

Still we wait!

The Imperative to Implement International Decisions on Gross Human Rights Violations

Between **2008** and **2019**, the United Nations Human Rights Committee (quasi-judicial body monitoring the implementation of the International Covenant on Civil and Political Rights), rendered **25 decisions** (also called “Views”) on applications lodged by individuals or groups of individuals against Nepal. The applications concern cases of:



Torture
and other forms of inhumane
or degrading treatment



Unfair trial



Enforced disappearance



Extra-judicial killings



Sexual violence



Forced child labor

The violations concerned took place between **1999** and **2011**. **In all the cases, the Human Rights Committee found Nepal responsible for multiple violations of its international obligations.**

Among others, the Human Rights Committee declared breaches of:



the right to a remedy



the right to judicial personality



the prohibition of torture



the right to personal freedom

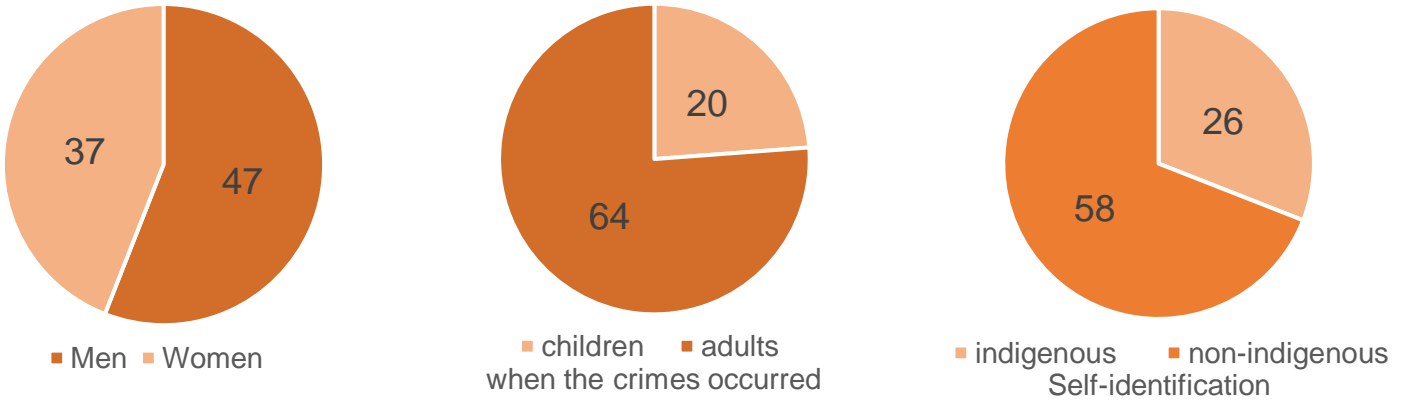


the prohibition of forced labor

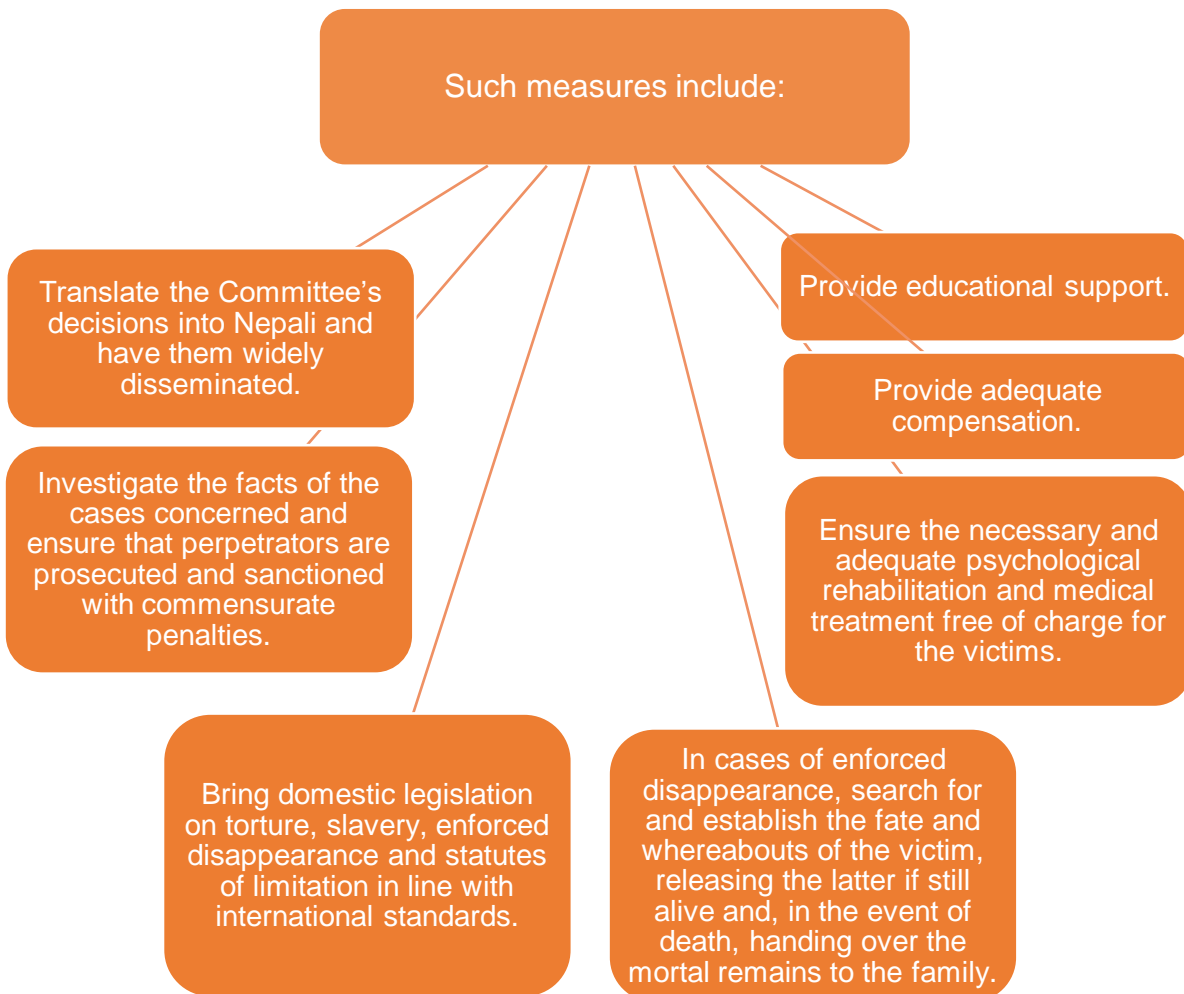


the right to life

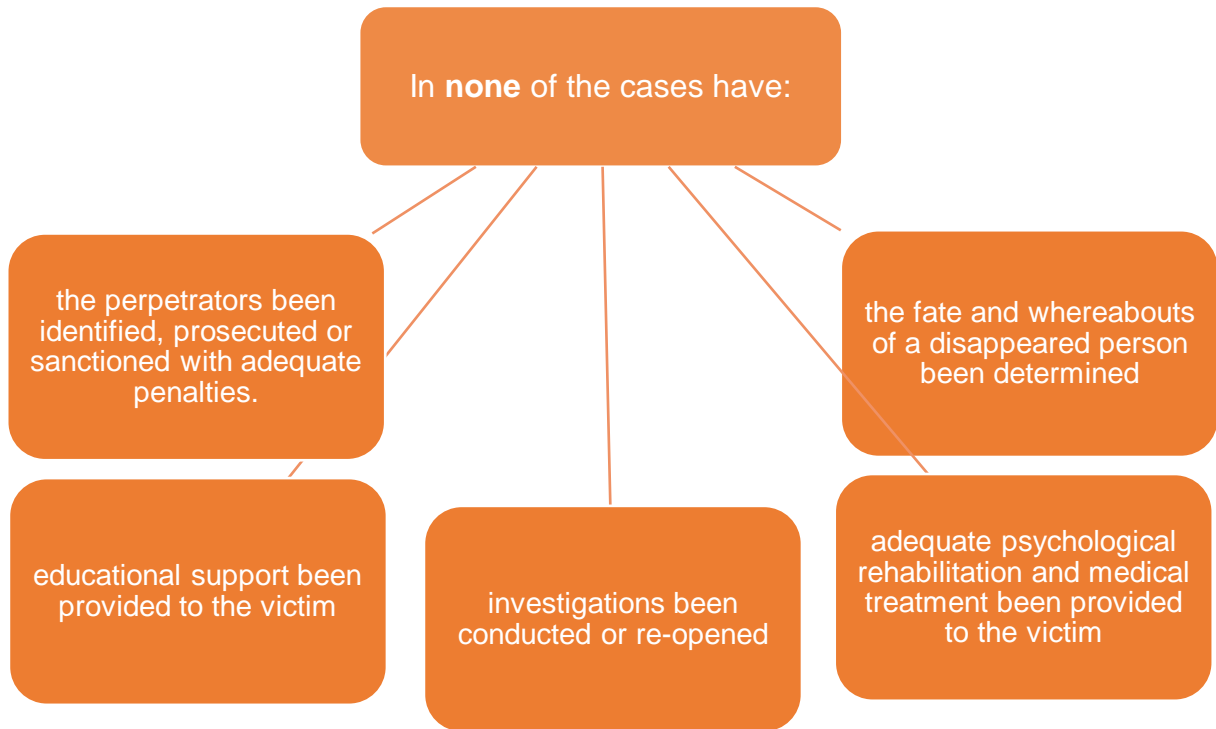
These violations **affected 84 persons**, of which :



In all these cases, the Human Rights Committee indicated the **measures of reparation** to be adopted to grant redress to these people.

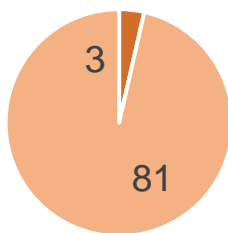


As of today...

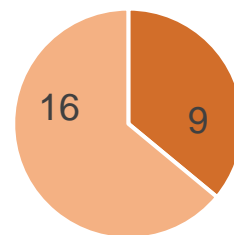


With regard to compensation, only three victims received an amount of money (approximately 1500 US\$ each). This is by no means commensurate to the gravity of the harm suffered.

The legislation on enforced disappearance, torture and the corresponding statutes of limitations has been amended, but it is not yet in line with international standards.

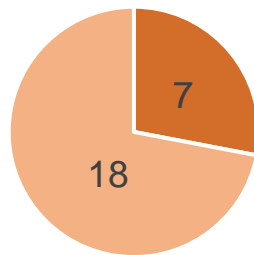


- Victims who received compensation
- Victims who did not receive compensation



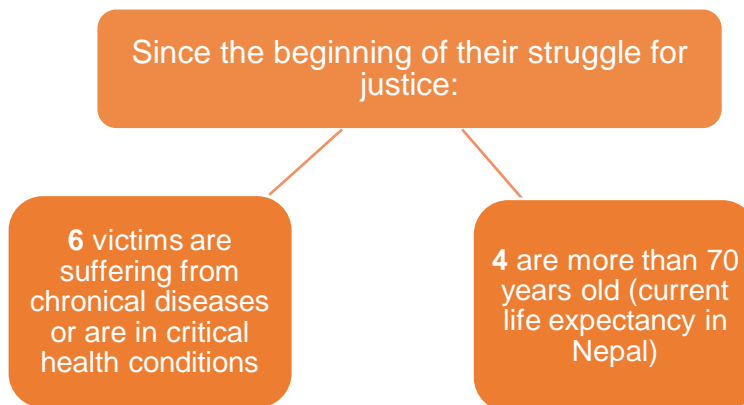
- Decisions translated into Nepali
- Decisions not translated

Nepal submitted information to the Human Rights Committee (HRC) on the progress of implementation only on 7 cases. In no case did Nepal engage in a regular and sustained follow-up dialogue with the Committee. The average grade assigned to the level of implementation of the different measures is **C**, namely “actions taken do not implement the recommendations”.



- Cases in which Nepal submitted information to the HRC
- Cases in which Nepal did not submit information to the HRC

Nepalese authorities systematically turned down victims' attempts to meet and discuss the subject of implementation in the respective cases.



How much longer will they have to wait?

Non-implementation of international decisions on gross human rights violations not only perpetuates injustice and re-victimizes people, but it also undermines the international legal order and the rule of law, conveying the dangerous message that a State can breach its international undertakings without consequences.

Prompting Nepal to respect its international obligations is an urgent imperative. Please, call on Nepalese authorities to:

- **initiate without delay a dialogue on the subject of implementation with victims and their representatives and with the Human Rights Committee.**
- **indicate the specific authorities that are in charge, as well as a tentative timeline for the implementation of each measure of reparation.**
- **implement as a matter of first priority the measures concerning medical treatment and psychological rehabilitation.**

For more information:

www.trialinternational.org

www.hrjc.org.np

<http://www.advocacyforum.org/>