



Nepal - Researched and compiled by the Refugee Documentation Centre of Ireland on Monday 18 February 2013

What is the penalty for killing a cow; is the applicable law enforced

An article issued in October 2011 by *Agence France Presse* points out that:

“In Hindu-majority Nepal, cows are considered sacred and killing them is strictly prohibited” (Agence France Presse (27 October 2011) *The healthy diners saving Nepal's vultures*).

In 2012 a report released by *Freedom House* notes that:

“People continue to be jailed legally for multiple years for allegedly killing cows. Even though the harsh punishment of 12 years remains in the law, the judges in recent years have often sentenced people for fewer years” (Freedom House (2012) *Countries at the Crossroads 2012: Nepal*, p.7).

In September 2006 the *Australia: Refugee Review Tribunal* states that:

“Being a hindu kingdom, the constitution of Nepal has assigned a special status to cow. Cow is declared as the national animal in the constitution and is provided legal protection. Part 5, section 7 of the mulki ain, 1962 (Nepalese code of conduct) deals with the legal provisions relating to four legged animals. Relevant articles of this section are translated into english, as follows:

Article 1

It is prohibited to kill cow/ox, or permit another to kill, or to act to kill or even to take to foreign country with the intention to kill or to sell.

Article 4

If any person raises arms or other means to kill cow/ox intentionally the onlooker shall prohibit the person from killing. In case the intending killer refuses, the onlooker will not be liable for punishment if he kills the intending cow/ox killer. However, killing people in other circumstances is prohibited. The convict shall be captured and handed over to the concerned office.

Article 11

Person killing cow/ox intentionally or permitting another to kill shall be imprisoned for 12 years and 6 years, respectively.

Article 19

The case against cow slaughter shall be petitioned within six months. After the expiry of this time period the case shall not be entertained. C. If police were involved at the scene they usually will arrest the cow killer and take him to court for a court case.

The court shall then issue the arrest warrant, as is the practice with other criminal cases” (Australia: Refugee Review Tribunal (18 September 2006) *RRT Case No. 060539231*, p.10).

In July 2012 the *United States Department of State* points out that:

“Buddhists complained about the legal prohibition on killing cows, which they view as discriminatory. The country's general code prohibits the killing or intended killing of cows. Penalties for violating this law include twelve years imprisonment” (United

States Department of State (30 July 2012) *2011 Report on International Religious Freedom - Nepal*).

A report published in *BBC News* from April 2006 states:

“A court in Nepal has sentenced a woman to 12 years in prison for slaughtering a cow, considered a sacred animal in the predominantly Hindu kingdom” (BBC News (3 April 2006) *Woman jailed over killing of cow*).

This document also states:

“Police arrested 50-year-old Kripa Bhoteni after receiving complaints that she had killed the animal, dried the meat and eaten it. Ms Bhoteni is reported as denying that she killed the cow. She received the maximum sentence for the offence. Killing a cow is illegal in Nepal, the world's only Hindu kingdom” (ibid).

A document released in May 2011 by the *Indo-Asian News Service* notes:

“...Nepalgunj, the main town in Banke district near the Indian border, where police recently arrested two men for slaughtering cows and selling the meat” (Indo-Asian News Service (25 May 2011) *Religious row grows in Nepal as Hindus call closure*).

The *Himalayan Times* in June 2011 notes:

“Police said on Sunday that they arrested four persons from Mulpani on the outskirts of Kathmandu on the charge of killing a bull for meat...According to Assistant Sub-Inspector (ASI) Ajaya Bikal Bhattarai, the foursome admitted that they killed the beast for meat. Cow slaughter is a penal offence in Nepal” (Himalayan Times (26 June 2011) *4 held for violating ban on cow slaughter*).

No further information on this issue could be found among sources available to the RDC.

References

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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