



2020 NEPAL

Religious Freedom Landscape Report





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INTRODUCTION

Religion has been integral to the spirit and culture of humanity for millennia.¹ The cradle of multiple ancient religions, South and Southeast Asia remains one of the world's most religiously diverse and spiritually vibrant regions on earth. At the same time, all too many of its two and a half billion people suffer on account of their religion. The South and Southeast Asia Action Team, an arm of the Religious Freedom Institute (RFI), exists to advance religious freedom for all people throughout this vast region, especially those who are most persecuted. This landscape report on Nepal constitutes an important step towards achieving that goal and represents the combined expertise of numerous scholars and analysts.

The purpose of this report on Nepal's religious freedom landscape is to determine where and in what ways this fundamental human right is being preserved and promoted, where it is being violated, and what governments, civil society organizations, and communities can do to strengthen this foundational freedom for the future well-being of Nepal as well as South and Southeast Asia as a whole. RFI aims to assess where the terrain is rough and treacherous, as well as where it is smooth and pleasant. Only once you know the landscape and identify a favorable route, any experienced traveler knows, can the journey begin.

The RFI's South and Southeast Asia Action Team focuses on eight of the most populous and strategically

significant countries in South and Southeast Asia: Bangladesh, Burma (Myanmar), India, Indonesia, Malaysia, Nepal, Pakistan, and Sri Lanka. Indonesia and India in particular are the two most populous, economically robust, and strategically significant countries in the region. Together these eight countries have a population of about 2.2 billion people, comprising 86 percent of the regional population (about 2.5 billion) and 28 percent of the total world population (about 7.8 billion).² The whole regional population comprises about 32 percent of the world population. South and Southeast Asia is home to the four largest Muslim populations in the world (Indonesia, India, Pakistan, and Bangladesh), 99 percent of the world's Hindus, and almost all of the world's Buddhist-majority countries.³ In other words, that is more than 1.15 billion Hindus, 825 million Muslims, and over 80 million Buddhists, as well as about 72 million Christians.⁴

The region is also home to some of the most religiously restricted societies in the world, even while several of its countries maintain reasonably robust democratic institutions and dynamic civil societies.

For example, Polity IV's democracy index rates Indonesia and India as "democracies," with high levels of political competition and restraints on executive power, and Freedom House rates both countries as "partly free" electoral democracies.



About the Religious Freedom Institute

Securing religious freedom for “everyone, everywhere”—for Buddhists in Bangladesh as much as Muslims in Maryland—is the mission of the RFI. An independent, nonprofit organization based in Washington, D.C., RFI is committed to achieving broad acceptance of religious liberty as a fundamental human right, a source of individual and social flourishing, the cornerstone of a successful society, and a driver of national and international security. It achieves this goal by convincing stakeholders in select regions that religious freedom can help them achieve their own goals—political, economic, strategic, and religious.

Accordingly, RFI’s action teams establish a presence in strategic regions across the globe in order to build coalitions and local and regional networks to make religious freedom a greater priority—and ultimately a lived reality—for governments, civil society, religious communities, businesses, and the general public. Each of these sectors of society has a crucial stake in the future of the religious freedom landscape in their country. Drawing on the research of its associated scholars as well as the cumulative body of scholarship produced by its predecessor project, the Religious Freedom Project at Georgetown University, RFI makes an evidence-based case to these and other important sectors and stakeholders that the freedom of religious belief and practice is a principle they can and should embrace in order to benefit themselves and their societies.

Foundational to RFI’s outlook is the recognition that religion is an integral feature of human nature and an irreducible component of human flourishing. Human beings, who are religious animals just as profoundly as they are political animals or conjugal animals, have always asked religious questions, and persist in asking these questions as much as they ever have: Who am I? Where did I come from? What is the meaning and purpose of existence? What is the nature of ultimate reality? The search for the best answers to these questions, and the attempt to align

one's reason, will, and whole being with ultimate or transcendent reality as best as one can discern it, is what we generally call religion. Religious freedom, then, is the most fundamental and distinctively human of all freedoms because it reflects the most basic and characteristically human of all strivings—the striving not only to know the truth, but to *place one's whole self in alignment with the whole truth about the whole of Reality*. As such, religious freedom has at least four distinct dimensions.

The first of these “religious freedoms” reflects the intellectual and spiritual dimension of religion, and requires that all people should be free to use their natural powers of discernment, reason, and intuition to seek and explore the truth about ultimate reality in all of its depths. The second of these freedoms reflects the dimension of doing or practice. It means that all people should be free to engage the truths they have learned from theoretical inquiry and act on them with authenticity and integrity. In other words, this dimension of religious freedom involves engaging one's conscience and will to align oneself as fully as one can with the truths one discovers about transcendent reality. Third, the social dimension means that all people must be free to share the truths they discover about ultimate reality with others, and to join with those of like mind and spirit to live them out. Fourth, the civil or political dimension means that all people should be free, both individually and communally, to express their religious beliefs in civil and political society, and to formulate and propose visions of the common informed by these beliefs. Included here is the right to create and operate religious institutions that reflect a religious community's foundational principles and defining mission.

From a broader perspective, the aforementioned dimensions represent aspects of what might be considered the liberty wing of religious freedom. That is, religious freedom in full requires that people enjoy the liberty to embrace and express whatever beliefs about religion—including unorthodox beliefs or beliefs that differ from traditional religious claims—most accord with the dictates of their own conscience,



without direct, coercive interference by government or non-government actors.

At the same time, religious freedom requires another wing—the wing of equality—in order to take full flight and make it possible for all individuals and societies to achieve both the basic good of religion as well as other components of human flourishing. The equality wing of religious freedom requires that people be free from arbitrary discrimination or unequal treatment because of their beliefs about religion. Violation of religious equality—as through the infliction of systematic discrimination on particular individuals or groups merely because of their religious beliefs or identities, or the creation of a climate of hatred or intolerance of certain people because of religion—is unjust and illegitimate even when it does not directly block or limit one’s free exercise of religion.

One reason is that arbitrary discrimination or unequal treatment is incompatible with the demands of human dignity, which all human beings equally share by virtue of their common humanity. As sources as diverse as the Universal Declaration of Human Rights, the Basic Law for the Federal Republic of Germany, and the Declaration on Religious Liberty of the Roman Catholic Church recognize, human dignity is the proximate ground of religious freedom as well as all fundamental human rights, and it is the ground, furthermore, of every person’s entitlement to equal justice.⁷ Another reason is that gross violations of religious equality are incompatible with the vision of a society animated by a dynamic pluralism in which all citizens can share their religious and moral

insights with each other. Only within a framework of basic equality can people of all religious perspectives draw on their distinct convictions and unique “spiritual capital” both to contribute to the common good and to enrich the perspectives of their fellow citizens.

Religious freedom is thus a fundamental and capacious right that deserves secure protection in law and widespread respect in culture. On paper if not in practice, this idea has been widely accepted by the international community. The 1948 Universal Declaration of Human Rights states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance (Article 18).

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (Article 2).⁵

The mission of the Religious Freedom Institute is motivated by the conviction that religious freedom in full—in its equality dimension and in each of its liberty dimensions—is a natural, universal, and inviolable human right that is grounded in the inherent dignity of every human being. At the same time, because religious

belief and practice are such central components of human life and flourishing, religious freedom is also a powerful driver of a wide array of social goods, including democracy, civil liberty, stability, economic prosperity, equality of women, and security.

RFI activities are further premised on the reality that religious freedom tends to be strong and enduring only when it is embedded in a society's moral and religious culture as well as its legal and political structure. Religious freedom actors must pursue not only top-down institutional reform but also bottom-up persuasion, education, and mobilization. If religious freedom is promoted only by governments and is not practiced at the level of local communities, it remains an empty ideal. On paper, most of the world's national constitutions recognize religious freedom as a fundamental right in one form or another. The reality remains, however, that the vast majority of the world's population lives in countries with high or very high government or social restrictions on religion and the trendlines over the past decade appear to be worsening.⁶

Religious freedom will be a reality for “everyone, everywhere” only when it enjoys grassroots support and is articulated, practiced, and spread at the level of local and national communities and traditions. Advancing religious freedom while respecting local and national contexts entails adopting approaches to articulating and justifying religious freedom that are credible and compelling within local perspectives. In fact, RFI's South and Southeast Asia Action Team seeks to identify and cultivate seeds of religious freedom that are already present in the region's own spiritual and cultural soil. As this Nepal landscape report underscores, the soil of South and Southeast Asia tends to be fertile and receptive insofar as all of its countries and cultures enjoy histories and traditions of vibrant religious pluralism.

As the example of Nepal highlights, embedding religious freedom in both political structures and moral and spiritual cultures requires an approach that works across multiple sectors—religious, political, legal, cultural, and educational.



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Religious Freedom Institute



It requires identifying and mobilizing networks of actors that are willing to contribute resources and effort in a coordinated fashion. Among these actors, RFI's South and Southeast Asia Action Team strives to be a partner that joins with others on a footing of equality and mutual respect, and that works collaboratively towards the goal of religious freedom for "everyone, everywhere," in South and Southeast Asia and beyond.

RFI's South & Southeast Asia Action Team

RFI pursues its mission and vision through teams of scholars and other experts working to advance religious freedom in a particular region or issue area. This *Nepal Religious Freedom Landscape Report* is one of eight religious freedom landscape reports by the South and Southeast Asia Action Team (SSEA-AT) on our eight focus countries of Bangladesh, Burma (Myanmar), India, Indonesia, Malaysia, Nepal, Pakistan, and Sri Lanka. Building on the analysis in these reports, SSEA-AT is committed to advancing religious freedom across South and Southeast Asia. SSEA-AT seeks first and foremost to build mutual trust and partnerships with local religious freedom actors and entities across the region. Currently, the team has accumulated hundreds of such contacts, including over 275 individuals and more than 200 organizations. These contacts comprise an invaluable foundation and support network, which makes it possible to develop a shared assessment of the religious freedom landscape in South and Southeast Asia as well as a shared action plan that seeks to cultivate religious freedom from the ground up. RFI's ongoing engagement efforts in the region include private meetings with religious and political leaders, activists, and other religious freedom actors and organizations; private meetings with legislators and government officials; public events and grassroots outreach; conflict resolution initiatives; policy formation and analysis; humanitarian relief and/or development services; and educational initiatives.

The purpose of the SSEA-AT's country landscape reports is to survey the current state and future trajectory of religious freedom in the region. Specifically, each country landscape analysis, including the present Nepal report:

- ◆ Assesses the religious freedom environment in terms of the favorability of political, socio-cultural, religious, economic, and historical conditions; the leading threats and obstacles to advancing religious freedom given these conditions; the major opportunities or enabling conditions for advancing religious freedom; and the positions of leading political and religious actors vis-à-vis religious freedom. Each report focuses on a given country's religious freedom *capabilities* as well as its religious freedom *challenges*.
- ◆ Assesses the state of empirical knowledge and research on religious freedom, including any significant gaps that may exist.
- ◆ Assesses the education system with respect to religious freedom, including the extent to which religious freedom concepts are integrated into primary, secondary, and higher education curricula.

- ◆ Identifies key religious freedom actors (individuals, organizations, and initiatives) already in place, and actors that might engage in religious freedom activities if given the opportunity, resources, and rationale to do so.
- ◆ Assesses the comparative strengths and weaknesses of these actors.
- ◆ Identifies the major gaps or missing elements in their activities.
- ◆ Evaluates the status of communication in the region, including the primary communicative mechanisms by which the views of elites and public opinion are shaped and disseminated.

Based on the findings in the landscape reports, SSEA-AT has developed a Regional Action Plan that lays out a comprehensive strategy for advancing religious freedom in South and Southeast Asia, with RFI as a partner working in close and equal partnership with other actors. The Regional Action Plan includes:

- ◆ A strategic assessment of the status of religious freedom in the region, based on the findings of the landscape reports.
- ◆ A strategy to leverage political, socio-cultural, religious, economic, and historical factors that are conducive to the promotion of religious freedom throughout SSEA.
- ◆ A strategy to operationalize networks of existing religious freedom actors.
- ◆ A strategy to overcome or neutralize obstacles to the advancement of religious freedom.
- ◆ A strategy to identify and encourage new actors, including religious and political leaders, to advance religious freedom.
- ◆ A strategy to expand the quality and scope of freedoms enjoyed by inhabitants of various countries throughout the region.
- ◆ Recommendations on how funders can most strategically invest to advance religious freedom in the region.

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- ◆ **Research Assistants:** Luke Adams, Michael Gioia, and Matt Mills
- ◆ **Research Interns:** Sachal Jacob and Sarah Thomas

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OVERVIEW

KEY CHALLENGES

While governed for centuries by a monarchy that favored Hinduism, Nepal today is a self-declared “secular” republic with a constitution that expressly protects religious freedom. Since the People’s Movement brought an end to the country’s absolute monarch in 1990, Nepal has demonstrated a growing acceptance of international human rights standards, to include those related to religious freedom. Running roughly parallel to Nepal’s political opening has been greater religious ferment and dynamism on the ground. Since the 1980s, Buddhism and especially Christianity have seen considerable growth, while the Hindu share of the population has declined from 90 percent in 1981 to 81 percent in 2011. Overall, despite dramatic political and cultural changes since 1990, Nepali

society evinces a largely peaceful and cooperative religious pluralism in which violent extremism is relatively marginal and a spirit of “unity in diversity,” to quote the 2015 Constitution, is prevalent.

Alongside greater political and religious openness, however, are several developments that pose serious challenges to religious and political freedom in Nepal. On the crucial principles of religious equality and religious freedom, what the Nepali Constitution gives with one hand it appears to take away with the other. Though Nepal’s Constitution is confessedly secular and does not formally establish or privilege Hinduism (or any religion) as the state religion, it idiosyncratically defines secularism as a double-edged principle. This principle includes both the obligation to protect

Nepal's traditional religion and culture (presumably Hinduism) *and* respect for religious and cultural freedoms.

In addition, though the Constitution formally enshrines a “right to freedom of religion,” it pointedly declines to protect the right to propagate one’s religion. This omission contrasts with the Indian Constitution, despite the fact that the religious freedom articles in the Nepali constitution otherwise somewhat parallel those of India’s. Specifically, the Nepali Constitution expressly prohibits any attempt to “convert another person from one religion to another” or “any act or conduct that may jeopardize other’s religion.”⁸ Adding to challenges to individual religious freedom rights in Nepal, there is evidence that religious

institutions are treated unequally with respect to registration requirements.

Measures such as these appear to be part of a constitutionally mandated effort to replace the relatively free and fluid religious economy prevailing in Nepal after 1990 with a kind of protectionism designed to secure and strengthen the traditional religious and cultural dominance of Hinduism (and to a lesser extent Buddhism). Contributing to pressure on religious freedom as well as to inter-religious tensions is the growing activism of Hindu-nationalist groups that seek to eliminate the Constitution’s provisions safeguarding religious freedom and the Nepali state’s secular character altogether.



BACKGROUND

RELIGIOUS DEMOGRAPHY & HISTORY

Religious Demography

Nepal's population was approximately 29.7 million as of 2018. Hindus constitute 81.3 percent of the population; Buddhists, 9 percent; Muslims (the vast majority of whom are Sunni), 4.4 percent; and Christians (the vast majority of whom are Protestant), 1.4 percent. Other groups, which together constitute less than 4 percent of the population, include Kirati (who practice an indigenous religion with Hindu, Buddhist, and animist influences), animists, adherents of the Bon religion (a Tibetan religious tradition), Jains, Bahá'ís, and Sikhs.⁹

In Nepal as in the rest of South Asia, religion and ethnicity are closely linked. Nepal's population is divided into a dozen ethnic groups and as many as 90 linguistic groups. The largest ethnic

group is the Chhetri (who are of the Kshatriya or warrior caste), constituting 16.6 percent of the population, followed by the Brahmins at 12.2 percent.

Other ethnic groups include Magar, 7 percent; Tharu, 6.6 percent; Tamang, 5.8 percent; Newar, 5 percent; Kami, 4.8 percent; Muslims, 4.4 percent; Yadav, 4 percent, and others (residuals) about 32 percent. Much of the ethnic diversity is a result of centuries of migration from India, Bhutan, Tibet, and other areas in and around the Himalayas.¹⁰

Hinduism, Buddhism and Christianity

The prevalent form of Hinduism in Nepal is unique to the region. The primary deities worshipped are Shiva and Durga. Animal sacrifice to Durga is a common practice and is often accompanied by

preparation of the sacrificial meat for communal consumption. The tradition of Durga Puja, known as Dashain in Nepal, is the longest and most important annual religious festival in the country. The tradition is ingrained in Nepali culture, so much so that even presidents of Nepal commonly seek a blessing of the Royal Kumari,¹¹ who resides in Basantapur (a neighborhood of Kathmandu).

Buddhism is the second largest religion in Nepal. According to Buddhist belief, Lord Buddha was born in the Shakya Kingdom of Kapilvastu, which is now part of Nepal's southern plains. Though most people in Nepal identify as Hindu, Buddhist influences are pervasive in Nepali culture. In practice, Hinduism and Buddhism are closely linked throughout much of Nepal. Since 1990, however, there have been concerted efforts to encourage an exclusive Buddhist identity that is not mixed with Hinduism. Tibetan Buddhism is the most widely followed form of Buddhism, and the Newar Buddhists practice a particular Newar variant of Vajrayana Buddhism and Theravada Buddhism. Nepali Buddhists belong primarily to Tibeto-Burman ethnic groups, such as the Sherpa, Tamang, and Bhotia people located in the mountain areas along the border with Tibet. In many areas, Hinduism has largely absorbed Buddhism. The two religions have many shared deities and temples. The temple in Muktinath, for example, is sacred for both Hindus and Buddhists.

While the Hindu population in Nepal declined by nearly 3 percent between 1981 and 1991 and the number of Hindus decreased further by 5.9 percent in the following decade (1991-2001),

the Buddhist population has seen a measurable increase. The rise in those practicing Buddhism has occurred over several decades, increasing by almost 80 percent between 1981 and 1991, from 799,081 to 1,439,142. The number of Buddhists continued to increase to 2,442,520, or almost 11 percent of the population in 2001, an increase of 70 percent from the previous decade. Although, the most recent 2011 census showed a slight decline to approximately 9 percent of the total Nepali population.¹²

The religion that has seen the most dramatic growth in Nepal in recent decades is Christianity. Note, however, that this growth has occurred from an extremely tiny base, so even today Christians constitute only between 1 and 2 percent of the total population. In 1961, the Christian population in Nepal numbered merely 458 people — a number so small that it did not register as a percentage of the total population in that year's census. Ten years later, the number of Christians had risen to 2,541, or 0.02 percent of the total population. The 1981 census indicated that the number of Christians increased marginally to 3,891 people. It was the 1991 census that showed a significant upward trend for the Christian population. By that year, the Christian population had grown by some 78 percent — from 3,891 in 1981 to 31,280 in 1991. But the most dramatic surge in the number of Christians in Nepal came in the decade between 1991 and 2001, during which census data showed a 226 percent increase — from 31,280 in 1991 to 101,176 in 2001. In terms of Christians as a percentage of the total population, in 1991 Christians accounted for .17 percent and in 2001 this number had risen to .45 percent. This census data suggests that

the growth of the Christian population recorded new heights with the political ferment and democratic openings that came in the 1990s. According to the most recent (2011) census, Christianity is the fifth most practiced religion in Nepal, with 375,699 adherents, or 1.4 percent of the total population.

Nepal's dynamic religious demography, which has shifted measurably due to increases in the country's Buddhist and Christian minorities in recent decades, is an important part of the background of the country's growing tensions and conflicts around religion, politics, and religious freedom. In particular, this shifting demography has heightened the fears of some Hindus that a more secular political system that enshrines religious freedom leaves Nepali Hinduism vulnerable to the growing demographic and cultural power of minority religious groups.

Caste and Society

Nepal's Hindu caste system is modeled after the ancient and orthodox Brahmanic system of the Indian plains. Its establishment allegedly became the basis of the feudalistic economic structure of Nepal. High-caste Hindus acquired desirable lands—particularly the more easily accessible, cultivatable, and productive low-lands—including those belonging to the existing tribal people. It also introduced the system of individual ownership. The caste system is illegal, but in practice members of the lowest caste (often called “Dalits”) frequently face poverty, inequality, and discrimination. In Nepal the caste system was formalized with the creation of the Nepali civil code, or the *Muluki Ain*, that

was written in 1854 by Jang Bahadur Rana. It divided Nepali citizens into two castes: “the caste whose water is allowed to remain pure” and “the caste whose water is defiled.” These two groups were later divided into seven main caste and ethnic groups that are officially recognized by the government. In addition to the officially recognized ethnic and caste groups, there are 11 caste groups based on regional divisions (Mountain, Hill, and Terai) and 103 social groups.

The highest castes are the Bahuns (Brahmans) and the Chhetris and Thakuris (Kshatriya). These highest castes are classified as *tagedhari*, or “wearers of the sacred thread,” signifying their status as “twice-born” or those initiated into the knowledge of the sacred Hindu texts. Other caste groups include the Dalits, Newar, Janjathi, Muslim and other miscellaneous castes. The Dalits include the Muslim Dalits (Madhesi Dalits) and the Hill Dalits. The Newar and Janjathi for the most part belong to the Adivasis (Sanskrit for “forest dweller,” referring to the original or autochthonous inhabitants of a given region) or tribal groups who reside in the hill regions of the country. Included in the “other” category are Bangladeshis and Sikh immigrants from India.

Yet the caste hierarchy is complex, contested, and always evolving. Generally speaking, communities are ranked within the broad, fourfold Hindu caste (*varna*) divisions: Brahman (priests and scholars), Kshatriya or Chhetri (rulers and warriors), Vaisya or Vaisaya (merchants and traders), and Shudra (farmers, artisans, and laborers). In addition to these four castes is the fifth class of untouchables, or Dalits,

who are outcasts and are considered polluted and polluting. The caste hierarchy remains well established among Hindus (and, to a lesser extent, among Buddhist Newars as well). In this system, each sub-caste (*jati*) is generally an endogamous group in which membership is both hereditary and permanent. Although generally beyond practical reach, improvements in caste status are available if a caste group (1) achieves *en masse* greater numerical, political, or economic power (often while undergoing a process of Sanskritization);¹³ (2) migrates to a new area; or (3) creates new castes through inter-caste marriage.¹⁴ However, given the rigidity of the caste system, inter-caste marriage generally carries a social stigma, especially when it involves two castes at extreme ends of the social spectrum.¹⁵

Caste and Change of Religion

Some observers assert that prejudices related to the caste system drive many lower-caste Hindus to embrace Christianity, though to date there is only anecdotal evidence to support the claim. Although Nepal outlawed the caste system in 1962 and made the practice of “untouchability” a criminal offense in 2001, discrimination based on caste remains prevalent. In particular, castes that had been classified as “untouchable” or Dalit, continue to suffer from significant discrimination, marginalization, and harassment, especially in rural areas of Nepal.

To date, we lack reliable country-wide data on either the number of Christians in Nepal or on the pathways that lead individuals to decide to convert. However, some observable,

group-related patterns characterize the growth and composition of Nepal's very young and dynamic Christian population. While Nepal is made up of dozens of ethnic and caste groups, more than 60 percent of Christians come from only eight ethnic or caste groups. Converts to Christianity in Nepal are drawn not only from lower ethnic and caste Hindu groups such as the Santhal Satar (5.8 percent), but also, and perhaps predominantly from other religious and ethnic groups who practice Buddhism, Kirati, or forms of the indigenous animist religion.

One such ethnic group is the Tamang people who live in the north central hill region of Nepal and practice a form of Tibetan Buddhism. Interestingly, more Christians appear to come from the Tamang than from any other ethnic or caste group, accounting for a quarter of all Christians (based on 2001 census figures). After the Tamang, the Rai make up the second largest number of Christians in Nepal. Traditionally the Rai practice Kirati, an indigenous religion. According to the 2001 census, 13,069 Rai people identified themselves as Christian. Another ethnic group that is included in the Christian population are the Chepangs who originate from central and southern Nepal and traditionally practice animism. The Chepangs accounted for 8.8 percent of the Christian population in 2001.

In other words, although Hindu nationalists have expressed alarm that Christian conversion has preyed on Hindus and has served to weaken Hinduism's cultural dominance in Nepal, the evidence suggests that much Christian growth has occurred among some of the country's major

ethnic communities that practice non-Hindu religions, whether forms of Buddhism or indigenous religions.¹⁶

According to a commonly held view in Nepal, the majority of Christian converts come from lower-caste communities seeking an end to caste discrimination. The demographic data just cited, however, casts some doubt on this claim. Many others – especially Hindu nationalists – assert that conversions are also facilitated by the inducements offered by wealthy missionaries.¹⁷ Scholars, however, have pointed out that the ascriptive nature of caste makes it unlikely that conversion is a sure-fire strategy for avoiding caste-based discrimination, and that most proselytization is undertaken by Nepali Christians.

Changing Religion May Be Punishable

Nepal's recently updated 2017 criminal code includes provisions that have been interpreted as prohibiting conversion from one religion to another. These provisions replace those that had already existed in the Country Code (*Muluki Ain*), 1963 (commonly known as the "Penal Code").¹⁸ The Country Criminal Code of 2017 criminalizes proselytism. The applicable provision states, "No one should convert a person from one religion to another religion or profess their own religion and belief with similar intention by using or not using any means of attraction and by disturbing the religion or belief of any ethnic groups or community that's been practiced since ancient times."¹⁹ A conviction for this offense carries a punishment of imprisonment of five years and a fine of fifty thousand rupees.²⁰

These anti-conversion laws are perceived to be aimed specifically at Christian communities, the members of which are increasingly harassed and arrested under their authority. Christian minority communities reported to USCIRF in November 2016 that local government and police officials were interpreting a constitutional prohibition against conversion (see below) to criminalize even non-coercive proselytization, which, of course, limits the rights of followers of religions that prescribe proselytization.²¹ Christian communities also noted that since the Constitution's enactment, they have been increasingly harassed, and in some cases detained by local governmental officials, due to allegations they were converting Hindus, especially Dalit Hindus.²² Their places of worship have also been attacked and even bombed.²³ In June 2016, eight Christians were arrested for proselytizing in Dolakha in northern Nepal. After the accused spent nearly six months in jail, the charges against them were dropped.²⁴ According to several reports from 2018 and the first half of 2019, Christians have continued to face beatings and threats by mobs, and authorities persist in charging both Nepali and foreign Christians of engaging in illegal conversionary or proselytizing activity.²⁵ Apart from religion-related violence and social hostilities, government restrictions present challenges to faith-based organizations in terms of onerous registration requirements and strict limits on raising funds from abroad.

According to media reports, there were also instances of Christian foreign nationals being deported for allegedly engaging in religious proselytization and of Christian organizations



being investigated for allegedly engaging in the same activities.²⁶

Religion-State Relations

Unlike most other countries of South Asia, Nepal was never colonized, and was a sovereign Hindu monarchy for 240 years, from 1768 to 2008. Hinduism has had a strong influence on Nepal since the 18th century, and Nepal's 1962 Constitution officially defined the state as Hindu. When the People's Movement overthrew the Panchayat regime in 1990, this allowed for the rise of ethnic-based political identities and the adoption of democratic reforms. In this context, Theravada Buddhist monks and laypeople led a movement demanding that the forthcoming Constitution should abolish the Hindu state and declare the country secular as a way

of achieving a multicultural, inclusive, democratic society.²⁷ Although the 1990 Constitution did officially recognize religious minorities, it still declared the state officially Hindu. Though the secularizing campaign failed to achieve all of its objectives, it publicized grievances regarding religious equality and respect for religious minorities, and has ultimately helped to shape the relationship between religion and government in Nepal in positive ways.²⁸

Since then, Nepal's minority populations²⁹ have appeared more prominently on the public stage, demanding that any new Constitution guarantee minority ethnic, religious, and linguistic rights. Nepali citizens have openly criticized Hinduism's political role in maintaining social and economic inequalities favoring high-caste Hindus. The end of a

10-year civil war between Hindu royalists and Maoist rebels brought further reforms, and the country has been a federal and secular republic since 2008.

The current Constitution, adopted in September 2015, upholds the country's federal and secular identity. Nevertheless, secularism is formally and counter-intuitively defined as an imperative to protect Nepal's ancient and native (*sanatana*) religious traditions – especially Hinduism – in addition to religious and cultural freedom. After declaring Nepal a federal republic that is “independent, indivisible, sovereign, secular, inclusive, democratic, [and] socialism-oriented,” the Constitution goes on to explain that “[f]or the purposes of this Article, ‘secular’ means religious, cultural freedoms, including protection of religion, culture handed down from the time immemorial.”³⁰ Such protection, which clearly favors Hinduism over other religions and appears to contradict the principle of equal freedom and citizenship for all Nepalis regardless of their religious believing or belonging, is a matter of concern.

While the Constitution guarantees the right to profess and practice one's religion,³¹ it also expressly prohibits converting people from one religion to another, and bans religious behavior that disturbs public order or is contrary to public health, decency, and morality.³² (For more detailed information on these matters, see the section below on “Constitutional Articles Relevant to Religious Freedom.”)

The Constitution also declares the cow as the national animal, which some officials have interpreted as enshrining

in the Constitution an existing Penal Code provision criminalizing the slaughter of cows or the consumption or sale of cow-derived items.³³ In a more positive development, in late 2007, the Nepali government declared a number of Buddhist, Muslim, Christian, Madhesi, Tharu, and Kirat festivals national holidays.³⁴ The Nepali calendar had hitherto recognized only Hindu festivals as such.³⁵ Confusingly and ambivalently, however, in spring 2016 the government removed Christmas from the list of national holidays, but then, on December 24th, restored its status as a national holiday, and it remains on the official list of national holidays today.³⁶

Nepali social structures are still, in many ways, based on and guided by the traditional values, norms, customs, and rituals of the Hindu religion. The overwhelming majority of people in Nepal profess Hinduism, and the Constitution of Nepal in no way separates religion and state; and indeed, as noted above, defines secularism in a way that obligates the state to protect the country's “immemorial” and indigenous religions. However, many incidents have been reported involving violence and discrimination against the country's religious minorities, particularly Christians, Muslims, Buddhists, and Hindu Dalits.³⁷ However, because Nepal is not a theocracy, there is potential for the nation to expand its secular safeguards and establish peaceful inter-religious relations.³⁸ The Constitution and the state are not anti-religious.

Key International Commitments to Religious Freedom

Nepal has ratified the following international covenants and treaties through which it has committed itself to protect human rights.

Core International Human Rights Treaties & their Optional Protocols	Date of Accession / Ratification by Nepal
Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	Acceded on May 14, 1991
International Covenant on Civil and Political Rights	Acceded on May 14, 1991
Second Optional Protocol to the International Covenant on Civil and Political Rights Aiming to the Abolition of the Death Penalty	Acceded on March 4, 1998
Convention on the Elimination of All Forms of Discrimination against Women	Ratified on April 22, 1991
International Convention on the Elimination of All Forms of Racial Discrimination	Acceded on January 30, 1971
International Convention on Economic, Social and Cultural Rights	Acceded on May 14, 1991
Convention on the Rights of the Child	Ratified on September 14, 1990
Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict	Ratified on January 3, 2007
Optional Protocol to the Convention on the Rights of the Child on the Sale of Children for Child Prostitution and Child Pornography	Ratified on January 20, 2006
Convention on the Rights of Persons with Disabilities	Ratified on May 7, 2010



Constitutional Articles Relevant to Religious Freedom

The Constitution of Nepal establishes Nepal as a “secular” state. As noted above, an explanatory clause included in Article 4(1) of Nepal’s Constitution states, “For the purposes of this Article, ‘secular’ means religious, cultural freedoms, including protection of religion, culture handed down from the time immemorial.”³⁹ Article 26 of the Constitution further stipulates that every person has the right to profess, practice, and protect his or her religion. However, Article 26(3) also states, “No person shall, in the exercise of the right conferred by this Article, do, or cause to be done, any act which may be contrary to public health, decency and morality or breach public peace, or convert another person from one religion to another or any act or conduct

that may jeopardize other’s religion and such act shall be punishable by law.”⁴⁰

According to the recently updated 2017 civil code, the punishment this law stipulates is five years’ imprisonment and a 50,000 rupee fine for converting someone from one religion to another, and three years’ imprisonment for insulting religious belief or inciting religious or caste conflict. The law also subjects foreign nationals convicted of these crimes to deportation.⁴¹

Laws Relevant to Religious Freedom

The Monastery Development Committee under the Ministry of Federal Affairs and Local Development will only grant the registration and recognition of religious places for Buddhist Monasteries. The government does not require Buddhist



Monasteries to register if they do not receive any government funding for maintenance of facilities, offer skill training for monks, or provide trip expenses for study tours. Registration requires a recommendation from a local government body, information about the members of the monastery's own management committee, a land ownership certificate, and photos of monastery premises.

All other religious groups need to register as non-governmental or non-profit organizations in order to own land, legally operate as an institution, or be eligible for public services related to government grants. Religious organizations follow the same registration process as other NGOs and nonprofits, which includes preparing a constitution and furnishing information about the organization's

objectives, as well as details on its executive committee members. To renew registration, organizations must submit annual financial audit reports and activity progress reports.⁴² Following a June 2017 directive by the Ministry of Federal Affairs and Local Development to deny the registration of any NGOs promoting a particular religion,⁴³ minority religious groups began reporting difficulties in registering as NGOs. However, the Constitution contains a provision establishing the government's authority to "make law to operate and protect a religious place or religious trust and to manage trust property and regulate land management."

There are no provisions in the law regarding the sale or possession of religious literature.

Nepali law prohibits the killing, attempted killing, and/or instigation of killing cattle. Penalties for violating this law are 12 years in prison for killing cattle, and six years for attempted killing or instigation of killing cattle.⁴⁴

As per a 2011 ruling by Nepal's Supreme Court, the government must provide protection for Christian and Kirat groups carrying out funeral rites pursuant to the constitutional provision granting every individual the right to practice his or her religion, but the state is not obligated to provide land grants for this purpose. Nepal's Hindu majority cremates their dead, unlike minority Christians and Kirats, who have been at times forced to bury their dead near forests and rivers because they have not been granted land for cemeteries.⁴⁵ There is no law addressing or circumscribing the funeral practices of religious groups.⁴⁶ The law requires Hindu, Buddhist,

and Muslim schools to register as religious educational institutions. This system places such schools on par with non-religious and community schools, which receive government funding. A Christian school cannot at this point register in the same way. Christians are required to register as a non-governmental or non-profit organization, and such registration does not allow for the operation of schools or other educational institutions or for the receipt of government funding.

The Nepal Treaty Act of 1991 explicitly provides for the primacy of international treaties over national laws, and this should enable conversations with Nepali law-makers about ensuring the implementation of safeguards for religious minorities in the country. Nepal is a signatory to the Universal Declaration of Human Rights⁴⁷ and International Covenant on Civil and Political Rights.⁴⁸ Article 27 of the latter declares that in states in which ethnic, religious, or linguistic minorities exist, a person belonging to such a minority shall not be denied community rights to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language. Likewise, Article 18 of the Universal Declaration of Human Rights has declared that all should enjoy freedom of thought, conscience, and religion or belief, in teaching, practice, worship, and observance, either alone or in a community, in public or private. Fortunately, Nepal enacted a new Penal Code in 2018, which outlawed forced disappearance, increased protection of victims of rape and other sexual violence, and criminalized genocide, crimes against humanity, and war crimes. These provisions represent

positive developments, which, moreover, the International Commission of Jurists had suggested were necessary for Nepal to comply with international standards.⁴⁹

Nepal's willingness to accept international human rights standards in general is a sign that the country may be willing to enter into serious conversation about international norms vis-à-vis religious freedom, including the way in which these norms unambiguously make the right to change one's religion a core feature of religious freedom. "There cannot be a meaningful right to freedom of religion or belief unless it includes the freedom to change one's religion or belief," as the office of the United Nations Special Rapporteur for Freedom of Religion or Belief made clear in its annual formal report to the UN Human Rights Council in March 2017.⁵⁰

LANDMARK JUDICIAL DEFINITIONS INFORMING THE NATURE OF NEPALI SECULARISM

The Nepali definition of secularism is still developing. However, two court cases have been particularly important in this regard. They are known as the “Pashupatinath Case”⁵¹ and the “Kumari Case.”⁵² The decisions in both cases distinguished between state and religious institutions and prohibited the intrusion of the former into the latter. Although these decisions predate the promulgation of Nepal’s 2015 Constitution, their precedents help to clarify its somewhat fragile notion of secularism.

Pashupatinath Case

The Pashupatinath Case is a collection of six Public Interest Litigations (PILs) concerning events that took place between the end of 2008 and September 2009 involving Nepal’s foremost Hindu temple. In December

2008, the Pashupati Area Development Trust (PADT) governing board, headed by Nepal’s prime minister at the time, the Maoist leader Pushpa Kamal Dahal, appointed new Nepali priests in Pashupatinath temple, breaking with the prior tradition of appointing Bhatta priests from South India. This occurred in the context of a double campaign by the Maoist groups in which they attempted to establish the primacy of Nepali over Indian Hindu traditions while demanding greater transparency and accountability with respect to the rich donations received by the priests and their assistants during ritual performances. The unusual appointments provoked massive protests, both at home and in India, where they were supported by India’s Hindu-nationalist political party, the Bharatiya Janata Party. Three PILs were filed almost immediately asking the Supreme Court

to invalidate the PADT's appointments, and the court promptly issued an interim order to revert to the status quo. Accordingly, the prime minister revoked his decision and the Indian Bhatta priests were allowed to resume their regular duties at the temple.⁵³

One of the PILs argued for a more robust principle of secularism.⁵⁴ In defending the right to religious freedom, the petition introduced the idea of "freedom from state interference," an idea inconceivable under the Hindu state. The petition articulated secularism as a principle whereby the state may not intervene in the activities of religious institutions or in the exercise of citizens' right to religion, the obvious implication being that religious institutions and their autonomy are both valuable and vulnerable and thus deserving of robust state protection.

In its judgment, rendered on January 11, 2010, the Court agreed with this principle. The Court held that reform of the Pashupati area was necessary and that a detailed master plan dealing with worship, the priests, and the guthi (custodians of religion and cultural sites) of Pashupatinath, should be immediately made in "accordance with the values of a secular state." The Court recommended turning to India as a model, given its status as a secular state with a large Hindu population. The Court has ordered the formation of an expert committee to study this complex situation and make recommendations, which are still forthcoming.

Kumari Case

The Kumari Case⁵⁵ originated from concerns of human rights activists about the tradition of Nepal's "living



goddesses," or Kumari. In 2005, Pun Devi Maharjan, a Newar human rights lawyer, brought the tradition to the attention of the Court. The case did not concern only the famous (national) Basantapur Kumari, who traditionally blessed the king and now blesses the president during her annual chariot festival, but related to all the children worshipped as Kumaris in the Kathmandu Valley.

The petitioner did not seek to abolish the Kumari apparatus, but to reform it so that it would conform to human rights standards. She argued that unless the human rights of these children were fully guaranteed, the tradition would eventually die out. During the case, representatives of the Newar community invoked the right of religion, claiming that the Kumari tradition was its exclusive domain and should not suffer any "outside" intervention. The community refused to reduce the



status of the living goddess to that of an ordinary child bound by ordinary rules. They also denied any wrongdoing or mistreatment of the Kumaris.

The Court's 2008 judgment⁵⁶ strikes a delicate balance between the claims of Newars to their traditional religious rights, the position of the Hindu majority (to which almost all judges belong and for whom the Kumari is a revered tradition), the importance of the Kumari as a national deity, and the claim that the state has a national and international legal duty to uphold human rights. The Court established human rights as the primary state value and established the primacy of social reforms based on human rights over the preservation of traditional religious practices. However, the Court determined that the Kumari tradition itself did not infringe upon the human rights of the Kumaris because the rules applied to the Kumari are

not based on written tradition but on "oral traditions and beliefs" and thus are not inherent to the tradition. Any Newar could modify the Kumari rules.

The Court therefore recognized the Kumari tradition as an integral part of Newar culture and explicitly considered Newars as "agents of change in their traditional custom and practices in tune with the times." In the end, the Court acknowledged that past generations of Kumaris, due to confusion and backwardness, may have been deprived of their fundamental rights. As a result, it held that the state must help and support them, as it is "the duty of the state to work for the promotion and improvement of its religious and cultural customs." The judgment avoided labelling the Kumari tradition as a discriminatory practice, while leaving space for change and reform. The Kumari case judgment assumed

a distinction between religion and the state. The Court and the other branches of the state have secular ends, and yet they engage with religion to enact social reform and to ensure compliance with constitutionally recognized human rights. However, the Court's careful judgment in this case signaled that respecting the primacy of human rights need not entail the intention to diminish religion in the public sphere, and is even consistent with a state interest in the "promotion and improvement" of religion. On the contrary, the judgment indicated that the state has a positive duty to promote and support the particular religious custom at issue in the case because of its value for the social, cultural, and religious life of the nation. No one involved in the Court hearings paused to consider whether secularism should preclude the continued financing of the Kumari tradition by the state.⁵⁷

International Influence

China exerts significant pressure on Nepal to disavow the Dalai Lama and deny entrance to Tibetan Buddhists who wish to immigrate to Nepal or travel through the country to reach India for religious practices. In January 2012, the Nepali prime minister promised that Nepal would "never allow any anti-China activities on its territory."⁵⁸ Nevertheless, immigrant Tibetan Buddhists are treated differently than their Nepali co-religionists. In November 2016, the government of Nepal arrested and deported 41 Tibetan Buddhists as they travelled through Nepal enroute to India. Additionally, the Buddhist community reports that the Nepali government has increased checks on Tibetan Buddhists entering the country, and in some cases

has denied them entry. These moves are accompanied by Nepali government surveillance of Tibetan Buddhist communities. The government has also prevented Tibetan Buddhists from celebrating events such as the Dalai Lama's birthday, a restriction that is a clear violation of their religious freedom.

There is a widespread view that secularism of a more Western variety is supported by Western embassies in Nepal. The British Ambassador to Nepal, for example, published an open letter encouraging Nepal to include the right to change one's religion, which triggered protests from Hindu nationalists.⁵⁹ However, there is evidence that many Nepalis, not only Hindu nationalists, consider Westerners' support for the right to proselytize as evidence of their desire to facilitate Christian conversion in Nepal. The National Integrity Policy regulating domestic and international NGOs merits mention here because in the past the government of Nepal has accused NGOs engaged in lobbying — particularly when they have lobbied to make Nepal a secular nation — of engaging in anti-Nepal activities.

During and after the drafting process of the 2015 Constitution, India also sought to influence Nepal, including political and religious issues. India's government, led since 2014 by Prime Minister Narendra Modi and his Hindu-nationalist Bharatiya Janata Party (BJP), has reportedly advocated that Nepal's Constitution reflect the Hindu identity of the majority of its population, though officially both the government and the BJP have stated that the matter should be decided by Nepal's elected representatives. Nevertheless, some Hindu nationalists from India, including



senior BJP figures, have joined Nepali Hindu nationalists in calling for the establishment of a Hindu state in Nepal. Hindu nationalists in India, and their allies in Nepal, subscribe to the ideology of Hindutva (“Hinduness”), which promotes the incorporation of Hindu values and cultural symbols into national life and seeks to institutionalize this ethos through a Hindu state. Some individuals and groups adhering to this ideology in Nepal are known to use violence, engage in discriminatory acts, and deploy religiously motivated rhetoric against religious minorities, creating a climate of fear and general opposition to non-Hindus.⁶⁰ In February 2019, the Hindu-nationalist Rastriya Prajatantra Party, chaired by Pashupati Shamsheer Rana and Prakash Chandra Lohani, launched a campaign across all seven of the country’s provinces to restore Nepal as a Hindu state with the stated aim of rescuing the country from secularism and its anti-national consequences.⁶¹

Hindu Nationalism

Christians and Muslims report concerns about rising hostility toward them in Nepal. Such concerns extend to Hindu-nationalist political parties, such as the

Rastriya Prajatantra Party (RPP), which, as noted above, seeks to redefine the state as officially Hindu. Preceding a 2015 parliamentary vote on whether to make Nepal a secular state, three Protestant churches were bombed by extremists who left leaflets at the scene of the crime announcing their intentions.⁶² In April 2016, pressure from Hindu nationalists led the government to suspend its designation of Christmas as a national holiday, though after considerable domestic and international outcry, as noted earlier, the government reinstated the designation on December 24, 2016. In spring 2017, the following two attacks against Christians near the capital led to increased concerns over the rise in violence by, militant Hindu nationalist organizations. On April 16, 2017, unknown assailants shot Santosh Khadka, an Of-fice Secretary of the Federation of National Christians, Nepal, after he attended Easter services. Khadka survived after emergency surgery to remove the bullet.⁶³ Two days later, arsonists attempted to set fire to the Assumption Church, a large Catholic church that had been previously targeted in a 2009 bombing by the Nepal Defense Army.⁶⁴





NEPAL

SWOT ANALYSIS

Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis is a structured planning method that evaluates a given organization, program, or project in each of these areas. What follows is a SWOT analysis for religious freedom for Nepal.

STRENGTHS

What does the country do well with regard to religious freedom?

What areas are vibrant, positive, and healthy when it comes to religious freedom in the country?

- ◆ Nepal's 2015 Constitution protects religious freedom amongst all its citizens.
- ◆ Judicial reforms have clarified the concept of secularism in the Nepali Constitution.
- ◆ Nepal has become more inclusive of its minority religious and ethnic groups since the 2015 Constitution.
- ◆ Nepal has not experienced large-scale levels of violence between religious communities witnessed elsewhere in South Asia (despite occasional conflicts along religious lines), and authorities demonstrate a broad commitment to maintaining the peace.
- ◆ Movements of violent religious extremism are not prominent.

WEAKNESSES

What does the country do less well when it comes to religious freedom?

What areas of weakness does the country encounter with religious freedom?

- ◆ Penal Code provisions restricting religious propagation and conversion provide ample opportunity for harassment of religious minorities.
- ◆ Hindu Dalits suffer from significant social discrimination, marginalization, and harassment, despite provisions against caste discrimination.
- ◆ Hinduism enjoys special privileges even in the recently-formed secular state.
- ◆ The meaning of the term "secularism" remains ambiguous in the Constitution and Nepali law; and Hindu nationalists advocate a return to theocracy.
- ◆ Hindu nationalists' discourse on secularism and conversion has strongly influenced public opinion negatively against it, despite the lack of empirical evidence in support of their claims.
- ◆ The demand for a Hindu state is being increasingly supported by leaders of big political parties, such as Nepali Congress.

NEPAL

SWOT ANALYSIS

OPPORTUNITIES

*What are the needs of the people in the country who wish to exercise their right to faith?
What trends can the country take advantage of to promote Religious Freedom?
What is changing in the country's communities that can be harnessed to promote Religious Freedom?*

- ◆ Dominant narratives of Nepali and Hindu history emphasize a tradition of tolerance and religious harmony.
- ◆ The Nepal Treaty Act of 1991 ensures primacy of international treaties over Nepali law, perhaps opening avenues for safeguarding the human rights of religious minorities.
- ◆ Nepal's willingness to accept international human rights standards in general is an encouraging sign that the country may be willing to engage the international community on, and be responsive to, international norms vis-à-vis religious freedom, including the right to change one's religion or belief.
- ◆ Nepali secularism offers potential for future progress.
- ◆ Better information about and understanding of Muslims and Christians (and converts to these communities) could counter anecdotal evidence and hear-say about their aims and motivations.

THREATS

*Are there any threats or regulations with regard to Religious Freedom in the country?
What is challenging in the country that will impact Religious Freedom?*

- ◆ Increasing ties with India's militant Hindu nationalist networks. For example, Yogi Adityanath of India's Uttar Pradesh has consistently advocated for the return of Hindu theocracy in Nepal and is said to be making efforts to replicate India's militant Hindu Yuva Vahini in Nepal.
- ◆ Increasing prevalence of Hindutva ideology among Nepalis at the grassroots level
- ◆ Pressure from China to discriminate against Tibetan Buddhists, especially as economic partnerships increase
- ◆ Increasing anti-Christian and anti-Muslim sentiment as well as an increase in interreligious distrust

PEW RESEARCH CENTER REPORT

RESTRICTIONS ON RELIGION AMONG 198 COUNTRIES, 2007-2016

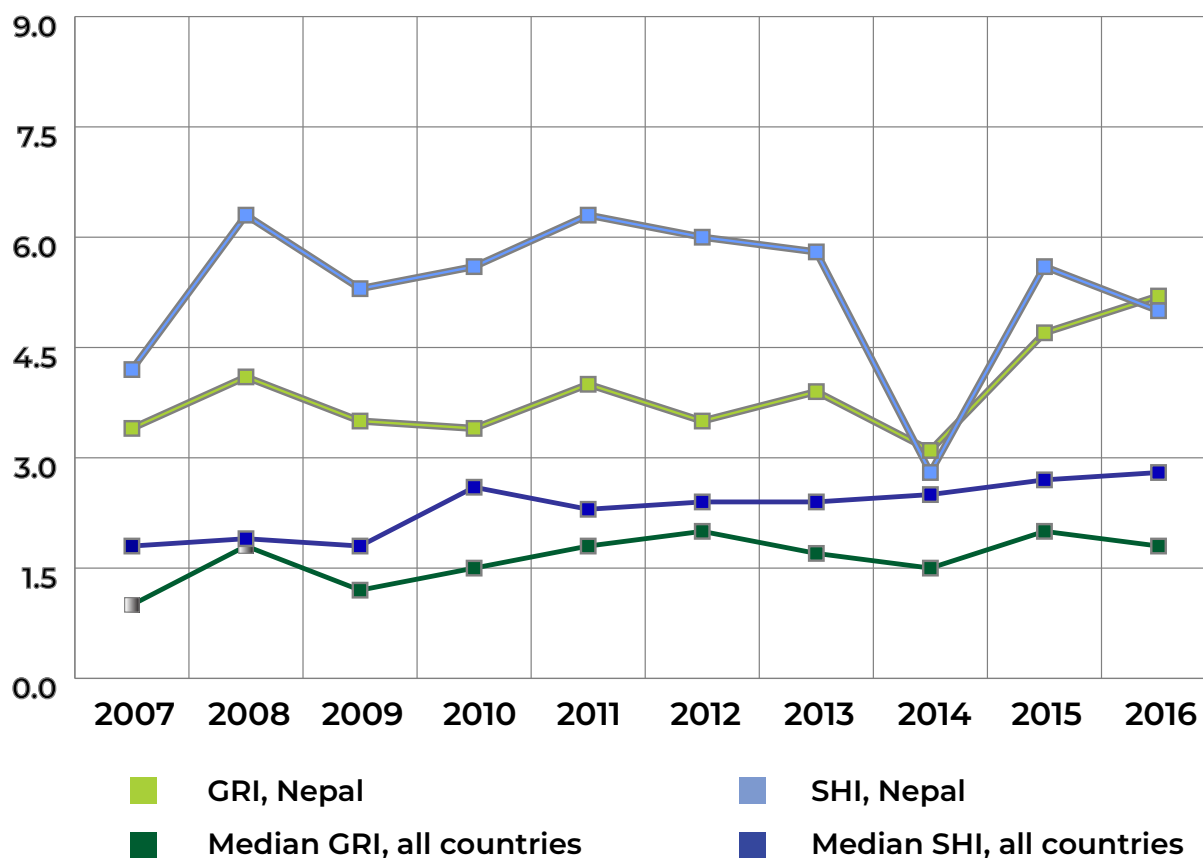
Since 2009, the Pew Research Center has released an annual report⁶⁵ on re-strictions of religious freedom around the world. The Pew report uses a 10-point index to rate 198 countries and self-governing territories based on Government Restrictions Index (GRI) and Social Hostilities Index (SHI).

The GRI measures government restrictions on religious actors ranging from favoring one religion over another to outright bans on a particular religion. Nepal scored “High” on the GRI in 2016, ranking 45th worst among 198 countries.⁶⁶

The SHI measures hostilities towards religion by non-state actors ranging from harassment to terrorist attacks in the name of religion. In 2016, Nepal’s SHI ranked “High” with the 34th highest SHI rating among the 198 countries surveyed.⁶⁷

Pew reports that incidents of harassment do not occur exclusively among minority religions in Nepal, but occur among Hindus as well. The systematic abuse of Dalits by Hindus often remains unprosecuted.

Figure 1: Restrictions on Religion in Nepal (GRI & SHI) 2007-2016



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