trapping some in squalid camps or detention facilities and leaving others stranded by border closures. In 42 of the 149 countries Amnesty International monitored, there were reports of refugees and migrants being subjected to *refoulement*. While some governments took steps to release detainees to curb the spread of Covid-19,

overcrowding and unhygienic conditions in places of detention endangered inmates. Continuing forced evictions (Amnesty International recorded allegations of these in 42 out of the 149 countries it monitored) increased people's exposure to the virus by making them homeless.

In many countries, ethnic minorities and Indigenous peoples had disproportionately high rates of infection and death, due in part to pre-existing inequalities and lack of access to health care. Political and religious figures stigmatized marginalized groups, blaming them for spreading the virus. Muslims in some South Asian countries and LGBTI people in several African and European ones were among the targets.

When Covid-19 was declared a pandemic, states consistently referred to the urgent need to contain, mitigate and defeat the pandemic while fully respecting human rights. While the World Health Organization's (WHO) COVAX facility represented a positive global initiative aimed at ensuring more countries could access vaccines, it was undermined by the non-participation of Russia and the USA, the hoarding of vaccines by rich countries and the failure of companies to share their intellectual property. More than 90 countries introduced export restrictions affecting items including medical equipment, PPE, pharmaceutical products and food.

Wealthy states also blocked adoption of a proposal at the World Trade Organization for a temporary waiver of intellectual property rights for Covid-19 products that was designed to facilitate universal access. Disagreement in the UN Security Council between the USA and China over reference to the WHO delayed the passing of a resolution on a global ceasefire to support the Covid-19 response for three months. While the G20 agreed a limited suspension of debt payments from the poorest countries, it fell far short of delivering its own stated aim of a co-ordinated large-scale response.

To reaffirm international co-operation and meet their human rights obligations, all governments should ensure Covid-19 vaccines are available and accessible to everyone and make them free at the point of care. They should also support the development of a global social protection fund grounded in human rights standards. Rich countries and international financial institutions should ensure that all states have the resources needed to respond to and recover from the pandemic, including through the suspension and cancellation of debt.

Gender-based violence

New legislation to counter violence against women and girls passed in Kuwait, South Korea and Sudan. Some countries, including Croatia, Denmark, the Netherlands and Spain, took steps to improve their rape laws to make them consent-based. In several African countries there were unprecedented judicial developments aimed at ending impunity for rape and other sexual violence in peace and conflict. The African Union looked set to prepare a new regional treaty to combat violence against women. However, implementation of the Istanbul Convention, the Council of Europe's equivalent, was obstructed in three member states.

In practice, gender-based violence, including "honour" killings and caste-based, domestic and sexual violence, remained shockingly high worldwide and authorities generally failed to take adequate action to prevent it, prosecute perpetrators and grant survivors access to remedies. Some authorities themselves carried out violence by, for example, punishing women for perceived transgressions of Islamic law or subjecting men to anal testing amounting to torture.

Long-standing discrimination in law and practice underpinned the violence and manifested itself in other ways. Amnesty International recorded allegations of LGBTI individuals being arrested or taken into detention in 2020 because of their sexual orientation or gender identity in 24 out of the 149 countries it monitored.

The situation was exacerbated by Covid-19 control measures. Support organizations across the world reported a marked increase in gender-based and domestic violence; many women and LGBTI people were confined with abusers under lockdown. Some governments took emergency steps to assist survivors.

However, many others classified support for them, including sexual and reproductive health and counselling services, as non-essential, leading to their suspension during lockdowns.

Some jurisdictions categorized abortion care in the same way, disproportionately impacting marginalized groups. Others, on the contrary, adopted progressive policies such as allowing access to abortion pills through telemedicine to mitigate the risk of infection. In positive developments outside the context of the pandemic, abortion was decriminalized in Argentina, Northern Ireland and South Korea. Nevertheless, abortion remained criminalized in most countries in the Americas and a judicial decision further restricted access to it in one EU state.

At the international level, UN states marked the 25th anniversary of the Beijing Declaration and Platform for Action by adopting a welcome political declaration to reaffirm commitments to advance women's human rights and eliminate "all forms of violence and harmful practices against all women and girls". However, they did not include any explicit reference to sexual and reproductive health and rights. Separately, some governments sought to undermine the existing consensus around women's rights and gender equality by continuing attempts to remove "sexual and reproductive rights" from long-standing international commitments.

Governments must take urgent concerted action to stop the backlash against the rights of women and LGBTI people and implement concrete measures to achieve gender justice. They must also translate global initiatives such as the Beijing Declaration and Platform for Action and the Women, Peace and Security agenda into concrete measures to eliminate gender-based violence, address its root causes, including discrimination, and guarantee sexual and reproductive health and rights for all.

Repression of dissent

Many governments repressed dissent and otherwise restricted civic space. In response to protests against unaccountable rulers, the erosion of social and economic rights and structural racism (such as those led by the Black Lives Matter movement), security forces misused firearms and less lethal weapons including tear gas, unlawfully killing hundreds and injuring many more. They also targeted human rights defenders, journalists and political opponents with intimidation and arbitrary detention. Some had exposed corruption or human rights violations. Some were pursued in the context of elections marred by credible allegations of fraud or restrictions on basic freedoms. Women human rights defenders often faced additional risks due to their gender.

In a few countries, particularly in Asia and the Middle East and North Africa, authorities prosecuted and even imprisoned human rights defenders and journalists using vaguely worded charges such as spreading misinformation, leaking state secrets and insulting authorities, or labelled them as "terrorists". Some governments invested in digital surveillance equipment to target them. Some hamstrung the operations of human rights organizations, including Amnesty International. In Latin America and the Caribbean, which remained the most violent region for human rights defenders, scores were killed by criminal groups in actions linked to the state or business interests.

Some authorities in the Americas and the Middle East and North Africa issued legislation criminalizing commentary related to the pandemic and subsequently prosecuted people for spreading false news or obstructing government decisions. Others in Europe conflated the public health crisis with national security concerns, rushing through national security legislation or bolstering, or threatening to bolster, surveillance capabilities.

To enforce restrictions on assemblies during the pandemic, many governments imposed blanket bans on demonstrations or used unlawful force, particularly in Africa and the Americas. Furthermore, authorities punished those who criticized government actions on Covid-19, exposed violations in the response to it or questioned the official narrative around it, particularly in Asia and the Middle East and North Africa.

Hundreds were detained arbitrarily and, in some cases, charged and prosecuted. In some countries, the government used the pandemic as a pretext to clamp down on unrelated criticism.

At the international level, progress was made at the UN Human Rights Council to address human rights crises such as those in Libya, Venezuela and Yemen, by creating, maintaining and enhancing investigative mechanisms that could contribute to criminal prosecutions. UN member states failed, however, to deliver a credible response to repression of dissent and other patterns of grave human rights situations in countries including China, Egypt and India. Some governments fuelled the problems by continuing to sell crowd control equipment and munitions to states that were highly likely to use them to commit violations of international law in law enforcement, as well as conflict, situations. Several flagrantly violated UN Security Council arms embargoes.

International Criminal Court (ICC) investigations were opened on Afghanistan and continued on Myanmar/Bangladesh. Preliminary examinations were concluded on Nigeria and Ukraine, with the Prosecutor announcing her intention to seek investigations into alleged war crimes and crimes against humanity. The Prosecutor also sought a ruling on the scope of the ICC's territorial jurisdiction in the Occupied Palestinian Territories, with a view to opening an investigation.

However, powerful states continued to seek to block accountability for, and undermine collective responses to, other patterns of serious human rights violations. The USA imposed sanctions on employees of the ICC. UK obstructionism was a dominant factor in the Office of the Prosecutor's regrettable decision not to open an investigation into allegations concerning the UK military in Iraq. China and Russia attacked the international human rights framework and independent UN human rights monitors. Continuing political deadlock at the UN Security Council hamstrung its ability to respond in a timely and effective way to human rights crises.

More broadly, various governments hampered the engagement of civil society actors with the UN through reprisals and intimidation. The UN's human rights mechanisms and institutions also faced a funding and liquidity crisis caused by late or non-payment of contributions by member states. The challenges were compounded by the pandemic.

To build a future where the institutions mandated to protect international law can effectively prevent, respond to and pursue accountability for repression of dissent and other patterns of grave human rights violations, all states should strengthen and fully finance the UN's human rights mechanisms and institutions. They should also fully cooperate with the ICC on ongoing cases and call out political interference.

Nepal

Federal Democratic Republic of Nepal

Head of state: Bidya Devi Bhandari

Head of government: Khadga Prasad Sharma Oli

Legislation limiting the rights to freedom of expression and privacy remained pending. Security forces detained individuals for “spreading misinformation” and criticizing the government during the COVID-19 pandemic. Protesters were detained and security forces continued to use excessive force to disperse protesters and enforce lockdowns. Efforts toward securing justice, truth and reparation for crimes under international law and human rights violations committed during the 1996-2006 conflict remained grossly inadequate. Indigenous families were forcibly evicted and their homes destroyed. Sexual and gender-based violence continued with impunity. Gender-based discrimination continued in both law and practice. Dozens of abuses against Dalits were reported and abuses were often carried out with impunity. The government did not take adequate measures to protect Nepali migrant workers stranded and otherwise affected by the pandemic abroad.

Background

Amid disputes within the ruling party, in December President Bhandari dissolved the lower house of Parliament on the recommendation of the Cabinet led by Prime Minister Oli. At the end of the year, several challenges against the decision were pending before the Supreme Court.

Right to privacy

The Nepal Special Service Bill, which included broad and vague provisions allowing intrusion on the right to privacy without judicial authorization, remained pending in the Parliament’s lower house after being endorsed by the upper house in May. The Ministry of Information and Communication drafted a Bill on Telecommunications giving authorities sweeping powers to conduct surveillance and collect and record information on individuals and organizations without adequate legal safeguards.

Freedoms of expression and assembly

A series of bills threatening to severely restrict freedom of expression remained pending in Parliament, including the Media Council Bill, the Mass Communication Bill and the Information Technology Bill. Dozens of individuals, including journalists, were detained for “spreading misinformation” or criticizing the government in the context of the COVID-19 pandemic. The Nepal Press Council shut down more than 30 news websites for “publishing false and fabricated news”.

The security forces continued to detain activists and frequently resorted to excessive force to disperse peaceful protesters. In January, police detained human rights activists peacefully demonstrating for justice for conflict-era crimes. In July, security forces tear gassed protesters demanding investigations and accountability for the deaths of Dalits in Dhanusha. In November, a man died and two others were critically injured by bullets after security forces opened fire at protesters in Mahottari district protesting the rape and murder of a six-year-old girl. The security forces often used excessive force to enforce the lockdown imposed amid the pandemic.

Right to truth, justice and reparation

The government failed to deliver truth, justice and reparation for thousands of victims of crimes under international law and human rights violations committed during the 1996-2006 armed conflict. The Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons, which together had collected more than 63,000 complaints of crimes committed by state security forces and armed opposition groups, failed to carry out effective and independent investigations. The government failed to amend the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act 2014 to bring it in line with international human rights law and standards, as repeatedly ordered by the Supreme Court. In January, the government finalized the appointment of new commissioners to the two commissions without adequate consultations with conflict victims and without amending the law allowing amnesties for serious crimes under international law.

The ruling party also continued to appoint people implicated in conflict-era crimes to positions of power without thorough and independent investigations. In October, the National Human Rights Commission named 286 alleged individual perpetrators and highlighted the government's failure to implement the Commission's recommendations and hold perpetrators to account.

Migrant workers' rights

The government failed to protect the rights of hundreds of thousands of Nepali migrant workers stranded abroad as COVID-19 lockdowns came into force. They failed to ensure the protection and affordable repatriation of migrant workers through the Foreign Employment Welfare Fund. The authorities also failed to ensure adequate standards of living and protect the health and safety of several returnee migrant workers in COVID-19 quarantine facilities. In June, a migrant woman was raped in a quarantine facility in Kailali district.

Forced evictions

In July, without prior notice the Chitwan National Park authorities forcibly evicted 10 Indigenous Chepang families, setting two houses on fire and destroying eight other homes with the use of elephants. Others living in informal settlements across the country remained at risk of forced evictions.

Discrimination

The government failed to ensure timely appointments of commissioners to various constitutional commissions, severely impacting their ability to protect and promote women's rights and the rights of marginalized groups including Indigenous Peoples, Dalits, Madheshis, Tharus and Muslims.

Gender-based discrimination continued and the government did not address constitutional flaws which denied women equal citizenship rights. More than 2,100 incidents of rape and sexual violence were reported to the police. Victims included children and Dalits. Rigid statutory limitations for rape in the Criminal Code continued to allow impunity for perpetrators. In September, the government passed two ordinances aimed at ending acid attacks against women and girls.

Despite provisions in law and policy to address discrimination based on caste, numerous incidents of discrimination, ostracization, killings and sexual violence against members of the Dalit community were reported. In May, opponents of an inter-caste relationship killed six men including four Dalits in Western Rukum district. Also in May, a 12-year-old Dalit girl was allegedly raped and killed in Rupandehi district after being forcibly married to her alleged rapist,

who belonged to a dominant caste. In September, another 12-year-old Dalit girl was raped and killed in Bajhang district, allegedly by a man who was not prosecuted after raping a 14-year-old a month earlier.

Torture and other ill-treatment

Torture and other ill-treatment were widespread in pre-trial detention to extract “confessions” and intimidate detainees. Although the 2017 Criminal Code criminalized torture and other ill-treatment, no one had been convicted under it by the end of 2020.

Several allegations of deaths due to torture were reported, particularly of Dalits and Indigenous people. In July, Indigenous man Raj Kumar Chepang died allegedly after being tortured by Nepal Army personnel stationed at the Chitwan National Park. An army officer was remanded on charges of murder.

The authorities failed to carry out independent and credible investigations into several deaths in custody suspected to have resulted from torture, especially of young Dalit men. In August, Bijay Mahara died in police custody, allegedly from torture during interrogation. Three police officers were suspended for six months but were not charged with torture or murder. Shambhu Sada died in police custody in Dhanusha in June and Roshan BK in Kailali district in September. The police claimed that both men had committed suicide, while their families alleged that they were tortured to death.