



Human Rights Council - 31st Session

Agenda Item 6: Consideration of UPR outcomes, Nepal

Speaker: Albert Hengelaar

Wednesday 16 March 2016

Please check against delivery

Mr President,

Pax Romana and World Evangelical Alliance draw your attention to the continued restriction on freedom of religion in Nepal despite the new progressive constitution of 2015.

Article 4 of the constitution provides a narrow and ambiguous definition of secularism. Secularism is explained as protection of a particular religious practice which is basically understood as part of the Hindu tradition. The third clause of article 26 legally prohibits freedom of choosing a religion or belief or voluntarily conversion. Therefore, it gives the impression that the state does not embrace other minority religions under the same umbrella and does not guarantee their freedom of religion.

Prior to the promulgation of the constitution, a bill for amendment of existing laws on Criminal offense -2071 was presented at the Nepalese parliament. Clause 156 of the bill has made provisions for punishment in line with the new constitution for practicing a religion which is against the articles 18 of UDHR and ICCPR.

This bill also opens the door to misinterpret or misuse and intentionally make false accusations.

Therefore, we request this human rights council to call upon the government of Nepal to:

1. Respect the word and spirit of UDHR 18 and ICCPR 18 and internalize it in national legislation.
2. Make a clear interpretation of article 4 to ensure equal treatment to all religious groups.
3. Amend article 26 (3) of new constitution - 2015 to ensure that every citizen has full freedom of religion without restrictions to religious leaders to consecrate related sacraments according to their belief.
4. Form an inter-religious commission to deal with practical complexities on the ground with representatives nominated by the religious communities themselves.

I thank you Mr President.