



8.22.17

NEPAL | Bill Criminalizes Religious Conversion

The Nepali parliament passed a Bill on Aug. 8 criminalizing religious conversion and the “hurting of religious sentiment.” It is expected to become law once the president approves it.

The Bill was registered in parliament on Oct. 15, 2014 and passed on Aug. 8. However, there are concerns that these clauses could be used to target religious minorities, as occurred in the Charikot case in June 2016, when eight Nepali Christians were charged with attempting to convert children after sharing a comic book on the story of Jesus.

Human rights defenders in Nepal are calling for the Bill to be amended as it restricts freedom of expression and freedom of religion or belief. Religious conversion is also curtailed in Article 26 (3) of Nepal’s constitution, which was used in the Charikot trial.

Kiri Kankhwende, Senior Press Officer at Christian Solidarity Worldwide (CSW), said, “We are deeply concerned that if this Bill becomes law, we will see more cases like Charikot and further restrictions on the right to freedom of religion or belief in Nepal. The lesson from India is that anti-conversion laws not only restrict the rights of an individual to adopt a religion of their choice, but also put religious minority communities at risk of hostility and violence.”

The wording of Clause 158 of section 9 of the Bill, which criminalizes the “hurting of religious sentiment,” is similar to the blasphemy laws in Pakistan, which make it a criminal offense to insult another’s religion. These laws are poorly defined and widely misused to settle personal scores, to target religious minorities or to further extremist agendas. Decades of misuse of the blasphemy laws have resulted in a situation where even voicing disagreement with these laws can lead to violence.

The provisions of Clause 160 in section 9 of the Bill, which restrict religious conversion, could be invoked against a wide range of legitimate expressions of religion or belief, including the charitable activities of religious groups, or merely speaking about one’s faith, which risk being portrayed as attempts to convert others. Similar anti-conversion laws in force in neighboring Burma and in six

Indian states have been misused to foster social intolerance and violence toward peaceful religious activities, and to falsely accuse religious minorities, especially Muslims and Christians, of forcefully converting others.

On Aug. 10, Lokmani Dhakal MP of the Janjagaran party of Nepal, requested the removal of the sections criminalizing religious conversion and said, "It seems very clear to me that this country when preparing the civil code has forgotten it is a signatory to international treaties that protect the freedom of religion and human rights... please don't let it be possible for the world to say of Nepal that we are the kind of nation that on the one hand signs international treaties but when making internal laws and in implementing them, does something else."

Kankhwende added, "CSW stands with human rights defenders in Nepal in calling for these clauses to be removed from the Bill as they are incompatible with Nepal's commitment to uphold the rights of freedom of religion or belief and freedom of expression, as a signatory of the International Covenant on Civil and Political Rights."