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NEPAL CSW urges Nepal not to pass proposals restricting religious freedom

Christian Solidarity Worldwide (CSW) is today urging the Government of Nepal to “stop going down a road which will see significant restrictions on religious freedom”.

In addition to existing concerns over proposals for the new constitution, a committee established by the government to review the penal code of Nepal has submitted a proposal that would ban all religious propagation. Article 160 of the new proposed code is similar to one of the two constitutional proposals, and goes further than the anti-conversion legislation in five states in India by not including the conditions of “force”, “fraud” or “allurement” under which religious propagation is illegal.

CSW also today released a third edition of its briefing, ‘Nepal: Religious freedom and the new constitution’, which was first published three months before the first deadline for a new constitution to be drafted, May 28, 2010. The deadline was extended for a year, and on May 28, 2011 a three-month extension was agreed. However, this is contingent on the implementation of a five-point agreement which also includes the integration of a limited number of Maoist soldiers into the army, and the resignation of the prime minister to pave the way for a government of national unity.

CSW’s briefing contends that “as Nepal formalizes the transition from Hindu monarchy to secular republic, the right to freedom of religion and belief must be protected if the transition is to be a successful one”. It notes that “the current interim constitution fails to protect religious freedom in a manner consistent with international law”, and warns that current constitutional proposals are akin to anti-conversion legislation in five states in India.

Dr K.B. Rokaya, one of Nepal’s National Human Rights Commissioners, has expressed his “serious concern” about the proposals both for the penal code and the constitution. He said, “Religious freedom is the most fundamental human right for all the people of Nepal, especially for those belonging to ethnic minority groups, Dalits, women, children, and minority religious group. I would like to see explicit mention of freedom to change one’s religion in the new Constitution”.

CSW-UK’s Chief Executive Mervyn Thomas said, “We welcome the revival of the peace process and the chance to finalize a new constitution by the end of August 2011. However, we are deeply concerned that proposals for both the new constitution and the new penal code replicate the anti-conversion model from India, which violates the right to freedom of religion, and fosters discrimination and violence against religious minorities. We urge the Government of Nepal to stop going down a road which will see significant restrictions on religious freedom”.

Notes to Editors:

1. To read and download a copy of CSW’s report, ‘Nepal: Religious freedom and the new constitution’, please [click here](#).