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NEPAL | CSW Concerned About Proposed Anti-Conversion Clauses

Christian Solidarity Worldwide (CSW) is concerned about a proposed anti-conversion clause in the new draft constitution presently under consideration in Nepal's Constituent Assembly (CA) and the severely curtailed public consultation period for the document.

The draft constitution contains a provision that “no one shall attempt to change or convert someone from one religion to another.” Furthermore, it says that “any such acts or activities shall be punishable by law.”

CSW's new briefing on freedom of religion or belief in Nepal, published July 13, explains that this “fails to allow for choosing and changing one's faith to be seen as a positive individual choice or as a matter of individual rights, as required and guaranteed by international treaties.”

It includes a recommendation that “the new constitution of Nepal should guarantee the right to choose and change one's religion or belief,” and that the new constitution “should not include any sentence or clause prohibiting or banning conversion.”

CSW also expressed concern that the public consultation period for the new draft Constitution should not be curtailed and should give adequate time for discussion and comment throughout Nepal.

Nepal was the only official Hindu state in the world until 2008 when the newly-elected CA declared the nation to be a secular republic. The CA is at present involved in finalizing the new constitution, incorporating the human rights essential for a fully democratic state. The framing of the constitution is governed by Nepal's Treaty Act of 1991, which requires the nation's laws to conform to the principles of the International Treaties it has signed and ratified.

During the past 12 months there have been strident calls from the Rashtriya Prajatantra Party – Nepal (RPP-N) to insert a ban on all religious conversions into the new constitution. According to reports, the coalition government agreed to the RPP-N's demands on July 3. There is also pressure from the RPP-N to offer the public a referendum on the choice between a secular republic and the restoration of the Hindu monarchy.

CSW's Chief Executive Mervyn Thomas said, “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. 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, including the freedom to have or to adopt a religion or belief of his or her choice. CSW continues to urge all political parties and leaders in Nepal to insist that this right be fully guaranteed in the new constitution.”