SSB services

Minority Rights Group

Asia Action for Freedom of Religion or Belief

FACTSHEET

Overview of Universal Periodic Review—Nepal

The Universal Periodic Review (UPR) is a mechanism undertaken under the aegis of the Human Rights Council to review human rights records of all UN Member States every 4.5 years. The UPR is based on universality and equal treatment, ensuring that every UN member state has the opportunity to review its peers and, in turn, be reviewed. The review itself is based on the state's own national report, compilations of UN findings, and submissions from national human rights institutions and civil society, allowing the state to highlight actions it has taken to improve human rights conditions and meet international obligations while receiving recommendations from other states on areas needing further progress.

Nepal has been part of four UPR cycles, with reviews in 2011, 2015, 2021, and, most recently, in January 2026. Among the range of human rights questions examined during these cycles is the issue of freedom of religion or belief (FoRB), a basic human right that encompasses the right of individuals and communities to choose, change, practice, or leave a religion or belief freely, without discrimination or pressure. This factsheet summarises the recommendations provided to Nepal on FoRB, and the steps it has taken to address these with a more detailed focus on the fourth cycle.

Nepal's 2015 Constitution defines the country as a 'multiethnic, multilingual, multi-religious, and multicultural' nation while declaring it to be a secular state.[1] It further guarantees the right to freedom of religion under Article 26, providing every person with the freedom to profess, practise, and protect their religion.[2]

Key Recommendations from the First Three Cycles

The First Cycle (2011)[3]

In the first UPR, Nepal was commended for its efforts to establish peace and democracy, especially following dramatic political turnarounds in the country, including the declaration of Nepal as a secular state and the end of the decade-long civil war in 2006, followed by the abolition of the monarchy in 2008. The international community urged Nepal to move forward with legal reforms while protecting vulnerable groups and securing human rights protections through international cooperation. Attention was also directed toward the need to ensure that the new constitution being drafted complied with international standards for religious freedom and non-discrimination. The Holy See and Italy urged the timely completion of the constitution and ensured that it fully guaranteed the right to FoRB and the right to equality in line with international standards. Concerns were also raised by Italy regarding obstacles to religious freedom due to the caste

system. Recommendations from Japan and Pakistan reinforced the need to make further efforts to end discrimination based on 'religion, gender, and race in both law and practice'. Germany and the UK called for Nepal to enact laws that explicitly criminalise all forms of discrimination against marginalised groups, including those based on religion and ethnicity.

The Second Cycle (2015)[4]

In its state party report for the second UPR cycle, Nepal responded to the recommendations of the first cycle, stating that the newly adopted Constitution guarantees freedom of religion, equality and non-discrimination, and that discrimination on any ground is a criminal offence.

The second cycle of the UPR recommendations mostly revolved around urging Nepal to fully align its legal and institutional framework with international human rights obligations. There were two particular recommendations made in regard to FoRB. The United States of America urged Nepal to amend the Constitution to remove provisions that appear to curtail religious freedoms. Spain also recommended eliminating the prohibition of religious conversions, which both viewed as undermining religious freedom. For its part, Nepal noted both recommendations, adopting the general stance that the Constitution of Nepal fully guarantees freedom of religion and that discrimination of any form is prohibited.

The Third Cycle (2021)[5]

In responding to the implementation of the second cycle UPR recommendation for religious freedom and non-discrimination, Nepal continued to emphasise constitutional guarantees, highlighting Article 26 of the Constitution that safeguards the right to freedom of religion.

In the third cycle of the UPR, the focus was mostly on aligning domestic laws with the International Covenant on Civil and Political Rights (ICCPR). Haiti recommended that Nepal take all the necessary measures, particularly at the legislative level, to protect the rights of religious minorities, to ensure freedom of religion or belief in law, complying with international human rights law. The Netherlands directed Nepal's attention to amending Article 26 of the Constitution in accordance with Article 18 of the ICCPR, which deals with right to freedom of thought, conscience and religion, by including the right to choose or change one's religion or belief. Likewise, Norway suggested removing restrictions on the right to freedom of religion or belief in the Criminal Code while Denmark pointed out the need to repeal sections 155, 156 and 158 of the Penal Code, which criminalise proselytism and 'outraging religious feelings' in terms too vague to meet the ICCPR.

In its response, Nepal supported the recommendation by Haiti while simply noting the latter three recommendations.

The Fourth Cycle (2026)

Ahead of Nepal's fourth Universal Periodic Review at the 51st Session of the UPR Working Group in January 2026, submissions were made by a host of organisations on the situation of religious minorities and Indigenous peoples.[6] These submissions documented ongoing religious rights violations, assessed the extent to which existing laws are implemented in practice, and identified key gaps in protection, while also providing recommendations for the Government of Nepal to ensure the rights of the minorities and Indigenous peoples with regard to FoRB.

The following section highlights the key issues concerning religious minorities and Indigenous peoples raised in the submissions.

1. Anti-Proselytisation Laws and Their Impact

While Article 4 defines Nepal as 'secular,' the term is explained as protecting religion 'handed down from time immemorial'

(sanatana), which has been interpreted as granting special protection to Hinduism.[7] This shows a constitutional contradiction, creating a clear hierarchy regarding which religions receive state protection and which do not. Likewise, despite the mention of cultural freedom in the Constitution, Article 26(3) of the Constitution and Section 158 of the Penal Code (2017) criminalise religious conversion and proselytisation, punishable by up to five years in prison. These laws are used to target peaceful religious activities, with cases including the conviction of a Christian pastor[8] and investigations into 17 US nationals in 2025.[9]

2. Criminalisation and Erasure of Indigenous, Religious, and Cultural Practices

Section 289 of the Penal Code prohibits the killing of cows, with punishment up to three years' imprisonment. This disproportionately affects indigenous communities for whom beef consumption is a cultural practice. In 2023–2024, at least 33 individuals, including many from the Tamang community, were arrested for cow slaughter.[10]

3. Erasure of Indigenous, Religious, and Cultural Practices

The state has been systematically renaming indigenous lands and sacred sites with Hindu names (e.g., renaming the Yakthung site *Mukkumlung* to *Pathibhara*,[11] Are Bhanjyang and Arung Khola in Nawalparasi, renamed as Arya Bhanjyang and Arun Khola).[12] Similarly, development projects such as the Mukkumlung cable car, the Chumi Gyarche cable car, and infrastructure projects in Khokana and Bungamati threaten Indigenous Peoples' sacred sites, land, and cultural survival.[13]

4. Intersection of Caste and Religion

Approximately 65 per cent of Nepal's Christians are Dalits.[14] They face intersectional discrimination based on both caste and religious identity along with the erosion of personal agency with conversions by Dalit is often portrayed as being 'victims of luring'.

5. Ambiguity in Legal Provisions Criminalising 'Outrage to Religious Feelings'

Section 156 of the Penal Code prohibits 'outraging religious feelings' in broad and ambiguous terms that fail to meet ICCPR criteria for freedom of expression. As a result, simple religious undertakings are often mistaken for offensive actions, leading to legal charges against minority faiths.[15]

6. Discriminatory Surveillance and Restriction on Religious Freedom

In April 2024, the Ministry of Home Affairs issued a circular to all 77 districts to monitor the 'illegal propagation and conversion' by foreign citizens, specifically targeting Christian evangelistic activities.[16] Later the same year, authorities demolished a South Korean Protestant building in Dhangadi in western Nepal, declaring it an 'illegal structure'.[17]

7. Rising Hostility and Violence Against Religious Minorities

At least seven attacks against Christians occurred between August and September 2023 while there were five more in early 2024.[18] Hostility has been fuelled by the Hindu fundamentalists across the border, often associated with the 'Hindutva' movement, including aggressive 'Jai Shree Ram' chants and unrest near mosques by groups dressed in saffron.[19]

8. Systemic Discrimination in Access to Services and Burial

Christians and other religious minorities have been denied permission to bury their dead in established cemeteries without being given an alternative.[20] Muslim groups report that local municipalities prioritise funding for Hindu

temples while ignoring the encroachment of Muslim graveyards.[21]

Recommendations

The following recommendations had been made by various organisations working across human rights and minority rights from Nepal, emphasising priority areas requiring attention from the government of Nepal, ahead of its fourth Universal Periodic Review (UPR).

- Amend Article 4 of the Constitution to eliminate language privileging sanatana dharma (the religion handed down from time immemorial).
- Repeal Article 26(3) to remove the blanket ban on religious conversion.
- Repeal Sections 155, 156 and 158 of the Penal Code that criminalise proselytism and 'outraging religious feelings' in terms too vague to meet ICCPR.
- Repeal Section 289(1) of the Penal Code to decriminalise cow slaughter.
- Amend Section 156 of the Penal Code to align with ICCPR Articles 19 and 20, ensuring only incitement to discrimination, hostility, or violence is penalised, rather than peaceful religious expression.
- Cease the state-sanctioned practice of renaming indigenous sacred sites with Hindu-Sanskrit names.
- Suspend infrastructure/development projects at contested sacred sites pending free, prior and informed consent (FPIC) consultations with affected Indigenous communities, consistent with ILO Convention No. 169 and UN Declaration of the Rights of Indigenous Peoples.
- Enact a comprehensive anti-discrimination law prohibiting both direct and indirect discrimination based on caste, ethnicity, religion or belief, with redress mechanisms.
- Prohibit religious profiling and hate speech in popular media and politics.
- Provide training for police, officials, and teachers on FoRB and anti-discrimination laws.
- Implement court orders to allocate alternative burial sites for religious minorities.
- Guarantee proportionate state funding for all religious communities.
- Prevent and punish arbitrary arrests and detentions of individuals exercising FoRB.

During the review by the UPR Working Group, marking the country's fourth UPR cycle, engagement with stakeholders' submissions and recommendations on FoRB was negligible. There was only one relevant recommendation, made by Italy, calling on Nepal to enact a comprehensive law prohibiting discrimination based on caste, ethnicity, religion, and belief, a recommendation that was 'noted' by Nepal.[22] Likewise, while responding to the status of implementation of the third cycle UPR recommendations on religious freedom, Nepal cited the state's non-discriminatory laws and Article 18(3) of the Constitution on non-discrimination against everyone.

Conclusion

Across the four UPR cycles, Nepal's record on FoRB shows little to no progress. Recommendations largely accepted in the first UPR cycle vis-à-vis FoRB were increasingly only noted in the second and third cycles. Nepal's use of statutory guarantees as a defence without addressing the specific laws and enforcement practices raised reflects a persistent gap between commitment and reality. Nepal should work to reduce disparity by working on the actions committed on paper and further repealing restrictive provisions, ending discriminatory enforcement, and enacting anti-discrimination legislation. These yardsticks are essential to bring marginalised communities back to a level playing field of equality and equal protection under the law.

Notes

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Prepared for the **Asia Action for Freedom of Religion or Belief** (AA-FoRB) project, this factsheet has been prepared by **Numa Subba** and **Sadhana BK** based on the submission made by Minority Rights Group and Social Science Baha Services to the UPR Working Group in January 2026.

AA-FORB aims to promote and protect freedom of religion or belief (FoRB) and religious minority rights across a number of Asian countries, including those in South Asia by shifting public perception and providing evidence aimed at reforming laws and policies, among other activities.

This publication was funded by the European Union. Its contents are the sole responsibility of the author and do not necessarily reflect the views of the European Union.

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Funded by
the European Union