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Lawyers forum for human rights and rule of law

PRESS RELEASE

Twenty years after Nepal's peace agreement, impunity continues to undermine the rule of law

Advocacy Forum-Nepal calls for urgent institutional reforms and accountability for serious human rights violations, including killings during the 2025 Gen Z protests.

KATHMANDU, NEPAL - 20 November 2026 - Twenty years after Nepal signed the Comprehensive Peace Agreement (CPA), promising an end to a decade of armed conflict and a new era grounded in human rights and democracy, successive governments have failed to deliver on several of its most fundamental commitments: upholding the rule of law and providing accountability for serious human rights violations.

A new report by Advocacy Forum-Nepal, *Closing the Impunity Gap: Rule of Law and Accountability in Nepal – Twenty Years Since the Comprehensive Peace Agreement*, documents how entrenched impunity, political interference, and institutional weaknesses continue to deny justice to victims and their families while undermining the rule of law.

Drawing on two decades of monitoring, legal advocacy, and close engagement with victims and survivors, the report examines emblematic cases of enforced disappearances, extrajudicial killings, torture, rape, and excessive use of force spanning the period before, during, and after the 1996–2006 armed conflict. It identifies systemic failures across the police, prosecution service, judiciary, transitional justice mechanisms, and other state institutions that have allowed perpetrators to evade accountability and further weakened the rule of law in Nepal.

"The promise of the Comprehensive Peace Agreement was not simply to end the armed conflict. It was to build a country where human rights are respected, institutions are independent, and nobody is above the law," Advocacy Forum-Nepal stated. "Twenty years later, that promise remains largely unfulfilled. Impunity has become entrenched, and victims continue to pay the price for successive governments' failure to establish the rule of law."

The report finds that even when investigations or prosecutions have taken place, perpetrators have often escaped punishment, received disproportionately lenient sentences, or remained beyond the authorities' reach.

The transitional justice process has also failed to deliver truth and justice to victims. Despite the establishment of the Truth and Reconciliation Commission (TRC) and the Commission for the Investigation of Enforced Disappeared Persons (CIEDP), neither body has concluded an investigation in a single case since the original legislation was adopted in 2014. The CIEDP has received approximately 1,300 complaints of enforced disappearance but has not referred a single case for further investigation or prosecution.

"Victims have been told repeatedly to wait for transitional justice. They have waited through successive governments, successive commissions, and successive political promises. Yet, after twelve years of transitional justice mechanisms, not one case has been resolved," Advocacy Forum-Nepal added. "Transitional justice cannot become an excuse for indefinitely postponing criminal accountability. Victims deserve truth, justice, and reparations—not another generation of promises."

Impunity is not confined to the conflict years

The report highlights how the same institutional failures have continued long after the 2006 peace agreement.

Among the emblematic cases examined are the torture and death of 15-year-old Maina Sunuwar in army custody, the enforced disappearance and killing of Hari Prasad Bolakhe, the killing of journalist Dekendra Thapa, and the unresolved disappearance and killing of Arjun Lama.

It also documents more recent cases, including the deaths of prisoners Binod Tolangi and Aakash Balhami in Sankhuwasabha District Prison in 2023. Although five police personnel, two prison guards and eight prison inmates were convicted in June 2026, such outcomes remain exceptional.

The report further highlights the alarming prevalence of torture in Child Reform Homes. A survey of 1,370 juveniles found that 328 children (24 percent) reported torture; however, Advocacy Forum-Nepal is not aware of any of these cases having been brought before a court.

"The problem is not that Nepal lacks laws, institutions, or promises. The problem is that the system repeatedly fails to act when those responsible for serious violations are powerful, politically connected, or members of the security forces," Advocacy Forum-Nepal stated. "When police refuse to register complaints, investigations are obstructed, and court orders are ignored, the rule of law becomes an aspiration rather than a reality, with all the consequences we are witnessing today."

Accountability for the Gen Z protest killings must not be delayed

The report gives particular attention to the September 2025 Gen Z protests, during which at least 76 people were killed and more than 2,300 injured in shootings by the Nepal Police and Armed Police Force. The overwhelming majority of protesters were unarmed, and some of those killed were schoolchildren.

Both the Karki Commission and the National Human Rights Commission (NHRC) recommended action against politicians, senior government officials, and members of the police in connection with the excessive use of force. However, at the time of writing, prosecutions had not been actively initiated. Meanwhile, 445 cases were proceeding against 1,778 Gen Z protesters.

"It is deeply troubling that hundreds of protesters face criminal proceedings while those allegedly responsible for the excessive use of lethal force have yet to face meaningful accountability," Advocacy Forum-Nepal said. "The state cannot apply the law selectively. Accountability must extend to those who give orders, those who carry them out, and those who obstruct investigations. The deaths of young people demanding a better future for Nepal must not become another chapter in the country's long history of impunity."

The report argues that the failure to reform the Nepal Police and Armed Police Force, despite longstanding allegations of serious human rights violations, has helped perpetuate a culture in which abuses carry little institutional or personal cost.

Structural reform is essential to break the cycle of impunity

The report identifies a series of interconnected weaknesses that undermine Nepal's criminal justice system, including:

- Police refusal to register First Information Reports (FIRs), preventing victims from accessing justice.
- The 35-day limitation period for filing complaints in certain cases, which creates serious barriers for victims of torture and other grave violations.
- Political interference in police investigations, prosecutorial decisions, and judicial appointments.
- Failure to implement court orders and judgments.
- Inadequate independence and oversight of the police and prosecution service.
- Weak protection for victims and witnesses.
- Failure to implement recommendations made by the National Human Rights Commission.
- The absence of legal provisions establishing command responsibility for senior officials and commanders.

The report stresses that the current government's stated commitments to good governance, integrity, and ending political patronage provide an opportunity for meaningful reform. However, these commitments will remain inadequate unless they are translated into concrete institutional changes that guarantee independent investigations and prosecutions.

"Good governance cannot exist without accountability. It is not enough to promise to end corruption or depoliticise public institutions," Advocacy Forum-Nepal said. "Nepal needs an independent criminal investigation system, an independent prosecution service, and a judiciary able to act without political pressure. Without these safeguards, the principle that nobody is above the law will remain just a political slogan."

Advocacy Forum-Nepal calls on the Government of Nepal to undertake urgent constitutional, legislative, and institutional reforms, including:

1. **Establish independent police oversight:** Create a National Police Commission, an independent police complaints authority, and an independent police inspectorate, with effective guarantees of independence.
2. **Ensure independent prosecution:** Establish an independent public prosecutor's office, separate from the government's legal advisory function.
3. **Reform the transitional justice process:** Amend the TRC Act through a transparent and inclusive process involving victims and civil society, ensuring that serious human rights violations and international crimes are not subject to amnesty or immunity.
4. **Remove barriers to justice:** Abolish the 35-day limitation period, allow FIRs to be registered at any police station, and criminalise the refusal to register complaints concerning grave human rights violations.
5. **Introduce command responsibility:** Ensure that commanders and senior officials can be held accountable for crimes committed by their subordinates where the legal requirements for responsibility are met.

6. **Strengthen independent oversight:** Ensure that NHRC recommendations for further investigations are implemented within defined timeframes and that constitutional bodies have the resources and independence necessary to fulfil their mandates.
7. **Protect victims and witnesses:** Strengthen Nepal's witness protection framework and establish an independent, properly resourced protection mechanism.
8. **Act on the Gen Z protests:** Promptly implement the recommendations of the Karki Commission and NHRC concerning killings and other human rights violations during the September 2025 protests.
9. **Publish outstanding inquiry reports:** Make public the reports of the Mallik, Rayamajhi, and Lal Commissions into past human rights violations and establish clear plans and timelines for implementing their recommendations.

"The government has an opportunity to break with the practices of the past, but this requires more than changing the people in positions of power—it requires changing the institutions themselves," Advocacy Forum-Nepal said. "Those who commit serious human rights violations must know that they will be investigated and prosecuted, regardless of their political affiliation, position, or connections. That is the foundation of a genuine rule-of-law state."

As Nepal marks twenty years since the Comprehensive Peace Agreement, Advocacy Forum-Nepal urges the government to publish a concrete action plan with clear timelines for implementing the outstanding commitments on human rights, accountability, and the rule of law.

"The real measure of Nepal's peace process cannot be simply the absence of armed conflict. It must be whether people can live free from fear, whether victims can obtain justice, and whether the law applies equally to everyone. Twenty years is long enough to wait. The time has come to close the impunity gap," Advocacy Forum-Nepal concluded.

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For detailed report:
https://www.advocacyforum.org/wp-content/uploads/2026/11/af-s-20-years-impunity-report.pdf