

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2013/01/04/nepal-warning-rights-abusers>

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UK Police Use Universal Jurisdiction Law to Arrest Torture Suspect

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(London) The arrest in the United Kingdom on January 3, 2013, of a Nepali army colonel suspected of torture sends a warning to those accused of serious crimes in [Nepal](#) and elsewhere that they cannot hide from the law forever, Human Rights Watch said today. Nepal failed to prosecute anyone for torture during the decade-long civil war in the nearly seven years since it ended.

The army officer, who has not yet been named and is reportedly a UK resident, is alleged to have committed serious human rights violations during Nepal's internal conflict between Maoist combatants and government forces. The conflict, in which 13,000 people died, ended with a peace agreement in 2006. The officer was arrested by London Metropolitan Police under section 134 of the 1988 Criminal Justice Act. The UK passed the law to meet its obligations under the Convention against Torture to prosecute anyone on its territory responsible for torture anywhere in the world.

The UK's move to arrest a Nepali army officer for torture during Nepal's brutal civil war is an important step in enforcing the UN Convention against Torture, said [Brad Adams](#), Asia director. Those responsible for committing torture in Nepal can no longer assume they are beyond the reach of the law in other countries. The lesson for the Nepal government and army is that it is time to end the culture of impunity that has left victims waiting for justice for far too long.

The Nepal authorities have failed to file a single prosecution in civilian courts concerning war crimes, including torture, despite numerous cases in which evidence has been presented to the authorities by victims, their families, and national and international organizations.

Although torture is not a specific crime in Nepal, the Nepali government is bound by international law to ensure that serious international crimes such as torture are investigated and those responsible are prosecuted. The failure to prosecute these cases also contradicts the Nepal governments public pronouncements about delivering justice for wartime atrocities and orders of the Nepali Supreme Court to investigate and prosecute wartime abuse cases. Several people alleged to be responsible for these abuses from both the Nepali security forces and the former Maoist insurgents have been promoted, some to positions in which they can directly interfere in criminal investigations.

The UK provides significant military assistance to Nepal. At the same time, it has prioritized human rights and the rule of law in its bilateral support to the country. Human Rights Watch and others had previously called on the UK government to end contacts with alleged human rights abusers and to press the Nepali Army to cooperate with investigations into crimes alleged to have been committed by its forces during the country's armed conflict.

The arrest of the Nepali army officer sends a strong and important signal that the UK takes its international obligation to hold torturers accountable for atrocity crimes seriously, even if Nepal does not, Adams said. The UK's move should remind those accused of rights abuses the world over that they can run, but it's getting a lot harder for them to hide.

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