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NEPAL | New Briefing Highlights Concerns Over Proposed Anti-Conversion Clauses

A [new briefing](#) on freedom of religion or belief in Nepal, published by Christian Solidarity Worldwide (CSW), expresses concern about a proposed anti-conversion clause for the new constitution.

Existing constitutional proposals contain a provision that “no person shall be entitled to convert another person from one religion to another against his or her desire.” Furthermore, draft proposals for the new Penal Code of Nepal prohibit all changes of religion, “with or without inducement.” CSW’s briefing explains this “fails to allow choosing and changing one’s faith to be seen as a positive individual choice or as a matter of individual rights.”

The briefing recommends: “The Constituent Assembly therefore needs to ensure that full religious freedom is embodied within the new constitution.”

Recently, high level officials have reportedly called for a total ban on the Nepali people’s right to change their religion or belief. On May 30, while on a visit to Nepal, Bhagat Singh Koshiyari, the Vice Chairman of the Indian Bharatiya Janata Party, called for a total legal ban on conversions from one faith to another. On June 5, Nilam KC, Nepal’s Social Welfare Minister, said conversion from one religion to another must be prohibited in Nepal. There is also pressure from some political parties to restore the Hindu monarchy.

Nepal was the only official Hindu state in the world until 2008 when the newly-elected parliament declared the nation to be a secular republic. The Constituent Assembly is presently involved in drafting the new constitution, due to be completed in 2015, incorporating the human rights essential for a fully democratic state. The framing of the constitution is governed by Nepal’s Treaties Act of 1991, which requires the nation’s laws to conform to the principles of the International Treaties it has signed and ratified.

Nepal is a state party to the International Covenant on Civil and Political Rights which guarantees “the right to freedom of thought, conscience and religion.” This includes a person’s “freedom to have or to adopt a religion or belief of his choice.”

CSW’s Chief Executive Mervyn Thomas said “It is most disturbing that a government minister should express views aimed to persuade Nepali leaders and political parties not to include full freedom of religion and belief in the new constitution of Nepal. The freedom to choose and change one’s faith is a fundamental right which must be upheld as an essential part of any constitution which adheres to international human rights principles. CSW continues to urge all

political parties and religious leaders in Nepal to insist that this right be fully guaranteed in the new constitution.”