

Torture and forced child labour: UN experts find Nepal violated human rights

GENEVA (27 August 2019) — Nepal must remove all existing obstacles that hinder victims of torture and forced labour in filing complaints, the UN Human Rights Committee said in a decision published today in Geneva.

The full decision is available to read on-line

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2f126%2fD%2f2773%2f2016&Lang=en

The Committee's decision came in response to an individual complaint from Mr. Bholi Pharaka (pseudonym), a member of an indigenous group who was a domestic worker in Kathmandu from the age of 9. He was forced to work every day from 4 a.m. until 10 p.m., not allowed to go to school and never received payment for his work. He was also subjected to physical and psychological abuse. After two years, he escaped, but soon thereafter was falsely accused of theft by his former master, arrested and tortured during police interrogation.

After the victim and his family's multiple attempts to file complaints failed, his case made its way to the Human Rights Committee via a Swiss NGO (TRIAL International), which assisted him in bringing his petition to the international level.

The Human Rights Committee has a mandate to review complaints from individuals who have suffered human rights violations when those victims have been denied justice in their home countries. In its decision, the Committee found that Nepal violated a number of provisions of the International Covenant on Civil and Political Rights and called on Nepal to amend its legislation and statutes of limitations in accordance with international standards and to criminalize torture and slavery with sanctions and remedies commensurate with the gravity of such crimes.

"The life of someone is shattered after enduring torture and forced labour as a child. Access to justice and accountability are essential for victims to rebuild their lives and recover their dignity. It is our hope that Nepal will take all necessary measures to protect and help victims of such acts regain their lives," said H el ene Trigroudja, Member of the Committee.

In its decision, the Committee requested Nepal to report back within 180 days detailing the measures it had taken to remedy the situation.

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Background

The [Human Rights Committee](#) monitors States parties' adherence to the [International Covenant on Civil and Political Rights](#), which to date has [173 States parties](#). The Committee is made up of [18 members](#) who are independent human rights experts drawn from around the world, who serve in their personal capacity and not as representatives of States parties.

Its Optional Protocol, which to date has [116 States parties](#), establishes the right of individuals to complain to the Committee against States which violated their human rights. The Optional Protocol imposes an international legal obligation on State parties to comply in good faith with the Committee's Views. Further information on the [individual complaints procedures before the Committees](#).

Learn more with our videos on the [Treaty Body system](#) and on the [Human Rights Committee](#)!

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