



INTERNATIONAL RELIGIOUS FREEDOM
ROUNDTABLE

Honorable Attorney General,
Mr .Khamma Bahadur Khata,
Office of the Attorney General,
Ramshahapath, Kathmandu
Nepal
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**Urgent Call for the Dropping of All Charges Against Christian Pastor Keshav Raj
Acharya and upholding Nepal’s obligations under International law**

30 January, 2022

Dear Sir,

We, the undersigned, are a group of individuals and organizations who collectively strive to promote freedom of religion or belief and human rights around the world. We are writing with concern regarding the use of anti-conversion laws to arrest and detain individuals for practicing their faith or belief and call on you to drop all charges against Christian Pastor Keshav Acharya and others.

On November 30 November 2021, Dolpa District Court in Nepal sentenced Pastor Keshav to two years imprisonment and a fine of 20 000 Nepali Rupees under Section 158 (1) and (2) of Nepal’s Penal Code (2017) for sharing his faith. On 22 November, he was found guilty of proselytisation and immediately arrested and placed in prison. However, he was released on bail by the High Court Jumla after receiving an appeal against the verdict of the District Court. While we welcome his release on bail by the High Court, we remain concerned that the charges against him at the District Court Kaski for the same offence that have not been dropped yet. We are also concerned about the discriminatory treatment of Pastor Keshav throughout the process.

Police authorities first arrested Pastor Acharya Keshav in March 2020 from his home without an arrest warrant and did not file charges officially against Pastor Keshav until a week later in April when another District Administration Office in Kaski accused Pastor Acharya for disseminating false information for saying “Jesus can cure Corona” and praying for the stop of the Coronavirus in Jesus’ name. The authorities then filed two additional charges targeting the pastor for exercising his freedom of expression by accusing him of proselytizing and “outraging religious feeling” under Section 158 and 156 of the Muluki Criminal Code, 2017

respectively.¹ Several members of the International Religious Freedom Roundtable submitted a letter addressed to the earlier Attorney General Mr. Agni Prasad Kharel calling for the dropping of all charges against Pastor Keshav and drawing attention to the arbitrary nature of his arrest and detention.² The US State Department's International Religious Freedom report also mentions the Nepal authorities' arbitrary arrest of Pastor Keshav.³

Unfortunately, the Special Rapporteur's predictions have proven true. In September 2021 police arrested two South Korean Catholic nuns for their charitable work and re-arrested and sentenced Pastor Keshav in November 2021.⁴

During the recent Democracy Summit in the US, the Prime Minister of Nepal Mr. Sher Bahadur Deuba affirmed Nepal's "democratic and inclusive" Constitution. We therefore respectfully call on Your Excellency Khamma Bahadur Khati to uphold the Nepali Constitution, its secular values and international human rights commitments, by dropping all charges laid against Pastor Keshav in Kaski District court and ensure that High Court Jumla interprets its laws in line with Nepal's human rights commitments. We also call on the Government of Nepal to review the constitutionality of its Criminal Code and ensure law enforcement act in the spirit of the constitution of Nepal and its international human rights obligations. We respectfully urge the Government of Nepal repeal its anti-conversion and blasphemy laws in line with Nepal's obligation under international human rights law⁵, the Article and the UN Special Rapporteur on freedom of religion or belief's recommendations to ensure they are not used to target an individual for their religion or belief.

We look forward to hearing back from you and wish you well in the continuing efforts to uphold human rights and bring lasting peace to Nepal.

Respectfully,

UNDERSIGNED

¹ National Penal Code Act Nepal 2017, <http://www.moljpa.gov.np/en/wp-content/uploads/2018/12/Penal-Code-English-Revised-1.pdf> . 2017

² *Religious Freedom Roundtable Calls for Charges to Be Dropped against Pastor*, Christian Today, 27 July 2020, <https://www.christiantoday.com/article/religious.freedom.roundtable.calls.for.charges.to.be.dropped.against.pastor/135268.htm>.

³ United States Department of State, *2020 Report on International Religious Freedom - Nepal*, 12 May 2021, <https://www.state.gov/reports/2020-report-on-international-religious-freedom/nepal/>.

⁴ "Korean Missionary Nuns Granted Bail in Nepal on Conversion Charges - UCA News." *Ucanews.com*, <https://www.ucanews.com/news/korean-missionary-nuns-granted-bail-in-nepal-on-conversion-charges/95031>; "Nepal Sentences Pastor to Two Years for Conversion - UCA News." *Ucanews.com*, <https://www.ucanews.com/news/nepal-sentences-pastor-to-two-years-for-conversion/95181>.

⁵ Freedom of religion or belief is guaranteed by article 18 of the Universal Declaration of Human Rights, article 18 of the International Covenant on Civil and Political Rights and Nepal is party to it.

Organizations

21Wilberforce

Bitter Winter, a daily magazine on religious liberty and human rights

Boat People SOS - Religious Freedom Project

CESNUR, Center for Studies on New Religions

Christian Freedom International

Church of Scientology National Affairs Office

Committee for Religious Freedom in Vietnam

Coordination des Associations et des Particuliers pour la Liberté de Conscience

Human Rights Without Frontiers

International Christian Concern

International Observatory of Religious Liberty of Refugees

Jubilee Campaign

Multipurpose community development service

National Churches fellowship of Nepal

Nepal Christian society

Set My People Free

Transformation Nepal

Individuals

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Citizen Power Initiatives for China

Scott Morgan

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CC:

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