

# तराई मानव अधिकार रक्षक सञ्जाल

## TERAI HUMAN RIGHTS DEFENDERS ALLIANCE

26 June 2017

### **Ratify Optional Protocol to the Convention against Torture**

In the occasion of International Day in Support of Torture Victims, Terai Human Rights Defenders Alliance (THRDA) strongly urges the government of Nepal to fulfill its human rights obligation to end practice of torture and provide justice to the victims of torture. With the ratification of Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment a preventive system of regular visits to places of detention as a key step of eradicating torture will be established.

THRDA has documented 23.76% detainees in different police detention centers in 19 Terai districts have received physical and mental torture in different forms. Illegal and arbitrary arrests are still prevalent as 13.56% of detainees have reported to be not produced before the court within 24 hours.

A number of challenges are still prevalent as a hindrance for access to justice for the torture survivors: inadequate law against torture, torture not defined as crime in the law, provision of inadequate compensation, lack of expert medical examination of torture survivors, delay in justice delivery by the court, no criminal charges against perpetrators, threat to victims and human rights defenders, out of court settlement of the cases by victims with undue influence by perpetrators are some of the major causes for the continued practice of torture.

THRDA has also observed that even after court decision to provide compensation to the torture victims; the victims have to face long delays to receive it which further harass the victims. The recommendations of National Human Rights Commission have been routinely ignored. A new law against torture which has been produced before the parliament in 2014 has still not been passed. NHRC have not been proven effective to regularly monitor the detention centers and torture victims.

To end the practice of torture, THRDA reiterates the government on its international human rights commitment, recommendations of Universal Periodic Review and National Human Rights Commission and urge to immediately pass a new law against torture in compliance with International Human Rights principles, ratify the OPCAT and ensure effective and accessible justice to the torture victims.



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