



**Statement by Richard Bennett
Representative of the United Nations High Commissioner for Human Rights in Nepal**

**Delivered at the Public Launch of the Practical Guide to Detention Monitoring
Yalamaya Kendra, Patandhoka, Kathmandu
5 August 2008**

Distinguished guests, participants and friends. Welcome.

It is a pleasure to join you this evening to launch this very useful tool, the *Practical Guide to Detention Monitoring*. I would first like to thank the Association for the Prevention of Torture and Advocacy Forum for organizing this event. I appreciate the opportunity for OHCHR-Nepal to be a partner in this initiative.

Human dignity is at the heart of human rights, and there is no greater affront to human dignity than torture. 10 December 2008 is the 60th anniversary of the adoption of the Universal Declaration of Human Rights, the foundation of international human rights law. Article 5 of the UDHR states, "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Successive human rights treaties have built on this provision; however, despite the comprehensive international legal framework that exists to confront torture, much remains to be done to ensure that the use of torture and ill-treatment ceases.

Ill-treatment and torture of detainees were systematically used during the conflict, but it would be wrong for us to think that their use ceased after the conflict ended, or even that it did not occur before the conflict. In many parts of the country, these violations of human rights continue in places of detention. Thus, ending ill-treatment and torture remains as important today as it has ever been.

I would like to pay tribute to all organizations and individuals engaged in activities aimed at preventing torture, punishing it, and ensuring that all victims obtain redress and have an enforceable right to fair and adequate compensation, including the means for as full a rehabilitation as possible.

The State has an obligation to make torture a criminal offence and to encourage investigation and prosecution of acts of torture. However, it is not enough to have a good legal framework – the law must be implemented, and established patterns of behaviour have to be changed. This requires commitment from those in positions of authority, and the tireless efforts of civil society.

OHCHR's own work to address torture in Nepal includes monitoring detention facilities and advocating on behalf of victims of torture, as well as encouraging the Government to prevent and criminalize torture and prosecute those responsible. These are crucial strategies, but eliminating torture will also require finding new, creative and collaborative approaches to working with the security forces and other government bodies. For example, in the Eastern Region, OHCHR, NHRC and Advocacy Forum have begun implementing a joint programme working with the Nepal Police and public health officials, aimed at deterring torture by improving the access of detainees to thorough health examinations. The Nepal Police and health authorities have already made positive changes to their policies and procedures, and

anecdotal evidence suggests a recent decrease in allegations of torture in one district, since the joint capacity-building and monitoring programme began.

OHCHR-Nepal is increasingly focusing its work on strengthening the capacity of civil society, the National Human Rights Commission, and other national institutions like the Women's Commission as well as the Government. The kind of training that has just concluded here is of vital importance in strengthening Nepal's human rights system, and another step down the road towards ending the use of torture in Nepal.

Thank You.

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