

**Declaration on the occasion of
International Interaction Programme on "Vision of Freedom of Religion: Law, Policy and Practices in
Nepal"**

Kathmandu, 2nd July 2017

At the global level, there is a common understanding of the need of freedom of religion. It is often demanded in an even deeper sense, which can be explained as "freedom of the soul", "freedom of search for truth".

The Universal Declaration of Human Rights (UDHR) and the International Convention on Civil and Political Rights (ICCPR) acknowledge various aspects of freedom of religion in concrete terms.

There are six essential principles of freedom of religion:

1. Liberty of conscience,
2. Freedom of religious exercise or practice;
3. Religious diversity/religious pluralism;
4. Religious equality;
5. Separation of church and state and
6. Disestablishment of religion.

The Treaty Act of Nepal (1990) states that the international treaties that Nepal accedes to take precedence over national laws whenever they are in conflict. The Constitution of Nepal (2015), therefore, should guarantee the freedom of religion in Nepal.

The Constitution of Nepal (2015) acknowledges that Nepal is a secular state and that inclusion is a policy of the state. However, its description of the term 'secular' contradicts with the internationally recognised definitions.

Article 51 of Constitution of Nepal (2015) does not articulate policy on religions or secular state. Steps need to be taken to recognise and respect in its institutions and laws the various religions that exist in the country.

In view of these shortcomings, the relevant phrases in the Constitution of Nepal (2015) should be amended.

Peace between religions is a prerequisite for peace in society. The international agreements such as the UDHR and ICCPR are based on their stated understanding that the basic freedoms, including of religion, are necessary for international peace and peace within nations.

The state should not treat any one religion with preference, either in law, or through state funding or by symbolic participation of senior public offices. Such participation should be determined by individual's conscience and not associated permanently with the country's public offices. There should be no discrimination. In fact, it is the responsibility of the state to ensure that all the religious groups are respected.

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