



Aid to the  
Church in Need

ACN INTERNATIONAL

# RELIGIOUS FREEDOM IN THE WORLD **REPORT 2021**

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IN MEMORIAM Berthold Pelster, member of the Editorial Committee († 14th February 2021)

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Every effort has been made to ensure that the highest possible editorial standards are met in the production of the Religious Freedom in the World Report. However, in presenting the report, Aid to the Church in Need acknowledges that it could not independently verify all information contained therein without exception. The report draws on multiple sources and presents case studies with the objective of shedding light on the nature and severity of religious freedom violations. Care should be taken not to attach undue significance to instances selected for consideration; these are offered as examples illustrating the nature of the situation regarding religious freedom. In many cases, other examples would equally suffice. Views or opinions expressed are those of individuals involved in compiling the various documents contained in the report and are not necessarily those of Aid to the Church in Need.

Unless otherwise specified, all country data, religious demography and GDP per capita (PPP adjusted, to allow for comparison between countries) come from Todd M. Johnson and Brian J. Grim, eds. *World Religion Database* (Leiden/Boston: Brill, 2020) [www.worldreligiondatabase.org](http://www.worldreligiondatabase.org). The GINI index figures are the latest available at [www.databank.worldbank.org](http://www.databank.worldbank.org). A GINI indicator measures inequality of income and consumption distribution: a GINI index of 0 represents perfect equality, while an index of 100 implies perfect inequality.





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# RELIGIOUS FREEDOM IN THE WORLD

## REPORT 2021

# INTRODUCTION

By Dr. Thomas Heine-Geldern

*“In a world where various forms of modern tyranny seek to suppress religious freedom, or try to reduce it to a subculture without right to a voice in the public square, or to use religion as a pretext for hatred and brutality, it is imperative that the followers of the various religions join their voices in calling for peace, tolerance, and respect for the dignity and rights of others.”<sup>1</sup> Pope Francis*

On 28th May 2019, the UN General Assembly passed a resolution establishing 22nd August as the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief. The proposal had been tabled by Poland with the support of the United States, Canada, Brazil, Egypt, Iraq, Jordan, Nigeria and Pakistan. This resolution was a clear message and mandate – and every 22nd August a reminder – that acts of violence based on religion cannot and will not be tolerated by the UN, its member states or civil society.

In addition to the 28th May 2019 UN resolution and the 23rd September 2019 Global Call to Protect Religious Freedom – the first ever UN event on religious freedom hosted by a US president – there has been a flurry of national initiatives. These include the USA-initiated International Religious Freedom Alliance, the creation of a Secretary of State for Christian Persecution in Hungary and, perhaps of greatest note, the growing number of nations instituting or reactivating Ambassadors for Religious Freedom and Belief, such as Denmark, the Netherlands, the USA, Norway, Finland, Poland, Germany and the United Kingdom, among others.

By implication, the protection of those suffering violence based on religion is also a recognition of the fundamental human right to religious freedom, an acceptance of the sociological reality of religion in society, and an acknowledgement of the positive cultural role of religion. As Pope Benedict XVI wrote in response to the anti-Christian violence in Iraq, “the right to religious freedom is rooted in the very dignity of the human person whose transcendent nature must not be ignored or overlooked.”<sup>2</sup>

Regrettably, however, despite the – albeit important – UN initiatives, and the staffing of religious freedom embassies, to date the international community’s response to violence based on religion, and religious persecution in general, can be categorised as too little too late. Although it is impossible to know exact numbers, our research suggests that two thirds of the world’s population live in countries where violations of religious freedoms occur in one form or another, with Christians being the most persecuted group. Is this a surprise? No, the situation has grown over the centuries, from the roots of intolerance, to produce discrimination and persecution.

Aid to the Church in Need’s (ACN) *Religious Freedom in the World Report* is ACN’s principal research project, and has evolved considerably over the years, from being a small booklet to becoming a publication of approximately 800 pages, produced by a world-wide team. This evolution is due to the fact that today discrimination and persecution on the grounds of religious belief is a growing global phenomenon. Behind the violent conflicts, whether in Syria, Yemen, Nigeria, the Central African Republic or Mozambique – to mention only a few countries – are those in the shadows who, manipulating the deepest convictions of humanity, have instrumentalised religion in the search for power.

Our engagement with this topic reflects our mission. This report is not only a means through which to better fulfil our service to the suffering Church, but also a way to give a voice to our project partners – those who have been tragically marked by the consequences of persecution. It is now 22 years since our Italian office first started publishing the *Religious Freedom in the World Report*, in 1999. Regrettably, this year will not be the last in which the report is needed.

## ENDNOTES / SOURCES

[1] “Meeting for Religious Liberty, Address of the Holy Father”, 26th September 2015; [http://www.vatican.va/content/francesco/en/speeches/2015/september/documents/papa-francesco\\_20150926\\_usa-liberta-religiosa.html](http://www.vatican.va/content/francesco/en/speeches/2015/september/documents/papa-francesco_20150926_usa-liberta-religiosa.html)

[2] “Religious Freedom, the Path to Peace”, Message of His Holiness Pope Benedict XVI for the Celebration of The World Day Of Peace, 1st January 2011; [http://www.vatican.va/content/benedict-xvi/en/messages/peace/documents/hf\\_ben-xvi\\_mes\\_20101208\\_xliv-world-day-peace.html](http://www.vatican.va/content/benedict-xvi/en/messages/peace/documents/hf_ben-xvi_mes_20101208_xliv-world-day-peace.html)





[photo of Dr. Thomas Heine-Geldern]  
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*[photo of Fr. Emmanuel Yousaf]*  
*[©ACN]*



# FOREWORD

*by Father Emmanuel Yousaf*

*National Director of the National Commission for Justice and Peace, Pakistan*

Over more than 45 years as a priest in Pakistan, I have struggled on behalf of our community against persecution and discrimination.

When Christians working in the fields and brick kilns have not received their due portion of wheat or rice, I have approached the landlords and kiln owners asking them to give just wages and put an end to this injustice. When I discovered that boys and girls in my parish were not receiving the education they deserve, I set up schools and hostels. I have worked in rural communities in which Christians were not respected due to their faith, and were banned from shops, restaurants and cafes; in such places, our faithful were not allowed to touch glasses or other eating implements used by the majority community. And we have supported girls from minority faith backgrounds who are particularly at risk. These are children who, despite the fact that they are only minors, are kidnapped, forced to convert and marry – and they also suffer rape and other abuse. The plight of these girls shows that living as a religious minority in Pakistan is becoming increasingly problematic.

And, although there have been some improvements, amendments to the blasphemy laws in the 1980s are exploited by extremists who misuse the legislation to terrorise minority faith communities. These poor and marginalised families live in fear of being accused of blasphemy, a crime which is punishable by execution or life imprisonment. I have been involved in many cases, not least that of Asia Bibi, who was on death row for nearly a decade before justice finally won through.

The case of Salamat Masih and his two uncles will stay with me forever. Salamat was accused of writing blasphemous comments about the Muslim Prophet Muhammad (PBUH). The two uncles were also accused. Never mind that Salamat was only 12 and illiterate, never mind that

the offending script was calligraphy and used religious language normally only used by Muslim clergy. In spite of this, the three were charged, but before anything could happen Salamat and his uncles were shot by three men brandishing automatic rifles. One uncle, Manzoor Masih, died of his injuries; the other uncle, Rehmat Masih, and Salamat himself were severely injured, but survived by the grace of God. Worse was to come when Salamat and his surviving uncle were sentenced to death. I worked ceaselessly with the family lawyer to overturn the sentence. Eventually, we succeeded. Sadly, the judge who acquitted them also was murdered in cold blood by the extremists. In the decades since then, we have worked hard to help rebuild the lives of Salamat, his surviving uncle, their relatives and 40 families from their village who fled on the night that the accusations were first made. I am grateful to Aid to the Church in Need (ACN) for its help to families in dire straits and its support for our advocacy for those falsely accused.

I am also grateful to ACN for its work in the field of religious liberty. Indeed, this Religious Freedom in the World Report could not be more timely. The more the world knows about acts of religious hatred and neglect, the more the world will be able to do something about them. In a complex and hurting world, the best safeguard against knee-jerk responses as well as ineffectual virtue-signalling is clear and comprehensive reportage, complemented by insightful and balanced analysis. This is what ACN's report is committed to providing. It follows cases of religious freedom abuses long after the TV cameras have gone and the story has moved on. The charity is to be commended for its thoroughgoing defence of religious freedom – a foundational human right which is no less important today than in years gone by.





# TABLE OF CONTENTS

## 1

- 02 Credits and Disclaimers
- 04 Introduction
- 07 Foreword

## 2

- 09 Table of Contents

## 3

- 10 Main Findings
- 12 Methodology and Definitions

## 4

- 18 Index of Countries
- 22 Reports by Country

# MAIN FINDINGS

**Religious freedom is violated in almost one third of the world's countries (31.6 percent), where two thirds of the world's population lives.** 62 countries out of a total of 196 face very severe violations of religious freedom. The number of people living in these countries is close to 5.2 billion, as the worst offenders include some of the most populous nations in the world (China, India, Pakistan, Bangladesh and Nigeria). Aid to the Church in Need's classifications are as follows:

**a) The Red category**, which denotes the existence of persecution, includes 26 countries which are home to 3.9 billion people or just over half (51 percent) of the world's population. This classification includes 12 African countries and two countries where investigations of possible genocide are ongoing, namely China and Myanmar (Burma).

**b) The Orange category**, which denotes the existence of discrimination, includes 36 countries, home to 1.24 billion people. Slight improvements are identified in nine countries, while the situation in 20 countries is worsening.

**c) The "under observation" classification** includes countries where newly emerging factors of concern have been observed which have the potential to cause a fundamental breakdown in freedom of religion. The Regional Analysis maps identify these countries with the symbol of a magnifying glass.

**d) In all classifications, hate crimes occur** in the form of attacks with a bias against religious people and property.

**e)** The remainder of the countries are not classified, but that does not necessarily mean all is perfect in matters concerning the fundamental right to freedom of religion.

**During the period under review, there has been a significant increase in the severity of religiously-motivated persecution and oppression which is the principal category of concern.**

**1. Transnational jihadist networks spreading across the Equator aspire to be transcontinental "caliphates".** So-called Islamic State and Al-Qaeda, with ideological



and material patronage from the Middle East, affiliate with, and further radicalise, local armed militias to establish “caliphate provinces” along the Equator; a crescent of jihadist violence stretches from Mali to Mozambique in Sub-Saharan Africa, to the Comoros in the Indian Ocean, and to the Philippines in the South China Sea.

**2. A “cyber-caliphate”, expanding globally, is now an established tool of online recruitment and radicalisation in the West.** Islamist terrorists employ sophisticated digital technologies to recruit, radicalise and attack. Counter-terrorism units, although not able to neutralise the online terrorist communications, were nonetheless able to foil attacks in several Western countries.

**3. Religious minorities blamed for the pandemic.** Pre-existing societal prejudices against religious minorities in countries like China, Niger, Turkey, Egypt and Pakistan led to increased discrimination during the COVID-19 pandemic through, for example, a denial of access to food and medical aid.

**4. Authoritarian governments and fundamentalist groups have stepped up religious persecution.** Groundswell movements of majoritarian religious nationalism – manipulated by governments and by co-opted religious leaders – led to the rise of majoritarian ethno-religious supremacy in Hindu-majority and Buddhist-majority countries in Asia. These movements have further oppressed religious minorities, reducing them to the status of de facto second-class citizens.

**5. Sexual violence used as a weapon against religious minorities.** Crimes against girls and women abducted, raped, and obliged to change their faith in forced conversions, were recorded in a growing number of countries. The increasing number of these violations, which are often committed with impunity, fuel concerns that they form part of a fundamentalist strategy to hasten the disappearance of certain religious groups in the long run.

**6. Repressive surveillance technologies increasingly target faith groups.** 626 million AI-enhanced surveillance cameras and smartphone scanners at key pedestrian checkpoints, producing data which is cross-referenced by analytical platforms and coupled with an integrated social credit system, will ensure that religious leaders and the faithful adhere to the edicts of the Chinese Communist Party.

**7. 30.4 million Muslims in China and Myanmar (including Uyghur and Rohingya Muslims) face severe persecution,** and the international community has only just begun to apply international law to stop it.

**8. The West has jettisoned tools that reduce radicalisation.** Even though governments recognise that teaching world religions in schools reduces radicalisation, and increases interreligious understanding among young people, a growing number of countries have discontinued religious education classes.

**9. Polite persecution.** The term reflects the rise of new “rights” or cultural norms which, as Pope Francis states, consign religions “to the quiet obscurity of the individual’s conscience or relegates them to the enclosed precincts of churches, synagogues or mosques.” These new cultural norms, enshrined in law, result in an individual’s rights to freedom of conscience and religion coming into a profound conflict with the legal obligation to comply with these laws.

**10. Interreligious dialogue – a new impetus from the Vatican.** Pope Francis co-signed the declaration on “Human Fraternity for World Peace and Living Together” with the Grand Imam Ahamad Al-Tayyib of Al-Azar, the leader of the Sunni Muslim world. The Pope celebrated the first ever papal Mass on the Arabian peninsula. At the end of the period of review, the Pope was due to visit Iraq, his first to a Shia majority country, to deepen interreligious dialogue.

# DETAILS OF METHODOLOGY AND DEFINITIONS

By: Marcela Szymanski, Editor in Chief, *Religious Freedom in the World 2021*

## 1. DEFINITIONS

For our report, we have studied, and used, the following sources in order to develop the definitions and parameters that will be used:

- Office of the High Commissioner for Human Rights (webpages)
- UN Special Rapporteur on Freedom of Religion or Belief,
- The Organization of Security and Cooperation in Europe, OSCE, and its Office for Democratic Institutions and Human Rights ODIHR (webpages as found under: <http://hatecrime.osce.org/what-hate-crime>)
- Dr. Mattia F. Ferrero, the Holy See's National Point of Contact on Hate Crimes with OSCE/ODIHR.
- Dr. Heiner Bielefeldt, professor at the University of Erlangen and former UN Special Rapporteur on Freedom of Religion or Belief (webpages and personal interviews)
- Prof. Massimo Introvigne, founder of BitterWinter.org and of Center for the Study of New Religions (webpages and personal interviews)
- EU Guidelines for the Promotion and Protection of Freedom of Religion or Belief (conversations with the responsible staff and policy-makers)
- UN Convention for the prevention and punishment of Genocide (1948)
- Observatory on Intolerance and Discrimination against Christians (webpages and conversations with Ellen Fantini)
- Dr Gregor Puppink, conversations on the philosophy of Freedom of Religion, government competences and limits to this freedom

Reports by the following organizations, particularly their methodology section, have been reviewed including:

- OSCE/ODIHR

- US Department of State
- US Commission for International Religious Freedom (USCIRF)
- Pew Research Center
- Open Doors/Worldwatch List
- Reports by the European Parliament Intergroup on Freedom of Religion or Belief and Religious Tolerance
- The library of Human Rights Without Frontiers ([www.hrwf.org](http://www.hrwf.org))
- The library of Forum 18 ([www.forum18.org](http://www.forum18.org))

Texts by experts including:

- John Newton's "Religious Freedom in Modern Societies"
- Jose Luis Bazán's "Discurso del odio, corrección política y libertad de expresión"
- Marcela Szymanski's "Which Religious Freedom we defend today?"

### **a) Freedom of Religion or Belief (FoRB)**

Article 18 of the Universal Declaration of Human Rights: "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". (Source: <http://www.un.org/en/universal-declaration-human-rights/>)

Freedom of thought, conscience, religion or belief is enshrined in Articles 18 of both the Universal Declaration of Human Rights (UDHR) and of the International Covenant on Civil and Political Rights (ICCPR), which should be read in the light of the UN Human Rights Committee's General Comment n°22.

Under international law, FoRB has three components:

- (a) the freedom to have or adopt a religion or belief of one's choice - or no belief at all,
- (b) the freedom to change of religion, and,
- (c) the freedom to manifest one's religion or belief, individually or in community with others, in public or private, through worship, observance, practise and teaching.

Freedom of religion or belief is also protected by Article 9 of the European Convention on Human Rights and Article 10 of the EU Charter of Fundamental Rights.” (Source: paragraph -10 of the EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief)

#### **b) Limits to Freedom of Religion**

According to the UN Special Rapporteur on FoRB's webpages (<http://www.ohchr.org/EN/Issues/FreedomReligion/Pages/Standards.aspx>), the limits to this fundamental freedom are determined by:

- The fundamental Human Rights of others, as per the Universal Declaration of Human Rights (UDHR)
- Public interest. Demonstrable risk to public order and health

Also, **the Commission on Human Rights resolution 2005/40 (paragraph 12) and Human Rights Council resolution 6/37 (paragraph 14) explains that** limitations of FoRB are permissible under international human rights law if they fulfil each and every one of the following criteria:

- a) the limitation is prescribed by law;
- b) the limitation has the purpose of protecting public safety, public order, public health or morals, or the fundamental rights and freedom of others;
- c) the limitation is necessary for the achievement of one of these purposes and proportionate of the intended aim; and
- d) the limitation is not imposed for discriminatory purposes or applied in a discriminatory manner.

In spite of being considered obvious to some, we deem important to highlight that the right to FoRB exists along with Article 3 of the UDHR: Everyone has the right to life, liberty and security of person.

Freedom of Religion is therefore not an “absolute right” as it has limitations, but it is nevertheless a “non-derogable right” that cannot be suspended in a state of emergency.

## **2. DETERMINING WHETHER AN INCIDENT IS A FORB VIOLATION**

For this Report, the first aspect that determines whether a violation of FoRB has taken place is to observe the outcome of an action and compare it to the elements of the description of the fundamental right. Consider that a violation might have occurred whether it was intentional or non-intentional, by the perpetrator against the victim(s). More often it is clear that an intentional action was perpetrated because of either the religion of the perpetrator or the religion of the victim, but sometimes the violation is unintentional. One example is what happened in Iceland, when by forbidding sexual mutilation for girls, then extending it to “children” in order not to be discriminating toward one sex, the law impinged in the tradition of circumcision practised by a particular religious group. This was not an intentional violation of freedom of religion, but it did become one. For a more complete list of FORB violations, linked to other fundamental rights and typified by the United Nations, please scroll down the following webpage: <http://www.ohchr.org/EN/Issues/FreedomReligion/Pages/Standards.aspx>

## **3. DETERMINING WHAT TYPE OF VIOLATION OF FORB IS DESCRIBED IN THE REPORT**

For this Report, we understand a violation to FoRB as a process, where we distinguish four stages. The definitions and what constitutes the passage to the next stage are described below to the best of our capacity. Exceptions, of course, will occur so, please contact the Editor for any queries. A grid listing manifestations of each type of violation appears at the end of this document, and is assembled from the different sources we cite. These are the main types of violations:

- a) Intolerance.
- b) Discrimination.
- c) Persecution.
- d) Genocide.



## 4. CLASSIFICATIONS

**a) Tolerance/Intolerance.** This ranges from “no problem at all” to various degrees of ‘intolerance’, which **exist to some extent in all countries and cultures**. It takes, however, a turn for the worse **when intolerance is openly shown and remains uncontested by the relevant authorities**. A “new normal” starts to take shape. We identify here a stage where intolerance develops with the repetition of uncontested messages portraying a particular group as dangerous or noxious in a society. Intolerance occurs principally on a social and cultural level – clubs, sporting events, neighbourhoods, press articles, political discourse and popular culture such as cinema and television. Often, citizens’ public demonstrations and marches to support an unrelated cause, turn violent either spontaneously or not, against a particular group or their property, and are allowed to continue undisturbed. The choice of the authorities not to react nor contest, is a tacit approval of this form of intolerance. Opinion leaders at all levels (parents, teachers, journalists, sports stars, politicians, etc.) can become promoters of these messages.

However, at this stage, the aggrieved still have recourse to law. **Intolerance is not yet ‘discrimination’**. Fundamental rights to non-discrimination still apply.

Acts of intolerance usually fall outside the scope of the criminal law framework. Acts of violence, however, perpetrated with a particular bias are properly **hate crimes**, and are typified within the criminal law. Cases of “hate speech” are not hate crimes because they are not violent acts and they are not ruled in every country by the criminal body of law.

Intolerance is the most difficult to quantify as it is more often defined as a ‘feeling’. But it conditions the environment with the repetition of negative messages portraying a group as dangerous to the status quo. If at all, the negative messages are contested by individuals or opinion leaders, who then point the finger to less defined entities such as “the media” or “the local culture”, or to certain political figures. However, **if the victim does not report acts of intolerance, or the authorities do not react** firmly against it, the ground is prepared for worse.

**b) Discrimination:** This follows where intolerance goes unchecked. Discrimination occurs when there are laws or rules that apply to a particular group and not to all. The hallmark of ‘discrimination’ is a change in law which en-

trenches a treatment of, or a distinction against, a person based on the group, class, or category to which that person belongs. There are instances of direct and of indirect discrimination. It is direct when the actions are clearly directed to an individual belonging to a particular faith, and indirect discrimination when for example a company only hires professionals from a particular level of schooling, from which those in a religious group are banned from registering. In this case, it is usually the State that becomes the perpetrator, violating religious freedom. In the West, these violations occur in cases of limitations to freedom of conscience, often linked to a profession or branch of education, which is also protected by Article 18. Blasphemy laws, because they place one belief above all others, and because they are protective not of an individual but of a group, appear at this stage. Although discrimination might be legal domestically, it falls within the domain of international law. It remains illegal according to the UDHR and UN conventions as well as to regional conventions (and OSCE commitments). Victims, after exhausting national channels, can rely on the international community for help. Instances of discrimination include limitations in access to jobs (including public office), denial of emergency aid unless the recipient belongs to a particular faith, lack of access to Justice, the inability to buy or repair property, to live in a certain neighbourhood or to display symbols of faith. For example, in 2020, limitations during the Covid-19 pandemic sometimes locking down temples but leaving shops open, appeared to be applied in a disproportionate and discriminatory way against religious groups.

**c) Persecution:** This stage usually follows discrimination and includes “hate crimes”. Acts of persecution and hate crimes are performed by a biased perpetrator, who may or may not know the religious identity of the victim. Acts of persecution and hate crimes are typified under national criminal law and/or international law. Persecution and discrimination usually co-exist, the one building upon the other. However persecution by, say, a local terrorist group can exist in a country without State-driven discrimination being present. Persecution might be an active programme or campaign to exterminate, drive away, or subjugate people based on membership of a religious group. This happens for example in Africa where farmers, who might be Christians, are systematically attacked by herders, who might be Muslim, under the pretext of a climate change effect. Acts of violence (often fuelled by the public discourse and group thinking) may be perpetrated by single individuals.

Acts of persecution need not be “systematic” nor occur following a strategy.

Both State and non-State actors may persecute any given group, but at this stage that group has no recourse to State law. Private actors who commit hate crimes against a group are unlikely to be punished. Victims are “legally” abused, dispossessed and sometimes killed. Persecution can be identified and verified through the victims’ testimony, media reports, government and NGO reports or via local associations, but this verification is often impeded by continued violence, and it could take several years to achieve.

Violence frequently accompanies persecution. Violence turns these acts into **hate crimes**. Individuals belonging to minority groups may be subject to murder, expropriation and destruction of property, theft, deportation, exile, forced conversion, forced marriage, blasphemy accusations, etc. These acts may take place “legally” according to the national laws. In extreme cases “persecution” may turn into genocide.

The definition of “hate crime” we use is from ODIHR: “*Hate crimes are criminal acts motivated by bias or prejudice towards particular groups of people. To be considered a hate crime, the offence must meet two criteria: First, the act must constitute an offence under criminal law; second, the act must have been motivated by bias.*” For the consideration of this report, the action/inaction of the Justice instances toward hate crimes is very important.

In countries where the rule of law is functioning (as in most Western democracies), courts may address instances of persecution as hate crimes. In many countries, however, there is no recourse to law regarding intolerance nor some forms of hate crimes, and persecution might be difficult to prove in front of a tribunal. **Hate crimes, where a clear religious bias must be found, can follow the “normalisation”** of intolerance messages and discrimination is settling in. These crimes are often perpetrated by non-State, private actors. Intolerance and discrimination however, are seldom contemplated in the applicable criminal law, and are perpetrated by both public and private actors.

**d) Genocide:** It is the ultimate form of persecution where only the international law seems to be capable to intervene. Genocide comprises “**acts committed with intent**

**to destroy, in whole or in part, a national, ethnical, racial or religious group”**, as per the UN Convention on the Prevention and Punishment of Genocide, adopted on 9 December 1948 (<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CrimeOfGenocide.aspx> ). It is not a ‘requirement’ to be dead in order to be a victim of genocide, as the acts in question include:

- Killing members of the group;
- Causing serious bodily or mental harm to members of the group;
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- Imposing measures intended to prevent births within the group;
- Forcibly transferring children of the group to another group

Also, not only perpetrators are liable by this convention but also those who **conspire, incite to commit it or are complicit** to its realization. After the European Parliament approved a resolution calling genocide the acts of Daesh against Christians and Yezidis (4Feb2016), many other nations followed suit including the United States. By creating a mechanism for bringing Daesh to justice (Res.2379) on 21 September 2017, the UN also is seeking to establish whether genocide has taken place. <http://www.un.org/en/genocideprevention/genocide.html>

## 5. PERPETRATORS OF ‘INTOLERANCE’, ‘DISCRIMINATION’, ‘PERSECUTION’ AND GENOCIDE’:

Today, entities such as ISIS/Daesh and its multiple affiliates, Al-Qaeda, Boko Haram or the drug/human trafficking cartels are no longer subject to the traditional definition of State vs. non-State actors. In countries or regions where the State is no longer in control (and in some cases where the State becomes a victim) and where the de-facto ‘laws’ of the group in power violate fundamental human rights, then such group becomes accountable to both the national and the international community.

We distinguish the following types of perpetrator:

- The State** (whether federal, regional or, municipal)
- Local non-State actors** (including violent religious leaders, land-grabbing mobs, supremacist religious groups, and local branches of groups like the Taliban in



Pakistan and Afghanistan, Boko Haram in Nigeria, etc.),

c) **Multinational criminal or terrorist organizations** (such as ISIS/Daesh, Al-Qaeda, Al-Shabab, Boko Haram, etc.)

## 6. TRENDS OVER THE PERIOD COVERED AND PROSPECTS FOR THE NEXT TWO YEARS:

In our experience two years is a significant period to observe the effects of changes introduced either by the State or de facto by non-government groups. We have introduced a new level of categorization, the “observe closer” category. We intend this category to signal a country

where a variety of actors are moving toward the next level of FORB violation. The estimation of prospects is based on the incidents cited in the country report and other information obtained by the author.

## 7. A GRID TO HELP DISTINGUISH BETWEEN RELIGIOUS ‘INTOLERANCE’, ‘DISCRIMINATION’, ‘PERSECUTION’, AND ‘GENOCIDE’

In any event, the incident **must have a clear Religious Bias**, and not be the effect of general insecurity



## (INDICATIVE LIST, AS THESE ACTS ARE THE MOST FREQUENT)



INTOLERANCE

- Threats
- Hate speech
- Intimidation
- Vandalism

YES

NO



DISCRIMINATION

- Official religion imposed
- No conversion (consequence of official religion imposed)
- Accusation of blasphemy possible
- Prohibition to worship outside temples
- No access to property (nor to repair or maintain)
- No protection/security of property
- No access to certain jobs
- No access to public office
- No access to funding
- No access to certain type/level of education
- No display of religious symbols
- No right to appoint clergy
- No observance of holidays
- No evangelization, no materials available
- No communication with other religious groups national and international
- No right to own media
- No right to establish and fund charitable and humanitarian institutions
- No right to conscientious objections and “reasonable accommodation” at workplace and services provision



PERSECUTION

- Murder, mass or individual
- Detention
- Abduction, enslavement
- Forced exile
- Expropriation of buildings, assets, funds, even if “legal”
- Occupation of property
- Physical assault, mutilation, battery, maiming
- Freedom of expression severely curtailed, harsh sentences/punishments
- Intimidation, threats
- Property damage (also representative of the religious group, not only individual)
- Any other crime



GENOCIDE

- Killing members of the group
- Causing serious bodily or mental harm
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part
- Imposing measures intended to prevent births within the group
- Forcibly transferring children of the group to another group



# INDEX

## OF COUNTRIES

## A

- 24 Afghanistan
- 30 Albania
- 34 Algeria
- 38 Andorra
- 40 Angola
- 42 Antigua and Barbuda
- 44 Argentina
- 50 Armenia
- 54 Australia
- 58 Austria
- 62 Azerbaijan

## B

- 66 Bahamas
- 68 Bahrain
- 72 Bangladesh
- 78 Barbados
- 80 Belarus
- 86 Belgium
- 90 Belize
- 92 Benin
- 94 Bhutan
- 98 Bolivia
- 102 Bosnia–Herzegovina
- 106 Botswana
- 108 Brazil
- 114 Brunei
- 118 Bulgaria
- 122 Burkina Faso
- 128 Burundi

## C

- 132 Cambodia
- 136 Cameroon
- 142 Canada
- 148 Cape Verde
- 150 Central African Republic
- 156 Chad
- 160 Chile
- 164 China
- 170 Colombia
- 174 Comoros
- 178 Costa Rica
- 180 Croatia
- 184 Cuba
- 188 Cyprus
- 192 Czech Republic

## D

- 194 Democratic Republic of the Congo
- 200 Denmark
- 204 Djibouti
- 208 Dominica
- 210 Dominican Republic

## E

- 214 East Timor (Timor-Leste)
- 216 Ecuador
- 220 Egypt
- 230 El Salvador
- 234 Equatorial Guinea
- 236 Eritrea
- 240 Estonia
- 244 Eswatini (Swaziland)
- 246 Ethiopia

## F

- 250 Fiji
- 252 Finland
- 256 France

## G

- 262 Gabon
- 264 Gambia
- 268 Georgia
- 272 Germany
- 276 Ghana
- 280 Greece
- 284 Grenada
- 286 Guatemala
- 290 Guinea Conakry
- 292 Guinea-Bissau
- 294 Guyana

## H

- 296 Haiti
- 298 Honduras
- 302 Hungary

## I

- 304 Iceland
- 306 India
- 312 Indonesia
- 318 Iran
- 324 Iraq
- 332 Ireland



338 Israel  
344 Italy  
350 Ivory Coast

## J

354 Jamaica  
356 Japan  
360 Jordan

## K

366 Kazakhstan  
370 Kenya  
374 Kiribati  
376 Kosovo  
380 Kuwait  
384 Kyrgyzstan

## L

388 Laos  
392 Latvia  
396 Lebanon  
402 Lesotho  
404 Liberia  
406 Libya  
410 Liechtenstein  
412 Lithuania  
416 Luxembourg

## M

418 Madagascar  
422 Malawi  
426 Malaysia  
430 Maldives  
434 Mali  
438 Malta  
440 Marshall Islands  
442 Mauritania  
446 Mauritius  
448 Mexico  
455 Micronesia  
456 Moldova  
462 Monaco  
464 Mongolia  
466 Montenegro  
470 Morocco  
476 Mozambique  
482 Myanmar (Burma)

## N

486 Namibia  
488 Nauru  
490 Nepal  
494 Netherlands  
500 New Zealand  
504 Nicaragua  
508 Niger  
512 Nigeria  
526 North Korea  
530 North Macedonia  
534 Norway

## O

538 Oman

## P

542 Pakistan  
552 Palau  
554 Palestinian territories  
560 Panama  
564 Papua New Guinea  
568 Paraguay  
572 Peru  
576 Philippines  
582 Poland  
588 Portugal

## Q

594 Qatar

## R

598 Republic of the Congo  
600 Romania  
604 Russia  
612 Rwanda

## S

616 Saint Kitts and Nevis  
618 Saint Lucia  
620 Saint Vincent and the Grenadines  
622 Samoa  
624 San Marino  
626 Sao Tome and Principe  
628 Saudi Arabia  
636 Senegal  
640 Serbia  
644 Seychelles

646 Sierra Leone  
648 Singapore  
652 Slovakia  
656 Slovenia  
658 Solomon Islands  
660 Somalia  
666 South Africa  
670 South Korea  
674 South Sudan  
678 Spain  
684 Sri Lanka  
690 Sudan  
696 Suriname  
698 Sweden  
704 Switzerland  
708 Syria

## T

714 Taiwan  
716 Tajikistan  
720 Tanzania  
724 Thailand  
730 Togo  
732 Tonga  
734 Trinidad and Tobago  
736 Tunisia  
740 Turkey  
746 Turkmenistan  
750 Tuvalu

## U

752 Uganda  
756 Ukraine  
762 United Arab Emirates  
768 United Kingdom  
776 United States of America  
784 Uruguay  
788 Uzbekistan

## V

794 Vanuatu  
796 Venezuela  
802 Vietnam

## Y

808 Yemen

## Z

812 Zambia  
814 Zimbabwe







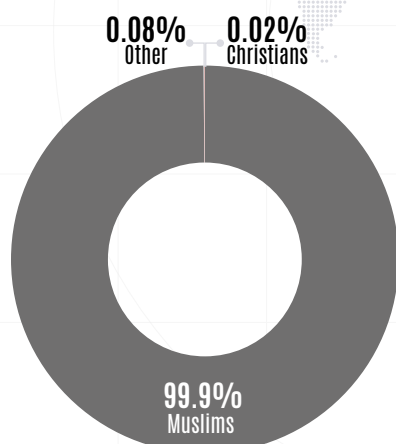


# REPORTS BY COUNTRY



# AFGHANISTAN

## RELIGIONS



Population  
**38,054,941**  
GDP per capita  
**1,804 US\$**



Area  
**652,864 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Sunni Muslims represent between 84.7 and 89.7 percent of the Afghan population. The rest are mostly Shi'a Muslims (10 to 15 percent), mainly ethnic Hazaras. The country's constitution officially recognises 14 ethnicities, including Pashtun, Tajik, Hazara and others.<sup>1</sup> The Pashtun live mainly in the south and southeast and make up the largest group (about 42 percent), followed by Tajik (about 27 percent) who live in the north and northeast, Hazara (9 percent), Uzbek (9 percent), Turkmen (3 percent), Baluchi (2 percent) and others (8 percent).<sup>2</sup>

Sikhs and Hindus number approximately 550, down from 900 in 2018, a negative trend that continues because of a perceived inadequate government protection, with most migrants going to India.<sup>3</sup> No reliable figures exist for other faith groups, including Christians and Baha'is since they do not openly practise their religion. One Jew remains in the country after the large migration to Israel at the end of the 20th century because of the lack of security.<sup>4</sup>

The Preamble to the Afghan constitution states that "the people of Afghanistan" believe "firmly in Almighty God, relying on His divine will and adhering to the Holy religion

of Islam," and appreciate "the sacrifices, historical struggles, jihad and just resistance of all the peoples of Afghanistan, admiring the supreme position of the martyrs of the country's freedom."<sup>5</sup> Article 1 states: "Afghanistan shall be an Islamic Republic, independent, unitary and indivisible state", while Article 2 states that, "The sacred religion of Islam is the religion of the Islamic Republic of Afghanistan." Article 3 affirms that "no law shall contravene the tenets and provisions of the Holy religion of Islam in Afghanistan." Article 62 establishes that the president must be a Muslim.

Article 2 stipulates that the "Followers of other faiths shall be free within the bounds of law in the exercise and performance of their religious rituals," but several laws, as well as local traditions, restrict the freedom of minority religions, starting with Islamic law (Shari'a) as a source of law. For example, Article 1 of the 1976 Penal Code of Afghanistan states: "Those committing crimes of 'Hodod' (hudud), 'Qessass' and 'Diat' shall be punished in accordance with the provisions of Islamic religious law (Hanafi religious jurisprudence)."<sup>6</sup>

Since apostasy and blasphemy fall under the seven hudud crimes, they are regulated by Shari'a, which imposes the death penalty for both. For the offence of apostasy, the Hanafi school recommends three days of imprisonment

before execution, although the delay before killing the Muslim apostate is not mandatory. Male apostates must be killed, while females must be held in solitary confinement and beaten every three days till they recant and return to Islam.<sup>7</sup> Blasphemy in Afghanistan includes anti-Islamic writings or speech and can be punished with the death penalty, provided the accused does not recant within three days. Any Muslim convert to another religion may be killed, imprisoned or have property confiscated in accordance with the Sunni Hanafi school.<sup>8</sup>

Islamic religious education is mandatory in state-run and private schools. Article 17 of the constitution establishes that the “state shall adopt necessary measures to foster education at all levels, develop religious teachings, regulate and improve the conditions of mosques, religious schools as well as religious centers.” Article 45 further stipulates that “the state shall devise and implement a unified educational” curriculum “based on the tenets of the sacred religion of Islam.”<sup>9</sup>

Shi’as, mostly ethnic Hazaras, are Afghanistan’s most discriminated group and face strong societal discrimination along class, race, and religious lines. This can take the form of illegal taxation, forced recruitment and labour, physical abuse, and detention. A 2019 survey by The Asia Foundation revealed that Hazaras are more likely to cite insecurity as a reason to leave Afghanistan than other ethnic groups in the country (81.7 percent of respondents).<sup>10</sup>

The 25th March 2020 attack on a Sikh gurdwara (temple) in Kabul focused world attention on the plight of Afghanistan’s indigenous Sikh and Hindu minorities, who complain of being a target of both local criminal elements and religious extremists. Hindus and Sikhs were granted representation in Afghanistan’s parliament in 2016 and are allowed to practise their faith in public places of worship, but faced with continuing discrimination and attacks, many are leaving the country.<sup>11</sup> Those who have not left complain about the loss of places of worship. According to the Sikh and Hindu Council, 11 gurdwaras and two mandirs (Hindu temples) remain in the country, compared to a combined total of 64 in the past.<sup>12</sup>

Although there are no explicit restrictions on religious minority groups’ ability to establish places of worship or train their clergy, in reality, options for them are limited. Some foreign embassies provide places of worship for non-Afghans. The US-led military coalition has facilities where non-Muslim worship can take place. There are no public churches; the only Catholic place of worship is inside the

Italian embassy.

Christianity is seen as a western religion and alien to Afghanistan. A decade of military presence by international forces has added to the general mistrust towards Christians. Public opinion concerning Christians proselytising Muslims is openly hostile.<sup>13</sup> Afghan Christians worship alone or in small groups in private homes. According to Christian missionary organisations, small underground house churches can be found throughout the country, each one with fewer than 10 members. Despite a constitutional provision guaranteeing religious tolerance, those who are openly Christian or convert from Islam to Christianity, remain vulnerable.<sup>14</sup>

The Catholic Church is present in Afghanistan with a mission *sui iuris* based in the Italian embassy in Kabul. Its first superior, Italian Barnabite Fr. Giuseppe Moretti, retired in November 2014. His successor, Italian Barnabite Fr. Giovanni Scalese, was installed in January 2015.<sup>15</sup> In 2019, Fr. Giuseppe Moretti briefly returned to the Afghan capital and reported that only about 10 people attended Mass at the Italian embassy. As for religious congregations, there are three Little Sisters of Jesus engaged in public health service; five Sisters of the Missionaries of Charity (the congregation founded by Mother Teresa) who are serving orphans, disabled children, abandoned girls and providing assistance to 240 poor families; and three Sisters of the inter-congregational community Pro Bambini di Kabul (PBK) who care for about 40 disabled children.<sup>16</sup>

The ‘Ahmadi Muslim community numbers around 450 members, down from 600 in 2017.<sup>17</sup> There is little data about the Baha’i community whose members live in hiding after the General Directorate of Fatwas and Accounts of the Supreme Court of Afghanistan issued a declaration in 2007 claiming that their faith was blasphemous and its followers were infidels.

Shi’a Hazaras live predominantly in the central and western provinces, as well as in Kabul; Ismaili Muslims live mainly in Kabul and the central and northern provinces; ‘Ahmadis can be found mostly in Kabul as can most Baha’is, but the latter have a small community in Kandahar.<sup>18</sup>

## INCIDENTS AND DEVELOPMENTS

The period under review began with Afghanistan’s most complicated parliamentary election in recent years. Amid a high number of attacks, voting took place on 20th, 21st and 27th October 2018. From the beginning of the voter



registration period on 14th April, through the campaign period, the UN Assistance Mission in Afghanistan (UNAMA) verified 152 election-related security incidents resulting in 496 civilian casualties (156 deaths and 340 injuries) and the abduction of 245 civilians. Schools and mosques used to register voters were the target of dozens of attacks. The Taliban's actions forced many ordinary Afghans to choose between exercising their right to participate in the political process and risking their own safety.<sup>19</sup>

Over the same period, civilian casualties declined initially. The year 2018 was the worst for civilian killings in Afghanistan, with 3,804,<sup>20</sup> dropping to 3,403<sup>21</sup> in 2019 and 2,117 in the first nine months of 2020.<sup>22</sup> However, the long-awaited Afghan peace talks have not yet brought the positive effects expected, since the number of civilians killed attributed to the Taliban alone increased by 6 percent in the first nine months of 2020.<sup>23</sup>

Attacks against places of worship, religious leaders, and worshippers have not significantly diminished. In 2019, UNAMA documented 20 such attacks compared with 22 in 2018, causing 236 civilian casualties (80 deaths and 156 injured), compared with 453 (156 deaths and 297 injured) in 2018.<sup>24</sup> Attacks continued in 2020 although no official data is yet available. Therefore, violence against religious minorities and religious leaders, especially by anti-government forces like the Taliban and the Islamic State of Iraq and the Levant - Khorasan Province (ISKP) - remains a cause for concern.

Two positive steps are worth mentioning. On 29th February 2020, the United States and the Taliban signed in Doha the Agreement for Bringing Peace to Afghanistan. Its provisions include the withdrawal of all US and NATO troops from Afghanistan, the Taliban's commitment to prevent al-Qaeda from operating in areas under its control,<sup>25</sup> and talks between the Taliban and the Afghan government. The latter were inaugurated on 12th September 2020 in Doha,<sup>26</sup> but despite them, attacks continued to occur in the country.

Shi'a Muslims are still the most targeted group. Terrorist attacks against the Shi'a community, its leadership, neighbourhoods, festivals, and houses of worship have intensified in recent years. On 3rd August 2018, two men killed 29 people and injured more than 80 in a suicide attack on a Shi'a mosque in the city of Gardez, Paktia province.<sup>27</sup> On 15th August and 5th September 2018, two tragic attacks struck the Shi'a community in western Kabul's, predominantly Hazara, Dashte Barchi neighbourhood. The first

attack took place at a building where high school graduates were taking their university entrance exams. Some 48 people, including 34 students, were killed and 67 were injured.<sup>28</sup> The second incident involved a double suicide attack at the Maiwand Wrestling Club in Qala-e-Nazer, with at least 26 dead and 91 wounded.<sup>29</sup> Both attacks were claimed by ISKP, whose plan to establish a global "caliphate" calls for the killing of all those who do not adhere to its extremist interpretation of Islam, including Muslims whom they believe are practising a corrupt form of Islam, especially Shi'as.

ISKP also claimed responsibility for a suicide attack on 17th August 2019, during a wedding in Kabul. At least 92 people were killed and over 140 injured. In a statement on Telegram, a messaging app, the jihadist group said one of its militants infiltrated the reception and detonated a bomb among a crowd of "infidels".<sup>30</sup>

Since 2017, the aforementioned predominantly Hazara neighbourhood of Dashte Barchi has seen numerous attacks on civilians. On 6th March 2020, gunmen stormed a memorial ceremony for Abdul Ali Mazari, the leader of Afghanistan's Hazara minority killed in 1995 by the Taliban. It was the first major incident in the Afghan capital since the US reached an agreement with the Taliban. At least 29 people were killed.<sup>31</sup>

On 12th May 2020, the same neighbourhood saw another attack; this time the target was the maternity ward of the Dashte Barchi hospital. A gunman killed 15 people, including several nurses, mothers, and two newborn babies.<sup>32</sup>

With Afghan peace talks taking place in Doha, another massive suicide bombing targeted the Hazara Shi'a community in Kabul. On 24th October 2020, an explosion outside the Kawsar-e Danish educational centre killed 30 people and injured more than 70, mostly students aged 15 to 26 attending classes.<sup>33</sup>

Sunni places of worship have also been the target of numerous attacks, such as the one on 12th June 2020 against the Sher Shah Suri mosque during Friday prayers. The imam, Mawlawi Azizullah Mofleh, a well-known religious scholar, and three worshippers were killed. On this occasion, the Taliban also condemned the act of violence.<sup>34</sup>

For their part, the Taliban continued to kill religious leaders and threaten them with death for preaching messages contrary to the Taliban's interpretation of Islam or its political agenda. On 26th May 2019, gunmen shot and killed

a prominent religious scholar, Mawlawi Shabir Ahmad Kamawi, in Kabul. He was also a legal advisor for the International Legal Foundation for Afghanistan in Kabul and had called on the Taliban to end the fighting.<sup>35</sup>

There are reports of continued Taliban warnings to mullahs not to perform funeral prayers for government security officials. As a result, according to the Ministry of Hajj and Religious Affairs (MOHRA), imams continued to be afraid of performing funeral rites for government employees. In August 2020, media reported the Taliban put pressure on local imams to cut relations with the government and speak in favour of the Taliban or face Taliban retribution.<sup>36</sup>

Regarding the effects of the COVID-19 pandemic on religious freedom, as the Italian Embassy in Kabul was closed on 23rd March 2020, access to the Catholic Church, located inside the structure, was blocked as well. Most Catholics left Afghanistan at the beginning of the pandemic.<sup>37</sup>

COVID-19 has spread to some 30 of the country's 34 provinces, and the lockdown imposed on 28th March 2020 also affected Muslim religious practice, especially Ramadan celebrations. The MOHRA said that in the areas under lockdown people should pray in their homes and refrain from going to mosques. But Minister Abdul Hakim Munib said that people who wanted to pray in mosques could do so, on the condition of following official health guidelines.<sup>38</sup> In Herat alone, around 500 mosques were closed in late March 2020, while religious clerics issued a fatwa calling on people to avoid going to mosques for prayers.<sup>39</sup> On 22nd May, the MOHRA issued an advisory telling people that if they have COVID-19 symptoms they should avoid gatherings on Eid-al-Fitr.<sup>40</sup>

The start of the pandemic coincided with one of the bloodiest attacks against the Sikh minority. On 25th March 2020, three gunmen stormed the Guru Har Rai Gurdwara in Kabul's Shor Bazar area, killing 25 people and injuring 15. About 150 people were inside the temple while the attackers engaged in a six-hour gun battle with security forces. The ISKP claimed responsibility for the attack.<sup>41</sup> Following the deadly incident, many Sikhs and Hindus expressed a desire to leave the country and asked the US government

to grant them asylum.<sup>42</sup> The US Congress responded by adopting a resolution in favour of the resettlement of Afghan Sikhs and Hindus in the US under the US Refugee Admissions Program pursuant to the Immigration and Nationality Act.<sup>43</sup> India has also offered to accept them.<sup>44</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

During the period under review, historic positive steps have been taken in Afghanistan: the US-Taliban agreement, the intra-Afghan peace talks, and the agreement between President Ashraf Ghani and his rival Abdullah Abdullah to share power.<sup>45</sup> Nevertheless, the number of attacks in the country has not decreased.

Of particular concern, alongside the Taliban, is the presence of ISKP, which continues to grow, especially after the defeat in Syria and Iraq of the Islamic State group. Unlike the Taliban, ISKP has an increasing number of young, middle class Afghans in its ranks.<sup>46</sup> It is also expanding because of jihadists arriving from Syria and a new wave of defections from the Taliban and jihadist groups linked to al-Qaeda. These defections are important as they bring hundreds of experienced fighters into the ISKP. Furthermore, ISKP leaders believe that there is great potential for attracting many more, as the opposition to peace talks is widespread even among the Taliban.<sup>47</sup>

To all this must be added the economic effects of the COVID-19 pandemic in a country where 14 million people have insufficient access to food. From a health point of view, the situation is also worrying. As of October 2020, Afghanistan had 41,975 cases of COVID-19;<sup>48</sup> any increase would put the country's entire health care system at risk. According to the Global Health Security Index, which measures epidemic preparedness, Afghanistan is among the least-prepared countries in the world.<sup>49</sup>

Considering the above and the extremely low level of internal security, there is little hope at present that the situation of human rights, including the right to religious freedom, will improve soon in the Asian country.

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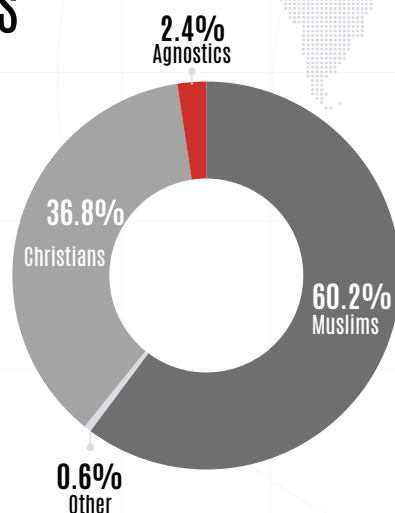
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# ALBANIA

## RELIGIONS



Population

**2,942,034**

GDP per capita

**11,803 US\$**

Area

**28,748 Km<sup>2</sup>**

GINI INDEX\*

**33.2**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Albania's Constitution,<sup>1</sup> adopted in October 1998, declares "religious coexistence" a basic principle for the state (Article 3). The republic is a secular state (Article 10), which guarantees the freedom of conscience and religion, including the right to choose or change religion or beliefs and to express them "individually or collectively, in public or in private life through cult, education ... or the performance of rituals" (Article 24). Article 18 prohibits discrimination on religious grounds and political parties or other organisations "whose programs or activity are based on totalitarian methods, which incite and support" religious hatred are prohibited (Article 9). Destruction of or damage to religious objects, and the prevention of religious ceremonies are punishable offences.

Religious communities are equal before the law and relations between the state and religious communities are regulated by official agreements (Article 10). The government does not require registration or licensing of religious groups, but the State Committee on Cults

regulates relations between the state and religious communities.<sup>2</sup>

After decades of enforced atheism under a Communist regime, which collapsed in 1991, the country appears to be experiencing a significant religious revival.

Most citizens traditionally associate themselves with one of four predominant religious communities historically present in the country: two Muslim (Sunni, the majority, and Bektashi) and two Christian (Roman Catholic and the Autocephalous Orthodox Church of Albania).

Because of the government's secular tradition and limited resources, it has reportedly refrained from providing financial assistance for the rebuilding of religious infrastructure destroyed under communism. "We cannot avoid foreign financial help," said Loreta Aliko, head of the State Committee on Cults, conceding that the state has limited resources.<sup>3</sup>

Delays in the restitution of religious properties that were seized by Enver Hoxha's communist government are criticized by each of the religious communities.

Turkey is perceived as being the most active supporter of Albania's Muslim community and has financed the

construction of the Namazgja Grand Mosque in Tirana, as well as refurbishing older mosques and Sufi lodges across the country.<sup>4</sup> Meanwhile, the Salafi community has relied on Saudi Arabia for support and scholarships. The Sufi community has also received aid from outside the country: “The Shi’a in Iraq are helping us a lot today,” said Edmond Brahimaj, the Bektashi’s Baba Mondî, or world leader.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

Official figures for religion-biased crimes 2018 and 2019 were not reported to the Organization for Security and Co-operation in Europe for inclusion in the annual hate crime report, but SETA (the Foundation for Political, Economic and Social Research, sponsored by the Turkish government) reported one hate crime with an anti-Muslim bias in August 2018: “A shop wall was vandalized with anti-Muslim graffiti by an organized hate group.”<sup>6</sup> SETA reported two anti-Muslim crimes in August of 2019 in which “a monument commemorating the victims of a recent anti-government coup attempt in Turkey was vandalized when the names of the dead and a Turkish flag were destroyed with heavy machinery. This was the second such incident targeting the monument to occur in the same year.”<sup>7</sup>

SETA reported in its annual Islamophobia report for 2018 that Islamophobic incidents were often related to anti-Turkish sentiments, such as during commemorations marking the “Year of Scanderbeg” (the 550th anniversary of the death of an Albanian celebrated for his war against the Ottoman Empire).<sup>8</sup> In its 2019 report, SETA noted that the November 2019 earthquake in Albania was followed by “hate speech and anti-Muslim sentiment on social media” after the Prime Minister posted religious quotes on his Facebook page.<sup>9</sup> SETA described the phenomenon of Islamophobia in Albania as often relating to criticism of Turkish funding of the Great Mosque in Tirana, and the idea that a majority-Muslim country should not be granted accession to the EU.<sup>10</sup>

Due to the coronavirus pandemic in 2020, the Islamic Community and Catholic Church in Albania temporarily suspended all activities and closed mosques and churches in March, except for personal prayer and funerals.<sup>11</sup> Restrictions or modifications of worship activities were re-imposed later in the year due to an uptick

in cases after a relaxation of the rules.<sup>12</sup>

In May 2020, two unexploded Molotov cocktails were discovered near the Namazgja Mosque under construction in Tirana, in front of the entrance to the Albanian Parliament building. It was not clear which of the buildings was the target.<sup>13</sup>

Albania inaugurated a Holocaust memorial in Tirana in July 2020, to honour the “Albanians, Christians and Muslims [who] endangered their lives to protect and save the Jews.”<sup>14</sup> The small Jewish community living in Albania left the country for Israel just after the fall of the communist regime in 1991.

In October 2020, Albania became the first majority-Muslim country to formally adopt the International Holocaust Remembrance Alliance’s definition of anti-Semitism and to “promise to fight anti-Jewish prejudice.” The decision came a few days before the first “Balkans Forum on Anti-Semitism,” organised by the Albanian parliament.<sup>15</sup> During the forum, Albania’s Prime Minister called anti-Semitism “a threat to our civilization.”<sup>16</sup>

The European Commission’s report released in October 2020 on Albania found that freedom of thought, conscience and religion were “generally upheld” and “inter-religious harmony and cooperation continued.”<sup>17</sup>

Although in March 2020, the European Council had agreed to open accession negotiations for Albania and North Macedonia, in November, Bulgaria blocked an agreement on a negotiating framework, due to unresolved disputes with North Macedonia over language and history.<sup>18</sup> In December 2020, EU leaders urged an end to the delay, warning Bulgaria that “it risks undermining security in the Balkans - and wider Europe.”<sup>19</sup>

In December 2020, protesters threw stones at government buildings, set fire to a Christmas tree in front of the Prime Minister’s office and destroyed Christmas decorations in the Tirana main square after a man was shot by police for not following their orders during the pandemic-related curfew.<sup>20</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious tolerance between the Islamic Community and the Orthodox and Catholic Churches remains one of the central pillars of stability within Albanian society. In the period under review, relations between Albanian

Muslims and Christians continue to be good.

However, religion may be a consideration for this nation, which has been on a path toward accession to the European Union since 2014. If Albania were to join the EU, it would be its first Muslim-majority country. A clash of cultural and political values could develop from that reality, based on the Muslim concept of non-separation of religion and state.



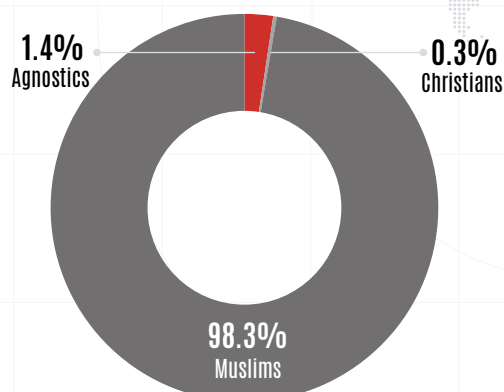
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# ALGERIA

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The majority of the people of Algeria are Sunni Muslims.<sup>1</sup> Fewer than 200 indigenous Jews are left.<sup>2</sup> There are also Catholic and Protestant communities in the country. Officially, almost all Christians are foreigners with many coming from Sub-Saharan Africa. The number of Muslims who have converted to Christianity is small, estimated to be between 50,000 and 100,000; a majority of them have joined Evangelical communities, especially in the Kabyle region.<sup>3</sup>

In November 2020, Algerians adopted a new constitution,<sup>4</sup> but less than one in four eligible voters cast their ballot.<sup>5</sup> Its Preamble describes Islam as a fundamental component of the country's identity. Article 2 stipulates that "Islam shall be the religion of the state." Article 10 prohibits state institutions from "infringing the Islamic morals". Article 91 specifies that only a Muslim can become president. Algerian law does not consider apostasy a criminal offence.<sup>6</sup>

Algerian authorities allow religious organisations to engage in humanitarian work, but proselytising by non-Muslims can lead to a fine and up to five years in prison.<sup>7</sup> Pursuant to Ordinance 06-03 (Article 11, 1), this includes

anyone "who incites, constrains, or utilizes means of seduction tending to convert a Muslim to another religion; or by using to this end establishments of teaching, education, health, social, culture, training [...] or any financial means."<sup>8</sup>

The decree not only forbids attempts to convert a Muslim to another religion but also to even "shake the faith of a Muslim", although it does not ban conversion as such. Under Article 11 (2) of the ordinance, people can be fined up to one million dinars and sentenced to five years in prison for printing, storing or distributing materials intended to convert Muslims.<sup>9</sup> Consequently, Christian books and manuals are rare in the country, and Christians do not feel free to carry Christian literature with them.

All religious groups have to register with the Ministry of Interior before conducting any activities and their members can only meet at state-approved locations. Non-Muslims are obliged to apply for a special permit in order to use a building for religious purposes. However, the national committee tasked with assigning such locations "has never met, and therefore has never issued a single license."<sup>10</sup> For this reason, no buildings have been legally granted for use as churches.<sup>11</sup> Government rules for churches are very restrictive,<sup>12</sup> and administrative procedures are used

to close churches and intimidate non-Sunni Muslims while claiming that such actions are not persecution, merely penalising “non-conformity with the laws.”<sup>13</sup>

Offences related to religion are regulated by Article 144 (2) of the Penal Code of Algeria,<sup>14</sup> which provides that any individual who insults the Prophet Mohammed or denigrates the creed or prophets of Islam through writing, drawing, declaration, or any other means, will receive three to five years in prison, and/or be subject to a fine of between 50,000 and 100,000 Algerian dinars (US\$450 and US\$900).<sup>15</sup>

Matters of family law are regulated by Shari’a. Under Algeria’s Family Code,<sup>16</sup> a Muslim man can marry a non-Muslim woman if she belongs to a monotheistic faith. Muslim women cannot marry non-Muslim men unless the man converts to Islam (Article 30).<sup>17</sup> Children born to a Muslim father are considered Muslim without regard to the mother’s faith.

In February 2019, social and political discontent sparked the Hirak (smiles) movement. President Abdelaziz Bouteflika eventually resigned in April 2019. Different members of his entourage, including his brother Saïd, were arrested. Elections were held in December 2019, with a very low turnout (40 percent), and Abdelmadjid Tebboune was elected president.<sup>18</sup> A new government was formed a few weeks later, but most of the ministers are from the previous administration.

## INCIDENTS AND DEVELOPMENTS

Since November 2017, between 12 and 15 churches (out of about 46 churches in Algeria) affiliated with the Protestant Church of Algeria (Église Protestante d’Algérie, EPA) have reportedly been ordered to close.<sup>19</sup>

In February 2019, a convert to Christianity accused of proselytising saw his acquittal upheld. In April 2019, five other Christians who had been accused of encouraging a Muslim to convert were also acquitted. The Muslim wife of one of them declared that her husband, Ouali, and four other friends “sang a Christian song and talked about Jesus at a lunch.”<sup>20</sup> In the two cases, the wives were Muslim who came under pressure from Muslim relatives to turn against their husbands and leave them. Under Islamic law and Algeria’s Family Code, a Muslim woman cannot live with and be married to a non-Muslim man.

In mid-October 2019, Algerian authorities closed Protes-

tant churches, including Algeria’s largest in Tizi Ouzou.<sup>21</sup> In some cases, the police forcibly evacuated the places of worship in order to close them.<sup>22</sup> At least 17 protesters were arrested for taking part in sit-ins asking for their reopening.

A few days later, some Muslims demonstrated in support of the Christian community. In addition, a group of lawyers went to the police station asking for the detainees to be released, which happened on the same day.<sup>23</sup> Following these demonstrations, the churches in question were reopened.

Christians are not the only religious group subjected to discrimination and persecution. Ibadi Muslims have also been targeted by a repression campaign.<sup>24</sup>

In November 2019, the European Parliament adopted a resolution on the “Situation of freedoms in Algeria”, calling for “an end to violations of the freedom to worship of Christians, Ahmadis and other religious minorities.” The statement “reminds the Algerian Government that Ordinance 06-03 guarantees the free exercise of worship” and “calls on the Algerian authorities to reopen the church buildings concerned.”<sup>25</sup>

At the end of 2019, 286 cases involving ‘Ahmadi Muslims were pending before Algeria’s Supreme Court.<sup>26</sup> Charges mainly refer to “operating an unregistered religious association”, non-authorised fundraising, and praying in undeclared places of worship. In some cases, ‘Ahmadis had their passports and educational diplomas confiscated.<sup>27</sup>

After the outbreak of the coronavirus pandemic, Algerian authorities took measures to stop the spread of COVID-19. Mosques were shut down for five months from mid-March to mid-August.<sup>28</sup> A fatwa was issued stating that it is Haram (religiously forbidden) for COVID-19 patients to perform prayers in mosques.<sup>29</sup> However, the Ministry of Religious Affairs and Wakfs decided that mosques could broadcast daily the Adhan (call to prayers) over mosque loudspeakers for half an hour.<sup>30</sup>

Before the beginning of Ramadan, Algerian politician Nouredine Boukrouh wrote on his Facebook page that because of COVID-19, Muslims should refrain from fasting. “[They] either have to suspend fasting, because a hungry body may be more vulnerable and could end up causing the spread of coronavirus, or to opt for fasting and be at the risk of a wider outbreak of the virus.”<sup>31</sup> Gatherings during Ramadan for Eid al-Adha and Eid El-Fitr were greatly restricted.



In May 2020, some European lawmakers from different political groups submitted a written question on “Attacks on freedom of religion in Algeria”, asking the European Commission whether “this issue [has] been addressed in the framework of EU-Algeria political dialogues?” and “if any changes have been implemented to the Algerian Government’s Ordinance 06-03?”<sup>32</sup>

In July 2020 some media reported that Algerian intelligence and security services were collecting information about teachers’ religious affiliations in Tizi Ouzou province. For some, this was a form of intimidation directed at Christian and atheist teachers.<sup>33</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Ordinance 06/03 remains a matter of concern because its strict application is moreover to put pressure on religious minorities and close their “non-declared” places of worship.

For the first time ever the United States Commission on International Religious Freedom (USCIRF)<sup>34</sup> recommended that its 2020 annual report add Algeria to the Special Watch List. According to the Religious Freedom Institute, “The report highlighted the systemic closure of protestant [sic] churches in the country, abuse of blasphemy laws, and restrictions on other minorities including the Ahmadi and Shi’a communities.”<sup>35</sup>

The economic and social repercussions of the COVID-19 pandemic and the measures adopted to contain them may multiply the challenges facing Algeria, and could aggravate the conflict between the Hirak movement and the government. This would lead to renewed pressures on religious minorities and further undermine their freedoms.

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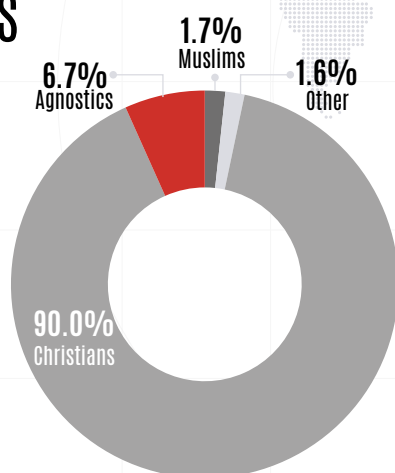
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# ANDORRA

## RELIGIONS



Population

**77,184**



GDP per capita

**30,908 US\$**



Area

**468 Km<sup>2</sup>**



GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Andorra is a parliamentary democratic diarchy (Article 43, 2).<sup>1</sup> The Co-Princes are the President of France and the Bishop of Urgell, a diocese in Spain.

The Constitution of the Principality guarantees freedom of religion and provides that “freedom to manifest one’s religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in the interests of public safety, order, health or morals, or for the protection of the fundamental rights and freedoms of others” (Article 11, 2).

The constitution acknowledges a special relationship between the Andorran state and the Catholic Church “in accordance with Andorran tradition” and “recognises the full legal capacity of the bodies of the Roman Catholic Church which have legal status in accordance with their own rules” (Article 11, 3). The Concordat of 2008 regulates relations with the Holy See.<sup>2</sup>

The constitution also provides that all persons are equal before the law and bans “discrimination on the grounds of birth, race, sex, origin, religion, opinions or any other

personal or social condition” (Article 6, 1).

In February 2019, the Andorran General Council (parliament) passed the Equal Treatment and Non-Discrimination Act,<sup>3</sup> which prohibits discrimination on the basis of birth, nationality or lack of nationality, racial or ethnic origin, sex or gender, religion, religious or philosophical beliefs, political or union opinion, language, age, disability, sexual orientation, identity or expression of gender, or any other personal or social condition or circumstance (Article 4, 2). The law also created the Office of the Ombudsman (Article 28) and the Equality Observatory (Article 29), and set penalties for violations (Article 40).

Faiths other than Roman Catholicism are not accorded legal status as religious groups, but religious communities can register as cultural organisations under the Law of Associations.<sup>4</sup> Such registration is required to build places of worship or receive government financial support.<sup>5</sup>

Given its legal status, the Catholic Church has some privileges which are unavailable to other religious groups. For instance, the government pays the salaries of foreign Catholic priests serving in local parishes. Foreigners who perform religious functions for non-Catholic groups are unable to obtain permits as religious workers, but are generally permitted to reside and perform religious work with



a different immigration status.<sup>6</sup>

There are no mosques in Andorra, but the Muslim community has two prayer rooms. The Jewish community has a small synagogue and a community centre.<sup>7</sup>

The government did not respond to repeated requests by Muslim and Jewish groups to have their own cemetery.<sup>8</sup>

In a 2012 report, the European Commission against Racism and Intolerance (ECRI) of the Council of Europe recommended that Andorra address the lack of Jewish and Muslim cemeteries, grant a special status to minority religions, and authorise the construction of a mosque.<sup>9</sup>

In 2015 and 2016 follow-up reports, the ECRI did not revisit any of these recommendations. The 2016 report made interim recommendations related to equal treatment and non-discrimination legislation, which the government enacted in 2019.<sup>10</sup>

## INCIDENTS AND DEVELOPMENTS

In the period under review there were no reported violations of religious freedom in Andorra.

Although Jewish and Muslim communities are permitted to use existing cemeteries, they have no separate area for

them. As a result, most choose to bury their dead outside the country.<sup>11</sup>

Members of the Muslim community have raised concerns that religious head coverings have to be removed for photographs on official documents.<sup>12</sup>

Andorra regularly completes the Organisation for Security and Co-operation in Europe's annual hate crime questionnaire. No hate crimes motivated by a religious bias were reported in 2018 by the government or civil society organisations.<sup>13</sup>

Restrictions on religious gatherings due to the coronavirus pandemic in 2020 resulted in the suspension of services, but places of worship were open for private prayer.<sup>14</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom is guaranteed and the prospects for religious freedom remain stable. The passage in 2019 of the Equal Treatment and Non-Discrimination legislation is likely to further protect religious minorities in Andorra; however, it could also have negative implications for some religious organisations and individuals when their religious beliefs come into conflict with the law itself.

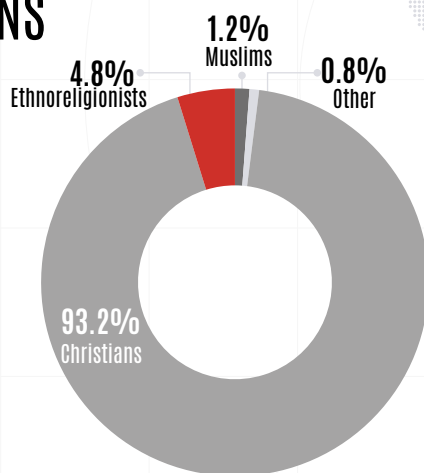
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# ANGOLA

## RELIGIONS



Population  
**32,827,401**  
GDP per capita  
**5,819 US\$**



Area  
**1,246,700 Km²**  
GINI INDEX\*  
**51.3**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Angola upholds the principle of separation between religion and state, and requires that religious denominations must be respected. Article 10 (section 2) states that “The State shall recognise and respect the different religious faiths, which shall be free to organise and exercise their activities, provided that they abide by the Constitution and the laws of the Republic of Angola.”<sup>1</sup> The state also guarantees protection to “churches and faiths and their places and objects of worship, provided that they do not threaten the Constitution and public order” (Article 10, section 3). Article 41 also provides for freedom of conscience, religion and worship, and recognises the right to conscientious objection.

All religious groups apply for legal status with the Ministries of Justice and Culture. One of the requirements needed to become officially recognised is having a membership of at least 100,000 people and be present in at least 12 of the country’s 18 provinces.<sup>2</sup> Religious groups must present a minimum of 60,000 signatures of believers to be registered as official religious organisations (Angola’s National Assembly recently reduced the minimum number of signatures from 100,000).<sup>3</sup> This policy has resulted in the de facto denial of official recognition to some religious minority groups, including Muslims, and some small Evangelical Churches, which can, however, perform public acts of worship.<sup>4</sup>

The UN Special Rapporteur on Freedom of Religion or Belief criticised the law, arguing that it was discriminatory against religious minorities.<sup>5</sup> Only officially registered groups are entitled to have their own schools and places of worship.

Concerning religion in public schools, religious education is not part of Angola’s public educational curriculum. However, private schools can teach religion.<sup>6</sup> Good Friday, Easter Sunday and Christmas Day are public holidays. Non-Christian festivities are not recognised as public holidays.

## INCIDENTS AND DEVELOPMENTS

During the reported period, Angolan Muslims continued to complain about the conditions in which they exercise their right to freedom of religion. In January 2019, Mohammed Saleh Jabu, head of Islamic Religious Guidance/Irshad and Cooperation in Angola, told Turkey’s state-run press agency Anadolu that even though Muslims “are free to exercise their religion [ . . . ] the government has yet to recognise Islam as one of the official religions of the state, and that should change.”<sup>7</sup> Mr Saleh also confirmed that Angola’s Muslim

community is in the process of collecting the required 60,000 signatures needed to “legalise” Islam.

In October 2018, the government passed a joint executive decree mandating that all unregistered religious groups “submit within 30 days individual requests for recognition or cease operations”.<sup>8</sup> The Minister of Culture, Carolina Cerqueira, said that the registration requirement is meant to “act against unregistered bodies which are a threat to human rights and against the principles of urban life and positive coexistence.”<sup>9</sup> The measure is part of a campaign to combat crime called “Operation Rescue” where, according to the government, churches were closed for allegedly “hosting criminal activity and not complying with zoning laws meant to protect the health and safety of citizens”.<sup>10</sup>

The Muslim community, not yet registered as an official religious group, protested that several mosques were shut down under the aforementioned registration law.<sup>11</sup>

The NGO International Christian Concern noted that the law has also “led to the closure of over 2,000 churches with another 1,000 expected to close,”<sup>12</sup> a situation also reported by Human Rights Watch<sup>13</sup> and the World Watch Monitor.<sup>14</sup> The government has not recognised any further religious groups

since the legislation was approved. On 1st December 2019, the Order of Evangelical Pastors of Angola (OPEA) organised a protest against the closure of churches, saying the police acted violently against them and arbitrarily detained some of its members.<sup>15</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The first two years in power of President João Lourenço have been viewed with optimism by many, including human rights organisations and the business sector. Regarding the right to religious freedom, there are signs that the situation of Islam in Angola is likely to improve in the upcoming years, as indicated by members of the Muslim community. “As a result of the current political reforms in Angola, Muslims are witnessing better relations with the state and society,” said David Alberto Ja, head of the Islamic Community of Angola.<sup>16</sup> Angolan Muslims are likely to comply with all the requirements to become an official religion recognised by the state. Such a recognition would legitimise and strengthen the presence of Islam in the country. A concern expressed by other religious and civil society groups is that the government, through its campaign to shut down unlicensed religious groups, is trying to coerce these same groups into supporting the ruling party.<sup>17</sup>

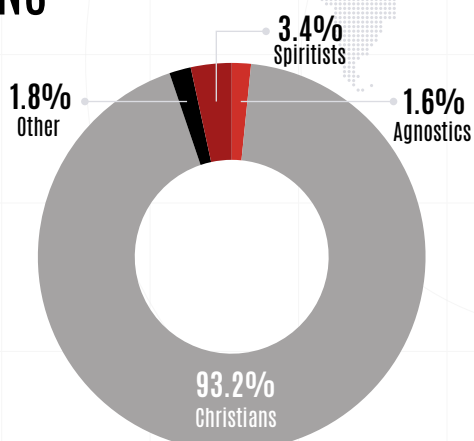
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# ANTIGUA AND BARBUDA RELIGIONS



Population

**105,110**

GDP per capita

**21,491 US\$**

Area

**442 Km<sup>2</sup>**

GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In the Preamble of its constitution,<sup>1</sup> Antigua and Barbuda is defined as a sovereign nation that acknowledges “the supremacy of God, the dignity and worth of the human person” and “the fundamental rights and freedoms of the individual”.

Pursuant to Article 3, everyone has the right to the protection of their fundamental human rights and freedoms without distinction of race, place of origin, opinions or political affiliations, colour, creed or sex. Such rights include, inter alia, freedom of conscience, expression, peaceful assembly and association, subject to respect for the rights and freedoms of others and the public interest.

Conscientious objection to military service is recognised under Article 6.

According to Article 11 (2), no one can be hindered in the enjoyment of their freedom of conscience. This includes freedom of thought and religion, freedom to change one’s religion or belief, to manifest it and propagate it through worship, teaching, practice and observance, either individ-

ually or collectively, in public or in private.

Except with one’s consent, or that of a parent or guardian in the case of minors under the age of 18, no one attending an educational establishment can be required to receive religious instruction, or take part in religious services or attend religious ceremonies other than those of the religion they profess (Article 11, 2).

No one is required to take an oath against their beliefs or in a manner that is contrary to their religion or belief (Article 11, 3).

Under Article 14 (1, 3), no law may be discriminatory in itself or in its effects, where discrimination means different treatment of people by reason of their race, place of origin, political opinion or affiliation, colour, creed or sex.

Ministers of religion cannot be appointed to the Senate (Article 30) or elected to the House (Article 39).

Good Friday, Easter, Whit (Pentecost) Monday and Christmas are statutory holidays.<sup>2</sup>

Under Article 19 of the Education Act of 2008,<sup>3</sup> students can express any religious, political, moral or other beliefs or opinions, as long as they do not affect the rights of other students or people in the school.

Article 29 stipulates that admission to a public school may not be denied on grounds such as race, place of origin, creed, sex, etc.

Religious instruction is part of the curriculum of public and semi-public schools and is taught according to a study plan adopted by the school, which must not include the distinctive catechism of any particular religion (Article 147). According to Article 11, 2, parents can express their objection if they so wish.

In January 2019, a law<sup>4</sup> was enacted allowing members of a religious group – including, but not limited to, those who profess the Rastafarian faith – to grow, possess and transport certain amounts of cannabis for religious purposes. Cannabis is also allowed in religious functions. Prior registration with the authorities is required.

## INCIDENTS AND DEVELOPMENTS

In August 2018, the Church of God of Prophecy, Act 2018 No. 11 of 2018, was approved.<sup>5</sup>

In January 2019, the Cannabis Act, 2018 (No. 28 of 2018) was approved. The law deals, among other matters, with the religious use of cannabis.<sup>6</sup>

In April 2019, The Misuse of Drugs (Amendment) Act, 2019 No. 2 of 2019 was approved. Under the law, the National Drug Council includes a member drawn from the Antigua and Barbuda Christian Council or another religious organisation.<sup>7</sup>

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In March 2020, the Bolans New Testament Church of God Antigua District and the police were involved in an incident in which agents tried to disperse a gathering of more than 25 people in accordance with COVID-19 health regulations. The pastor and three members of the congregation resisted police and were charged. In a letter, the Church’s administrative bishop apologised for the “unfortunate event that took place”. He noted that as an organisation the Church knows that they must uphold the same standards as everyone else and that they must comply with the country’s laws and regulations.<sup>8</sup>

In May 2020, the state of emergency in place across the country was extended until June. However, certain changes were made to the restrictions. Churches were allowed to celebrate their rites, including baptisms, confirmations, weddings, funerals, as long as they complied with the social distancing measures required by health authorities.<sup>9</sup>

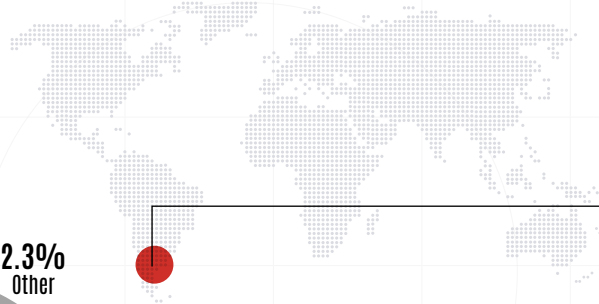
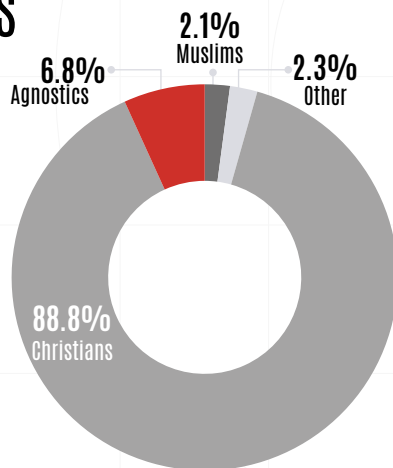
## PROSPECTS FOR FREEDOM OF RELIGION

No incidents of religious intolerance or discrimination have been reported during the period under review; instead, several legislative developments occurred in terms of freedom of religion, including, among others, the regulation of the religious use of cannabis. The prospects for freedom of religion are positive for the foreseeable future.



# ARGENTINA

## RELIGIONS



Population

**45,510,399**

GDP per capita

**18,934 US\$**

Area

**2,780,400 Km<sup>2</sup>**

GINI INDEX\*

**41.4**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution of the Argentine Nation<sup>1</sup> invokes the protection of God, the source of all reason and justice. Article 2 states that “The Federal Government supports the Roman Catholic Apostolic Faith.” Article 14 of the constitution stipulates that everyone in the country has the right to freely profess their religion. “Regular clergymen cannot be members of the Congress” as noted in Article 73. The Congress can, under Article 75 (22), “approve or reject treaties entered with other nations and with international organizations, and concordats with the Holy See.”

Article 93 of Argentina’s constitution also states that, “On assuming office, the President and Vice President shall take an oath, consistent with their religious beliefs”.

A 1966 agreement between Argentina and the Holy See<sup>2</sup> declares that the Argentine state recognises the Catholic Church and its activities in the country. The two parties also signed an agreement on military jurisdiction and pastoral religious assistance in the Armed Forces.<sup>3</sup>

The state allocates public funds to certain members of the Catholic clergy.<sup>4</sup>

According to Article 126 (b) of the education law, the freedom of conscience of students must be respected. Article 128 (c) guarantees parents the right to take into account their religious beliefs when choosing a college and university for their children.<sup>5</sup>

Article 146 (c) of Argentina’s Civil and Commercial Code specifies that the Catholic Church is a public law entity. Article 147 notes that the Church is governed by its own legal structures. Other Churches, confessions or religious entities are, according to Article 148 (e), private law entities, governed by their own regulations, as well as the Civil and Commercial Code and their own statutes.<sup>6</sup>

To obtain legal recognition, all religious organisations, except for the Catholic Church, must be registered with the National Registry of Religions.<sup>7</sup>

Article 17 of the Labour Law bans discrimination against workers, and Article 73 states that no employer has the right to ask their employees for their religious opinions.<sup>8</sup>

Some Catholic holidays are official holidays. People who profess other religions, such as Judaism or Islam, can also request not to work on their religious holidays.<sup>9</sup>

Priests have the right not to reveal information obtained on account of their religious status.<sup>10</sup>

Article 80 of the Argentine Penal Code punishes murder with life in prison, a penalty that also applies if the motive is religious. According to Article 119 (b), relating to crimes of sexual abuse, the penalty is more severe if the perpetrator is a member of the clergy.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

In August 2018, following the Senate's rejection of the Voluntary Termination of Pregnancy bill, the Argentine Coalition for a Secular State called on the baptised to give up their faith as "an act of disaffiliation".<sup>12</sup>

In September 2018, a seminar held in Salta to discuss a religious freedom bill sparked opposition among feminists. The review addressed the scope of conscientious objection in the public sphere. Feminists decried that this could lead to discriminatory situations.<sup>13</sup>

In September 2018, students in Mendoza held a meeting in which they decided to call for the removal of religious symbols in support of the separation of Church and state. A picture of the Virgin Mary was torn up on that occasion.<sup>14</sup>

In October 2018, the Government of Mendoza Province banned all religious activities and celebrations in public educational facilities.<sup>15</sup>

In October 2018, a bill was presented to include crimes against freedom of religion and worship into the Penal Code.<sup>16</sup>

In October 2018, the Argentine government and the Catholic Church agreed to a plan whereby the government would stop financially "supporting Catholic worship"; an updated approach to Church-State relations whereby the faithful of all religions are to financially sustain their own churches.<sup>17</sup>

In November 2018, the Rosario City Council approved a request to remove religious images from schools and hospitals.<sup>18</sup>

The Delegation of Argentine Jewish Associations reported 834 complaints of anti-Semitism in 2018, a 107 percent increase from 404 in 2017. The most common incidents were anti-Semitic insults posted on websites.<sup>19</sup>

On 25th February 2019, the Grand Rabbi Gabriel Davidovich in Buenos Aires was beaten at his home by five individuals resulting in his hospitalisation.<sup>20</sup>

In the same month in San Luis City a Jewish cemetery

was vandalized by unidentified individuals destroying marble headstones, bronze plates, and other objects.<sup>21</sup>

In April 2019, a court ruled on a writ of amparo (protection) in connection with the exhibition of an image of the so-called "abortionist virgin" in a public cultural centre. As a precautionary measure, the court ordered the image be placed in a room with closed doors with a warning that the image could hurt religious feelings.<sup>22</sup> Eventually, the court ordered that the image be removed from the exhibition.<sup>23</sup>

In May 2019, the Argentine Embassy to the Holy See together with the Pontifical Commission for Latin America organised a round table on "Religious and cultural pluralism in Latin America: challenges and opportunities" and discussed ways to boost interfaith dialogue.<sup>24</sup>

July 2019 marked a 25-year commemoration of the attack on the headquarters of the Israeli-Argentine Mutual Association (AMIA) in Buenos Aires in which 85 people were killed. The Jewish community and relatives of the victims decried that to date there were no convictions and no justice.<sup>25</sup>

On 29th September, hours before the beginning of Rosh Hashanah, vandals damaged several tombs and destroyed a section of the wall at La Tablada, the country's largest Jewish cemetery, near Buenos Aires.<sup>26</sup>

In October 2019, a bill setting up the Provincial Registry of Conscientious Objectors in health care reached the Chamber of Deputies of the Province of Santa Fe. The proposed law requires would-be conscientious objectors to identify themselves and make a sworn statement to the authorities.<sup>27</sup>

In that same month, demonstrators linked to the 34th National Women's Meeting protesting the Catholic Church's position on abortion, attempted to set fire to the Catholic cathedral in La Plata, with some throwing stones at police and churchgoers.<sup>28</sup>

In November 2019, the results of the Second National Survey of Religious Beliefs and Attitudes in Argentina were made public, showing that 80% of the population believed in God and that the number of those "without religion" had increased.<sup>29</sup>

In November 2019, a bill establishing "Religious Freedom Day" moved forward.<sup>30</sup>

In November 2019, the "Night of the Temples" started in the city of Buenos Aires; on this occasion, the places of worship of various religions opened their doors to present



their customs and traditions.<sup>31</sup>

The first Argentine Council for Interreligious Dialogue was instituted in November, gathering the Catholic Church, the Jewish communities, the Islamic Center and the Federation of Evangelical Churches.<sup>32</sup>

In December 2019, a protocol allowing abortion in cases of rape or risk to the life of the woman came into effect. The protocol demands that the conscientious objector be fully identified as such, and in case he cannot find another professional to perform the abortion, he will be obligated to do it. The Minister of Health pointed out that “we are respectful of conscientious objection, but it cannot be an institutional alibi for not complying with the law.”<sup>33</sup>

In January 2020 it was reported that the 2020 Census would include a question on religious affiliation, unlike those of the previous 60 years.<sup>34</sup>

In November 2020 the government of Alberto Fernandez presented a new draft law to legalize abortion. The debate began in December. The draft law includes the possibility to have an abortion up to 14 weeks into the pregnancy, without cause, and later if the pregnancy poses a risk to the pregnant person’s health. The draft law retains from the previous protocol that conscientious objection could be considered, but places the responsibility on the Objector of finding someone else to perform the abortion without delay.<sup>35</sup>

In November 2020 the Catholic cathedral of Our Lady of the Rosary, in Moreno, was vandalized with green paint, identified with the pro-abortion movement, one day ahead of a large demonstration of pro-life groups.<sup>36</sup>

Following the outbreak of the COVID-19 pandemic, the government imposed preventive and mandatory social isolation in March 2020, banning religious events.<sup>37</sup> However, members of the clergy could still travel to provide spiritual assistance.<sup>38</sup> In May 2020, religious activities in places of worship were authorised for individuals, but not ceremonies that involved people gathering.<sup>39</sup>

The Catholic Church suspended Masses and the Way of the Cross on Good Friday<sup>40</sup> and the traditional pilgrimage to the Virgin of Luján.<sup>41</sup> In June 2020, an evangelical church in the province of Santa Fe protested against the decision allowing services with only a maximum of 10 people.<sup>42</sup>

In September 2020, following a decision by state and provincial authorities, the majority of civil registry offices were

closed throughout the country and all religious marriage ceremonies were banned. The Council for Religious Freedom communicated concerns regarding the prohibition of marriages stating that this was a violation of religious freedom.<sup>43</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Generally, freedom of religion is recognised and respected. For example, a bill was presented to include crimes against freedom of religion and worship into the Penal Code. In the period under review, however, there was a marked increase in hate crimes, notably physical attacks against religious leaders and faithful, and the vandalizing of buildings, objects and symbols of religion, particularly Christian and Jewish.

There are increasing demands for a separation between Church and state. Incidents in which regional authorities banned all religious activities and celebrations in public educational facilities, and approved requests to remove religious images from schools and hospitals, indicate a wider trend, and concerns to, the space of religion in the public sphere.

The COVID-19 pandemic also revealed the low the level of respect of the authorities for the fundamental right to Freedom of Religion. Prospects for this human right in the future are negative.

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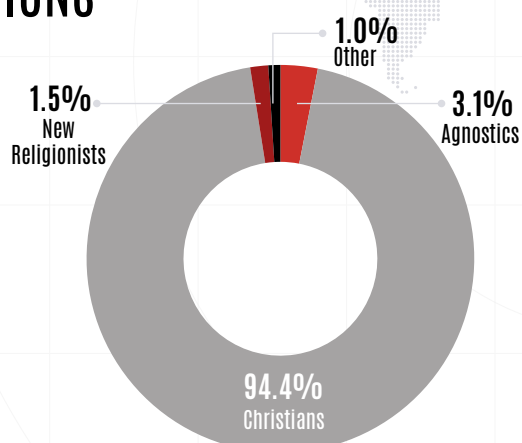
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# ARMENIA

## RELIGIONS



Population  
**2,938,679**  
GDP per capita  
**8,788 US\$**



Area  
**29,743 Km<sup>2</sup>**  
GINI INDEX\*  
**34.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 41 (1) of Armenia's constitution<sup>1</sup> stipulates that: "Everyone shall have the right to freedom of thought, conscience, and religion. This right shall include the freedom to change one's religion or beliefs and the freedom, either alone or in community with others in public or in private to manifest religion or beliefs in preaching, church ceremonies, other rituals of worship or in other forms."

Pursuant to this, section 3 of Article 41 states that "every citizen for whom military service contradicts his religion or beliefs shall have the right to replace it with alternative service in the manner stipulated by law." In 2018, the Armenian government amended its legislation to provide an alternative civilian service of non-punitive duration to conscientious objectors.<sup>2</sup> This followed years of litigation involving Jehovah's Witnesses, specifically two legal cases that went against Armenia in the Grand Chamber of the European Court: *Bayatyan v. Armenia* in 2011,<sup>3</sup> and *Adyan and Others v. Armenia*, in 2017.<sup>4</sup>

Article 17 (1-2) of the constitution states that "the freedom of activity of religious organizations shall be guaranteed in the Republic of Armenia" and that "religious organizations

shall be separate from the state."

Although registration is not mandatory for religious groups, without it they lack the legal means to own or rent property as well as conduct regular religious and other activities.<sup>5</sup>

Article 18 (1-2) of the constitution recognises the Armenian Apostolic Holy Church (AAHC) as the national Church, highlighting the "exceptional mission" it has "in the spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia." The same article stipulates that "the relationship between the Republic of Armenia and the Armenian Apostolic Holy Church may be regulated by a law."

The AAHC is entitled to appoint representatives in various institutions such as boarding schools, hospitals, orphanages, military units and prisons; other religious groups must ask for permission for access to such bodies. The AAHC is also free to promote its message without state interference, and contributes to school textbooks, teacher training, and development concerning courses on the History of the Armenian Church. It can also provide extracurricular religious instruction in public schools.<sup>6</sup>

The 1991 Law of the Republic of Armenia on the Freedom of Conscience and on Religious Organisations (LRAF-

CRO) serves as an additional source of legislation concerning religious freedom in the country.<sup>7</sup> Article 3 (7) of this law provides that a registered religious group may exercise the following rights: “to rally their faithful around them”; “to satisfy the religious-spiritual needs of their faithful”; “to perform religious services, rites, and ceremonies”; “to establish groups for religious instruction aimed at training members”; “to engage in theological, religious, and historical and cultural studies”; “to train members of clergy or for scientific and pedagogical purposes”; “to obtain and utilize objects of religious significance”; “to make use of news media in accordance with the law”; “to establish ties with religious organizations in other countries”; and “to get involved in charity”. The law bans proselytising if it goes beyond the activities specified above. LRAFCRO also provides preferential treatment to the AAHC, which has created resentment among other religious communities.<sup>8</sup>

In March 2018, the Council of Europe raised these concerns in line with its efforts to bring Armenia’s legislation, institutions and practices further into line with European Union (EU) standards regarding human rights. The Council’s assessment noted that the non-mandatory character of state registration for religious organisations was not explicitly stated. It recommended “ensuring that privileges enjoyed by the Armenian Apostolic Church are objectively justified and are not thus discriminatory.”<sup>9</sup>

Concerning the History of the Armenian Church courses taught in public schools, some civil society and minority religious groups have argued that their content discriminated against religious minorities. While the law mandates a secular public education, courses in the History of the Armenian Church are part of the public-school curriculum. Under the current legislation, the AAHC has the right to participate in the development of the syllabi. What is more, the course is mandatory, students are not allowed to opt out, and there are no alternatives available to those of other religions or no religion.<sup>10</sup>

## INCIDENTS AND DEVELOPMENTS

In June 2018, the New Armenia, New Patriarch initiative group, which includes secular activists and two former members of the AAHC clergy, called for the resignation of Karekin II, Supreme Patriarch and Catholicos of all Armenians. As part of their protest, they blocked the Catholicos’s vehicle at the Gndevank monastery complex in the region of Vayots Dzor, insulting him and threatening to

lock him in the monastery.

Prime Minister Pashinyan deemed the issue an internal Church matter and urged the parties to find a solution on their own, but he did ask the police to examine the incident. The police did not press charges because there was no threat to the life of the Catholicos. In another incident, however, the same group of activists broke into the Catholicos’s private residence. In this case, law enforcement removed the protestors after three days. Subsequently the protest moved to downtown Yerevan.<sup>11</sup>

Edward Manasyan, a prominent member of the Baha’i community, was detained in December 2017. He was held until July 2018 when he was released on bail.<sup>12</sup>

Around 35,000 Yazidis currently live in Armenia,<sup>13</sup> many of them refugees from Iraq. Since January 2016, the Armenian government has contributed US\$100,000 to the UN-HCR to support their resettlement from Sinjar in northern Iraq to Armenia.<sup>14</sup>

In September 2019, a second Yazidi house of worship was formally opened in Armenia, the Malek Taus and the Seven Angels temple in Aknalich. Many Yazidis remain on the margins of Armenian society.<sup>15</sup> Regardless of parental objection, all Yazidi children who attend mixed schools must take the Christian religion course.<sup>16</sup>

As an ethnically diverse country, Armenia has had a deep historical connection to Judaism. Armenia is home to about 500 Jews, almost entirely concentrated in Yerevan, where the country’s only synagogue operates. Children can attend religion classes and have a vocal ensemble called Keshet. The Jews of Armenia are able to practise Judaism freely and live in relative security despite some complaints of anti-Semitism.<sup>17</sup> However, in January 2020, the head of the Jewish community in Armenia, Rima Varzhapetyan-Feller, said she was “confident that in Armenia there has never been and cannot be manifestations of anti-Semitism.”<sup>18</sup>

The COVID-19 pandemic reached Armenia in March 2020, and was still raging by the end of the year.<sup>19</sup> At its start, Catholicos Karekin II issued a statement with seven instructions to prevent the spread of the virus during religious services. He ordered that all religious celebrations be conducted behind closed doors without the participation of the faithful and, if possible, broadcast online. Marriages were suspended, and he recommended limiting the number of mourners at funerals.

At the time of writing, there was no end in sight to the

conflict between Azerbaijan and Armenia over the disputed territory of Nagorno-Karabakh. Despite past ceasefire agreements, tensions flared up again in early October 2020 with renewed fighting and thousands of dead.<sup>20</sup>

In this same month, the 19th century Holy Saviour (Ghazanchetsots) Cathedral in Shusha, an iconic site for the Armenian Apostolic Holy Church, came under rocket fire and was partially damaged.<sup>21</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

The official prominence of the Armenian Apostolic Holy Church in the country has raised concerns about religious freedom. Following the 2018 Armenian revolution led by current Prime Minister Nikol Pashinyan, a general willingness has developed to be more inclusive and welcoming to persecuted religious minorities.

The Council of Europe Action Plan for Armenia 2019-2022 is expected to serve as a strategic instrument to align Armenia's legislation, institutions and practices with Euro-

pean Union standards of human rights, rule of law and democracy, which includes religious freedom.

Various Armenian political parties across the ideological spectrum are committed to furthering democratic consolidation in the interest of the Armenian people, which the Action Plan is expected to support.

Further grounds for optimism were laid out in October 2019, when Armenia won a seat on the UN Human Rights Council for the period of 2020-2022, approved by 144 countries. Looking ahead, this could serve as an opportunity to boost efforts to ensure respect for freedom of religion or belief in Armenia. In the words of Prime Minister Nikol Pashinyan, the election is "a sign of confidence of the international community, especially in the field of human rights."<sup>22</sup>

At the time of writing this report, however, concerns remain regarding the conflict with Azerbaijan and the consequences this could have for the stability of the region, and consequently human rights.

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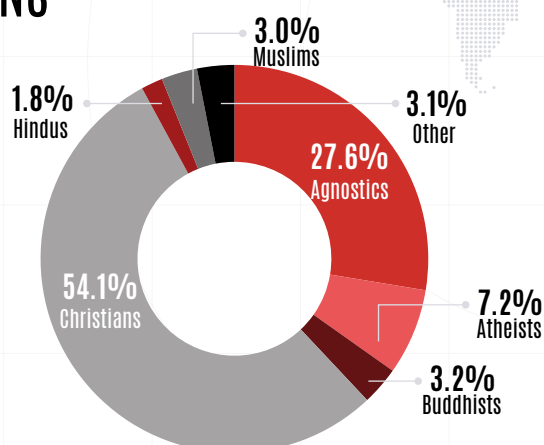
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# AUSTRALIA

## RELIGIONS



Population  
**25,398,177**  
GDP per capita  
**44,649 US\$**



Area  
**7,692,060 Km<sup>2</sup>**  
GINI INDEX\*  
**34.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Section 116 of the Australian constitution prohibits the government from “establishing any religion, [. . .] imposing any religious observance, or [. . .] prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust”.<sup>1</sup>

Australia is a party to the International Covenant on Civil and Political Rights, which guarantees freedom of thought, conscience and religion. The right to religious freedom may be limited under certain circumstances “to protect public safety, order, health, or morals or the fundamental rights and freedoms of others” (Article 18).<sup>2</sup>

Specific provisions exist to protect religious freedom at the state and territorial levels. In Tasmania, the state’s constitution specifically guarantees, subject to public order and

morality, “freedom of conscience and the free profession and practice of religion”.<sup>3</sup> In Queensland, Victoria and the Australian Capital Territory (ACT), the right to freedom of religion is protected by their respective human rights statutes, in approximately the same form:<sup>4</sup> a person’s right

to freedom of thought, conscience, religion and belief is protected, including the freedom to choose one’s religion and to demonstrate it in public and in private, subject to “such reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom”.<sup>5</sup>

Discrimination on the basis of religious belief and ethno-religious background is explicitly prohibited by law in six of Australia’s eight states and territories. South Australia prohibits discrimination based on religious dress, while New South Wales bans discrimination based on ethno-religious origin.<sup>6</sup> Victoria, Queensland, Tasmania, and the Australian Capital Territory have criminal laws against conduct (including speech) inciting “hatred against, serious contempt for, or severe ridicule of” a person or group based on religion or religious activity.<sup>7</sup>

Religious groups are not required to register with the government, but to receive tax-exempt status, they must be a registered charity and apply to the Australia Tax Office.<sup>8</sup>

Education policy is shared between the federal, state and territorial governments. “General religious education” – instruction on world faiths – is permitted, while “special religious education” in the “distinctive beliefs and practices of an approved religious persuasion” is allowed in some

jurisdictions, including in some cases, during regular class time.<sup>9</sup>

As a result of a 2017 religious freedom review,<sup>10</sup> the Attorney-General drafted a Religious Discrimination Bill in August 2019, followed by a second draft in December 2019, available for consultation until 31st January 2020.<sup>11</sup> Notable in the proposed legislation are the establishment of a Freedom of Religion Commissioner (Section 46), protection of conscientious objection for health care practitioners (Section 8,6), protection of religious bodies, including schools, to act in accordance with their tenets (Section 11), and a provision that statements of belief do not constitute discrimination, unless they are malicious or likely to “harass, threaten, seriously intimidate or vilify another” (Section 42). Due to coronavirus restrictions, the introduction of the legislation to the Parliament was delayed.

South Australia, Victoria, Tasmania, the ACT, and Queensland all have laws requiring Catholic priests to break the seal of confession to report child sex abuse to police or face imprisonment.<sup>12</sup> Similar legislation was pending in Western Australia, but a parliamentary committee recommended against the provision in September 2020. The laws contravene the Catholic Church’s requirement of absolute secrecy of everything said during confession.<sup>13</sup>

## INCIDENTS AND DEVELOPMENTS

In April 2020, Australia’s High Court unanimously overturned the convictions and sentence of Cardinal George Pell for sexual abuse. Cardinal Pell served 13 months of a six-year prison sentence after being convicted in 2018 for sexual offences against two boys in 1996.<sup>14</sup> Pope Francis received Cardinal George Pell at the Vatican in October 2020.<sup>15</sup>

Several churches were vandalised with anti-Catholic or anti-Pell graffiti in the wake of the acquittal, including St. Patrick’s Cathedral in Melbourne.<sup>16</sup>

In May 2020, Rugby Australia and player Israel Folau reached an out of court settlement after his contract was terminated over statements he made on social media relating to his Christian view of sin. Both sides apologised for any “hurt or harm” they might have caused to the other. For his part, Mr Folau has called for strengthened religious freedom protections, as in Section 42 of the draft Religious Discrimination Bill.<sup>17</sup>

In Western Australia, the Equal Opportunity Commission

refused to hear a discrimination case filed by a Christian couple claiming that their application to be foster parents was denied due to their religious views on LGBT issues. The case was referred to the State Administrative Tribunal in February 2020.<sup>18</sup>

The Report on Antisemitism in Australia 2019 by the Executive Council of Australian Jewry (ECAJ) recorded 368 anti-Semitic incidents during the period from 1st October 2018 to 30th September 2019. This is nearly the same number as the previous year, but the number of more serious incidents increased, such as direct verbal abuse, harassment, intimidation, and graffiti.<sup>19</sup> The ECAJ report recorded a doubling of anti-Semitic graffiti incidents, from 46 to 95, with messages such as “Kill the Jews”, swastikas and crossed out Stars of David.<sup>20</sup>

The ECAJ continued to observe that incidents frequently occurred around synagogues, particularly on the Sabbath and on Jewish holidays and festivals. The report also indicated a correlation between a rise in anti-Semitic incidents and conflicts in the Middle East.<sup>21</sup>

The ECAJ did note “signs of an increasing recognition within the mainstream of Australian society . . . of the rise of in antisemitism” and called for a national database for hate-motivated crimes and other measures.<sup>22</sup>

Physical violence against Jews included a severe assault on a 12-year-old Jewish boy at a public school in Melbourne, resulting in hospitalisation in July 2019. A security guard was assaulted at a Jewish event by a man who said he would “rip your heart out”.<sup>23</sup>

Acts of vandalism included a March 2019 arson attack outside the Jewish building in a Sydney cemetery; “Kill Jews” was etched into the glass door on a train; and swastikas appeared in neighbourhoods of Brisbane, Sydney, Melbourne, and Canberra.<sup>24</sup>

In a report covering 2016 and 2017 (the most recent available), Islamophobia Register Australia reported 349 incidents, including on-line and verbal abuse.<sup>25</sup> In the case of women victims of such abuse, nearly all wore a hijab.<sup>26</sup> The report noted that most incidents were verbal<sup>27</sup> and that areas where harassment occurred often had “ineffective” security guards or surveillance.<sup>28</sup> The survey also noted that most bystanders were reluctant to intervene, with just 14 per cent of victims reporting that witnesses stepped in.<sup>29</sup>

The security video of a November 2019 physical attack against a pregnant Muslim woman in Sydney by a man

who yelled “you Muslims wrecked my mum” sparked outrage across Australia. The man, who had been diagnosed with schizophrenia, was convicted and sentenced to prison in October 2020.<sup>30</sup>

A Muslim family’s car was targeted with Islamophobic graffiti and a swastika.<sup>31</sup> A man caused significant damage inside a Turkish mosque in Sydney in October 2020. The chairman of the Gallipoli Turkish Cultural Foundation said the mosque had become a target for “anti-Muslim or anti-Turk sentiment.”<sup>32</sup>

On a positive note, construction of a mosque in Bendigo (Victoria) began in July 2019 after six years of controversy.<sup>33</sup>

Australians were permitted to attend religious services in November 2020 after more than a hundred days of restrictions due to the coronavirus pandemic.<sup>34</sup> The government temporarily banned faith leaders from administering last rites or other end-of-life sacraments in person.<sup>35</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review. The adoption of the Religious Discrimination Bill may result in greater protection for some religious believers, particularly with respect to freedom of expression and conscientious objection.

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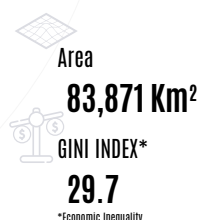
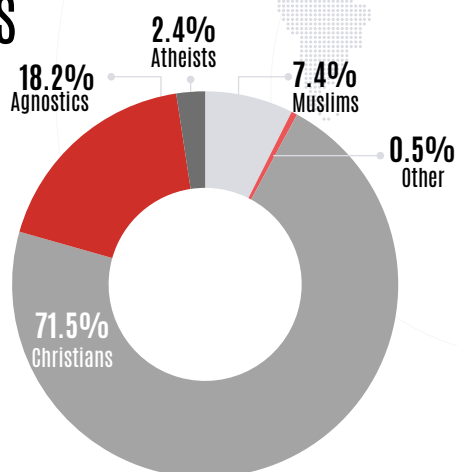
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# AUSTRIA

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Freedom of religion is protected in Austria through a combination of laws, treaties, conventions, along with the Federal Constitutional Act and the State Basic Law on the General Rights of Citizens.<sup>1</sup> Freedom of religion includes the right to join, leave, or abstain from any church or religious community.<sup>2</sup> The right to practice one's religion individually or in community with other through worship, teaching, prayer, and observance of religious customs is guaranteed to all.<sup>3</sup>

Article 7 of the Constitution and Article 2 of the State Basic Law on the General Rights of Citizens<sup>4</sup> provides that all citizens are equal before the law and privileges based on religion are prohibited. Freedom of expression, belief, and conscience are protected.<sup>5</sup> The law permits alternative service for conscientious objectors.<sup>6</sup>

The criminal law<sup>7</sup> prohibits "disruption of the practice of religion" (Article 189). There are enhanced penalties for damage of or theft from places dedicated to religious worship or sacred objects (Articles 126 and 128).

Austria's 'de-facto' blasphemy law provides that "Anyone who publicly disparages or mocks a person or thing that is the object of worship of a domestic church or religious society, or a doctrine, [or other] behaviour" may be subject to criminal charges (Article 188).

In October 2018, the European Court of Human Rights ruled on whether this law was compatible with the right to freedom of expression under Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms. In the case of *E.S. v. Austria*, the applicant had been convicted under Article 188 of the Austrian code suggesting that Muhammad, the Prophet of Islam, had "paedophilic tendencies" by "referring to a marriage which Muhammad had concluded with Aisha, a six-year-old, and consummated when she had been nine." The European court held that the Austrian courts "did not overstep their – wide – margin of appreciation" and were "a better position to evaluate which statements were likely to disturb the religious peace in their country."<sup>8</sup>

Section 283 of the criminal code prohibits hate speech: public incitement to hatred against a person or group (including churches or religious societies), or insults such a person or group "with the intention of violating [their] human dignity." In December 2020, the Federal Council narrowly passed a legislative package which included a law to combat on-line hate speech which would require on-line platforms (if they meet certain criteria) to block illegal content within a specified period. The law came into force on 1st January 2021.<sup>9</sup>

Austria is a secular state and the legal system is religiously neutral.<sup>10</sup> For historical reasons, Austria maintains a special relationship with the Roman Catholic Church, regulated by the 1933

Concordat with the Holy See and other laws, which includes special agreements about educational and financial issues.<sup>11</sup>

Under the law, religious groups are divided into three categories (in descending order of status): officially recognised churches and religious societies, religious denominational communities, and associations.<sup>12</sup> Officially recognised religious societies have the right to practise public worship, to autonomous administration of their internal affairs, to found private schools (financially supported by the state) and to provide religious instruction with public funding in private and public schools. Legal recognition endows a church or religious community with the status of a corporate body and private legal capacity.<sup>13</sup>

To be recognised as a church or religious society, groups must either have been recognised as such before 1998, or must have membership equalling 0.2% of the population and have been in existence for 20 years (10 as an organised group, and five as a “confessional community”).<sup>14</sup>

Religious groups not recognised as societies may seek recognition as “confessional communities.” This endows them with a certain level of legal status, but without the financial, immigration, and educational benefits available to recognised religious societies. Groups must have at least 300 members and submit their governing statutes and a written description of their religious doctrine. The Office for Religious Affairs (in the Federal Chancellery) determines if a group qualifies as a confessional community.<sup>15</sup>

Religious instruction is mandatory until the age of 14 and is publicly funded on a proportional basis for children belonging to one of the officially recognised religious societies. Ethics courses are offered in some schools for students who opt out of religious education. Both religious and ethics instruction include explanation of the tenets of different religious groups.<sup>16</sup>

In December 2020, the constitutional court struck down a blanket ban on assisted suicide, holding that such a ban violated the “right to self-determination.”<sup>17</sup> Austrian Catholic bishops reacted to the ruling, which does not permit euthanasia but would allow some forms of “assisted dying,” by calling on Parliament to work on alternative legislation to oppose the ruling and “increase the availability of palliative facilities for the elderly.”<sup>18</sup>

In December 2020, the constitutional court also struck down a law prohibiting primary school children from wearing “religious clothing that is associated with a covering of the head.” Head coverings worn by Sikh boys or the Jewish kippah were excluded from the law so the court ruled that “the selective ban... applies exclusively to Muslim schoolgirls and thereby separates them in a discriminatory manner from other pupils.”<sup>19</sup>

After years of the Austrian government’s threats to close the Sau-

di-funded King Abdullah bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue due to human rights violations in Saudi Arabia, in June 2020 there were reports that the Centre would move to Geneva. However, as of October 2020, the organisation was still operating in Austria.

In the aftermath of a terror attack committed by an Islamic extremist in November 2020, the Cabinet “agreed on a wide range of anti-terrorism measures meant to plug perceived security flaws identified after” the attack. “We will create a criminal offense called ‘political Islam’ in order to be able to take action against those who are not terrorists themselves, but who create the breeding ground for them,” Chancellor Sebastian Kurz tweeted after the Cabinet meeting.<sup>20</sup> However, that language was changed to “religiously motivated extremist association.” Registration of all imams in the country was also included in the measures, as was a ban on symbols associated with extremist organisations (including far-right and Islamist).<sup>21</sup> Authorities also raided Muslim Brotherhood and Hamas-linked targets, in a move the Interior Minister said was “not targeted at Muslims or Islam as a religious community.

On the contrary, these measures are also intended to protect Muslims, whose religion is abused for the purposes of an ideology hostile to the constitution.”<sup>22</sup>

## INCIDENTS AND DEVELOPMENTS

The Islamic State claimed responsibility for the November 2020 terrorist attack near a synagogue in Vienna.<sup>23</sup> According to Austrian media reports, the gunman, who had a previous terrorism conviction and had “deceived” authorities by convincing them he had successfully completed a ‘de-radicalisation programme’,<sup>24</sup> also targeted a Catholic youth group meeting in a nearby church. When his attempts to enter the building were unsuccessful, he was shot by police.<sup>25</sup> Officials ordered increased security measures around churches and synagogues in all federal states as a result of the attack.<sup>26</sup>

The Observatory on Intolerance Against Christians (OIDAC) reported 28 anti-Christian incidents in Austria, including assaults, burglaries, and arson and vandalism of churches and public Christian statues during the reporting period.<sup>27</sup> Reported incidents included graffiti in an apartment building reading “Death to Christians” and praising the gunman in the November 2020 terror attack,<sup>28</sup> a series of anti-Catholic incidents in October 2020 including a physical attack on a Catholic nun by a 19-year-old Afghan in Graz, a group storming a church in Vienna shouting “Allahu Akbar, and an Afghan shouting “Islamic slogans” in St. Stephen’s Cathedral.<sup>29</sup> There were two telephone bomb threats against the Vienna cathedral in 2019.<sup>30</sup>

According to the 2018 and 2019 OSCE/ODHIR (Organisation for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights) hate crime reports Austrian police still do not record or report anti-Christian hate crimes or incidents. However, in November 2020, the online police recording database was updated to allow officers to record bias motives, including religion.<sup>31</sup> Civil society contributions, as well as from the Holy See, for 2018 included six attacks against property, four attacks against people, and three threats.<sup>32</sup> For 2019, there were nine property crimes, two attacks against people, and one threat reported by civil society organisations.<sup>33</sup>

Austrian police reported 28 anti-Muslim crimes in 2018 to the OSCE for inclusion in the hate crime report. Incidents were not divided by type of crime. Civil society contributions of data for the same year included 56 property crimes (the majority of which was anti-Muslim graffiti on public street walls, houses, schools and universities, public transport, and shop walls. Five attacks against people were reported, all of which were against Muslim women, and one threat in which a Muslim family was threatened and harassed until they were forced to move.<sup>34</sup>

For 2019, officials reported six unspecified anti-Muslim hate crimes. Civil society groups reported 113 incidents, 82 of which were property-related, 21 attacks on people, and 10 threats. As in the previous year, the majority of the physical attacks were on Muslim women wearing headscarves. The anti-racism and Islamophobia documentation association Zara reported a sharp increase in anti-Muslim incidents (including online) in the aftermath of the November 2020 terrorist attack in Vienna. A spokesperson said women who wear headscarves were particularly affected. An example was given of a man shouting “Terrorist! Terrorist!” at woman in a train station.<sup>35</sup>

According to the OSCE hate crime report, police reported 49 anti-Semitic crimes in 2018.<sup>36</sup> Incidents were not divided by type of

crime. For 2019, official figures were 30 anti-Semitic hate crimes. The Jewish Community of Vienna and Forum against anti-Semitism reported that anti-Semitic incidents increased by 9.5% from 2017 to 2019 with 550 incidents (including 6 physical attacks, 18 threats, 78 property-related incidents).<sup>37</sup>

Incidents over the reporting period included the previously-mentioned terror attack in November 2020 near the city synagogue, a string of anti-Semitic crimes in Graz in August 2020 including a physical attack on the Graz Jewish community’s president and “Free Palestine” graffiti on the synagogue. During a press conference, the perpetrator was identified as a “Syrian citizen with an Islamic motive.” The Minister of Culture and Integration said, “Anti-Semitism in whatever form is an attack on our community of values and we have a historic responsibility to combat it.”<sup>38</sup>

Regulations for religious gatherings during the coronavirus pandemic in 2020 and 2021 were largely the result of agreements between religious communities and the government and included distancing and hygiene requirements, bans on singing, and postponement of religious rites such as marriages.<sup>39</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the reporting period, there were several legislative updates that may tangentially affect religious freedom in Austria, including registration for imams and the criminalisation of “religiously motivated extremism.” The online hate speech regulation, combined with Austria’s de-factor blasphemy law, may inhibit the criticism of religious ideologies, as well as progressive ideologies relating to gender, sexuality, or marriage. There appears to be an increasing risk of societal intolerance against both majority and minority religions. Rising anti-Semitism and increased targeting of Christian sites is a worrying trend, but one the government appears to be anxious to address.

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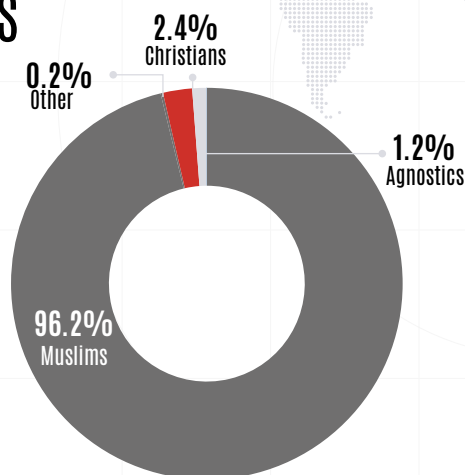
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# AZERBAIJAN

## RELIGIONS



Population  
**10,099,743**  
GDP per capita  
**15,847 US\$**



Area  
**86,600 Km<sup>2</sup>**  
GINI INDEX\*  
**26.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Whilst the Constitution of Azerbaijan recognises the right of individuals to “freedom of conscience and religion” (Article 48, 1),<sup>1</sup> the 2009 Law on Freedom of Religious Belief has imposed restrictions on free religious practice, requiring organisations to register with the State Committee for Work with Religious Associations (SCWRA); it has also established strict censorship on all religious literature imported, sold and distributed in the country.<sup>2</sup> The state maintains strict control over Muslims, and only the communities that belong to the Caucasus Muslim Board (CMB) have the legal right to exist, with the CMB overseeing their activities, including the training and appointment of imams, regular monitoring of sermons and the organisation of pilgrimages to Makkah.<sup>3</sup>

The law against religious extremism, adopted in December 2015,<sup>4</sup> gave unlimited powers to the authorities in the fight against radicalism; however, the vagueness with which extremist activity is defined does not provide adequate guarantees against excessive and arbitrary application of the law.<sup>5</sup>

A law on a civilian alternative to military service for con-

scientious objectors on religious grounds in application of Article 76 (2)<sup>6</sup> of the constitution has not yet been adopted. The importance of such a law was reiterated in parliament on 30th March 2020 by MP Siyavush Novruzov, deputy executive secretary of the governing party.<sup>7</sup>

On a positive note, changes to the Criminal Code came into force on 1st June 2020. These relax the penalties imposed for the production, sale and distribution of religious material without state authorisation pursuant to Article 167-2, by providing the possibility of restrictive freedom as an alternative to jail time.<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

Azerbaijan is home to various ethnic, cultural, linguistic and religious groups. Azerbaijani President Ilham Aliyev noted that the country’s ethno-cultural pluralism is its greatest asset.<sup>9</sup> The government has promoted various initiatives and events to foster intercultural and interreligious dialogue, including the Second Summit of World Religious Leaders held in Baku in November 2019, which brought together senior religious and political leaders from 70 countries.<sup>10</sup> Every year, the Presidential Reserve Fund finances various religious groups, namely the Caucasus

Muslim Board, the Orthodox and Catholic Churches, as well as several Jewish and Udi communities.<sup>11</sup>

Relations with the Catholic Church are good, as noted during a visit to the Vatican in February 2020 by President Ilham Aliyev.<sup>12</sup> Other religious groups perceived as traditional, including Jews, Orthodox Christians and Islamic groups associated with the Caucasus Muslim Board, also operate in a climate of religious respect and tolerance; the situation is more complex for non-traditional groups, which are surrounded by suspicion and distrust.<sup>13</sup>

However, 2019 also saw some positive developments and greater respect for religious freedom. There were fewer reprisals and raids against Baptist communities and Jehovah's Witnesses. After 25 years of waiting, the Baptist community in Aliabad was finally allowed to hold religious services. In January 2020, the SCWRA, whilst not granting the community any legal status, informed Pastor Hamid Shabanov that it had no objection to members meeting every Saturday for two hours in a purposed building in the yard of his home.<sup>14</sup>

In November 2018, the Jehovah's Witnesses in Baku were finally registered. The community in Ganja (Ganca) still remains without state recognition, despite its attempts to register since 2010. However, here too, SCWRA officials said that worshippers could meet provided they gave timely notice.<sup>15</sup>

By the end of 2019, the SCWRA had registered 34 communities (31 Muslim and three Christian) for a total of 941, including 35 non-Muslim.<sup>16</sup>

Despite these important positive developments, free religious practice still faces obstacles. The country's very restrictive censorship system is a source of problems, despite a decline in incidents compared to previous years. Ilya Zenchenko, leader of the Baptist Union in Azerbaijan, said that the only known incident affecting Baptists in 2019 involved a couple, Safqan and Gulnar Mammadov. In February 2019, their son brought some Christian brochures to school, which he gave to fellow students.<sup>17</sup> The police questioned the mother, Gulnar Mammadova, for six hours, then seized over 100 unauthorised Christian books and brochures from the couple's home. On 16 April 2019, both parents were found guilty and fined 1,500 Manats (US\$900), the equivalent of three month's wages. They later lost their appeal as well.<sup>18</sup> In September 2019, Kamran Huseynzade was fined 2,200 Manats (US\$ 1,300) for selling religious books outside a Baku mosque without

state authorisation. The books were confiscated.<sup>19</sup>

Although raids against religious gatherings have slowed over the past year, unauthorised meetings have continued to be penalised. Three Protestants - Samir Ismayilov, Ismat Azizov and Jalil Rahimli - were fined 1,500 Manat (US\$900) each for holding a Bible study meeting in the city of Sheki in December 2018.<sup>20</sup> Three Muslims - Vugar Mammadov, Rauf Majidov and Qanbar Zeynalov - were fined between 1,200 and 2,000 Manats (US\$ 900-1,200) for holding a religious meeting in a private home in the city of Agsu in September 2018.<sup>21</sup>

Jehovah's Witnesses have reported 17 incidents involving their members between September 2018 and August 2019.<sup>22</sup> In one case, a Jehovah's Witness was questioned and held for 12 hours at a police station in Khachmaz in February 2019.<sup>23</sup> Gulnaz Nasirova received a similar treatment in Lankaran, when she was forcibly taken to the police station in April 2019 for an interrogation that lasted five hours during which she was insulted and threatened.<sup>24</sup>

In July and September 2018, two conscientious objectors, Emil Mehdiyev and Vahid Abilov, were sentenced to a suspended prison sentence of one year for failing to fulfil their military service;<sup>25</sup> their appeals were rejected in April 2019.<sup>26</sup> There were no other criminal proceedings against conscripted religious believers in 2019.<sup>27</sup> In October 2019, the European Court of Human Rights ruled in favour of five Jehovah's Witness objectors convicted between 2007 and 2013, ordering the Azerbaijani government to pay €38,269 (US\$45,000) to the applicants in compensation and legal expenses.<sup>28</sup>

Although religious discrimination is formally prohibited, Rahim Akhundov, a staff member at the Azerbaijani parliament, complained that he was fired, on the orders of the secret police, from the International Relations Department in December 2018 after 20 years of service because he is a Christian. After the Baku Appeal Court, on 10 June 2020, rejected his demand that his dismissal be overturned, Akhundov said he would appeal to the Supreme Court.<sup>29</sup>

Wearing a hijab can also lead to workplace discrimination. Muslim women said they had encountered difficulties whilst looking for work,<sup>30</sup> noting that an unofficial ban on the use of the hijab in government offices and schools remains in place.<sup>31</sup>

Over the years, the fear of extremism has led to many arrests and convictions on suspicion of terrorism. Following violent incidents in the city of Ganja in July 2018, which

the government blamed on a conspiracy by extremist Shi-  
as to destabilise the country, 57 people were tried, convict-  
ed and sentenced to prison terms ranging from 18 months  
to 18 years.<sup>32</sup> At present, as many as 45 religious activists  
are still incarcerated, most of them members of the Mus-  
lim Unity Movement (MUM), convicted on controversial  
charges and sentenced to prison terms of up to 20 years.<sup>33</sup>  
Among them are MUM leaders Taleh Bagirzade and Ab-  
bas Huseynov, who went on a hunger strike in February  
2019 to protest against the unprecedented pressures to  
which they are allegedly subjected in prison.<sup>34</sup>

Human rights organisations accuse the Azerbaijani au-  
thorities of using the outbreak of COVID-19 to further  
crackdown on dissent, with special anti-COVID-19 regu-  
lations used as a weapon to suppress political criticism.<sup>35</sup>

### Nagorno-Karabakh

The question of Nagorno-Karabakh, a region within Azer-  
baijan militarily conquered by Armenian-backed separat-  
ists in 1994, remains unresolved. Recently, the situation  
has deteriorated with renewed fighting between Arme-  
nians and Azerbaijanis, which inevitably has had reper-  
cussions on civil liberties.

In the conflict cultural and religious heritage sites have be-  
come privileged targets, foremost among these the Cathed-  
ral of Shusha, an important historical and religious monu-  
ment that was hit twice by artillery fire. Built between 1868

and 1887, the cathedral dedicated to Saint Saviour, was  
rebuilt in the 1990s after the first Nagorno-Karabakh War  
becoming a symbol of the rebirth of the Armenian commu-  
nity.<sup>36</sup> Armenian Archbishop Pargev Martirosyan accused  
the Azeris, who denied targeting the cathedral,<sup>37</sup> of trying  
“to stomp on the symbols of our faith” out of spite for Arme-  
nian “cultural, spiritual and religious values.”<sup>38</sup> A Baptist  
church was also damaged by shelling.<sup>39</sup>

For many observers, concern is expressed that religion  
may play an ever-increasing role in the conflict, especial-  
ly since the arrival of Syrian mercenaries fighting on the  
Azeri side.<sup>40</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The challenges created by an ailing economy, exacerbat-  
ed by the COVID-19 pandemic and the war against Ar-  
menia since September 2020, have created an uneasy  
climate for religious freedom. Despite a more repressive  
political climate there have been some positive develop-  
ments including the release in March 2019 of more than  
50 political prisoners, as well as the registration of new  
religious communities and the reduction in the number of  
raids and sanctions against open religious activity.<sup>41</sup> This  
has raised hope that Azerbaijan might more successfully  
guarantee religious freedom in the future.

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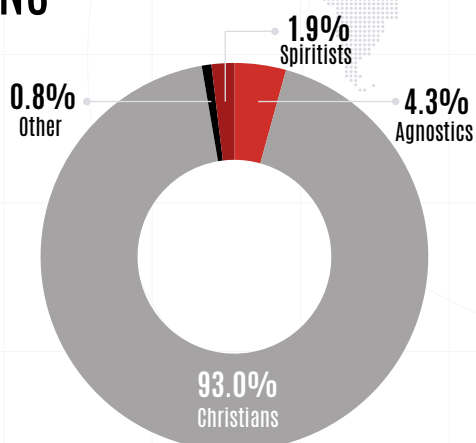
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# BAHAMAS

## RELIGIONS



Population  
**406,839**  
GDP per capita  
**27,718 US\$**



Area  
**13,940 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Respect for Christian values and the rule of law are highlighted in the Preamble to the Bahamian constitution,<sup>1</sup> which also upholds the supremacy of God and enshrines the fundamental rights and freedoms of the individual.

Article 15 of the constitution stipulates that every individual has the right to the protection of their fundamental rights and freedoms, including freedom of conscience, expression, assembly and association, always subject to the respect of the rights and freedoms of others and the public interest, without distinction of race, place of origin, political opinion, colour, creed or sex.

Article 18 upholds the right of conscientious objection to military service.

Under Article 22 (1), no one can be hindered in the enjoyment of their freedom of conscience, including freedom of thought and religion, freedom to change their religion or beliefs, to manifest and propagate them through worship, teaching, practice and observance, either individually or collectively, in public or in private.

Article 22 (2) states that no one attending an educational

establishment can receive religious instruction or take part in a religious ceremony or observance that is not of the religion they profess without their consent (or that of their guardian in the case of minors under the age of 18).

Article 22 (3) stipulates that no religious body or denomination can be prevented or hindered from providing religious education to its members, notwithstanding any government subsidies they might receive.

Lastly, Article 22 (4) affirms that no one can be forced to take an oath against their beliefs or in a manner that contravenes their religion or beliefs.

## INCIDENTS AND DEVELOPMENTS

The Rastafarian community demanded that the right to the religious use of cannabis be recognised.<sup>2</sup> In June 2019 they announced plans to sue the government over its refusal to allow it, arguing that it is a violation of their constitutional right to religious freedom.<sup>3</sup>

In June 2019, a ceremony was held to mark the start of the reconstruction of the Zion Baptist Community Church, which had been destroyed in a fire. Pastors from other Churches were present at the event.<sup>4</sup>

Several US-based Churches came to the aid of Bahamians after the devastation caused by Hurricane Dorian in September 2019.<sup>5</sup>

In November 2019, celebrations marked 130 years of Catholic education in the Bahamas.<sup>6</sup>

In March 2020, religious and civic authorities took steps to prevent the spread of the COVID-19 pandemic, including the temporary closure of churches and other places of worship.<sup>7</sup>

In May 2020, Bishop Walter Hanchell, president of the Great Commission Churches, complained that the government was giving priority “to businesses that promote vices” over the Church when considering easing lockdown restrictions.<sup>8</sup>

That same month, the government allowed the reopening

of churches under strict social distancing guidelines. The first step was to authorise “drive-up services”, whereby parishioners must stay in their cars without the possibility of receiving communion.<sup>9</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

In the 2018-2020 period, no incidents of intolerance or discrimination on religious groups have been reported, except for the religion that promotes the sacramental use of cannabis and alleges discrimination. The situation remains without significant changes and the prospects for freedom of religion are positive for the foreseeable future.

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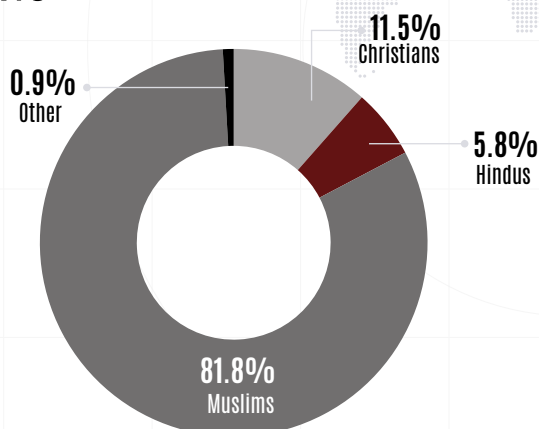
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# BAHRAIN

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Bahrain is a kingdom located in the Persian Gulf ruled by the Sunni Al Khalifa dynasty. Article 2 of its 2002 Constitution states: “The religion of the State is Islam. The Islamic Shari’a is a principal source for legislation.”<sup>1</sup> Article 6 says: “The state safeguards the Arab and Islamic heritage.” However, according to Article 18, “There shall be no discrimination among [citizens] on the basis of sex, origin, language, religion or creed.” Article 22 guarantees that “freedom of conscience is absolute. The state guarantees the inviolability of worship, and the freedom to perform religious rites and hold religious parades and meetings in accordance with the customs observed in the country.”

Conversion from Islam to another religion is not explicitly forbidden by law, but the social and legal consequences of doing so would be huge, according to Church sources who asked not to be named. Converts from Islam would lose any inheritance rights and would be cast out of their family.

Non-Muslim missionary activities among Muslims are not allowed, and personal consequences for missionaries would be severe.

Showing disrespect to recognised religions is punished under the Bahrain Penal Code.<sup>2</sup> Article 309 imposes fines and prison “upon any person who commits an offence by any method of expression against one of the recognized religions [or] sects, or ridicules the rituals thereof.” Article 310, among other things, reserves the same treatment for “any person who commits in public an insult against a symbol or a person being glorified or considered sacred to members of a particular sect.” Article 311 also imposes a fine or prison on “any person who deliberately causes disturbance to the holding of religious rituals by a recognized sect or to a religion’s ceremony or [ . . . ] destroys, damages or desecrates a place of worship or a recognized sect or a symbol or other things having a religious inviolability.”

In order to operate in the country, non-Muslim religious groups are required to register with the Ministry of Labour and Social Development (MOLSD). Altogether, 19 non-Muslim religious groups are registered, including Christian Churches and a Hindu temple.<sup>3</sup>

Bahraini citizens represent about 52 percent of the country’s resident population,<sup>4</sup> and of these citizens, 99 percent are Muslim. Although there are no official figures for the Shi’a population, it is estimated to be between 55 and 60 percent. There are a small number of Christians, Jews,

Baha'is and Hindus with Bahraini citizenship.<sup>5</sup> Bahrain is in fact one of the few Gulf countries to have non-Muslim citizens.

Most Bahraini Christians are descendants of immigrants who came between 1930 and 1960<sup>6</sup> and were eventually granted Bahraini citizenship. Most of them were originally Arab Christians from the Middle East, although a few are from India.<sup>7</sup> Christians, both local and migrants, make up around 200,000, 80,000 of them Catholic; approximately 80 percent belong to the Latin Rite, while the rest follow the Eastern Rite.<sup>8</sup>

Approximately 19 churches are registered.<sup>9</sup> American missionaries built the first one in 1905. The National Evangelical Church began offering services a year later.<sup>10</sup> Catholics have two churches: the Sacred Heart Church in Manama (built in 1939) and a smaller house of worship shared with Anglicans in Awali.<sup>11</sup>

There is a small Jewish community with fewer than 50 members,<sup>12</sup> mostly descendants of families who came from Iraq, Iran and India and settled in the island kingdom in the early 1900s. They have their own synagogue<sup>13</sup> and cemetery and enjoy a certain social, political and financial status. The Jewish community has a representative in the 40-member Shura or Consultative Council, the appointed upper chamber of Bahrain's bicameral National Assembly. The community was first represented by Ebrahim Daoud Nonoo, and subsequently by his niece, Houda Ezra Nonoo, a businesswoman who was the first non-Muslim woman to head a human rights organisation and the first female Jewish lawmaker in Bahrain. In 2008 she became the first Jewish ambassador to the United States of America from an Arab and predominantly Muslim.<sup>14</sup> The Nonoo family remains very active both in Bahrain and in the United States.<sup>15</sup> Nancy Khadhori is the current Jewish member of the Shura Council.<sup>16</sup>

## INCIDENTS AND DEVELOPMENTS

In June 2018, the construction of Our Lady of Arabia Catholic Church began. Situated some 20 kilometers from Manama on land donated by the King of Bahrain, Hamad bin Isa Al Khalifa, it should be completed by the end of 2021. With a capacity of 2,000 people, it will include a residential area for the episcopal curia, a guest house and educational facilities.<sup>17</sup>

In September 2019, the London-based Bahrain Press

Association reported a crackdown against Shi'a clerics during Ashura, the annual Shi'a commemoration of the martyrdom of Hussein, their third imam, son of Ali, and grandson of Muhammad. Authorities investigated and detained clerics in connection with their sermons, but subsequently released them without charges.<sup>18</sup>

In November 2019, a conference on 'The Role of Education in Promoting the Values of Tolerance in the Kingdom of Bahrain Throughout History' was organised at the King Hamad Global Centre for Peaceful Coexistence.<sup>19</sup> A month later, the 'Arabian International Religious Freedom Roundtable' was held.<sup>20</sup> Despite such conferences, some human rights organisations note that Bahrain conducts "systematic discrimination and divisive government policies".<sup>21</sup> According to the 2020 report by United States Commission on International Religious Freedom (USCIRF),<sup>22</sup> while Bahrain develops this kind of initiative, it engages in "systematic discrimination against some Shi'a Muslims on the basis of their religious identity"<sup>23</sup> in employment, political representation, freedom of expression, military promotion and construction of places of worship.<sup>24</sup>

In 2019, Bahraini authorities interrogated Shi'a religious leaders about their sermons and restricted Shi'a prisoners' religious practice. In April 2019, 139 Shi'as were found guilty on terrorism charges linked to Iran. As a result, they saw their citizenship revoked.<sup>25</sup> According to USCIRF, almost a thousand Bahraini citizens have lost their nationality since the 2011 uprising, mainly Shi'as.<sup>26</sup> Following international pressure, the king reinstated the nationality of 551 people in April 2019.<sup>27</sup>

Although Bahrain is the only Gulf country where Ashura (tenth day of the month of Muharram) is a government holiday, it was not until 2019 that Shi'as were allowed to publicly commemorate it.<sup>28</sup> The Bahrain Forum for Human Rights (BFHR) said 54 violations of freedom of religion and belief were registered during the commemoration of Ashura that year.<sup>29</sup>

In August 2020, a Bahraini woman appeared in a video smashing statues of the Hindu deity Lord Ganesha in a shop in Juffair. She was charged with multiple counts of criminal damage and insulting a religious symbol.<sup>30</sup>

In September 2020, a court reduced in appeal the sentence of a prominent lawyer, Abdullah al-Shamlawi. In a tweet he had expressed critical views of religious practices related to Ashura. Initially sentenced to eight months in prison for "inciting hatred of a religious sect" and "misusing



a telecommunications device”, he was eventually given a six-month suspended prison sentence.<sup>31</sup>

Like most countries, Bahraini authorities took special measures to counter the outbreak of COVID-19. On 23rd March 2020, houses of worship were closed and prayers suspended, resuming only on 28th August with restrictions.<sup>32</sup>

In view of the pandemic, in April 2020, the government delayed the return of more than a thousand Bahraini Shi’a pilgrims from the holy city of Mashhad in Iran rather than quarantine them.<sup>33</sup>

By mid-September 2020, COVID-19 cases dramatically increased after Ashura. Although all festivities were forbidden, people still attended family gatherings without respecting social distancing.<sup>34</sup>

The normalisation deal with Israel in September 2020 was welcomed by the Bahraini Jewish community.<sup>35</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

In general, non-Shi’a religious minorities enjoy a certain degree of freedom of religion and belief.

The same cannot be said about Shi’as. Although improvements have been achieved, governmental and non-governmental rights organisations have deplored a sustained pressure on the Shi’a community. Because religion and political affiliation are often closely linked, it is difficult to categorise many incidents as based solely on religious identity.

Prospects for religious freedom do not indicate any clear improvement for the foreseeable future.

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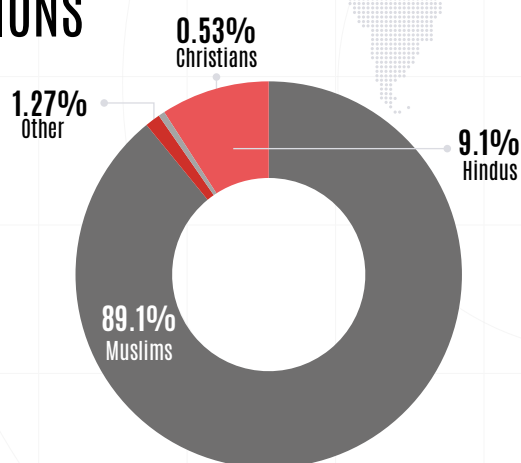
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# BANGLADESH

## RELIGIONS



Population  
**169,775, 309**  
GDP per capita  
**3,524 US\$**



Area  
**147,570 Km<sup>2</sup>**  
GINI INDEX\*  
**32.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Freedom of religion in Bangladesh is paradoxical in and of itself. On the one hand, the Constitution<sup>1</sup> states that: “Subject to law, public order and morality, every citizen has the right to profess, practice, or propagate all religions” (Article 41, 1, a). On the other, the same document recognises secularism as a basic principle while making Islam the state religion.

Specifically, the Preamble and Article 8 respectively define secularism as a high ideal and a “fundamental principle(s) of state policy.” Article 12 - suspended in the past, but restored in June 2011 under the 15th Amendment - stipulates: “The principle of secularism shall be realised by the elimination of: (a) communalism in all its forms; (b) the granting by the state of political status in favour of any religion; (c) the abuse of religion for political purposes; (d) any discrimination against, or persecution of, persons practicing a particular religion.”<sup>2</sup> Yet, Article 2A states that: “The state religion of the Republic is Islam” with the proviso that “the State shall ensure equal status and equal rights in the practice of the Hindu, Buddhist, Christian and other religions.”<sup>3</sup>

This paradox remains. On 28th March 2016, the High Court of Justice of Bangladesh upheld the status of Islam as the state religion. With the country torn by religious tensions and Islamism rising, the judges upheld the prominent place of Islam in the constitutional order.<sup>4</sup>

Bangladesh proclaimed its independence in 1971 and since then has grappled with the question of its fundamental identity. Today the country is in an ambivalent position. Officially, secularism is promoted and imposed from the top down by the ruling Awami League, but at a societal level, a strong current of militant Islamism continues to generate significant hostility against religious minorities.

While Sunni Islam occupies a major place in the country’s sense of self, many Bangladeshis are also proud of its tolerant and moderate traditions. In 1972, Bangladesh adopted a constitution based on a linguistic and secular identity. In 1988 however, a military regime led by General Hussein Muhammad Ershad changed the constitution to make Islam the state religion. Since then, a powerful political and intellectual movement has sought to strengthen secularism, while an opposing movement has promoted Islamisation.

The conflict over the country’s identity has thus given birth to two opposing ideological factions: “secularists” and “Is-

lamists.” For historian Samuel Berthet, “Relations between religion and state are pivotal in the history of the partition of India and Pakistan in 1947, but also in the history of the project of the Bangladeshi nation since its creation in 1971”.<sup>5</sup>

Bangladesh was originally East Pakistan, before it broke away from West Pakistan in 1971 during a violent war of liberation. Estimates of the loss of life caused by the war range widely from 300,000 to three million people.<sup>6</sup> West Pakistani forces joined with Islamists inside East Pakistan to defend an Islamic conception of the nation and crush the secessionists, without success. “At the time of Bangladesh’s creation, the reference to religion was thus associated with Pakistani trusteeship, while secularism was associated with the project of the Bangladeshi nation,” Berthet explains.<sup>7</sup>

The conflict between secularists and Islamists has continued unabated to the present day, with ambivalent consequences for religious freedom at the political level of official laws and policies, as well as the societal level of culture and activities by non-state actors. Secularists associated with the ruling Awami League (AL) political party, led by Prime Minister Sheikh Hasina, have often aggressively opposed militant Islamism since they assumed leadership of the government in 2009. For example, the AL-led government prosecuted leaders of an Islamist political party, the Bangladesh Jamaat-e-Islami, for their involvement in human rights violations during the 1971 war. “Between December 2013 and September 2016, some six high-ranking Islamist leaders, including 73-year-old Motiur Rahman Nizami, the former head of the Jamaat-i-Islami, were found guilty and executed by hanging.”<sup>8</sup>

Generally, the Awami League government has sought to curb Islamist influences in society and politics. However, secularist policies have also often violated religious freedom and other civil liberties, and it is arguable that the very intransigence of these policies has helped fuel social and political polarisation as well as an Islamist backlash.

The secular-oriented AL government has “passed formidable laws ... restricting religious speech, exercising strong governance over Islam, banning religious parties, disproportionately reacting to religious violence, and repressing political opponents.”<sup>9</sup>

Even its prosecution of Islamist leaders for war crimes has drawn criticism from international observers for failing to protect the rights of defendants.<sup>10</sup>

Striking back at these efforts by the Awami League, Islamist militants have initiated a massive campaign of violent attacks targeting secular bloggers, human rights activists, as well as religious minorities, particularly Hindus and Christians. “Between January 2005 and December 2017, some 746 people have died in Islamist terrorist attacks, including 339 alleged terrorists,” notes South Asia security expert Christine Fair. “[O]f those attacks, 91 percent have taken place since 2013.”<sup>11</sup>

The period since 2017, however, appears to be a relatively “dormant phase,” with a measurable reduction in Islamist violence.<sup>12</sup> And yet, as noted below, Islamist attacks on religious minorities have far from disappeared, and it may be that militants have temporarily gone underground for the purposes of fundraising and recruitment.<sup>13</sup>

## INCIDENTS AND DEVELOPMENTS

Unlike Pakistan, Bangladesh does not have an anti-blasphemy law. However, the colonial-era Penal Code of 1860 (Articles 295A and 298) criminalises the offence of wounding or “outraging the religious feelings” of others.<sup>14</sup> Furthermore, Bangladesh passed an Information and Communication Technology (ICT) Act in 2006, further toughened by the government of Prime Minister Sheikh Hasina in 2013, under which it is illegal to publish content on the Internet that could “harm public order and the law” or be construed as defamation against religions.<sup>15</sup> This law has been used to imprison journalists, students, and teachers.

On top of the ICT Act, the Bangladeshi government enacted the Digital Security Act (DSA) in October 2018,<sup>16</sup> which gives the police the power to detain individuals, including journalists, without a warrant.<sup>17</sup> Human rights activists argue that the law’s vagueness gives the government “a license for wide-ranging suppression of critical voices.”<sup>18</sup> Between October 2018 and May 2020, more than a thousand cases were filed under the DSA and numerous journalists were arrested,<sup>19</sup> largely for criticising ruling party politicians but also in ways that have restricted religious speech and expression.<sup>20</sup>

One case involves Bangladeshi folk singer Shariat Boyati who was arrested under the DSA in January 2020 on charges of “hurting religious sentiments.” According to Christian Solidarity Worldwide (CSW), Boyati “used language in his songs to criticise a section of fundamental Muslim clerics for misrepresenting Islamic philosophical teachings.”<sup>21</sup> In March 2020, an Awami League politician



filed charges against an activist who used Facebook to criticise the government's decision to invite Indian Prime Minister Narendra Modi on a state visit.<sup>22</sup>

In addition, in at least one instance, laws restricting freedom of expression were invoked to protect the Catholic community from apparently defamatory speech. In May 2019, invoking the DSA, police arrested Catholic poet Henry Sawpon for “offending the religious sentiments of Catholics” in numerous social media posts that criticised Catholic clergy.<sup>23</sup> The arrest followed a complaint filed by Fr. Lawrence Gomes, a priest in Barishal, a town in southern Bangladesh. Eventually, Sawpon was released on bail a day after his arrest. UCA News later reported that “Fr. Gomes, the complainant, said the Church decided to withdraw opposition to Henry’s bail petition after he promised to apologize for what he did.”<sup>24</sup>

Islamist violence against religious minorities appears to have declined somewhat in the last four years. According to the Bangladesh Hindu Buddhist Christian Unity Council (BHBCUC), a respected non-partisan human rights NGO established in 1975, the year 2016 saw a peak of 1,471 violent incidents against ethnic and religious minorities, compared to 262 incidents in 2015.<sup>25</sup> In 2017, the BHBCUC counted 959 incidents of minority rights violations based on media reports from January to October.<sup>26</sup> In 2018, BHBCUC documented 806 cases of religious persecution against minorities. The organisation did not release any figures or provide documentation for 2019, but noted in its Brief Yearly Report on the Minority Situation that attacks against minorities continued to decrease.<sup>27</sup>

Reports by another respected human rights organisation, Ain o Salish Kendra (ASK), notwithstanding serious ongoing violations, corroborated this mixed picture of an overall decline in anti-minority violence. In the first 11 months of 2019, ASK found that 101 people were injured in violence against religious minorities, at least 71 houses of worship, monasteries, or statues were attacked, as were 53 homes of religious minorities.<sup>28</sup> In the first two months of 2020, however, ASK found that violence against religious minorities led to only one injury, one attack on a home, and attacks on 11 houses of worship, statues, or monasteries.<sup>29</sup>

Despite this apparent decline in anti-minority violence, several communities in Bangladesh continue to face steady persecution. Among the most vulnerable are Hindus, Buddhists, ‘Ahmadi, and Christians. Data collected by ASK suggests that in 2019, Hindus and ‘Ahmadi were by far the most frequent victims of persecution.<sup>30</sup> For example, in

September 2019, an ‘Ahmadi mosque in northern Bangladesh was attacked while it was under construction. Some 400 students from nearby madrasas appear to have “vandalised the building with homemade weapons”; according to the local ‘Ahmadi community, police officers present at the scene did nothing.<sup>31</sup> In January 2020, another ‘Ahmadi mosque was attacked by madrasa students in the country’s Chittagong Division. “Witnesses report that Ahmadi homes nearby were also targeted.” After the incident, the students organised a rally demanding a law declaring the ‘Ahmadi to be non-Muslim.<sup>32</sup>

In September 2019, the Daily Star (Dhaka), Bangladesh’s leading English daily newspaper, reported that unidentified individuals killed four members of a Buddhist family living in a mostly Buddhist village in Cox’s Bazar in south-eastern Bangladesh. The victims included two children under the age of 10.<sup>33</sup>

In April and May 2020, the Bangladesh Christian Association (BCA), a leading Christian rights group, reported three cases of violence against the Christian community. “Two Christians were beaten in a land dispute in Sherpur District, while several Christians were threatened and beaten for refusing to pay money lenders in Barishal District, and a Christian youth was beaten after being falsely accused of drug dealing, said Nirmol Rozario, the BCA president.”<sup>34</sup>

In May 2020 alone, according to the World Hindu Federation, some 30 Islamist attacks targeted the country’s Hindu minority. These incidents included attacks on Hindu temples, forced conversions, rapes and abductions of Hindu girls, theft of land from Hindus, displacement of more than 40 Hindu families, and the murder of four Hindus.<sup>35</sup>

In September 2020, various sources reported some 50 attacks on Hindu, Buddhist, and Christian minority communities. According to the Bangladesh Hindu Buddhist Christian Unity Council (BHBCUC), as well as other organisations representing religious minority groups, most of these attacks occurred in the Chittagong Hill Tracts (CHT), a group of districts in the Chittagong Division in south-eastern Bangladesh on the border with India and Myanmar.

Christian members of indigenous tribal groups such as the Garos and Khasis continue to face persecution. Simone Marak, a trader and Christian activist who lives in Pegamari, in the Tangail district of central Bangladesh stated: “We face a lot of persecution. Apart from physical attacks and forcible conversions, our livelihoods often

come under attack. Our farmlands, shops and establishments are destroyed, our churches desecrated and we face huge social and economic discrimination too.”<sup>36</sup>

In the Chittagong Hill Tracts, some of the violence against religious minorities stems from enduring tensions between indigenous communities - primarily Buddhists, Hindus, and Christians - and Bengali settlers who are mostly Muslims. Many of these tensions revolve around land ownership.<sup>37</sup> In one instance, in a Buddhist-majority area near the CHT, a Buddhist monk exploited religious divisions to grab land from Catholics, Muslims, and fellow Buddhists.<sup>38</sup>

In 2019 and 2020, the central government continued to use a 2017 legal provision to try to reduce these tensions, building on the 1997 Chittagong Hill Tracts Peace Accord. At the same time, many NGOs and activists claim that the government has been too quick to resort to militarisation and repression to solve the region’s conflicts.<sup>39</sup>

In a densely populated country where land ownership is highly prized, many NGOs report that ethnic and religious minorities are highly vulnerable to land grabbing. For example, in the Ghoraghat area of Dinajpur District in northern Bangladesh, Catholic members of the indigenous Santal ethnic group have struggled during the reporting period - aided by the Catholic Church and NGOs such as Caritas - to recover ancestral farmlands they lost to Muslim landowners. So far, they have had only limited success.<sup>40</sup>

## PROSPECTS RELIGIOUS FREEDOM

Although Islamism has been the greatest source of violent religious persecution in the country for more than twenty years, Islamist violence against minorities seems to be diminishing, at least for now. Under a government that has aggressively cracked down on Islamist militancy, religious minorities appear to enjoy somewhat greater security in 2020 than at any time since 2015.

Bangladeshi authorities also deserve praise for providing a safe haven for the mostly Muslim Rohingyas, more than 700,000 of whom have fled neighbouring Myanmar since August 2017, though a long-term solution to their plight appears as distant as ever.<sup>41</sup>

However, the country’s dysfunctional political life casts a negative shadow over the prospects for religious freedom and prevents it from having a solid and sustainable foundation. International observers criticised the general elections held at the end of 2018 because the government jailed opposition leader Khaleda Zia of the Bangladesh Nationalist Party, before the poll. The result increased the distrust between the country’s secularists and those supporting a greater political role for Islam.<sup>42</sup> This trend has weakened the rule of law, fuelling Islamist mobilisation. In fact, the second half of 2020 witnessed an uptick in Islamist violence against religious minorities. Efforts to reconcile the nation appear urgent if Bangladesh is to deliver on its constitutional promise to respect the religious freedom of all of its citizens.

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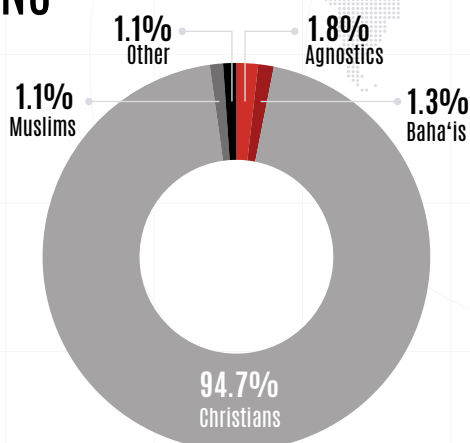
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# BARBADOS

## RELIGIONS



Population  
**287,568**  
GDP per capita  
**16,978 US\$**



Area  
**431 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In its Preamble, the constitution<sup>1</sup> proclaims that Barbados is a sovereign nation that recognises the supremacy of God, the dignity of the human person, and respect for human rights and fundamental freedoms.

Article 11 guarantees the protection of the fundamental rights and freedoms of every person, subject to respect for the rights and freedoms of others and the public interest. This includes, inter alia, freedom of conscience, expression, assembly and association, without distinction of race, place of origin, political opinions, colour, creed or sex.

Conscientious objection to military service is recognised in Article 14 (3, c).

Article 19 (1) states that no person can be hindered in the enjoyment of their freedom of conscience, which includes freedom of thought and religion and freedom to change one's religion or belief. It also entails the right to manifest one's religion or belief and propagate it through worship, teaching, practice and observance, either alone or with others, in public or in private.

Article 19 (2) grants every religious community the right to establish and maintain, at their own expense, their own places of education.

Under Article 19 (3), no community or religious denomination can be prevented or hindered from offering education and religious instruction to its members, irrespective of whether it receives government subsidies or not.

Article 19 (4) stipulates that no one attending an educational establishment can be required to receive religious instruction or take part in a ceremony or observance that is not of the religion they profess without their express consent (or that of their guardian if they are under the age of 21).

Finally, according to Article 19 (5), no one can be required to take an oath against their beliefs or in a manner that contravenes their religion or beliefs.

Barbadian schools are regulated by the Education Act 1997 (Cap 41).<sup>2</sup> The law stipulates that a child of school age can be exempted from compulsory attendance on several grounds, including religious observance (Article 42, 1, d). Parents who want their child exempted from compulsory attendance must apply for a certificate of exemption (Article 42, 2) to various authorities depending on

the reason for the exemption (Article 42, 3, b).

Under Article 54 of the Act, admission or attendance in a public educational establishment is not conditional on: (a) attending or abstaining from attending a place of religious instruction or worship; (b) attending, if a parent objects, a religious observance or instruction in religious subjects at an institution or elsewhere; or (c) attending an institution on any day specially set apart for religious worship by the religious group to which pupils belong. Pupils are exempt from attending any religious observance upon parental request or until that request is withdrawn.

In 2019, the Parliament of Barbados passed the Sacramental Cannabis Act, 2019, granting the followers of the Rastafari religion the right to use cannabis for sacramental purposes, in a place of worship as well as in public.<sup>3</sup>

## INCIDENTS AND DEVELOPMENTS

In January 2020, during an event hosted by the Islamic community, Prime Minister Mia Mottley called for religious tolerance and diversity. She pointed out how the Caribbean region was welcoming to immigrants and people of other faiths, adding that her government was willing to work with different religious groups to foster closer relations.<sup>4</sup>

In March 2020, the Prime Minister declared 22nd March as a National Day of Prayer for the COVID-19 pandemic. Because of health restrictions, Churches held the prayer online.<sup>5</sup>

In May 2020, the Government of Barbados announced plans to reopen shops and restaurants, as well as churches with a maximum capacity of seven people.<sup>6</sup>

In June 2020, the Minister of Labour, Colin Jordan, reported that consultations were held with the country's religious leaders in order to adopt measures to reopen churches.<sup>7</sup>

In January 2021 some religious leaders called on the government to allow up to 10 people in religious services instead of only 3, even as they are broadcast only.<sup>8</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

During the 2018-2020 period, the Rastafari community saw the religious use of cannabis approved. The country's political authorities also explicitly undertook gestures in favour of the religious dimension in the community. Overall, the situation of freedom of religion in Barbados has ostensibly improved and the prospects for the future are positive.

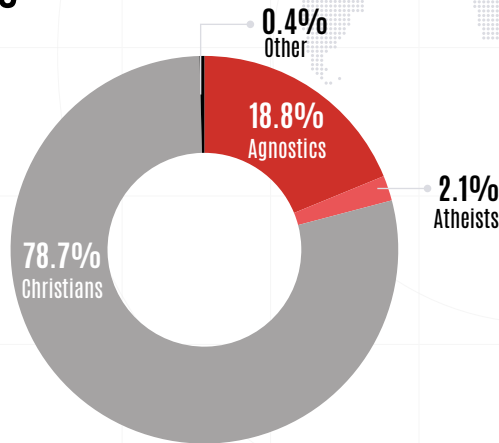
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# BELARUS

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Freedom of religion is guaranteed by article 31 of the constitution<sup>1</sup>, which allows individuals to manifest their religious views and gather for corporate worship so long as they do not do anything prohibited by law. Article 16 of the constitution declares the legal equality of all religions and faiths. It also prohibits religious activities which threaten morals or are directed against the state, its political system or the civil liberties of its citizens. The same article also states that the relationship between the state and particular religious organisations “shall be regulated by the law with regard to their influence on the formation of the spiritual, cultural and state traditions of the Belarusian people.”

The Law on Freedom of Conscience and Religious Organisations of 1992<sup>2</sup> more specifically defines the legal framework for religions in Belarus. Article six establishes the equality of all religions before the law. As long as a religious organisation does not participate in the activities of “political parties and other public associations pursuing political aims” it is allowed to participate in public life and to use state media. Articles 14 and 15 differentiate between

religious communities, which are organisations with at least 20 adult members living in one or more settlements in close proximity, and religious associations, consisting of at least 10 religious communities, of which at least one has been active in Belarus for more than 20 years. The latter have the right to establish monasteries, male and female religious orders, religious missions and educational facilities. The religious activities of both communities and associations are limited to the territory in which the given group operates. Article 25 additionally limits those activities to properties that belong to these organisations or its members. In the case of private homes, there are a number of safety regulations a religious organisation has to follow. Large-scale religious events may be held in public if they receive approval from local authorities.

Articles 16 through to 19 regulate the registration process for religious organisations. Registration is necessary for a religious organisation to be recognised as a legal entity. To register, it needs to provide a variety of information including details about its beliefs and its founders, among other requisites. As specified in article 21, an application for registration can be denied if the authorities deem the information unsatisfactory or the doctrines professed to be non-compliant with the law.<sup>3</sup>

According to article 13, only Belarusian citizens can lead religious organisations.<sup>4</sup>

Article 29 limits the period to one year that a foreign missionary without Belarusian citizenship can be engaged in religious missionary activities, but this can be extended or reduced by the authorities.

The Republic of Belarus and the Belarusian Orthodox Church (BOC) of Moscow Patriarchate signed an agreement that establishes a special relationship between the two. While it is not explicitly directed against other religions, article 2 of the concordat speaks about cooperation “against pseudo-religious structures presenting a danger to personality and society”.<sup>5</sup>

In July 2016 the Law of the Republic of Belarus on Alternative Service came into force. This allows those who object to participating in military activities for religious reasons to take part in humanitarian activities instead. This development was welcomed by the Jehovah’s Witnesses among others.<sup>6</sup>

In July 2018, criminal punishments for unregistered religious activities, including worship meetings, ended, but were replaced by summary fines of up to five weeks’ average. were replaced by summary fines of up to five weeks’ average.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

### Related to Christians

In July 2018 in the Belarus capital, Minsk, the Pentecostal “Your Will Be Done” Church remained unable to gather for worship for fear of punishment, as officials found different reasons to reject their fourth registration application since 2017. One rejection claimed the Church’s faith was “unknown in Belarus”. A district official told the city authorities that new religious communities were not needed because the population was not asking for them.<sup>8</sup>

In October 2018 police stopped a Baptist man and wife from singing and offering Christian literature outside Lepel’s market. “We were detained like criminals and brought to the police station”, Andrei Fokin stated. A court fined the couple one month’s average wage each. Bailiffs are seeking to confiscate property and ban him from driving.<sup>9</sup>

During the year 2019, authorities continued to deny registration to several Protestant religious communities, including one within the Union of Full Gospel Christian Churches

in Maladzechna.<sup>10</sup>

Minsk city authorities did not authorize the Union of Evangelical Christian Baptists to hold its International Festival of Hope in the city, scheduled for May 3-5, 2019.<sup>11</sup>

### Related to Catholics

Throughout the 2018-2020 reporting period, despite petitions from the local bishops, there were several cases of Catholic priests from Poland whose one-year visas were not renewed. A variety of pretexts were used including one where a priest’s visa was denied due to several traffic offences. In another case, the local Catholics protested to the authorities and they reversed their decision.<sup>12</sup> Catholic leaders claimed that in fact the state is pursuing a deliberate policy of reducing the number of foreign Catholic priests serving in Belarus.<sup>13</sup> A Russian Catholic priest’s activities were also curtailed; he was allowed to remain in Vitsebsk to continue building a new church but was banned from celebrating Masses.<sup>14</sup>

Prison administrators, in 2018, continued to repeatedly deny access for Roman Catholic priests, Protestant pastors and Imams to visit inmates in prison.<sup>15</sup>

In the beginning of 2019, a Council of Ministers Decree stated that public events required fees to cover the costs of public services including police, health workers and cleaners. The Interior Ministry later said these fees would not apply to events at designated venues, such as churches and cemeteries. Nonetheless, Greek Catholic organisers had to cancel what would have been their 25th annual pilgrimage because of “unaffordable” police fees.<sup>16</sup> The police wanted to charge the Greek Catholic community 3,825 roubles (\$1,800) to conduct the annual pilgrimage.<sup>17</sup>

In August 2019, Minsk city authorities withdrew their original (2016) approval for a plot of land intended for the construction of a Catholic church after residents protested to the number of trees proposed for removal. The city authorities allocated another plot to the Catholic community.<sup>18</sup> In the meantime another construction permit granted in 2015 for the construction of the John Paul II Minsk Theological Academy was still “pending” at the time of this writing.<sup>19</sup>

### Related to Orthodox Christians

In spring 2018 two Orthodox priests from Russia, invited by Archbishop Dimitry (Drozdov) of Vitebsk to serve as parish priests in his diocese, were denied entry. Unofficially, the diocese was told the government wanted local people to be trained to serve as clergy.<sup>20</sup> In November 2018,



authorities detained for 24 hours Fr. Vikentsy, a priest of the Belarusian Autocephalous Orthodox Church, which is not officially registered, for preaching and seeking donations in an apartment block in Minsk. On November 30, a Minsk district court found Fr. Vikentsy not guilty and closed the case.<sup>21</sup>

#### Related to Jews

On 26th May 2019, Homyel authorities reported they had identified the individual who painted in December 2014 a swastika and the slogans “Kill the Jews” and “Holocaust” on a building in a local Jewish community. The individual, who reportedly admitted his guilt, belonged to a neo-Nazi group.

On 9th October 2019, construction workers caused damage to the site of a former Jewish cemetery in a central Minsk park. Jewish communities continued to petition the government to protect the site from any digging or construction work. The city prosecutor’s office said that the planned work, maintenance of the sewage system, did not violate any regulations.<sup>22</sup>

#### Related to other religions

According to their own sources, Jehovah’s Witnesses are continuously dismissed from registration procedures - even though they are officially allowed to exist in Belarus - which forces this group to pursue activities at considerable risk. In some communities, where they have been present for decades, they are denied the right to gather in private houses,<sup>23</sup> and face fines or detention for distributing literature in public places.<sup>24</sup> Jehovah’s Witnesses in Borisov, in the Minsk Region, had 16 registration demands rejected in 20 years. Jehovah’s Witnesses allege that each time a new official takes charge locally, the community has to find a way to continue to exercise their right to religious freedom.<sup>25</sup>

The government continued to require students to use textbooks that representatives of non-traditional religious groups said promoted intolerance towards them, citing chapters in the books that labelled such groups as “sects”. The textbooks described non-traditional religious groups as “striving for the exclusiveness of their role, doctrine, and principles”, being isolationist, and claiming to be God-chosen, among other things.<sup>26</sup>

#### Post-electoral conflict related to religious communities

The year 2020 was a turbulent and dramatic time in Belarus. Presidential elections were held on 9th August, and

according to its results Alexander Lukashenko allegedly received 80 percent of the vote for a sixth-straight presidential term, compared to just ten percent for the opposition candidate, Sviatlana Tsikhanouskaya.

The official outcome was widely disputed and sparked protests across the entire country. Religious communities played an important role throughout the opposition protests. The Belarusian Catholic Church expressed its support to the demonstrators and in the period following the election the Catholic Archbishop of Minsk and Mohilev, Tadeusz Kondrusiewicz, called on the Belarusian authorities to end the violence, saying that the bloodshed in the streets of Belarusian cities was a “heavy sin on the conscience of those who give criminal orders and commit violence.”<sup>27</sup>

On 19th August, Archbishop Kondrusiewicz prayed outside the prison where the detained demonstrators were said to be undergoing torture. When he expressed his wish to visit prisoners, the authorities refused him admission.<sup>28</sup> Without prior announcement, on 23rd August, the state-controlled Radio Belarus stopped the traditional broadcast of Catholic Masses.<sup>29</sup>

The Belarus Orthodox Church (BOC) of the Moscow Patriarchate did not present a uniform response. While the Church leadership maintains close ties to Russia and thus recognized the election results, it preferred to stay “neutral” during the demonstrations.<sup>30</sup> Some other bishops and many priests, however, were vocal about their anti-government position and supported the demonstrators.<sup>31</sup> Due to further pressure from Belarusian faithful, and likely from within its own clergy, the BOC shifted position. On 15th August, the synod of the BOC strongly condemned both the harsh reaction of state forces and some incidents of provocation on the part of demonstrators.<sup>32</sup> BOC Metropolitan Paval of Minsk and Zaslavl, criticized the government brutality and visited some of the wounded in hospital. The Holy Synod of the Russian Orthodox Church removed him on 26th August and replaced him with Bishop Venimian of Borisov and Maryinogorsk.<sup>33</sup>

Many Protestant Christians joined the demonstrations or supported them, and some have been arrested and sentenced. On 14th August, Pentecostals and Charismatics officially appealed to the authorities to call a halt to the violence, to release all detainees and to engage in a peaceful dialogue with the people. Members of a Minsk-based congregation launched an initiative, “From Kurapaty to Akreščina, Never again”, bringing thousands of protesters

onto the street, many holding copies of the Bible, Crosses, and Belarusian national flags in their hands.<sup>34</sup>

During a protest on 26th August, police forces blocked the entrance to the Church of Saints Symon and Alena in Minsk, commonly called the Red Church, as demonstrators and journalists sought shelter inside. Archbishop Kondrusiewicz, called the incident “unacceptable and unlawful”.<sup>35</sup>

On 31st August, Belarus border security officers blocked the re-entry of Archbishop Kondrusiewicz returning from Poland. Although the Archbishop is a Belarusian citizen, the authorities declared the Archbishop’s passport invalid. He was forced to stay in Poland, much to the shock of Belarusian citizens, who expressed their solidarity with the Archbishop regardless of religious affiliation. On 1st September, President Alexander Lukashenko stated that the Archbishop was banned from re-entry because he “receives orders from Poland and mixes Church and politics.”<sup>36</sup>

The forced exile of Archbishop Kondrusiewicz was also condemned by the international community. Latvian Foreign Minister Edgars Rinkevičs issued a statement as did the US Secretary of State Michael Pompeo, condemning the Archbishop’s entry ban.<sup>37</sup>

In an atmosphere of solidarity, on 5th September a massively attended Holy Mass took place in the Red Church in Minsk, celebrated by Bishop Jury Kasabucki of Minsk-Mogilev. Bishop Kasabucki urged Catholics to stay united, insisting the Archbishop’s “actions and statements” had conformed to Catholic teaching and Belarusian law. “It’s obvious they’re trying to pressure the Church, which indeed means the Church is being persecuted ... although no one says this openly, nor did they when persecution was severe during the Soviet era. The facts show the situation is now similar.”<sup>38</sup> The bishop has since been officially admonished by the Belarusian Prosecutor General’s Office.

Incidents against priests started occurring soon after Archbishop Kondrusiewicz’s re-entry ban. On 4th September, Fr. Jerzy Wilk from Poland received a letter from the Plenipotentiary for Religion and Nationality of the Belarusian Council of Ministers, Leanid Hulaka, informing that authorities “cancelled his invitation to serve in the Vitebsk diocese.”<sup>39</sup>

On 8th December, two Jesuit priests Fr. Viktor Zhuk and Greek Catholic Fr. Alyaksei Varanko, both from Vitebsk, were arrested and confined to house arrest a day later.

Both faced charges of participating in unauthorized events. In November, the BOC Press Secretary, Fr. Sergei Lepin, was forced to resign after denouncing the “satanic trampling of flags and icons” by police during one of the crackdowns in Minsk.<sup>40</sup>

Belarus’s opposition leader, Sviatlana Tsikhanouskaya, exiled in Lithuania since August, sent a letter to Pope Francis in early December warning that clergy and laypeople from all denominations faced “persecution by the authorities.”<sup>41</sup>

Finally, on 24th December, Archbishop Tadeusz Kondrusiewicz was allowed to return to Belarus after 16 weeks of exile. He led two Christmas Masses in Minsk the following day. The return was the result of mediation by the new Apostolic Nuncio in Belarus, and the Vatican. According to Belarusian Foreign Minister, Vladimir Makei, after receiving a personal letter from Pope Francis, President Alexander Lukashenko decided that the upcoming Christmas festivity was the reason to make this decision “despite a number of negative things about this person.”<sup>42</sup> In an interview given earlier to the Polish media, Archbishop Kondrusiewicz assured that he worked for the Gospel and for reconciliation in the country, and did not plot against the authorities of the Belarusian state.<sup>43</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Belarus has witnessed several months of political upheaval and public demonstrations in which most human rights are endangered, including religious freedom. The trend is towards ever-increasing authoritarian control with the risk of severe consequences for the country’s religious organizations.<sup>44</sup> The rule of law regarding religious freedom is applied unevenly and remains dependent on the whim of the authorities in charge, which often results in often chaotic and arbitrary actions against various religious communities, including the Orthodox.

Belarus is caught between popular demands for Western-style democracy, and national and international interests in the regional status quo. Both these foreign and domestic players seek to undermine the authority of the Catholic Church and stir up historical tensions between religious communities (i.e.: between Orthodox and Catholic) to cause rifts within the demonstrators<sup>45</sup> - the most serious threat to the state apparatus today.<sup>46</sup> In this climate, the prospects for human rights, including religious freedom, remain negative.

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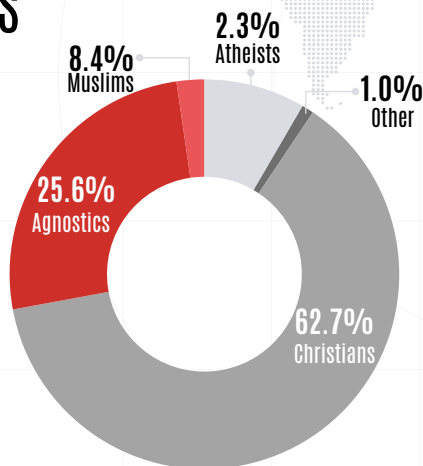
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# BELGIUM

## RELIGIONS



Population  
**11,619,972**  
GDP per capita  
**42,659 US\$**



Area  
**30,528 Km<sup>2</sup>**  
GINI INDEX\*  
**27.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Kingdom of Belgium<sup>1</sup> establishes clear, positive obligations to protect freedom of religion or belief. All Belgians are equal before the law (Article 10) and rights and freedoms are provided without discrimination, including for “ideological and philosophical minorities” (Article 11). Article 19 provides: “Freedom of worship, its public practice and freedom to demonstrate one’s opinions on all matters are guaranteed, but offences committed when this freedom is used may be punished.” Article 20 states: “No one can be obliged to contribute in any way whatsoever to the acts and ceremonies of a religion or to observe its days of rest.” Article 21 states: “The state does not have the right to intervene either in the appointment or in the installation of ministers of any religion whatsoever or to forbid these ministers from corresponding with their superiors, from publishing the acts of these superiors, but, in this latter case, normal responsibilities as regards the press and publishing apply.” Article 181 states: “The salaries and pensions of ministers of religion are paid for by the state; the amounts required are charged annually to the budget.”

The state recognises and funds religious and similar communities. These are: Catholicism, Protestantism, Anglicanism, Judaism, Islam, Orthodoxy (Greek and Russian), and organisations from the Conseil central laïque (central secular council).<sup>2</sup> Recognition of Buddhism and Hinduism remained pending by the end of 2019.<sup>3</sup>

There are no legal or constitutional criteria for granting state recognition. In 1985, the then Minister of Justice, Jean Gol, said in an answer to a parliamentary question that the following criteria should be taken into consideration: the membership of the religious community, its history, and its contribution to the good of society. However, his understanding of the necessary criteria was never enshrined in law. Whatever their beliefs, taxpayers provide the main financial support for the few state-recognised religions or worldviews. Groups that are not recognised by the state can acquire the status of non-profit associations.<sup>4</sup>

In public schools, religious or “moral” instruction is provided according to parental preference.<sup>5</sup> The public education system requires neutrality in the presentation of religious views outside of religious education classes. All public schools must provide teachers for each of the state recognised religious or belief groups. Faith-based schools follow the same curriculum as public schools and receive

government subsidies for operating expenses, such as building maintenance and utilities.<sup>6</sup>

In June 2020, the constitutional court ruled in favour of la Haute école Francisco Ferrer de la Ville de Bruxelles in a lawsuit over the school's policy to prohibit pupils from wearing any religious or philosophical symbols in an effort to create a "completely neutral" school environment.<sup>7</sup> In January 2021, the Wallonia-Brussels educational district announced that students in higher or adult education, around 50,000 students, would be permitted to wear religious or philosophical symbols (such as crosses, headscarves, kippahs) beginning in September 2021.<sup>8</sup>

The labour court of Ghent ruled in favour of a private company that prohibited the wearing of a headscarf by employees who have visual contact with customers in order for all employees to have a "neutral appearance." The court held that such a policy did not disadvantage Muslim women more than other workers. The case originated in 2009, went to the European Court of Justice which ruled in 2017 that such a policy may only be for workers who have contact with customers, must not be at the request of a specific customer, and the company must determine whether the worker could be assigned to a different position.<sup>9</sup>

In March 2018, the government terminated Saudi Arabia's lease of the Grand Mosque in Brussels due to concerns about radicalism and "foreign interference in the way Islam is taught in Belgium."<sup>10</sup> In December 2020, on the advice of security services, the government refused to recognize the Grand Mosque as a "local faith community" due to allegations that it had been infiltrated by foreign spies. "I cannot and will not accept that foreign regimes hijack Islam for ideological or political motives, try to call the shots here and prevent Muslims in our country from developing their own progressive Islam," Justice Minister Vincent Van Quickenborne said. "By keeping my mouth shut on that, I'm not doing anyone a favour - certainly not the Muslims in our country."<sup>11</sup>

In May 2017, Wallonia and Flanders voted to ban the ritual slaughter of animals without prior stunning. The Jewish and Muslim communities challenged the law on religious grounds.<sup>12</sup> In December 2020, the European Court of Justice held that Member States may, on animal welfare grounds, require a reversible stunning procedure which cannot result in the animal's death and that such a law

allows a "fair balance ... between the importance attached to animal welfare and the freedom of Jewish and Muslim believers to manifest their religion."<sup>13</sup>

The ruling contravened the advisory opinion of the Advocate-General who said: "EU member states are obliged to respect the deeply held religious beliefs of adherents to the Muslim and Jewish faiths by allowing for the ritual slaughter of animals," and requiring stunning in the slaughter process "would compromise the essence of the religious guarantees" the EU provides.<sup>14</sup> The decision was met with strong condemnation from religious groups, including the European Jewish Congress.<sup>15</sup>

Complaints of discrimination, including on religious or philosophical grounds, can be filed with Unia, the governmental equal opportunities organisation.<sup>16</sup> Unia also collects data and publishes reports on discrimination. In 2020, the government undertook a project to improve collection and processing of "equality data" in Belgium.<sup>17</sup>

## INCIDENTS AND DEVELOPMENTS

Official figures reported to the OSCE for inclusion in the 2018 and 2019 annual hate crime report were not disaggregated for bias against religious groups. Unia's statistics did not cover incidents from the current reporting period.

For 2018, civil society organisations reported 22 incidents motivated by anti-Semitism (12 property crimes, six threats, and four attacks on people). Examples included a Holocaust memorial vandalized on the eve of the Kristallnacht anniversary, graffiti on homes, schools, and businesses, and physical attacks on visibly Jewish people.<sup>18</sup>

Civil society organisations in 2019 reported 17 anti-Semitic incidents to the OSCE comprised of six attacks on people, seven attacks on property, and four threats. Examples included an anti-Semitic and Nazi graffiti on the wall of a university, a bomb threat against a Jewish radio station,<sup>19</sup> and a June 2019 incident in which an Iraqi man armed with knives, claiming to be a member of the Jewish community, tried to enter a synagogue on a Jewish holiday.<sup>20</sup>

A carnival in Aalst was removed from a UNESCO cultural heritage list in 2019 after a float in the parade featured crude anti-Semitic caricature figures. The city's mayor said, "Aalst is and will always be the capital of humour and satire." He said it is important the event remains "free from intentional hurt, but also from censorship." The leader of the European Jewish Association said the incident

was “another signal to Jews that they are not welcome in Europe.”<sup>21</sup> The 2020 carnival drew fresh controversy by redoubling its anti-Semitic caricatures, including “eleven men dressed as Hasidic Jews with the bodies and legs of ants (who) pushed a float with a mock-up of Jerusalem’s Wailing Wall (a pun in the local dialect on ‘ant’ and ‘wall’) - draped in pork sausages.”<sup>22</sup> Belgium’s Prime Minister Sophie Wilmès, whose mother is Jewish, said the Aalst carnival damaged the entire country’s “values and reputation.”<sup>23</sup>

In 2018, civil society organisations reported 13 incidents to the OSCE motivated by bias against Muslims (eight physical attacks, two attacks on property, and three threats). Examples during the reporting period included a pig’s head left in a pool of blood outside an Islamic cultural centre in June 2018, and threats and physical violence against women and girls wearing headscarves.<sup>24</sup>

Civil society organisations reported 17 anti-Muslim incidents to the OSCE in 2019 comprised of 12 attacks on people (most of which were committed against women wearing headscarves), two threats, and three attacks on property.<sup>25</sup> Examples included an Orthodox Christian woman who stabbed her daughter for converting to Islam and marrying a Muslim man. The assailant was given a 3-year suspended sentence.<sup>26</sup> Employees of a Muslim advocacy organisation were subjected to insults and death threats in an email. A pig’s head was left in front of a Muslim family’s home in October 2019.<sup>27</sup>

In 2018, civil society groups reported four anti-Christian incidents to the OSCE hate crime reporting unit (three attacks on property and one physical attack).<sup>28</sup>

During 2019, civil society groups reported three anti-Christian hate incidents to the OSCE (two property crimes and one physical attack). A Jehovah’s Witness was insulted, punched, and kicked while engaging in religious activities on the street. A priest’s car and house were targeted with arson in September 2019, and gravestones in a Christian cemetery were overturned and crosses damaged.<sup>29</sup>

In 2020, The Observatory on Intolerance and Discrimination against Christians reported nine anti-Christian incidents, including vandalism of churches and Christian statues. In April 2020, a Muslim migrant from Afghanistan was arrested for threatening to “slit Christians’ throats” in an asylum centre.<sup>30</sup>

Restrictions on religious gatherings during the coronavi-

rus pandemic in 2020/21 included complete prohibitions on public worship, but places of worship remained open for personal prayer.<sup>31</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

There were a few developments in the country during the period under review that signal a potential diminution of the right to freedom of religion. Although it addressed a question of Belgian legislation, the European Court of Justice’s ruling on the proper balance between animal welfare and religious slaughter has wide-ranging implications across Europe.

Government monitoring for extremism at the Grand Mosque and others may prove to be an effective, but divisive, security measure. The reduction on protections for conscientious objection in health care is equally troubling. Bans on religious symbols and the debate around those issues indicate a greater push toward a form of laicism that would eliminate religion from the public sphere in the country. For now, the societal situation remains stable for Belgium’s various religious communities.

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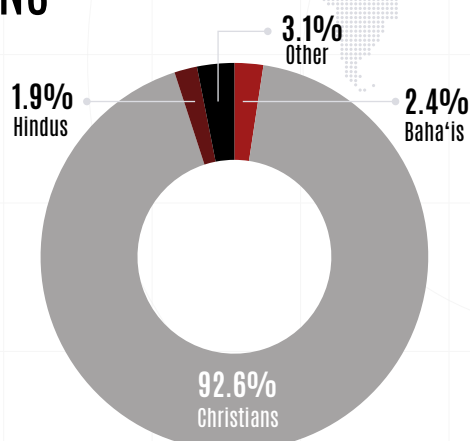
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# BELIZE

## RELIGIONS



Population

**398,007**

GDP per capita

**7,824 US\$**

Area

**22,966 Km<sup>2</sup>**

GINI INDEX\*

**53.3**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution of Belize<sup>1</sup> recognises the “supremacy of God” and expresses faith in human rights and fundamental freedoms, the dignity of the human person and the equal and inalienable rights given by God to everyone.

Article 3 guarantees fundamental individual freedoms subject to respect for the rights and freedoms of others and the public interest, which include, among others, freedom of conscience, expression, assembly and association, regardless of race, place of origin, political opinions, colour, creed or sex.

Article 8 (3, c) of Belize’s constitution recognises the right to conscientious objection to military service.

Article 11 (1) protects freedom of conscience, including freedom of thought and religion, as well as freedom to change one’s religion or belief, to manifest and propagate it through worship, teaching, practice and observance, alone or with others, in public or in private.

Article 11 (2) also stipulates that, except with their own consent (or that of a parent or guardian in the case of mi-

nors under 18 years of age), no one attending an educational establishment or held in prison or serving in the Armed Forces can be required to receive religious instruction or take part or attend any religious ceremony that is not of their own religion.

Article 11 (3) acknowledges that all religious communities recognised by the state have the right to establish and maintain educational establishments at their own expense. Nor will they be barred from offering education and religious instruction to their members, irrespective of whether such communities receive public funding or not.

Under Article 11 (4), no one can be required to take an oath against their beliefs or in a manner that contravenes their religion or beliefs.

Lastly, according to Article 16 (1, 3), no law can discriminate in itself or in its effects, wherein discrimination refers to the different treatment of people by reason of their sex, race, place of origin, political opinions, colour or creed.

The Belize Council of Churches and the Evangelical Association of Churches have the right to recommend to the Governor General one member of the Senate (Article 61, 4, c).

Like any ordinary business, religious groups must register

with the Companies Registry. Registration allows them to operate legally in the country and to be recognised by the state. Failure to register may result in closure by order of the government.<sup>2</sup>

Churches and other places of worship are exempt from paying property taxes.<sup>3</sup>

Religious organisations can operate or manage schools, hospitals and other charities in partnership with the state and receive public funds.<sup>4</sup>

Foreign religious workers require a religious worker's visa to enter the country and proselytise.<sup>5</sup>

The curricula of public schools include non-denominational 'spirituality' classes, which include lessons on morals, values and the world's religions. Attendance is at the discretion of parents.<sup>6</sup>

The country's military, the Belize Defence Force, provides designated venues for worship to all religious denominations. In prison, members of the clergy may request the use of any existing chapel to minister to inmates.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

In March 2020, religious activities were suspended as a result of the government taking preventive measures following the outbreak of the COVID-19 global pandemic.<sup>8</sup> Churches adapted to the situation in order to continue providing their services. In April 2020, members of the clergy of various Churches asked the government to classify them as "essential workers" so that they could meet the spiritual needs of their parishioners. The Attorney General pointed out that it is necessary to act with good sense and "find creative ways to do things."<sup>9</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Unlike the previous period, no disagreements nor acts of intolerance were reported involving Churches and the authorities during the 2018-2020 period. Nothing suggests that religious freedom was curtailed in the country. Hence, the future prospects for freedom of religion are positive.

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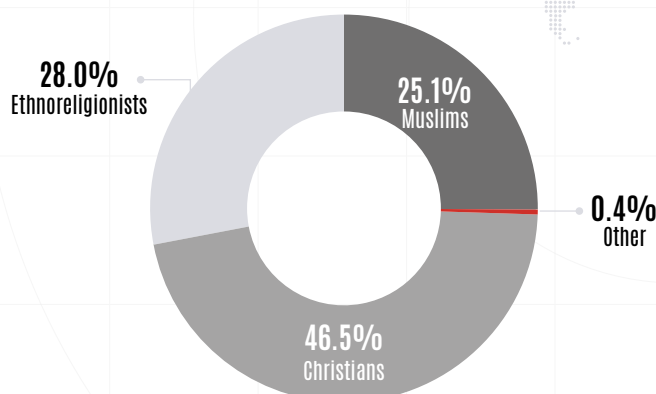
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# BENIN

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The country's constitution defines Benin as a secular state that prohibits religious discrimination.<sup>1</sup> Religious freedom is enshrined as a fundamental human right and a core principle for interreligious relations. Political parties are constitutionally required to respect the secular nature of the state in their actions and initiatives. The constitution goes further, noting that "the secularity of the State may not be made the object of a revision" (Article 156).<sup>2</sup>

People who wish to establish a religious community must register with the Ministry of the Interior.<sup>3</sup> If a religious group fails to do so, the authorities will close down its facilities until proper registration has been completed.

The law also prohibits religious instruction in public schools under the country's constitutional principle of separation of state and religion.

Benin is one of the most religiously diverse countries in the region. The state has traditionally respected this pluralism. Relations between religious communities have been peaceful. More than a quarter of the population hold ethnoreligious beliefs, a widespread practice in West Africa. Muslims and Catholics are roughly equal, about 25

per cent each.<sup>4</sup> A small section of the population belongs to the Celestial Church of Christ, a Christian community whose teachings are strictly based on the Bible. Founded in 1947 in Benin, it is also present in several other West African countries. In practice, there is a great deal of overlap among the different denominations. Some Christians and Muslims also practise voodoo, although not always openly.

## INCIDENTS AND DEVELOPMENTS

For several years, Benin has been subject to growing threats from Islamic extremists.<sup>5</sup> Even though no major attacks have been perpetrated within the country itself, Jihadi terrorist groups are causing increasing concern,

The extremists' Islamist ideology is new to the country. There is no tradition of religious extremism in Benin itself, either in terms of legislation or religious practice in the population.

Benin's tradition of peaceful interreligious relations did not change during the reporting period, and no acts of religiously motivated violence were reported.

However, the parliamentary elections held on the 28th April 2019 have led to political and social instability. Oppo-

sition candidates were excluded from the elections due to the introduction of “new rules that classed opposition candidates as ineligible”.<sup>6</sup> Therefore, voters could only choose between two parties allied with President Patrice Talon on the ballot paper. Important demonstrations took place in several cities before, during and after the elections, and voter turnout was very low (23 per cent) due to the call for a boycott by opposition parties. The Catholic Church, through the Catholic Bishops’ Conference of Benin, condemned the violence and acted as a mediator between the government and opposition groups.<sup>7</sup>

Five years ago, Benin used to be a model of a multiparty democracy in Africa. The shift towards a more authoritarian system is a more recent phenomenon<sup>8</sup> with the introduction of new electoral rules by President Talon (in power since 2016), which makes opposition practically impossible. Nonetheless, these incidents were not related to inter-religious relations nor did they affect the right of religious freedom in the country.

main as it is, at least in the near future, with good interreligious relations. No major changes or widespread violence is expected.

It remains to be seen however whether the aforementioned political changes and resulting social instability will have any impact on the practice of religion. The increasing presence of jihadist armed groups in West Africa too could potentially threaten the climate of religious tolerance in the country.

The International Crisis Group (ICG) has reported that Benin’s northern neighbour, Burkina Faso, is becoming a “launching pad for [terrorist] operations further south,”<sup>9</sup> including Benin. As the ICG notes “for the past several years, armed groups active in the Sahel have referred in their declarations to the destabilisation of countries in the Gulf of Guinea”.<sup>10</sup> In a video released in early November 2018, three leaders of an al-Qaeda-affiliated jihadist group urged the Fulani people living in the Sahel and West Africa to engage in the jihad in countries like “Senegal, Benin, Côte d’Ivoire, Ghana and Cameroon”.<sup>11</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The positive state of religious freedom is most likely to re-

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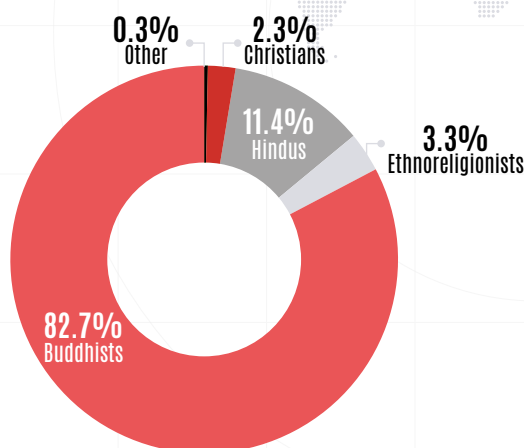
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# BHUTAN

## RELIGIONS



Population  
**835,245**  
GDP per capita  
**8,709 US\$**



Area  
**38,364 Km<sup>2</sup>**  
GINI INDEX\*  
**37.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The 2008 Bhutanese constitution recognises that “Buddhism is the spiritual heritage of Bhutan” and that all religious institutions have the responsibility “to promote the spiritual heritage of the country” (Article 3, 1), while also “ensuring that religion remains separate from politics” (Article 3, 3).<sup>1</sup> At the same time, the same charter states that Bhutanese citizens “shall have the right to freedom of thought, conscience, and religion,” and prohibits “coercion or inducement” of faith (Article 7, 4).<sup>2</sup>

Reconciling these two principles is difficult. In fact, the constitutional principle of religious freedom is still relatively new in Bhutan, coming after centuries of absolute monarchy and Buddhist clerical rule. The Election Commission of Bhutan has upheld the principle of separation between state and religion<sup>3</sup> under the Religious Organisations Act of 2007<sup>4</sup> to “ensure that religious institutions and personalities remain above politics” (Article 13, e).<sup>5</sup>

Although the principle of religious freedom is found in the constitution, proselytising is forbidden.<sup>6</sup> NGOs,

such as the Alliance Defending Freedom (ADF), have expressed concern that the country’s anti- “inducement” legal language is “tantamount to anti-conversion legislation.”<sup>7</sup> Non-Buddhist religious personnel are not allowed into the country, and non-Buddhist religions must be practised privately.<sup>8</sup> Non-Buddhist religious groups are not allowed to own property<sup>9</sup> or have cemeteries.<sup>10</sup>

The law requires that religious groups obtain licences in order to hold public religious gatherings. Christian churches have applied for registration with the Commission for Religious Organisations (CRO), but are still waiting for approval. There is nevertheless a recognised Hindu body, the Hindu Dharma Samudaya of Bhutan, which has been able to construct temples.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

Vajrayāna Buddhism, a variant of Tibetan Tantric Buddhism, is Bhutan’s state religion.<sup>12</sup> Buddhism and its large clergy (more than 12,000)<sup>13</sup> play a central public role in Bhutan’s life. With respect to religious freedom, as the incidents reflect, religious matters have not changed very much over the past two years.

There is no verifiable information concerning the oppression of non-Buddhists, but some missionaries have related negative experiences. Open Doors, for example, has reported instances of social pressure on Christian converts and discrimination at work, again none of which can be independently verified by third parties.<sup>14</sup> Pastor Tandin Wangyal, in prison since 2014, confirms that local authorities often discriminate and persecute Christians but this varies according to the region of the country.<sup>15</sup> Bhutanese Christians go abroad, for example to neighbouring India, to receive a religious education.<sup>16</sup> In the period under review, there were no reports of violent incidents associated with religious discrimination in Bhutan.<sup>17</sup>

Hindus too have experienced prejudice, most notably in the case of the Bhutanese Lhotshampa refugees. The Lhotshampas are a mostly Hindu ethnic group of Nepali origin who settled in southern Bhutan in the early 20th century; however, in the 1990s the government began a policy of “Bhutanisation” targeting the Lhotshampas.<sup>18</sup> More than a hundred thousand were expelled and became stateless ending up in refugee camps in Nepal. Since talks with Bhutan failed in 2003, the United Nations has helped over 112,800 Lhotshampa refugees resettle in other countries, such as the United States, Canada, and Australia (Nepal has refused taking the refugees).<sup>19</sup> In 2019 Nepal resumed talks with Bhutan over the repatriation of the remaining 6,500 refugees, but as a December demonstration held by Lhotsham-

pas in front of a UN office in Nepal indicates, repatriation efforts are yet to be successful.<sup>20</sup>

Bhutan has dealt relatively well with the COVID-19 pandemic.<sup>21</sup> Much of this success is due to its quick response, closing its borders for two weeks after its first confirmed case, a 76-year-old American tourist, on 6th March.<sup>22</sup> The country is now reopening and largely returning to normal, albeit with fewer visitors and more strictly regulated tourism.

## PROSPECTS FOR RELIGIOUS FREEDOM

Although violations of religious freedom in Bhutan have not been reported during the period under review, the application of the new constitution excluding non-Buddhist religions does not bode well for freedom of religion. Discrimination is likely to grow and become more commonplace. Efforts to solve the Lhotshampa issue are unlikely to get the government’s attention. Bhutan’s de facto discrimination against non-Buddhists has certainly contributed to this situation, which is likely to continue.<sup>23</sup>

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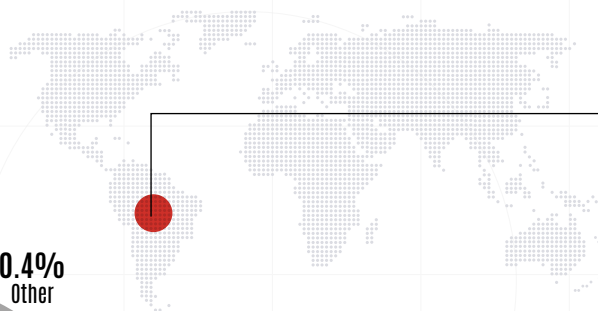
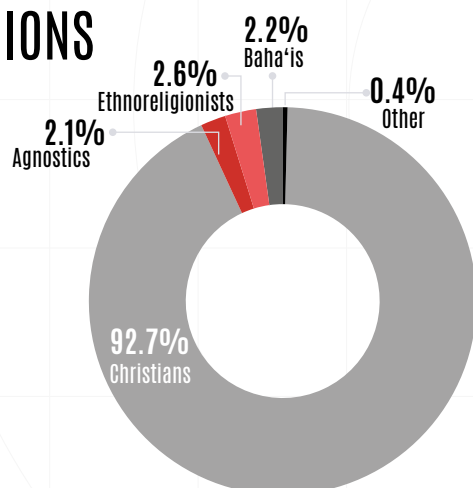
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# BOLIVIA

## RELIGIONS



Population  
**11,543,982**  
GDP per capita  
**6,886 US\$**



Area  
**1,098,581 Km<sup>2</sup>**  
GINI INDEX\*  
**42.2**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution<sup>1</sup> of the Plurinational State of Bolivia states that the country was founded anew “with the strength of our Pachamama and with gratefulness to God.”

Article 1 of the constitution stipulates that Bolivia is an “inter-cultural” state based on cultural pluralism. Article 4 proclaims that “the State is independent of religion” and “respects and guarantees freedom of religion and spiritual beliefs”. According to article 21 (3), Bolivians have the right “To freedom of belief, spirituality, religion and cult, expressed individually or collectively, in public and in private, for legal purposes.”

Under Article 14 (II), “The State prohibits and punishes all forms of discrimination based on [. . .] religious belief”. According to the same article (III), “The State guarantees [. . .], without discrimination, the free and effective exercise of the rights established in this Constitution, the laws and international human rights treaties.”

Article 21 (3 and 4) recognises the right “to freedom of thought, spirituality, religion” as well as worship and

association. The “cultural identity, religious beliefs, spiritualities, practices, customs, and [. . .] world view” of indigenous nations and peoples are expressly protected by Article 30 (2). Their sacred places and “traditional teachings and knowledge, their traditional medicine, languages, rituals, symbols and dress [must] be valued, respected and promoted” Article 30 (7 and 9).

In addition, the freedom to teach religion in educational facilities is guaranteed. Article 86 states, “There shall be no discrimination on the basis of religious choice with respect to the acceptance and permanence of students” in such facilities.

Religious entities have the right to administer educational facilities (Article 87). Article 88 (II) recognises, “the right of mothers and fathers to choose the education that is appropriate for their daughters and sons”.

The constitution has a section dedicated to cultures, stating that: “The State considers as a strength the existence of native indigenous, rural cultures, which are custodians of knowledge, wisdom, values, spiritualities and world views” (Article 98, II). Article 99 states that the cultural riches from religion are part of the cultural heritage of the Bolivian people.

The Holy See and Bolivia signed an agreement in 1986 on religious assistance in the Armed Forces and the National Police.<sup>2</sup>

Law No. 1161 on Religious Freedom, Religious Organisations and Spiritual Beliefs was promulgated in April 2019, requiring religious or spiritual organizations to register with the Ministry of Foreign Affairs (MFA) and report about their legal, social, financial and religious activities.<sup>3</sup>

## INCIDENTS AND DEVELOPMENTS

In the past two years, a number of laws were adopted on religious cultural heritage. In July 2018, the St Francis Minor Basilica was one three locations declared part of the country's material cultural heritage.<sup>4</sup> In July and August of the same year, the Yarituses ritual<sup>5</sup> and the Festival of the Virgin of the Anguish (Virgen de las Angustias) were declared an intangible part of Bolivia's cultural heritage.<sup>6</sup> In June 2019, a bill was introduced concerning the designation of the Colonial Church Apostle Santiago as a building of historical and architectural cultural heritage.<sup>7</sup>

In December 2018, the government signed an agreement with Evangelical communities to speed up the approval of the Law on Religious Freedom, first drafted in 2014, which addresses freedom of religion and the independence of the state, recognition of democratic institutionalism and coordination in social programs.<sup>8</sup>

The Law on Religious Freedom was enacted in April 2019 by President Morales. Though generally accepted, certain smaller non-Evangelical Protestant religious communities with "house churches" refused to register, viewing the oversight of their economic resources as an interference by the state in the right to freedom of religion.<sup>9</sup> The president used the occasion to criticise the Catholic Church's evangelisation during Bolivia's colonial history, and decried the opposition to the new law by some members of the clergy.<sup>10</sup>

In March 2019, the Inter-American Commission on Human Rights (IACHR) announced that an amicable settlement was reached in a case in which the rights to conscientious objection of a Jehovah's Witness were violated. The IACHR praised Bolivia for its efforts to implement the agreement.<sup>11</sup> In contrast, in April 2019, Bolivia's National Health Fund opened an internal in-

vestigation against two doctors who refused to perform an abortion on the basis of conscientious objection.<sup>12</sup>

In May 2019, the first Framework Cooperation Agreement was signed with the Evangelical Methodist Church. In this occasion, the president expressed appreciation for the contribution of different Churches to the country.<sup>13</sup>

Amid Bolivia's political crisis, religion was instrumentalised by various political actors. In November 2019, Evo Morales claimed that his detractors were using religion to commit acts of hooliganism and discrimination.<sup>14</sup> In March 2020, given the extent of biblical quotes in campaigning, presidential candidate Luis Fernando Camacho said that he was not using religion in his campaign. The election law bans the use of religious symbols and references.<sup>15</sup>

In November 2019, the newly installed acting president of Bolivia, Jeanine Áñez, noted that "the Bible was back in the [presidential] palace," and resumed using religious symbols.<sup>16</sup>

In January 2020, a judge ordered that an infant receive a blood transfusion despite opposition from his parents on religious grounds.<sup>17</sup>

With respect to the COVID-19 pandemic, the mayor of an indigenous town was arrested in April 2020 for allowing a religious festival to go ahead despite a government ban.<sup>18</sup>

In light of the situation, the acting president called for a day of "fasting and prayer" to defeat the coronavirus.<sup>19</sup> For her part, the Church provided social support, whilst some nuns organised soup kitchens and helped the most vulnerable.<sup>20</sup>

In August 2020, the Catholic Bishops' Conference of Bolivia said that it was ready for dialogue amid the ongoing political and health crisis.<sup>21</sup>

The election results in November 2020 favoured Luis Arce, from the party "Movimiento al Socialismo", and who is very close to former president Evo Morales. Considerable political and social changes could take place in the near future.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

No episodes of religious intolerance or discrimination have been reported in Bolivia in the period under re-

view. Religion is present in public life, but it is at risk of being politicised. It is worth noting that the government reached a friendly agreement in a case of conscientious objection that was brought before the Inter-American Commission on Human Rights. The situation could change in view of the return of the Socialist government but, generally the outlook remains positive.

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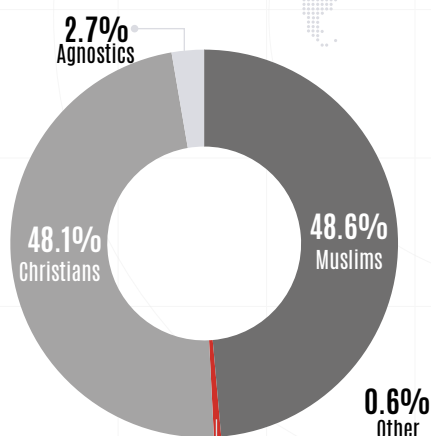
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# BOSNIA-HERZEGOVINA

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In 1995, the General Framework Agreement for Peace in Bosnia and Herzegovina was signed in Dayton (United States), after three years of war, establishing Bosnia and Herzegovina (BiH) as a de facto confederation between the mostly Catholic and Muslim Federation of Bosnia and Herzegovina, in the western and central areas of the country, and the mostly Orthodox Serbian Republika Srpska, in the north and the east. The two main regions have their own president, government, parliament, and police. A third entity, the Brčko District of Bosnia and Herzegovina, exists in north-eastern BiH, and is an administrative unit set up in 1999 run by the two other entities.<sup>1</sup>

The central government has a rotating three-member presidency (Article V).<sup>2</sup> Annex four of the Dayton Agreement sets out the Constitution of Bosnia and Herzegovina.<sup>3</sup>

Most BiH citizens self-identify with one of the country's three main ethnic groups: Catholic Croats, Orthodox Serbs and Muslim Bosniaks. According to the last census (2013), Bosniaks represented 50.1% of the population, Serbs 30.8%, Croats 15.4%, Others 3.7%.<sup>4</sup>

In Bosnia and Herzegovina, Church and state are sep-

arate in accordance with Article 14 of the 2004 "Law on Freedom of the Religion and the Legal Position of the Churches and Religious Communities in Bosnia and Herzegovina".<sup>5</sup>

The law provides for freedom of religion (Article 4, 1), ensures the legal status of Churches and religious communities (Article 2, 3) and prohibits any form of discrimination against any religious group (Article 2, 1). It also provides the basis for the relationship between the state and religious groups (Chapter IV).

Article 16 (1) also requires that a register of all religious groups be kept at the Ministry of Justice, while the Ministry of Human Rights and Refugees is tasked with documenting violations of religious freedom. The law recognises four traditional religious communities and Churches: the Islamic Community, the Serbian Orthodox Church, the Roman Catholic Church and the Jewish Community (Article 8, 2).

According to the law, any group of 300 adults may register to be recognised as a new Church or religious community by applying in writing to the Ministry of Justice (Article 18, 1 and 2). The Ministry of Justice is to issue a decision within 30 days of the application, and an appeal may be made to the Council of Ministers.

The law reaffirms the right of every citizen to religious education. Official representatives of the various Churches and religious communities have responsibility for teaching Religious Studies in all public and private pre-schools, primary schools, and higher-level educational establishments (Article 4, 1).

The Basic Agreement between the Holy See and Bosnia and Herzegovina was signed on 19th April 2006 and came into effect on 25th October 2007.<sup>6</sup> The agreement recognises the public juridical personality of the Catholic Church (Article 2) and grants a number of rights, including the right to establish schools (Article 14, 1) and charities (Article 17, 1), providing religious education in all schools (Article 16, 1), and officially recognises the main Catholic feast days (Article 9, 1). The agreement also includes the creation of a Mixed Commission to deal with further issues. (Article 18, 2)

On 6th January 2010, the Islamic Community submitted a draft proposal for an agreement with the state. In 2015 the draft proposal was approved by the Council of Ministers and sent to the Presidency for final approval, but the final text has not yet been implemented.<sup>7</sup> Although the major objections to the agreement have never been made public, it is believed that the Presidency cannot agree whether to use the term “respect” or “guarantee” within certain articles of the agreement.<sup>8</sup> Talks are still ongoing.<sup>9</sup>

In April 2010, the Holy See and the BiH government signed another agreement for Catholic members in the BiH Armed Forces.<sup>10</sup> (On 3rd December 2007, BiH authorities signed a similar agreement with the Serbian Orthodox Church but it has not yet been implemented.)<sup>11</sup>

Under communist rule, the state seized assets owned and operated by Churches and religious communities. The Law on Freedom of Religion (Article 12, 3) acknowledges this, recognising the right of religious communities to restitution of expropriated religious properties. Unlike other former Yugoslav republics, the BiH parliament has not yet legislated in the matter. So far, very little has been returned to the various communities.<sup>12</sup> In March 2020, Cardinal Vinko Puljić, Archbishop of Vrhbosna, said that religious communities in Bosnia and Herzegovina expect a law on restitution to be adopted, especially since assets were either destroyed or wrongfully seized by the state.<sup>13</sup>

The foundation of an Interreligious Council in 1997 was a turning point in the religious history of the country. Still active today it aims to provide an authentic basis for mutual

esteem, cooperation and freedom in the country.<sup>14</sup>

## INCIDENTS AND DEVELOPMENTS

In a country where political and ethnic tensions remain high, religious groups and members of the clergy have endured a certain level of violence. Hate crimes and acts of vandalism against religious sites and symbols have increased, with no consequence for the perpetrators, as the authorities have proven unable to improve security measures.

Several incidents have been recorded during the period under review. They include a March 2019 attack against a Catholic church in Gradačac<sup>15</sup> and another in June of the same year against the Saint Sava Orthodox Church in Blažuj, on the outskirts of the capital, Sarajevo.<sup>16</sup>

In August 2019, Orthodox clergymen reported receiving death threats in Mostar,<sup>17</sup> but since no investigation followed it is impossible to know if it was religiously motivated.

Mosques have also been targeted; for example, anti-Muslim graffiti appeared on the Atik mosque in Bijeljina in June 2019,<sup>18</sup> whilst the Riječanska mosque in Zvornik was stoned in July 2019.<sup>19</sup> Muslim gravestones were also vandalised in July 2019.<sup>20</sup> Early in 2020, windows of the Čaršijska mosque in Bosanska Dubica were broken, and not for the first time.<sup>21</sup>

On 1st October 2019, the European Court of Human Rights (ECHR) ordered BiH authorities to remove a Serbian Orthodox church built on land owned by a 77-year-old Muslim woman, Fata Orlović, after she and her family were forced to flee from their village in eastern Bosnia and Herzegovina during the civil war.<sup>22</sup>

In January 2020, the Catholic Veresika cemetery was vandalised in Tuzla.<sup>23</sup>

Islamism is a major challenge for Bosnia and Herzegovina. The BiH Council of Muftis has tried to incorporate unregistered Salafi-led groups, so-called para-jamaats, that operate outside the jurisdiction of the official Islamic Community. Some 21 such groups existed in 2019, down from 64 in 2016.<sup>24</sup>

Hundreds of Bosniaks joined the Islamic State (IS) group in Iraq and Syria after 2012.<sup>25</sup> In December 2019, a group of 25 were repatriated, including six women and 12 children.<sup>26</sup> According to the Prosecutor’s Office of Bosnia and

Herzegovina, all the men would be prosecuted on terrorism charges. The women and children underwent medical and security checks.<sup>27</sup> For Bosnia and Herzegovina, the lack of a de-radicalisation program is a serious security issue.<sup>28</sup>

A dispute broke out between the Catholic Church and the Islamic Community over the ruins of the Saint Mary's Church and Saint Luke's Bell Tower in Jajce.<sup>29</sup> After the Ottoman conquest of Bosnia, the church was turned into a mosque, but after several fires, it was left in ruins in the mid-19th century. Classified as a national monument,<sup>30</sup> both Catholics and Muslims claim the site.<sup>31</sup>

Bosnia and Herzegovina also faces a problem of renewed emigration. Individuals and entire families are leaving the country and seeking a better future abroad. If the trend continues, the UN expects that by 2050 there will only be just over three million people left.<sup>32</sup> This has religious implications impacting the relative size of the country's three main ethno-religious groups. This is most true of the country's Catholic population,<sup>33</sup> especially the young. According to Cardinal Vinko Puljić, Archbishop of Vrhbosna, up to 10,000 Catholics leave Bosnia and Herzegovina every year.<sup>34</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Bosnia and Herzegovina is a deeply divided country and is far from being economically and politically stable. Human rights are unlikely to find a fertile ground in the coming two years, including religious freedom, in a country where ethno-religious identity is so important.

Many foreign Muslim fighters who entered during the civil war in the 1990's to fight alongside Bosnian Muslims nev-

er left. They tend to be Wahhabi, very conservative, and receive funding from Saudi charitable foundations.<sup>35</sup> This has led to disputes and clashes between more moderate, local Muslims and the outsiders with more radical views of Islam.

The return of Bosnian fighters who joined the Islamic State group to BiH is also a source of concern. In January 2020, the State Presidency decided to allow its citizens to return home.<sup>36</sup> At the same time, under a law that made participating in foreign wars a criminal offence, local courts tried and convicted up to 26 Bosnian IS fighters as of January 2020.<sup>37</sup>

Mass immigration is another serious stability and security threat with nearly one million migrants waiting at the country's borders. By January 2020, about 50,000 migrants from Afghanistan, Iraq, Syria and other Middle-Eastern countries were already in Bosnia and Herzegovina,<sup>38</sup> 30,000 coming in over the previous 12 months from Serbia and Montenegro.<sup>39</sup> Porous borders, ill-equipped and low-paid border guards, and a dysfunctional state will seriously affect Bosnia and Herzegovina's ability to resist large numbers of newcomers, especially since organised crime groups are involved in human trafficking.

The culmination of these pressures in such a fractured society means that the already difficult environment for religious freedom will become even more precarious. Although historically Christians and Muslims have lived together in relative peace, the growing emigration of young Catholic families combined with an increase in fundamentalist Islamic groups supported from abroad (notwithstanding the efforts of local Muslims to incorporate and mitigate the influence of these foreign groups) depicts a bleak future for this human right.

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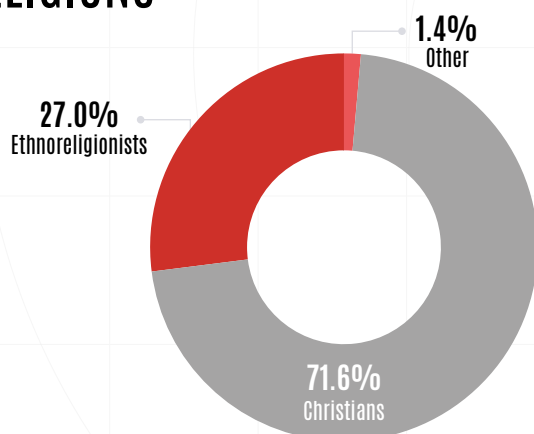
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# BOTSWANA

## RELIGIONS



Population

**2,415,766**

GDP per capita

**15,807 US\$**

Area

**581,730 Km<sup>2</sup>**

GINI INDEX\*

**53.3**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Republic of Botswana<sup>1</sup> of 1966, amended in 1994 and 1997, guarantees (Article 11, Section 1) “freedom of conscience”, which includes “freedom of thought and of religion, freedom to change his or her religion or belief, and freedom, either alone or in community with others, and both in public and in private, to manifest and propagate his or her religion or belief in worship, teaching, practice and observance.” In Section 2, it continues: “Every religious community shall be entitled, at its own expense, to establish and maintain places of education and to manage any place of education which it wholly maintains; and no such community shall be prevented from providing religious instruction for persons of that community in the course of any education provided at any place of education which it wholly maintains or in the course of any education which it otherwise provides.” It finally states (Section 3) that, “Except with his or her own consent (or, if he or she is a minor, the consent of his or her guardian) no person attending any place of education shall be required to receive religious instruction or to take

part in or attend any religious ceremony or observance if that instruction, ceremony or observance relates to a religion other than his or her own.”

Religious groups must register with the Registrar of Societies at the Ministry of Labour and Home Affairs, but the process is usually straightforward and only takes a few months.<sup>2</sup> Registration has certain legal benefits since unregistered religious groups cannot sign contracts, conduct business or open bank accounts. The membership threshold for new religious groups is 150.<sup>3</sup>

The following religious feasts are national holidays: Good Friday, Easter Monday, Ascension Day, and Christmas Day.<sup>4</sup> Although the country only recognises Christian holidays, members of other religious groups are allowed to observe their feast days without government interference.<sup>5</sup>

Botswana is predominantly Christian, but it is home to important religious minorities such as Baha'is, Muslims (mostly of South Asian origin) and Hindus, usually foreign migrant workers. A growing number of people who are nominally Christian appear to adhere to no religious beliefs. The government acknowledges religious pluralism and encourages interreligious dialogue and cooperation.

## INCIDENTS AND DEVELOPMENTS

During the period covered by this report, there were no incidents of an interreligious nature, nor acts of intolerance, discrimination or persecution against any religious group. In July 2018, Botswanan President Mokgweetsi Masisi announced that missionaries of the Church of Jesus Christ would be granted year-long visas; previously, they only received short-term visas.<sup>6</sup>

The Enlightened Christian Gathering Church's application was withdrawn on 10th January 2018 after the government said the Church had failed to respond to an official letter asking leaders to explain why they solicit "miracle money", which is regarded as illegal by the state authorities. The Church is in the process of re-registration.<sup>7</sup> Pastor Bushiri, a renowned religious leader in Southern Africa, famous for his preaching style and alleged miracles, is facing charges of fraud and money laundering. His case was transferred to the Gauteng High Court in Pretoria in November 2019 for trial.<sup>8</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

As one of the rare African countries with a well-established democracy, Botswana has a strong tradition of rule of law and respect for basic human rights, including religious freedom. However, its Gini Coefficient is 53.3, which means that it is one of the world's most unequal societies.<sup>9</sup>

Despite this, respect for religious minorities and peaceful relations between faith groups continues. The case of the Enlightened Christian Gathering Church appears to be primarily a law enforcement issue involving fraud. Based on its track record, the country is likely to continue along a path of stability.

The African Council for Religious Leaders has proposed to set up an ad hoc committee, the Interreligious Council Botswana<sup>10</sup>, but it is not yet operational. Interfaith press releases and statements are common since the Christian churches are united and collaborative.

During the COVID-19 pandemic the Catholic Church, especially the Sisters of Calvary,<sup>11</sup> have been working to provide masks to the population. There were no indications of tensions between religious communities during the lockdown.

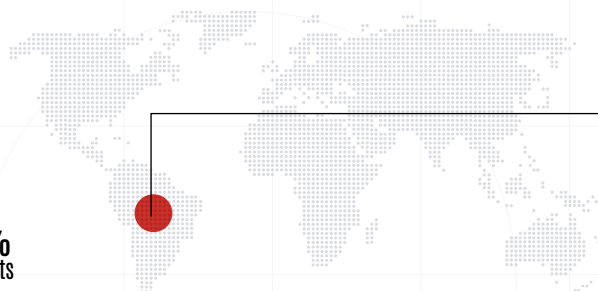
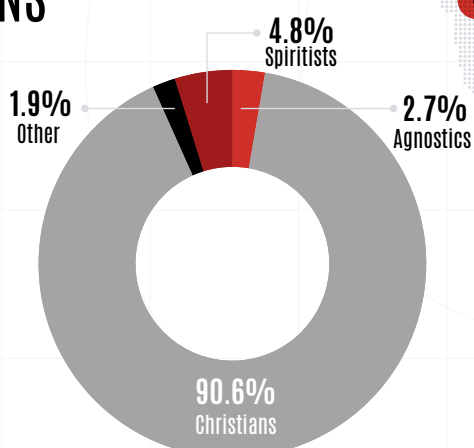
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# BRAZIL

## RELIGIONS



Population  
**213,863,046**  
GDP per capita  
**14,103 US\$**



Area  
**8,515,767 Km<sup>2</sup>**  
GINI INDEX\*  
**53.9**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Freedom of belief and worship is guaranteed by the 1988 Brazilian constitution,<sup>1</sup> in Articles 5 (VI) and 19 (I). Law No. 7716 of 1989 criminalises discrimination based on race, colour, ethnicity, religion or nationality.

Historically, public policies aimed at combating discrimination began with racial issues, followed by gender and, more recently, religious issues.

Although these might differ from other sources, for anything related to religion the government of Brazil bases its policies on the 2010 official census. Percentage-wise they consider the religious demography of the population to be: Christians 88.83 percent, unaffiliated 7.65 percent, spiritualists/animists 2.05 percent, atheists and agnostics 0.39 percent and others at 1.08 percent.<sup>2</sup>

In 1989, a federal department, the Ministry of Women, Family and Human Rights, was created to implement public policies against all types of discrimination. In 2015, a new branch, the Religious Diversity and Human Rights Advisory Agency (Assessoria de Diversidade Religiosa e Direitos Humanos, ASDIR), was set

up within this Ministry specifically dedicated to tackling religious discrimination.

However, with the financial crisis that affected the Brazilian public sector in the last decade, both the federal and state governments reduced their activities in this field, closing down bodies specifically dedicated to the defence of religious diversity. As a result, the aforementioned ASDIR was shut down. In its place, the Coordination of Freedom of Religion or Belief, Conscience, Expression and Academic Research (Coordenação de Liberdade de Religião ou Crença, Consciência, Expressão e Acadêmica, COLIB) was created in 2019 under incumbent President Jair Bolsonaro.<sup>3</sup>

At present, the concept of a secular state and the separation of politics from religion are the source of an escalating conflict in Brazil. In the 2019 election, then candidate Bolsonaro undertook a campaign that politicised religious matters, as he tried to present himself as a defender of Evangelical values and communities, in particular neo-Pentecostals, in opposition to political groups considered left-wing progressives.

In addition, Evangelical Churches linked to large political interest groups have supported for a long time three political factions (informally known as *bancadas*, literal-

ly benches) that form the BBB caucus in the country's federal Congress, which represent the gun (bala or bullet), farm (boi or beef) and Evangelical (Bíblia or Bible) lobbies.<sup>4</sup> Evangelical preachers have also become increasingly active in political campaigns.

This situation has sparked protests and recently, federal Supreme Court Justice Luiz Edson Fachin suggested that candidates to elected office, when linked to religious groups, could become ineligible for "abuse of religious power" if they use religious venues or events for their campaigns. This proposal, however, was later rejected by the Supreme Electoral Court<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

This politicisation of religious issues seems to be a characteristic of Brazil's current polarised socio-political context. Studies based on police data in the State of São Paulo have shown that crimes related to religious intolerance increased by 171 percent during the 2018 presidential election, compared to the same period the previous year.<sup>6</sup> The problem in São Paulo continued during the first half of 2019.<sup>7</sup> In the State of Rio de Janeiro, 200 cases were registered as of September 2019, while only 92 were recorded in the whole of 2018.<sup>8</sup>

However, data for the 2011-2018 period from Disque 100 (Dial 100), Brazil's free telephone service to report rights violations and domestic violence, did not show significant differences in the 2018 electoral period in relation to previous years. Complaints by telephone about religious intolerance have varied widely over the years in each Brazilian state, with no patterns like those found in police reports in São Paulo and Rio de Janeiro. Any variation over the years reflects mainly levels of awareness, which depend heavily on promotional campaigns.

For the 2017-2018 period, Disque 100 shows a stable distribution of complaints among Brazilian states. Rio de Janeiro had the highest number of complaints per inhabitant, around four times the national average, followed by the Federal District, and Bahia, both around twice the national average. There is no explanation for these variations, which seem to be associated with social, cultural, and historical conditions not linked to religion.

All data and studies indicate that the followers of Afro-Brazilian religious rites suffer the most from religious intolerance in Brazil. The number of members of these religions is currently very small (less than 0.5 percent of the total population), but the likelihood of one of them experiencing acts of religious discrimination is 130 to 210 times greater than the general population.<sup>9</sup>

The most common incidents are attacks on places of worship as well as physical or verbal attacks on people, generally by neighbours. In addition, reports of attacks on "terreiros" (literally backyards), Afro-Brazilian temples, by criminal groups have become more frequent. Emblematic cases have been reported in Baixada Fluminense, a region in the State of Rio de Janeiro, where an Evangelical criminal gang, the self-titled "Bandits of Christ" (Bandidos de Cristo), whose chief was called "Pastor", prohibited terreiros from holding religious services.<sup>10</sup>

Such criminals intimidate the "fathers or mothers of saints" (pais de santo and mães de santo, i.e. Afro-Brazilian priests and priestesses) and threaten to destroy the terreiros if religious activities are not stopped. In this region, the same type of attack also occurs against other new esoteric religions, such as Wicca.<sup>11</sup>

After 15 terreiros were forced to close in the region in May 2019 alone, the Public Prosecutor's Office called on the state government to take urgent action.<sup>12</sup> Some of the criminals were arrested, but only months later, in August 2019.<sup>13</sup>

Acts of omission, collusion or even religious intolerance by public agencies have been growing as well. In the State of Amazonas, the Public Prosecutor's Office received a complaint that the police refused to file a case about the attempted murder of a "father of saint" by a Neo-Pentecostal neighbour.<sup>14</sup>

In a particularly serious incident, the authorities of the Federal District carried out the destruction of a terreiro, claiming that the structure was an unauthorised construction. In their defence, the management of the terreiro said that they had not been informed, adding that surrounding buildings were also unauthorised but they were not demolished. For the Brazil Bar Association (Ordem dos Advogados do Brasil), this was a case of religious intolerance.<sup>15</sup>

Longitudinal data about complaints via Disque 100 are also influenced by national and international events that



arouse hostility towards a given religion. For example, in previous years, when the persecution of Christians by the Islamic State was in the headlines, there were more cases of attacks on Muslims.<sup>16</sup>

At present, attacks on sacred sites and threats to stop religious practices of other religions seem to be more frequent in Brazil. In the interior of the country, indigenous communities have seen a rise in attacks against their religious leaders and their places of worship (torn down or set on fire).<sup>17</sup> Conflicts, in these cases, are usually associated with land disputes between indigenous peoples and landowners.

In recent years, several attacks on Catholic churches have also been reported, a rare occurrence in the past.<sup>18</sup> The attacks are usually acts of vandalism, such as the destruction of sacred images (like Our Lady of Aparecida), and graffiti on external walls. According to some analysts, there has been an increase in the persecution of Catholics, as they are accused of worshipping saints, by neo-Pentecostal Protestants.<sup>19</sup> Against a background of political polarisation, Catholic priests considered “progressive” for supporting leftist or LGBT+ issues and people have been harassed for “betraying their faith”.<sup>20</sup>

On Christmas Eve 2019, the offices of Porta dos Fundos (Back Door), a YouTube comedy channel, were attacked with Molotov cocktails.<sup>21</sup> Every year, the company produces a satirical film about Jesus and the Apostles; its 2019 parody was aired on streaming service Netflix, as a Christmas special. There were no victims and the only suspect was identified as a militant with fascist groups. He was eventually arrested in Russia, where he was on the run.<sup>22</sup>

In most of these incidents, no matter what religion is attacked, the perpetrators of the attacks tend to be Neo-Pentecostal Evangelicals. However, Evangelical communities too have been victims of attacks.<sup>23</sup>

For Brazil’s Jewish community, there is no anti-Jewish persecution in the country<sup>24</sup> and cases of intolerance or persecution are generally treated as racial, not religious in nature. Although rare in Brazil, in one incident in February 2020, a Jewish man wearing a kippah on his way to the synagogue, was beaten by young neo-Nazis.<sup>25</sup> Like in the case of followers of Afro-Brazilian religions, this might appear as religious intolerance, but for Brazilian authorities this was a case of racial

persecution.

Some Brazilian Jews have complained that Neo-Pentecostal Churches have appropriated their religious symbols. The seat of the Universal Church of the Kingdom of God, the largest Evangelical denomination in Brazil, is called the “Temple of Solomon” and reproduces the forms of the Old Testament building.<sup>26</sup> Some Neo-Pentecostal pastors have baptised rich or well-known believers in the Jordan River. President Jair Bolsonaro, for example, was baptised by a pastor currently serving time in prison for corruption and money laundering.<sup>27</sup> The Brazilian Jewish Confederation (Confederação Israelita do Brasil, CONIB) says it is flattered by these expressions of appreciation and believe this gives them some protection from attacks, but Orthodox Jews consider it as a misuse of Jewish tradition.<sup>28</sup>

In view of the situation, Brazil’s current federal government has undertaken certain initiatives to combat intolerance and guarantee religious freedom, through the newly created Coordination of Freedom of Religion or Belief, Consciousness, Expression and Academic Research (Coordenação de Liberdade de Religião ou Crença, Consciência, Expressão e Acadêmica, COLIB). Two booklets were prepared on the subject. The first, Religious freedom: A Guide to Your Rights,<sup>29</sup> is a general document on the subject, aimed at the entire population. The second, Protocol for religious and civil society organisations on care and reception for the homeless in the context of the COVID-19 pandemic,<sup>30</sup> is specifically aimed at social organisations, many of them religious, which serve the homeless, so that they can guarantee religious freedom in serving these groups during the pandemic period.

A National Day to Combat Religious Intolerance was instituted on 21st January, involving federal, state, and local governments as well as social organisations.<sup>31</sup> In addition, states and municipalities have their own agencies and social associations dedicated to the problem. The State of São Paulo, for example, has the Inter-Religious Forum for a Culture of Peace and Freedom of Belief, with representation from 22 religious groups.<sup>32</sup>

Brazilian courts tend to rule in favour of employees when they claim to have been discriminated on religious grounds. In 2018, a large bank was found guilty because an Afro-Brazilian employee was verbally attacked by a colleague during union business.<sup>33</sup>

Although Neo-Pentecostal Evangelicals are seen as the main perpetrators of acts of intolerance in Brazil, some have come out in support of victims of aggressions. In Rio de Janeiro, the state with the highest number of such incidents, the president of the state's National Council of Christian Churches (Conselho Nacional de Igrejas Cristãs, Conic-Rio), organised a fundraising campaign for the reconstruction of a terreiro destroyed by Neo-Pentecostals.<sup>34</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Like in previous reports, followers of Afro-Brazilian religions remain the most persecuted group in the country, followed by members of esoteric and animistic religions, but overall these groups represent a small proportion of the country's population. By and large, they tend to be the victims of followers of Neo-Pentecostal Evangelical Churches.

A big change has occurred in recent history, namely the politicisation of religion and its impact on Brazilian society. Christians deemed conservatives (a fraction of both the Catholic and Evangelical communities) now have access to office and its holders in both state and federal governments, and many of their actions appear to be backed or covered up by public agencies. Secularist (Laicist) militants, in turn, have become more aggressive in public in their opposition to the ideas of these Christian groups.

The issue of Christophobia (or pejoratively called cren-tephobia in Portuguese, i.e. believer-o-phobia) is a major controversy in Brazil's contemporary public life. In a speech to the United Nations, President Bolsonaro spoke about Christophobia but was promptly criticised by experts on religious freedom.<sup>35</sup> Those who believe that Christophobia is a real problem in Brazil refer mainly to symbolic attacks, such as the aforementioned Christmas television programme that ridicules Christ and the Apostles.<sup>36</sup>

Some authors see cren-tephobia as a form of cultural repression and as an attack against freedom of expression and the values of the conservative Christian community.<sup>37</sup> The view is not unanimous,<sup>38</sup> but it fits in with the practice of "cancel culture", and this leads to social and political conflicts, based on religious arguments.

Some authors without religious affiliation have empha-

sised the need for dialogue and understanding with the conservative Christian community in order to avoid the upsurge of religiously motivated social conflicts in Brazil.<sup>39</sup>

Since the promulgation of the 1988 Constitution and new rights legislation, attacks and hate speech against non-Christian religions, especially Afro-Brazilian groups, have been reduced. Nevertheless, religious intolerance and aggression have grown recently in the country.

The politicisation of traditional values and religious beliefs have given rise to resentment among conservative Christian communities, mostly low-income Brazilians, in the face of "cancel culture". As a result, the attitudes of these Christians are becoming more violent; likewise, secular groups are also showing more disrespect and intolerance.<sup>40</sup>

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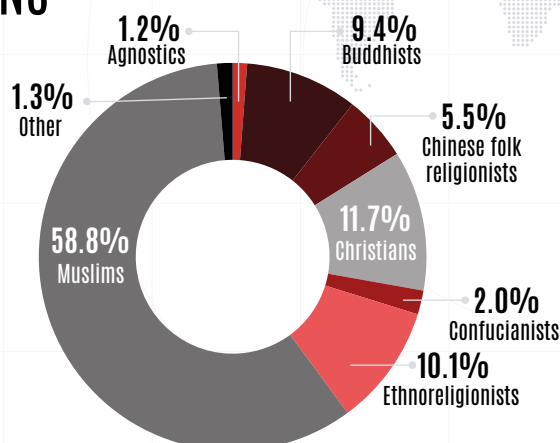
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# BRUNEI

## RELIGIONS



Population  
**444,519**  
GDP per capita  
**71,809 US\$**



Area  
**5,765 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Brunei is located on Borneo, an island that it shares with Malaysia and Indonesia. Once a major empire, Brunei declined during the 19th century becoming a British Protectorate in 1888. The Japanese occupied the country during the Second World War. Brunei did not recover its full independence from the United Kingdom until 1984.

Its current constitution was adopted in 1959 and revised in 2006. Under Article 2 (1), the official religion is Islam “according to the Shafeite sect of Ahlis Sunna Waljamaah.” The “Shafeite sect,” also referred to as the Shafi’i School, is one of the four major schools or forms of Islamic jurisprudence (fiqh). Article 3 provides a certain measure of protection for religious freedom insofar as it declares that “all other religions may be practised in peace and harmony by the persons professing them.”<sup>1</sup>

The Government of Brunei, which is an absolute monarchy, promotes the national philosophy of Melayu Islam Beraja (MIB), or Malay Islamic Monarchy,<sup>2</sup> through a Supreme Council, whose mandate is to boost the MBI

philosophy and promote the practice of Islam.<sup>3</sup>

Brunei’s civil and Shari’a courts operate in parallel. The civil courts are based on English common law and a secular penal code. Shari’a courts are based on Islamic law as interpreted by the Shafi’i School. Shari’a courts hear criminal, family and other civil cases. They apply long-standing Shari’a legislation. They also apply the new Syariah (Shari’a) Penal Code (SPC). The government enacted the first phase of the SPC in 2014, followed by the second and third phases in April 2019.

Shari’a applies to Muslims and non-Muslims. All Bruneians, Muslim and non-Muslim, as well as foreign visitors cannot engage in conduct considered un-Islamic and are subject to criminal sanction. Shari’a prohibitions include drinking alcohol and eating in public during the hours of the Ramadan fast, which are routinely enforced. However, non-Muslims are not subject to some of the specific requirements of Islamic religious practice, such as Friday prayers and zakat (alms giving).

Sweeping legal provisions protect the official religion in other ways. Any act that “tends to tarnish the image of Islam” is a criminal offence. It is also illegal to criticise the Syariah Penal Code. Public celebrations of Christmas, including putting up decorations and singing car-

ols, have been banned since 2014 on the grounds that they could damage the “aqidah (beliefs) of the Muslim community.”<sup>4</sup> Likewise, since 2015, the government has tightened restrictions on the public celebration of Chinese religious festivals.<sup>5</sup>

All religious groups must register with the authorities. This entails providing information about their organisation, membership and activities.<sup>6</sup> Registration is essential, but the Registrar’s Office has discretionary powers and can deny registration. Failure to register may lead to a charge of unlawful assembly and result in a fine. Membership in an unregistered organisation is punishable under criminal law, including a custodial sentence not exceeding three years. Any gathering in public of five people or more, including for the purpose of worship, requires official permission. Religious group activities are treated like private gatherings.<sup>7</sup>

Attempts to expand or renovate buildings operated by non-Muslim religious groups are constrained and, as a result, facilities are often too small or otherwise inadequate.<sup>8</sup> A few churches exist in Brunei, along with a small number of Buddhist, Taoist, and Hindu temples. While churches and church-run private schools may in principle repair their sites, in practice the approval process is lengthy, complex, and subject to delays. A standing fatwa discourages Muslims from assisting non-Muslims in sustaining their beliefs and this also hinders work on non-Muslim facilities.

The government has banned several religious groups. These include the ‘Ahmadi form of Islam, Al Arqam (a Malaysian-based Islamic sect), the Baha’i faith and the Jehovah’s Witnesses. The bans are included in fatwas issued by the State Mufti and the Islamic Religious Council. Muslims who wish to renounce their faith may do so at present, but must formally notify the Islamic Religious Council.<sup>9</sup>

Schools administered by the Ministry of Religious Education or the Ministry of Religious Affairs provide Islamic religious education. In these schools, Islamic education is compulsory for Muslim children and optional for non-Muslim students. Muslim parents are also required to enrol their children in schools that provide supplemental religious education. If they fail to do so, they may be fined or imprisoned for up to one year. Government-approved religious education curricula do not cover non-Muslim faiths.<sup>10</sup>

The Ministry of Education recognises private Church schools, which can accept pupils of any religion. However, even Church-run private schools are not permitted to offer Christian religious instruction; failure to comply may result in criminal charges. No provision is made for the teaching of other forms of Islam. Faiths other than Shafi’i Islam may be taught only in private settings, such as family homes, or in registered churches.<sup>11</sup>

The Ministry of Religious Affairs dictates the content of sermons at Friday prayers, which can be delivered only by imams registered with the state. The government has warned the population against other forms of Islam, such as liberal Islam, Salafism and Wahhabism. The approach to Islam in the country is sometimes justified as a bulwark against extremism.<sup>12</sup>

Most official meetings open with Islamic prayers. Businesses are closed during Friday prayers and restaurants do not serve food during the fasting hours of Ramadan. Residents are required to carry identity cards, which, in practice, are used to identify the religion of the bearer. Visitors to the country are asked to specify their religion when making a visa application.<sup>13</sup>

Brunei media regularly carry stories of conversion to Shafi’i Islam. The state incentivises conversions, offering converts welfare payments, new homes, generators, water pumps, or sums of money to enable them to undertake the Hajj. These incentives are aimed especially at members of indigenous groups in rural areas.<sup>14</sup>

## INCIDENTS AND DEVELOPMENTS

In April 2019, the government proceeded to implement the long-awaited second and third phases of the Syariah Penal Code (SPC).<sup>15</sup> This followed the enactment of a Criminal Procedure Code (CPC) in March 2018.<sup>16</sup> The SPC imperils religious freedom and other fundamental human rights in numerous ways. For example, the SPC prohibits defaming the Prophet Mohammad, a crime punished with the death penalty for both Muslims and non-Muslims.

The SPC criminalises apostasy, punishes any acts of “delivering or giving publications relating to religion other than Islam”, and outlaws the use of Islamic terms to express any “fact, belief, idea, concept, act, activity, [or] matter” related to non-Muslim religions.<sup>17</sup> The punishments for certain crimes include death by stoning (for

blasphemy, apostasy, and adultery) and whipping (for alcohol consumption by Muslims). This has sparked a global outcry.

In addition, since April 2019 the SPC criminalises the propagation of any religion other than Islam among Muslims and others, exposing Muslim children to non-Islamic faiths, and criticising Islamic religious authorities. The SPC also prescribes punishments for helping people engaged in prohibited behaviours. According to Human Rights Watch, “all these provisions place non-Muslim religious believers and non-believers in general in a disfavored status, and severely limits their freedom of religion in violation of international human rights law.”<sup>18</sup>

Apparently responding to intense international criticism of the Syariah Penal Code, the Sultan of Brunei Hassanal Bolkiah announced on 5th May 2019 “a de facto moratorium on the execution of death penalty for cases” arising under any part of the SPC. However, such a “de facto” moratorium permits the sultan to reinstate capital punishment at any time for capital crimes such as blasphemy, apostasy, sodomy, and adultery.<sup>19</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

While non-Muslims reported no new restrictions on their religious practice during the period under review, the full implementation of the Syariah Penal Code threatens to reinforce a social and political climate already hostile to religious freedom. Given that Muslims and non-Muslims already experience enormous pressure to conform to Islamic norms – particularly Christians who reported workplace discrimination and occasional social media hostility – the SPC is likely to create an even more repressive atmosphere in part through self-censorship, even if its provisions are not formally applied. The prospects for freedom of religion in Brunei, therefore, are poor.

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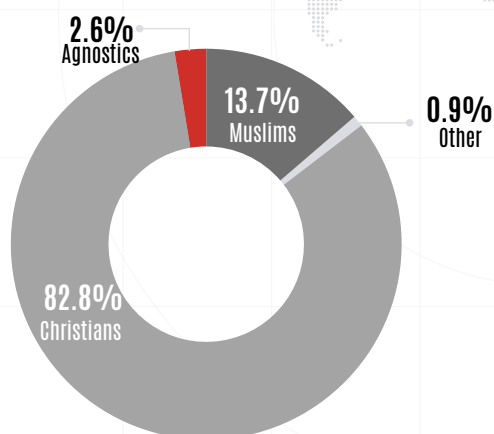
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# BULGARIA

## RELIGIONS



Population

**6,940,527**

GDP per capita

**18,563 US\$**

Area

**11,002 Km<sup>2</sup>**

GINI INDEX\*

**40.4**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Bulgaria's constitution, adopted in 1991 and amended through 2015,<sup>1</sup> upholds freedom of religion and belief in Articles 13 (1-4) and 37 (1-2). The latter extend protection to all religions, recognise Eastern Orthodox Christianity as the "traditional religion" of the country, and ban the use of religion for violent or political ends.

The primary law regulating freedom of religion or belief is the Religious Denominations Act (2002), which provides protocols for the legal recognition of religious denominations and communities. All religious groups may legally worship without registering, but registered groups receive some benefits. The Bulgarian Orthodox Church is exempt from the registration requirement due to its status as the traditional Church of Bulgaria.<sup>2</sup> As of 2019, there were 191 registered religious groups.<sup>3</sup>

In the last few years, some far-right nationalist parties have tried to reduce the rights of non-Orthodox communities and their members. In 2014, they formed an electoral alliance under the name "United Patri-

ots", which comprised the Bulgarian National Party (VMRO), the National Front for the Salvation of Bulgaria (NFSB) and ATAKA. This alliance is part of Bulgaria's current coalition government.

On 9th May 2018, the three largest political parties in Bulgaria proposed a law that could have been used to hinder the religious activities of religious minorities, but this outcome was avoided in the final version approved in December 2018. The original draft included several restrictions regarding the funding of religious groups from abroad and the participation of foreign clergy in religious rites in Bulgaria. This had been building up over the years as theological schools, clergy training programs, missionary activity and free worship outside of designated buildings faced growing obstacles. One of the most contentious aspects of the bill was the requirement for religious groups to have at least 300 members to apply for official registration, and the proposal to increase it to 3,000.<sup>4</sup> This legislation would also have excluded Catholic, Protestant and Jewish communities from state subsidies.

Following protests by the various faith communities<sup>5</sup> and with the support of international human rights institutions, the controversial provisions were removed

from the draft law during a vote in the National Assembly of Bulgaria on 21st December 2018. This was considered a great victory for religious freedom in an EU-member state and a lesson for the future.

Municipal ordinances restricting the right to share one's beliefs in public spaces, particularly those targeting Jehovah's Witnesses, have been regularly challenged as unconstitutional in the courts and have received a number of favourable rulings.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

Jehovah's Witnesses were victimised in several incidents.<sup>7</sup> In May 2018, vandals broke the windows of the Jehovah's Witnesses' rented place of worship in Petrich, and the property owner subsequently decided to discontinue the lease agreement.<sup>8</sup>

In June and July 2018, a man assaulted Jehovah's Witnesses in the street in Nova Zagora on three separate occasions. The police registered a complaint and said they would "visit the perpetrator," but he was not prosecuted.<sup>9</sup>

In 2019, the Supreme Court ruled in favour of Jehovah's Witnesses against the Bulgarian National Movement (VMRO) in a case of violence that had occurred eight years earlier. On 17th April 2011, a group of Jehovah's Witnesses gathered to commemorate the memorial of Jesus' death. A mob of 60 people, organised by the leader of the VMRO, Georgi Drakaliev, brutally attacked the Jehovah's Witnesses. The mob inflicted some injuries, and the victims brought this incident to the courts. The Supreme Court ruled against Drakaliev and ordered him to compensate the claimants.<sup>10</sup>

Muslims have also faced hostility, as evidenced by the following incidents.

In July 2018, a few residents of the village of Gradnitsa desecrated 55 Muslim and 14 Christian graves. They were subsequently arrested by police.

On 5th July 2019,<sup>11</sup> there was an attack on the office of Bulgaria's Grand Mufti in Sofia. The windows of the building were smashed with stones by an unknown person. This happened three days after swastikas and other hate symbols appeared on the walls of a mosque in the central town of Karlovo.

"This is a typical hate crime. Unfortunately, in Bulgar-

ia, no one is being convicted of such crimes. They are always declared as [the work of] drunks or hooligans," stated Jelal Faik, spokesperson for the Grand Mufti's Office.<sup>12</sup> Faik noted that this was "a planned and deliberate act" as evidenced by the degree of preparedness of the attackers, as the security cameras showed. He added that the presence of the nationalist United Patriots party in the ruling coalition government has fuelled anti-Muslim sentiments among some Bulgarians.

Despite these incidents of hostility, religious communities agree that the number and intensity of attacks has dramatically decreased. Nevertheless, it is important to note that Jewish organisations have expressed concern about rising anti-Jewish hate speech and other manifestations of anti-Semitism. They equally denounced attempts by government leaders to distort historical facts at Holocaust-related events, and to honour individuals complicit in the deportation of Jews during the Second World War.<sup>13</sup>

On 5th May 2019, Pope Francis visited Bulgaria at the invitation of the country's political authorities. The next day he celebrated the First Communion of 250 children in the Catholic-majority town of Rakovski. However, the Orthodox Church gave him a cold reception. Patriarch Neophyte and members of the Holy Synod, the country's Orthodox leadership, accepted to meet the pontiff, albeit without liturgical garments. The offer to hold joint prayers or services had already been rejected. Bulgaria's Orthodox Church has always refused to engage in interreligious dialogue with the Roman Catholic Church, which has 44,000 members in the country.<sup>14</sup> Though tiny, this community has developed social programs benefitting the local population. In Stara Zagora, near the Roma district, the Salesians are building a school and a church in the Eastern style.<sup>15</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Hopes for interreligious dialogue between the Roman Catholic Church and the Orthodox Church of Bulgaria were not fulfilled by the Pope's visit.

Far-right nationalist movements remain a constant threat to non-Orthodox groups, especially Muslims, Jews and Jehovah's Witnesses. These targeted religious minorities use all legal instruments available

to fight against intolerance, hate speech and human rights violations perpetrated by extreme-right political parties.

Fortunately, Bulgarian courts are increasingly demonstrating their independence from political influence. As a consequence, the future of the rule of law, and respect for human rights including religious freedom, in Bulgaria lies in the hands of the judiciary.

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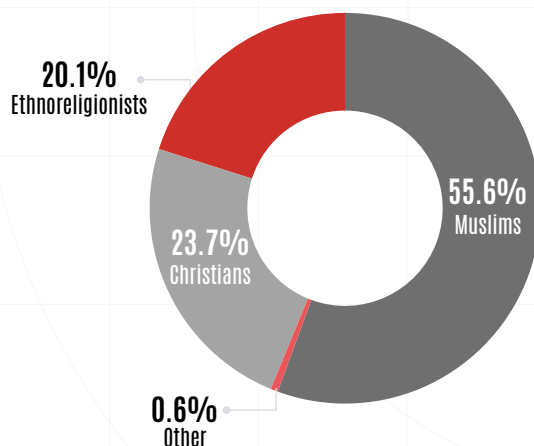
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# BURKINA FASO

## RELIGIONS



Population  
**20,903,345**  
GDP per capita  
**1,703 US\$**



Area  
**272,967 Km²**  
GINI INDEX\*  
**35.3**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

According to its constitution, the Republic of Burkina Faso is a secular state that grants no privileges to any religious denomination and guarantees its citizens freedom of religion.<sup>1</sup> Article 1 prohibits discrimination on the basis of religion. Article 7 guarantees freedom of religion. Article 23 defines the family as the “basic unit of society” and bans discrimination on the basis of religion, “in matters of marriage”, which must be based “on the free consent” of the spouses.

Like many other nations in the region of West Africa, Burkina Faso is characterised by great religious diversity. The country’s various religious communities, predominantly Muslim and Christian, have traditionally maintained good relations with one another.<sup>2</sup> Religious communities can register with the authorities through the Ministry of Territorial Administration and Decentralization, which oversees religious affairs, but they are not obliged to do so. Registration is subject to the same legal requirements as those that apply to other registered organisations.<sup>3</sup>

Because of the state’s neutrality, religious instruction is

not permitted in state-run schools, nevertheless, there are Muslim, Catholic and Protestant primary and secondary schools. Educational institutions have free reign in personnel matters, although the appointment of school heads must be reported to the authorities.<sup>4</sup> The state reviews the curricula of schools sponsored by religious communities with an eye to their religious orientation and their compliance with technical specifications. In the case of Qur’anic schools, state control is not particularly effective since many of them are not registered.<sup>5</sup>

The Muslim, Catholic, Protestant and animist communities each receive government subsidies of around US\$ 129,000 per year.<sup>6</sup> Support is also offered for a variety of religiously oriented programs and projects which, in the view of the state, serve the common good or are in the national interest.<sup>7</sup> Under an agreement concluded in September 2020 between the Republic of Burkina Faso and the Holy See, the Catholic Church and its institutions in Burkina Faso are subject to public law.<sup>8</sup> The treaty also governs cooperation between state and Church institutions.<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

Islam in Burkina Faso has historically, as in many African

countries, generally been characterised as moderate with Christians and Muslims sharing good inter-religious relationships. Since the end of 2015, however, the country has, like in other parts of West Africa, become a hotspot for violent extremists.<sup>10</sup> The militants - first identified with the homegrown Ansaroul Islam in 2016 - have expanded to include the Islamic State in West Africa Province (ISWAP) and the Jama'at Nusrat al-Islam wal-Muslimin (JNIM - affiliated with the transnational Al-Qaeda in the Islamic Maghreb, AQIM) entering from neighbouring Mali into northern Burkina Faso and then gaining influence in the country's western, central, and eastern regions.<sup>11</sup> Spurred by preachers adhering to an ideology of Salafi Jihadism, the extremists, mainly Burkinabè fighters pursuing local interests<sup>12</sup>, target state authorities, military and police, as well as civilians including village leaders, teachers - threatened because of the secular curriculum, Muslim and Christian leadership, and faithful. As indicated in a February 2020 International Crisis Group report, "militants extend their reach notably by exploiting local conflicts that are linked to the multifaceted rural crisis and often involve self-defence groups", with insurgents including farmers and mainly Fulani herders "who are victims of land-related injustices or racketeering, bandits who bring experience in weaponry and fighting, gold miners seeking protection, and stigmatised populations."<sup>13</sup> The cycle of violence is exacerbated with the response by village self-defence groups, in the local Mossi language called Koglweogo ("guardians of the bush").<sup>14</sup>

The terror has provoked a wave of internally displaced persons (IDPs) seeking shelter and safety. The UN Refugee Agency (UNHCR) reported in February 2020 that 765,000 people in Burkina Faso had been displaced by terrorist groups, up from 65,000 12 months before.<sup>15</sup> Those affected include at least 70,000 Christians, though over 90 percent of IDPs in the most affected areas, are Muslim.<sup>16</sup> IDPs told the UNHCR that militant groups attacked their villages, looted their homes, raping and killing inhabitants. Out of fear, "the residents left everything behind in search of shelter."<sup>17</sup> To make matters worse, the country was hit by major flooding in the wake of severe rainfall in August 2020. At present, it is estimated that some 3.5 million people are internally displaced.<sup>18</sup>

The most notable attack in 2018 was the 2nd March targeting by militants of the military headquarters and the French Embassy in Ouagadougou killing at least eight security force members.

In 2019, there were more jihadist attacks in Burkina Faso than any other country of the Sahel.<sup>19</sup>

On 1st January 2019, ethnic Mossi villagers in Yirgou attacked Fulani herders killing 39 in apparent retaliation for an attack by suspected jihadists killing seven people in Yirgou on 31st December 2018.<sup>20</sup>

Christian faithful and churches became specific targets of violence for the first time in 2019 with concerns that this was the introduction of a wider a jihadist strategy to provoke greater religious and inter-communal conflict.<sup>21</sup> Six of Burkina Faso's 15 Catholic dioceses are currently affected by religion-based terror.<sup>22</sup>

On 15th February 2019, Fr. Antonio César Fernández, a Salesian missionary from Spain, was murdered in the central eastern region<sup>23</sup> in a jihadist attack some 40 kilometres from Burkina Faso's southern border. On that same day, four Burkinabé customs officers were killed in an attack at the Nouhao customs post near the borders with Ghana and Togo.<sup>24</sup>

On 28th April 2019, unidentified militants attacked a Protestant church in Silgadji village. Two church leaders and four worshippers were killed, and others kidnapped.<sup>25</sup>

On 12th May 2019, Fr. Siméon Yampa was murdered along with five worshippers while celebrating Sunday Mass in the community of Dablo, Sanmatenga province. A day later, armed men intercepted Catholic residents during a Marian procession in Singa, a village in Zimtenga department (district) in the north-central part of the country. After letting the children go free, the attackers murdered four adults and destroyed the Marian statue taken on procession.<sup>26</sup>

On 13th May 2019, at the funeral for the Dablo victims, Archbishop Séraphin François Rouamba of Koupéla, President of the Catholic Bishops' Conference of Burkina Faso and Niger, repeated his calls for peaceful coexistence.<sup>27</sup> Catholics, Protestants, Muslims and representatives of tribal religions were in attendance at the funeral.

Following the attacks on Catholic churchgoers on 12th and 13th May, the Bishops of West Africa (RECOWA-CERA0) issued a press release after their third Plenary Assembly meeting in Burkina Faso's capital Ouagadougou.<sup>28</sup> "We condemn this disturbing wave of violence that affects not

only Burkina Faso, but also Niger, Mali and Nigeria, and would like to express our solidarity and extend our prayers and sympathy to our brothers and sisters who have been affected by violence.”<sup>29</sup>

On 26th May 2019, a Catholic church in Toulfé, a village near Titao, the capital of the northern province of Loroum, was attacked during Sunday Mass. At around 9 am, eight heavily armed men on four motorcycles drove into the village. They entered the church where the Catholic community had gathered to celebrate Holy Mass and fired into the crowd. Three people were killed instantly, and the fourth later succumbed to his severe injuries. Numerous worshippers were injured in the attack.<sup>30</sup>

On 4th June 2019, the Archbishop and Grand Imam of Ouagadougou joined in common prayers for peace in the capital's Place de la Nation on the occasion of Eid al-Fitr. On this occasion, Prime Minister Christophe Dabire stated: “I am convinced that with the Muslim brothers who have continued to pray for this country, that they will continue to do so in order for our lives, which were threatened by terrorists, by the fragmenting of social cohesion, so our country can find calm and serenity once more for the greater happiness of the children of Burkina Faso.”<sup>31</sup>

According to UNICEF, as of August 2019, terrorist violence forced the closure “of 2,024 schools depriving more than 330,000 children of education.”<sup>32</sup> Fr. Marco Prada noted that the conflict in the border regions between Burkina Faso and Mali and Niger, was having devastating consequences on the educational system, causing it to completely collapse and forcing hundreds of thousands of people to flee the “burning north” for the relative safety of the south.<sup>33</sup>

As reported by Aid to the Church in Need, targeted attacks were also carried out against the Christian inhabitants of two villages in early September 2019. According to eyewitness accounts, 16 men “waited until the residents returned from their work in the fields. Some of the terrorists forced the people into the church and threatened them. Meanwhile, their accomplices burnt down houses and stables.”<sup>34</sup>

More than 2,000 inhabitants fled after Islamist extremists, going from village to village, issued an ultimatum: either convert to Islam or leave. According to local sources, the terrorists killed individual community members and

threatened the bereaved that they would return in three days. If Christians were still found upon return, they too would be killed.<sup>35</sup>

On 11th October 2019, armed extremists attacked the Grand Mosque in the town of Salmossi killing 16 worshippers at prayer. On the following day, about 1,000 protesters marched in the capital Ouagadougou “to denounce terrorism and the presence of foreign military bases in Africa.”<sup>36</sup>

On 1st December 2019, Islamists attacked a Protestant church in Hantoukoura, Komandjarie province, in the east of the country near the border with Niger.<sup>37</sup> Security services reported that around a dozen armed men stormed the church executing 14 people, including children and the pastor of the congregation, and leaving many injured. Soldiers pursued the attackers who fled the scene on motorcycles.

On 10th February 2020, seven people were abducted from a priest's home in the city of Sebba, Yagha province, in the northeast of the country. The bodies of five of the abductees were discovered three days later.<sup>38</sup> A second assault, recorded as the worst jihadist attack against Christians thus far, was carried out on 16th February 2020 in the village of Pansi, where armed men opened fire at people attending a Christian interfaith meeting; approximately 24 were killed, 18 seriously injured, and 20 were abducted.<sup>39</sup> According to the governor of the region, the local Protestant pastor and a Catholic catechist were among the dead. The UN Secretary-General, Antonio Guterres, strongly condemned the attack, reiterating, “the UN's commitment to support Burkina Faso in its efforts to fight violent extremism and terrorism and create the conditions for sustainable peace and development.”<sup>40</sup>

On 15th August 2020, the Grand Imam Souaibou Cissé, seen as a moderate religious leader recognised for his interfaith work, was found assassinated in Tiléré (Soum province) having been abducted by unidentified gunmen on 11th August.<sup>41</sup>

According to the country's National Council for Emergency Relief and Rehabilitation (CONASUR) findings, in August 2020, more than a million people were internally displaced by the upsurge in violence in Burkina Faso. “This figure represents a 100 per cent increase compared to early 2020, when Burkina Faso counted some 450,000 internally

displaced persons.”<sup>42</sup>

The onset of the COVID-19 pandemic in March 2020 exacerbated the impact of Islamist terrorist activities in the Sahel region. According to a 1st May 2020 report by the Armed Conflict Location & Event Data Project (ACLED), “violent attacks in the region’s hotspots rose by 37 percent between mid-March and mid-April.”<sup>43</sup> Not only did terrorists take advantage of the confusion to increase attacks, the effectiveness of military response was reduced as governments redeployed troops from rural areas to deal with the pandemic crisis in urban areas.<sup>44</sup> Additionally social and economic restrictions imposed to contain the epidemic resulted in increased poverty, food shortages<sup>45</sup> and a drop in educational opportunities. To compound matters, the world-wide attention on COVID-19 diverted international interest in Islamist terror in West Africa with violence in Burkina Faso continuing largely underreported.

society.

In view of the current situation, the prospects for freedom of religion in Burkina Faso remain negative for the foreseeable future.

## PROSPECTS FOR RELIGIOUS FREEDOM

“Burkina Faso has become the main theatre for jihadist operations in the Sahel”<sup>46</sup> states a February 2020 International Crisis Group report. Key reasons why jihadist groups are able to recruit fighters in Burkina Faso include multiple and complex underlying social factors such as poverty, corruption, weak state structures, disenfranchised youth and pre-existing intercommunal violence over land rights between pastoralists and farmers. These factors are exacerbated by the consequences of climate change. Authorities, focusing on counter-terrorism (reportedly thwarting several attacks but also often resulting in abuse against civilians)<sup>47</sup>, have been slow in recognising the scale of the extremist crisis, and unable to address the underlying problems which sustain the frustration, and jihadist recruiting opportunities.

Fuel to the fire is the arms trade. Cardinal Ouédraogo, Archbishop of Ouagadougou stated: “Who is arming all these killers? Who? Who gives them the weapons? We do not have an answer, but we see the damage being done!”<sup>48</sup>

Although Burkina Faso’s religious and political leaders seek to maintain the historically positive inter-religious relations between faith groups, and with the understanding that Islamist terror affects all religious communities in Burkina Faso, there are concerns to the long-term impact of the jihadist violence and its role in further dividing Burkinabe



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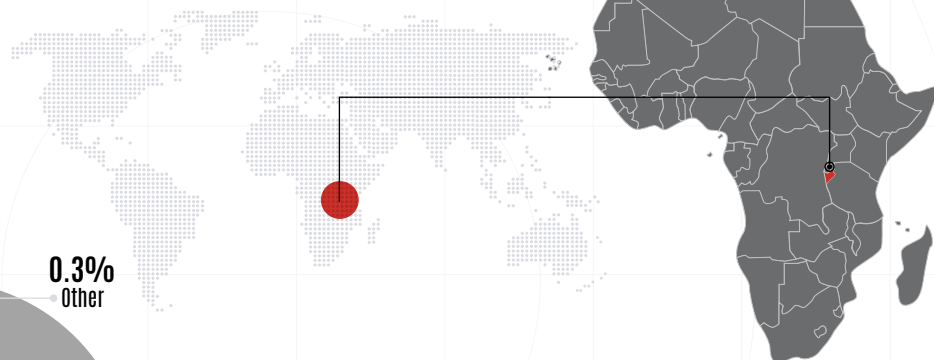
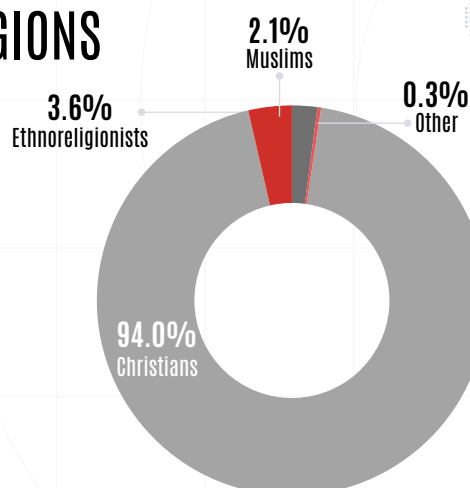
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# BURUNDI

## RELIGIONS



Population  
**11,939,227**  
GDP per capita  
**702 US\$**

Area  
**27,834 Km<sup>2</sup>**  
GINI INDEX\*  
**38.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Burundi of 2018<sup>1</sup> guarantees the right to freedom of expression, religion, thought, conscience and opinion (Article 31), as well as the right to freedom of assembly and association, and the right to create organisations according to the law (Article 32). All Burundians are equal “in merit and in dignity,” with “the same rights and [...] protection of the law,” and cannot be “excluded from the social, political, or economic life due to their race, language, religion, sex, or ethnic origin” (Article 13).

The legal framework of religious freedom is based on the same laws that govern non-profit associations (registration and operations),<sup>2</sup> specifying that all religious groups must register with the Interior Ministry, and submit their statutes with a list of names and personal information about the members of their governing body. Once they receive approval from the ministry, they are free to carry out their activities.

Burundi is predominantly Christian. There is a Muslim minority, mostly Sunnis, who are concentrated in urban areas.<sup>3</sup>

## INCIDENTS AND DEVELOPMENTS

During the period under review, Burundi continued to suffer from a political and social crisis that broke out in mid-2015 when President Pierre Nkurunziza decided to seek re-election for a third time. While political rights in the country are certainly in a dire situation, there is no systematic abuse of religious freedoms, although certain severe abuses regarding freedom of practice have occurred.

With new elections in early 2020, religion has been instrumentalised for political ends. President Nkurunziza used religious rhetoric and said that he relied on God to make decisions.<sup>4</sup> In the past, he had said he had been chosen by God to rule Burundi.<sup>5</sup> In 2017, the government launched a campaign promoting the “moralisation of (Burundian) society,” calling on unmarried couples living together to marry.<sup>6</sup> In March 2018, the ruling party CNDD-FDD even bestowed upon the president the title of “eternal supreme guide”.<sup>7</sup> President Nkurunziza died, however, in June 2020, reportedly from COVID-19.<sup>8</sup>

Within civil society, religious leaders from different faiths have sought to improve interreligious relations, although at times they have been strained by political differences. In 2018, the Catholic and Protestant Churches along with

## PROSPECTS FOR RELIGIOUS FREEDOM

the Islamic community participated in interfaith dialogue sessions facilitated by local and international NGOs. In November 2018, Burundi's Catholic Church held a workshop that saw the participation of 47 religious leaders from different denominations. The aim of the meeting was to boost religious communities' capacity to engage in conflict resolution and coexist in peace.<sup>9</sup>

In April 2018, approximately 2,500 followers of Eusébie Ngendakumana, the leader of a religious sect known as Zebiya, returned to Burundi after seeking asylum first in the Democratic Republic of Congo and later in Rwanda.<sup>10</sup> The group left the country in 2013 after clashing with government security forces and the prosecution of some of its members. The authorities said the group did not have proper accreditation and thus closed the group's shrine in Kayanza province.<sup>11</sup> In neighbouring countries, some 30 sect members were arrested because they would not submit to the health (vaccination) and biometric requirements of the UN High Commissioner for Refugees. As a result, the members decided to return to Burundi in April 2018.<sup>12</sup> Upon their arrival, the government provided transportation to their villages. The group remains in limbo and the Kayanza shrine still remains closed.<sup>13</sup>

Violence associated with witchcraft has been reported. Often such accusations are linked to personal disputes or land conflicts and accusations are opportunistic. On 25 October 2018, individuals set fire to the house of a man in Cibitoke Province; he had been accused of dabbling in sorcery.<sup>14</sup> In another incident, another man accused of witchcraft was found decapitated on 5 November 2018.<sup>15</sup>

In 2019 there were no official reports of any violations of religious freedom. Relations between international religious organisations and the authorities appear stable. However, local religious leaders have complained that political instability threatens the peaceful coexistence of the country's various religious groups.<sup>16</sup>

In early May 2020, during elections for president, parliament and local government, the Catholic Church deployed a total of 2,716 observers who noted some irregularities, as well as a lack of transparency and impartiality.<sup>17</sup> On 20 May 2020, Evariste Ndayishimiye won the presidential election.<sup>18</sup> The opposition CNL party stated that fraud had been planned in advance.<sup>19</sup> The irregularities noted by Church observers included intimidation by officials to put pressure on polling agents to sign tally sheets before ballots were counted.<sup>20</sup>

Despite the country's declining political and social situation, the right to religious freedom is respected; no restrictions on religion have been reported. In fact, there is reason for hope as religious leaders are working to promote interfaith dialogue and encourage peaceful coexistence and conflict resolution.<sup>21</sup> Special appeals from Catholic female religious congregations are also encouraging interreligious dialogue in the country.<sup>22</sup>

Peace and unity were the main issues included in a message that Catholic bishops addressed to the country when it mourned the death of Burundi's former president, Pierre Nkurunziza, who passed away suddenly on 8 June 2020.<sup>23</sup>



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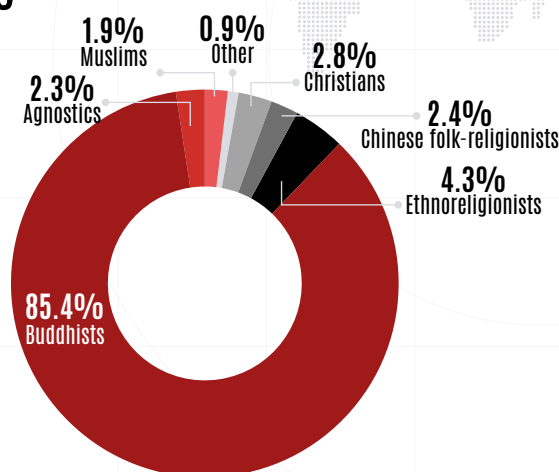
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# CAMBODIA

## RELIGIONS



Population

**16,715,508**

GDP per capita

**3,645 US\$**

Area

**181,040 Km<sup>2</sup>**

GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Cambodia is a constitutional monarchy located in the heart of Southeast Asia. Its constitution, adopted on 21st September 1993,<sup>1</sup> guarantees the right to religious freedom. Under Article 43, “Khmer [Cambodian] citizens of either sex shall have the right to freedom of belief. Freedom of religious belief and worship shall be guaranteed by the state on the condition that such freedom does not affect other religious beliefs or violate public order and security.”<sup>2</sup>

Cambodia is predominantly Buddhist. Most people practise Theravada Buddhism, a religion that occupies a central and dominant place in the life of the nation. This is recognised in the constitution. Article 43 stipulates that “Buddhism shall be the religion of the State.”<sup>3</sup> The basic charter of the kingdom further specifies that the state supports the teaching of Buddhism (Article 68). However, it also prohibits discrimination based on religious affiliation. Article 31 of the constitution lays down the principle of equality: “Every Khmer citizen shall be equal before the law, enjoying the same rights, freedom and fulfilling the same obligations regardless of race, colour, sex, language, religious belief, political tendency, birth, origin, so-

cial status, wealth or other status.”<sup>4</sup>

Religious groups are not allowed to openly criticise other religious groups, but it is not enforced. Religious groups are also not allowed to engage in political activities of any sort.<sup>5</sup>

Religious groups must register with the Ministry of Cults and Religions (MCR), and submit information about their structure, aims, beliefs, funding, and leadership. They must submit an annual report of their activities, but there are no penalties for failure to register, except they cannot apply for tax exemptions from the Ministry of Economy and Finance. Places of worship and religious schools must register separately, but this too is not actively enforced.<sup>6</sup>

Non-Buddhist religious instruction is prohibited in public schools but allowed in private schools. Non-Buddhist students in public schools may opt out of Buddhist religious instruction since it is not part of the core curriculum.<sup>7</sup>

Non-Buddhist groups cannot proselyte in public but non-Buddhist religious literature can be distributed within religious institutions.<sup>8</sup>

Based on these constitutional and legislative provisions, it would appear that Cambodians generally enjoy a moderate to high degree of religious freedom. This contrasts with

the state of other fundamental freedoms and rights, which have been limited by the country's authoritarian regime under Hun Sen who has been prime minister since 1985.<sup>9</sup>

As the state religion, Buddhism plays a distinct political role in the culture and daily life of Cambodians. Although the Buddhist clergy are supposed to remain outside of politics, rising tensions in society occasionally cause them to get more directly involved in political life.<sup>10</sup>

In 2019, after Prime Minister Hun Sen's Cambodian People's Party effectively consolidated one-party rule the previous year, Cambodia passed "a series of new repressive laws or amendments to existing laws - including amendments to the Law on Political Parties, the Law on Non-Governmental Organizations, the Law on Trade Unions and a lèse-majesté clause in the penal code," which "severely restrict rights to freedom of expression, peaceful assembly, and association."<sup>11</sup> While such measures are likely focused on limiting political opposition, they could also prove detrimental to religious freedom.

Cambodia is a party to the International Covenant on Civil and Political Rights (ICCPR).<sup>12</sup>

## INCIDENTS AND DEVELOPMENTS

In November 2018, the Extraordinary Chambers in the Courts of Cambodia (ECCC) found Nuon Chea and Khieu Samphan guilty of genocide. The two men, who had served under Pol Pot's Khmer Rouge communist regime (1975-1979), were already serving life sentences for crimes against humanity. They were also condemned for genocide of Cambodia's Vietnamese minority. Nuon Chea was also found guilty of genocide against the Cham Muslim minority.<sup>13</sup>

The fate of the Christian Montagnards is an ongoing issue. The Cambodian government has acted harshly towards this minority, originally from Vietnam's Central Highlands, from which they fled for religious and political reasons.<sup>14</sup> In recent years, Phnom Penh has not hesitated from sending Montagnards back to Vietnam against their will. Very few have been able to obtain refugee status from the local UNHCR office due to government interference. Of the 200 who fled Vietnam in 2017, 29 remained in Cambodia in 2018, and the government has said it would allow them to move to a third country.<sup>15</sup>

Certain groups or practices associated with superstition still remain in Cambodia.<sup>16</sup> Scores of witchcraft-related acts of violence, including murder, have been reported between 2012 and 2018.<sup>17</sup> Some reports suggest that members of the Buddhist community continue to view the mostly Muslim Cham and other minority groups as practitioners of sorcery.<sup>18</sup>

Cham communities have also faced other problems. In one incident in 2019, Cham living on the Mekong River close to Phnom Penh were ordered to relocate as the government sought to "beautify" <sup>19</sup> the city ahead of the Asia-Europe Meeting (ASEM) of November 2020, later re-scheduled for mid-2021.<sup>20</sup>

The Phnong ethnic minority, who are mostly animists, is another group that has faced discrimination. In January 2018, authorities in Mondul Kiri, a province in eastern Cambodia, pressured ethnic Phnong to vote for the predominantly Buddhist ruling party if they wanted to receive public services or obtain legal papers like birth certificates.

In February, Phnong in the same province submitted a petition to the National Assembly accusing a local official of preventing them from celebrating a religious ceremony; a year later the Assembly had still not taken any action.<sup>21</sup>

Much like its neighbours, Cambodia seems to have handled the COVID-19 virus quite well. As of 28th September,<sup>22</sup> it has reported 276 cases and zero deaths, and the country has conducted more than 134,000 tests.<sup>23</sup> The vast majority of Cambodia's cases have been imported. Unfortunately, the government has sought to blame the pandemic on vulnerable groups. On 17th March, the Health Ministry posted references on its official Facebook page to specific groups of people who had contracted the virus including "Khmer Islam."<sup>24</sup> This fuelled hateful rhetoric against Muslims and ethnic minorities on social media. On the same day, Prime Minister Hun Sen announced a temporary ban on all religious gatherings.<sup>25</sup> The ban on religious gatherings was lifted on 7th September.<sup>26</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Despite the recent success of the Cambodian economy, frustration is rising, especially among young people. People are tired of corruption, the authoritarian party rule, and the concentration of the country's wealth in the hands of an



elite close to Prime Minister Hun Sen - who was re-elected in 2018 after a brutal crackdown on opposition leaders.<sup>27</sup> Admittedly, in comparison with their Vietnamese neighbours or the Chinese, Cambodians live under a regime that is much more tolerant and respectful of religious freedom, notwithstanding the violation of other human and political rights. At recent events held with Muslim<sup>28</sup> and Christian<sup>29</sup> groups, Hun Sen expressed his appreciation for their support and emphasised the importance of religious and ethnic harmony. In the past, he had warned that threats to his regime might also mean the loss of such a level of religious freedom.<sup>30</sup> Nevertheless, the lack of respect for other basic human rights by the long-ruling governing party is a cause of concern for the future of religious freedom in Cambodia. The combination of long-simmering frustrations, and the monopoly of power currently exercised by the Hun Sen regime, does not bode well for the country's social and political stability.

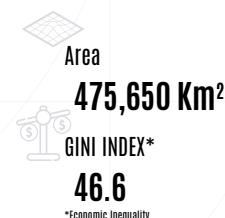
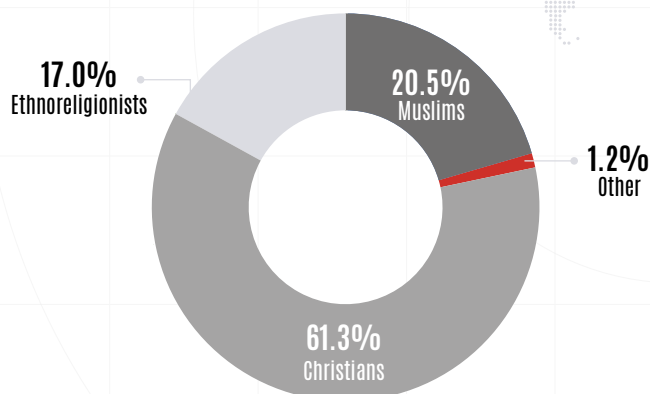
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# CAMEROON

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The constitution, promulgated in 1972 and amended most recently in 2008, recognises in its Preamble that “the human person, without distinction as to race, religion, sex or creed possesses sacred and inalienable rights”. No person, the text continues, “shall be harassed on grounds of his origin, religious, philosophical or political opinions or beliefs, subject to respect for public policy.”<sup>1</sup>

The Preamble also asserts Cameroon’s “attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of United Nations and the African Charter on Human and Peoples’ Rights, and all duly ratified international conventions relating thereto.”

It also affirms that “no person shall be harassed on grounds of his origin, religious, philosophical or political opinions or beliefs, subject to respect for public policy,” that the state “shall be secular” and its “neutrality and independence” will be assured “in respect of all religions,” and that “freedom of religion and worship shall be guaranteed.”

The law requires religious groups to receive government approval to operate, and allows the president to dissolve any existing religious groups. However, hundreds of religious groups operate freely countrywide without official government authorisation. The government has not registered any new religious group since 2010. Registration allows groups to acquire real estate assets through tax-free donations and facilitates the work of foreign missionaries who are allowed to apply for longer-term visas.<sup>2</sup>

Muslims in the Far North Region of the country have always been regarded as holding considerable political and economic power. Christian religious leaders often complain, at least in private, that in practice this has meant that Churches often face lengthy bureaucratic procedures when they want to build their places of worship or other facilities for Church-led social activities.<sup>3</sup>

Religious education is not available in state schools. Private religious schools can offer religious instruction but must meet the same standards as state schools with respect to the curriculum, school facilities, and teacher training.<sup>4</sup>

The following religious festivals are statutory public holidays: Christmas, Good Friday, Easter, the Ascension, the Assumption, Eid-al-Fitr, Eid-al-Adha, and the Prophet’s

Birthday.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

Although relatively stable, Cameroon is divided along several, often overlapping fault lines: linguistic, regional and religious. In addition to 250 indigenous languages, English and French are Cameroon's two main languages.<sup>6</sup> Anglophones, 20 per cent of the population, are concentrated in the more rural and poorer Northwest and Southwest regions, along the border with Nigeria. Since independence, they have felt discriminated by Francophones and the rest of the country. This turned into sectarian violence in 2016.<sup>7</sup>

The two English-speaking regions are also predominantly Protestant. The other eight regions are predominantly French-speaking, with the three northernmost regions mostly Muslim, while the five in central and eastern Cameroon are Catholic.<sup>8</sup>

Linguistic tensions notwithstanding, Cameroon has enjoyed a stable and tolerant religious life until recently. This changed in 2015 with the rise of radical religious groups in the Sahel region espousing Wahhabi and Salafi ideologies, like Boko Haram, which has spilled into Cameroon from neighbouring Nigeria and Chad, threatening the country's historical religious freedom and tolerance.<sup>9</sup>

In general, while religious fault lines are just one piece of the puzzle to understand Cameroon's current political turmoil, they are certainly an important one. Violent attacks have often a religious element, as religious figures are targeted regularly for political reasons. The violence has intensified religious divisions, fomenting mistrust of traditional religious authority.

Within the Muslim community, traditional Sufi Islam, dominated by the Fulani, is being challenged by young Wahhabis, often educated in Sudan and the Gulf countries.<sup>10</sup> Communal divisions have led to localised clashes between groups. Rivalries between Sufi members and Wahhabi groups over leadership of the Muslim community in the south, combined with the growth of radical Islamist armed groups in the north, have become a source for intra-religious conflict in the region and greater violence.<sup>11</sup> Local ethnic and religious leaders, as well as village and traditional chiefs, have become targets of hostile acts since the conflict began. In Christian communities, the monopoly of mainline Catholic and Protes-

tant Churches has been ended by the rise of revivalist Churches. Although they support the government, they have no legal status and are poorly regarded by the established Churches. Revivalist pastors often stay away from interreligious dialogue, preach religious intolerance, and are kept out of official spheres.<sup>12</sup>

Authorities in Cameroon have not paid attention to good interreligious relations and have focused solely on the threat posed by Boko Haram. Moreover, the security forces themselves have engaged in questionable and incendiary conduct, carrying out arbitrary arrests, often perpetrating violence themselves.<sup>13</sup>

In July 2018, security forces shot and killed Ghanaian Pastor Isaac Attoh in West Akone, an area where the army and Anglophone secessionists have clashed over the past year. Attoh's family has accused government forces of trying to cover up the killing by rapidly burying his body without their consent.<sup>14</sup> That same month, another pastor was killed on a road in the Southwest Region during clashes between the military and separatist rebels.<sup>15</sup>

In September 2018, the National Episcopal Conference of Cameroon, the Council of Protestant Churches and the Supreme Islamic Council released a joint statement in which they condemned the increasing violence, called for the cessation of hostilities, and invited the parties of the conflict to engage in dialogue.<sup>16</sup>

Cameroon held presidential elections on 7th October 2018. The Episcopal Commission for Justice and Peace deployed 231 electoral observers to monitor the vote. However, insecurity in the Northwest and Southwest regions prevented 46 observers from travelling to local polling stations. The Episcopal Conference complained that the security forces denied Catholic observers access to certain polling stations and that some voters could not participate in the elections due to insecurity. They also "noted several irregularities".<sup>17</sup> Two days before the election, several parishes called for prayers for the vote to be held in a peaceful environment.<sup>18</sup>

In October 2018, a young seminarian was killed by soldiers in front of a church in Bamessing. Before killing him, they questioned him while the faithful took refuge in the church.<sup>19</sup> At the end of the month, a missionary from the United States was killed during clashes between the military and rebels in Bamenda.<sup>20</sup>

On 21st November 2018, Bishop Andrew Nkea, the then



Bishop of Mamfe, reported that government soldiers killed Fr. Cosmas Omboto Ondari in front of a church, in Kembong, a township in the Southwest Region. According to eyewitness reports, the soldiers “were shooting at random from their passing vehicle.”<sup>21</sup>

In November 2018, 79 students were kidnapped from the Presbyterian Secondary School in Bamenda and taken to a Presbyterian church before they were released. The school suspended classes afterwards since the security of the students and the staff could not be guaranteed.<sup>22</sup> That same month, three missionaries were held for six days by secessionists in the Anglophone region after they were abducted on their way to Munyenge to deliver humanitarian aid.<sup>23</sup> Also in November 2018, a Kenyan priest was killed by the military in front of his church close to Memfe, in the Southwest region.<sup>24</sup>

In December 2018, the Auxiliary Bishop of Bamenda, Michael Miabesue Bibi, was detained by armed rebels on two occasions as he tried to travel from the Northwest Region to the Southwest Region in order to celebrate Mass.<sup>25</sup> Two months later, in February 2019, 170 students were abducted from a Catholic school in the Northwest Region. They were released a day later and the school was temporarily closed.<sup>26</sup> Boko Haram forces set fire to a Baptist church and the pastor’s house in Tchakamari, a village located in the Far North Region, in April 2019.<sup>27</sup> The following month, Pastor Keloh Elijah was killed during a raid by the military in Mfumte, resulting in the flight of many local residents.<sup>28</sup>

Amnesty International has reported that between the months of January and November 2019, 275 people were killed due to the resurgence of Boko Haram, despite the claim by Cameroonian President Biya in January that the terrorist group had been “pushed outside”.<sup>29</sup> Besides the killings, Amnesty denounced the group’s atrocities: mutilated civilians, villages looted and set on fire, and women abducted and forced to convert to Islam. The region most affected by the violence, the Far North, has not received the necessary attention of the authorities.<sup>30</sup>

In June 2019, the then Archbishop of Bamenda, Cornelius Fontem Esua, was kidnapped as he returned to the archdiocese after a pastoral tour. He was released the following day.<sup>31</sup> In August 2019, two priests were kidnapped in Kumbo, in the Northwest Region, and held for three days. The kidnapping occurred after the local bishop denounced the violence inflicted upon the local civilian population.<sup>32</sup>

The Catholic Church was invited to attend a national dialogue aimed at solving the secessionist crisis in the Anglophone regions. The event took place between 30th September and 4th October of 2019. The President of the National Episcopal Conference of Cameroon said there was “dialogue based on truth” but separatist leaders did not attend.<sup>33</sup>

In October 2019, Boko Haram attacked and looted six Christian towns in the district of Mayo Sava forcing residents to flee.<sup>34</sup> In November 2019, the group killed a retired pastor and a child in a church in Moskota. Two pastors managed to flee the church during the attack but one suffered a gunshot wound. The terrorist group looted the church before leaving.<sup>35</sup>

In November 2019, the Church reported tensions in the northern provinces to Agenzia Fides. It said that many priests had been kidnapped and that the situation had forced the Bishop of Mamfe to close three parishes.<sup>36</sup>

In February 2020, Bishop Abraham Kome, President of the National Episcopal Conference of Cameroon, presented the findings of the electoral observers sent by the Episcopal Commission for Justice and Peace to monitor the 9th February election. He stated that elections had been peaceful but the voter turnout was extremely low, especially in the Northwest and Southwest regions, where insecurity had not allowed citizens to exercise their right to vote and the observers to do their job.<sup>37</sup> Sixteen bishops from around the world wrote a letter to President Biya calling on him to find a solution to the conflict in the country through “a mediated process that includes Anglophone armed-separatist groups and non-violent civil-society leaders.”<sup>38</sup> In April 2020, the new Archbishop of Bamenda, Andrew Nkea Fuanya, wrote a pastoral letter calling for a ceasefire in the two separatist regions.<sup>39</sup> At the beginning of July 2020, peace talks between the government and the separatists were held at the residence of Archbishop Jean Mbarga of Yaoundé. This demonstrates the role that the Catholic Church has had in fostering dialogue and promoting peace and reconciliation in the country.<sup>40</sup>

In August 2020, Boko Haram suicide bombers destroyed a camp for people displaced in the Far North Region killing at least 17 civilians. Some witnesses said that the two suicide bombers were children.<sup>41</sup>

That same month, missionaries told Agenzia Fides that violence was becoming more intense each day in the

Northwest Region. Many people had lost their homes, were fleeing either into the woods or finding refuge in religious communities or parish homes. Furthermore, they worried that children had not been able to attend school because of the tragic circumstances.<sup>42</sup> In September 2020, the President of the Episcopal Conference urged fellow Cameroonians to “seek the common good” amid the chaos generated by the country’s electoral process.<sup>43</sup>

One month later, in October 2020, unidentified gunmen entered the Madre Francisca International Bilingual Academy in Kumba and killed six students in a classroom. The Bishop of Kumba denounced the killings and called on the government to protect civilians.<sup>44</sup>

Following the outbreak of the COVID-19 pandemic in March 2020, the government asked the population to avoid attending places of worship in order to reduce human-to-human contagion. The measure was initially met with objections by some Muslims, who attended prayers in mosques, and staged sit-ins.<sup>45</sup> In August 2020, the government shut down the Tabernacles of Freedoms Ministries Church because it preached that the virus was a “hoax”. Six other churches reportedly preached the same idea.<sup>46</sup> In April 2020, the Archbishop of Bamenda said that, due to the coronavirus lockdown, clashes had diminished greatly in the Northwest and Southwest regions, an area local separatists call Ambazonia.<sup>47</sup>

Since violence broke out in the region, about 5,000 people have died, displacing more than 320,000 people.<sup>51</sup>

Despite, as yet unsuccessful, attempts at mediation in the secessionist issue, and the lack of security in the Far North Region, it is unlikely that the situation will improve in the near future prolonging the human rights and religious freedom abuses.

## PROSPECTS FOR RELIGIOUS FREEDOM

Cameroon is torn by armed violence on two main fronts: language and religion.

In Anglophone regions, the situation has deteriorated. The disputed presidential elections of October 2018, in which many voters in the Northwest and Southwest regions could not cast their ballot, exacerbated tensions.<sup>48</sup> The violence in these regions has killed over 3,000 people, both civilians and members of the military, and displaced almost 700,000 since 2016.<sup>49</sup> The insecurity has resulted in the violent death of several missionaries and priests. The Catholic Church has played an active role in promoting dialogue and reconciliation between separatists and the government, but both parties have accused the Church of taking sides.<sup>50</sup>

In the predominantly Muslim Far North Region, Boko Haram has carried out violent attacks, targeting both civilians and the military, and terrorising the population.

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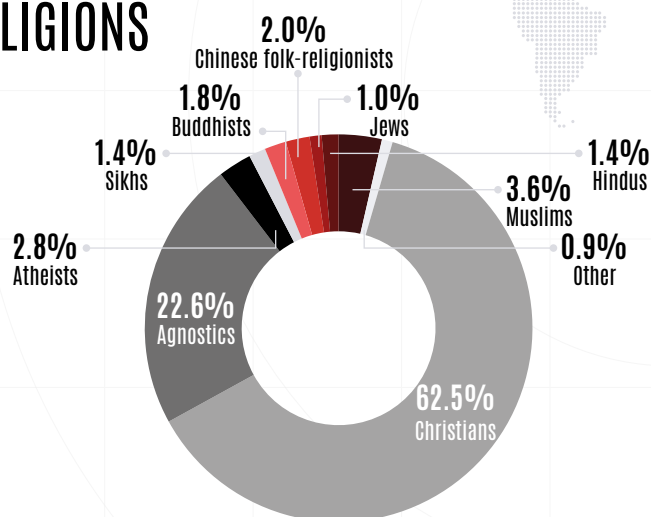
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# CANADA

## RELIGIONS



Population  
**37,603,205**  
GDP per capita  
**44,018 US\$**



Area  
**9,984,670 Km<sup>2</sup>**  
GINI INDEX\*  
**33.8**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The constitution and laws of Canada guarantee freedom of conscience and religion, as well as thought, belief, opinion and expression,<sup>1</sup> subject to “reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society”.<sup>2</sup> Canadians have the right to “equal protection and equal benefit of the law without discrimination” based on religion.<sup>3</sup>

Federal and provincial laws prohibit discrimination on the grounds of religion, permit individuals to sue for violations of religious freedom, and provide remedies for complaints.<sup>4</sup> Religious groups are not required to register with the government. However, to receive tax-exempt status they must register as non-profit organisations with the Canada Revenue Agency (CRA). Charitable status grants the clergy access to a number of federal benefits, such as tax deductions for resident clergy and faster immigration procedures.<sup>5</sup>

The Constitution Act, 1867 guaranteed the right of Protestant and Catholic minorities to publicly funded denominational schools (Section 93, 2-3). However, constitutional amendments repealed this guarantee in Quebec<sup>6</sup> and

Newfoundland and Labrador<sup>7</sup> and replaced them with a secular public education system.<sup>8</sup> Constitutionally protected public funding for Catholic schools remains in place in Ontario, Alberta, and Saskatchewan. Federal law protects publicly funded Catholic and Protestant minority education in the Northwest Territories, Yukon, and Nunavut.<sup>9</sup> Six of the 10 provinces provide at least partial funding to some faith-based schools.<sup>10</sup> Home-schooling is legal across Canada and financial support is provided to parents in Saskatchewan, Alberta, and British Columbia.<sup>11</sup>

In May 2018, the Supreme Court of Canada (SCC) rendered its decision in the case of *Highwood Congregation of Jehovah’s Witnesses (Judicial Committee) v. Wall* in which Mr. Randy Wall appealed the internal disciplinary actions of his Alberta Jehovah’s Witnesses congregation to “disfellowship” him and exclude him from the religious community. Mr. Wall claimed this had adversely impacted his business due to its large number of clients who were themselves Jehovah’s Witnesses. The SCC’s unanimous decision found that issues of internal ecclesiastical discipline were not justiciable by the court.<sup>12</sup>

In June 2018, the SCC delivered its landmark decisions in the related cases of *Trinity Western University, et al. v. Law Society of Upper Canada* and *Law Society of British*



*Columbia v. Trinity Western University, et al.* These cases related to the refusal of the law societies to accredit graduates from TWU's planned law school because of the university's Community Covenant which requires members of the Trinity Western University (TWU) community to "abstain from... sexual intimacy that violates the sacredness of marriage between a man and a woman".<sup>13</sup> The law societies, as the licensing bodies for lawyers in British Columbia and Ontario, claimed that the covenant was discriminatory to the LGBT+ community. In its decisions in favour of the law societies and against TWU, the SCC found that they were acting reasonably, balancing rights, in denying accreditation to a proposed TWU law school: "Law Society of Upper Canada's decision means that TWU's community members cannot impose those religious beliefs on fellow law students, since they have an inequitable impact and can cause significant harm."<sup>14</sup> The SCC recognised that this was a "profound interference" in the TWU community's religious freedom, but that given the "unequal access" caused by the covenant it was justifiable.<sup>15</sup>

In advance of a Federal Court challenge, a coalition of Muslim, Jewish and Christian leaders met with government officials in March 2018 to object to the Canada Summer Jobs funding application procedure which requires an organisation to "attest that both the job and the organization's core mandate respect individual human rights in Canada, including the values of the Canadian Charter of Rights and Freedoms as well as other rights."<sup>16</sup> The issue that concerned the leaders in particular was having to endorse "other rights", which included "reproductive rights and the right to be free from discrimination on the basis of sex, religion, race, national or ethnic origin, colour, mental or physical disability, sexual orientation or gender identity or expression."<sup>17</sup>

In a statement in January 2018 the religious leaders wrote: "The promise of a free and democratic society is that there be no religious or ideological test or conditions to receiving government benefit or protection."<sup>18</sup> In light of their protests against the original attestation, the Canadian government relented and dropped the requirement that applicants endorse "other rights;" however, it still refused to fund groups that "actively work to undermine or restrict a woman's access to sexual and reproductive health services."<sup>19</sup> As a result, several groups saw their applications rejected eliciting further legal challenges that are still pending before the courts.<sup>20</sup>

In May 2019, the Ontario Court of Appeal ruled against a

coalition of groups representing more than 4,700 Christian doctors and in favour of the College of Physicians and Surgeons of Ontario (CPSO) and its policy that they must refer patients to physicians willing to provide medical services they object to.<sup>21</sup> The physicians' coalition argued that referrals for such procedures as abortion and doctor-assisted suicide made them complicit in the act and violated constitutional guarantees of freedom of conscience and religion.<sup>22</sup> The physicians' coalition had appealed a lower court ruling in January 2018 which had ruled in favour of the CPSO requirement. In its decision the Ontario Court of Appeal stated that the CPSO rules "strike a reasonable balance between patients' interests and physicians' Charter-protected religious freedom. In short, they are reasonable limits prescribed by law that are demonstrably justified in a free and democratic society."<sup>23</sup>

In late June 2019, Quebec passed An Act respecting the laicity of the State, a law that declares that Quebec is a secular state founded upon four core principles: "the separation of State and religions, the religious neutrality of the State, the equality of all citizens, and freedom of conscience and freedom of religion."<sup>24</sup> The Act establishes that "parliamentary, government and judicial institutions are bound to adhere to all these principles in pursuing their missions, and State laicity requires that all persons have the right to lay institutions and lay public services."<sup>25</sup>

In order to achieve these principles and ensure the separation of religion and state in government institutions and public services, the Quebec law expressly prohibits the wearing of religious symbols, which are defined as "any object, including clothing, a symbol, jewellery, an adornment, an accessory or headwear, that (1) is worn in connection with a religious conviction or belief; or (2) is reasonably considered as referring to a religious affiliation."<sup>26</sup> The act also establishes that government personnel are not permitted to provide services with their faces covered, nor are people accessing those services permitted to do so with their faces covered; an exception is made for those who must cover their faces for health reasons.<sup>27</sup> These restrictions affect a broad cross-section of public sector workers, including: employees of government departments, municipal employees, teachers, judges and Crown attorneys, public transit workers, employees in government-subsidised day care and even those "private institutions under agreement, intermediary resources and family-type resources governed by the Act respecting health services and social services."<sup>28</sup> Furthermore, the

Act amends the Quebec Charter of Human Rights and Freedoms to recognise “State laicity” as a fundamental value in the preamble. Anyone who exercises rights under the Quebec Charter must take the secular nature of the state into account.<sup>29</sup>

Entrenched in Quebec’s secularism law is Section 34, a provision that the Act shall have effect notwithstanding Sections 2-7 and Section 15 of the Constitution Act, 1982, which are the fundamental freedoms, democratic rights, legal rights, mobility rights, and equality rights recognised by the Canadian Charter of Rights and Freedoms.<sup>30</sup> The Government of Quebec thereby hopes that for the legally permitted period of five years the secularism law can operate contrary to these protected rights that are applicable to all Canadians.

Several court challenges have followed, including by the National Council of Canadian Muslims (NCCM) and the Canadian Civil Liberties Association (CCLA), which took up the cause of a University of Montreal student and prospective teacher, Ichrak Nourel Hak, a Muslim woman who wears a hijab. Both the NCCM and the CCLA argued before Quebec Superior Court for a stay of certain sections of the Act and questioned its constitutionality, arguing that the Act was 1) a criminal law statute, in effect, and so a federal matter 2) unduly vague and so violated the rule of law, and 3) went against certain fundamental principles that underpin Canadian democracy, including respect for minority rights.<sup>31</sup> While acknowledging that the Act violated freedom of religion guaranteed under the Canadian Charter, the decision of Justice Michel Yergeau was to deny the appeal for a stay. He based his decision in part on the fact that “The National Assembly, by a majority of votes, concluded that including a prohibition on wearing religious symbols in the code of conduct for persons occupying the roles listed in Schedule II of the Act serves the common good...”.<sup>32</sup> In August 2019, the NCCM and the CCLA were given leave to appeal the lower court decision to the Quebec Court of Appeal.<sup>33</sup> That appeal was rejected in December 2019 after which the parties sought to appeal the decision to the Supreme Court of Canada, which decided in April 2020 not to hear the appeal.<sup>34</sup> According to the Dean of McGill University’s Faculty of Law Robert Leckey, further legal challenges are sure to come.<sup>35</sup>

## INCIDENTS AND DEVELOPMENTS

According to the latest official data available, police re-

corded 1,798 hate crimes in 2018.<sup>36</sup> This represents a 13 per cent decrease from 2017, but a 27 per cent increase from 2016.<sup>37</sup> This included 341 crimes determined to be motivated by anti-Semitism, which represents a 54 per cent increase since 2016.<sup>38</sup>

The B’nai B’rith Canada League for Human Rights received 2,207 reports of anti-Semitic incidents in 2019, which broke the record set the previous year for the fourth consecutive year.<sup>39</sup> With the largest Jewish communities in Canada, Ontario and Quebec saw anti-Semitic incidents rise by 62.8 per cent and 12.3 per cent respectively between 2018 and 2019, a worrying trend.<sup>40</sup>

Such incidents include an assault in March 2019 against a Hasidic Jew in Montreal (Quebec) with the assailant stealing some of his religious accoutrements (tallit and tefillin).<sup>41</sup> In July 2019, a Montreal taxi driver shouted anti-Semitic abuse at an Orthodox Jew and then assaulted him after he photographed the driver’s taxi permit.<sup>42</sup>

In August 2019, two Orthodox Jewish youth in Toronto (Ontario) were attacked by another youth. One suffered injuries to the face from being punched while the other had his arm broken.<sup>43</sup> In October 2019, a Jewish student at York University in Toronto was spat on by an individual spouting anti-Semitic slurs.<sup>44</sup>

Official hate crime figures recorded by police in 2018 included 116 anti-Muslim acts.<sup>45</sup> The National Council of Canadian Muslims (NCCM) reported 51 anti-Muslim incidents in 2019.<sup>46</sup> The list includes the refusal in October by the People’s Party of Canada to take action against one of its candidates in Halifax (Nova Scotia) after it became known that she had made anti-Muslim statements, including a 2017 tweet in which she stated that “Islam is pure evil. Islam has no place in Canadian society”. In other incidents, a 12-year-old girl was forced in August to remove her hijab by Air Canada employees after she had gone through security at Toronto’s Pearson International Airport; eggs were thrown in July at the mosque in Owen Sound (Ontario); a two-year-old boy was assaulted in Laval (Québec) in July; some Muslims were verbally abused in a public space; and a bomb threat was made against an Ottawa mosque in April.<sup>47</sup>

Official hate crime figures recorded by police in 2018 included 35 crimes motivated by bias against Catholics.<sup>48</sup> Although this figure remains very low; in 2020, there were some high-profile attacks on Catholic churches and members of the clergy across Canada.

On 22nd March 2019, Fr. Claude Grou was attacked with a knife while celebrating Mass at St. Joseph's Oratory in Montreal; he suffered minor injuries. A 26-year-old man was charged with attempted murder in the attack.<sup>49</sup> On 30th August 2020, a statue of the Virgin Mary was discovered decapitated outside of Our Lady of Lebanon Maronite Catholic Church in Toronto.<sup>50</sup> On 8th September 2020, two thieves broke into St. Catherine of Alexandria Roman Catholic Cathedral in St. Catharines (Ontario) and stole the tabernacle. It was subsequently retrieved from a nearby canal having been broken into, desecrated, and the sacred hosts stolen.<sup>51</sup>

### COVID-19

Beginning in mid-March 2020, the onset of the COVID-19 pandemic in Canada led to the implementation of a range of directives, guidelines, and public health directives at the federal, provincial, and municipal levels across Canada. As healthcare is primarily under provincial jurisdiction according to the Constitution Act, 1867,<sup>52</sup> it was largely the responsibility of provincial ministries of health in concert with local public health authorities to determine what restrictions were to be implemented to curb the spread of the virus. In all jurisdictions this led to restrictions on public worship, including the closing of places of worship from mid-March to late May/mid-June across Canada. In many cases religious authorities pre-empted the imposition of restrictions on public worship by health authorities by voluntarily closing their buildings. On 13th March, Canada's largest Roman Catholic diocese, the Archdiocese of Toronto, announced an end to all public weekend Masses.<sup>53</sup> On 17th March, all public Masses were suspended.<sup>54</sup> On 23rd March, all 200 churches of the Archdiocese of Toronto were closed to the public.<sup>55</sup> Televised private Masses became the norm.

With the easing of restrictions on public gatherings in most jurisdictions by late May-early June 2020, many faith communities reopened their places of worship in keeping with local public health guidelines on worship. The requirements for reopening places of worship varied from province to province. For example, in Alberta in the first stage of reopening in May, attendance at religious services was limited to 50 persons or 1/3 of the building's capacity, whichever was less.<sup>56</sup> Various other requirements were made, including how to direct the flow of people in places of worship; a ban on people with symptoms; discouraging congregational singing; and, encouraging congregants to wear face masks.<sup>57</sup> By June, these restrictions

were relaxed with no limit on religious services attendance (except for weddings and funerals whose limit was 100 persons) as long as congregants maintained a physical distance of two metres.<sup>58</sup> Similar restrictions exist in Ontario where limits remain on attendance at religious services, i.e. 30 per cent of the building's capacity.<sup>59</sup>

After easing restrictions on public worship in the spring, the Government of Quebec severely tightened restrictions on indoor public gatherings in September. This reduced the number of permissible worshippers at religious services to a maximum of 50 in most of the province and to 25 in regions where the pandemic is more acute such as in the Outaouais region, Greater Montreal, and Quebec City.<sup>60</sup> This brought sharp criticism from Quebec bishops. Archbishop Christian Lépine of Montreal asked that churches be treated in the same way as other indoor venues such as theatres and concert halls, which have occupancy limits of 250 people.<sup>61</sup> Cardinal Gérald Lacroix, Archbishop of Quebec and Primate of Canada, also expressed frustration with the government on 26th July 2020 at the Shrine of Ste-Anne-de-Beaupré over the lack of equitable treatment of faith communities: "To this day," he said, "we still have to negotiate from week to week with the authorities; they try to impose restrictions on us that are beyond reason."<sup>62</sup> Since then, the situation has improved in a significant way.

## PROSPECTS FOR RELIGIOUS FREEDOM

New or increased governmental restrictions on religious freedom during the period under review may have a negative impact on both majority and minority religions over the next two years. There appears to be an increased risk of societal intolerance against not only minority religions, particularly in the Province of Quebec following the passage of the secularism law, but also against the Catholic Church in the media and public life. The growing number of anti-Semitic incidents is also a cause for serious concern, not to mention the situation of Muslims.

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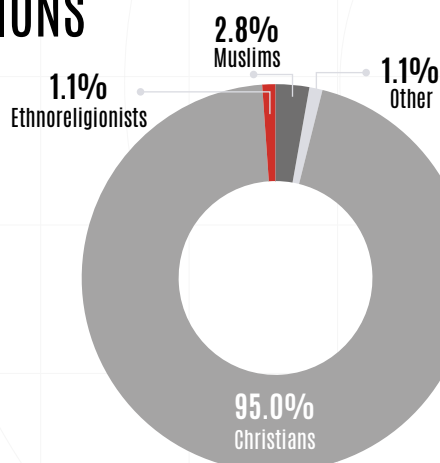
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# CAPE VERDE

## RELIGIONS



Population  
**567,348**  
GDP per capita  
**6,210 US\$**



Area  
**4,033 Km<sup>2</sup>**  
GINI INDEX\*  
**42.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Freedom of religion and the right to religious self-expression are enshrined in the constitution and laws of Cape Verde (Cabo Verde). The constitutional text upholds the equality of all citizens regardless of their religion (Article 1, Section 2), the separation between State and religion (Article 2, Section 2), and the right of citizens to choose or change religion (Article 48, Section 1).<sup>1</sup> Moreover, it guarantees the right of non-discrimination on religious grounds, and prohibits confessional public education (Article 49, Section 2). The constitution prohibits political parties from adopting denominations that could be identified directly or indirectly with a religion (Article 57, Section 2). These rights may be suspended only in a state of emergency or siege (Article 27). A 2014 law further codifies the right to worship freely and also to provide religious instruction to children.<sup>2</sup>

Cape Verde and the Holy See signed an agreement in 2013<sup>3</sup> that recognises the independent legal status of the Catholic Church as well as its right to freely carry out missionary activity. It also protects Catholic places of worship and grants church marriages the same status as civil mar-

riages. Under this concordat, the Church does not pay taxes on revenues and assets used for religious purposes or non-profit activities. Contributions to the Church are also tax deductible.<sup>4</sup>

All religious and secular organisations must register with the Ministry of Justice.<sup>5</sup> There are no sanctions for organisations that do not register, but those that do enjoy certain benefits (like tax exemptions).

## INCIDENTS AND DEVELOPMENTS

A former Portuguese colony, Cape Verde is proportionately the most Catholic country in Africa.<sup>6</sup> Christianity is firmly rooted in its culture. Relations between the different religions are fundamentally free of tensions. There were no significant incidents affecting the right to religious freedom in the country during the reported period.

## PROSPECTS FOR RELIGIOUS FREEDOM

No significant changes in religious freedom or incidents of special interest were observed during the current reporting period. Nothing suggests that the situation will fundamentally change in the near future. Nevertheless, the entire region of West Africa is experiencing major change with the growing influence of Islamic extremism.

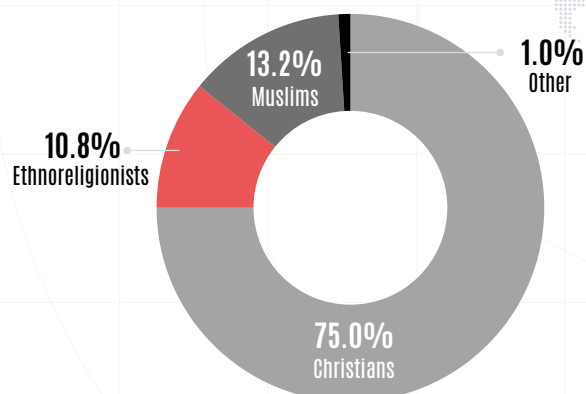
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# CENTRAL AFRICAN REPUBLIC

## RELIGIONS



Population

**4,920,889**

GDP per capita

**661 US\$**

Area

**622,984 Km²**

GINI INDEX\*

**56.2**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Central African Republic (CAR),<sup>1</sup> replacing the “Charte de la Transition”<sup>2</sup> adopted in 2013, was approved by a referendum on 13th December 2015 and promulgated on 30th March 2016. This fundamental legal text marked an end to the political transition after the country officially stopped the crisis that started with the violent takeover by Seleka rebels in March 2013.<sup>3</sup>

The Preamble of the new constitution recognises the “ethnic, cultural and religious diversity” of the Central African people, “which contribute[s] to the enrichment of their personality.” Article 10 guarantees “freedom of conscience, of assembly, [and] of religion and of beliefs [...] within the conditions established by the law. Any form of religious fundamentalism [...] and intolerance is prohibited.” Article 24 proclaims that “The Central African Republic is a State of law, unitary, sovereign, indivisible, secular and democratic.”

All religious denominations have the right to broadcast a weekly program on state radio (Radio Centrafrique), and operate their own radio stations. The main confessional radio stations are the Bangui-based Catholic Radio Notre Dame and the Protestant Radio Voix de l'Évangile (formerly Ra-

dio Nehemie). Other Catholic stations are back on the air after the violent Seleka rule. In April 2018, the Interreligious Platform for Peace (led by the Catholic Cardinal Dieudonné Nzapalainga, President of CAR's Evangelical Alliance, Pastor Nicolas Guerekoyame-Gbangou, and President of the Central African Islamic Council, Imam Kobine Layama) made plans for an interfaith radio station, but its financial backers failed to agree at the time.<sup>4</sup>

The Central African Republic signed a Framework Agreement with the Holy See on 6th September 2016.<sup>5</sup> The document establishes a juridical framework for the relations between Church and state in which both sides, while safeguarding their respective autonomy, commit themselves to working together for the common good as well as for the “moral, social, cultural and material well-being” of the country's citizens.<sup>6</sup> However, according to some high-ranking Catholic prelates, the agreement's full implementation is still waiting, with the government authorities arguing that a document is missing. During their Plenary Assembly in January 2020, the Central African Episcopal Conference (Conférence Episcopale Centrafricaine, CECA) presented a list of priority issues to the Ministry of Foreign Affairs, including the Framework Agreement, but by mid-2020 no answer had been received.<sup>7</sup>

Religious groups, except for followers of indigenous religions,

are required to register with the Ministry of the Interior, Public Security and Territorial Administration. Such groups must have at least one thousand members and their leaders must have had adequate religious training, to the satisfaction of the Ministry. Registration can be denied on grounds of public morals, public health and/or disturbing social peace. The procedure is free and confers tax benefits, but there are no penalties if a group does not register.<sup>8</sup>

Foreign personnel working with religious organisations can obtain residency permits, while foreign missionaries and school staff working with the local Catholic Church can receive renewable residency permits (*carte de séjour*) valid for one year, a procedure they find more efficient.<sup>9</sup> New religious groups, particularly Pentecostal or “born-again” Christian Churches have been growing in the country over the last few years, some of them with government support through the use of public buildings for public religious ceremonies.<sup>10</sup>

Religious education is not compulsory, but it is available in most schools. The Catholic Church has a network of schools in all the nine dioceses of the country, coordinated by the Associated Central African Catholic Schools (*Écoles Catholiques Associées en Centrafrique*, ECAC), with a memorandum of understanding signed with the Ministry of Education. The state-run University of Bangui has a Catholic chaplaincy next to its campus, run by the Jesuits, with a wide range of pastoral and cultural activities.

The main Christian festivities – Good Friday, Easter, Ascension, Assumption of Our Lady, All Saints and Christmas – are public holidays. Since 2017, the Islamic festivities of Eid al-Fitr and Eid al-Kebir are also public holidays.

## INCIDENTS AND DEVELOPMENTS

Despite the Political Agreement for Peace and Reconciliation in the Central African Republic<sup>11</sup> negotiated in Khartoum (Sudan), brokered by the African Union and signed in Bangui on 6th February 2019 by the CAR government and 14 armed groups, violence continued to affect large parts of the country during the reporting period.<sup>12</sup>

A description by La Croix International succinctly outlines the historical developments: “Since the overthrow of President François Bozizé in 2013, there have been clashes between numerous armed groups in the Central African Republic. The former president was ousted in a coup orchestrated by the Séléka, a coalition of Muslim armed groups from the north of the country and mercenaries from Chad and Sudan. In

response to the Séléka, self-defense militia consisting of Christians and animists were formed. Known as the Anti-Balaka, these groups attacked the Muslims, giving a religious dimension to the conflict. According to many observers, these armed groups are fighting, above all, for the control of deposits of diamonds, gold and uranium.”<sup>13</sup>

The year 2018 was particularly trying for the Catholic Church, which had five of its priests murdered, all of them in what seemed to be, at least in part, religiously biased attacks. Fr. Joseph Désiré Angbabata, of the Diocese of Bambari, was shot dead on 21st March during an attack against his parish in Seko, where many people had taken refuge, apparently killed by rebels from the Union for Peace in Central Africa (*Union pour la Paix en Centrafrique*, UPC).<sup>14</sup>

On 1st May 2018, an armed “self-defence” Muslim militia based in Bangui’s Kilometre Cinq (also known as PK5), a mostly Muslim area, surrounded the compound of Notre Dame de Fatima Catholic Church during Mass and opened fire for more than one hour, killing 30 people and wounding at least 185 worshippers.<sup>15</sup> Fr. Albert Tungumale Baba, a much-respected priest who had worked tirelessly for the reconciliation of Christians and Muslims in the area, was among the dead.<sup>16</sup>

On 25th May 2018, a memorandum was published signed by Cardinal Dieudonné Nzapalainga of Bangui, Imam Omar Kobine Layama, leader of the Muslim community and Pastor Nicolas Guerekoyame-Gbangou, president of the Association of Evangelical Churches of the Central African Republic stating that “the crisis that has gripped the country since 2013 is not only due to internal factors but also instigated and exacerbated by external interference.”<sup>17</sup> The three religious leaders declared “that some Central Africans, greedy for easy spoils and for power, ‘are allying themselves with the foreign mercenaries from Chad and Sudan in order to destabilize the Central African Republic.’”<sup>18</sup> “Certain neighbouring countries too ‘have a hidden agenda to destabilize and occupy the country, by means of armed groups supported by them, in order to gain control of our resources.’”<sup>19</sup> Furthermore, they stated “that these groups are using religion in order to create divisions.”<sup>20</sup> Finally the three leaders accused “some contingents of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), of ‘conspiring with the armed groups to commit faith-based crimes.’”<sup>21</sup>

On 29th June 2018, the Vicar General of the Diocese of Bambari, Fr. Firmin Gbagoua, was also killed in cold blood by men purportedly associated with the UPC who broke into his res-

idence at night.<sup>22</sup> The Central African Bishops' Conference stated: "We strongly call on the government and MINUSCA to coordinate their efforts so that those responsible for these murders will be arrested and brought to justice."<sup>23</sup> Further the Bishops stated: "We urge the entire Christian community to remain calm and in prayer so as not to fall into the trap of those who want to show that Christians and Muslims can no longer live together in order to partition the Central African nation."<sup>24</sup>

On 31st August 2018, Bishop Nestor-Désiré Nongo-Aziagbia of Bossangoa, in the north-west of the Central African Republic, stated: "Today, 70-80 percent of the country is in the hands of armed rebel groups, so that the majority of the country is no longer under state control."<sup>25</sup> The bishop described how the Catholic Church was trying to help stating: "The Church has been at the forefront of the efforts for reconciliation... We give shelter to the refugees and help those who are in need, without regard to their religion."<sup>26</sup>

On 15th November 2018, UPC rebels along with a Muslim youth militia attacked a camp for Internally Displaced People (IDPs) located in the headquarters of the Catholic Diocese of Alindao, killing 70 civilians. Among those killed were two Catholic priests – Fr. Celestin Ngoumbango and the Vicar General Fr. Blaise Mada – who were shot dead.<sup>27</sup>

During the raid, the attackers entered the cathedral, shot inside the church building and desecrated the tabernacle in what seemed to be a well-calculated plan to humiliate the Catholic community. In addition, the priests' house, the headquarters of the diocesan Caritas and several other Church buildings were completely burnt down. The Caritas warehouse, used to store emergency food stocks to feed IDPs, was pillaged, leaving the displaced people without any food.<sup>28</sup>

On 8th April 2019, Bishop Juan José Aguirre Muñoz of Bangassou, insisting that religion was not the sole root of the conflict between Ex-Séléka and Anti-Balaka militant groups, said many militias active in the country were in the pay of foreign powers, notably from the Gulf States.<sup>29</sup> Receiving weapons, munitions, vehicles and logistics, the Bishop stated the militia attacks "were aimed at expelling the non-Muslims from the areas [the mercenaries] have conquered, and ultimately they are seeking the partition of the country." "Their aim is to divide up the country and they are helping themselves like pitiless predators to the mineral wealth of the country."<sup>30</sup>

Since mid-2019 there has been an intermittent spate of apparently politically motivated attacks against the Church on social media. In June 2019, at the end of its Plenary Assem-

bly in Bossangoa, the CECA issued a pastoral letter questioning who was funding an emerging militia known as the "Sharks" (Requins).<sup>31</sup> In the same message, the bishops also condemned "the anarchic exploitation of the country's natural resources without any positive outcome for the local populations."<sup>32</sup> In response, a certain Julien Bela posted a series of messages on Facebook with threats and insults against the Catholic Church, accusing the bishops of being "the devil's advocates" and "extraterrestrials".<sup>33</sup>

At the beginning of March 2020, the Archbishop of Bangui, Cardinal Dieudonné Nzapalainga, warned against the mismanagement of public funds and spoke out against the lack of public services, which left the population poor.<sup>34</sup> This statement attracted an angry response from Didacien Kossimatchi, a high cadre of the ruling party, the Mouvement Coeurs Unis (MCU). In a statement widely circulated in social media, he said the Church had no right to express views on political issues.<sup>35</sup> Any criticism of the Catholic Church by the MCU, however, stopped in the second half of 2020.

On 6th September 2020, the Episcopal Conference published a long pastoral letter titled "Fais sortir mon peuple" (Let my people go) in which the bishops called for fair, transparent and peaceful elections (scheduled for the end of 2020). At the same time, they criticised armed groups for not honouring their commitments in the Peace Accord they signed in February 2019. The letter was generally well received, and no one publicly rejected it.<sup>36</sup>

Fr. Aurelio Gazzera, a much-respected Carmelite priest, was the victim of harassment and threats because of his long-standing involvement in environmental issues. Originally from Italy, he came to the CAR in 1995 and has worked in Bozoum (Diocese of Bouar) for the last 15 years. During the first months of 2019, the clergyman denounced in many fora – including social media – the heavy environmental damage caused to the area where his parish is located by uncontrolled gold mining by a Chinese company since December 2018.<sup>37</sup> Fr. Gazzera documented the consequences of mining activities on the local population, such as the loss of safe drinking water and farmland, and the serious risks to human health.

Although the CAR Minister of State of Mines, Energy, and Water Resources tentatively suspended the Chinese company's activities in Bozoum on 25th March 2019, the order was not respected and gold mining continued. In a much-discussed incident, Fr. Gazzera was arrested, and his camera and mobile phone were seized by the security forces on 27th April for taking pictures close to the Ouham River.<sup>38</sup> When the police vehicle with the priest arrived in Bozoum, a crowd



gathered around and demanded his release. Under pressure, the officers let him go. After this episode, the prime minister spoke in the National Assembly, accusing Fr. Gazzera of being a gold trafficker.<sup>39</sup>

On 8th May 2019, Cardinal Dieudonné Nzapalainga, Bishop Mirosław Gucwa of Bouar and Fr. Gazzera met with Prime Minister Firmin Ngrebada as well as with the Minister of State of Mines, Energy, and Water Resources, and the Minister of Water, Forestry, Hunting, Fishing, and Environment.<sup>40</sup> Thereafter, threats and attacks against Fr. Gazzera stopped. His advocacy attracted the interest of the country's MPs, who appointed a commission of inquiry to deal with the issue.

During armed clashes between rival groups in Ndele on 3rd March 2020, the Catholic Bishop of Kaga-Bandoro, Thadeus Kuzy, was harassed and robbed by armed men from one of the ex-Seleka factions. Bishop Kuzy had stopped in Ndele that day because of a car problem. By his own account, he and some of his priests were repeatedly threatened by men wielding guns and knives before he was rescued on 8th March by Pakistani soldiers with the MINUSCA forces<sup>41</sup> stationed at Ndele, and brought to Bambari.<sup>42</sup>

As tensions and armed clashes continued throughout March and April 2020, Christians in Ndele, both Catholics and Protestants, complained that the Popular Front for the Rebirth of the Central African Republic (FPRC<sup>43</sup>), a Seleka offshoot rebel group dominated by ethnic Rounnga, harassed and threatened them as non-Muslims for allegedly siding with their enemies, the Gula people. According to witnesses, unidentified armed men set fire to two churches that belonged to the Apostolic Church (Église Apostolique) in Ndele's Sara and Gozamar II neighbourhoods at around 4 a.m. on 1st April 2020.<sup>44</sup>

Members of the Muslim community also reported attacks by reportedly Anti-Balaka or self-defence militias in different parts of the country. However, in many cases, the victims were ethnic Fulani pastoralists targeted, perhaps, more for their cattle herding activities than for their religious affiliation.

Muslims continued reporting cases of routine discrimination, particularly when requesting government services such as for certificates of nationality, which are needed in order to apply for a passport. There were also complaints of discriminatory behaviour towards Muslims at police and gendarmerie checkpoints, with individuals with Islamic names more likely to be harassed or be asked to pay bribes than people with Christian names.

On a more positive note, the number of Muslim government officials, including ministers and members of the offices of the

president and the prime minister, increased progressively, particularly after the signing of the peace accord in February 2016.

On 9th July 2018, the so-called Church Defence League (Ligue de Defense de l'Église) issued a press release signed by Nzapayeke Francois, pledging "to avenge the murders of many Church dignitaries and men of God killed performing their function."<sup>45</sup> The statement also threatened Muslims that they would have "to practise their faith in a state of doubt and permanent fear as it is the case with Christians."<sup>46</sup> The Episcopal Conference reacted with a statement issued on 10th July 2018, signed by Cardinal Nzapalainga, in which the bishops categorically condemned the Ligue's message.<sup>47</sup> In the same communications the Bishops reminded the faithful "to be vigilant so that they do not give in to hatred and confessional manipulations aimed at destabilizing the country, recalling that the crisis in the Central African Republic is not confessional but political."<sup>48</sup>

During the period under review, several thousand Muslims displaced in 2014 were able to return home, particularly in towns in the southern and western regions of the country. In Bossangoa, Muslims were able to visit their old properties, many of them destroyed, and do some trading, but were not yet able to resettle or rebuild their mosques.

There was some improvement in Bangui at the beginning of 2020, after almost all the mosques outside of the Kilometre Cinq area were destroyed in early 2014. The largest of these mosques, in Lakouanga, was rebuilt and attracts regularly many worshippers. In other locations where mosques had been destroyed after 2014, the Christian population is still reluctant to allow the rebuilding of Islamic places of worship.<sup>49</sup>

In December 2020, armed groups re-appeared as the general elections approached. They mounted roadblocks and entered the villages to rob food, terrorizing the population. There were, however, no mortal victims to deplore, and the tensions subsided by the end of February 2021 with the sudden departure of the armed men from the villages.<sup>50</sup> A "Coalition of Patriots for Change" was announced on 21st February 2021 to challenge the electoral victory of President Touadera, declaring "war" on the government, and was active at the time of writing.<sup>51</sup>

Following the worldwide outbreak of the COVID-19 pandemic, detected in the CAR on 13th March 2020, the government swiftly put in place control measures with the full cooperation of the Church. Schools and places of worship were shut for 30 days, markets and supermarkets were partially closed,

and a nationwide curfew was imposed from 8 pm to 5 am. The authorities and Catholic leaders worked together to control the pandemic with the Catholic Church quick to communicate messages from the Episcopal Conference and Cardinal Dieudonné Nzapalainga.<sup>52</sup>

Restrictions were eased in June but masks remained compulsory. However, few followed this requirement. The Catholic Church reopened its places of worship enforcing safety measures like social distancing, wearing masks and hand washing.<sup>53</sup>

The response in the Islamic community was more varied.<sup>54</sup> The early stages of the pandemic coincided with Ramadan (24th April-23rd May). Some imams kept mosques open in Kilometre Cinq despite risks of contagion and requests from the Health minister that they be closed. Elsewhere, in Lakouanga and Ngaragba, local imams decided to respect the lockdown and held prayers associated with the holy month at

home. Some mosques were reportedly forced to open yielding to veiled threats from armed elements of ex-self-defence groups.

## PROSPECTS FOR FREEDOM OF RELIGION

During the period under review, armed groups again attacked Christian churches, and also began targeting Christian religious leaders, particularly members of the Catholic clergy. Muslims too faced problems. While they saw some progress in the capital and in western and central parts of the country, they are still far from enjoying full rights to religious freedom. Overall, the prospects to the right of religious freedom remain uncertain; likely to continue to confront considerable challenges due to attacks by extremist militias and the political instability.

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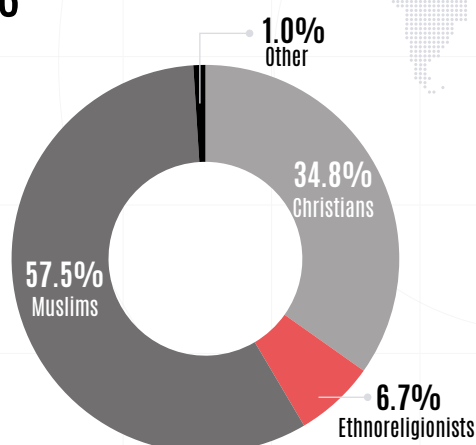
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# CHAD

## RELIGIONS



Population  
**16,285,093**



GDP per capita  
**1,768 US\$**



Area  
**1,284,000 Km<sup>2</sup>**



GINI INDEX\*  
**43.3**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The National Assembly of Chad approved a revised constitution in April 2018, but the vote was boycotted by many members of the opposition.<sup>1</sup> The reform turns Chad into a presidential republic (eliminating the post of prime minister), and allows the incumbent president, Idriss Déby, to stay in power until 2033.

Déby has ruled the north-central African country without interruption since 1990. In the most recent presidential election in 2016, he was re-elected with nearly 60 percent of the votes.<sup>2</sup> Practically all opposition parties signed a joint declaration against him. The new constitution requires an oath for cabinet ministers. Originally, “the law stated that those sworn in must take an oath under Allah”. However, after criticism, in June 2018 “it was changed to under God or under Allah”.<sup>3</sup> In April 2018, the Catholic bishops of Chad issued a statement opposing the constitutional reforms and calling on the government to hold a referendum on the new constitution.<sup>4</sup>

According to Article 1 of the 2018 constitution, the Republic of Chad is a secular state that upholds the separation of religion and state.<sup>5</sup> Article 14 guarantees the principle

of equality before the law without distinction of religion. The freedoms of conscience, religion, association, assembly or expression are protected. However, as Article 28 stipulates, such freedoms may be limited “for the respect of the freedoms and the rights of others and by the imperative to safeguard public order and good morals”. The constitution includes long prison sentences for members of the government who try to undermine the secularity of the state. Article 157 clearly says that infringing this principle “constitutes a crime of high treason”. Article 5 of the constitution also prohibits “any propaganda of [a] religious character tending to infringe [upon] national unity or the secularity of the State”.

Article 38 of the constitution makes education free, compulsory, and secular. Religious education is not allowed in public schools, but can be offered in private schools. Several religious groups, including the Catholic Church, have important networks of private educational establishments in the country.<sup>6</sup>

The government set up a High Council for Islamic Affairs of Chad, which “oversee[s] Islamic religious activities, including some Arabic language schools and institutions of higher learning, and represents the country at international Islamic forums.”<sup>7</sup>



All associations must register with the government. The Office of the Director of Religious and Traditional Affairs in the Ministry of Territorial Administration, Public Security, and Local Governance is the government department responsible for religious matters. It mediates “intercommunal conflicts, reporting on religious practices, coordinating religious pilgrimages, and ensuring religious freedom.”<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

Religious groups in Chad have traditionally enjoyed good relations, particularly in the south of the country. Muslims and Christians regularly attend one another’s religious celebrations and feast days. Nevertheless, several factors have undermined this peaceful coexistence in recent years, and this has affected religious freedom in the country.

Chad is divided between a predominantly Muslim north and a largely Christian and Animist south. In June 2018, the government appointed a sultan for the southern region of Moyen-Chari. The sultan is a figure of leadership and spiritual guidance for a given area. However, the post is closely associated with Islam. The appointment, which was carried out without prior consultations, caused a strong reaction among the non-Muslim population of the region, who fear that the sultan could use his position to “drive an Islamic agenda”<sup>9</sup> in the area and the entire south of the country. “In a region with a large Christian and Animist population, we can’t have a chieftaincy using the terminology of a sultanate. It is a threat to the way we live together,”<sup>10</sup> said a Christian member of the Chadian parliament.

The most important factor undermining the right to religious freedom in the country is the presence of jihadi terrorist groups, specifically Boko Haram. Established in Nigeria, this terrorist group has been operating in Chad since 2015, particularly in the Lake Chad basin, which lies near the Nigerian-Chadian border.<sup>11</sup>

During the period under review, several terrorist attacks took place in different parts of the country, with the Chadian security forces as the main target. In March 2019, 23 Chadian soldiers were killed and several others wounded in a terrorist attack near Lake Chad (south-western Chad).<sup>12</sup> Another terrorist incident took place on 25th May, in which four soldiers and several civilians, including a journalist, were killed.<sup>13</sup> On 23rd June 2019, at least six civilians died as a result of a suicide bombing in Kaiga

(Western Chad).<sup>14</sup> In March 2020, the terrorist group conducted the deadliest attack against Chad’s security forces, killing 92 soldiers on the Boma Peninsula.<sup>15</sup>

In August 2018, the government issued new rules for northern Chad requiring government officials to swear a religious (Islam-inspired) oath in order to keep their job. Several Christian groups complained of potential discrimination in government positions.<sup>16</sup>

In February 2019, the governments of Chad, Nigeria, Cameroon and Niger launched Operation Yancin Tafki to counter jihadi terrorism in the Lake Chad region.<sup>17</sup> The operation consists of a coordination between the Armed Forces of these four countries, and combines air and land forces.

Intercommunal violence in eastern Chad between non-Muslim and Muslim communities increased during 2019. According to the Crisis Group, “far from being the product of classic rivalries between farmers and herders, these conflicts reveal deep identity divisions and competition for land, leadership and local power in these regions”.<sup>18</sup> The majority of the incidents occurred in the provinces of Ouaddai and Sila, next to the border with Sudan, between May and August 2019. The escalation of tensions was so intense that in August 2019, the government had to declare a state of emergency and deploy troops in two eastern regions.<sup>19</sup> Several incidents affected religious communities during this period; for example, on 16th May 2019, six people were killed as they left a mosque.<sup>20</sup> In spite of this, the conflict does not seem to have had a religious cause, but appeared to be driven by ethnic and socioeconomic factors.

During 2020, terrorists continued to exploit what the United Nations call “ethnic animosity”, in order to kidnap, pillage and grab land.

On 21st March 2020, religious activities were suspended and places of worship were closed due to the regulations imposed by the government to contain the coronavirus outbreak.<sup>21</sup> In June 2020, the Emergency Fund created by Pope Francis sent aid to the Diocese of Doba because of the hardships faced by some parishes as a result of the pandemic.<sup>22</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Since 2015 Chad has suffered from the terrorist actions of Boko Haram; this has damaged the economy, and cre-



ated a major humanitarian crisis by displacing thousands of people.

Even though attacks have declined in recent years since, the security situation remains precarious. Furthermore, the government's highly militarised response to the threat, epitomised by Operation Yancin Tafki, has not adequately met the needs of the population. The presence of jihadi armed groups clearly undermines religious freedom in the country.

Identity-based politics in eastern Chad has fuelled local intercommunal violence.<sup>23</sup> To contain the problem, the government imposed a state of emergency in the area in August 2019. However, the authorities have not addressed the grievances that underpin the conflict. Although it does not appear to be driven by religion, it still has the potential of negatively impacting religious freedom.

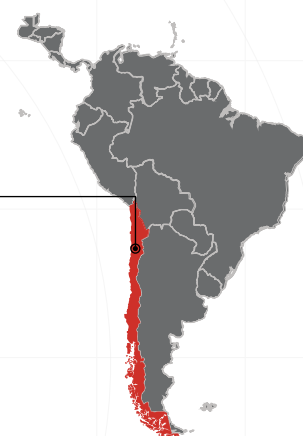
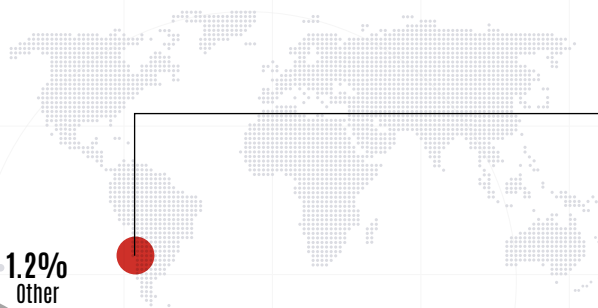
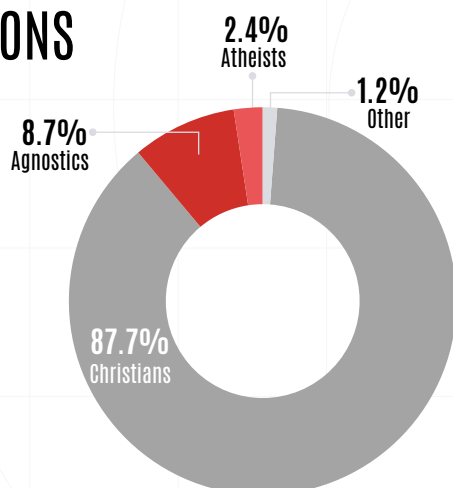
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# CHILE

## RELIGIONS



Population  
**18,472,639**  
GDP per capita  
**22,767 US\$**



Area  
**756,102 Km<sup>2</sup>**  
GINI INDEX\*  
**44.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 1 of the Constitution of Chile<sup>1</sup> states that people are born free and equal in dignity and rights. The state recognises that the “Family is the fundamental unit of society” whilst protecting “intermediate groups through which society organizes and structures itself”. “The State is at the service of the human person” and must ensure that each individual can achieve “their greatest spiritual and material realization possible”.

Article 19 (6) guarantees “freedom of conscience, expression of any belief and the free exercise of all religions which are not contrary to morals, good customs or public order.” It also stipulates that “Religious denominations may erect and maintain temples and their dependencies under the safety and hygiene conditions established by the laws and ordinances”. The same article states that houses of worship “shall be exempt from all taxes” if they are used solely for their stated purpose.

“Parents have the preferential right and duty to educate their children” (Article 19, 10), whilst “freedom of education includes the right to open, organize and maintain educational institutions” (Article 19, 11).

Since September 2017, abortion is legal under three grounds. Individual medical staff as well as institutions can opt out, invoking the right to conscientious objection.<sup>2</sup>

Chile’s Constitution and laws protect religious freedom for more than 4,000<sup>3</sup> recognised religious groups. Under Law No. 19 638 of 1999<sup>4</sup> on the Legal constitution of Churches and Religious Organisations, any religious group can apply for non-profit status. The Ministry of Justice cannot turn down any request for registration, but it can object to any submission within 90 days if the application falls short of what is legally required. In such a case, applicants have 60 days to make their own counterarguments to the state or seek redress in court. The state cannot deregister a religious organisation after acceptance. The Catholic Church has legal personality under public law and does have to register under the aforementioned law.

Law No. 19638<sup>5</sup> stipulates that no one shall be discriminated on the basis of their religious beliefs. It enshrines freedom of religion and worship, with autonomy and immunity from coercion. Thus, everyone can freely profess the religious belief of their choice, engage in acts of worship in public or in private, individually or collectively, celebrate festivities, and perform their rites or none at all. This entails the right to leave a religion as well. Recognised religious groups

are autonomous in education and are entitled to set up their own colleges, clubs or any other organisation.

Law No. 20609<sup>6</sup> prohibits arbitrary discrimination, as well as any form of exclusion or restriction that lacks reasonable justification that might cause hardship and disorder, or threaten the legitimate exercise of fundamental rights. This is particularly the case if discrimination is based on specific grounds, such as race, ethnicity or religion.

Different treatment is deemed reasonable when the person is exercising other legitimate fundamental rights such as freedom of conscience, belief and religious practice.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

As in the previous period, arson attacks were reported in conflict-torn Araucanía with, most notably, a string of incidents in July and August 2018 involving Evangelical churches.<sup>8</sup>

In October 2019, social unrest broke out as part of a broader movement of citizen mobilisation. Violent protests accompanied social activism, which led to the destruction of public and private property. Repeated attacks and acts of vandalism were reported against churches.<sup>9</sup> A report by the NGO Comunidad y Justicia<sup>10</sup> for the Inter-American Commission on Human Rights, released during the latter's visit to the country (January 2020),<sup>11</sup> noted that at least 57 churches (51 Catholic and six Evangelical) were the targets of acts of vandalism since October 2019.

In this context, religion remained an important issue. In November 2019, a bill came before the National Congress of Chile aimed at imposing stiffer sentences for criminal actions against places of worship.<sup>12</sup>

In December 2019, Cardinal Francisco Javier Errázuriz Ossa, Archbishop Emeritus of Santiago de Chile, was verbally attacked in the capital Santiago for allegedly being an accessory to a cover-up of sexual abuse cases.<sup>13</sup> In January 2020, a video went viral showing a group of hooded men attacking a man dressed as a priest and dragging him out of the cathedral; however, according to official sources, the incident was staged.<sup>14</sup>

In that same month, a group of protesters disrupted the inauguration Mass of the new Archbishop of Santiago and threw remnants of tear gas canisters during communion.

<sup>15</sup>In southern Chile, the Court of Appeals in the town of Concepción dismissed an appeal filed against the local archdiocese for celebrating 8th December (Feast of the

Immaculate Conception), fearing that it could lead to vandalism.<sup>16</sup> On that day, protests were held in various parts of the country with insults against the Virgin Mary.<sup>17</sup>

In October 2020, on the first anniversary of the country's current period of social unrest, more acts of vandalism were carried out against places of worship, including arson attacks against patrimonial churches, like the La Asunción parish church, in central Santiago, whose dome "collapsed in the flames",<sup>18</sup> and the church of the Carabineros (Chile's national police force).<sup>19</sup>

The government also held meetings with various religious groups.<sup>20</sup> Joint working commissions were set up as was an advisory group of experts on religious matters.<sup>21</sup> One advisory board on the Religion Law was established<sup>22</sup> and an interfaith body was created to cope with the COVID-19 pandemic.<sup>23</sup> However, it is unclear what all this achieved. In April 2019, land was given to the Muslim and Jewish communities to establish a cultural centre and a Holocaust Museum.<sup>24</sup>

Over the past two years, the courts were busy dealing with issues related to religious freedom. In one case in September 2019, the Supreme Court of Chile upheld a fine imposed on a television station for a humorous sketch that was insulting to the Virgin Mary.<sup>25</sup>

In September 2019, the Supreme Court accepted a request for legal protection (*recurso de protección*) against the neighbour of a parish, for closing access to the chapel of the Virgin Mary.<sup>26</sup> In relation to blood transfusions, which Jehovah's Witnesses refuse,<sup>27</sup> the courts authorised a hospital to perform transfusion; on one occasion, surgery was ordered without blood transfusion.<sup>28</sup>

In just a few years, immigration has doubled the number of foreign religious groups in Chile.<sup>29</sup>

Before the COVID-19 pandemic, popular religious holidays continued to be celebrated.<sup>30</sup>

Following the outbreak of the pandemic, the government proclaimed a state of emergency, without special regulation regarding religion. Most notably, it banned gatherings of more than 50 people in any one place. Some regional authorities issued bylaws exclusively affecting religion, thus restricting religious freedom, but they were later revoked.<sup>31</sup> Meanwhile, requests for legal protection were presented, but in two cases the courts ruled without taking into account the right to religious freedom,<sup>32</sup> whilst in another, administrative regulations were deemed unconstitutional, thereby upholding the right to assembly for religious

worship.<sup>33</sup>

Religious organisations have contributed in various ways to the fight against the pandemic.<sup>34</sup> They have backed the authorities in their decisions, and refrained from celebrating liturgies and sacraments.<sup>35</sup> In order to tackle the emergency, they have also provided facilities, such as homes and shelters for the sick,<sup>36</sup> as well as food, religious assistance, care for migrants, etc.<sup>37</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The 2018-2020 period saw an upsurge in attacks against churches. Previously they were centred in a region of the

country linked to the Mapuche cause, but since October 2019, violence and vandalism against churches spread to include several cities, a symptom of intolerance towards religion and a sign that the state is unable to protect it. Courts have also failed to uphold the right to religious freedom because of a poor understanding of this fundamental right. Consequently, prospects for the near future are negative and a cause for concern.

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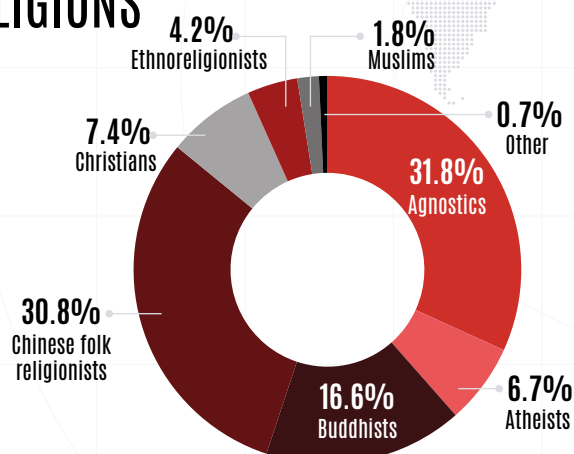
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## CHINA

## RELIGIONS



Population

**1,424,548,266**

GDP per capita

**15,309 US\$**

Area

**9,600,000 Km<sup>2</sup>**

GINI INDEX\*

**38.5**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

Article 36 of China's 1982 constitution (revised in 2018)<sup>1</sup> states that the "Citizens of the People's Republic of China enjoy freedom of religious belief. No state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion."

The same article says that the state protects "normal religious activities." Without providing any definition of what is "normal", it clearly prohibits the use of religion for activities that "disrupt public order, impair the health of citizens or interfere with the educational system of the state." Likewise, religious organisations and activities must not be "subject to any foreign domination."

In practice, Article 36 protects only the five officially recognised religious traditions - Buddhism, Taoism, Islam, Protestantism and Catholicism - and only those governed by seven state-sanctioned "patriotic" associations. Religious practice and expression outside the state-controlled apparatus is illegal and has been met, to varying degrees over the past seventy

years, with punishment, repression and persecution.

On 1st February 2018, China adopted more restrictive Regulations on Religious Affairs, updating those of 2005. The new rules confine believers to registered sites, and "further tighten control over religious activities."<sup>2</sup> These aim to ensure that "religious groups, religious schools, and religious activity sites and religious affairs are not [...] controlled by foreign forces." The rules also stipulate that religion must not endanger national security, and impose further restrictions on the communication of religious content, religious schools and charity work.<sup>3</sup>

Since March 2018, religion has been under the direction of the United Front Work Department, an agency of the Chinese Communist Party (CCP), thus taking over the State Administration of Religious Affairs (SARA). As a result, the CCP has direct control over religious affairs.<sup>4</sup>

In April 2018, the Chinese government issued a new White Paper titled "China's Policies and Practices on Protecting Freedom of Religious Belief". The document states that "active guidance" will be provided to religious organisations to help them "adapt to the socialist society". It goes further, noting that foreigners can only engage in religious activity that

is “authorised”.<sup>5</sup>

Article 27 of China’s National Security Law also relates to freedom of religion or belief. This law has been criticised by the UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, for its “extraordinarily broad scope” and vague terminology, which, he argues, leaves “the door wide open to further restrictions of the rights and freedoms of Chinese citizens, and to even tighter control of civil society.”<sup>6</sup>

Other regulations that may impact freedom of religion or belief include Document No. 9, i.e., the Communiqué on the Current State of the Ideological Sphere,<sup>7</sup> from the Central Committee of the CCP’s General Office, issued in April 2013, and a new law on foreign Non-Governmental Organisations, adopted in 2016. Document No. 9 presents “Western” values, Western constitutional democracy and Western-style free media as in conflict with the Chinese Communist Party’s values and states that petitions and letters calling for protection of human rights are the work of “Western anti-China forces”.<sup>8</sup> The new NGO law, which came into force in January 2017, gives the authorities power to restrict the work of foreign groups in the country, and to limit the ability of local groups to receive foreign funding and work with foreign organisations. Foreign NGOs must be sponsored by a Chinese government organisation, be registered with the police, and be under the supervision of the Public Security Bureau. Foreigners or members of foreign organisations deemed to be involved in activities aimed at “splitting the state, damaging national unity or subverting state power” can be detained, barred from leaving the country, or deported.<sup>9</sup>

In April 2016, China’s President Xi Jinping addressed senior Communist Party officials at a meeting on religion. In his speech, he said that “religious groups ... must adhere to the leadership of the Communist Party.” Party members must be “unyielding Marxist atheists” who “resolutely guard against overseas infiltrations via religious means.”<sup>10</sup> This followed a speech by the director of China’s State Administration for Religious Affairs, who told a seminar on the Sinicization of Christianity that “Chinese Christian theology should be compatible with the country’s path of socialism.”<sup>11</sup>

In September 2018, the Vatican reached a provisional agreement with the Chinese government on the appointment of bishops, valid for two years. As a provisional agreement rather than a formal treaty, the text of the agreement remains secret, but it is understood that it gives the Chinese government the right to recommend candidates to be appointed as bishops,

who are then confirmed by the Vatican. The Vatican and the Chinese government renewed the agreement in September 2020.<sup>12</sup>

## INCIDENTS AND DEVELOPMENTS

Over the period under review, the Chinese authorities have significantly intensified their crackdown on all religious minorities. On 10th November 2020, the Pew Research Center released its annual report tracking global patterns in restrictions on religion. Out of all the 198 countries and territories researched in the study, China registered the highest score on the Government Restrictions Index (GRI).<sup>13</sup>

Anti-religious repression in China takes many forms and targets many groups. The most egregious violations of religious freedom are against the Uyghurs and other predominantly Muslim communities in the Xinjiang Uyghur Autonomous Region (XUAR), where the atrocities have reached such a scale that a growing number of experts describe them as genocide. The clampdown includes the incarceration of between 900,000 and 1.8 million Uyghurs, Kazakhs, Kyrgyz and members of other Muslim groups in more than 1,300 concentration camps.<sup>14</sup> Civilians have been arrested and sent to camps for outward expressions of religious piety, such as wearing long beards, refusing to drink alcohol, or engaging in behaviours the authorities define as signs of “religious extremism”.<sup>15</sup> Reports of widespread and systematic torture, abysmal conditions, sexual violence and forced labour have emerged, and a campaign of forced sterilisation of Uyghur women has been conducted in parts of the XUAR.<sup>16</sup> Chinese authorities have also destroyed, damaged or closed thousands of mosques, Muslim cemeteries and Islamic educational institutions.<sup>17</sup>

In 2019, The New York Times published leaked documents called the Xinjiang Papers which indicated that “Xi Jinping himself laid the groundwork for the use of harsh tactics in the region, instructing officials in a series of private speeches to show ‘absolutely no mercy.’”<sup>18</sup>

In Tibet, Buddhism continues to be targeted and suppressed. Laws have been introduced to control the next reincarnation of the Dalai Lama and other eminent Tibetan lamas. Monks and nuns who refuse to denounce the Dalai Lama have been expelled from their monasteries, imprisoned and tortured.<sup>19</sup> Displaying images of the Dalai Lama remains a crime and

is punished with increasing severity; religious festivals are monitored and restricted. In 2019, as many as 6,000 Tibetan Buddhist monks and nuns were displaced when the authorities destroyed their residences at the Yachen Gar Tibetan Buddhist Centre in Sichuan province. In April 2019, the Larung Gar Buddhist Academy was forced to stop enrolling new students.<sup>20</sup>

Christians, both Catholic and Protestant, have not been spared, facing grave violations of religious freedom. Thousands of crosses have been torn down, many churches destroyed or closed, and Christian clergy jailed. In November 2019, 500 house church leaders signed a declaration stating, “authorities have removed crosses from buildings, forced churches to hang the Chinese flag and sing patriotic songs, and barred minors from attending.”<sup>21</sup>

In state-controlled Churches authorities have forced Christians to display Communist Party banners<sup>22</sup> alongside, and sometimes in lieu of religious symbols, or to hang portraits of Xi Jinping alongside, and sometimes instead of images of Christ and the Virgin Mary.<sup>23</sup> CCTV cameras have been mounted outside and inside churches<sup>24</sup> recording the worshippers.

In December 2018, the authorities arrested over a hundred members of the Early Rain Church in Chengdu, and accused Pastor Wang Yi and his wife Jiang Rong of “inciting subversion”. Pastor Wang was tried in secret on 26th December 2019 and sentenced to nine years in prison. He described the regime’s campaign as a “war against the soul”.<sup>25</sup>

As Ying Fuk Tsang, director of the Christian Study Centre on Chinese Religion and Culture at the Chinese University of Hong Kong stated: “The goal of the crackdown is not to eradicate religions” [...] “President Xi Jinping is trying to establish a new order on religion, suppressing its blistering development. [The government] aims to regulate the ‘religious market’ as a whole.”<sup>26</sup>

In November 2019, Chinese authorities announced plans for a “comprehensive evaluation of the existing religious classics aiming at contents which do not conform to the progress of the times.” This means retranslating the Bible and the Qur’an to “reflect socialist values”.<sup>27</sup> The decision followed a meeting of the Committee for Ethnic and Religious Affairs of the National Committee of the Chinese People’s Political Consultative Conference, under its chairman, Wang Yang.

In a January 2019 The Guardian article, Dr. Eva Pils, a professor of law at King’s College London stated: “One of the goals

of a government work plan for ‘promoting Chinese Christianity’ between 2018 and 2022 is ‘thought reform’. The plan calls for ‘retranslating and annotating’ the Bible, to find commonalities with socialism and establish a ‘correct understanding’ of the text. Ten years ago, we used to be able to say the party was not really interested in what people believed internally. Xi Jinping’s response is much more invasive and it is in some ways returning to Mao-era attempts to control hearts and minds.”<sup>28</sup>

On 22nd September 2018, the Vatican signed the Provisional Agreement between the Holy See and the People’s Republic of China<sup>29</sup>, and extended it for another two years in October 2020. The diplomatic effort, primarily understood as a pastoral one dealing with the need to regularise relations with Beijing on the appointment of Bishops, clearly specified its limitations. According to the first communiqué, the agreement, “does not cover direct diplomatic relations between the Holy See and China, the juridical status of the Catholic Chinese Church, or the relations between the clergy and the country’s authorities. The Provisional Agreement exclusively treats the process for the appointment of bishops.”<sup>30</sup>

Within this framework, it has, according to Archbishop Paul Richard Gallagher, the Vatican’s Secretary for Relations with States, brought some fruits. “The fact we have managed to get all the bishops of China in communion with the Holy Father for the first time since the 1950s, and that the Chinese authorities allow the pope a modest say in the appointment of bishops but ultimately the final word, is quite remarkable.”<sup>31</sup>

Notwithstanding the agreement’s limited scope and pastoral fruits, concerns remain to the application of the treaty on the ground, as well as to the shadow thrown over it by the wider context - the rapidly deteriorating conditions of religious freedom in the country.

In the two years following the signature of the Provisional Agreement, the underground clergy were encouraged to join the state controlled Chinese Patriotic Catholic Association (CPCA). Many refused, however, “citing doctrinal conflicts between Church teaching and CPCA rules” - and suffered the consequences.<sup>32</sup> On 1st September 2020, for example, priests who refused to join the CPCA in Jiangxi province were put under house arrest and banned from “engaging in any religious activity in the capacity of the clergy.”<sup>33</sup> In recognition of the problem, the Vatican accepted that some clergy may choose not to join the CPCA for reasons of conscience.<sup>34</sup>

Catholic hierarchy also continue to suffer harassment and arrest.

Bishop James Su Zhimin of Baoding has spent a total of 40



years in prison, and has not been seen since 2003. At present, his whereabouts are still unknown. In July 2020, Congressman Chris Smith held a hearing in the United States Congress titled: “Where is Bishop Su?”<sup>35</sup>

On 9th November 2018, Bishop Peter Shao Zhumin of Wenzhou was arrested for the fifth time in two years. He was released on 23rd November, but continues to face harassment.<sup>36</sup> Father Zhang Guilin and Father Wang Zhong of Chongli-Xiwanzi diocese were detained in late 2018 and their whereabouts are still unknown.

In January 2020, Bishop Vincent Guo Xijin of Mindong, Fujian Province, who had already been demoted to the position of auxiliary bishop to make way for a Beijing-appointed bishop, was forced by the authorities to leave his residence, which was closed. The 61 year-old prelate ended up sleeping in the doorway of his church office. Only after an international outcry was he permitted to return to his apartment, but with the utilities cut off.<sup>37</sup> On 4th October 2020, Bishop Guo announced his resignation.<sup>38</sup>

In June 2020, 70 year-old Augustine Cui Tai, Coadjutor Bishop of the underground church in Xuanhua, was arrested again having already endured 13 years in detention.<sup>39</sup>

Even in Hong Kong where religious freedom was respected up until recently, it is now endangered. On 30th June 2020, a new National Security Law was imposed on the city by China’s National People’s Congress - “voted unanimously in just 15 minutes by the 162-member committee.”<sup>40</sup> The parameters of the new security law are broad. According to AsiaNews, “The law prevents and punishes acts and activities of secession, subversion, terrorism and collaboration with foreign forces that endanger national security.”<sup>41</sup> Amnesty International stated the law was, “The greatest betrayal of human rights in the recent history of the city.”<sup>42</sup>

Effectively abolishing Hong Kong’s basic freedoms, the security law is already impacting religious freedom. Cardinal John Tong, apostolic administrator of the Diocese of Hong Kong, issued instructions to all priests to “watch your language” in homilies and avoid making politically provocative comments.<sup>43</sup>

In December 2020, the police raided the (Protestant) Good Neighbour North District Church with authorities freezing the Church’s bank account as well as those of its pastor, Reverend Roy Chan, and his wife.<sup>44</sup> The Church had provided humanitarian assistance to protesters during demonstrations in 2019 against a proposed extradition law.<sup>45</sup>

With the enforcement of the new security law, “Catholic journalists, political activists, and businessmen have been arrest-

ed on charges of sedition.”<sup>46</sup> Several jailed prominent pro-democracy activists are Christian, most notably media tycoon Jimmy Lai and former student leader Agnes Chow, both Catholics, and Joshua Wong, a Protestant. A member of the United States Commission on International Religious Freedom, Johnnie Moore, announced he was adopting Jimmy Lai as a Religious Prisoner of Conscience.<sup>47</sup>

Perhaps the largest spiritual group in China facing severe persecution is Falun Gong, a movement that draws on Buddhist tradition. Described as “xie jiao” (heterodox teachings or evil cults), Falun Gong is banned.<sup>48</sup> In 2019, thousands of practitioners were arrested for practising the meditation exercises.<sup>49</sup>

In 2019, an independent inquiry into allegations of forced organ harvesting from prisoners of conscience, chaired by British barrister Sir Geoffrey Nice QC, concluded “beyond reasonable doubt” that “forced organ harvesting has been committed for years throughout China on a significant scale ... and Falun Gong practitioners have been one - and probably the main - source of organ supply.”<sup>50</sup>

A collateral effect of the Chinese government’s crackdown on human rights, including religious rights, is the repression of human rights defenders, particularly lawyers, many of whom are either Christian or have been hired to defend people arrested in cases involving religious freedom. In 2015, authorities launched a major crackdown, which led to “over 300 human rights lawyers and activists, and their colleagues and family members” being “interrogated, detained and in some cases imprisoned or disappeared.”<sup>51</sup> Still today, most remain either in some form of detention, or have been disbarred from practising law.

Perhaps one of the most significant areas of concern for religious freedom in China is the pervasive expansion of highly sophisticated security cameras equipped with facial recognition technology intended for population surveillance. Though first introduced in China’s restive Xinjiang province as a means of policing its mostly Muslim Uyghur population, elements of China’s surveillance state are rapidly being introduced across the entire nation of 1.4 billion.<sup>52</sup>

The COVID-19 pandemic that erupted in early 2020 has not helped matters; its impact on human rights in China, including freedom of religion or belief, has been significant, especially with regard to the use of technology. Indeed, “much of the facial recognition technology used in the fight against the coronavirus is already being used to monitor church and mosque attendance, and new apps have collected even more data on the everyday lives of China’s citizens. There is particular



concern that the ‘traffic light system’ which assigns individuals a colour corresponding to their perceived risk of spreading COVID-19, and in turn indicates whether they are allowed to travel freely, could be used to restrict the free movement of individuals deemed ‘sensitive’ by the government, such as religious adherents or human rights defenders.”<sup>53</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Freedom of religion in China is currently subjected to the most serious crackdown since the Cultural Revolution. Policy-making

is more centralised, repression is more intense and widespread, and technology is being refined for the creation of a surveillance state. Under the current leadership of Xi Jinping, the prospects for religious freedom - and human rights more broadly - are becoming ever-more bleak. With no meaningful political liberalisation in sight, repression and persecution will continue and, with the tools of modern technology, become even more intrusive and pervasive.

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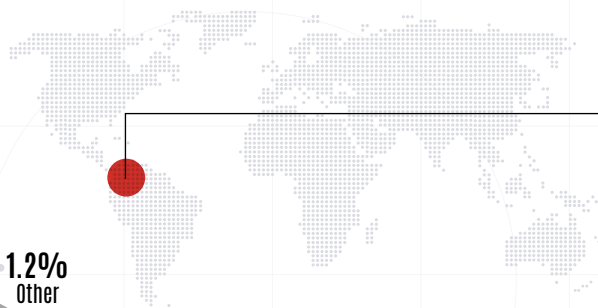
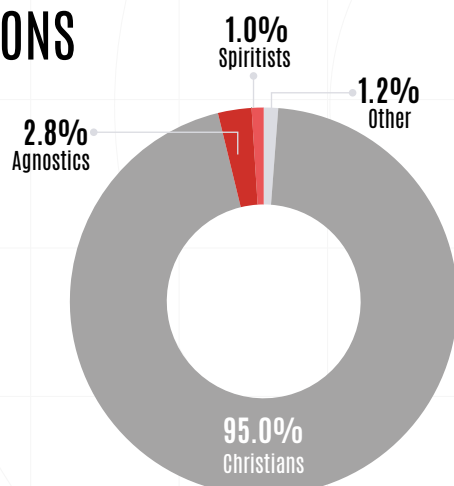
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# COLOMBIA

## RELIGIONS



Population  
**50,220,412**  
GDP per capita  
**13,255 US\$**



Area  
**1,141,748 Km<sup>2</sup>**  
GINI INDEX\*  
**50.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 1 of the Constitution of Colombia<sup>1</sup> defines the country as a “social state” bound by the rule of law. The Constitution stipulates that the Republic is democratic and pluralistic, founded on the respect for human dignity, solidarity and the primacy of the general interest. The government oversees the agencies that protect life, dignity, beliefs and other legally established individual liberties.

In accordance with its fundamental charter, the Colombian state bans all forms of discrimination, including on religious grounds. The right to freedom of conscience, religion and worship are recognised as fundamental rights.

According to the Constitutional Court of Colombia, the highest court that protects fundamental rights, freedom of conscience is exercised in three ways: “(i) no one may be the object of harassment or persecution because of their convictions or beliefs; (ii) no person will be obliged to reveal their convictions, and (iii) no one will be forced to act against their conscience.”<sup>2</sup> This notwithstanding, the right to freedom of conscience is

not absolute and comes with limits based on respect for the rights of others.

Although closely linked, the right to freedom of conscience is understood in Colombia as a right distinct from that of religious freedom. Hence, the Colombian state guarantees the right to freedom of conscience, while prohibiting activities opposed to religious beliefs.<sup>3</sup>

Starting with the concordat with the Holy See, Article 19 of the Constitution states that “all religious faiths and Churches are equally free before the law”. To this end, the Colombian Interior Ministry has a Religious Affairs Bureau responsible for the legal recognition of non-Catholic religious groups.<sup>4</sup>

On 6th March 2018, Colombia’s Interior Ministry began implementing a new public policy on religious freedom.<sup>5</sup> The new aspects of this policy include the recognition of religious organisations as social actors, acknowledging their services as necessary for the population, and considering them as actors in all actions of peace mediation and dialogue. The policy should make the interaction of government and Churches smoother.

## INCIDENTS AND DEVELOPMENTS

A December 2018 CSW report stated that illegal armed groups continued to threaten religious activity in many rural regions, in some cases targeting Church leaders with extortion as well as “threats, forced displacement or assassination”.<sup>6</sup> Of note was the 16th September 2018 assassination of Pastor Efren Martinez Perez of the Nueva Filadelfia Church, shot in front of his home in the village of La Ilusión by a neo-paramilitary group active in the region.<sup>7</sup> The same report stated that in some indigenous communities, “traditional authorities attempt to force members to reconvert back to traditional beliefs and religious practices, and punish or forcibly displace those who refuse to do so”.<sup>8</sup>

In August 2019, the technical director of the Religious Affairs Bureau in the Interior Ministry was requested to assess whether or not to close the Asociación Templo Luciferino Semillas de Luz (Seeds of Light Lucifer Temple Association).<sup>9</sup> Carlos Osorio Buriticá, Governor of the Department of Quindío, pointed out that the Constitutional Court ruled that a satanic cult is not considered religious in nature. “[R]eligious fanaticism, which can actually endanger the very members of a group of believers, or satanic rites that cause serious damage to the physical and moral integrity of bystanders, are not a protected form of freedom of worship.”<sup>10</sup>

In August 2019, the Senate held a public hearing to consider religious freedom in Colombia, with the participation of several religious communities and the Interior Ministry. One of the participants pointed out that the challenge in Colombia is “to seek religious equality and combat existing discrimination within religious communities”.<sup>11</sup> Another participant noted that non-Catholic Churches are discriminated and asked for places to worship in hospitals.

In November 2019, in view of popular movements, Catholic bishops acknowledged that peaceful protests represent a desire to promote social justice, rejected violence and vandalism, and called for national dialogue.<sup>12</sup>

In February 2020, the International Religious Freedom Alliance was launched in Washington, United States, the aim of which is to fight religious discrimination and persecution. Colombia joined the alliance and reaffirmed its commitment to the cause and plans to host the first Hemispheric Forum on Religious Freedom.<sup>13</sup>

In February 2020, Colombia’s Catholic bishops met in

Plenary Assembly to promote a shared countrywide project to support dialogue and talks towards peace and national reconciliation.<sup>14</sup>

In March 2020, Colombia’s Constitutional Court ruled that prison authorities must adopt measures that guarantee inmates the effective enjoyment of freedom of worship. The case referred to two prisoners, one Muslim and one member of the Church of the Nazarene, who were discriminated on the basis of their physical appearance (beards) and clothing, which they consider fundamental elements in the expression of their beliefs.<sup>15</sup>

In March 2020, during a protest on International Women’s Day, a group of women entered La Sagrada Pasión Parish Church in Bogotá, and scribbled pro-abortion and anti-clerical graffiti on its walls, preventing the celebration of the Mass.<sup>16</sup>

On 16 March 2020 began a controversy following a tweet by the President Iván Duque, where he said he prays to place Colombia under the patronage of the famous devotion to the Virgen de Chiquinquirá.<sup>17</sup> Opposition representatives accused him of violating the secularity of the Constitution, and a citizen made a complaint with the public prosecutor which has led to decisions and counter decisions as to whether the president has the right to express his beliefs. However, many supporters came to his side, indicating that it is the right of all Colombians to express their faith, and that the President had no less rights than the rest of the citizens.

In September 2020, the Catholic Bishops’ Conference of Colombia expressed sorrow and called on the need for peace, and to respect and defend life following the discovery of massacres in rural areas, as well as the murders and attacks that had occurred in previous months.<sup>18</sup>

In mid-March 2020, following the outbreak of the COVID-19 pandemic, the Archdiocese of Bogotá suspended Masses and restricted access to the sacraments.<sup>19</sup> The Colombian government issued recommendations to prevent the spread of the Coronavirus in religious settings,<sup>20</sup> and in July 2020 it adopted a biosafety protocol to manage pandemic risks in the religious sector, stipulating that “each religious entity may adapt (it) [...] to the rites of its tradition and/or religious belief.”<sup>21</sup> Since then, places of worship of various reli-



gious communities have gradually begun to reopen.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Generally, although religious freedom is respected, due to Colombia's complicated political situation - of note illegal criminal organisations operating in rural regions - concerns remain regarding reports of severe religious freedom violations by non-state actors. Notwithstanding this, new state policies concerning religious freedom, and government participation in the International Religious Freedom Alliance, are positive steps providing a clear path to an improved development of religious freedom.

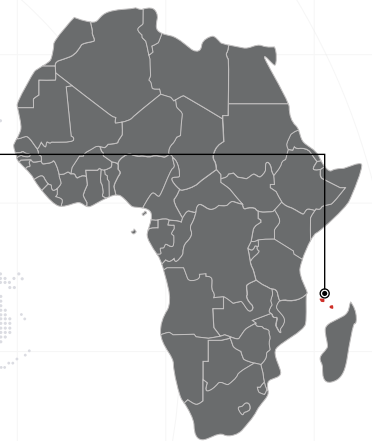
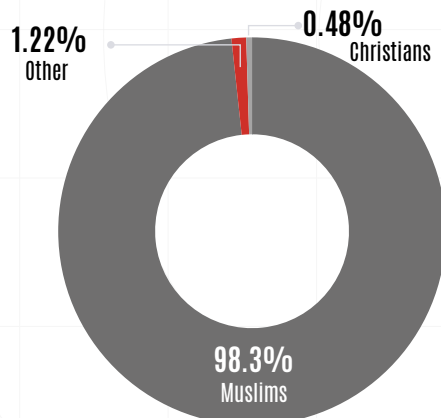
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# COMOROS

## RELIGIONS



Population

**869,601**

GDP per capita

**1,414 US\$**

Area

**2,235 Km<sup>2</sup>**

GINI INDEX\*

**45.3**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Union of Comoros adopted a new constitution on 6th August 2018. The new legal framework directly affects religious freedom in the country. In the 2001 constitution, Islam was recognised as a source “for the principles and rules that governed the Union.”<sup>1</sup> In the new constitution, Islam is the state religion (Article 97)<sup>2</sup> and Sunni Islam is defined as the basis of national identity (Preamble).<sup>3</sup> For the non-Sunni minorities, such as the Shias, this constitutes a significant deterioration of their rights. As Comorian constitutional expert Mohamed Rafsandjani stated, under the new constitution “if you are not Sunni, you are not part of the national community”.<sup>4</sup>

Comoros is a federal state, and the islands forming the archipelago enjoy a certain autonomy with their own local governments. The federal government exercises strict control over religious matters. In 2018, the Ministry of Internal Affairs started to work with the National Mufti Council (muftiate) to improve control over imams and preachers by introducing a “professional card” of academic and religious competence.<sup>5</sup> It seems this move is

intended to prevent religious radicalism. The president has the power to appoint the grand mufti, the country’s senior Muslim cleric. The latter is a government official in charge of religious matters and administration.<sup>6</sup> All forms of proselytising or religious propaganda by religions other than Sunni Islam are prohibited. Foreigners involved in such activities may be deported. Catholics represent less than 0.5 per cent of the population.<sup>7</sup> The country has no diocese.

Concerning public education, religious instruction is not mandatory, however, the Qur’ān is used in public primary schools to teach Arabic. Moreover, the government financially supports Qur’ānic schools.<sup>8</sup> There is also continuous pressure and intimidation against local converts to Christianity, but foreigners are not affected by this threat.<sup>9</sup> Pressure to conform to orthodox Muslim regulations and customs is felt everywhere.

The changes in the constitution, promoted by President Azali Assoumani in 2018, have also affected the country’s political life and the distribution of power between its islands. Before the changes were introduced, the Presidency of Comoros rotated every five years between the islands. Along with the rotating presidency, the reforms scrapped the position of vice-president, thus increasing the powers of the president, as well as

the Constitutional Court.<sup>10</sup> These reforms have found considerable opposition in the country.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

In 2019, the government's Islamic Affairs Directorate banned Christmas celebrations.<sup>12</sup> The Directorate's proposed week-long ban, which was to come into effect on 24th December 2019, stated that the government "condemned and banned any celebration, ceremony or activity linked to the festivity of Christmas in public places, hotels, clubs and houses".<sup>13</sup> It called on "all the security and police agencies (...) to take all the necessary measures to stop any gathering for Christian activities". The injunction caused significant controversy, especially at international levels. The day after it was issued, Comorian authorities released a statement disavowing the ban, noting that it did not reflect the government's position.<sup>14</sup> Masses were celebrated on Christmas Eve and Christmas Day with no incidents reported.<sup>15</sup>

Even though the ban on Christmas did not take place, religious minorities are still denied freedom to practise. As a result, on 18th December 2019, the United States government decided to keep Comoros on its Special Watch List for "governments that have engaged in or tolerated 'severe violations of religious freedom'".<sup>16</sup>

Meanwhile, the last two years saw growing political and social instability in the country. A presidential election took place on 24th March 2019, the first since constitutional changes were approved a year before. Incumbent President Azali Assoumani was re-elected.<sup>17</sup> The opposition rejected the results saying that the vote was marred by irregularities, a claim the government denied. Social unrest followed the election, with protests taking place around the country. Violent clashes with the security forces resulted in the death of three opponents and with several injured.<sup>18</sup>

In view of the situation, some world governments have updated their travel advisory to Comoros, urging their citizens to exercise extreme caution or reconsider travelling to the country due to the post-election civil unrest.<sup>19</sup> In early 2020 the president's party, the Convention for the Renewal of the Comoros (CRC), won a landslide in the parliamentary elections, which were boycotted by the opposition on the grounds that there were no guarantees that they would be "free, transpar-

ent and democratic".<sup>20</sup> The electoral commission estimated a voter turnout of around 61.5 per cent, but the opposition said it was no more than 10 per cent.<sup>21</sup> During Ramadan 2020, security forces used tear gas against people who had gathered at mosques in violation of a lockdown imposed by the authorities to contain the coronavirus outbreak.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

There is no freedom of religion in Comoros except for Muslims who follow the (Sunni) Shafi'i school, and there are no indications of any improvements in the near future. On the contrary, the latest legal developments present a worsening scenario for religious minorities, including Shia Muslims. As Open Doors International reported in 2018, such developments are "expected to make things even harder" for the Christian community as well.<sup>23</sup> According to a Comorian legal expert, the recent constitutional changes could be used as a legal basis to justify discrimination and persecution.<sup>24</sup> Furthermore, radicalisation and religious extremism seem to be on the rise in the country.<sup>25</sup>

Social and political factors are a major source of instability in the country, and here too the situation is not likely to improve in the near future. The 2018 constitutional reform was, for some, a "change in the nature of the regime".<sup>26</sup> The fragile power-sharing arrangement between the islands, established when the Union was formed, has broken down. The elimination of the rotating presidency and the concentration of power in the new presidential office can be expected to increase inter-island tensions and social unrest.



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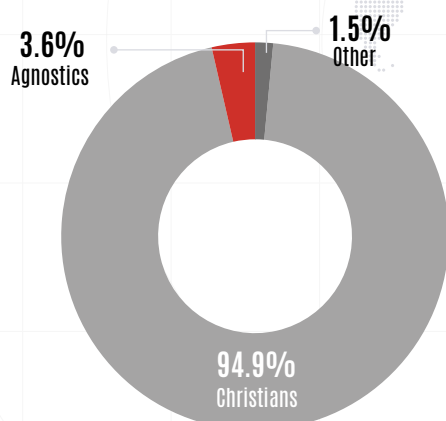
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# COSTA RICA

## RELIGIONS



Population  
**5,044,179**  
GDP per capita  
**15,525 US\$**



Area  
**51,100 Km²**  
GINI INDEX\*  
**48**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The name of God is invoked in the Preamble of Costa Rica's Constitution.<sup>1</sup>

The Constitution grant citizens the right to assemble peacefully (Article 26), and to associate for lawful purposes (Article 25), though, "No one may be obligated to be a part of any association." Under Article 28, "No one may be disturbed [inquietado] or persecuted for the expression of their opinions". Members of the clergy or lay people cannot engage in political propaganda invoking "religious motives".

Article 75 of the Constitution stipulates that Roman Catholicism is the state religion, making Costa Rica the only confessional state in Spanish-speaking America, but it does not object to the free exercise of other beliefs provided they do not contravene universal moral standards and customs and are within the law.

In order to be elected president or vice-president, candidates must not be members of the clergy, in accordance with Article 131.

As indicated in Article 194, public officials must take an oath: "Do you swear to God and promise to the Fatherland, to observe and defend the constitution and the laws of the republic?"

Law No. 6062 grants the Catholic Bishops' Conference of Costa

Rica (CBCC) and each of its dioceses official legal status and full legal rights.<sup>2</sup>

Education Law No. 2160 stipulates that the school system should pursue, among other things, the development of ethical and religious values in accordance with Christian traditions. One goal of primary education is to nurture spiritual, moral and religious feelings (Article 13). All students are to be granted access to private tuition irrespective of religious differences (Article 36).<sup>3</sup>

The Labour Code (Article 90, b) bans children under the age of 15 from working, except for activities related to religious worship. The code goes on to establish that people who belong to religions other than Catholicism may ask for time off work to fulfil religious obligations. These must be previously registered with the Ministry of Foreign Affairs and Worship (Article 148). The code also stipulates that workers cannot carry out any coercive act against religious freedom (Article 72, b).<sup>4</sup>

Marriages celebrated by the Catholic Church in accordance with the Family Code are recognised as civil matrimonial contracts. Article 25 states: "Celebrating ministers [...] shall be considered public officials."<sup>5</sup>

A religious freedom bill introduced in 2018 is still under discussion by several stakeholders, who disagree mostly about the extent and overlap of conscientious objection and other limitations to the right, all taking place within a well-structured debate procedure.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

In August and September 2018, Costa Rican courts issued a number of rulings. The Constitutional Court ruled that a prison must adopt the necessary measures to ensure the entry of ministers of worship.<sup>7</sup> The Constitutional Chamber of the Supreme Court accepted an amparo (protection) application from a police officer, so that he could have Saturday off to exercise his right to worship.<sup>8</sup>

In October 2018, the Catholic Church played a mediating role in a labour dispute between the government and trade unions during a strike by public sector workers.<sup>9</sup>

In May 2019, a draft bill went before Costa Rica's Legislative Assembly in order to remove the Catholic religion as the official state religion.<sup>10</sup> Another bill was presented in order to require members of the clergy to report cases of abuse against minors they might hear during confession.<sup>11</sup> The Church criticised this proposal as contrary to religious freedom.<sup>12</sup>

In December 2019, the government issued a technical regulation on therapeutic abortion, banning conscientious objection in the event of an emergency, if the objecting professional was

the only one available in health facilities.<sup>13</sup> In February 2020, the right to conscientious objection was granted to notaries.<sup>14</sup>

Following the outbreak of the COVID-19 pandemic in March 2020, the Catholic Bishops' Conference of Costa Rica (CBCC) suspended processions and retreats.<sup>15</sup> Subsequently, the Ministry of Health ordered the closing of the largest churches.<sup>16</sup> In May 2020, the government released new guidelines for the reopening of places of worship, without taking into account what the Churches might have to say. As a result, the CBCC requested that lockdown measures be reconsidered in light of the spiritual need of the faithful.<sup>17</sup> In June 2020, the CBCC released a protocol for the gradual reopening of its places of worship. The bishops called for dialogue and collaboration with the authorities.<sup>18</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

No episodes of religious intolerance or discrimination were reported. Unlike the previous period, relations between the state and religious groups appear to be good. The situation is stable and the debate around a new law on religious freedom and freedom of conscience continues within established parameters. The outlook for religious freedom in the future is positive.

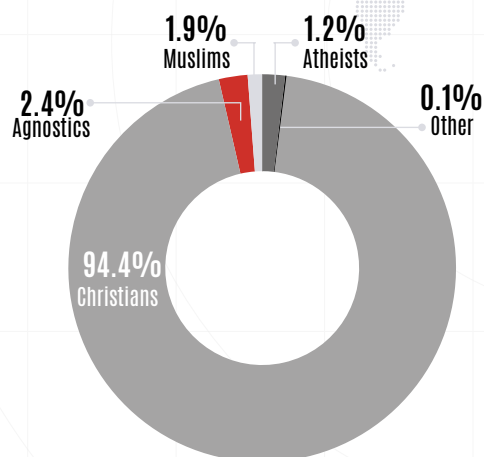
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# CROATIA

## RELIGIONS



Population

**4,115,947**



GDP per capita

**22,670 US\$**



Area

**56,594 Km<sup>2</sup>**



GINI INDEX\*

**30.4**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Croatia<sup>1</sup> guarantees freedom of conscience and religion, and equality of rights under the law regardless of religion (Articles 14 and 40). Incitement to religious hatred is prohibited (Article 39). All religious communities are equal under the law and separate from the state. Religious communities are free to conduct public religious services as well as to run schools and charitable organisations (Article 41).

The Law on the Legal Status of Religious Communities<sup>2</sup> defines a religious community as a faith group of at least 500 members with five years of registered operation (Article 21). Non-registered religious groups may operate freely, but do not have the same privileges as registered religious communities (Article 7). Registered religious communities receive certain benefits from the state, including tax exemptions and access to state funding (Article 17). The law also gives chaplains access to prisons, military and state institutions (Articles 14, 15 and 16). In ad-

dition to the Catholic Church, there were 54 registered religious communities by the end of 2019.<sup>3</sup>

Public schools allow religious education by religious communities that have agreements with the state, but attendance is optional.<sup>4</sup> The Catechism of the Catholic Church is the predominant religious text used and some religious communities reported that public schools did not offer reasonable alternatives.<sup>5</sup> If they have an agreement with the state - and there are seven or more students of that faith - other religious communities may offer religious education in schools. Holocaust education is mandatory in the last years of elementary school and throughout the four years of high school.<sup>6</sup>

Marriages conducted by religious communities, which have agreements with the state, are officially recognised. This dispenses the need to register the marriages at the Civil Registry Office.<sup>7</sup>

The Catholic Church is the dominant religious community and receives state financial support and other benefits as outlined in four accords with the Holy See.<sup>8</sup> These concordats mandate government funding for pensions and salaries of certain religious personnel. The agreements also regulate public school



religious education, Catholic military chaplaincy, and legal and economic relations.<sup>9</sup>

Although Croatia passed the Law on Restitution/Compensation of Property Appropriated during Yugoslav Communist Rule, the law covered only the property confiscated after May 1945 by the Communist regime, not the property confiscated during the Holocaust. Holocaust-era confiscation of property was not addressed by law, therefore in practice there were relatively few successful claims due to limitations in the law.<sup>10</sup>

In January 2019 at an international conference on Muslim communities in Europe, the head of the Islamic Community in Croatia said that Croatian Muslims can “serve as a model for addressing the Muslim issue in Europe as well as” help “the status of Christian minorities in the Islamic world”.<sup>11</sup>

The ombudsperson is responsible for the promotion and protection of human rights and freedoms, including religious freedom. The ombudsperson is independent and autonomous and may issue recommendations to government agencies, but has no enforcement authority. The office issues annual reports as required by law.<sup>12</sup>

## INCIDENTS AND DEVELOPMENTS

The ombudsperson’s 2018 report provided hate crime statistics which registered eight anti-Semitic crimes, including an incident in which a Star of David was affixed to a Jewish radiologist’s clothing.<sup>13</sup> Croatia reported two hate crimes (property damage and incitement) motivated by anti-Semitism to the Organisation for Security and Co-operation in Europe (OSCE) for 2018 and one incident (a politician’s office vandalised with an anti-Semitic sign) was reported by civil society organisations.<sup>14</sup>

The ombudsperson’s 2018 report described tensions between the Serbian Orthodox Church and the Catholic Church, but noted that in early 2019 the Catholic and Orthodox Bishops issued a joint statement encouraging believers to “foster unity beyond any national and political intolerance”. The report also noted continuing concerns about Jehovah’s Witnesses being denied care in hospitals due to their refusals to consent to blood transfusions.<sup>15</sup>

Croatia reported eight hate crimes motivated by bias against Muslims (seven threats and one physical assault) to the OSCE in Europe for 2018 and one incident was reported (death notices of two Muslims were smeared with lard) by a civil society organisation.<sup>16</sup>

The ombudsperson’s 2018 report noted the establishment of the Inter-Religious Council of Rijeka and the creation of a forum entitled “Religious Prejudice as an Incitement for Hatred” hosted by the Centre for Promoting Tolerance and Preserving the Memories of the Holocaust.<sup>17</sup> However, for the fourth year in a row, representatives of the Jewish and Serb communities boycotted the 2019 official commemoration of the victims of a World War II Ustasa-run concentration camp due to what they see as the government’s Holocaust revisionism.<sup>18</sup>

In early 2019, the country’s president resisted calls to revise the accords with the Holy See, particularly relating to funding and education.<sup>19</sup> In December 2019 the ‘Josip Sruk-Sekularist’ foundation was established, aimed at the promotion of secularism in Croatia. Its founder was quoted as saying: “It is my wish for secularism to grow stronger in Croatia and for people’s mindset to change in a positive way with the awareness that the Church’s influence on state politics and public affairs is not useful for anyone”.<sup>20</sup>

Restrictions on public gatherings due to the coronavirus pandemic in 2020 resulted in the suspension of religious services. Croatia’s approach was described as “high” (compared to “very high”, “moderate”, or “low”) because public religious gatherings were suspended but places of worship remained open for private prayer.<sup>21</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the period under review there were no reported violations of religious freedom. While presently stable, tensions may increase in the next few years over the general role of religion in society as well as the traditional role of the Catholic Church in Croatia. Advocates of secularism, who often portray faith as a negative influence, may be a challenge for the Catholic Church as well as other religions. Nevertheless, the government and civil society organisations are active in promoting religious tolerance and the Of-

Office of the Ombudsperson is likely to remain highly responsive to any complaints related to abuse and discrimination.

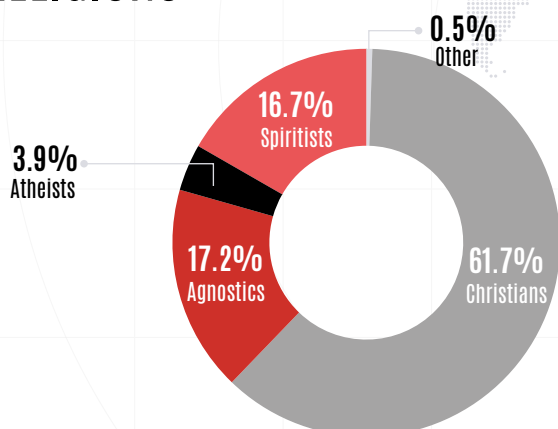
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# CUBA

## RELIGIONS



Population  
**11,495,492**  
GDP per capita  
**18,796 US\$**



Area  
**109,884 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

On 10th April 2019, a new constitution was promulgated in Cuba.<sup>1</sup> In Article 15, it says: “The State recognizes, respects, and guarantees religious liberty.” At the same time, for the first time since the 1959 Revolution, the state is explicitly defined as “secular”. Thus, in the Republic of Cuba, “religious institutions and fraternal associations are separate from the State and they all have the same rights and duties.” Article 15 also ensures that “Distinct beliefs and religions enjoy equal consideration.”

Article 42 establishes that “All people are equal before the law, receive the same protection and treatment from the authorities, and enjoy the same rights, liberties, and opportunities without any discrimination for reasons” such as “religious belief”. Any violation will be “sanctioned by law.”

Article 57 recognises everyone’s right “to profess or not profess their religious beliefs, to change them, and to practice the religion of their choice with the required respect to other beliefs and in accordance with the law.”

However, Article 5 presents the Communist Party of Cuba as “the superior driving political force of the society and the State”, and describes it as “unique, [. . .] Marxist-Leninist,”

inspired by José Martí and Fidel Castro, the “vanguard” that “organizes and orients the communal forces towards the construction of socialism and its progress toward a communist society.”

In practice, this article subordinates many activities associated with religious freedom to the state and goes against the third dimension of the fundamental right as defined by Article 18 of the United Nations Universal Declaration of Human Rights, which includes “the right to freedom of thought, conscience and religion,” as well as a person’s right “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.”<sup>2</sup>

According to the new constitution, the Communist Party of Cuba continues to maintain total control of these aspects through the Ideological Department, which oversees the Office of Religious Affairs.

In a statement on the new constitution, published on 2nd February 2019, during the debate prior to the vote to adopt it, the Catholic Bishops’ Conference of Cuba described the fundamental problem of religious practice in Cuba: “It is not the simple freedom to hold religious beliefs but the freedom of each person to live according to their faith and to express

it publicly.”<sup>3</sup>

For the Catholic bishops, the constitutional text is missing “the legal recognition of the Church and its own identity and mission, including the right to communicate its moral teachings according to the Gospel; to have regular access to communication media; to teach and evangelise freely; to erect its own buildings; to acquire and possess its own assets for its own activities; to associate freely for purposes that are not exclusively religious, like education, culture, health and charity work.”<sup>4</sup>

Cuba’s Evangelical Churches also presented their own proposals to amend some of the articles of the draft constitution.<sup>5</sup>

Another reason why religious practice in Cuba is restricted is closely related to the fact that ecclesiastical and religious associations are expressly prevented from registering with the Ministry of Justice’s National Association Registry, as indicated in Article 2 of the Associations Law (No. 54) of 1985. Through this registry, the Ministry regulates “legal issues related to ecclesiastical or religious institutions and those based on the religious creed of its members”.<sup>6</sup>

The transitional provisions of the 1985 Associations Law stipulated that a future “Law on Religion regulating their activities”<sup>7</sup> would be adopted; however, this has not happened yet. Religious organisations continue to depend on the same Associations Law. According to certain reports from Cuba, the Law on Religion is expected to be on the agenda of the 2023-2028 legislature.<sup>8</sup>

Article 206, Chapter VI of the 1987 Cuban Penal Code says that anyone who “abuses freedom of worship as guaranteed by the Constitution,” which is part of the right to freedom of conscience, “shall be punished with deprivation of their freedom for a period of three months to one year”. This applies to anyone who “opposes religious beliefs to educational goals, the duty to work, [and] the armed defence of the Nation”.<sup>9</sup>

Article 208 (1), Chapter VIII on Associations, Meetings and Unlawful Demonstrations, of the Penal Code, warns that anyone who belongs to or is affiliated with “an association that is not listed in the appropriate registry” can be punished with “deprivation of their freedom for a period of one to three months”. Similarly, Article 209 stipulates that participation in meetings or protests held by this type of association will be sanctioned by the “deprivation of freedom for a period of one to three months”.<sup>10</sup>

The Office of Religious Affairs of the Central Committee of

the Communist Party administers the different aspects of religious life: it approves or denies visits by foreigners to religious associations; authorises the construction, repair or acquisition of places of worship; grants permits to perform public religious services; oversees the importation of religious literature, etc.

Rulings 43 and 46 of February 2005, published in the Official Gazette (No. 8, April 2005), regulate and restrict the use of places of worship. The first one requires that, in case of repairs (even if they are minor), extensions and new construction, religious organisations must obtain prior government authorisation. The second one lays down the guidelines to apply for authorised religious worship in private homes.<sup>11</sup>

An organisation can be denied legal recognition if it is determined that it duplicates the activities of another registered group. Once recognised, religious entities have to request authorisation from the Office of Religious Affairs to carry out their activities.

## INCIDENTS AND DEVELOPMENTS

In the period under review (15th June 2018 to 15th November 2020), most reported incidents were due to offences related to the aforementioned legal vacuum or to the shortcomings of the constitution itself, since it subordinates everything – religious freedom as well as freedom of expression and conscience<sup>12</sup> – to the building of socialism and to progress towards a communist society under the leadership of a Marxist-Leninist party.

In light of Article 5 of the constitution, where it is stated that the State organizes every aspect of public life (see above), the lack of the third dimension of religious freedom in Cuba (the right to manifest one’s religion alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance) is reflected in many situations. One case involves Pastor Ramón Rigal and his family, who were jailed for educating their children at home, which is expressly prohibited.<sup>13</sup>

Other incidents are the result of the proliferation of independent Churches and new religious groups, usually associated with Protestant or Evangelical groups. Since many of them do not have legal recognition, nor enjoy the rights of association and assembly, and are not allowed to buy real estate, their religious practice is much more limited compared to groups who are registered.<sup>14</sup> Some of these



groups choose to join independent civil society organisations, some of them political in nature, or are backed by US associations.<sup>15</sup>

The Council of Churches of Cuba, a fellowship of Christian Churches, ecumenical movements and other Christian organisations denounced a US campaign against Cuba through its reports on religious freedom.<sup>16</sup>

In certain cases, the main issue was the great arbitrariness with which the government or its representatives apply the law to practising believers or individuals in order to intimidate and frighten them.<sup>17</sup> It is hard to verify if laws are applied arbitrarily or what the real motives are for the way they are applied.

After years of litigation, the authorities notified Evangelical Pastor Osmel Pozo Serrano on 20th April 2019 that they would be expropriating the building in Manzanillo, Granma province, where his congregation, the Church of the Nazareno, had been meeting for 20 years.<sup>18</sup>

On 29th December 2019, the Municipal Prosecutor's Office in Nuevitás, Camagüey province, ruled against a couple, Mr and Mrs Tejada and Yeliney Lescaille, threatening to jail them for a year if they did remove their sons' kippah before they came to school.<sup>19</sup>

The UN, together with other rapporteurs and the Working Group on Arbitrary Detention, have reported a number of incidents,<sup>20</sup> which are closely related to Article 5 of the constitution. One of these incidents elicited a letter dated 13th May 2020 to the Cuban government, centred "the alleged continued harassment inflicted upon Rev Alain Toledano, pastor of the Cuban Apostolic Movement, his family and the members of his congregation, who constitute a religious minority in Cuba."<sup>21</sup>

Without government authorisation, it is also impossible to meet in private homes. This was the case for members of the Jehovah Shalom Church, who were not allowed to meet on the property of one of its members on 9th July 2020.<sup>22</sup>

Although the Catholic Church, the country's largest denomination, was not involved in any major incident, as noted above Catholics still do not enjoy full freedom of action. By and large, the Catholic Church tries to respect the laws of the state to avoid conflicts with the government, which has

often attacked the Church to prevent it from criticising the system.<sup>23</sup> Nevertheless, some priests have been openly critical of the lack of freedom in Cuba, like Fr Alberto Reyes who on Facebook wrote on 1st November that the Cuban people lives amid fear and lies.<sup>24</sup>

Still, there have been some positive developments in recent years. For instance, the authorities have accepted that religious groups can get involved in subsidiary charitable projects. Thus, after 13 years of construction, the Catholic Church was able to inaugurate on 25th May 2019 a nursing home for seniors in Camagüey.<sup>25</sup> An Evangelical Church already manages a similar facility.<sup>26</sup>

Amid the coronavirus emergency, the government also took an especially remarkable and historic step for Holy Week 2020: It allowed Catholic bishops to deliver a 30-minute address to the faithful of their dioceses via radio on four separate occasions.<sup>27</sup> Cuban television also broadcast the Way of the Cross led by Pope Francis on Good Friday as well as Holy Mass during Holy Week and the following Sundays.<sup>28</sup>

On 24th October 2020, the Cuban Embassy to the Holy See in Rome hosted an exhibit of Cuban art to mark 85 years of uninterrupted diplomatic relations between Cuba and the Holy See.<sup>29</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

A lot of hope has been vested in the new Cuban constitution with respect to religious freedom and the rights of religious groups in Cuba. While the state is secular and religious persecution is no longer pursued in the proper sense of the word, the real issue is the new constitution's role for the (Marxist-Leninist) Communist Party of Cuba, which is defined as "the superior driving force of the society and the State." As such, it controls and subordinates everyone to the construction of a communist society, and this automatically limits and curtails many rights that are basic in other countries, such as the right to free expression and the right to freedom of conscience.<sup>30</sup> As the Party arbitrarily monitors the actions and activities of religious organisations, it creates a suffocating atmosphere for them. Therefore, prospects for religious freedom in Cuba remain negative.

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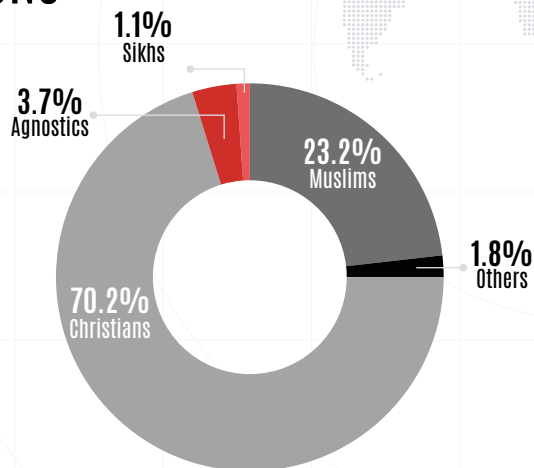
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# CYPRUS

## RELIGIONS



Population  
**1,207,343**  
GDP per capita  
**32,415 US\$**



Area  
**9,251 Km<sup>2</sup>**  
GINI INDEX\*  
**31.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 18 of the constitution of the Republic of Cyprus guarantees freedom of religion.<sup>1</sup> Religious discrimination is prohibited which also safeguards the right of individuals to profess their faith, worship, teach, practice or observe their religion, whether individually or collectively, in private or in public. Such rights can only be limited on grounds of national security, constitutional order, public health, safety, morals, or the protection of civil rights and liberties. The same article of the constitution specifies that all religions are free and equal before the law, so long as their doctrines or rites are not kept secret. Furthermore, it safeguards an individual's right to change his or her religion and prohibits the use of any type of coercion to make a person change, or prevent a person from changing, his or her religion.

Article 110 of the constitution grants the Autocephalous Greek Orthodox Church of Cyprus and the Vakf, an Islamic institution, exclusive rights regarding their internal affairs and properties. It also prohibits legislative, executive, or other acts which contravene or interfere with the Orthodox Church or the Vakf.<sup>2</sup>

These institutions alongside the other constitutionally recognized denominations (Maronite Catholics, Armenian Orthodox, and Roman Catholics) are exempted from taxes and all receive subsidies and financial assistance from the state.

Religious groups not recognized in the constitution can register as non-profit organizations and they are eligible to apply for tax exemptions. However, this status does not entitle them to receive any financial support from government institutions.<sup>3</sup>

Military service in the Republic of Cyprus is mandatory. Conscientious objectors on religious grounds can be granted exemption from active military duty or reservist service in the National Guard but must complete alternative service.<sup>4</sup>

Article 19 of the constitution guarantees that every person has the freedom of speech and expression in any form. However, according to the art. 141-142 Cypriot Criminal Code, deliberately offending any person's religious feelings is a criminal offence. Additionally, publishing books, pamphlets, letters or articles in magazines and newspapers with the intent of humiliating a religion, or insulting those who follow it, is considered a

misdemeanor and is punishable by law.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

An essential aspect of the complicated ethnic and religious landscape of Cyprus is the fact that, since 1974, Cyprus remains divided with the southern part of the island controlled by the Government of the Republic of Cyprus, and the northern part administered by Turkish Cypriots, who proclaimed the “Turkish Republic of Northern Cyprus”.

The division resulted in the Greek Cypriots (mostly Orthodox Christians) fleeing south and the Muslim Turkish Cypriots taking refuge in the north. This division also cut through religious communities on both sides, and barred access to important religious sites, including the Hala Sultan Tekke mosque in the south and the Saint Barnabas monastery in the north.

In 2019 some incidents, which resulted in obstruction of access to the mosques, were reported. According to Imam Shakir Alemdar, Representative of the Mufti of Cyprus, the Department of Antiquities closed the Limassol Great Mosque for restoration without informing the Muslim community about the schedule and nature of the restoration. He also complained that the security guards of the Department of Antiquities in charge of the Hala Sultan Tekke Mosque, refused to let some non-Muslim tourists attend Friday prayers, despite them being invited by the Imam. In all cases communication with authorities was to blame.<sup>6</sup> Although Imam Alemdar criticized the fact that Hala Sultan Tekke is managed by the Department of Antiquities, which he considered an infringement of religious freedom guaranteed by the EU, he also underlined that Cyprus can be an example of mutual religious respect stating: “This is a great advantage for an EU member country, Cyprus has this insight about Islam”.<sup>7</sup>

The will of interfaith solidarity was confirmed in a statement by the Religious Leaders of Cyprus condemning the attack on the Köprülü Mosque in Limassol on 1st June 2020, which was vandalized with a petrol bomb and racist graffiti against Islam and immigrants. The religious leaders stated: “We stand up against all actions that try to damage the multicultural character of Cyprus we all strive to maintain”.<sup>8</sup>

Since 2019, when Turkey sent drilling ships to the coast of Cyprus to explore natural gas, tensions between Cyprus, the European Union, and Ankara have been escalating. In October 2020 the openly pro-Turkish Cypriot politician Ersin Tatar was elected leader of the Turkish Cypriots. Many Turkish Cypriots are concerned that rising religious conservatism promoted by the current Turkish leadership will erode their way of life by building mosques and encouraging Islamic religious education.<sup>9</sup>

Northern Cyprus was featured in a UK Report on the persecution of Christians around the world, commissioned by the Foreign Secretary Jeremy Hunt. The document produced by the Bishop of Truro, Philip Mounstephen, and published in May 2019, noted that access for worship to the historic Orthodox and Maronite churches in the area was severely restricted. The report stressed that there are very few churches allowed to hold regular Sunday services, signaled intrusive police surveillance, and the fact that sometimes services were interrupted without warning and the congregation was evicted. Many historic churches and cemeteries in the area had also been allowed to fall into disrepair, to be vandalised or converted to other uses.<sup>10</sup>

Because of the Covid-19 pandemic, restrictions were imposed on the territory of the Republic of Cyprus during 2020, affecting manifestations of religion and worship. It also prevented both Christian and Muslim worshippers to cross “The Green Line” separating the two parts of the island to visit their temples and religious sites. Following these restrictions, and as a gesture of goodwill and respect, in June 2020 several Turkish Cypriot Muslims prayed at the Tomb of Apostle Barnabas, Patron of Cyprus, as Christians were unable to visit the Monastery in Northern Cyprus as usual.<sup>11</sup>

Strict regulations were implemented during Easter and Christmas celebrations. Church services and other forms of religious worship in religious sites were allowed only without public attendance and were transmitted by internet. Religious ceremonies: weddings, christenings, funerals, were permitted with a maximum of 10 persons attending.<sup>12</sup> Some clergymen, however, did not fully comply with the law. The most significant violation took place in a church in Peristerona, where the Orthodox Bishop of Morphou, Metropolitan Neophytos of the Church of Cyprus, held a Mass to celebrate Palm Sunday with the participation of members of the

public. Police decided to investigate the case.<sup>13</sup> Bishop Neophytos also refused to prohibit worshippers from attending services after the government re-imposed stricter limitation rules on the number of worshippers in December 2020.

Archbishop Chrysostomos II of Cyprus tried to obtain permission to ease restrictions on faithful for Christmas celebrations, but President Nicos Anastasiades declined leaving the measures on Covid-19 in place.<sup>14</sup>

Despite the political situation, religious representatives continue to unite in reconciliation and peace initiatives. In June 2020, religious leaders of Cyprus gathered under the auspices of the Embassy of Sweden to celebrate the 10th Anniversary of the Religious Track of the Cyprus Peace Process (RTCYPP). During the meeting with the Swedish Minister of Foreign Affairs, they expressed commitment to cooperation and protection of religious freedom in Cyprus.<sup>17</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious and ethnic factors present in the Cypriot conflict have paved the way for external actors to take an active part in it promoting their political and economic agendas. A major economic issue stalling any progress in resolving the Cyprus conflict is the recent discovery of rich gas fields in a highly conflicted maritime site which involves the Cyprus, Greece, Turkey, Syria, Lebanon, Israel and Egypt governments, as well as the interests of numerous western energy companies.<sup>15</sup>

In the period under review, there is an increasingly confrontational environment in the region triggered by a more active approach in Turkey's foreign policy toward the Turkish Cypriots, which includes a religious element.<sup>16</sup>



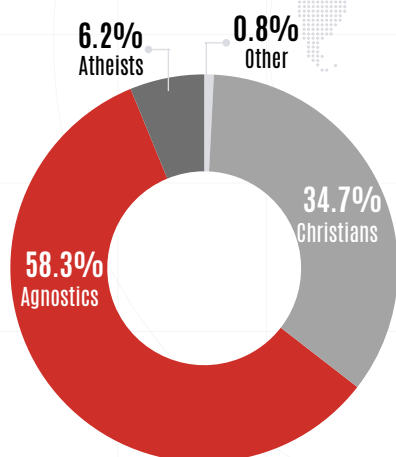
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# CZECH REPUBLIC

## RELIGIONS



Population  
**10,633,424**  
GDP per capita  
**32,606 US\$**



Area  
**78,868 Km<sup>2</sup>**  
GINI INDEX\*  
**24.9**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In the Czech Republic, the protection of religious freedom is enshrined in both its Constitution<sup>1</sup> and Charter of Fundamental Rights and Freedoms.<sup>2</sup> The Charter, adopted in 1991, stipulates that there is no state religion or ideology (Article 2, 1) and grants fundamental rights to all citizens regardless of their faith or religion (Article 3, 1). Article 15 (1 and 3) guarantees freedom of thought, conscience and religious conviction, as well as the right to change religion, or have no religion at all. The Charter also protects conscientious objection to military service. Individuals have the right to practise their religion, alone or in community, in private or public, “through worship, teaching, practice, or observance” (Article 16, 1).

The Charter recognises the freedom of religious organisations to oversee their own affairs, establish their own bodies, appoint clergy, and create religious orders without state interference (Article 16, 2). Religious freedom may be limited by law only as necessary for the protection of “public safety and order, health and morals, or the rights and freedoms of others” (Article 16, 4).

Committing a crime out of religious hatred is an aggravating circumstance under criminal law.<sup>3</sup> Public defamation of a group of people because of their religious beliefs, or lack thereof, is illegal (Section 355, 1-2), as is incitement to hatred towards any religion

(Section 356, 1-3). In November 2018, the Czech police posted a reminder that online hate speech is a criminal offence.<sup>4</sup>

The law on religious freedom<sup>5</sup> outlines the procedure for religious groups to register with the Ministry of Culture. Registration is not required (Section 4), but the state only recognises registered groups. The registration application must contain the organisation’s founding and operational documents, basic articles of faith, a statement that the organisation will respect the laws and will be tolerant of other religions, along with the signature of 300 adult members who are citizens or permanent residents of the Czech Republic (Section 10).

Registered Churches may apply for a special status under Section 11 if they have been duly registered, and published annual activity reports, for at least ten years. They must also provide proof of membership of at least 0.1 percent of the population. With such status, a Church can receive tax benefits and government funding, establish schools, teach religion in public schools, provide spiritual services in the military and prisons, and perform marriages (Section 7). As of 2020, there were 41 registered Churches and religious communities, four pending applications, and 21 whose applications had been rejected.<sup>6</sup>

Legislation imposing a tax on financial compensation to Churches for property confiscated under the Communist regime was signed into law in May 2019, but was later overturned by the Constitutional Court.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

In its 2019 annual report on extremism, the Ministry of Interior (MOI) reported increased “aggressiveness and vulgarity of hate speech” online, including an increase in neo-Nazi activity.<sup>8</sup> It noted that xenophobic, anti-migration groups were the dominant force in the extremism scene and were often fuelled by “disinformation media”.<sup>9</sup> Police charged 144 people with crimes committed with racial, ethnic or other hate motives.<sup>10</sup>

The MOI reported that, given the social isolation of Muslim communities, the “risk of religious radicalization cannot be avoided even in the Czech Republic.”<sup>11</sup> In its review of religiously motivated extremist incidents, the aforementioned report cited the trial of Islamic State supporter Dominik Kobulnický who was preparing a terrorist attack in Prešov.<sup>12</sup>

Because of the “Proponents of extremist interpretations of Islam, [...] whole groups are perceived as risky, dangerous, and extremist.” Such an environment of mistrust, which manifests itself particularly on social media, can be a “breeding ground for radicalization.”<sup>13</sup>

Jewish groups have expressed concern about the increase in neo-Nazi rhetoric.<sup>14</sup> The Federation of Jewish Communities noted that neo-Nazi, nationalist, and Islamic groups, including the Muslim Union, have expressed anti-Semitic views. In July 2019, the Czech Supreme Court upheld lower court decisions against a number of defendants, guilty of defamation and incitement against Jews and Muslims, as well as Holocaust denial, noting that the protection of free speech does not cover expressions of hatred.<sup>15</sup>

The Federation of Jewish Communities reported 694 anti-Semitic

incidents in 2019 - twice as many as in 2018 - 95 percent on the Internet. No physical assaults were reported, but three Jewish properties were attacked, including a swastika and “Heil Hitler” scribbled at the Old Jewish Cemetery in Prague.<sup>16</sup>

Concern for religious freedom and persecution is reflected in the yearly conference at the Karolina University on the subject, followed by the illumination in red lights on hundreds of religious and government buildings in Prague and other cities of the Czech Republic. This event called “Cervena Streda” (“Red Wednesday”), is regularly held at the end of November since 2017 and its attracting increasing attention from the public.<sup>17</sup> It is co-organized by the Karolina University, the Catholic Bishops Conference, the Federation of Jewish Communities, the Ecumenical Council of Churches and the KDP think-tank, together with the foundation Aid to the Church in Need.

A state of emergency was announced in October 2020 due to the coronavirus pandemic resulting in restrictions on public gatherings. Because indoor gatherings were limited to six people, an outdoor Mass was held in Prague that same month. In view of the situation, the officiating priest noted that he understood the reason for the restrictions, but that it was “absurd” that other groups, such as political parties, could meet with up to 100 people.<sup>18</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review. However, rising anti-Semitism and intolerance against Muslims, mostly on the Internet, should be monitored as a potential prelude to physical violence.

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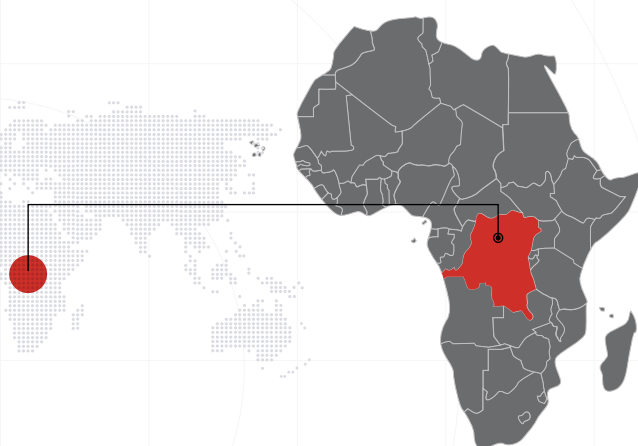
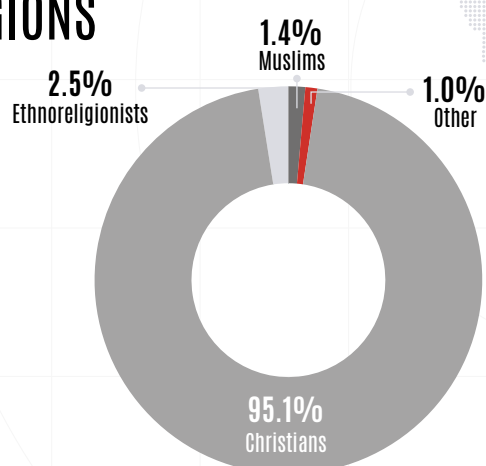
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# DEMOCRATIC REPUBLIC OF THE CONGO

## RELIGIONS



Population  
**89,505,201**  
GDP per capita  
**808 US\$**



Area  
**2,344,858 Km<sup>2</sup>**  
GINI INDEX\*  
**42.1**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Democratic Republic of Congo (DRC) of 2006 upholds the secular character of the state and proclaims respect for religious pluralism. The constitution forbids all forms of discrimination on grounds of ethnic origin, religion or opinion (Article 13), and it states that all persons in the country have the right to freely manifest their religion in public and in private (Article 22).<sup>1</sup> There is freedom to build churches and raise funds for religious activities from both inside and outside the country. All religious groups have the freedom to proselytise, including teaching children about religion. Some preachers do so in markets, street junctions and on public buses.

Religion is taught in school and is part of the official curriculum. Article 45 of the constitution states that “national education establishments shall assure, in cooperation with the religious authorities, to their minor pupils, and having parents demanding it, an education conforming to their religious convictions.”<sup>2</sup>

In 1977, the DRC (then called the Republic of Zaire) signed the Schools Convention with the Catholic, Prot-

estant, Kimbanguist and Islamic communities.<sup>3</sup> In 2016 it signed a framework agreement with the Holy See regarding matters of common interest, including “the institutions of Catholic education, the teaching of religion in schools, welfare and charitable activities of the Church, pastoral care in the armed forces, prison and hospital institutions, as well as property tax, the obtaining of entry visas and residence permits for religious personnel”.<sup>4</sup>

A number of religious groups run a wide range of institutions like schools, health centres, orphanages and media outlets. Concerning the media, most TV channels and radio stations in Kinshasa belong to different Christian communities.

## INCIDENTS AND DEVELOPMENTS

2018 was highlighted by a run up to the long awaited general election. The vote had been postponed several times, and occurred two years after the legally required date. The Christian community, in particular the National Episcopal Conference of the DRC (Conférence épiscopale nationale du Congo, CENCO), has been a strong advocate of free and fair elections in the country. In July 2018, the Lay Coordination Committee (which has strong links with



the Catholic Church) called for “actions of protest” if free and credible elections were not guaranteed.<sup>5</sup> In October 2018, the Catholic Church called on politicians not use the image of the Pope for electoral purposes, after one candidate, Emmanuel Ramazani, used it.<sup>6</sup> Finally on 30th December 2018, the DRC held a general election and Felix Tshisekedi defeated incumbent President Joseph Kabila. However, the Church, which had sent 40,000 electoral observers to polling stations,<sup>7</sup> questioned the election results and claimed that the real winner had been the runner-up, Martin Fayulu.<sup>8</sup> A number of demonstrations took place around the country with several persons killed<sup>9</sup> as protesters demanded a true accounting of the results.

During the period under review, violence against the Christian community continued, especially in the eastern region of Kivu. Various non-state armed militias were the main perpetrators, whereas in previous years the DRC security forces carried out most anti-Christian attacks.<sup>10</sup> This was because Christians, in particular the Episcopal Conference, were highly critical of the former Kabila government.

On 25th September 2018, just three months before the elections, an armed attack took place in Beni, a city in North Kivu. A local pastor identified at least 27 members of local Churches who were killed.<sup>11</sup> The attack was allegedly perpetrated by an Islamist militia, the Allied Democratic Forces (ADF).

Clergymen have often been the target of this Islamist armed group. In November 2018, terrorists conducted another attack near Beni. Armed men entered the house of a pastor and killed him and his daughter. In the assault three other children were also killed, and seven Christians were taken and are still missing.<sup>12</sup> According to a witness, the attackers claimed that the area where the militia operates belonged to Muslims and not Christians, and that “every Christian found in it is an enemy” to them.<sup>13</sup> The day after, the ADF carried out a further attack in a nearby village, kidnapping a pastor and five members of his congregation and setting 12 houses alight.<sup>14</sup> The pastor and his wife were later found dead.

In December 2018, 900 civilians were massacred in Mai-Ndombe province in intercommunal clashes between ethnic Banunu and Batendé, according to the UN High Commissioner for Human Rights. Houses and public buildings such as schools and clinics were looted or set on fire.<sup>15</sup>

Another attack by the ADF against a Christian community was reported in March 2019 in the village of Kalau. The

armed rebels “fired indiscriminately at villagers,” killing six Christians and forcing hundreds to flee.<sup>16</sup> A local community leader said the following about the Islamist militia: “they worked for long in the domains of kidnapping and killings, but now they want to move to the stage of occupying the territory. They want to occupy the area they claim as theirs.”<sup>17</sup>

The presence of international armed groups in the DRC is not new. However, for the first time, the Islamic State (IS) group claimed an attack on the 18th April 2019 near the town of Beni. IS declared the region as the “Central Africa Province” of the “Caliphate”.<sup>18</sup> Two Congolese soldiers and one civilian died as a result of the attack.

According to Open Doors, North Kivu province saw more than 20 attacks on Christian villages from January to May 2019, with approximately 90 people killed, 12,000 displaced, and at least 31 kidnapped. Moreover, the Christian advocacy group reported that “at least six churches have been burned down and two church-run clinics and health centres have been destroyed”.<sup>19</sup>

In May 2019, the Episcopal Conference and the Église du Christ au Congo presented a petition calling for local elections to take place before the end of 2019, since the electoral schedule had not been respected as required by the constitution.<sup>20</sup>

A Catholic priest from the parish of Sembé was kidnapped at the end of June; his body was found a month later. The circumstances of his death remain unclear.<sup>21</sup>

In June 2019, the Provincial Episcopal Assembly of Bukavu issued a statement in which it denounced the lack of security in the area and called on the authorities to protect the people and the country’s natural resources.<sup>22</sup>

In order to counter the growing activity of militias in the eastern areas of the country, the government launched a large-scale military operation on the 31st October 2019.<sup>23</sup> Its goal was the eradication of “all domestic and foreign armed groups that plague the east of the country and destabilise the Great Lakes region”.<sup>24</sup> To this end, the DRC government deployed 21,000 soldiers near the town of Beni at the start of the month.<sup>25</sup>

In November and December 2019, more than a hundred people were killed by the ADF in the North Kivu province.<sup>26</sup>

In November 2019, demonstrators attacked the headquarters of MONUSCO in Beni,<sup>27</sup> the United Nations mission in the DRC, following fresh massacres by rebel militias. They



accused the peacekeepers of not protecting civilians and some called for their withdrawal.<sup>28</sup> The Episcopal Conference deplored the insecurity in the east of the country. In a message to Agenzia Fides, the Bishops proposed “an ‘emergency program’ to put an end to hostilities,” and restore the state authority and provide humanitarian aid.<sup>29</sup>

In December 2019, the ADF killed at least 20 people in North Kivu. The Archbishop of Kinshasa visited the area and called on the population to cooperate with the police, the army and MONUSCO in order to end the massacres.<sup>30</sup> That same month lay Catholics organised a three-day demonstration drawing thousands of people to protest against corruption and demand an end to violence in the east of the country.<sup>31</sup> The Bishops of North and South Kivu suspended all church activities for a day in order to protest against the violence in the two provinces.<sup>32</sup>

In January 2020, the Platform of Religious Confessions of the DRC released a statement in which it acknowledged that some progress had been achieved since the elections, but it noted that the country still faced many challenges such as corruption, insecurity and a deteriorating economy.<sup>33</sup> In the same month, the Standing Committee of the Association of Central African Bishops’ Conferences (Association des Conférences Episcopales de l’Afrique Centrale) released a communiqué calling on the region’s political leaders to protect the population from armed violence, and deplored the loss of trust in each other.<sup>34</sup>

In February 2020, 40 civilians were killed by the ADF in North Kivu. When one of the ADF members was arrested by the police, the gang attacked the police station where he was held and freed him.<sup>35</sup>

In March 2020, a priest was severely injured by an armed group in Ituri after a group of men attacked him and two other people with machetes.<sup>36</sup>

During the last week of May 2020, Islamist terrorists killed 49 civilians and kidnapped 45 in several attacks in North Kivu. They also looted shops and set fire to houses.<sup>37</sup>

In July 2020, the National Episcopal Conference of the DRC criticised a government bill to reform the judiciary, since it could weaken its independence, and the Independent National Electoral Commission.<sup>38</sup> The Lay Coordination Committee also objected to the appointment of Ron-sard Malonda as head of the Commission. Protests were held throughout the country.<sup>39</sup>

In July 2020, the Archbishop of Kinshasa spoke out against the exploitation of the DRC’s natural resources by

foreign companies and the country’s lack of democratic governance.<sup>40</sup>

In July 2020, 2018 Nobel Peace Laureate, Dr. Denis Mukwege spoke out against a series of massacres, the most recent that month in Kipupu, and other human rights violations in eastern DRC, “where crimes under international law have been committed for decades”.<sup>41</sup> The gynaecologist and Pentecostal pastor is world renowned for his care of sexual assault survivors in DRC’s Panzi Hospital near Bukavu.<sup>42</sup> Threats against his life, delivered largely over social media “from sources both within the DRC and neighbouring Rwanda”<sup>43</sup>, prompted the UN to provide security, and Congolese President Felix Tshisekedi to demand an investigation into the threats.<sup>44</sup>

In September 2020, Fr. Christian Muta complained that an appeal by the UN Secretary General Antonio Guterres, echoed by Pope Francis, for a global ceasefire had been almost ignored in the country. He stated: “Congo is experiencing a profound social crisis, poverty and precariousness: at the origin of these problems, there is the interest of a minority in having all the wealth of the country. Not even the coronavirus pandemic has managed to pacify the warring parties because there are interests for which human life seems to be worth little.”<sup>45</sup>

In October 2020, the Bishops of the DRC denounced “the stalemate in the country due to the political crisis and its consequences”, as well as the corruption and criminal organisations involved in the mining sector. They also said that the security situation was disastrous and that the coronavirus crisis had exacerbated the poverty of the population.<sup>46</sup>

In a 19th November interview titled, “DRC’s minerals are stained with Congolese blood”,<sup>47</sup> Dr. Mukwege called again on the international community for a solution to the rampaging violence shrouding the exploitation and plunder of minerals used in technologies world-wide such as cobalt, coltan and lithium. In the interview he decried the international state and non-state complicity saying: “we observe activities of looting of these natural resources. And those who command them have powerful supporters outside the country, which stifle voices trying to rise up to demand peace, for the looting is taking place in utter chaos. And without this chaos, the looting is not possible. Today the greatest obstacle comes from those who profit from this war, those who buy the minerals from the armed bandits.”<sup>48</sup> In the same article he called on the Catholic Church inviting that she “play her prophetic role and make

the world aware of this suffering, that she be our spokesperson, the voice of the voiceless so that finally a tribunal may be installed, allowing the population in the east of the country to live in peace. Because without justice there can be no peace.”<sup>49</sup>

Throughout the reporting period, another important issue affecting religious communities in the country was the Ebola virus. The epidemic has been ongoing since August 2018 and in July 2019 a “public health emergency of international concern” was officially declared by the World Health Organisation.<sup>50</sup> In eastern DRC, the Church is involved in the fight against the disease through Caritas.<sup>51</sup> However, the security situation in many areas of the country is making the response to the virus more difficult; for example, it is hard to conduct safe and dignified burials<sup>52</sup>.

Due to the high levels of Ebola-related mortality, Church leaders took steps to prevent its spread at religious events. After several priests and members of local parishes caught the virus as a result of religious activities, the Coadjutor Archbishop Fridolin Ambongo of Kinshasa announced in May 2018 that sacraments like baptism, confirmation, anointing of the sick and holy orders, which involve physical contact, would be suspended temporarily in several north-eastern parts of the country.<sup>53</sup> In the case of communion, mouth contact would be avoided, while worshippers can perform the sign of peace verbally during Mass celebrations.<sup>54</sup>

The Muslim community has also been affected by Ebola. Saudi Arabia, for example, temporarily suspended issuing hajj visas for DRC pilgrims on 26th July 2019.<sup>55</sup> This affected Congolese Muslims who wanted to go on the hajj pilgrimage to Makkah, one of the five pillars of Islam.

The first cases of coronavirus were reported in March 2020. As a measure to contain the virus, the authorities declared a state of emergency, which included the closure of churches.<sup>56</sup> In March 2020, Archbishop Ambongo of Kinshasa criticised the government for postponing the total lockdown that was supposed to be implemented at the end of the month. He also called on authorities to ensure that the population had enough food as well as water and electricity when measures were implemented.<sup>57</sup>

state structures, high levels of insecurity, and the outbreaks of the Ebola and coronavirus pandemics. Despite the presence of the military and the UN peacekeeping mission, armed groups in the east of the country continue to indiscriminately and brutally terrorise the population predominantly for mineral exploitation interests. Christian faithful, pastors and priests were also specifically targeted particularly by militias affiliated with Islamist organisations. The recent arrival of the Islamic State group in DRC further complicates the situation in a region already troubled by radical extremism. This lack of security in turn thwarts an effective fight against diseases and the delivery of humanitarian aid to a population in need.

The mixture of these profound tribulations is hampered again by local and national governance challenges, undermined by a perceived lack of legitimacy of President Tshisekedi’s election, which was marred by serious allegations of fraud.<sup>58</sup> The prospect for the future of religious freedom in the Democratic Republic of the Congo is negative.

## PROSPECTS FOR RELIGIOUS FREEDOM

The Democratic Republic of the Congo is facing serious challenges due to poverty, corruption, the weakness of

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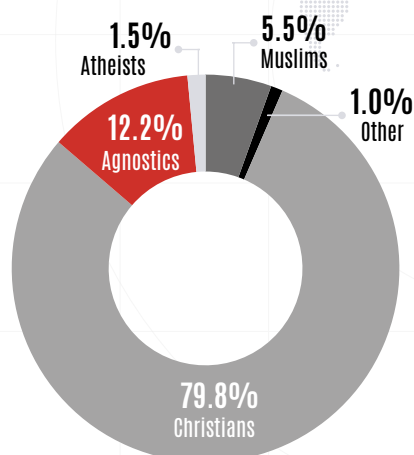
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# DENMARK

## RELIGIONS



Population  
**5,796,800**  
GDP per capita  
**46,683 US\$**



Area  
**42,921 Km<sup>2</sup>**  
GINI INDEX\*  
**28.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Danish Constitution guarantees the right of individuals to worship and form congregations according to their beliefs so long as they are not contrary to morals, and do not disturb the public order.<sup>1</sup> No one may be deprived of their civil and political rights because of religious beliefs (Section 70) and no one is required to make contributions to a denomination other than his or her own (Section 68).

The Evangelical Lutheran Church (ELC) is the national Church and is supported by the state (Section 4). The reigning monarch must also be a member of the Church (Section 6). Other denominations are regulated by law and can be freely formed, practice their religions, rituals, and customs, as well as their religious education.<sup>2</sup> Registration for recognition is not required, and unrecognised groups are entitled to engage in religious practices. Official registration gives religious groups special rights, including the right to perform marriages and baptisms, provide residence permits for clergy, and tax exemptions.<sup>3</sup>

To register for recognition, the religious community must have at "least fifty adult members who have either permanent residence in Denmark or Danish citizenship, and

do not encourage or do anything contrary to provisions of law or provisions laid down pursuant to law."<sup>4</sup> Required information includes the statutes or regulations of the faith community, a description of the "basis of faith or the teaching tradition in the religion of the religious community" and its central rituals, as well as an audited financial statement.<sup>5</sup>

The Ministry of Culture and Ecclesiastical Affairs divides the list of registered religious communities and congregations into the following categories: Christian and Christianity-inspired; Jewish; Islamic and Islam-inspired; Buddhist; Hindu and Hindu-inspired; and other religious communities.<sup>6</sup>

There are several laws which regulate "religious preachers who seek to undermine Danish law and values and who support parallel conceptions of law."<sup>7</sup> In January 2020, it was revealed that Saudi Arabia had donated 4.9 million kroner (approximately US \$790,000) to the Taiba Mosque in Copenhagen through its embassy. The Saudi embassy said it was given as an aid to society and Danish Muslims,<sup>8</sup> but in February 2020, the government presented a bill based on a parliamentary agreement with the opposition from 2019 to restrict foreign donations from entities "that oppose or undermine democratic values and fundamental



freedoms and human rights”<sup>9</sup> The bill was still under consideration in early 2021.<sup>10</sup>

In September 2020, an imam in Odense was arrested after being reported to the police for preparing a Shari’a law divorce contract with requirements on the wife that violated Danish law.<sup>11</sup> The mayor of the city also launched an investigation of an Islamic “religious council” which deals with divorce and other matters, expressing concern about parallel legal structures in Odense.<sup>12</sup> The Minister of Foreign Affairs and Integration announced in October 2020 that a bill would be presented to criminalise so-called Shari’a contracts.<sup>13</sup>

In the first week of February 2021, the parliament was set to consider a proposed law that would require all “religious organisations” to translate all sermons, talks, and public addresses in languages other than Danish to the government before they are given. Religious leaders of various denominations with diaspora communities in Denmark objected, including the Roman Catholic Commission of the Bishops’ Conferences of the European Union (COMECE), the Lutheran World Federation, Muslim leaders, and Jewish leaders.<sup>14</sup> The Conference of European Churches wrote to the Danish government to argue that compulsory translation legislation would be “an unreasonably negative signal in relation to religion and the role of religious communities in society.”<sup>15</sup>

Religious instruction in Evangelical Lutheran theology is compulsory in public schools, as are world religions, life philosophies, and ethics. Parents may however request that their children be exempt. All public and private schools, including religious schools, are publicly funded. Non-compulsory prayer in schools is permitted at the discretion of the schools.<sup>16</sup> In May 2019, the Education Ministry formed an advisory group to “revitalize the subject of Christian knowledge.”<sup>17</sup>

Slaughter practices not preceded by stunning (including halal and kosher practises) are illegal, and there are no religious exemptions. Halal and kosher food may be imported.<sup>18</sup>

Judges are prohibited from wearing any religious symbols while in court proceedings.<sup>19</sup> In August 2018, Denmark’s ban on full-face coverings in public went into effect. While the wording is religiously neutral, it mainly affects Muslim women who wear the burqa and niqab.<sup>20</sup> 23 people were fined under the law during its first year.<sup>21</sup> In December

2018, the parliament added a handshake requirement to the citizenship ceremony, but mayors in several municipalities opposed the rule.<sup>22</sup> In April 2020, the rule was temporarily suspended due to the coronavirus pandemic.<sup>23</sup>

Circumcision of male individuals is legal so long as it complies with Danish law and is performed by a doctor. A citizens’ petition was filed in 2018 requesting that parliament ban the procedure, but the government did not support the ban, nor was there widespread support in the parliament.<sup>24</sup>

In January 2018, the Danish government established the Office of the Special Representative for Freedom of Religion or Belief and the protection of Religious and Belief Minorities in the Ministry of Foreign Affairs with the aim to “to promote Freedom of Religion or Belief globally with an approach firmly rooted in the individual’s right to freedom of religion or belief as stipulated in article 18 of the International Covenant on Civil and Political Rights (ICCPR) as well as in article 18 of the Universal Declaration of Human Rights (UDHR).”<sup>25</sup>

## INCIDENTS AND DEVELOPMENTS

An April 2019 report by the Danish Institute for Human Rights examined religious-related issues and challenges at Danish asylum centres.<sup>26</sup> The report outlined four challenges related to human resources skills: “lack of uniformity in operators’ knowledge, and handling of religious practice, and conflicts related to religion”. Some members of the staff were found to consider religion as a private matter and to consider asylum centres as “neutral” on religion. Other staff, however, appeared to favour one religion over another or were negative in their views of religion generally.<sup>27</sup>

The report also found that there was “insufficient protection against harassment and social control” for “Christian converts, atheists, women, and LGBTI people.” Converts to Christianity reported hiding their religious symbols and bibles.<sup>28</sup> Muslim women reported harassment by other Muslim residents about who they socialised with or what they wore.<sup>29</sup> The findings include that these kinds of incidents were significantly underreported to centre employees or officials.<sup>30</sup>

Another important finding of the report is a crucial violation of the right to freedom of religion, and that is expressed in the “limitation of religious practice to the private sphere”. This happened because, in the name of a flawed under-

standing of neutrality. Indeed, collective religious practice was generally prohibited in centres, based on an understanding of religious neutrality to mean “religion-free” rather than making room for all faiths.<sup>31</sup> The risk of limiting religious practices for certain groups meant that because of the religious landscape of Denmark, Christian asylum seekers often had “easy access” to a church, while non-Christians or non Lutheran-Evangelical Christians, had a more difficult time finding a faith community nearby, so the prohibition was applied to all confessions.<sup>32</sup>

The Danish government reported hate crime data for inclusion in the OSCE Hate Crime Reports for 2018 and 2019: 63 crimes with a bias against Muslims in 2018 and 109 in 2019; 26 anti-Semitic crimes in 2018 and 51 in 2019; 14 crimes with a bias against Christians in 2018 and 8 in 2019. The nature of the crimes were unspecified and may include hate speech.<sup>33</sup>

In October 2020, the police announced via press release that hate crimes had increased from 449 cases in 2018 to 569 cases in 2019 and that the increase was primarily found in crimes relating to race and religion. The police noted that the increase did not necessarily indicate that there had been more crime, but instead could be increased reporting as a result of the “Stop the Hate” campaign launched to encourage reporting. Reports of incidents increased around the period after the Christchurch, New Zealand attack and around the anniversary of Kristallnacht.<sup>34</sup>

In April 2019 Rasmus Paludan, lawyer and founder of the

far-right political party Stram Kurs (Hard Line), qualified to run for parliament by collecting more than 20,000 signatures. The party ran on a platform of banning Islam and deporting Muslims. The party received 1.8 percent of the vote in the June elections, just under the 2 percent needed to enter parliament. Paludan led Quran-burning demonstrations in Muslim-majority areas across the country, and was arrested in June 2020 on charges including racism and defamation.<sup>35</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the period analysed, there were few significant incidents reported. Several legal developments, however, may have a negative impact, or create a burden, on the exercise of religious freedom in Denmark. The authorities are eager to comply with the principle of “neutrality” towards religion, in such a way that rules clearly intended for one group end up affecting the others disproportionately, increasing animosity between religious communities and the authorities. The tension and difficulty to apply these rules of “neutrality” are comparable in several aspects to the rules on “laïcité” or “secularism” that other EU countries were considering at the end of 2020. Prospects for freedom of religion are not negative but tension is likely to increase in the coming years.

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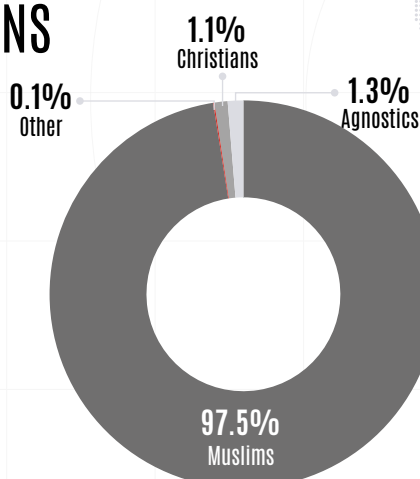
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# DJIBOUTI

## RELIGIONS



Population  
**999,899**  
GDP per capita  
**2,903 US\$**



Area  
**23,200 Km<sup>2</sup>**  
GINI INDEX\*  
**41.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Djibouti is a “democratic, sovereign, one and indivisible Republic”, and all its citizens are equal “without distinction of language, of origin, of race, of sex or of religion” (Article 1). However, the majority religion, Islam, is playing a greater role in Djiboutian society as evidenced by changes to its status in the constitution itself. In the 1992 version,<sup>1</sup> Islam was recognised as the state religion in the preamble; now it is given pre-eminence as Article 1 in the revised 2010 version.<sup>2</sup>

Under Article 6 of both versions of the constitution, political parties are prohibited from “identify[ing] themselves to a race, to an ethnicity, to a sex, to a religion, to a sect, to a language or to a region.” Article 11 guarantees that everyone has “the right to freedom of thought, of conscience, of religion, of worship and of opinion [and] respect for the order established by the law and the regulations”.<sup>3</sup>

The constitution does not explicitly prohibit proselytising, but it is forbidden to proselytise in public.<sup>4</sup> The laws do not punish those who do not abide by Islamic

rules or profess another religion. According to Caritas, the Catholic Church is not allowed to evangelise in the country, but it can engage in social outreach activities.<sup>5</sup>

A decree passed in 2014 gives the Ministry of Islamic Affairs broad powers over the country’s mosques and the content of public prayers.<sup>6</sup> Its authority covers all Islamic affairs, from mosques and private denominational schools (over which the Ministry of Education also has jurisdiction), to religious events. Imams have become civil servants, official employees of the Ministry. For the government, this is intended to prevent political activities in mosques, to allow the authorities to monitor their activities, and to limit foreign influence.<sup>7</sup> Since the decree came into effect, almost all mosques have a government-appointed imam.<sup>8</sup> The public education system is secular, but there are about 40 private Islamic schools.<sup>9</sup>

Regardless of whether they are local or foreign, non-Muslim religious groups are required to register with the authorities. Applications are reviewed by the Ministry of the Interior and provisional permits, pending completion of the review, are not granted. By contrast, Muslim groups are merely required to notify the Ministry of Islamic and Cultural Affairs of their existence.

They are not required to register, nor are they subject to review by the Ministry of the Interior. Foreign groups, whether Muslim or non-Muslim, also need the permission of the Ministry of Foreign Affairs before they are permitted to operate in Djibouti.<sup>10</sup>

The head of state takes an Islamic oath of office.<sup>11</sup>

Muslims can turn to either family courts or civil courts to settle issues related to marriage, divorce or inheritance. Family courts contain elements of civil and Islamic law. For non-Muslims, such issues come solely under the remit of civil courts.<sup>12</sup> For non-Muslims, family matters too are governed by state civil courts; civil marriages, for example, are granted by these courts to locals as well as to foreigners. The government recognises non-Muslim religious marriages if an official document issued by the organisation that performed the marriage is presented.<sup>13</sup>

## INCIDENTS AND DEVELOPMENTS

In May 2019, President Ismail Omar Guelleh authorised medical treatment for Sheikh Abdulqadir Mumim, an imam associated with the Islamic State (Daesh) in Somalia.<sup>14</sup>

In November last year, the country's largest mosque, the Abdulhamid II Mosque, was inaugurated, paid for by Turkey's Directorate of Religious Affairs.<sup>15</sup> The government also allowed the construction of a second Christian cemetery just outside Djibouti City.<sup>16</sup>

Unlike in previous years, the authorities did not discipline extremist imams during this period.<sup>17</sup>

For the first time, the Ministry of Education allowed refugees to celebrate their holy days during the regular school calendar; normally, local schools usually only celebrate Islamic holidays. The Ministry also encouraged religious inclusivity through changes in the school curriculum.<sup>18</sup>

In contrast to previous years, the government started requiring foreign missionaries to "regulate their status through purchasing a residency card for 24,000 Djiboutian francs (\$140)" and to provide proof of belonging to a registered religious group.<sup>19</sup>

Christian communities continued to report that people who convert to Christianity face discrimination in education and employment, while Muslim religious leaders

noted that traditional social networks usually "ostracized converts from Islam".<sup>20</sup> Religion is not taught in public schools.

## PROSPECTS FOR RELIGIOUS FREEDOM

Djibouti's strategic location makes it a preferred host for foreign military bases, including those of the United States, France, Italy and China, plus troops from Spain and Germany.<sup>21</sup> This foreign military presence serves to counter violent extremism from the region,<sup>22</sup> especially Somalia's al-Shabaab. However, its location also makes it a destination point for refugees fleeing violent conflicts in the region. This can cause problems if refugees are not well integrated. This is particularly important in a country with a high level of unemployment.<sup>23</sup>

Independent since 1977, this former French colony is still experiencing tensions between its main ethnic groups, the majority Issa and the Afar, while Islamic extremism too is growing. Relations between Muslims and Christians have deteriorated in recent years at the expense of interreligious dialogue.<sup>24</sup> More recently, the country has seen the arrival of refugees, especially from Yemen,<sup>25</sup> and is playing a major geostrategic role with China<sup>26</sup> building its first overseas base. Saudi Arabia too has expanded its influence in the country.<sup>27</sup>

Djibouti is a possible target for al-Shabaab because of its participation in the African Union Mission to Somalia (AMISOM). Al-Shabaab had previously issued public threats against the country.<sup>28</sup> The future is uncertain and the future of freedom of religion is uncertain in Djibouti.



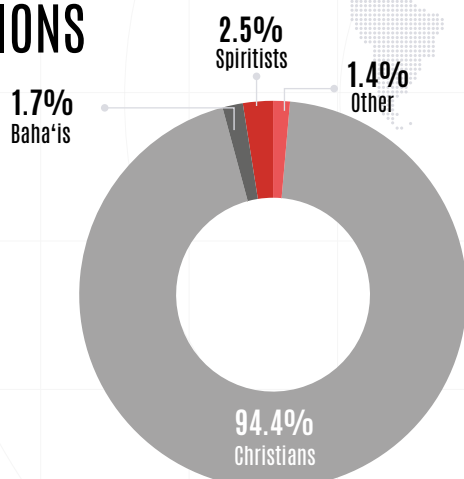
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# DOMINICA

## RELIGIONS



Population

**75,052**



GDP per capita

**9,673 US\$**



Area

**750 Km<sup>2</sup>**



GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

According to the Preamble of the Constitution,<sup>1</sup> the people of Dominica believe that the country's founding principles are the supremacy of God, faith in human rights and fundamental freedoms, the dignity of the human person, and the equal and inalienable rights with which all people are endowed by their Creator.

Dominica protects the human rights and fundamental freedoms of all citizens, subject to respect for the rights and freedoms of others and the public interest.

Article 1 (b) of the Constitution states that these freedoms include, inter alia, freedom of conscience, expression, assembly and association, without distinction of race, place of origin, political opinions, colour, creed or sex.

Article 4 (3, c) recognises the right to conscientious objection to military service.

In Article 9 (1), the Constitution declares that no person shall be hindered in the enjoyment of their freedom of conscience, which includes freedom of thought and religion, freedom to change one's religion or belief, manifest it and propagate it through worship, teaching, practice and ob-

servance, alone or with others, in public or in private.

Article 9 (2) stipulates that, except with their own consent (or that of their guardian in case of minors), no one attending a place of education or detained in prison or serving in the Armed Forces shall be required to receive religious instruction or take part or attend any religious ceremony that is not of their own religion.

Article 9 (3) equally stipulates that every religious community has the right to establish and maintain, at their own expense, places of education and shall not be hindered or prevented from providing education and religious instruction to its members, irrespective of whether they receive government subsidies or not. Equally, Article 9 (4) says that no person shall be required to take an oath against their beliefs or in a manner that contravenes their religion or creed.

Religious groups can be recognised as non-profit organisations, provided they register with the Ministry of Justice.<sup>2</sup> Such requests must be signed by five directors of the religious entity in question who must provide the number and place where their religious services are celebrated. Places of worship are also subject to registration and can only be used for religious purposes.<sup>3</sup>

Good Friday, Easter, Pentecost Monday and Christmas are national holidays.<sup>4</sup>

Dominica has a national prayer as part of its national symbols.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

During the period under review, there have been reports by the Rastafarian community about discrimination and police harassment for their continued use of marijuana for their ceremonial acts.<sup>6</sup>

In late May 2020, some churches reopened after being locked down because of the COVID-19 pandemic. Whilst complying with government health care guidelines and measures, some places of worship required participants to register for contact tracing in case of infectious outbreaks.<sup>7</sup>

In September 2020, the authorities, along with religious leaders, held a day of reflection and prayer for those who lost their lives during Hurricane María in 2017.<sup>8</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the period under review (2018-2020), no cases of religious intolerance have been reported. Instead, Dominica stands out as one of the first countries in the region to reopen places of worship following the outbreak of the COVID-19 pandemic whilst complying with government health protocols. The prospects for religious freedom remain positive.

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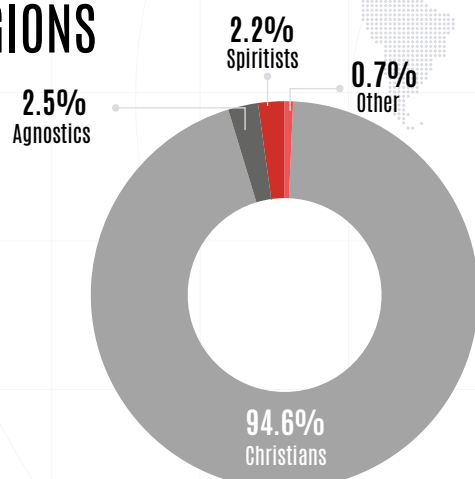
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# DOMINICAN REPUBLIC

## RELIGIONS



Population  
**11,108,358**  
GDP per capita  
**14,601 US\$**

Area  
**48,671 Km<sup>2</sup>**  
GINI INDEX\*  
**43.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble of the Constitution<sup>1</sup> invokes God. The national Coat of Arms includes a Bible and a cross in the centre (Article 32). The national motto is “God, Country and Liberty” (Article 34).

Article 39 stipulates that all people are born free and equal, that they are entitled to the same protection and treatment and enjoy the same rights, freedoms and opportunities, without discrimination based on, among other things, gender, colour, religion or political opinion.

Article 45 upholds freedom of conscience and worship, subject to public order.

Religious marriages have - according to Article 55 (4) - civil effects in the terms established by law, without prejudice to the provisions of international treaties.

Although the state is not confessional under the Constitution, a concordat with the Holy See has been in place since 1954. It states that the “Catholic religion [. . .] is the religion of the Dominican Republic and shall enjoy the rights and prerogatives due to it” (Article 1).<sup>2</sup>

The state recognises the international legal personality

of the Holy See and of all its religious institutions and associations. It guarantees the Catholic Church the free and full exercise of its spiritual power and jurisdiction and its free and public acts of worship (Article 3, 1).

The government recognises the civil quality of marriages celebrated in accordance with canon law (Article 15, 1). It guarantees religious assistance to the members of the Armed forces (Article 17) and facilitates religious assistance in schools, hospitals and prisons (Article 19). The state guarantees the teaching of the Catholic religion in public schools, except for students whose parents ask for an exemption (Article 22, 2).

The Constitution stipulates that to be recognised by the state and obtain legal recognition, non-Catholic religious organisations must fulfil certain requirements and follow the procedures indicated by the law. Once these requirements have been met, they can enjoy tax-exempt status.<sup>3</sup>

The General Education Law upholds freedom of education, while private schools may offer religious and/or moral instruction in accordance with their own pedagogical ideas (Article 24).<sup>4</sup>

Law No. 198-11 regulates the terms and conditions un-



der which the civil effects of religious marriages celebrated by non-Catholic Churches are recognised.<sup>5</sup>

A biblical studies law mandates the Bible be read in public schools at the beginning of each day.<sup>6</sup>

In addition to a 2016 bill on religious freedom, another draft law was presented in March 2019; it includes, among other things, the obligation of religious entities and Churches to register, a ban on any attempt to undermine public order, respect for other faiths, the right not to be subjected to discrimination because of one's religious beliefs, the right to observe the feast days and day of rest of one's religion, and the right of religious entities to obtain state grants.<sup>7</sup> In May 2018, the relevant parliamentary committee delivered a favourable report to a plenary session of the Chamber of Deputies, merging the two projects with some additional recommendations.<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

In early 2018, according to a survey by Latinobarómetro, the number of Catholics in the country has declined.<sup>9</sup> In 2013, more than 60 percent of the population said they belonged to this religion whilst in 2017 the figure was down to below 50 percent. The recognition of the Pope as an authoritative figure of the Church also declined, with a positive assessment of six on a 10-point scale.<sup>10</sup>

In November 2018, the Education Committee of the Chamber of Deputies recommended a draft resolution enforcing an existing law concerning biblical readings and instruction in public schools.<sup>11</sup> In June 2019, a resolution was passed in the lower house of Congress noting this lack of enforcement. The Ministry of Education declared it would not enforce the law considering this a violation of the constitution and the rights of parents to determine the faith customs of their children.<sup>12</sup>

In June 2019, a new Santo Domingo Metro Users' Manual was published, banning political or religious proselytising through songs, acts, prayers or speeches (Article 34, No. 27).<sup>13</sup> Yet, the press reported that, despite the ban, the practice of preaching in the Santo Domingo metro continues.<sup>14</sup>

The country's Catholic bishops spoke out on a number of social and political issues, notably: In January 2020, they called for action to tackle the country's many serious problems as well as eradicate corruption,<sup>15</sup> and

in February 2020, the prelates backed the demand for explanations of why municipal elections were suspended, calling for a return to dialogue.<sup>16</sup> In this context, a proposal was made to have the Archbishop of Santo Domingo mediate among politicians to help the country overcome the crisis.<sup>17</sup>

Faced with the COVID-19 pandemic, the bishops highlighted the need for national solidarity and called on people to respect the decisions taken by the authorities to prevent the spread of the virus.<sup>18</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Over the period under review, no episodes of violation of religious freedom were reported. A bill on religious freedom is making its way through the Dominican Congress. The Church and other religious organisations are perceived as important actors in national life and the prospects for religious freedom remain stable.

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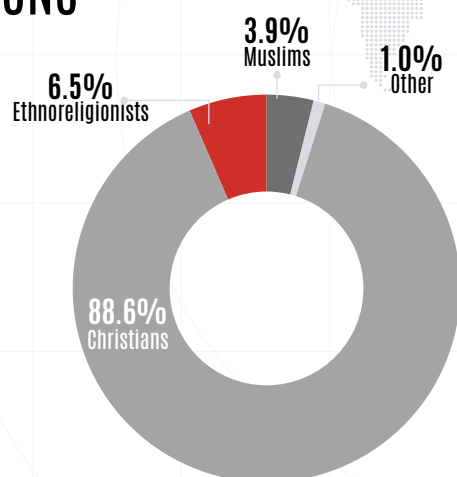
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# EAST TIMOR (TIMOR-LESTE) RELIGIONS



Population  
**1,381,400**  
GDP per capita  
**6,570 US\$**



Area  
**15,410 Km<sup>2</sup>**  
GINI INDEX\*  
**28.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Democratic Republic of Timor-Leste is modelled on that of Portugal. It guarantees freedom of conscience, religion and worship, and the separation of Church and state. The Preamble to the Constitution asserts the state's determination "to fight all forms of tyranny, oppression, social, cultural or religious domination and segregation, to defend national independence, to respect and guarantee human rights and the fundamental rights of the citizen".<sup>1</sup>

Article 12 (1) stipulates: "The state recognizes and respect the different religious denominations, which are free in their organization and in the exercise of their own activities, with due observance of the Constitution and the law." Article 12 (2) adds: "The state promotes the cooperation with the different religious denominations that contribute to the well-being of the people of East Timor." Article 16 (2) prohibits discrimination on the basis of religion.

The country's penal code reflects the above constitutional principles. Article 124, for example, describes as crimes against humanity actions such as "persecution, construed

as deprivation of the exercise of fundamental rights contrary to international law against a group or a collective entity due to politics, race, nationality, ethnicity, culture, religion, gender or for any other reason universally recognized as unacceptable under international law."<sup>2</sup>

Despite the separation of state and religion, the Preamble to the Constitution states: "In its cultural and humane perspective, the Catholic Church in East Timor has always been able to take on the suffering of all the people with dignity, placing itself on their side in the defense of their most elementary rights." According to Article 11 (2), "The state acknowledges and values the participation of the Catholic Church in the process of national liberation of East Timor."

The country's Catholic, Protestant and Muslim religious leaders are known to cooperate and promote peaceful and constructive relations between its religious communities.<sup>3</sup>

The small Muslim community remaining in Timor-Leste after Indonesia's withdrawal has steadily declined in recent years. As most Muslims were Indonesian migrants resettled in Timor-Leste by the Indonesian government during its occupation of the country, they left when the country gained independence.<sup>4</sup>

The accord signed on 14th August 2015 between East Timor and the Holy See<sup>5</sup> is gradually being implemented. In that occasion, Cardinal Pietro Parolin, the Holy See's Secretary of State, travelled to East Timor to mark the 500th anniversary of the Catholic Church's presence in the country. He said the agreement seeks to strengthen "mutual collaboration for the integral development of the people in justice, peace and the common good".<sup>6</sup> In practice, the accord safeguards the Church's freedom to provide its services, including spiritual assistance in prisons, hospitals or orphanages, operating charities and organising educational activities. For its part, the state allocates subsidies to the Catholic Church.

## INCIDENTS AND DEVELOPMENTS

In general, violations of religious freedom are rare and minor in Timor-Leste. During the period in review, there were no reports of significant incidents or developments directly related to religious freedom.

However, the country remains a young state with relatively undeveloped legal and political institutions. It has a large proportion of young people and, having achieved independence only in 2002, it remains fragile.

On 26<sup>th</sup> January 2018, President Francisco Guterres dissolved Parliament after opposition parties rejected the

budget.<sup>7</sup> In June 2018, former President Taur Matan Ruak was appointed prime minister, through a peaceful transfer of power, demonstrating the commitment of political parties to respect the decision of voters.<sup>8</sup>

Despite significant political strife, partly due to controversy over a potential oil and gas project and the challenges of COVID-19, Ruak remains prime minister at the end of 2020.<sup>9</sup> He is considered one of the Catholic Church's most important allies in the country.<sup>10</sup>

Some people are also concerned that the ability of the Church to serve as an agent of moral and political reform is declining. For a lay activist with the Legion of Mary and Catholic Charismatics, "We are a Catholic church in Timor Leste in name only. Complaints from priests from all of the country's dioceses are that Catholics live more on Catholic formalities but not on Catholic behaviour. This government has a lot of corrupt officials, whether in the legislature, executive or judiciary. Even in the police and army, corruption is rampant."<sup>11</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

There is nothing to suggest that the situation of religious freedom in Timor-Leste will change in the near future. Prospects are stable.

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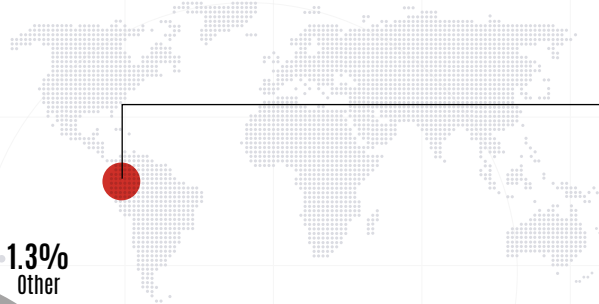
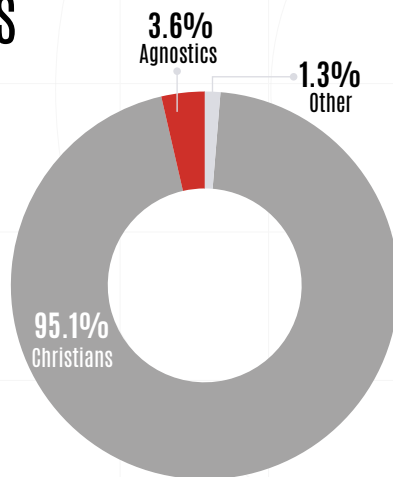
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# ECUADOR

## RELIGIONS



Population

**17,335,642**



GDP per capita

**10,582 US\$**



Area

**257,217 Km²**



GINI INDEX\*

**45.4**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution<sup>1</sup> states that the people of Ecuador “recognis[e] our age-old roots [...], celebrat[e] the Pacha Mama (Mother Earth) [...] and invoke[e] the name of God, and recognis[e] our diverse forms of religion and spirituality.”

Article 1 describes the country as an “inter-cultural, multinational and secular state”.

The state, according to Article 3 (4), guarantees, “secular ethics as the basis for public service and the legal regulatory system”. Under Article 11 (2), “No one shall be discriminated against for reasons of cultural belonging, [...] religion, [or] ideology.”

With Article 66 (8), the state recognises and guarantees, “the rights of persons [...] to practise, keep, change, [or] profess in public or private one’s religion or beliefs and to disseminate them individually or collectively, with the constraints imposed by respect for the rights of others”. Under the same article, the state also protects “voluntary religious practice, as well [as] the expression of those who profess

no religion whatsoever”.

Under Article 19, “it is forbidden to broadcast advertisements that foment [...] religious or political intolerance.”

Article 57 (12) recognises the collective right of indigenous communities “to uphold, protect and develop collective knowledge, their science, technologies and ancestral wisdom” and “to restore, promote and protect ritual and holy places”. Article 57 (21) stipulates that “the dignity and diversity of their cultures, traditions [. . .] be reflected in public education and in the media”.

Article 66 (11) provides for “the right to confidentiality about one’s convictions”. This includes “one’s religious beliefs”. No one is obliged to “make statements about these convictions”. Article 66 (12) recognises the “right to conscientious objection”.

Under Article 28, “public education shall be universal and secular”. Article 29 states that parents or guardians are free to choose their children’s education in accordance with their beliefs.

Under Article 61 of the Children and Adolescents Code,<sup>2</sup> the state guarantees children and adoles-

cents the right to freedom of thought, conscience and religion.

Article 34 of the Code guarantees children and adolescents the right to preserve and develop their spiritual, cultural and religious identity and values. Article 52 (2) also prohibits the use of children and adolescents for the purposes of political or religious proselytising.

In 1937 the Ecuadorian government and the Holy See came to an agreement whereby the Catholic Church would be guaranteed the freedom to carry out her ministry and provide education. Catholic dioceses and other institutions were granted legal recognition.<sup>3</sup>

In order to be registered, non-Catholic religious organisations must have their religious character accredited. They cannot be for profit and are tax-exempt. Once the requirements are met, they will be legally recognised.<sup>4</sup>

## INCIDENTS AND DEVELOPMENTS

In August 2018, religious organisations within the National Council for Religious Freedom and Equality (Consejo Nacional de Libertad e Igualdad Religiosa, CONALIR) expressed concern over the abolition of the Ministry of Justice and Religion and how they will interact henceforth with the government.<sup>5</sup>

In January 2019, Catholic bishops and the Ecuadorian President met to enhance dialogue and collaboration. At the meeting it was announced that the Ministry of the Interior would again be responsible for freedom of religion and worship.<sup>6</sup>

In January 2019, the Catholic Bishops' Conference of Ecuador spoke out against a bill to decriminalise abortion.<sup>7</sup>

Isolated incidents of intolerance in 2019 included: in June a swastika was painted in a Jewish school parking lot in Quito and; in September, after the National Assembly voted against a law decriminalizing abortion in the case of rape, pro-abortion activists in Quito wrapped green scarves around a statue of the Virgin Mary, and posted the faces of the lawmakers opposing the proposed abortion law online.<sup>8</sup>

In December 2019, CONALIR, the Evangelical Con-

fraternity and the Jewish Community declared Quito an "Interreligious Coexistence Zone" aimed at promoting interfaith coexistence.<sup>9</sup>

In February 2020, the Islamic Centre of Guayaquil began to give free classes in Islamic theology and basic Arabic, opening its doors to the public on Fridays – the Muslim day of rest – in order to fight discrimination, xenophobia and the association of this community with terrorism.<sup>10</sup>

In March 2020, the Government decreed a health emergency due to the COVID-19 pandemic and the Churches took preventive measures, suspending religious meetings and activities. Services began to be broadcast online.<sup>11</sup>

In April 2020, a joint government-Catholic Church commission was created to develop protocols for the reopening of places of worship and pastoral activities. The bishops also pledged to collaborate in solidarity campaigns in order to help the most vulnerable.<sup>12</sup>

In May 2020, the bishops presented a protocol for the gradual opening of places of worship, which will be "linked to the government colour-coded restrictions."<sup>13</sup> Initially, the opening of each place of worship will require the prior authorisation of a "Diocesan Commission" and later, the approval of the Government Committee for National Emergency Operations in charge of the crisis.<sup>14</sup>

In August 2020, Ecuador's National Assembly approved the Organic Health Code (Código Orgánico de Salud, COS). The Catholic Bishops' Conference of Ecuador criticised it for, among other reasons, promoting abortion, violating doctors' right to conscientious objection, and approving the use of contraceptives for minors without parental consent. As a result, it called on the government to veto the Code,<sup>15</sup> which the president did in September 2020. It will be reviewed again in a year.<sup>16</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Isolated episodes of religious intolerance were reported during the period under consideration. Some communities have undertaken actions in favour of religious coexistence. Religious groups are free to express their opinions. The situation has not changed

compared to the previous period and the outlook for the future is positive.

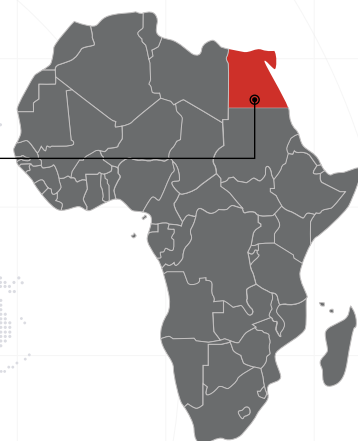
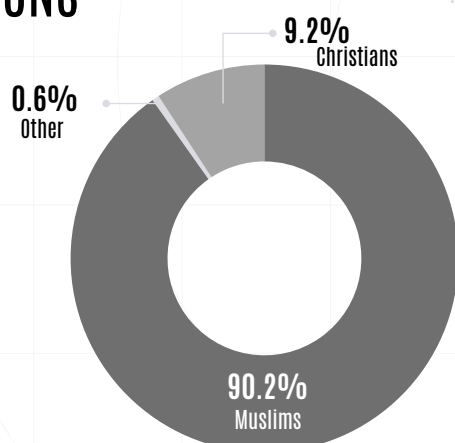
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# EGYPT

## RELIGIONS



Population  
**102,941,484**

GDP per capita  
**10,550 US\$**



Area  
**1,002,000 Km<sup>2</sup>**

GINI INDEX\*  
**31.5**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Arab Republic of Egypt has a long tradition as a nation state. Although predominantly Muslim, the country is home to the largest, mostly Coptic, Christian community in the Arab world, with the highest concentration in the governorates of Upper Egypt. Many Christians also live in Cairo. Very few Jews are left.<sup>1</sup> The numbers of Shi'a Muslims,<sup>2</sup> Baha'is and other groups are also very small and unknown.

In the last decade Egypt has suffered from political and economic instability. In 2011 long-serving President Hosni Mubarak was toppled after mass demonstrations. In 2012 Mohammed Morsi, a member of the Muslim Brotherhood, was elected president by a slim margin. Between June and July 2013, the Egyptian military removed him from office following street protests by millions of Egyptians. Those opposed to Morsi's fall from power and the associated events described the development as a coup. Supporters of the overthrow said it was necessary to save democracy.

In 2014 General Abdel Fatah al-Sisi was elected president of the country. He was then re-elected in April 2018. Eco-

nomics and security problems continue, especially in the Sinai Peninsula where the country is facing an Islamist insurgency by groups allied with the Islamic State group (Daesh).

In a referendum held in January 2014, Egyptians approved a new constitution (amended in 2019).<sup>3</sup>

The Preamble of the constitution describes Egypt as: "The cradle of religions and the banner of glory of the revealed religions. On its land, Moses grew up, the light of God appeared, and the message descended on Mount Sinai. On its land, Egyptians welcomed the Virgin Mary and her baby and offered up thousands of martyrs in defence of the Church of Jesus. When the Seal of the Messengers Mohamed (Peace and Blessings Be Upon Him) was sent to all mankind to perfect the sublime morals, our hearts and minds were opened to the light of Islam. We were the best soldiers on Earth to fight for the cause of God, and we disseminated the message of truth and religious sciences across the world."<sup>4</sup>

According to Article 2, "Islam is the religion of the state and Arabic is its official language. The principles of Islamic Sharia are the principal source of legislation." The Preamble specifies that "the reference for interpretation thereof is the relevant texts in the collected rulings of the



Supreme Constitutional Court.” Article 3 states: “The principles of the laws of Egyptian Christians and Jews are the main source of laws regulating their personal status, religious affairs, and selection of spiritual leaders.”

Article 7 protects Al-Azhar University as the most important Sunni institution of Islamic teaching. “Al-Azhar is an independent scientific Islamic institution, with exclusive competence over its own affairs. It is the main authority for religious sciences, and Islamic affairs. It is responsible for preaching Islam and disseminating the religious sciences and the Arabic language in Egypt and the world.”

Article 53 declares: “Citizens are equal before the law, possess equal rights and public duties, and may not be discriminated against on the basis of religion, belief, sex, origin, race, colour, language, disability, social class, political or geographical affiliation, or for any other reason.”

Article 64 states: “Freedom of belief is absolute. The freedom of practicing religious rituals and establishing places of worship for the followers of revealed religions is a right organized by law.” According to article 74, “No political activity may be exercised or political parties formed on the basis of religion, or discrimination based on sex, origin, sect or geographic location”.

Article 244 states: “The state shall endeavour that youth, Christians, persons with disability and Egyptians living abroad be appropriately represented in the House of Representatives, as regulated by law.” The Egyptian Penal Code stipulates that denigrating religions, promoting extremist thoughts with the aim of inciting strife, demeaning any of the “divine religions”, and harming national unity carry penalties ranging from six months to five years in prison.<sup>5</sup>

Although religious conversion is not prohibited by law, in practice the government does not recognise conversions from Islam. In 2008, the Administrative Court ruled in favour of the government in not recognising conversion from Islam, noting that its duty is to “protect public order from the crime of apostasy from Islam.”<sup>6</sup>

The law does not recognise the Baha’i faith or its religious laws and bans Baha’i institutions and community activities. Baha’is do not have recourse to civil law for personal status matters. The same applies to Jehovah’s Witnesses.<sup>7</sup> In 2019, the government closed again the room containing the tomb of the grandson of the Prophet Muhammad, Imam Al-Hussein, in order to prevent Shi’as from using it during Ashura.<sup>8</sup>

Electronic National identity cards are issued by the Ministry of Interior. They have official religious designations only for Muslim, Christian, and Jewish faiths. Since a 2009 court order, Baha’is are identified by a dash.<sup>9</sup> Despite the classification of “religion” on ID cards, the government has never provided official data about the Coptic population.

In August 2016, the Egyptian parliament adopted a new Church Construction Law to facilitate the construction, renovation and legal recognition of churches. However, escalating attacks, administrative obstacles and failure by the state to stem social violence against Christians when they try to build, restore or just have their churches recognised reveals a huge gap between the law and everyday life. More worrisome is the fact that security agencies have repeatedly failed to protect Copts and prevent attacks against churches and Coptic properties.<sup>10</sup>

Regarding marriage and divorce, Egyptians are subject to different personal status laws, based on their official religious affiliation.

Muslim women cannot marry non-Muslim men, and non-Muslim men must convert to Islam in order to marry a Muslim woman. Since 2005, divorced mothers can have custody of their children until they are 15.<sup>11</sup> If one parent is not Muslim, the Muslim parent is automatically awarded custody.<sup>12</sup>

## INCIDENTS AND DEVELOPMENTS

In May 2018, 11 Muslims and nine Copts were acquitted by the Misdemeanour Court in Beni Suef, Upper Egypt. This decision followed a conciliation agreement whereby the local church would remain closed until it was officially legalised. The people taken into custody were initially arrested because of an attack by Muslim villagers on the local church after they learnt that Copts had applied for legal recognition of their place of worship.<sup>13</sup>

In May 2018, a mob attack against a church in Abou el-Shuqaf (near Alexandria) and other Christian-owned properties left seven Copts injured. The police arrived late and arrested 11 extremists and nine Copts, including four who were injured during the attack. Allegedly they were arrested in order to be pressured to withdraw the charges against the attackers. The nine Copts were released only after Father Aghabius Mounir, priest of Abou El-Shuqaf’s Mar Morcos church, withdrew his accusations against the people who wrecked his car.<sup>14</sup>

In June 2018, the Egyptian government agreed to pay for the medical treatment in Aachen, Germany, of Samiha Tawfiq, a Copt who was badly injured to the right side of her face in the December 2017 bomb attack at Cairo's St Peter and St Paul's Church.<sup>15</sup>

In July 2018, Bishop Epiphanius, Abbot of the Monastery of Saint Macarius the Great, was found dead inside the religious complex. Two monks were arrested in connection with the death; after they were tried and convicted, one received a life sentence and the other, Father Isaiah, the death penalty. Sherif Azer, a member of Reprieve, a British human rights watchdog group, is trying to get the death sentence commuted on the grounds that Fr Isaiah's confession was obtained under torture and that the case is full of inconsistencies.<sup>16</sup>

In July 2018, a Copt from the village of Menba, Minya, was accused of "showing contempt of religion" for comparing Muhammad to Jesus in a Facebook post in which Islam was insulted.<sup>17</sup> Some 90 Muslim extremists who participated in an anti-Coptic attack caused by the post were arrested; they were later released after a court conciliation settlement between the Copts and the Muslims. Meanwhile the Copt responsible for the Facebook post was sentenced in December 2018 to three years in jail for "disdain of Islam".<sup>18</sup>

In mid-August 2018, in the town of Mostoroud (Qalioubiya governorate), a suicide bomber tried to enter the Virgin Mary Church. When the police stopped him before he entered the building, he detonated the explosive vest he was wearing, killing himself. No one else was harmed.<sup>19</sup>

In July 2018, seven Jehovah's Witnesses were stopped by National Security Service in Beni Suef and had their religious materials confiscated. The importation and sale of Baha'i and Jehovah's Witnesses literature is banned.<sup>20</sup>

In late August 2018, a mob of Muslims attacked the village of Demshaw Hashem in southern Egypt, injuring two Copts and a firefighter, both of whom had to be hospitalised. The attack followed accusations against Christian residents that they were using their homes for prayer. Like in previous incidents, security forces reportedly did not intervene at the time of the attack and arrived after the incident ended.<sup>21</sup> A few days later, the Coptic Orthodox Metropolitan Bishop of Minya and Abu Qurqas, Anba Makarios, refused to take part in a "reconciliation session" between representatives of Christian and Muslim communities. He explained that such meetings undermine Christians' rights

by letting criminals escape justice. Instead Makarios demanded that the law be enforced.<sup>22</sup> The human rights organisation Egyptian Initiative for Personal Rights (EIPR) condemned these practices and demanded a trial for perpetrators of attacks, compensation for the victims, and the construction of a church in the village.<sup>23</sup>

Southern Egypt saw other violent attacks during this period,<sup>24</sup> followed by the forced closure of churches and the arrest of attackers but also of Copts charged with illegal gathering, obstructing the road, disrupting public peace, and inciting sectarian strife. The Copts were also charged with praying in an unlicensed place.<sup>25</sup>

According to an EIPR report, from the moment the church construction law was adopted in September 2016 to April 2018, 14 churches were shut by state agencies, denying access and prayer services to Copts.<sup>26</sup>

In August 2018, President al-Sisi appointed Christians to the post of governor of Damietta and Dakahliya, the first time this has happened since April 2011, when protests by Salafi groups and the Muslim Brotherhood forced the government to withdraw the appointment of a Copt as governor for Qena,<sup>27</sup> Upper Egypt.<sup>28</sup> Manal Awad Mikhail, who was appointed the new governor of Damietta in August 2018, is Egypt's first ever female Coptic governor.<sup>29</sup>

In November 2018, an attack against Coptic pilgrims heading to a monastery in Minya (Upper Egypt) left seven people dead and 19 wounded. It was claimed by the Islamic State.<sup>30</sup> A few days later, police reportedly killed 19 terrorists thought to be behind the attack.<sup>31</sup>

In November 2018, an alleged Islamic State supporter was sentenced to death for the fatal stabbing of an 82-year-old Christian doctor in 2017.<sup>32</sup>

In November 2018, MP Mohamed Fouad presented a motion to the parliamentary speaker requesting a report from Prime Minister Mostafa Madbouly concerning the difficulties Baha'is face in practising their religion, a situation that violates Articles 53, 64, and 92 of the Egyptian constitution.<sup>33</sup>

In November 2018, during his speech at the World Youth Forum in Sharm-El-Sheikh, President al-Sisi said he would protect freedom of worship and that the state would build a church in each new community. What is more, "if we have other religions, we would build them houses of worship." He added that "it is the right of every citizen to worship as they please, or not to worship. It is a subject we are not

interfering with.”<sup>34</sup>

In December 2018, the Prosecutor General of Egypt referred 11 individuals to a criminal court for attacking a Coptic church in south Cairo in December 2017 during pre-Christmas celebrations.<sup>35</sup>

The lawsuits filed by four of the 12 Baha’i couples to have their civil marriages recognised were successful in October 2018. Although Baha’is welcomed the issuance of the first civil marriage licence in 2017, they also noted that the courts were inconsistent in their rulings. By the end of the year, standard procedures for issuing civil marriage licences to couples with no designated religious affiliation had not yet been developed.<sup>36</sup>

In December 2018, President al-Sisi ordered the construction of a Coptic church in the city of New Ahalina 2.<sup>37</sup>

A couple of days before Coptic Christmas, a policeman was killed trying to defuse an explosive device near a church.<sup>38</sup>

On 6<sup>th</sup> January 2019, the Cathedral of the Nativity of Christ, the biggest church in the Middle East, was inaugurated in the New Capital on the eve of Christmas.<sup>39</sup> President al-Sisi and Grand Imam Ahmed El-Tayyeb of Al-Azhar were at the inauguration ceremony together with the Coptic Orthodox Patriarch, Pope Tawadros II. Al-Sisi also attended Christmas Mass in 2018.<sup>40</sup>

In mid-January 2019, Coptic jurists filed a lawsuit with the Attorney General’s Office against the governor of Minya province over the closure of a Coptic place of worship in the village of Mansheyat Zaafarana. After violent demonstrations by Islamist mobs, police promised demonstrators that the church would be closed.<sup>41</sup>

In mid-January 2019, Islamic militants kidnapped a Christian man travelling in a communal taxi in northern Sinai.<sup>42</sup>

In January 2019, Al-Azhar and the Egyptian Ministry of Awqaf (religious endowments) inaugurated separate academies for preachers.<sup>43</sup> While Al-Azhar’s academy only focuses on Islamic studies, the International Awqaf Academy, which plans to train female preachers, includes other subjects as well, like economics, politics and psychology.<sup>44</sup>

In February 2019, Father Yassa Marzok contradicted a statement by the Egyptian government claiming that there were no closed churches in Minya governorate. The cler-

gyman noted instead that eight Coptic churches were shut down in the city of Samalout alone.<sup>45</sup>

In June 2019, a report by the Tahrir Institute for Middle East Policy stated that several rural villages – maybe hundreds – do not have a church at all. In an interview, Bishop Macarios of Minya and Abu Qarqas explained that about 150 villages and neighbourhoods in his diocese needed a church or other religious buildings.<sup>46</sup>

In July 2019, the Ministry for Antiquities published a booklet illustrating the trip of the Holy Family in Egypt. The goal was to have the “Stations of the journey of the Holy Family through Egypt” recognised as World Heritage by UNESCO.<sup>47</sup>

In September 2019, atheist blogger Sherif Gaber<sup>48</sup> tweeted that he had been sentenced to three years in prison for contempt of religion, spreading immoral values and disturbing the public peace through his YouTube channel, adding, however, that he was not in custody.<sup>49</sup>

In November 2019, a Coptic human rights lawyer, Huda Nasralla, won the right to equal inheritance. In court her brothers backed her claim, but their testimony was ignored twice. In her appeal, she cited Article 245 of the 1938 Orthodox personal status regulations, which guarantee Coptic women equal inheritance as men. Her main argument is that Shari’a does not apply to her. Although another Coptic woman won the right to equal inheritance in 2016, Shari’a is generally applied in inheritance cases. Only in matters of marriage and divorce does the judiciary defer to the Coptic Church.<sup>50</sup>

In November 2019, Ramy Kamel, a human rights activist and a founding member of the Maspero Youth Union,<sup>51</sup> was arrested. A prominent defender of Coptic rights in Egypt, he had posted on social media footage of attacks and the forcible removal of Christians from their homes.<sup>52</sup> His charge sheet included membership in a terrorist organisation and using social media to spread “false news threatening public order”. The Office of the United Nations High Commissioner for Human Rights noted that he was arrested after he applied for a visa to travel to Geneva in order to intervene at the UN Forum on Minority Issues at the end of November 2019.<sup>53</sup>

On New Year’s Eve 2019, Copts in Fao Bahari, a village in Deshna (southern Egypt), were barred by the police from praying in their small makeshift church on the grounds that it was not licenced for religious rites. According to the se-

curity forces, holding Coptic prayers would offend the sentiments of Muslims villagers and probably cause hostilities against the Copts. The same night, a fire was declared in a house owned by a Coptic family. Six Muslims were detained, including one believed to have incited violence, and five Copts, four who owned the burnt house, and one who posted a video of the fire on social media.<sup>54</sup>

In its 2019 report on religious freedom, the US Department of State cited Jehovah's Witnesses saying that several of their members were questioned by authorities due to their status as a "banned group". In February 2019 a Jehovah's Witness was "violently interrogated" twice, threatened, blindfolded, and beaten by security officials in Upper Egypt. On various occasions in April, October, and November 2019, Jehovah's Witnesses were interrogated by police officials in Cairo and Minya. In September 2019, security officials permitted more than 200 Jehovah's Witnesses to hold a religious meeting in a private home.<sup>55</sup>

In 2019, Alexandria University and Damanhour University inaugurated their own Coptic Studies Institute, the first of their kind in Egypt.<sup>56</sup>

In January 2020, after two years of restoration, the 14th-Century Eliyahu Hanavi Synagogue reopened its doors; about 180 Jews visited it in February 2020.<sup>57</sup> The US\$ 4 million project was entirely financed by the Egyptian government.<sup>58</sup>

The restoration of Cairo's Bassatine Jewish cemetery was also completed in 2020 thanks to the American Research Center in Egypt and the Drop of Milk association, with funding from the US Ambassadors Fund for Cultural Preservation<sup>59</sup>. It is believed to be the second oldest Jewish cemetery in the world. The restoration includes the documentation and mapping of what remains of the site.<sup>60</sup>

In January 2020, Orthodox, Evangelical and Catholic Churches reached an agreement on a new unified personal status bill for non-Muslims.<sup>61</sup>

In July 2020, the Coptic Church warned about the distribution of "forged gospels" that contradicted Christian teachings.<sup>62</sup>

In February 2020, the Administrative Court in Cairo banned Shi'a websites and TV channels, including the website of renowned Shi'a activist Ahmed Rasem al-Nafis.<sup>63</sup> The Prosecutor's Office explained that the decision was taken in an attempt to fight the dangers of Shi'a ideology in

Egyptian society and prevent any exploitation of religious ideologies to achieve political ends.<sup>64</sup>

In July 2020, after Turkey's decision to convert the Basilica of Hagia Sophia into a mosque, Egypt's Grand Mufti Shawky Allam declared that this action was "inadmissible", and that places of worship should remain as they are.<sup>65</sup> He also declared that there is no objection, according to Islamic law, to use money belonging to Muslims in order to build churches.<sup>66</sup>

In August 2020, the criminal court in Minya delayed again the court case of So'ad Thabet, a Christian woman who was beaten and stripped by a mob of 300 men in her village after rumours spread that her son had had an affair with a divorced Muslim woman. After hearing arguments, the court referred the case back to the court of appeal in Beni Suef. Thabet, who refused to take part in a reconciliation session, has been caught up in this legal battle for more than four years. In 2017, her case was dropped because of "lack of evidence". Later, three of her aggressors were eventually charged and sentenced in absentia to 10 years in prison. Thabet and her family had to flee the village, and Coptic villagers who lost their homes had to be "reconciled" with their attackers.<sup>67</sup> Her son, Ashraf Abdo Attia, and the Muslim woman he allegedly had an affair with, were found guilty of adultery and sentenced to two years in prison and the payment of a fine of 1,000 Egyptian pounds (US\$ 65).<sup>68</sup>

In September 2020, the Administrative Court of the Egyptian State Council ruled that it does not have jurisdiction in the case filed by lawyer Haitham Saad. Saad had asked the Minister of justice to amend the personal status law in order to ban verbal divorce. Like President al-Sisi, Saad wants verbal divorce by a husband to require authentication to be valid. Egypt's religious authorities, among them Al-Azhar, have categorically rejected this proposition on the basis that verbal divorce by a husband is the rule in Shari'a since "the time of the Prophet [Muhammad]" and so without the need of any witnesses or authentication.<sup>69</sup>

In September 2020, Coptic Solidarity published a report on the abduction of Coptic girls and women, who are sexually abused and forced to convert to Islam and marry Muslims. The report cited 13 case studies, estimating some "500 cases within the last decade."<sup>70</sup>

In October 2020, Lamia Loutfi, program manager at the New Woman Foundation, a Cairo-based human rights organisation helping female victims of violence and dis-



crimination, lodged a complaint against the teachers of her daughter's school for trying to force her and other students to wear the hijab. This incident revealed that many schools across Egypt engage in similar practices.<sup>71</sup>

By October 2020, the number of churches and ecclesiastical buildings that were legalised reached 1,738.<sup>72</sup>

At the beginning of November 2020, Nabil Habashy Salama, a Coptic man, was kidnapped in Sinai. At the time of writing, no organisation has claimed responsibility for the kidnapping.<sup>73</sup>

In November 2020, the Minister of Awqaf (religious endowments), Mohammed Mukhtar Juma, explained that Egypt is becoming “a model of religious coexistence”, and is defeating any sectarian discrimination while ensuring full equality of citizens of different faith communities. He added: “We have a duty to protect our mosques and our churches together because in this way we protect our homeland”.<sup>74</sup>

In mid-November 2020, two Christians, Ayman Rida Hanna and Mounir Masaad Hanna, who were arrested in June 2019 after appearing in a video discussing praying in Islam, were referred to a criminal court for mocking Islam and insulting religion. One of their lawyers, Amr al-Qadi, said that they “remained in pre-trial detention until the prosecution [charged them] despite [the] repeated calls to release them.”<sup>75</sup>

Also in November, a young Christian teacher, Youssef Hany, was arrested for insulting Islam after he posted comments on Facebook. He and a Muslim woman, identified only by her Facebook name, Sandosa, were charged under Article 98 (f) of Egypt's Penal Code, which outlaws insulting a “heavenly religion,” namely Islam, Christianity and Judaism.<sup>76</sup> Their lawyer, Makarios Lahzy, explained that the charges are unconstitutional since the article “does not clearly and expressly define contempt of or defamation and leaves the notion loose and unreliable.”<sup>77</sup> Furthermore, Copts-United, an advocacy group, wondered how Hany could be arrested for allegedly insulting Islam while those who later insulted Christianity and called for Hany, and Copts, to be killed were not detained.<sup>78</sup>

In that same month, Mohamed Ashraf, a young stand-up comedian, was arrested after a video of one of his performances – originally broadcast in January 2020 – went viral, causing a backlash. In his act, he mocked some broadcasters at the state-owned Al-Quran Al-Kareem ra-

dio station. Ashraf, who was facing multiple charges, like contempt of religion, threatening the values of Egyptian families and insulting and defaming the radio station's presenters, was released a few days later after apologising to one of the radio's host.<sup>79</sup>

At the end of November 2020, mobs attacked with stones and Molotov cocktails a Coptic church, and Coptic-owned houses and shops in Barsha, a village in the Governorate of Minya. The attacks were reportedly provoked by an article considered offensive to Islam and the Prophet Muhammad posted on the Facebook account of a young Copt. An elderly Coptic woman was hospitalised for burns after her home was set on fire as a result of the incident. 100 people, including 35 Copts, were arrested.<sup>80</sup>

In November 2020, Egypt's Grand Mufti Sheikh Shawki Ibrahim Abdel-Karim Allam declared in a weekly TV interview that the historical phenomenon of political Islam has become “a real disaster, [turning] into a nightmare that disturbs not only the Islamic Umma, but the whole world”.<sup>81</sup>

Following the outbreak of the COVID-19 pandemic, places of worship were closed from mid-March to the end of August 2020.<sup>82</sup> The authorities banned public religious gatherings during Easter and Ramadan.<sup>83</sup> These restrictions were criticised by certain religious groups.<sup>84</sup>

In May 2020, Pope Tawadros II issued new rules regarding weddings, limiting participation to a maximum of four people, in addition to the spouses, the priest and the deacon. No celebrations were permitted. In addition to recommending a pre-wedding medical examination, the couple was expected to dress soberly.<sup>85</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In some respects, the situation of religious freedom has improved somewhat over the past few years. Different messages encouraging greater national unity between Muslims and Christians and initiatives to promote inter-faith tolerance, protect religious heritage sites, and legalise hundreds of churches are definitely a very positive development. But deeply rooted social intolerance and discrimination against non-Muslims remain serious societal problems, particularly in Upper Egypt.

While the official government discourse likes to reiterate fraternity and equality among Egyptian citizens, reality and facts on the ground present a contrasting reality. Already discriminated by law, and not enjoying the same rights as



their fellow Muslim citizens, Christians are often victims of crimes such as blackmail, violent aggressions and kidnapping. Victims report that in most cases, police forces do not intervene in attacks against Copts; while their aggressors benefit from legal impunity. In many cases, it is Copts who end up in jail.

Moreover, those who are outside the traditional monotheistic religions, or not officially recognised, such as atheists, Baha'is, Shi'as and Jehovah's Witnesses, face daunting challenges such as negative societal attitudes and contradictory governmental policies.

In the autumn of 2020, as a result of its crackdown against human rights activists<sup>86</sup> and any form of opposition, the Egyptian government effectively silenced actors defending religious minorities and religious freedom in Egypt. Progression towards full enjoyment of religious freedom is hesitant at best, and the current situation does not have any sign of improvement.

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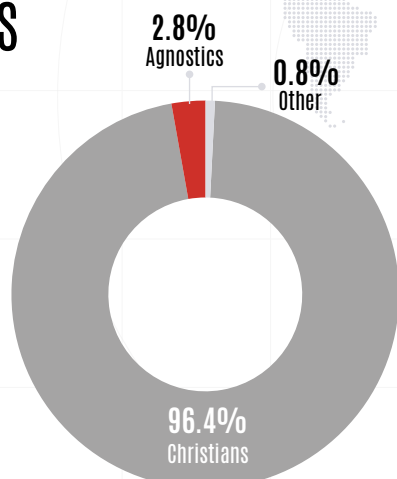
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# EL SALVADOR

## RELIGIONS



Population  
**6,479,066**  
GDP per capita  
**7,292 US\$**



Area  
**21,041 Km<sup>2</sup>**  
GINI INDEX\*  
**38.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution of El Salvador<sup>1</sup> declares trust in God, respect for the dignity of the human person and encourages freedom and justice. Everyone is equal before the law (Article 3). The Constitution bans discrimination on religious grounds (Article 6).

Article 3 guarantees that “no restrictions shall be established that are based on differences of nationality, race, sex or religion.” With respect to freedom of expression, Article 6 prohibits media companies from discriminating on the basis of “the political or religious character of what is published.” In relation to the right of association, Article 7 bans “armed groups of a political, religious or guild character”. Regarding the workplace, Article 38 bans discrimination based on creed. Finally, Article 47 guarantees the right of association of employers and workers, without distinction of creed.

Article 25 of the Constitution guarantees “the free exercise of all religions, without other restrictions than those required by the moral and the public order [ . . . ]

.]. No religious act shall serve as evidence of the civil status of persons.”

The “juridical personality of the Catholic Church is recognized” in Article 26, which also states that “other churches may obtain recognition of their personality in conformity with the law.”

With respect to regulating freedom of worship, the Constitution guarantees in Article 29 that religious meetings or associations cannot be suspended even under emergency conditions.

According to Article 82, members of the clergy “may not belong to political parties nor opt for popularly elected positions.”

Article 108 states that “No civil or ecclesiastical corporation or foundation [ . . . ] shall have legal capacity to preserve or administer real estate (bienes raíces), with the exception of those immediately and directly destined to the service or objective of the institution.”

Article 231 stipulates that “Churches and their dependencies immediately and directly designated for religious service are exempt from taxes on real property.”



Concerning education, Article 54 of the Constitution guarantees the right to establish private schools, including schools run by religious groups. Article 55 gives parents the right to choose their children's education. Article 58 states that, "No educational establishment shall refuse to accept students because of the marital status of their parents or guardians, nor for social, religious, racial, or political differences."

According to the Law on Educational Establishments, the educational function of the Catholic Church is of great importance because of its contribution to the educational policies of the state. For this reason, the law recognises the organisation of educational establishments that depend upon the Church and allows them to enhance the study plans of the schools under its jurisdiction, in accordance with its principles.<sup>2</sup>

The Ministry of the Interior has the power to register, regulate and supervise the finances of non-governmental organisations, non-Catholic Churches and other religious groups. The law exempts the Catholic Church from registering, since it is constitutionally recognised. Foreign religious groups must obtain a special residence visa to engage in religious activities and cannot proselytise if their members are in the country on tourist visas.<sup>3</sup>

31st October is recognised by El Salvador's National Assembly as the National Day of the Salvadoran Evangelical Church.<sup>4</sup>

## INCIDENTS AND DEVELOPMENTS

In El Salvador gang violence is pervasive with a consequent impact on all sectors of civil society. In the period under review, Church leaders continued to voice concern that, although not only religiously motivated, criminal gangs targeted religious communities through extortion and violence against clergy and faithful alike.<sup>5</sup>

Gang leaders allowed members to leave the gang structure - normally a life commitment - only in the case of joining a Church. This, however, provoked a backlash and according to media reports, "MS-13 and Barrio 18 gang members beat and killed pastors who actively encouraged gang members to leave their gangs".<sup>6</sup>

On 15th July, 2018, local media reported that Protestant pastor Jose Isaac Garcia Zaldana was killed by

MS-13 gang members after he reportedly "convinced approximately six gang members to leave the gang and join his congregation".<sup>7</sup>

In July 2018, a video shot during the gay pride march shows activists calling for the burning of the Catholic Bishops' Conference of El Salvador.<sup>8</sup>

In October 2018, the Church of Jesus Christ of Latter-day Saints, together "with representatives of different religions and members of the Legislative Assembly", held a discussion on freedom of religion.<sup>9</sup>

The priests Father Osmir Vasquez and Father Cecilio Perez were assassinated on 29th March 2018 and 18th May 2019, respectively. The crimes were denounced by the Catholic Bishops' Conference. To date the investigation by the authorities has failed to find the assailants.<sup>10</sup>

The National Assembly adopted a number of tax breaks for various Churches: a tax abatement for the 27th anniversary celebrations of the Kerygma Catholic Ministry (May 2019);<sup>11</sup> a Catholic Church tax relief on 36,000 litres of imported wine for consecration;<sup>12</sup> the donation of property to the Franciscan Sisters (June 2019);<sup>13</sup> an exemption for the Kemuel Levantados por Dios Church on a donation received from abroad to help people affected by the pandemic (September 2020).<sup>14</sup>

In February 2020, the Vatican announced the beatification of three Salvadoreans - a priest and two lay people - murdered "out of hatred for the faith" in 1977. The crimes were never investigated.<sup>15</sup>

In March 2020, constitutional guarantees for religious organisations were restricted because of the COVID-19 pandemic, including the right of assembly. Permitted by public health agencies were religious gatherings that "do not endanger" people's health.<sup>16</sup>

In August 2020, the Catholic Church announced the reopening of churches in accordance with its health protocols and the measures established by the government.<sup>17</sup>

In August 2020, Father Ricardo Cortez was assassinated. His body was found on a highway with three bullet wounds. The first clues appeared to rule out robbery as none of the priest's belongings were taken. The Catholic Bishops' Conference of El Salvador denounced the crime, demanding justice.<sup>18</sup> In addition to condemning the criminal act, the Cooperativa Sacerdotal (priestly

association) demanded that attacks against members of the clergy be stopped, as this was the third murder of a priest since 2018. The association alleges, “a plan to kill [priests] orchestrated by various players from different backgrounds as well as a pattern of premeditated criminal behaviour.”<sup>19</sup>

In September 2020, a former Deputy Minister of Public Security was sentenced to 133 years in prison for the murder of five Jesuits in 1989. The priests were mediators in the country’s civil war.<sup>20</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

El Salvador suffers an endemic history of violence, most notably as a result of the gang culture. This violence extends to the murder of clergy and faithful whether for criminal or a political motivation. In the period under review, three priests and one pastor met with violent deaths. Failure to resolve some of these cases by the authorities has not eased concerns and Church leaders continue to call for justice and accountability.

During the period in question, the situation of religious freedom remains negative because of the security concerns, which have not improved.

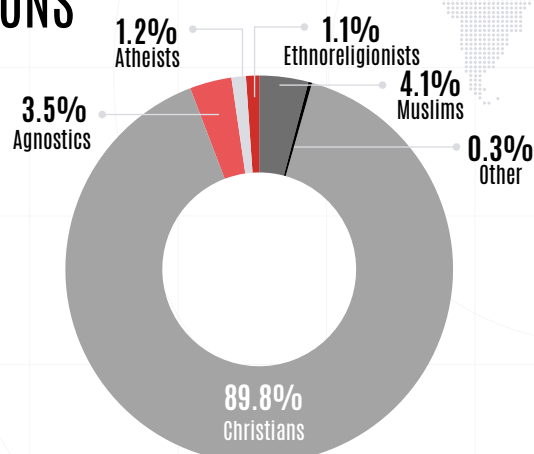
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# EQUATORIAL GUINEEA

## RELIGIONS



Population  
**1,406,280**  
GDP per capita  
**22,605 US\$**



Area  
**28,052 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Equatorial Guinea (adopted in 1995 and amended in 2012 after a referendum in 2011) guarantees freedom of religion and worship (Article 24, 4), and punishes “discrimination [. . .] on the basis of tribe, ethnicity, gender, religion, social, political or other analogous motives” (Article 15, 1).<sup>1</sup> Moreover, the constitutional text prohibits political party platforms based on religion: they must have “national character and scope” (Article 9, 2). Individuals are free to change religion. “Christians converting to Islam are permitted to add Muslim names to their Christian names on their official documents”.<sup>2</sup>

Concerning education, Article 24 (Section 4) of the constitution allows free choice in matters of religious instruction, based on the principle of freedom of conscience and religion.<sup>3</sup> The constitution also guarantees the right for organisations and individuals to establish schools, on the condition of “being subject to the official pedagogical plan” (Article 24, Section 3). In public schools, the study of religion is optional and may be replaced by a civil or social education course.<sup>4</sup> Several religious groups, mainly Catholics and Protestants, operate both primary and sec-

ondary schools.<sup>5</sup>

A 1991 law, which was incorporated into a presidential decree the following year, sets out the rules for the registration of religious groups. It also officially sanctioned preferential treatment of the country’s established churches, i.e. the Catholic Church and the Reformed Church of Equatorial Guinea, neither of which is required to obtain state registration.<sup>6</sup> In practice, this preferential treatment is revealed by the inclusion of the Catholic Mass in all official ceremonies, particularly during celebrations of the anniversary of the 1979 coup d’état, Independence Day and the President’s Birthday.

All other religious groups are required to register by making a written request to the Ministry of Justice, Religious Affairs and Prisons. The evaluation of this request is entrusted to the Ministry’s director-general.<sup>7</sup> Some religious groups, including Muslims and Baha’is, need to register only once. Other, newer denominations may have to periodically renew their registration. Unregistered groups can be fined or closed.<sup>8</sup> Religious groups that fail to register may be subject to fines. In practice, the registration process is extremely slow – in some cases it can take years. However, this is related more to red tape than explicit political bias against a particular religious group.<sup>9</sup>

In October 2012, the Government of Equatorial Guinea and the Holy See signed a concordat.<sup>10</sup> The agreement guarantees the legal personality of the Church in the country. Moreover, it covered topics such as “the canonical marriage, places of worship, educational institutions, and spiritual assistance to Catholic faithful in hospitals and prisons”.<sup>11</sup>

On 4th April 2015, the Ministry of Justice, Religious Affairs and Prisons, published a decree regarding religious activities. It states that all religious activities taking place outside the hours of 6am to 9pm and those held in non-registered places of worship can only go ahead with permission from the ministry. The decree restricts religious acts or preaching in private homes and requires foreign religious representatives or authorities to obtain advance permission from the ministry to participate in religious activities.<sup>12</sup>

Many Christian celebrations such as Christmas, Holy Thursday, Good Friday, and the Immaculate Conception are national feast days. Non-Christian festivities are not national holidays.

from the government. Several government ministers and the president attended Catholic religious services. The latter continue to be a regular feature of all major events, such as National Day on 12th October and the President's Birthday on 5th June. Last year, Muslims observed the month of Ramadan publicly, with a final celebration on Malabo's seafront on 4th July.<sup>13</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

During the reporting period, the state of freedom of religion neither improved nor worsened in Equatorial Guinea. The situation remained stable, a trend that is likely to continue. Concerning the political situation, Equatorial Guinea has one of the most repressive political regimes in Africa. The president of the country, Obiang Nguema, seized power in 1979, which makes him Africa's longest serving leader. Human rights organisations have described him as “one of Africa's most brutal dictators”.<sup>14</sup> There are no signs of political changes in the foreseeable future.

## INCIDENTS AND DEVELOPMENTS

During the reporting period, there were no significant incidents affecting religious freedom in the country. The Catholic Church continues to receive preferential treatment

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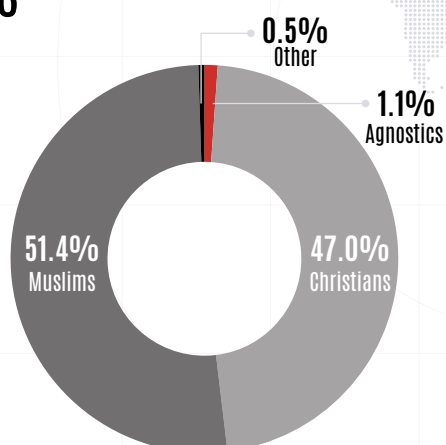
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# ERITREA

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In 1997, four years after its independence, Eritrea's National Assembly approved the country's constitution. Article 19 (1) states: "Every person shall have the right to freedom of thought, conscience and belief." Article 19 (4) further adds: "Every person shall have the freedom to practice any religion and to manifest such practice."<sup>1</sup>

However, the constitution as such has never been implemented, and the authorities have always governed by decree. In one such decree, issued in 1995, the government recognises only four religious communities, namely the Eritrean Orthodox Tewahedo Church, the Evangelical Lutheran Church of Eritrea, the Catholic Church, and Sunni Islam.<sup>2</sup> Other religions are not allowed and are considered illegal.<sup>3</sup> Furthermore, the religions that are allowed to operate, do so under certain restrictions.<sup>4</sup>

Generally, the government keeps strong control on all Christian churches, with some exceptions, and on the Muslim community. The ruling party, the People's

Front for Democracy and Justice (PFDJ), appoints the top leaders of the Muslim community and the Orthodox Church. The government also pays the salaries of top Church officials and controls their means of transport, including fuel rations, as well as their activities and financial resources. By contrast, the Catholic Church and the Lutheran Church have maintained a certain degree of autonomy.

The country's four authorised religious communities still require permission from the Office of Religious Affairs to print and distribute religious literature among their faithful.<sup>5</sup> Religious leaders and religious media are not allowed to comment on political matters. To assure compliance, every year the Office of Religious Affairs reiterates to Church leaders the provision contained in the decree of 1995 with regard to religious organisations.<sup>6</sup> The religious leaders are required to submit reports about their activities to the government every six months. The Office also forbids the four recognised religions from accepting funds from abroad; this restricts financial resources to monies generated locally generally limiting religious activities to worship. The decree further states that if the churches wish to engage in social works, they must register as NGOs and concede the supervision of their funding from abroad to the au-

thorities.

The registration procedure that non-recognised religious communities have to follow is complex and leaves the door open to harassment of the affected groups.

## INCIDENTS AND DEVELOPMENTS

Because of government restrictions, strict media control, and an “extremely secretive society,”<sup>7</sup> it is difficult to find reliable information about the current situation of religious freedom in Eritrea. The lack of government transparency and a fear of reprisal for those who would testify make it equally hard to know how many people have been imprisoned for their faith. Those who appear to suffer the most, however, are members of the unrecognized religious groups - the majority belonging to Pentecostal or Evangelical communities although Muslims are also known to suffer detention and abuse - who reported instances of imprisonment and deaths in custody due to mistreatment. Human rights observers calculate that in 2018 some 345 Church leaders were imprisoned without charges or trial and the number of lay faithful incarcerated is estimated to be between 800 to 2000.<sup>8</sup> In prison, “praying aloud, singing, preaching, and possessing religious books”<sup>9</sup> is banned.

The majority of places of worship not affiliated with the four officially registered religions remained closed, even though some unregistered Greek Orthodox and Jewish groups continued to use various existing religious buildings in Asmara.<sup>10</sup>

Christians have been detained just for gathering and participating in ceremonies. Police have conducted raids in homes arresting believers of non-recognised religions gathered to pray; release from imprisonment is conditional on the repudiation of their faith.<sup>11</sup> In March 2018, 35 Christians held in prison for four years were released under certain conditions, namely that they “no longer attend meetings or worship services of their Churches”.<sup>12</sup> Some were told to renounce their faith or join the Eritrean Orthodox Church; if they did not, they would be transferred to a place with worse conditions.<sup>13</sup>

Some 53 Jehovah’s Witnesses were detained after refusing to renounce their faith or do their military service.<sup>14</sup> An unreported number of Muslims also remained in detention after being arrested in protests in October 2017 and March 2018 in Asmara.<sup>15</sup> The Patriarch of the

Eritrean Orthodox Church, Abune Antonios, continues to remain under house arrest throughout 2019, incarcerated in 2006 for protesting the government’s interference in Church affairs.<sup>16</sup>

In October 2017, a private Muslim educational establishment, al Diaa Islamic Secondary School, was shut down by the authorities provoking unprecedented protests in the capital. The principal, Haji Musa Mohammed Nur, along with other colleagues, was arrested for opposing the closing; he died in detention in March 2018. The school was later allowed to reopen.<sup>17</sup>

In the summer of 2019, about 150 Christians were arrested because of their faith;<sup>18</sup> the first 70 on 23 June 2019 in Keren. In addition to the 150, many more were brought before a judge to renounce their faith, more specifically, to “renounce Christ.”<sup>19</sup>

In April of 2020, 15 Christians were detained at a prayer service in the region of Asmara as they attended a worship service in a private home. They were incarcerated in the Mai Serwa Prison, infamous for its inhumane conditions.<sup>20</sup> In June of 2020 a group of 30 Christians and non-Christians, was detained at a wedding of a Christian couple.<sup>21</sup>

In an April 2020 statement, Daniela Kravetz, the UN Special Rapporteur on human rights in Eritrea, reported that in 2019 alone over 200 individuals were imprisoned because of their faith.<sup>22</sup>

Despite being one of the four registered communities, the Catholic Church is also under pressure and frequently attacked. In mid-June 2019, the Eritrean military forcibly closed down more than 20 Catholic health facilities<sup>23</sup>. According to local witnesses, the authorities destroyed windows and doors, and harassed staff and patients. A Franciscan sister, the director of a hospital in northern Eritrea, was arrested when she resisted the closure.<sup>24</sup>

In September 2019, authorities shut down eight schools - one of these the well-known Saint-Joseph Catholic School in the city of Keren.<sup>25</sup> In the same month, the Catholic Bishops’ Conference wrote a letter to the Minister of Education, Semere Re’esom, protesting against the closure of Catholic schools, noting “if this is not hate against religion, what is this?”<sup>26</sup>

The authorities said that the Christian and Muslim schools were shut down because of rules adopted in 1995, limiting the activities of religious organisations.<sup>27</sup>

Observers suggest that the closing of clinics and schools is a consequence of the government seeking sole control of the social sector.<sup>28</sup>

In February 2020, the government refused a delegation of the Catholic Church of Ethiopia to enter the country.<sup>29</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Even though granted in the constitution, Eritrea's authoritarian government does not allow freedom of religious belief and the country suffers one of the worst records for religious freedom in the world. The authorities deny most Eritreans their civil and political rights and as a result, thousands are trying to emigrate. With crackdowns and arbitrary detention on members of non-recognised religious groups commonplace, and increasing restrictions on authorised groups - for example the recent closure of Catholic schools and health centres - the situation of freedom of religion is dire and does not seem likely to improve in the near future.

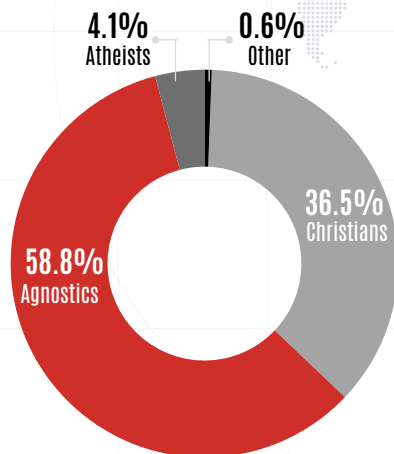
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# ESTONIA

## RELIGIONS



Population

**1,300,559**



GDP per capita

**29,481 US\$**



Area

**45,227 Km²**



GINI INDEX\*

**30.4**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 40 of the Estonian Constitution provides that there is no state Church and declares that everyone is free to belong to any religious group and practise any religion, on their own and with others, publicly or privately, except if it is “detrimental to public order, health or morals.”<sup>1</sup> Article 12 bans inciting religious hatred, violence or discrimination. According to article 124, conscientious objectors have the constitutional right to refuse military service on religious grounds but they are required by law to perform an alternative service.

The 2002 Churches and Congregations Act regulates the activities of religious associations and societies.<sup>2</sup> Religious associations are defined as “churches, congregations, associations of congregations and monasteries” (Section 2, 1). Religious societies are defined as “voluntary associations” whose main activities are religious or ecumenical in nature relating to “morals, ethics, education, culture, confessional or ecumenical, diaconal and social rehabilitation outside the traditional forms of religious rites of a Church or congregation and

which need not be connected with a specific church association of congregations or congregation” (Section 4, 1).

Churches, congregations and associations of congregations are obliged to set up their own management boards which must be located in Estonia “regardless of the location of its spiritual centre” (Section 6, 2). To petition for formal registration, a religious association needs a minimum of 12 adult members. Management board members must sign and notarise the application for registration, which must also contain the minutes of its constitutive meeting as well as a copy of the association’s statutes (Section 13). Registration of religious associations and societies falls under the Non-profit Associations Act (Sections 5, 2 and 4, 2). This gives registered religious associations and societies certain tax breaks.<sup>3</sup> There are more than 500 registered religious associations in Estonia.<sup>4</sup> Unregistered religious associations can conduct religious activities but cannot act as legal bodies.<sup>5</sup>

Optional religious education in municipal and state schools is non-confessional and based on a national curriculum which covers different religions and world-views.<sup>6</sup> In private schools, voluntary religious education



may be of a confessional nature.<sup>7</sup>

As the “bearers of historical and cultural tradition”, all religious associations may apply for support to maintain and restore religious buildings.<sup>8</sup> According to the US State Department’s International Religious Freedom Report for 2019, the government paid €6.75 million (US\$7.58 million) to the Evangelical Lutheran Church Estonian and €1.15 million (US\$1.29 million) to the Estonian Apostolic Orthodox Church as compensation for damage to their properties during the Second World War and under Soviet occupation.<sup>9</sup> The government also provided funding to the Estonian Council of Churches, a 10-member body that includes the Lutheran Church and the country’s two Orthodox Churches.<sup>10</sup> In October 2020, the government allocated €1 million (US\$1.2 million) for the construction of a Lutheran church in Jõgeva.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

According to the Ministry of Justice, police recorded six hate crimes in 2018, five of which were related to religion, race, or origin.<sup>12</sup> The government did not report any hate crimes to the Organisation for Security and Co-operation in Europe for 2018 or 2019.<sup>13</sup>

The Foundation for Political, Economic and Social Research (SETA), a Turkish-based think tank, reported a graffiti attack on an Islamic centre in 2018.<sup>14</sup> The following year, the United Nations High Commissioner for Refugees (UNHCR) reported the physical assault of a Muslim person as well as anti-Muslim insults against an asylum seeker due to his perceived religion.<sup>15</sup>

In August 2018, the Kalevi-Liiva Holocaust Memorial was vandalised with anti-Semitic graffiti and set on fire with a blowtorch.<sup>16</sup> The incident was condemned by Estonia’s prime minister and justice minister.<sup>17</sup> Gravestones were also broken and overturned in the Rahumae Jewish Cemetery in June 2019 and swastikas were spray-painted near a bus stop.<sup>18</sup>

During a September 2018 visit to Estonia, Pope Francis urged Catholics in the country to “leave our fears behind and go forth from our safe places, because today most Estonians do not identify themselves as believers.”<sup>19</sup> Being few in numbers is a call to “bear witness as a holy people.”<sup>20</sup>

In 2019, the Holy See reported an incident in which

four tombstones and a cross were overturned in a cemetery.<sup>21</sup>

In September 2019, the Estonian Institute of Historical Memory held an international conference to commemorate the 75th anniversary of the massacre of approximately 2,000 Jews at the Klooga concentration camp.<sup>22</sup> In 2020, a memorial ceremony was organised by the Jewish Community of Estonia.<sup>23</sup>

Pope Francis received the Estonian President in a private audience at the Vatican in November 2019.<sup>24</sup>

Churches in Estonia remained open during the Coronavirus pandemic in 2020, but in-person religious services were suspended from March to May.<sup>25</sup> The Estonian Islamic Centre in Tallinn cancelled its in-person Eid al-Fitr celebrations in May.<sup>26</sup> The Tallinn Synagogue delayed reopening beyond May, stating “the Jewish Law requires us to take additional precautions.”<sup>27</sup>

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As in previous years, the situation in Estonia remains stable, with no significant new or increased governmental restrictions on religious freedom, as well as few incidents of religious violence.

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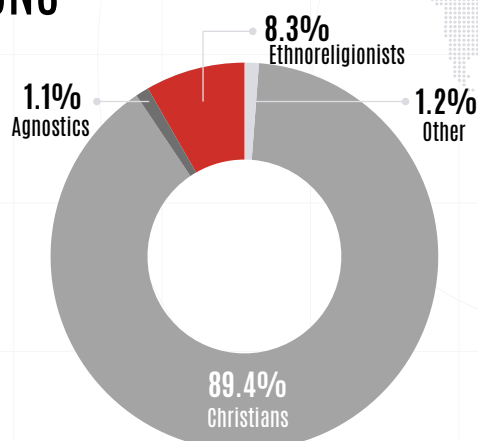
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# ESWATINI (SWAZILAND)

## RELIGIONS



Population  
**1,439,295**  
GDP per capita  
**7,739 US\$**



Area  
**17,363 Km<sup>2</sup>**  
GINI INDEX\*  
**54.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

This small landlocked country officially changed its name from Kingdom of Swaziland to Kingdom of Eswatini<sup>1</sup> (Land of the Swazis) in April 2018 by an act of King Mswati III, Africa's last absolute monarch.

The country is religiously diverse, but most Swazis are Christians: Protestants, Anglicans, Catholics, as well as African Churches. An estimated 40 per cent is thought to profess a mix of Christian and traditional African religious beliefs. In Eswatini, this hybrid form is referred to as African Zionism.<sup>2</sup>

The 2005 constitution recognises and protects freedom of religion. Article 20 (2) states: "[...] a person shall not be discriminated against on the grounds of gender, race, colour, ethnic origin, tribe, birth, creed or religion, or social or economic standing, political opinion, age or disability."<sup>3</sup> Section 3 of Article 20 notes that discrimination "means to give different treatment to different persons." Article 23 (1) includes the right to "freedom of thought, conscience and religion." The constitution also protects the "freedom of worship either alone or in community with others" Article 23 (2).<sup>4</sup>

Village chiefs exert great influence over Swazis. They are the king's representatives and therefore effectively control local government. They are the ones who approve the construction of religious buildings. It is alleged that "Fair trial rights are not respected by traditional courts, often headed by chiefs".<sup>5</sup> For this reason, it is difficult to assess the state of religious freedom in the country solely on the basis of the constitution.

Communities that define themselves as Christian must register with one of three national, non-denominational associations: the League of Churches, the Eswatini Conference of Churches and the Council of Eswatini Churches. The communities can subsequently receive recommendation for state registration and register with the Ministry of Justice.<sup>6</sup> The Council of Eswatini Churches comprises Anglicans, Mennonites, Episcopalians, Methodists and African Zionists. The Catholic Church has observer status.<sup>7</sup> The League of Churches includes Zionist and other independent, African churches.<sup>8</sup> The Eswatini Conference of Churches represents Evangelicals.<sup>9</sup> The three organisations work together in rural development projects and general mission matters.

Religious education is compulsory in Eswatini's primary and secondary schools.<sup>10</sup> In January 2017, a decree was

issued which required public schools to teach only Christianity. Religions such as Islam and Judaism were excluded from the syllabus and textbooks only mention the Bible.<sup>11</sup>

The only religious youth groups permitted in schools are Christian. Good Friday, Easter Monday, Ascension Day and Christmas Day are among the country's official holidays.<sup>12</sup>

The government and the royal family support many Christian religious activities. State radio and television broadcast for free Christian religious programs. Non-Christian groups have requested the same privilege but after years of being denied, they have stopped asking for free airtime.<sup>13</sup>

after rejecting their application to build a mosque.<sup>14</sup>

Efforts to create a Christian Bank have increased as the Christian community aspires to play a greater role in the economy of the country.<sup>15</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Generally, relations between religious groups in Swaziland are peaceful, and that is not likely to change in the near future. During the 2020 COVID-19 pandemic, several Muslim communities deemed the lockdown as a threat to their religious freedom but the health emergency does not seem to have negatively affected interfaith coexistence and harmony.

## INCIDENTS AND DEVELOPMENTS

Town Council Chairperson Sandlane Zwane was accused of xenophobic behaviour towards the Muslim community

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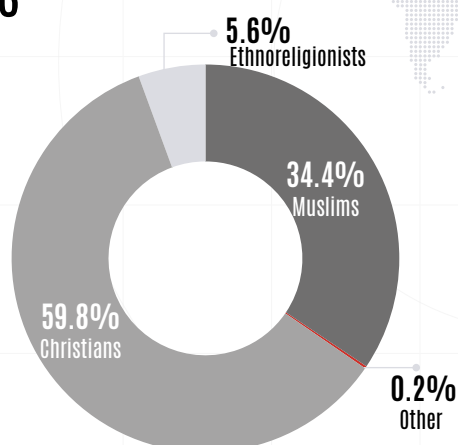
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# ETHIOPIA

## RELIGIONS



Population  
**112,759,070**



GDP per capita  
**1,730 US\$**



Area  
**1,104,300 Km<sup>2</sup>**



GINI INDEX\*  
**35**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Ethiopia of 1993 enshrines, in Article 11 (1 and 2), the principle of separation between state and religion. Article 11 (3) further adds that no religion shall be considered as official and that the state shall not interfere in religious matters nor will any religious denomination interfere in state affairs. Article 27 (1) acknowledges the freedom of conscience and religion of all Ethiopian citizens, including the freedom, “either individually or in community with others, in public or in private, to manifest one’s religion or belief in worship, observance, practice and teaching.” Article 27 (2 and 3) also asserts the right of individuals to disseminate their beliefs and to convert to another faith, as well as the right of parents to educate their children in the religion they practise.<sup>1</sup>

The preamble of the Constitution expresses the conviction that the “even development of the various cultures and religions” is one of the indispensable conditions to “ensure a lasting peace, an irreversible and thriving democracy and an accelerated economic and social development for our country, Ethiopia”.

The Constitution prohibits religious teaching in all schools,

both public and private. Article 90 (2) states: “Education shall be conducted in a manner which is, in all respects, free from religion, [as well as] political or cultural influences.” Religious instruction is permitted by churches and mosques.<sup>2</sup>

The law prohibits the formation of political parties based on religion.<sup>3</sup>

Under a law introduced in February 2009 called the Charities and Societies Proclamation,<sup>4</sup> all Churches and religious groups are considered charity organisations, and, as such, are required, in order to be recognised as a juridical body, to submit a request for registration within the Ministry of Justice. They must renew this application every three years. In the absence of such registration, they cannot engage in activities such as opening a bank account or obtaining legal representation. The Ethiopian Orthodox Church (EOC) and the Ethiopian Islamic Affairs Supreme Council (EIASC) are exempt from this three-yearly renewal process. Churches and other agencies specialising in charitable and development work are required to register with the Charities and Societies Agency, separately from the religious body to which they belong, and are thus subject to existing legislation on NGOs. There is a limit of 10 percent on funding received from abroad.<sup>5</sup>

Applications to register as a religious group fall under the Directorate of Faith and Religious Affairs of the Ministry of

Peace. Registering provides religious organisations a legal status that gives them the right to congregate, to obtain land to build places of worship and to build cemeteries.<sup>6</sup> Religious groups must, then, provide annual reports and financial statements.

The Ethiopian Orthodox Church, which is the largest single religious denomination (44 percent), is particularly dominant in the Tigray and Amhara regions and in some parts of Oromia. Meanwhile Sunni Muslims, who represent about a third of all Ethiopians, are dominant in the Oromia, Somali and Afar regions. Evangelical and Pentecostal Christians represent around 19 percent of the population and are most strongly concentrated in the south-west.<sup>7</sup>

A 2008 law makes it a criminal offence to incite hostility between religions by means of the media,<sup>8</sup> as well as to engage in blasphemy and the defamation of religious leaders.<sup>9</sup> Various government and civil society initiatives have sought to promote harmonious coexistence between religions and to prevent and solve conflicts related to religion. The government has created the National Interfaith Peace Council,<sup>10</sup> which works with regional governments to foster religious coexistence.

The government does not grant permanent visas to foreign religious workers unless they are involved in development projects managed by registered NGOs affiliated to the Church to which they belong. This policy is not normally applied in the case of the Ethiopian Orthodox Church. Since the Catholic Church is considered a charity, foreign religious personnel are not allowed to retire in Ethiopia and usually continue to work beyond the age of 65. At the start of 2018, the authorities stopped renewing work permits for anyone over 65. Although similar situations have always been solved successfully in the past, some sources in the Catholic Church have expressed uneasiness about what they see as a lack of a clear policy regarding this issue.<sup>11</sup>

Regarding conflict resolution according to the law, if both parties are Muslim and consent to it, they are allowed to resort to Sharia courts to resolve personal status cases.<sup>12</sup>

Abiy Ahmed has been the country's prime minister since April 2018; he has continuously worked towards achieving peace and international cooperation. His main efforts were directed towards resolving the border conflict with Eritrea. For that he was awarded with the Nobel Peace Prize for 2019.<sup>13</sup> The new prime minister has brought a new era to the country by freeing political prisoners, inviting exiled political leaders and exiled religious scholars back to the country,<sup>14</sup> opening ac-

cess to closed television channels and media outlets, creating discussions on religious tolerance and radicalisation, and supporting the reconciliation within the Ethiopian Orthodox Church or within the Muslim community.<sup>15</sup>

The government officially recognises both Christian and Muslim observance days and mandates a two-hour lunch break for Muslims to go to the mosque for Friday prayer. Private companies are not required to apply this policy.<sup>16</sup> Official holidays include: Christmas, Epiphany, Good Friday, Easter, Meskel, Eid al-Adha, the Birth of the Prophet Muhammad, and Eid al-Fitr.<sup>17</sup>

## INCIDENTS AND DEVELOPMENTS

In June 2018, 20 Christians were killed in the Bale Goba area of Oromia. A local source said that it occurred after the group had opposed the plan for a monument dedicated to a Muslim leader.<sup>18</sup>

Since July 2018, about 30 churches that belong to the Ethiopian Orthodox Tewahedo Church were attacked, half of them completely burned down. The NGO International Christian Concern reports that the number of cases is possibly much higher.<sup>19</sup> In August 2018, 15 priests of the Orthodox Church were killed and 10 of their churches damaged in the eastern Somali region. Furthermore, nine churches were looted or vandalised and 30 people killed, even though local sources stated the death toll could be as high as 50.<sup>20</sup>

Twenty-six years of schism in the Ethiopian Orthodox Church ended in August 2018 after the reconciliation of Patriarch Abune Merkorios and Patriarch Abune Mathias.<sup>21</sup> Prime Minister Abiy played an important role in the reconciliation process. He also initiated an effort to resolve the disputes between the Ethiopian Islamic Affairs Supreme Council (EIASC) and the Ethiopian Muslim Arbitration Committee.<sup>22</sup>

August 2018 was also key for the Ethiopian Orthodox Diocese of Addis Ababa, when 300 of its priests were reinstated after they had been suspended in 2016 by the diocesan leadership.<sup>23</sup>

Tensions were still reported between Protestants and Orthodox Christians. Some Muslims continued to complain about the government's increasing interference in religious affairs, stating that the EIASC, which manages 40,000 mosques in the country, lacked autonomy from the government. However, Prime Minister Abiy's government has been improving the relationship with the Muslim community. Between February and May 2018, a dozen Muslim activists were released from

prison. They had been arrested in 2015 following a new anti-terrorist law.<sup>24</sup>

In January 2019, 34 bodies of Ethiopian Christians were found in Libya, murdered in 2015 by the Islamic State.<sup>25</sup>

In February 2019, three mosques were torched in the South Gondar region. The leader of EIASC condemned the attacks and stated that such behaviour did not represent either Christians or Muslims. Previously that month, seven churches had been destroyed and torched by radical Muslims in the southern region of Halaba Kulito.<sup>26</sup>

In June 2019, tensions arose regarding a request to build a Mosque in Aksum, a historical city and capital of an ancient kingdom where most residents belong to the Ethiopian Orthodox Church.<sup>27</sup> The city is considered to be a sacred place for Orthodox Christians.<sup>28</sup>

In August 2019, a police officer was dismissed, arrested and advised to move to another part of the country after talking with his colleagues about Christianity. He had converted from Islam two years before.<sup>29</sup>

In October 2019, clashes between protestors and security forces around the capital Addis Ababa and in the Oromia region left 86 people dead. Prime Minister Abiy said that, among the dead, 40 were Christians and 36 Muslims. Leaders of the Orthodox Christian Church accused the government of not protecting its followers and Pope Francis said he was troubled by the attacks on the Orthodox Christians of Ethiopia.<sup>30</sup>

There was a clash between the state and the Ethiopian Church Congregation in November 2019, with the authorities disrupting Christian gatherings, asking them to move 50 miles to the southwestern city of Gonda.<sup>31</sup> After the group refused to move, the police arrested members and leaders of the congregation. Those arrested had to sign forms stating that they would never meet again in Debark locality before they were released.

In December 2019, thousands of Ethiopian Muslims took to the streets to protest against the burning of four mosques in the Amhara region.<sup>32</sup>

On 4th February 2020, the police attempted to demolish a church built on a disputed plot of land the ownership of which the Ethiopian Orthodox Church claimed. Members of the church protested and tried to resist the demolition, resulting in 17 wounded and three dead.<sup>33</sup>

Violent conflict in the northern Tigray region began in November 2020 between the Tigray People's Liberation Front

(TPLF) and the government. During the first weeks of the conflict, hundreds were killed and thousands fled to Sudan seeking refuge. Pope Francis called for "dialogue and a peaceful resolution of discord"<sup>34</sup> and the Ethiopian bishops lamented that the tensions had escalated despite the religious leaders' efforts to lessen the conflict<sup>35</sup>.

Amid the coronavirus crisis, authorities banned large gatherings, including religious services. Some religious leaders, however, kept places of worship open providing guidelines on how to worship safely.<sup>36</sup> On 15th May 2020 the Ethiopian Orthodox Church reopened all its churches taking all the appropriate security measures.<sup>37</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Given the context of ethnic violence and political factionalism that has resulted in religious buildings being targeted and leaders killed, the status of religious freedom in the country has deteriorated significantly since the previous report. Religion is very important in Ethiopia, where around 98% of the population claims to have a religious affiliation.

The Ethiopian Orthodox Tewahedo Church (EOTC), which is followed by around half of the population, is not only a religious organisation but is also very closely linked to the history of the country and the identity of Ethiopians. As such, the impact that the burning of religious buildings has on the population cannot be underestimated. Whether killings and attacks on churches and mosques are the cause or a consequence of the ongoing ethnic and political tension, the net result could be an escalation of violence if nothing is done.

The deadly fighting that began in November 2020 in the Tigray region between the Tigray leadership and the central government raises concerns about the consequences on religious freedom for the population. Furthermore, Ethiopia is key to the stability of the region and a conflict could potentially endanger the situation in neighbouring countries. As the situation began to escalate, the government withdrew troops from Somalia, where they were combatting the Al-Shabaab terrorist group through an African Union mission<sup>38</sup> demonstrating the negative influence of the civil violence on the wider region in the Horn of Africa.

It remains to be seen whether elections, originally set for August 2020 but rescheduled for 2021 because of the COVID-19 pandemic, will stabilise the country or worsen the situation.

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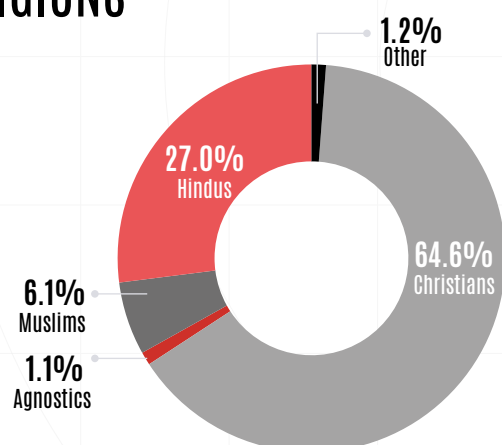
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# FIJI

## RELIGIONS



Population  
**924,915**  
GDP per capita  
**8,703 US\$**



Area  
**18,272 Km<sup>2</sup>**  
GINI INDEX\*  
**36.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In Fiji, religion is closely related to ethnicity. About 55% of the population is made up of indigenous Fijians (iTaukei) who are mostly Christian, while Indo-Fijians, the second largest ethnic group (37.5%), are mainly Hindu with a large Muslim component. Around a third of Fiji's population is Methodist.<sup>1</sup>

Fiji is a secular state under the 2013 constitution, which provides for the separation of state and religion (Section 4, 3) as well as freedom of religion, conscience, and belief (Section 4, 3). The constitution prohibits discrimination based on religion and criminalises incitement of hatred, including on religious grounds (Section 17, 2, c, I, and Section 26, 3, a).<sup>2</sup>

The principle of religious freedom is generally respected, with the authorities requiring religious groups to register.<sup>3</sup>

Non-compulsory religious instruction is permitted, but religious groups may run their own schools provided they maintain the standards prescribed by law. Property is held by religious groups through trustees, after registration with

the government.<sup>4</sup>

In August 2018, Fiji ratified the International Covenant on Civil and Political Rights (ICCPR), which took effect in November of the same year.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

In October 2018, the Fiji Times reported that, for most political parties involved in the campaign leading up to the November general elections, "race and religion are issues that matter to the people and are raised and expressed by the people."<sup>6</sup> Sitiveni Rabuka, the leader of the opposition Social Democratic Liberal Party (SODELPA), said that Prime Minister Voreqe Bainimarama was wrong to suggest that SODELPA was ethnocentric, only for the mostly Christian iTaukei.<sup>7</sup>

According to the Fiji Sun, in July 2018, 60 per cent of a thousand people interviewed agreed that "the opposition was using race or religion in their campaigns."<sup>8</sup> It was also reported that a Nukuloa resident, Jashwant Lal, had noted that a provisional candidate of the opposition National Federation Party had visited him and said that "If [the governing party] Fiji First wins, [Attorney General] Aiyaz Sayed-Khaiyum will make everyone a Muslim."<sup>9</sup>



There were also allegations that three other NFP provisional candidates “had expressed anti-Muslim sentiments in their political campaigns.”<sup>10</sup> The candidates denied the allegations, and the chairperson of the Electoral Commission stated that such behaviour would not be tolerated.<sup>11</sup>

The Fiji Sun also reported that there was a general increase in anti-Muslim social media posts leading up to the 14th November 2018 elections.<sup>12</sup>

Regarding the COVID-19 pandemic, as a small island nation, Fiji has been well positioned geographically to handle it. As of 8th September 2020, it has reported zero deaths and only 32 cases, with eight still active.<sup>13</sup>

Nevertheless, like in the rest of the world, the virus has also had an impact: a devastated tourism and travel market,<sup>14</sup> disrupted supply chains,<sup>15</sup> and a rise in domestic violence,<sup>16</sup> etc. At the onset of the pandemic, church services in Fiji were also suspended in response to the outbreak.<sup>17</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom is established and protected in Fiji, and there is little to indicate a departure from this in the near future. Still, religion, ethnicity, and politics are closely intertwined in Fijian society and it is sometimes difficult to isolate the religious and cultural elements in certain incidents.

In the not too distant past, Indo-Fijians suffered from discriminatory laws and policies; cultural tensions have also affected civil society. Now Fijians appear to have largely moved on from these problems, notwithstanding a few isolated incidents. The principle of religious freedom is regularly upheld as a great value in the public sphere.

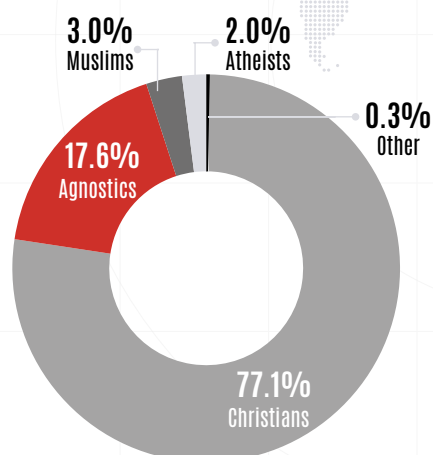
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# FINLAND

## RELIGIONS



Population  
**5,580,127**  
GDP per capita  
**40,586 US\$**



Area  
**338,440 Km<sup>2</sup>**  
GINI INDEX\*  
**27.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Finland guarantees freedom of religion and conscience, which includes the right to profess and practise a religion, to express one's beliefs and to belong, or not, to a religious community (Chapter 2, 11).<sup>1</sup> Everyone is equal before the law and discrimination based on religion is prohibited (Chapter 2, 6). Discrimination complaints can be made to the Non-Discrimination Ombudsman.<sup>2</sup>

The Criminal Code of Finland prohibits any "breach of the sanctity of religion," including public blasphemy or insulting what is held sacred by a religious community, and disturbing, interfering with, or preventing religious practices (Chapter 17, 10 and 11).<sup>3</sup>

The Criminal Code of Finland (Chapter 11, 10), conventionally called the "ethnic agitation" law, prohibits expressing opinions that threaten, insult or defame a certain group on the basis of certain characteristics, such as religion, belief, and sexual orientation.<sup>4</sup>

The Act on the Freedom of Religion<sup>5</sup> applies to the Evan-

gelical Lutheran Church of Finland (ELC), the Orthodox Church of Finland (OCF), and registered religious communities (Chapter 1, 2), such as the Jehovah's Witnesses, the Evangelical Free Church of Finland, and the Catholic Church.<sup>6</sup>

Religion can be practised without registration, but the latter is required to be eligible for government funds.<sup>7</sup> To register, a community must have at least twenty members, a religious purpose, and written by-laws (Chapter 2, 8 and 9).<sup>8</sup>

Members of the ELC or the OCF are obligated to pay a church tax, while other religious communities are not permitted to tax their members.<sup>9</sup> The ELC receives state funding to carry out its statutory duties, and the OCF and other registered religious communities receive government grants.<sup>10</sup>

In 2017, Finland's only Catholic diocese was ordered to hire its former volunteer priests as workers in order to pay taxes and employee benefits. Raimo Goyarolla, the administrator of the Helsinki diocese, said this policy change left the diocese as "one of the poorest in Europe". "We had to demolish the diocesan centre for retreats and summer camps, and many experts advise us to shut down three of the eight parishes."<sup>11</sup>

The religious affiliation of children under 12 years is decided jointly by the parents or legal guardians; the religious affiliation of children between 12 and 15 years may only be changed with the consent of both the child and the parents or legal guardians.<sup>12</sup>

Religious education is mandatory and students are given religious instruction in accordance with their registered religions, while others can choose between religious education or secular ethics.<sup>13</sup>

The Animal Welfare Act allows some religious slaughter to stun and bleed animals simultaneously.<sup>14</sup>

Conscientious objection to military service on religious grounds is permitted, provided that objectors complete alternative civilian service. Failure to serve can result in imprisonment.

In February 2019, Finnish lawmakers ended the blanket exemption from both military and civilian service for Jehovah's Witnesses after a 2018 court ruling deemed the practice discriminatory to other objectors.<sup>15</sup>

## INCIDENTS AND DEVELOPMENTS

According to the 2018 Hate Crime Reporting database, there were 65 crimes motivated by anti-Christian bias (31 physical assaults, 29 threats/threatening behaviour, three incidents of damage to property, and two attacks on places of worship).<sup>16</sup> A total of 46 crimes were reported the year before.<sup>17</sup>

A church in eastern Finland was burned to the ground by an arsonist in September 2018.<sup>18</sup> Arson was suspected in a July 2019 fire on church property in Hyvinkää.<sup>19</sup>

A Christian Finnish parliamentarian was the subject of a criminal investigation and was questioned by police under Chapter 11, Section 10 of the Criminal Code of Finland,<sup>20</sup> the so-called "ethnic agitation law", for authoring a church pamphlet in 2004 and speaking publicly in 2019 and 2020 about her Christian perspective on the biblical view of human sexuality. Her remarks were deemed an insult to homosexuals.<sup>21</sup>

Official figures from the Hate Crime Reporting database for 2018 indicate 21 crimes motivated by anti-Semitism (2 physical assaults, 15 incitements to violence/threats/threatening behaviour, and 4 cases of vandalism/damage to property).<sup>22</sup> In 2017, Finland reported 9 anti-Semitic crimes.<sup>23</sup>

There was reportedly a spike in anti-Semitic attacks in Finland in 2019. In November 2019, anti-Semitic stickers were "plastered across the city" of Helsinki on the anniversary of Kristallnacht<sup>24</sup>, also known as the Night of Broken Glass, when an anti-Jewish pogrom was carried out across Nazi Germany on 9–10 November 1938. Ostensibly, the stickers were part of a coordinated plan by Nordic neo-Nazi groups. Politicians and community leaders held a rally in solidarity with the Jewish community.<sup>25</sup>

In February 2020, President Sauli Niinistö condemned rising anti-Semitism and racism in the country, citing two incidents (vandalism of the Turku synagogue and the burning of an Israeli flag by a neo-Nazi group) on International Holocaust Remembrance Day.<sup>26</sup>

According to the 2018 Hate Crime Reporting database, 50 crimes were motivated by anti-Muslim bias, including hate crime "committed between Shia and Sunni Muslims" (20 physical assaults, 19 incitements to violence/threats/threatening behaviour, 8 incidents of damage to property, and 3 disturbances of the peace).<sup>27</sup> This figure was significantly lower than the 137 crimes reported in 2017.<sup>28</sup>

In December 2018, a 10-year-old Muslim girl was reportedly attacked by classmates for wearing a hijab at school.<sup>29</sup>

After the 15th March 2019 attacks on mosques in Christchurch, New Zealand, the Helsinki mosque was vandalised with anti-Muslim graffiti.<sup>30</sup> A smoke bomb was thrown through a window of the Oulu mosque of the Islamic Society of Northern Finland in February 2019, "the ninth time that mosque had been vandalised within one year," the mosque's imam said.<sup>31</sup> Other incidents included vandalism against property and destruction of frozen halal meat.<sup>32</sup>

A Russian-speaking man from Latvia was arrested in October 2018 on charges of plotting to detonate homemade bombs during 2018 New Year's Eve celebrations in Helsinki. The prosecution said that his planned targets included "foreigners and Muslims".<sup>33</sup>

According to the U.S. Office of International Religious Freedom, "NGOs working with migrants, including the Finnish Refugee Advice Centre and Amnesty, continued to raise concerns about the ability of religious minorities housed in migrant reception centers to worship without harassment by other migrants held within the same center."<sup>34</sup>

As a result of the COVID-19 pandemic, Finland imposed tight restrictions on religious activities,<sup>35</sup> suspending public celebrations but allowing for private prayer in places of

worship.<sup>36</sup> This affected Ramadan (24 April-23 May), Easter (5-12 April), and Passover (8-16 April). Finland's approach was described as "high" (compared to "very high," "moderate," or "low").<sup>37</sup> Due to massive layoffs related to the virus, it is estimated the ELC could see a five per cent decrease in church tax revenue, amounting to a decrease of around 44 million euros (US\$ 51 million).<sup>38</sup>

In January 2020, Pope Francis received an ecumenical delegation from Finland,<sup>39</sup> including Helsinki's Lutheran bishop and members of the country's Roman Catholic and Orthodox Churches, as part of an annual tradition to celebrate Saint Henrik, Finland's patron saint.<sup>40</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review, but freedom of expression could be at risk through the use of the "ethnic agitation" law. The rise in anti-Semitic hate crimes is of concern, but political leaders are addressing the issue by holding perpetrators accountable under the law.

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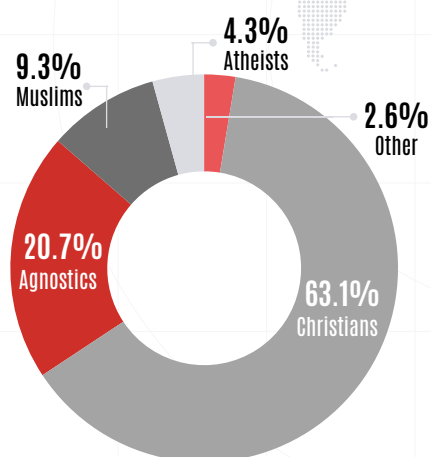
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# FRANCE

## RELIGIONS



Population  
**65,721,165**  
GDP per capita  
**38,606 US\$**



Area  
**551,500 Km<sup>2</sup>**  
GINI INDEX\*  
**31.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The French Constitution<sup>1</sup> establishes the country as a secular state: “France shall be an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs” (Article 1).

The 9th December 1905 Law<sup>2</sup> regarding the separation of state and religions is the cornerstone of the French principle of “laïcité”. Article 1 reads: “The Republic ensures the liberty of conscience. It guarantees the free exercise of religion, under restrictions prescribed by the interest in public order.” Article 2 provides: “The Republic does not recognise, remunerate, or subsidise any religious denomination.” The law does not apply in three departments in the Alsace-Moselle region, which are still governed by the Concordat of 1801.<sup>3</sup>

The state owns and is responsible for the maintenance of all places of worship built before 1905. Eighty-seven out of 154 cathedrals (all built before 1905) in the country are owned by the French government; nearly all of the remaining 67 are owned by municipalities.<sup>4</sup> For example, the

Cathedral of Notre-Dame in Paris, which was devastated by a fire in April 2019,<sup>5</sup> is owned by the French state and its restoration is the responsibility of the government.<sup>6</sup>

Despite the separation between the state and religions, religious groups may register as associations of worship or cultural associations, or both, to receive some government benefits, such as loan guarantees or leased properties at discounted rates, and places of worship may be exempt from property taxes.<sup>7</sup>

There are three types of schools in France: free and secular public schools with the state curriculum, private schools “under contract” with the state, and private “out of contract” schools. The schools “under contract,” 97 percent of which are Catholic, receive subsidies from the state, implement the state curriculum, and accept all children regardless of their religious affiliation. The independent “out of contract” schools neither receive state assistance nor are they required to follow the state curriculum.<sup>8</sup> A 2018 law (the “Gatel Act”) increased the requirements to open and operate independent private schools, including that school directors and secondary level teachers must hold French nationality.<sup>9</sup> This requirement has been criticised as disproportionately affecting Muslim schools.<sup>10</sup>

In an October 2020 speech on the “fight against Islamic

separatism” after a series of terror attacks, French President Emmanuel Macron announced that schools would be among the areas of focus. He expressed a desire to see home-schooling banned to avoid children “outside the system” at “so-called” schools “often administrated by religious extremists.”<sup>11</sup> He referred to the “Gatel Act” regulating independent schools, saying “school must first and foremost instill the values of the Republic and not those of a religion, and educate citizens not worshippers.”<sup>12</sup>

Sweeping legislation was proposed in December 2020 - a bill “confirming respect for the principles of the Republic.”<sup>13</sup> In it, however, the government backed away from a total ban on home-schooling but proposed a number of restrictions on education including private educational institutions and home schooling (Articles 21-24). Other sections of the proposed law included stricter punishments for “provocation to acts of terrorism” (Article 3), hate speech and illegal online content (Articles 18-20), threatening civil servants (Article 4), and the dissolution of groups or closure of places of worship that seriously disturb public order or violate rights or fundamental freedoms (Articles 8 and 44). It also included a provision to prohibit health professionals from issuing “certificates of virginity” (Article 16) and protections against forced marriages (Article 17).

In Title II of the proposed law related to religion, provisions were included guaranteeing: the free exercise of worship (Article 30); increased penalties for interference with religious worship (Article 39); a simplification of the law relating to religious associations and their financing, and; increased reporting requirements for funding from outside France (Articles 26-28, 35).

The law prohibits state school students from wearing clothing or insignia that “ostensibly manifest a religious affiliation.”<sup>14</sup> In 2018, France’s National Assembly adopted a dress code barring deputies from wearing “any conspicuous religious sign, a uniform, a logo or commercial message, or political slogans.”<sup>15</sup> A 2010 law prohibits “the concealment of the face in the public space,” including wearing the niqab (which shows only the eyes) or the burqa (a full-face veil).<sup>16</sup> However, during the 2020 coronavirus pandemic, wearing face masks was mandatory for all. Some critics said this was an example of the anti-Muslim bias behind the 2010 law.<sup>17</sup>

Conscientious objection for moral or religious reasons is not recognised for pharmacists in France.<sup>18</sup> In 2020, a

bioethics bill was introduced that would loosen abortion restrictions, open assisted reproductive technology to all women, and remove an abortion-specific conscience clause. The proposal in 2019, and the 2020 bill, were met with demonstrations by pro-life and pro-family groups<sup>19</sup> and were opposed by faith leaders including the permanent council of the French Bishops Conference, the Chief Rabbi of France, and the Protestant Evangelical Committee of Human Dignity (CPDH).<sup>20</sup> Lawmakers were set to give the bill a second reading in February 2021 after review by a special bioethics committee in January.<sup>21</sup>

Catholic and pro-life activists around the world, along with French Catholic officials, expressed concern that the outcome of what became known as “L’affaire Lambert” would open the door to euthanasia in France.<sup>22</sup> The legal battle over continued treatment or withdrawal of life support from Vincent Lambert, who had been in a “vegetative state” since 2008, ended when France’s highest court ruled in July 2019 that artificial nutrition and hydration could be withdrawn. After Lambert’s death in July 2019, Pope Francis said: “Let us not build a civilization that discards persons whose lives we no longer consider to be worthy of living: every life is valuable, always.”<sup>23</sup>

## INCIDENTS AND DEVELOPMENTS

2020 was marked with several Islamist terror attacks in France that led to the legislation some see as specifically targeting Muslims. On 29th October 2020, three people were murdered in the Notre Dame de l’Assomption Basilica in Nice by a knife-wielding Tunisian man who entered France after arriving in Italy in September. Police said the man was arrested after lunging at police officers while yelling “Allahu akbar.”<sup>24</sup> That attack was preceded by the beheading of a teacher in a Paris suburb less than two weeks earlier on 16th October. Samuel Paty, a high school history teacher, was targeted with a “fatwa” after showing cartoons of the Prophet Muhammad to his students. Paty warned the class ahead of time that he would show the images so that Muslim students could leave the room to avoid offence.<sup>25</sup> On 25th September 2020, an attacker injured the victims with a meat cleaver outside the former office of Charlie Hebdo near the start of the terror trial for the Islamist attack on the magazine in 2015.<sup>26</sup>

According to Jean-François Ricard, head of the National Anti-Terrorism Prosecutor’s office, as of the end of August 2020, the government had foiled at least six terror plots

in the previous months.<sup>27</sup> More than 8,000 people were being monitored by the government for possible terrorist radicalisation, but in 2020 and 2021, many sentenced terrorist detainees were scheduled to be released.<sup>28</sup> In January 2020, a report by the French internal security service, which claimed that at least 150 neighbourhoods across France were “held” by Islamists, was leaked.<sup>29</sup>

The French Interior Ministry’s official hate crime figures for 2018 indicated that after two years of decline, the number of anti-Semitic incidents rose sharply in 2018 (from 311 to 541). At the same time, recorded anti-Muslim acts were at a ten-year low with 100 incidents. The number of anti-Christian acts was nearly the same as the previous year with 1,063 reported.<sup>30</sup> In the official data reported to the OSCE for 2018, the numbers registered were higher: 588 anti-Semitic crimes; 145 anti-Muslim crimes; and 1,944 anti-Christian crimes.<sup>31</sup>

For 2019, the number of anti-Semitic incidents rose by 27% (687 incidents, described as mostly threats, with personal attacks falling sharply); anti-Muslim acts remained relatively low (154 incidents, with 91 threats); and 1,052 anti-Christian acts were reported, the majority of which were attacks on religious property.<sup>32</sup> Again, the figures reported to the OSCE were higher: 741 anti-Semitic crimes; 204 crimes with a bias against Muslims; and 2,038 crimes with a bias against Christians.<sup>33</sup>

Examples of anti-Semitic incidents over the reporting period included a Jewish man beaten unconscious in a Paris elevator,<sup>34</sup> threats sent by post to government spokesperson Gabriel Attal,<sup>35</sup> the targeting of Jewish philosopher Alain Finkielkraut with anti-Semitic threats and rhetoric, as well as damage to the Strasbourg synagogue during Yellow Vest demonstrations.<sup>36</sup> A memorial tree to the Jewish victim of a 2006 murder was chopped down, a bagel bakery was vandalised with the German word “Juden”, and swastikas were found on Paris post boxes.<sup>37</sup> In 2020, conspiracy theories and anti-Semitic messages relating to the coronavirus pandemic were seen on-line. The National Office for Vigilance against Anti-Semitism (BNVCA) filed about 50 complaints from March to July 2020.<sup>38</sup> In October 2020, Jewish schools and synagogues closed temporarily in Nice after a man shouting “Allahu akbar” killed three people in a church. “We are all feeling threatened,” the Chief Rabbi of Nice said.<sup>39</sup>

A man was arrested in October 2019 for firing shots out-

side the Bayonne mosque and shooting two men as he tried to set fire to the door. The incident was condemned by President Macron.<sup>40</sup> As of December 2020, at least 76 mosques and Islamic private schools were closed by authorities since the beginning of the year to “combat extremist Islam.”<sup>41</sup> In November 2020, the Collective against Islamophobia in France (CCIF) voluntarily dissolved its organisation after government officials announced it would dissolve the group after the assassination of teacher Samuel Paty and accused it of nurturing a “climate of hatred” and of being an “Islamist pharmacy working against the Republic.” Two other groups, BarakaCity and Sheik Yassine, were dissolved by the government.<sup>42</sup>

Alarmed by the number of incidents targeting Christian sites, in 2019 several French politicians submitted questions to the Ministry of the Interior demanding more complete information and to learn what was being done to protect them.<sup>43</sup> The Ministry responded that the government had instructed security officials to give attacks on religious sites “priority treatment.”<sup>44</sup>

Incidents during the reporting period included the aforementioned Islamist knife attack in a Nice church in October 2020, where three people died,<sup>45</sup> and an attempted arson at the Cathedral of Rennes in June 2020.<sup>46</sup> A sampling of the intentionally set fires in churches reported by the Observatory of Religious Patrimony during the reporting period included: the Saint-Sulpice Church in Paris, Lavour Cathedral, Saint-Jacques Church in Grenoble, Sélestat Church, Saint-Maclou Cathedral in Pontoise, the Basilica in Nancy, the Evangelical Church of Annemasse, the Saint-Pierre de Neuilly sur Seine, La Tour du Pin Church.<sup>47</sup> A 10-meter-high crucifix on the summit of Pic Saint-Loup was toppled and destroyed, with inscriptions around the pedestal reading “Witch Power.”<sup>48</sup> Crosses and Christian figures were broken and vandalised in cemeteries.<sup>49</sup> Christian converts from Islam had difficulty receiving asylum in some cases either because the French government does not believe there were threats in their Muslim-majority countries of origin, or that the convert would not be persecuted upon deportation.<sup>50</sup>

During the coronavirus pandemic in 2020, the French government completely banned public worship services from 17th March to 29th May 2020. The Catholic Bishop’s Conference filed a claim against the government. After the Council of State invalidated the ban, services were permitted with distancing rules. Again, in November 2020, the government suspended public worship as a health

measure. Christian groups demonstrated against these prohibitions, which included bans on outdoor worship or prayer.<sup>51</sup> Again, for a second time, the Council of State invalidated the ban and services with distancing rules were permitted.

## PROSPECTS FOR RELIGIOUS FREEDOM

The principle of “laïcité” (separation between state and religion) enshrined in the constitution, and the 1905 Law in France, are the traditional cornerstones for the relations

between state and religion. However, recent Islamist-inspired terrorist attacks have prompted the government to further regulate areas of life relating to religion or belief. Rising anti-Semitism and the high incidence of anti-Christian acts in the last two years are signs that societal tolerance is deteriorating. As the government seeks to stem the tide of extremism and lack of social integration with sweeping legislation, fundamental rights of all believers could be challenged in the near future.

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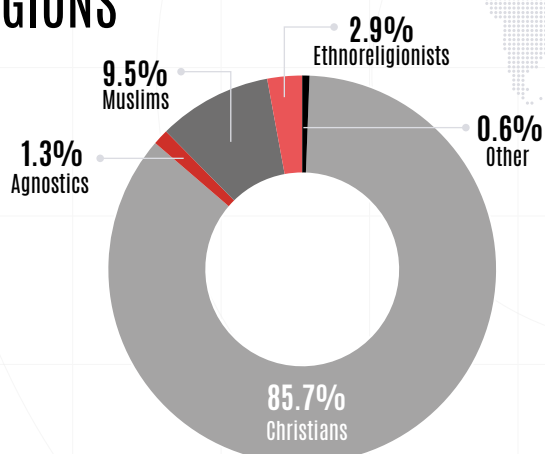
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# GABON

## RELIGIONS



Population

**2,151,289**

GDP per capita

**16,562 US\$**

Area

**267,667 Km<sup>2</sup>**

GINI INDEX\*

**38**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Gabon's 1991 constitution, which was amended in 2003, 2011 and 2018, enshrines in Article 1 (Section 2) freedom of conscience, "thought, opinion, expression, communication, and the free practice of religion, [...] limited only by respect for the public order".<sup>1</sup> This limitation was used once by the Ministry of Internal Affairs to shut down a Church named "Plenitude Exode" in April 2012 after receiving numerous reports of public nuisance relating to noisy prayer services held every night.<sup>2</sup>

Article 2 of the constitution upholds the secular character of the state and the equality of its citizens regardless of their religion.<sup>3</sup> Under Article 1 (13), citizens have the right to form religious communities that "independently regulate themselves and their affairs, respecting the principles of national sovereignty" and "public order". Concerning public education, Article 1 (19) of the constitution stipulates that public education has to be neutral in religious matters.<sup>4</sup> However, religious instruction in public schools "may be dispensed to students at the demand of their parents".<sup>5</sup>

Religious groups are required to register to avoid certain fees on matters such as land use and building permits.<sup>6</sup>

If a religious group does not comply with these requirements, it can still carry out its activities, but it will be required to pay taxes and duties on imports. The Ministry of Interior, which usually processes registration requests by religious groups within 30 days, rejected more than 100 applications<sup>7</sup> in 2018. The religious groups whose application the Ministry rejected tended to be "one-man operations" mixing Christian and traditional animist beliefs.<sup>8</sup> Procedural factors also played a role in applications being turned down as applicants often failed to provide the necessary documentation required to register.

Although Gabon is a member of the Organisation of Islamic Cooperation (because Islam is the religion of some of its leaders), it is constitutionally a secular state.<sup>9</sup> The existing accord with the Holy See gives full legal recognition to the Catholic Church and all its institutions; it also recognises the legality of marriages contracted under canon law.

The following religious feast days are public holidays: All Saints', Ascension, Assumption of Our Lady, Christmas, Easter Sunday, Easter Monday, Pentecost, Eid al-Fitr, and Eid al-Kebir.

## INCIDENTS AND DEVELOPMENTS

During the period covered by this report, there were no incidents of an interreligious nature or acts of intolerance, discrimination or persecution against any religious group. After the failed military coup in January 2019, the Archbishop of Libreville Basile Mvé Engone said that the people of Gabon “must try to preserve peace, unity and social cohesion”.<sup>10</sup>

in West Africa could potentially undermine religious tolerance in the country. The jihadi threat touches many countries in the region such as Nigeria, Cameroon and the DR Congo. Fortunately, the terrorist threat remains relatively low in Gabon and there is no recent history of terrorism in the country.

## PROSPECTS FOR RELIGIOUS FREEDOM

The situation of religious freedom is most likely going to stay the same in the near future, as interreligious relations remain good in an atmosphere of religious tolerance. However, the increasing presence of armed jihadi groups

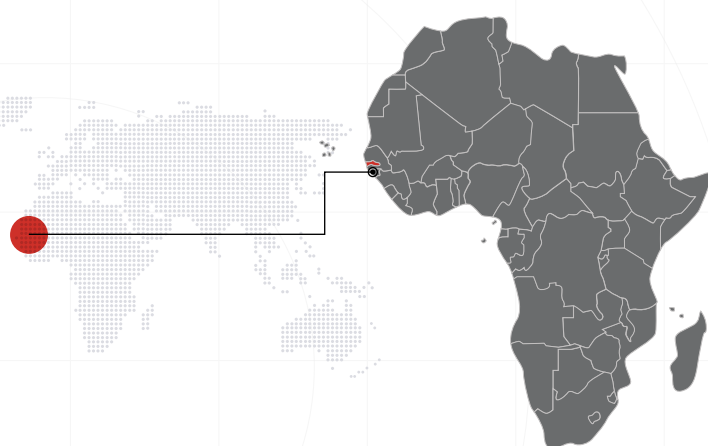
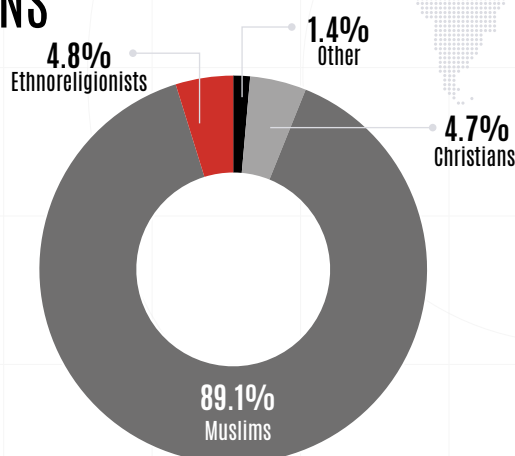
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# GAMBIA

## RELIGIONS



Population  
**2,293,493**  
GDP per capita  
**1,562 US\$**

Area  
**11,295 Km<sup>2</sup>**  
GINI INDEX\*  
**35.9**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

According to Article 1 (Section 1) of its constitution, The Gambia is a “Sovereign Republic”.<sup>1</sup> Article 25 (Section 1, c) guarantees “freedom to practise any religion and to manifest such practice”. The constitution prohibits religious discrimination (Article 33, Section 4) and religiously based political parties (Article 60, Section 2, a). Religious communities are not required to register with the authorities; however, if they offer social services, they must register as charities.<sup>2</sup> For Muslims, Shari’a (Islamic law) applies to marriage, divorce and inheritance.<sup>3</sup> Existing legislation provides for Islamic and Christian religious instruction in state and private schools; this is generally respected by the government.<sup>4</sup>

The situation of religious freedom in The Gambia has improved significantly in recent years. In January 2017, the then newly elected President, Adama Barrow, reversed the decision of his predecessor, long-time dictator Yahya Jammeh, to make The Gambia an Islamic republic. Under a previous constitution, the country was a secular state but in December 2015 Jammeh turned it

into an “Islamic Republic”, making it the second country in Africa after Mauritania to be designated so.<sup>5</sup>

Following the December 2016 presidential election, the country saw a peaceful transition of power, a first since it gained independence in 1965. After his inauguration, the new President, Adama Barrow, said that the country would once again be simply known as a “Republic”, removing the word “Islamic”, which was added by Jammeh.<sup>6</sup> He also pledged to promote good governance, the rule of law, democratic institutions and freedom of the press.<sup>7</sup> President Barrow established a Truth and Reconciliation Commission to investigate crimes perpetrated during the previous regime, including “torture, disappearances and extrajudicial killings”.<sup>8</sup> He also announced a return to the Commonwealth, which it had left in 2013. Barrow also overturned Jammeh’s decision to withdraw from the International Criminal Court (ICC).<sup>9</sup> Barrow’s party, the United Democratic Party (UDP), scored a clear victory in the parliamentary elections held in April 2017<sup>10</sup> – elections that were considered peaceful, free and fair.<sup>11</sup>

Currently, a new constitution is being drafted for the post-Jammeh era.<sup>12</sup> The members of the Christian Council of Gambia (representing the Catholic, Anglican

and Methodist churches) have demanded that the new constitution incorporate the words “secular state”.<sup>13</sup> In fact, at national level there is currently an important debate over this issue.<sup>14</sup>

Although the law does not require public or private schools to teach religion, most do so, and students by and large attend. The authorities also help schools recruit the teachers they require.<sup>15</sup>

Islamic organisations and the Catholic Church maintain good relations. In addition to the major Muslim festivals, the Christian feasts of Christmas, Good Friday and Easter Monday are celebrated.<sup>16</sup> Members of the Interfaith Group for Dialogue and Peace, which includes Muslims, Christians and Baha'is, meet regularly to discuss matters of importance to all religious communities, in particular interfaith coexistence.<sup>17</sup> Mixed marriages are commonplace and accepted.<sup>18</sup>

## INCIDENTS AND DEVELOPMENTS

In the past two years, there were no incidents of interreligious violence, intolerance, discrimination or persecution involving any religious group. Nonetheless, President Adama Barrow was criticised by many observers when he announced plans to build 60 mosques around the country.<sup>19</sup> Several observers saw this as blurring the lines between state and religion and showing bias for one religion over the others. A Gambian pastor stated that “some section of the Gambian Christian population felt marginalized and alienated by the president’s announcement.”<sup>20</sup>

On 6th December 2019, the president announced that the Religious Affairs portfolio would be transferred to the Ministry of Lands and Regional Affairs but gave no explanations.<sup>21</sup> In early February 2020, along with Togo and Senegal, The Gambia decided to join the 27-country Alliance to Protect Religious Freedom whose aim is to “unify powerful nations and leverage their resources to stop bad actors and advocate for the persecuted, the defenceless, and the vulnerable”.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The Gambia has a longstanding tradition of interreligious tolerance, and this is most likely going to continue in the foreseeable future. However, there are

several issues that could potentially affect interfaith relations. In the political field, the former dictator, Yahya Jammeh, announced in January 2019 his intention to come home.<sup>23</sup> Thousands of his supporters then took to the streets to demand his return.<sup>24</sup>

All of this is happening at a time when the more liberally oriented President, Adama Barrow, is increasingly unpopular. Jammeh’s return could be damaging for religious minorities and those politicians encouraging the secularisation of the state, as Jammeh is an important political figure who favours the Islamisation of The Gambia.

Tensions between proponents of Islamic and secular ideologies are affecting the process of constitutional reform with the proposed secular state at the centre of the debate. Furthermore, regional dynamics must be taken into account. West Africa has seen an important rise of Islamic extremism in recent years with several jihadi terrorist groups already operating across the region.



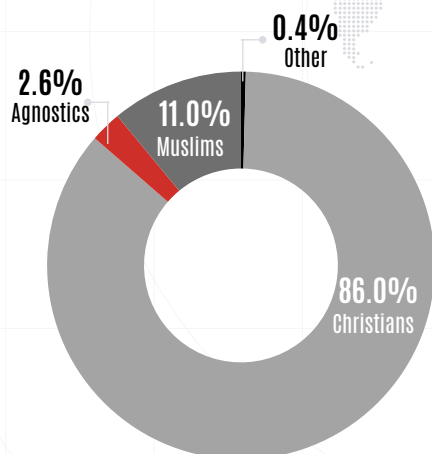
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# GEORGIA

## RELIGIONS



Population

**3,898,529**

GDP per capita

**9,745 US\$**

Area

**69,700 Km<sup>2</sup>**

GINI INDEX\*

**36.4**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Georgia has unstable borders and “disputed territories”, namely South Ossetia and Abkhazia. While the two regions have declared their independence, the Georgian government still considers them part of its sovereign territory. Following the 2008 Russo-Georgian War, the two regions remain under Russian military occupation.<sup>1</sup>

About 86 percent of Georgians are Christian, mainly Georgian Orthodox. The Georgian Orthodox Church is one of the oldest Christian churches in the world. Muslims represent 11 percent of the population, Jews number between 2,600 to 6,000, concentrated mostly in the capital, Tbilisi<sup>2</sup>, and Roman Catholics are present but are scattered throughout the country.<sup>3</sup>

Article 16 (1-3) of Georgia’s constitution<sup>4</sup> (revised in 2018) states that, “Everyone has freedom of belief, religion and conscience. These rights may be restricted only in accordance with law for ensuring public safety, or for protecting health or the rights of others, insofar as is necessary in a democratic society. No one shall be persecuted because of his/her belief, religion or conscience, or be coerced into expressing his/her

opinion thereon.”

Article 11 (1-2) states, “All persons are equal before the law. Any discrimination on the grounds of race, colour, sex, origin, ethnicity, language, religion, political or other views, social affiliation, property or titular status, place of residence, or on any other grounds shall be prohibited. In accordance with universally recognised principles and norms of international law and the legislation of Georgia, citizens of Georgia, regardless of their ethnic and religious affiliation or language, shall have the right to maintain and develop their culture, and use their mother tongue in private and in public, without any discrimination.”

Religious issues are managed by the State Agency on Religious Issues (SARI).<sup>5</sup>

While the constitution protects freedom of thought, conscience and religion, it also confers special status and privileges to the Georgian Orthodox Church (GOC). Article 8 recognises “the outstanding role of the Apostolic Autocephalous Orthodox Church of Georgia in the history of Georgia, and its independence from the State.” The relationship between Georgia and the national Church is based on a concordat<sup>6</sup>, which grants the GOC rights that are not given to other religious groups.

These include legal immunity for the GOC Patriarch, exemption from military service for GOC clergy, and a consultative role for the GOC in government, especially in education.<sup>7</sup>

Article 13 of the 2005 Law of Georgia on General Education states that public schools may not be used for religious indoctrination, proselytising, or forcible assimilation.<sup>8</sup> At the same time, Article 5 of the concordat gives the GOC the right to offer religious studies in public educational institutions and authorises the state to pay for GOC religious schools.<sup>9</sup>

Religious groups may register with the National Agency of the Public Registry as a Legal Entity of Public Law or as a non-profit organisation. This provides benefits, such as legal recognition, partial tax exemptions and the right to open bank accounts and own property. Unregistered religious groups are still allowed to conduct religious activities, but without the legal benefits that registered groups enjoy.<sup>10</sup>

The two secessionist republics, South Ossetia and Abkhazia, are backed by Russia. Inspired by Moscow's own ban on Jehovah's Witnesses in 2017<sup>11</sup>, the two republics have also banned this religious community, classifying it as an extremist organisation.<sup>12</sup> According to the GOC Patriarchate, GOC clergy are unable to conduct religious services in South Ossetia or Abkhazia.<sup>13</sup>

It is important to note that these two territories have different relations with both Georgia and Russia. This has wider implications for fundamental freedoms within their borders. While South Ossetia, which has a population of just 39,000, is isolated from the rest of the world, Abkhazia has pursued independence from both Georgia and Russia. There is no civic space in the former, but independent media and a civil society sector exist in the latter, although it is currently under threat.<sup>14</sup> In 2019, as a consequence of this quest for autonomy, crossings between Abkhazia and Georgia-controlled territory were significantly restricted, leaving families separated and creating economic hardship. This has impacted all aspects of life, including freedom of movement and assembly.<sup>15</sup>

Since 2015, SARI has been calling for a new Religion Law in the country, but a number of religious communities have stressed that no additional regulations are necessary. On 26th December 2018, Sophio Kiladze,

a member of the Georgian parliament with the Georgian Dream party, invited NGOs, SARI officials and MPs from other political parties to attend a meeting of a newly created Working Group on Freedom of Religion to examine the challenges that religious organisations face. Representatives for the Armenian Apostolic Diocese, the Jewish Union of Georgia, and the Administration of Muslims of all Georgia - three state-funded religious organisations - expressed their support for a Religion Law, though not all of their members do.

Problems for some religious minority groups stem not so much from a lack of regulation, but moreover from the discriminatory practices of state officials; faith groups fear the impact of greater state control in their lives and activities. Muslims, Jehovah's Witnesses, Catholics and Protestants have all encountered difficulties when trying to build places of worship because of opposition from the authorities and the GOC. In a press statement, MP Kiladze said that the ultimate goal of the Working Group was to develop a law that would ensure freedom of religion while protecting the public interest.<sup>16</sup>

While most prisons have GOC chapels, no areas have been assigned for nondenominational worship. The Armenian Apostolic Church, as well as Catholic, Muslim, Baptist and Jewish groups confirmed that services were only available upon request in prisons as well as in the military.<sup>17</sup>

## INCIDENTS AND DEVELOPMENTS

In 2018, there were eight reported cases of religiously motivated physical assaults against 12 Jehovah's Witnesses. There were also reports of vandalism targeting religious minorities, including graffiti on Armenian churches in Adjara, and an attack on a Jehovah's Witnesses Kingdom Hall building in Gori.<sup>18</sup>

As per the Ministry of Internal Affairs, in 2019 there were 44 reported cases of crimes with a religious bias, of which 11 included violence against persons, and most of them were under investigation.<sup>19</sup>

In March 2018, MP Emzar Kvitsiani submitted a legislative proposal to the Parliament of Georgia to add an article to the Criminal Code to punish those "publicly expressing hatred towards religious symbols, a religious organization, clerics, and a believer and/or publishing

or showing materials that aimed to insult the feelings of believers.” The bill’s explanatory note stated that the proposal was inspired by frequent hate speech aimed at the GOC and other traditional religions.<sup>20</sup> Human rights groups harshly criticised the proposal, noting that it clearly contradicts Article 17 of the constitution which protects freedom of opinion and expression.<sup>21</sup> The Parliament of Georgia ultimately did not pass this proposal.

In September 2019, the Batumi City Court announced its decision concerning the construction permit for a mosque, ruling that Muslims had been discriminated against. This ruling was based on the fact that there are seven GOC churches in the same residential area, and so the court noted that the City Hall’s approach towards the two communities was disproportionate and unjust, and the permit was expected to be issued.<sup>22</sup>

On 30th September 2018, 25-year-old Jewish human rights activist Vitali Safarov was stabbed to death after a fight in Tbilisi’s Freedom Square. In June 2019, a Tbilisi court dismissed the charge of “hate motivation” in the murder case and sentenced the two men to 15 years imprisonment. This was despite testimony that Safarov had worked at several local rights groups combatting hate and xenophobia among young people, and that the key witness in the trial testified that Safarov was killed because he was Jewish.<sup>23</sup>

also shape Georgia and its people, including their right to religious freedom.

## PROSPECTS FOR RELIGIOUS FREEDOM

The evolving relationship between the GOC and other religious denominations will determine the prospects for freedom of religion in Georgia. While some officials within the GOC have expressed support for cooperation with religious minorities, more radical members of the Georgian Orthodox community appear to prefer the status quo of religious uniformity.

Despite this, it is notable that in January 2020 the Tbilisi City Assembly marked International Holocaust Day by announcing its decision to set up a memorial dedicated to the victims of the Holocaust. Georgian and Israeli officials, as well as the public, are involved in these activities.<sup>24</sup>

Although the dominance of the GOC remains a crucial factor in the future developments of religious life, at the same time events in South Ossetia and Abkhazia will



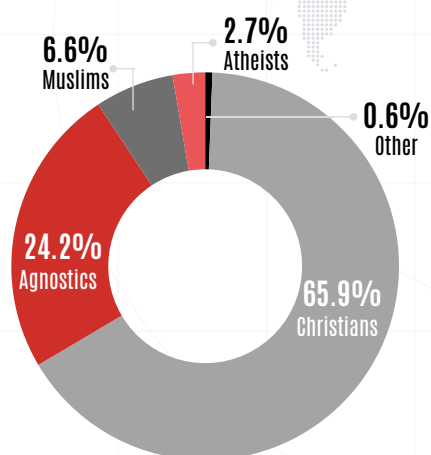
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# GERMANY

## RELIGIONS



Population

**82,540,450**

GDP per capita

**45,229 US\$**

Area

**357,376 Km<sup>2</sup>**

GINI INDEX\*

**31.9**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Germany's constitution (Basic Law) provides for equality before the law and guarantees that no one may be disadvantaged or favoured on the grounds of faith or religious opinion (Article 3).<sup>1</sup> Article 4 protects freedom of faith and conscience, as well as the freedom to profess a creed and practise religion and the right to conscientious objection to military service.

The Basic Law prohibits a state church. It allows religious groups to organise themselves freely and does not require them to register with the government. However, to qualify for tax-exempt status, religious groups must register as non-profit associations.<sup>2</sup> Religious societies may organise themselves as public law corporations (PLC);<sup>3</sup> if granted this status, they may levy Church taxes and appoint prison, military, and hospital chaplains.<sup>4</sup> According to the Basic Law, the decision to grant PLC status, and provide state subsidies, is made by Germany's federal states (Länder) and is based on certain factors, including the group's size, activities, and respect for the constitutional order and fundamental rights.<sup>5</sup>

According to the US Department of State,<sup>6</sup> an estimat-

ed 180 religious groups enjoy PLC status, including the Roman Catholic Church, the Evangelical Church in Germany, Baha'is, Baptists, Christian Scientists, Jehovah's Witnesses, Jews, Mennonites, Methodists, the Church of Jesus Christ, the Salvation Army, and Seventh-day Adventists. Ahmadi Muslim groups have PLC status in two federal states. In December 2020, North Rhine-Westphalia (NRW) designated Alevism as a PLC for the first time.<sup>7</sup>

Section 130 of the Criminal Code prohibits incitement to hatred against a religious group and dissemination of material which incites hatred.<sup>8</sup> It is against the law to disturb the exercise of religion or worship (Section 167).

The Federal Labour Court ruled in August 2020 that a headscarf ban for teachers in Berlin public schools was unconstitutional, despite the 2005 Neutrality Act preventing civil servants from wearing religious symbols or clothing.<sup>9</sup> The Constitutional Court upheld a ban on headscarves for trainee lawyers in courts in February 2020, finding the rule was justified to maintain "religious neutrality".<sup>10</sup> In July 2020, Baden-Württemberg banned full-face coverings for all school children; such a ban was previously instituted for teachers.<sup>11</sup> As of June 2018, all public buildings in Bavaria were required to display a Christian cross, a law that some critics saw as political and divisive.<sup>12</sup>

Religious instruction (or ethics courses for those who opt-out of religious education) in public schools is available in all states. Religious groups are permitted to establish private schools, provided they meet state curriculum requirements.<sup>13</sup>

A report published in 2019 revealed great disparities in the way officials decide asylum claims for converts from Islam to Christianity, noting a significant reduction in the number of favourable decisions since 2017. According to the study, the two major factors are the credibility of certain applicants, whose conversion is not seen as genuine, this despite support from Church leaders, and the belief that deportation would not put converts in danger, notwithstanding apostasy laws in many of the countries of origin.<sup>14</sup>

In September 2019, Saarland's minister-president (premier) rejected the request of the Assyrian Cultural Association to allow approximately 400 Christians from the crisis areas of northern Syria to enter the state, despite offers of assistance from the Assyrian community.<sup>15</sup>

## INCIDENTS AND DEVELOPMENTS

Germany's federal and state governments continued to monitor some Muslim groups as well as mosques for extremist activities.<sup>16</sup> According to the NRW Interior Ministry, 109 mosques in the state were monitored in 2019, most "on suspicion of Salafism."<sup>17</sup> Two years earlier, the NRW LfV was monitoring 30 mosques.<sup>18</sup>

In November 2020, the Federal Interior Ministry defended itself from criticism over plans to expand imam training in Germany because of the involvement of some controversial Muslim associations, saying it was an alternative to sending state imams from Turkey to Germany.<sup>19</sup>

In its 2019 report, the BfV documented 362 "politically motivated crimes with a religious ideology," down from 453 the previous year. The "vast majority" of which had an "Islamist-fundamentalist" background. Twenty-one of those crimes were described as anti-Semitic, including three acts of violence. The report did not indicate whether the other crimes in this category were directed at other religious groups.<sup>20</sup>

The report documented a 5.5 per cent increase in "potential Islamists" from 2018 to 2019 and the risk situation was described as "still high."<sup>21</sup> There was a large number of anti-Semitic incidents involving Muslims in 2019, ranging from hate speech and sermons to verbal and physical at-

tacks against individuals.<sup>22</sup> At the end of November 2019, the government in coordination with the European police authority Europol deleted a large number of jihadist websites as well as channels and groups on various messenger services.<sup>23</sup>

The BfV report also noted that anti-Semitism was "deeply rooted" in Germany's right-wing extremist political scene and that it is often coupled with Holocaust denial and anti-Israel rhetoric.<sup>24</sup> Other groups identified as right-wing in Germany included "identitarian" movements and others described as xenophobic and anti-Muslim.<sup>25</sup>

An October 2019 attack against the synagogue in Halle was described in the report as perpetrated by a "right-wing extremist."<sup>26</sup> In that incident, a man tried to break into the building on the Jewish high holy day of Yom Kippur. Thwarted by a locked door, the gunman shot and killed two passers-by. In court, he said "attacking the synagogue was not a mistake, they are my enemies" and that his attack was inspired by the mosque shootings in Christchurch, New Zealand earlier in the year. He was sentenced to life in prison in December 2020.<sup>27</sup>

The German government reported 307 anti-Semitic crimes recorded by police to the Organization for Security and Co-operation in Europe (OSCE) for inclusion in its 2018 hate crime report; civil society groups reported 499 such incidents (298 property crimes, 96 threats, and 105 physical assaults).<sup>28</sup> The official figures for 2019 recorded by police were lower than the previous year – 273 – but civil society groups reported a significant increase: 588 incidents, including 333 attacks on property, 120 threats, and 135 physical assaults, including the aforementioned attack against the Halle synagogue.<sup>29</sup>

For its part, the Federal Criminal Police Office (Bundeskriminalamt, BKA) recorded 1,799 anti-Semitic crimes in 2018 and more than 2,000 in 2019 – the highest figure in 20 years.<sup>30</sup> As in previous years, the vast majority of them were attributed to right-wing extremists. However, Felix Klein, the Federal Anti-Semitism Commissioner, criticised the government's practice of automatically classifying all anti-Semitic incidents as perpetrated by right-wing extremists when the identity of the perpetrator was unknown. He said that in general German Jews experience more hostility from Muslims than from right-wing militants.<sup>31</sup>

Various federal states undertook initiatives to fight anti-Semitism in 2019, including appointing educational officers, commissioners, and increasing penalties for anti-Se-

mitic crimes.<sup>32</sup> In May 2019, Commissioner Klein said he could “no longer recommend Jews wear a kippah at every time and place in Germany” because of the danger.<sup>33</sup>

In July 2020, the BfV published a report dedicated to the problem of anti-Semitism in Germany in which it acknowledged that, in addition to right-wing extremism, Islamism posed a danger to Jews in Germany.<sup>34</sup>

Muslims too have been victims of prejudice and hostility. Official police figures in the 2018 OSCE hate crime report included 241 crimes with an anti-Muslim bias, while civil society groups reported 70 attacks on property and 71 attacks or threats against people, many of which targeted women wearing headscarves.<sup>35</sup> For the year 2019, police reported 207 crimes with a bias against Muslims as opposed to 85 reported by civil society groups (32 threats, 28 physical attacks, and 25 property crimes). As in the previous year, many of the physical attacks were directed at Muslim women wearing headscarves.<sup>36</sup>

Examples of anti-Muslim property crimes include a pig’s head and bags of pig’s blood left at a mosque in Mönchengladbach in May 2019. A right-wing group that planned a protest at the mosque had stickers printed that read: “We don’t want Salafist pigs.”<sup>37</sup> In June 2019, the Central Council of Muslims, as well as local politicians, condemned the desecration of 50 copies of the Quran taken from a mosque in Bremen. The books were torn up, put in toilets, and soiled.<sup>38</sup>

There are no federal-level statistics on hate crimes, but the sources who reported incidents to the OSCE Hate Crime reporting database included 45 crimes with a bias against Christians in the OSCE 2018 report, while civil society groups reported another 58, the majority of which were attacks on property. Many were arson incidents involving churches.<sup>39</sup> In 2019, police reported 57 anti-Christian hate crimes, while civil society groups reported 87 such incidents, 65 of which were property-related.<sup>40</sup>

Violent crimes included the religiously motivated January

2019 murder of a Christian man because the perpetrator objected to his sister’s involvement with that man for being a Christian. The perpetrator was sentenced to life in prison in November 2020.<sup>41</sup> Property crimes included the 2019 arson of a Catholic church in Wildehausen which resulted in more than 100,000 euros (around US\$ 120,000) in damages.<sup>42</sup>

According to the BfV, left-wing extremist violence in 2019 included an attack on a well-known pro-life journalist’s car in December. The so-called Autonomous Feminist Cell (Feministische Autonome Zelle) claimed responsibility for the attack in a letter in which they criticised the journalist for upholding “Christian values” and for his sympathies for the March of Life.<sup>43</sup> Activists from the same group took responsibility for a paint attack on an Evangelical church in Tübingen and for setting fire to the church’s minibus a few days earlier.<sup>44</sup>

Restrictions on religious worship during the coronavirus pandemic in 2020 were limited, compared to other European countries, and were implemented in agreement with the religious leaders mostly without incidents.<sup>45</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Overall, there were no violations of religious freedom during the period under review. Although the right itself does not seem to be in danger, the authorities’ intervention is likely to be required often, due to growing tensions. Unlike previous years, there were fewer violent incidents targeting Christian asylum seekers, but government migration boards have been inconsistent in their treatment of claims. Rising anti-Semitism and hostility towards Muslims and Christians are cause for concern. More generally, tensions in society, including activism by the left and right, as well as radical secularist trends in Europe, could certainly lead to greater violence against religious groups.

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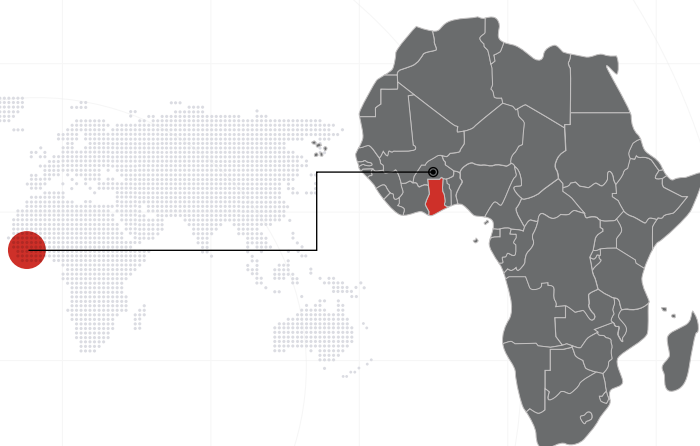
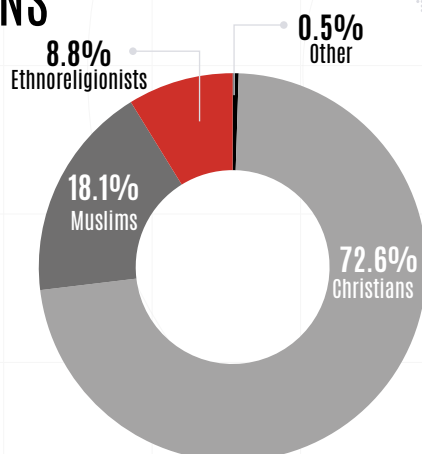
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# GHANA

## RELIGIONS



Population  
**30,733,755**  
GDP per capita  
**4,228 US\$**



Area  
**238,537 Km<sup>2</sup>**  
GINI INDEX\*  
**43.5**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In terms of respect for fundamental human rights<sup>1</sup> as well as economic and policy development, the Republic of Ghana has one of the best records in West Africa.<sup>2</sup>

Under Article 12 (2) of the constitution, “Every person in Ghana, whatever his race, place of origin, political opinion, colour, religion, creed or gender shall be entitled to the fundamental human rights and freedoms of the individual”.<sup>3</sup> Article 21 (1, c) recognises “freedom to practice any religion and to manifest such practice”.<sup>4</sup>

Like any NGO, religious groups must register with the government. Although registration exempts them from a number of taxes, including taxes on private schools and universities, most do not. Failure to register is not penalised.<sup>5</sup>

Religious instruction in public schools is mandatory and pupils cannot opt out. Elements of both Christianity and Islam are included in the school program. Islamic education is coordinated by a special unit in the Education Ministry. Faith-based private schools are allowed, but they must follow the Ministry’s program, except for international

schools.<sup>6</sup>

In 2000, Ghana signed the International Covenant on Civil and Political Rights.<sup>7</sup>

More than two-thirds (72.6%) of the country’s population are Christians. Muslims form a comparatively smaller proportion (18.1%). Most Ghanaian Muslims are Sunnis.<sup>8</sup> Islamic extremism is rare in Ghana.

Relations between Christians and Muslims have traditionally been peaceful.<sup>9</sup> In the Ghana Conference of Religions for Peace (GCRP), of which the Ghana Catholic Bishops’ Conference is a member, Christians and Muslims are working together to shape the country’s future in a spirit of peaceful coexistence.<sup>10</sup>

Thanks to a stable economic and political situation, relations among Ghana’s different religious communities are exemplary in many respects - in contrast to some other states in the region.<sup>11</sup> Ghana’s experience shows that religious tensions are often less dramatic where there is less poverty.

## INCIDENTS AND DEVELOPMENTS

Ghana has long been regarded as an anchor of stability and an example of peaceful co-existence in West Africa. President Akufo-Addo, a Christian, and Vice President Mahamudu Bawumia, a Muslim, repeatedly emphasize the importance of peaceful religious coexistence in public statements.<sup>12</sup>

In the period under review, concerns continued regarding the growth of “self-styled” pastors provoking debate in parliament as how best to control the phenomenon including suggestions, “that an independent body be established to act as a check on church activity”.<sup>13</sup> Lawmakers, on one hand, expressed unease that so-called one-man churches extort money from the poor to live lavishly, yet on the other, that enacting laws to govern may be unwarranted as the constitution protects freedom of religion.<sup>14</sup>

Protestant umbrella groups including the Christian Council of Ghana, as well as the Ghana Charismatic Bishop’s Conference, issued statements decrying the proposed legislation calling instead for self-regulation.<sup>15</sup>

Debate continued regarding a controversial plan by President Akufo-Addo to build a national interdenominational Christian cathedral sited next to the Ghanaian parliament. The proposal, introduced in March 2017, is touted as a means of creating national unity.<sup>16</sup> The Minister for Inner Cities, Mustapha Abdul-Hamid, stated, “especially in a country like ours that is sharply divided on so many things: ethnicity, politics, etc. A nation like Ghana needs a symbol like that which allows us to come together”.<sup>17</sup>

For the first time, the National Chief Imam, Sheikh Osman Nuhu Sharubutu, attended Easter Sunday services at the Christ the King church in Accra, welcomed by Reverend Father Andrew Campbell, parish priest of the church. The effort was generally warmly received by the Ghanaian public as a sign “fostering religious cohesion and peaceful coexistence”.<sup>18</sup>

Ghana’s efforts towards peaceful co-existence stands in contrast to a region increasingly scarred by violence, predominantly carried out by criminal organisations and Islamist groups.

Ghana borders Burkina Faso in the north and Côte d’Ivoire in the west. Both of these countries are affected to varying degrees by terrorism, though Burkina Faso has been the hardest hit by violence.<sup>19</sup> Since April 2015, a Salafi-Jihadist insurgency has resulted in attacks throughout northern Burkina and poses a threat to the traditionally peaceful coexistence in that country.<sup>20</sup> Terrorist incidents against

Catholic communities, for example in May 2019,<sup>21</sup> continued throughout the reporting period. As of August 2020, concerns are growing that it is just a matter of time before the security situation in Ghana is affected.

This has led to a greater awareness of the need for vigilance in Ghana. The Archbishop of the capital Accra, John Bonaventure Kwofie, noted that with the threat of terrorism drawing closer the ‘alert’ level for the protection of the faithful participating in Sunday religious services and Christian events had to be raised in consultation with the police.<sup>22</sup> Churches are now under protection and people are warned to remain attentive so as to protect “innocent people” who “come to church to worship”.<sup>23</sup>

For example, the Church of Christ the King, one of the parishes in the Archdiocese of Accra, has banned backpacks as part of the heightened security guidelines.<sup>24</sup> The government also stepped up border controls after the 15th February 2019 attacks by a Salafist group in Burkina Faso.<sup>25</sup> On that day, four customs officers were killed at the checkpoint in Nohao, near the Ghanaian border.<sup>26</sup> Fr Antonio César Fernández, a Spanish missionary of the Salesians of Don Bosco, was also killed in the attack.<sup>27</sup> In view of the tenuous security situation, thousands of refugees from Burkina Faso have sought sanctuary in Ghanaian border villages. The Africa Center for Security and Intelligence Studies (ACSIS) warned of possible attacks by Salafist groups based in Burkina Faso on churches and hotels in neighbouring countries such as Ghana.<sup>28</sup>

This was supported by a statement issued on 8th May 2019, in which the United Nations warned of the risk that terrorist activities could spread to the coastal countries of West Africa, including Ghana. Against this backdrop, Archbishop Bonaventure Kwofie proposed that Church leaders develop security strategies of their own for their communities.<sup>29</sup>

At a meeting of the region’s Catholic bishops in November 2019, organised by the Catholic Relief Services (CRS), discussion centred on ways to counter the growing threat from jihadist groups, ethnic antagonisms, and other barriers to development. “The CRS and the leadership of the local Church will address the roots of the conflicts: poverty, youth unemployment, lack of education and the erosion of the social fabric,” reads the bishops’ statement.<sup>30</sup> The bishops also stressed their desire to seek effective paths to conflict prevention, lasting peace and sustainable living.<sup>31</sup>

In March 2020, Ghanaian authorities imposed a lockdown on the country after the World Health Organisation issued a COVID-19 pandemic alert. As in other countries, the Ghanaian government took steps that drastically restricted religious life without eliminating it altogether. This has affected all religions and denominations.<sup>32</sup> On 15th March, President Nana Akufo-Addo announced a ban on gatherings, including religious ones like Masses and funerals. Worship in churches and mosques was interrupted for two months.<sup>33</sup> In early June, places of worship were allowed to reopen under strict conditions.<sup>34</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Despite the increasing number of attacks by criminal groups and radical Islamist militants in the region, Ghana remains a beacon of tolerance. The threat of a spill-over, however, remains real. The future, therefore, of religious freedom in Ghana, although presently stable, is difficult to predict. Encouragement can be drawn from the efforts of Ghana's political and religious leadership to openly seek dialogue and maintain religious cohesion.

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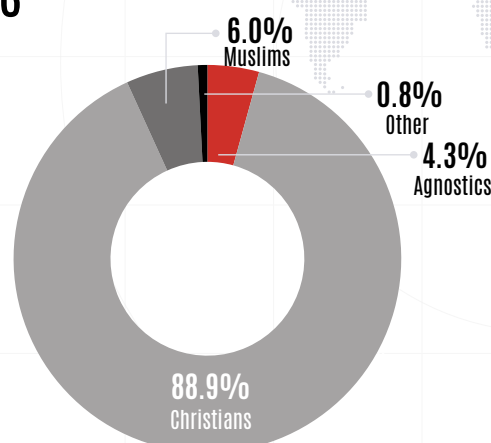
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## GREECE

## RELIGIONS



Population

**11,102,572**

GDP per capita

**24,574 US\$**

Area

**131,957 Km<sup>2</sup>**

GINI INDEX\*

**34.4**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

Article 3 of the constitution declares that “the prevailing religion in Greece is that of the Eastern Orthodox Church of Christ”.<sup>1</sup> In November 2018, the then-Prime Minister announced plans to amend Article 3 to declare the country “religiously neutral”, but in November 2019 the Parliament did not vote for such a change.<sup>2</sup> Article 5 guarantees all persons within the Greek territory “full protection of their life, honour and liberty irrespective of nationality, race or language and of religious or political beliefs.”

Freedom of religion and conscience are guaranteed by Article 13, which states that “all known religions shall be free and their rites of worship shall be performed unhindered and under the protection of law.” This article also prohibits proselytism and offences of public order through rites of worship. It is further specified that the ministers of all known religions have the same obligations as those of the Greek Orthodox Church (GOC) and are likewise subject to the same state supervision. Incitement to violence, discrimination, or hatred based on religion is illegal.<sup>3</sup>

The recognised Muslim minority of Thrace has the right to

maintain mosques and social and charitable organisations (awqaaf). Three muftis in Thrace are appointed in consultation with a committee of Muslim leaders by the Greek government to 10-year terms,<sup>4</sup> but they must retire by the age of 67.<sup>5</sup> According to the United States Department of State, some members of the Muslim community continued to object to the practice of appointing Muftis by the government, rather than by their own method.<sup>6</sup>

The law permits official muftis in Thrace to adjudicate family matters based on Shari’a, provided they receive an “explicit irrevocable declaration of each party” that they agree to such jurisdiction.<sup>7</sup> Operating expenses for the muftiates in Thrace are borne by the budget of the Ministry of Education and Religious Affairs under the supervision of the Ministry of Finance.<sup>8</sup>

Article 16 defines education as a “basic mission for the State” and includes “the development of national and religious consciousness.” Greek Orthodox religious classes are taught in primary and secondary school. In 2017 the government modified how religion would be taught in schools, changing the focus from teaching Orthodox Christianity to a “more general religious education,” but in September 2019 the Council of State ruled that such changes were unconstitutional.<sup>9</sup> Students may be exempted from



religious education upon request of their parents.<sup>10</sup> Islamic religious instruction in public schools in Thrace is available for the recognised Muslim minority, and Catholic religious instruction is offered on the islands of Tinos and Syros.<sup>11</sup>

In October 2019, the European Court of Human Rights ruled that Greece's system of exempting children from religious education violated the European Convention of Human Rights by requiring parents to "submit a solemn declaration saying that their children are not Orthodox Christians." The court said this was an undue interference with individual conscience and could also deter parents from seeking exemptions.<sup>12</sup>

The Greek Education Ministry's closure of eight Muslim minority schools in Western Thrace in 2020, which was criticised by Turkey's Foreign Ministry as an attempt at "assimilation", was defended by the government as a decision "made equally and without discrimination . . . based solely on the quality of education provided and the interest of the students." The number of Muslim minority schools has gone from 231 in 1995 to 115 in 2020.<sup>13</sup>

Article 1 of the "Law on Organisation of the Legal Form of Religious Communities and their Organisations"<sup>14</sup> defines "religious communities" as "a sufficient number of individuals with a specific Confession of Faith in a 'known religion' – that is, 'the religion that has no hidden beliefs but clear dogmas and its worship is free and accessible to everyone.'" Article 16 of the law states that the GOC, as well as the Jewish and Muslim communities, have traditionally been recognised as official religious legal entities. Other religious communities such as the Roman Catholics, Anglicans, Ethiopian Orthodox, Copts, Armenian Orthodox, Assyrian Orthodox, as well as two Evangelical groups, received official recognition as legal entities through Article 13. With such recognition, a religious group becomes a "known religion," as specified in Article 17. This allows each to legally transfer property as well as to operate houses of worship, monastic institutions and generally meeting houses for religious purposes. Article 3 describes the process of registration.

In July 2019, the country's blasphemy law was removed from the Penal Code. Five months later, on 11th November 2019, the new government announced a reinstatement of the law. However, the day after, the Minister of Justice announced they were withdrawing that decision due to public outcry.<sup>15</sup>

In November 2019, Greece adopted the International Ho-

locaust Remembrance Alliance's working definition of anti-Semitism and was the first country to adopt the IHRA's definition of "Holocaust denial and distortion."<sup>16</sup>

Until November 2020, Athens was the only European capital without a mosque. However, the Votanikos Mosque in Athens opened after 15 years of delays and protests. The secretary general at the Ministry of Education and Religious Affairs estimated there were about 70 informal mosques, only 10 licenced by the government, which "poses a security risk."<sup>17</sup>

## INCIDENTS AND DEVELOPMENTS

Due to coronavirus restrictions, capacity at places of worship was severely limited. For example, in November, at the newly-opened mosque in Athens, capacity was limited to 12 people and it was only open for five days before a nationwide lockdown. The mosque and other places of worship were permitted to re-open for the Christmas holiday after the government announced: "We have decided, without discrimination, that every place of worship can conduct services and prayers [on Christmas day] as long as congregations are limited to 25 people."<sup>18</sup>

There were 524 incidents targeting "places of religious significance" in 2019, according to the Ministry of Education's Department of Religious Freedom and Interfaith Relations, 514 of which targeted Christian places (504 Orthodox), five Jewish places, and five Muslim places. Incidents ranged from vandalism and placement of explosive devices, to theft and desecration.<sup>19</sup> Official figures for religion-biased crimes in 2018 and 2019 were not reported to the Organization for Security and Co-operation in Europe for inclusion in the annual hate crime report, but civil society groups provided data on incidents.<sup>20</sup>

The difficulty of separating hate crimes based on ethnicity from those based on religion provides an ongoing challenge for the country. Greece continued to be one of the United Nations Refugee Agency's largest operations in Europe due to its steady flow of refugees and migrants, with the main countries of origin being Syria and Afghanistan, mostly arriving through Turkey.<sup>21</sup> Hostility towards migrants surged after Turkish President Erdogan said he was "opening the doors" at the border with Greece for refugees to enter Europe in March 2020.<sup>22</sup> The "Racist Violence Recording Network's 2019" report documented 100 bias-motivated incidents, approximately half of which were against migrants, refugees, or asylum seekers. It is

unclear, however, whether those victims were targeted for their religion or for racist or xenophobic reasons.<sup>23</sup>

According to the “European Islamophobia Report 2019”, published by an Ankara-based think-tank, “Islamophobia in Greece is primarily found on the discursive level, while physical attacks . . . remain fewer compared to other European countries.”<sup>24</sup> The report also noted the challenge of determining the bias motivating attacks on migrant communities. Anti-migration demonstrations included slogans like “No to the Islamification of Greece”.<sup>25</sup> Incidents in Western Thrace reflected what the authors described as “Turcophobia” – that is, targeting Muslim places with anti-Turkish slogans.<sup>26</sup>

In 2020, a civil society organisation reported challenges faced by women in refugee detention centres, including the testimony of a woman who said “They forbade us to wear our headscarves and told us: ‘Out of here you can be Muslims, but not here! Here you are Christians.’”<sup>27</sup>

14 incidents with an anti-Muslim bias were reported to the OSCE by civil society groups in 2019, including a physical attack on a Shi’a Muslim man by Sunni Muslims due to his refusal to participate in morning prayers in February, an attack on refugees near a mosque in April, and harassment of female refugees in July, ending with one woman’s headscarf being torn off. Property crimes included vandalism of mosques, cemeteries, and a Muslim minority school.<sup>28</sup> In 2018, three cases were reported: assaults on female refugees, telephone threats, and the vandalism of a mosque with xenophobic and anti-Turkish graffiti.<sup>29</sup>

According to the Anti-Defamation League, anti-Semitism in Greece “does not have a violent character . . . manifestations include vandalism [and] hate speech.”<sup>30</sup> 13 incidents were reported to the OSCE for 2019 including several attacks on Holocaust memorials and vandalism of cemeteries.<sup>31</sup> The National Herald reported vandalism in 2019 and 2018 at the monuments to Holocaust victims in Trikala and Thessaloniki and at Jewish cemeteries in Trikala and

Athens.<sup>32</sup> 22 incidents were reported to the OSCE in 2018, all of which were attacks against property, including graffiti, threats, and the destruction of Jewish tombstones in cemeteries. In October 2018, 40 tombstones were doused with oil in a Jewish cemetery.<sup>33</sup>

According to the government, the majority of incidents targeting religious places were directed at Orthodox sites.<sup>34</sup> Examples of 2019 incidents reported to the OSCE by civil society groups included threats against a Christian convert asylum seeker and his Bible being thrown against a wall, churches being vandalised and set on fire, and the targeting of Jehovah’s Witnesses.<sup>35</sup>

In July 2018, two Iranian Christian families were assaulted with knives and threatened with death by a group of more than 30 people at a refugee camp after a Bible study. “The attackers poured petrol over the cabin where they were meeting, and threatened to set it alight. They beat up the men and held knives to the throats of the two women and children, while telling them, ‘This is a Muslim camp. You have to leave’.”<sup>36</sup> In December 2018, an anarchist group claimed responsibility for detonating an explosive device at an Athens church.<sup>37</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

While there have not been significant governmental restrictions to religious freedom in the country during the reporting period, the societal dimension remains challenged by the ongoing refugee crisis. The geographic proximity and influence on the Muslim minority in Thrace of Turkey adds a layer of potential uncertainty in the country, but the authorities appear willing to protect both minority and majority religious believers and to maintain stability. Prospects for the peaceful exercise of this freedom have deteriorated during the period under review, and are likely to continue their negative course.

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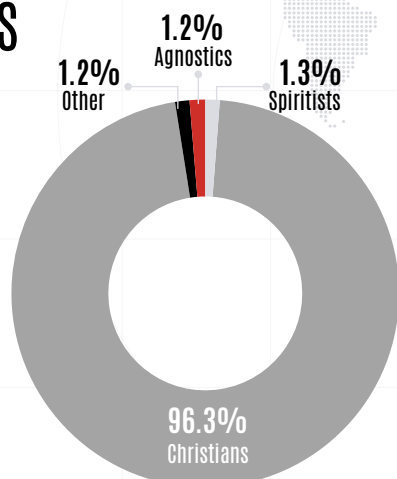
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# GRENADA

## RELIGIONS



Population  
**109,308**  
GDP per capita  
**13,594 US\$**



Area  
**345 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution of Grenada<sup>1</sup> states that the nation is based on principles that recognise the “fatherhood and supremacy of God and man’s duties to his fellow man”. It also recognises that, “inasmuch as spiritual development is of supreme importance to human existence, and the highest expression thereof, it is their aspiration to serve that end”. It highlights “the dignity of human values and that all men are endowed by the Creator with equal and inalienable rights, reason, and conscience”.

Article 1 of the Constitution guarantees the protection of the fundamental rights and freedoms of each person, such as - among others - freedom of conscience, expression and association, without distinction of race, place of origin, political opinions, colour, creed or sex, subject to respect for the rights and freedoms of others and the public interest.

No person should be hindered in the enjoyment of his or her freedom of conscience, including freedom of thought, religion, freedom to change religion or belief, and to manifest and propagate his or her belief, whether in worship,

teaching, practice and observance, individually or collectively, in public or in private (Article 9, 1).

Conscientious objection to military service is also recognised (Article 4, 3, c).

Except with one’s consent (or a guardian’s for minors under 18), no person attending an educational establishment can be obliged to receive religious instruction or take part in or attend a religious ceremony that is not of their religion (Article 9, 2).

Every religious community has the right to set up and maintain its own educational establishments and will not be prevented or hindered from providing religious instruction to its members, whether or not they receive government subsidies (Article 9, 3).

The government funds public schools run by Christian groups (Catholic, Anglican, Methodist, Seventh-day Adventist, Mennonite), however, funding is not limited to them. Students are not required to attend religion classes.<sup>2</sup>

The Constitution also stipulates that no one shall take an oath against their beliefs or in a manner that is contrary to their religion or belief (Article 9, 4).

No law may be discriminatory in itself or in its effects, where discrimination means different treatment of persons



by reason of their sex, race, place of origin, political opinion, colour, or creed (Article 13, 5).

People are allowed to appear with their heads covered in accordance with certain religious practices in the photographs included in national identity papers, provided the face is visible.<sup>3</sup>

Religious groups are entitled to tax and customs exemptions if they are recognised as non-profit organisations and are registered with the Corporate Affairs and Intellectual Property Office (CAIPO), and provide information about their organisation, directors, place of operation and nature of their activities. They must also send a request to the Ministry of Finance.<sup>4</sup>

Foreign missionaries must pay a fee for a worker's permit or get a waiver from the Ministry of Labour. They must show previous experience and be sponsored by a registered religious organisation.<sup>5</sup>

The Ministry of Education, Human Resource Development, Religious Affairs and Information is responsible for religious affairs and religious organisations.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

With respect to the COVID-19 pandemic, the Minister in charge of Religious Affairs, Emmalin Pierre, spoke favour-

ably in May 2020 about the work of Churches and religious leaders for "their efforts to use all possible means to provide hope to the nation in these very difficult times."<sup>7</sup>

Also, in May 2020, a protocol on reopening churches was released. This followed the imposition of restrictions due to the COVID-19 pandemic. As a result, Churches must apply online for permission to reopen, and comply with a series of health and social distancing measures.<sup>8</sup> The Religious Affairs Office is required to answer all requests within two business days. Funerals and weddings are allowed with a maximum of 10 people. All other ceremonies, including baptisms, were suspended until further notice.<sup>9</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom is respected and no incidents of either intolerance or discrimination were recorded during the reporting period. The Ministry responsible for Religious Affairs as well as a number of government officials have shown support to the work of the Churches, and in this way prospects for the right to religious freedom remain positive.

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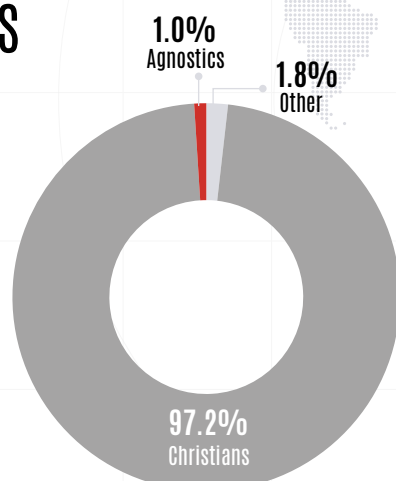
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# GUATEMALA

## RELIGIONS



Population  
**17,910,812**  
GDP per capita  
**7,424 US\$**



Area  
**108,889 Km<sup>2</sup>**  
GINI INDEX\*  
**48.3**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution of the Republic of Guatemala<sup>1</sup> invokes “the name of God”. Under Article 36, “the exercise of all the religions is free. Any person has the right to practise his [or her] religion or belief, in public and in private, through teaching, cult [i.e. worship] and observance, without other limits than the public order and the due respect for the dignity of the hierarchy and the faithful [followers] of other beliefs”.

Article 37 of the Constitution gives legal recognition to the Catholic Church. It also acknowledges the ownership of the Catholic Church over “real assets which it holds peacefully for its own purposes, as long as they have formed part of the patrimony of the Catholic Church in the past.”

The same article allows other Churches or religious entities to obtain legal recognition “in accordance with the rules of their institution, and the Government may not deny it, aside from reasons of public order”. It also stipulates that “The real assets of the religious entities as-

signed [destinados] to cult [i.e. worship], to education, and to social assistance, enjoy exemption from taxes, assessments, and contributions.”

Under Articles 186, 197 and 207, members of the clergy cannot assume the offices of president, vice president, or cabinet minister; nor can they be magistrates or judges.

According to Article 71, the state provides education “without any discrimination whatsoever”.

Under Article 73, “religious education is optional in the official establishments and can be taught during ordinary hours, without any discrimination.” Likewise, the state makes the undertaking to “contribute to the maintenance of religious education without any discrimination”.

The competent administrative authority can authorise members of the clergy to celebrate civil marriages (Article 49).

Under the Civil Code, Churches are legal persons and are entitled to acquire, possess and dispose of goods, provided that the latter are destined exclusively for religious purposes, social assistance or education.<sup>2</sup>

Under the Labour Code, discrimination on the basis of religion is prohibited in establishments engaged in social welfare, education, culture, entertainment or commerce. Employers are not allowed to influence the religious convictions of their employees. Trade unions can be dissolved if it can be proven in a court of law that they cause or foment religious strife.<sup>3</sup>

The Penal Code imposes criminal sanctions for anyone who disrupts religious celebrations, carries out acts that offend religious practices and objects of worship, or desecrates places of worship or burial. Theft is subject to more stringent criminal penalties if the objects stolen are used for worship or otherwise have high religious significance.<sup>4</sup>

## INCIDENTS AND DEVELOPMENTS

In 2018 Christian, Jewish and Muslim communities reported increased interfaith collaboration creating an Interreligious Humanitarian Commission providing charitable assistance after the 3rd June Fuego volcanic eruption.<sup>5</sup>

In September 2018, a bill instituting a National Day of Prayer was presented to the Congress of the Republic.<sup>6</sup>

In October 2018, the Guatemalan Congress adopted a non-binding motion to ban the Swedish Heavy Metal band Marduk from entering the country, since it “violates the religious sentiments, mainly Christian, of Guatemalan society”.<sup>7</sup>

In 2019, Mayan leaders continued to urge the government to allow them access to sacred sites on state-owned land. The government’s “Route to Prosperity” (La Ruta Hacia la Prosperidad) program, indicated increased engagement with indigenous communities.<sup>8</sup> 80 native leaders, in a series of meetings over 2018, identified eight priorities including “respect for sacred land, indigenous culture, and indigenous religion”, which they said had been “historically ignored”.<sup>9</sup>

In September 2019, Strategic Intelligence Secretary Mario Duarte attended the General Assembly of the United Nations (UN) in order to participate in the “Global Call to Protect Religious Freedom” conference promoted by the United States.<sup>10</sup>

In January 2020, Pope Francis recognised the martyrdom of ten people in Guatemala (three Spanish missionaries and seven lay people), “murdered out of

hate for the faith during the civil war between 1980 and 1991.”<sup>11</sup>

In the 2018-2020 period, reports indicate that a number of religious buildings and symbols were vandalised. In February 2019, an unknown individual beheaded the image of Santa María de Cervelló in La Merced Church in Antigua Guatemala.<sup>12</sup>

In August 2020, the Church of Our Lady of the Miraculous Medal (Nuestra Señora de la Medalla Milagrosa) in Guatemala City was vandalised. Witnesses reported that criminals “tied a rope around the neck of the image (a statue) at the top of the main entrance of the church.” In trying to remove the statue, they damaged it. It was reported that neither police nor the authorities responded to the scene.<sup>13</sup>

The Catholic Bishops’ Conference of Guatemala has spoken openly on issues of public interest, for example: In January 2019, it expressed indignation over the decision of President Jimmy Morales to expel the International Commission Against Impunity in Guatemala, noting that this went against the peace agreements meant to fight criminal groups in the country and combat corruption<sup>14</sup>; in February 2019, the bishops expressed concern over “forced migration to the North” (Mexico and the USA), which particularly affects young people exposed to networks of human smugglers and drug traffickers<sup>15</sup> and; in February 2020, the prelates expressed hope that the priority of the new political leaders would be the common good and that corrupt practices would end.<sup>16</sup>

Following the outbreak of the COVID-19 pandemic in March 2020, the government limited public and private activities, including religious activities. The Catholic Bishops’ Conference took a number of measures and issued a statement noting that the authorities have a duty to ensure public health, expressing its appreciation for the government’s call to pray for Guatemala. Churches were allowed to stay open for individuals to visit and pray.<sup>17</sup>

In August 2020, the government announced a new timetable for religious activities to avoid spreading the virus. Special events such as weddings and baptisms were not banned, but the number of participants was restricted.<sup>18</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

During the period under review, vandalism against religious buildings and symbols increased with no sign of the authorities opening investigations. During the same time period the Catholic Church was more vocal regarding government actions and elections. Social and economic tensions are increasing, compounded by the pandemic. Such tensions never bode well for the development of human rights. We perceive the situation going from stable to negative.

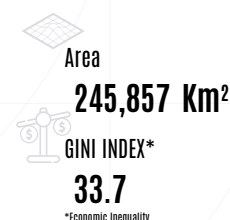
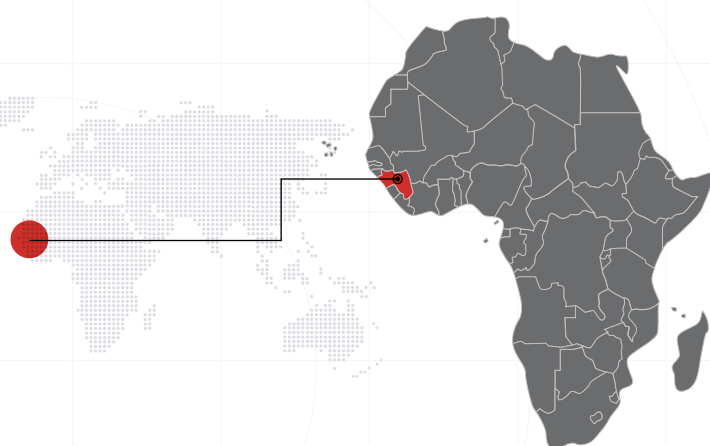
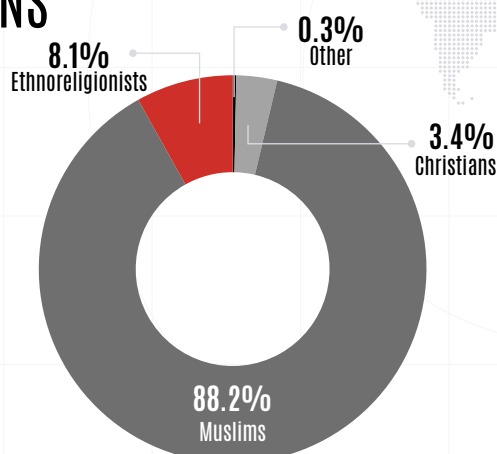
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# GUINEA CONAKRY

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Guinea affirms the secular nature of the state (Article 154) and “the equality before the law of all citizens without distinction” of origin, race, ethnicity, gender, religion and opinion (Article 1).<sup>1</sup> It forbids political parties based on race, ethnicity and religion (Article 3), and punishes religious discrimination (Article 4). The constitutional text guarantees the right of individuals to choose and profess their religion (Article 7). Moreover, it guarantees that religious institutions are managed freely (Article 14), even though in practice the government has historically intervened in religious affairs.<sup>2</sup>

The Republic of Guinea has great ethnic and religious diversity, and the rights of its various groups are generally respected, despite the government’s authoritarian tendencies. After more than 50 years of autocratic rule under presidents Sekou Touré (1958-84) and Lansana Conté (1984-2008) and a number of short-lived transitional governments, Guinea held its first largely free presidential elections in 2010.<sup>3</sup> In October 2015, President Alpha Condé won almost 58 per cent of the vote and was re-elected for a second term. Under Article 27 of the constitution, that would have been his last. However, on September 2019 he announced a referendum to change the constitution and scrap the two-term limit. This decision sparked numerous demonstrations in several

cities around the country.<sup>4</sup>

Muslims are the majority in every province of Guinea. Ethno-religionists are the second largest group. Christian communities are located primarily in the larger cities as well as in the southern and eastern regions.<sup>5</sup> The country is also home to small groups of Bahá’ís, Hindus and Buddhists. Religious coexistence is traditionally good in Guinea. An interfaith council works closely with the government on religious affairs.<sup>6</sup>

Religious communities must register with the Secretariat of Religious Affairs (SRA) and each faith group must report on its activities every six months. Registered groups enjoy VAT tax exemptions on incoming goods and select energy subsidies.<sup>7</sup> There were no reports of major difficulties in this regard during the reporting period.

The government, through the SRA, requires mosques and churches to follow mandatory themes in their weekly sermons. The goal is to “harmonize religious views in order prevent radical and political messages in sermons”.<sup>8</sup> In every region, SRA inspectors monitor the latter to ensure “that mosque and church sermons are consistent with SRA directives”.<sup>9</sup> Clerics who do not follow the directives can be subjected to disciplinary action.

Concerning religious education, Islamic schools - private or government funded - remain the traditional environment for religious education teaching the compulsory government curriculum along



with Quranic studies. Private Christians schools, open to Christian and non-Christian students, are present in the major cities also teaching the compulsory government curriculum, however, receive no government support. Although not officially recognised by the government local madrassahs, some associated with mosques, are able to operate. Focused on Quranic studies, the education is in Arabic and not French and some are supported with monies coming from Saudi Arabia and some Gulf states. Most madrassah students also attend public or private schools thus receiving the compulsory government program.<sup>10</sup>

## INCIDENTS AND DEVELOPMENTS

In 2019, the government continued to provide financial assistance to religious pilgrims. For the annual Islamic pilgrimage to Mecca (Hajj), the SRA funded the travel expenses of 8,000 Guinean Muslims.<sup>11</sup>

Formally, no religion enjoys special rights; however, the Muslim community wields considerable influence, as it is by far the largest religious group in the country. Government authorities were present at various Muslim events throughout 2019. The prime minister and several government officials attended the annual National Islamic Conference.<sup>12</sup> Moreover, President Condé participated in various Muslim celebrations and travelled to Mecca as part of the Umrah pilgrimage (which, unlike Hajj, can be undertaken at any time of the year).<sup>13</sup>

Christian religious leaders continued to complain about this apparent preferential treatment received by the Muslim community from the government. The Evangelical Protestant Church

marked its 100th anniversary in Guinea with a large ceremony in January 2019. High-ranking government officials did not participate despite being invited.<sup>14</sup>

Concerning the political situation, clashes between security forces and demonstrators over a possible extension of the presidential term limit left 20 civilians and one gendarme dead.<sup>15</sup> The demonstrations occurred as a result of the extension of the presidential term limits in a controversial referendum that was backed by 90 per cent of voters in March 2020 and that allowed President Condé to be elected for a third term. Several religious organisations have called for a peaceful resolution to the crisis, including the Catholic Church of Guinea, which has appealed for “political dialogue”.<sup>16</sup> Furthermore, the European Parliament called on the government to protect the right to freedom of assembly and to investigate and prosecute members of the security forces who were responsible for human rights violations.<sup>17</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

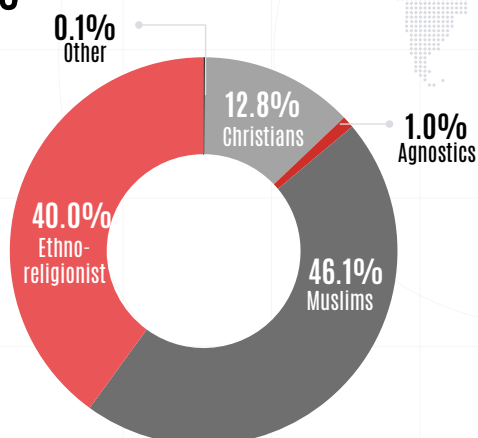
As a number of reports indicate that countries of western Africa and the Gulf of Guinea are increasingly under the threat of armed jihadi groups and their ideology.<sup>18</sup> The consequences that the spread of jihadism in western Africa will have for Guinea remain to be seen. Thus far, the country – which has a long tradition of peaceful coexistence among religions – has successfully managed to counter jihadist groups. Social instability, as a result of the political situation, is likely to persist in the near future. This combination of jihadism and social instability risks affecting freedom of religion in the future.

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# GUINEA-BISSAU

## RELIGIONS



 Population  
**2,000,694**  
 GDP per capita  
**1,549 US\$**

 Area  
**36,125 Km<sup>2</sup>**  
 GINI INDEX\*  
**50.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Guinea-Bissau is ethnically and religiously very diverse. According to Article 1 of its constitution, it is a “sovereign, democratic, secular and unitary republic”<sup>1</sup>. Article 4 (Section 4) and Article 45 (Section 3) respectively prohibit political parties and labour unions from identifying with any Church, religion, cult, or religious doctrine. Although the constitutional text affirms that freedom of religion and conscience are inviolable, Article 30 (Section 2) allows the state to suspend or limit “fundamental rights, liberties and guarantees” in case of a state of emergency. Article 24 clearly states that all citizens are equal before the law, with the same rights and duties, without distinctions of any type (including religion). Religious groups must be licensed by the Ministry of Justice and these then receive tax exemptions.<sup>2</sup>

Church and state are separate in the former Portuguese colony. While religious groups can teach their faith and some have some private schools, religious instruction is not allowed in public schools.<sup>3</sup> Despite political instability and widespread poverty, religious tensions have been

minimal for decades.

## INCIDENTS AND DEVELOPMENTS

There have been no significant developments with regard to religious freedom during the reported period but tension is growing. Some jihadi terrorist groups have recently become increasingly involved in illegal activities. On 4th September 2019, local police seized more than 1.8 tonnes of cocaine purportedly smuggled by al-Qaeda.<sup>4</sup> West Africa is suffering from an increased presence of Islamist terrorist groups.<sup>5</sup> Consequently, the Regional Catholic Bishops’ Conference of Francophone West Africa, which includes the bishops of Guinea-Bissau, issued a joint pastoral message on 22nd May 2019. In it, the prelates denounced the “disquieting wave of violence”<sup>6</sup> faced by the region and local Christian communities, and called on all religious leaders to “rise together to denounce any instrumentalization of religion.”<sup>7</sup>

Politically, the country has faced a major crisis since President José Mário Vaz sacked Prime Minister Domingos Simoes Pereira in 2015, leaving the country divided.<sup>8</sup> Presidential elections were held on 24th November 2019. Bishop Pedro Carlos Zilli of Bafatá called on the govern-

ment and opposition groups to engage in dialogue. Bishop Camnate Na Bissign of Bissau said Bissau-Guineans deserve peace, stability and security.<sup>9</sup> A former Prime Minister, Umaro Sissoco Embaló of the Madem G15 party, won the second round of voting after a controversial election. The new president was accepted in late February 2020.<sup>10</sup> Embaló, a Muslim, is married to a Christian woman.<sup>11</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Civil justice and fundamental rights suffer in an atmosphere like the one currently observed in Guinea-Bissau. Religious freedom too is at risk. The new government is unlikely to bring stability to a country that has been politically unstable since its independence. According to the United Nations Office on Drugs and Crime (UNODC), Guinea-Bissau lacks the resources to counter the increased threat of terrorism and organised crime,<sup>12</sup> and

such threats can be expected to increase. Jihadi terrorist and criminal groups have taken advantage of the political instability and the weakness of the state to easily move in and out of the country. Some reports point to links between local and regional militant groups.<sup>13</sup> As a local senior intelligence official put it, “Because of its [political] fragility, [Guinea-Bissau] is easy to penetrate. People can stay unnoticed for a long time”.<sup>14</sup> Jihadi terrorist groups thus far have used the country for logistical and financial purposes only, while drug traffickers use it for transnational shipments. So far though, there have been no reports of violence or intimidation towards non-Muslim communities, but it remains to be seen if the growing radical Islamist presence will change that.

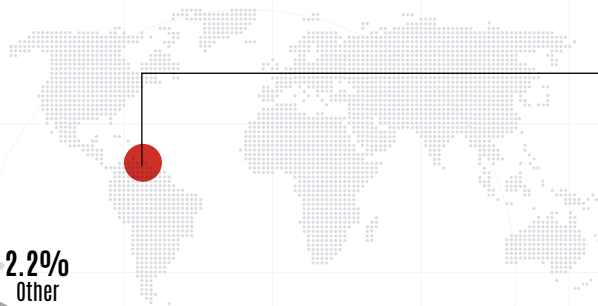
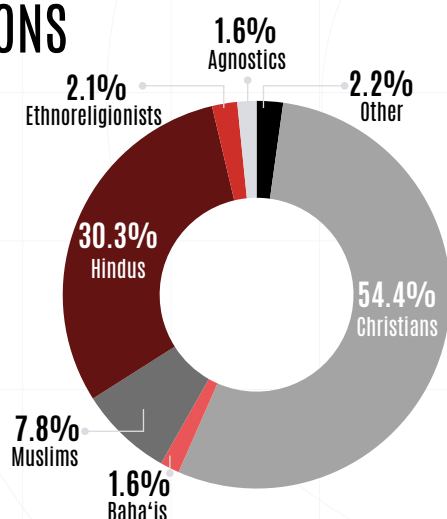
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# GUYANA

## RELIGIONS



Population  
**790,782**  
GDP per capita  
**7,435 US\$**



Area  
**214,969 Km<sup>2</sup>**  
GINI INDEX\*  
**44.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution<sup>1</sup> states that Guyana is a secular state. Article 145 (1) guarantees freedom of conscience, including freedom of thought and religion, freedom to change one's religion or belief, to manifest it and propagate it through worship, teaching, practice and observance, either individually or collectively, in public or in private. Conscientious objection to military service is also recognised (Article 140, 3, c).

No religious community can be prevented from providing religious instruction to its members (Article 145, 2). Except with one's consent (or that of one's guardian for minors), no person attending a place of education shall be required to receive religious instruction or take part in or attend a religious ceremony or observance other than their own (Article 145, 3).

No one can be forced to take an oath contrary to their religion or beliefs, or in a manner contrary to their religion (Article 145, 4).

No law may be discriminatory in itself or in its effects, where discrimination means the different treatment of people based on their race, place of origin, political opinion,

colour or creed (Article 149, 2 and 3).

The Ethnic Relations Commission is charged with promoting and enhancing respect for religion, culture, and other forms of diversity typical of a plural society (Article 212D, f).

There is no official registry for religious groups, but they must follow the registration procedures of non-profit organisations to obtain formal recognition.<sup>2</sup> Proper registration requires submitting a group's name, the address of its place of worship, and information about its leaders. Once formally recognised, groups can conduct financial operations, acquire properties, and benefit from tax advantages.<sup>3</sup>

To enter the country, foreign missionaries need the authorisation of the Department of Citizenship within the Ministry of the Presidency. In Amerindian (Indigenous) villages, foreign religious groups need the permission of the local council.<sup>4</sup>

## INCIDENTS AND DEVELOPMENTS

In late 2019, President David Granger attended various religious celebrations marking important anniversaries for

a number of Churches. On the 12th anniversary of Solomon's Temple, he highlighted the role Churches play in education, both after emancipation and today.<sup>5</sup> Upon the 175th anniversary of the Arundel Congregational Church, attended by members of various Churches, he noted how this Church had contributed to Guyana's nation-building process.<sup>6</sup>

In May 2020, in response to restrictions imposed because of the COVID-19 pandemic, religious leaders noted that the Churches continued to evangelise and encourage their communities through the Internet, Facebook, etc. This has allowed them to reach more people in different parts of the world. However, this still comes with drawbacks since many people, especially the elderly, may not have access to the Internet and cannot participate in online services.<sup>7</sup>

In August 2020, places of worship were allowed to hold public celebrations as part of the gradual reopening of the country, within the strict confines of COVID-19 security measures adopted by the authorities.<sup>8</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The 2018-2020 period saw no violations of religious freedom. The government has openly expressed its appreciation for Churches and their public role. The prospects for the future are positive.

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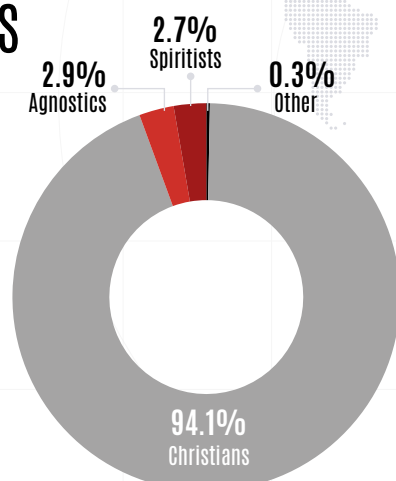
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# HAITI

## RELIGIONS



Population  
**11,371,185**  
GDP per capita  
**1,653 US\$**



Area  
**27,750 Km<sup>2</sup>**  
GINI INDEX\*  
**41.1**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Haiti<sup>1</sup> stipulates that all religions and beliefs will be freely exercised in the country and that everyone has the right to profess their religion and practise their faith, provided that this right is exercised in such a way that it does not interfere with public order and peace (Article 30).

Article 30 (1) states that no one can be forced to belong to a religious organisation or follow any teaching that is contrary to their beliefs. Article 30 (2) sets the conditions for the recognition and practice of religions and faiths.

Under Article 35 (4), labour unions are essentially considered as non-political, non-profit and non-denominational.

Foreign nationals, as well as religious groups, humanitarian organisations and educational institutions can own property under Article 55 (2).

As stipulated in Article 135-1, in taking the oath of office, the President of the Republic must say: "I swear before God and the Nation".

In accordance with Article 187, members of the High Court of Justice must also say: "I swear before God and before the Nation to judge with the impartiality and the firmness appropriate to an honest and free man, according to my conscience and my deep-seated conviction."

As set out in Article 215, centres of African belief are regarded as part of the nation's heritage and are protected by the state.

A concordat with the Holy See allows the Vatican to choose a number of bishops with the government's consent. On this basis, the Haitian government provides economic support for Catholic priests and churches.<sup>2</sup>

Legally, religious organisations must register with the Ministry of Religious Affairs as well as submit an annual activity update. Registration gives religious organisations some tax exemptions. The Ministry of Justice allows members of the clergy of registered religious groups to issue civil documents, like baptism and marriage certificates.<sup>3</sup>

Voodoo was recognised as a religion in 2003.

Muslim communities (Sunni, Shia, and Ahmadiyya) have sought official recognition, but have not yet received a response from the Ministry; for this reason, Muslim marriag-

es are not recognised and Muslims must be civilly married.<sup>4</sup>

Haiti is a member of the 1976 International Covenant on Civil and Political Rights.

## INCIDENTS AND DEVELOPMENTS

In August 2019, the government allocated annual funds for registered Catholic and Protestant schools, in line with the Vatican-Haiti concordat and due to the number of schools the Protestant and Anglican Churches maintain. According to the National Council for Haitian Muslims, the government did not allocate funds to the four registered Muslim primary schools.<sup>5</sup>

Between September and November 2019 there were numerous violent demonstrations by citizens protesting the increase in prices and the social and economic crisis. In October 2019, Archbishop Leroy Mésidor of Port-au-Prince urged Haitian President Jovenel Moïse to listen to “the voice of wisdom” in order to overcome the crisis in which the country found itself.<sup>6</sup> That same month the Haitian Conference of Religious (CHR) announced plans to hold a “silent national march” to express concern over the country’s humanitarian crisis.<sup>7</sup>

In May 2020, with the number of COVID-19 cases rising, the Haitian government extended the state of emergency

for two months, thus keeping various establishments, including places of worship, closed.<sup>8</sup>

Voodoo leaders noted that “the health system is not able to respond to the challenge of the pandemic”; for this reason, they said they were prepared to receive patients in their places of worship and treat them with natural remedies.<sup>9</sup>

In July 2020, Evangelical Christians protested in Port-au-Prince against the new Penal Code, signed into law by the president, which among other changes, legalized abortion and lowered the legal age for consensual sex to 15.<sup>10</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

No violations of religious freedom and no evident trends of intolerance or discrimination were recorded during the period under review. Equality before the law, specifically for Muslims, remains an issue.

Haiti continues to be mired in a humanitarian crisis, compounded by enduring political crises. During the 2018-2020 period, religious leaders called for action to place the common good above personal interests. The increasing political and economical duress under which a majority of the population live, means that religious charitable institutions remain key to maintaining human dignity.

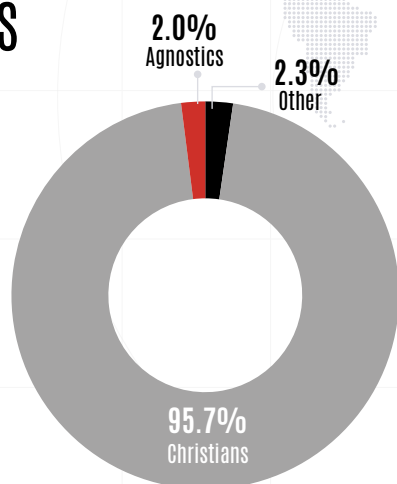
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# HONDURAS

## RELIGIONS



Population  
**9,719,265**  
GDP per capita  
**4,542 US\$**



Area  
**112,492 Km<sup>2</sup>**  
GINI INDEX\*  
**52.1**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The constitution<sup>1</sup> invokes the protection of God in its Preamble and guarantees the free exercise of all religions and faiths without preference insofar as they do not break any laws or violate public order. This right cannot be suspended or restricted in the case of an emergency.

Members of the clergy cannot, according to Article 77, “hold public office or engage in any form of political propaganda, invoking religious motives or [ . . . ] taking advantage of the religious beliefs of the people.”

Articles 78 and 79 guarantee freedom of association and assembly as long as they do not violate public order and public morals.

Article 151 states that “national education shall be secular” and Article 152 recognises the right of parents to choose the type of education they want for their children.

Religious groups are not required to register. Only the Catholic Church is legally recognised in law.<sup>2</sup> Unregistered groups can operate but without tax exemptions or other benefits. To obtain legal recognition, religious groups must

apply to the Secretariat of State for Human Rights, Justice, Governance and Decentralisation. The Office of the Solicitor General must review the application.<sup>3</sup> Authorised organisations must submit annual reports about their financial situation and activities. They can also ask the Ministry of Finance for tax exemptions and duty waivers.<sup>4</sup>

Foreign missionaries must be sponsored by a Honduran institution and apply for an entry visa and residence permits. The government has signed agreements with the Evangelical Fraternity of Honduras, Mormons and Seventh-day Adventists to facilitate the acquisition of entry visas and residence permits for their missionaries. Groups that do not have written agreements must provide proof of employment and income for their missionaries. The immigration of foreign missionaries who use witchcraft or satanic rituals is prohibited.<sup>5</sup>

Honduras is a signatory to the International Covenant on Civil and Political Rights as well as the Ibero-American Convention on Young People’s Rights. Both recognise the right to conscientious objection in the case of compulsory military service.<sup>6</sup>

The Honduran government only recognises civil marriages. According to Article 13 of the Family Code, members of the clergy of any faith group who authorise a religious

marriage without a civil marriage certificate will be held criminally liable.<sup>7</sup>

Seventh-day Adventists have pointed out that certain educational establishments (schools and universities) do not respect their right to observe the Sabbath.<sup>8</sup>

Article 228 of the Code of Criminal Procedure states that the members of the clergy “authorised to operate in the country are not obliged to make any statement in relation to confidential information or secrets they may have heard during the exercise of their ministry and that they are required not to divulge.” The article also says that members of the clergy “must be informed of their right to remain silent,” and that, if they do agree to speak, “they may refrain from replying to any question they do not wish to answer.”<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

In June 2018, a number of civil society groups expressed their opposition to a motion that would make reading the Bible mandatory in schools, describing it as an attack against secular education.<sup>10</sup>

In August 2018, the 14th International Congress of Religious and Sustainable Tourism was held in the city of Comayagua, organised by the government, unions and the local diocese.<sup>11</sup>

In September 2018, Honduran Cardinal Óscar Andrés Rodríguez condemned acts of vandalism against the St Michael the Archangel Cathedral in the Honduran capital of Tegucigalpa during a march organised by the Liberty and Refoundation (Libertad y Refundación) political party, and complained about the indifference shown by the authorities.<sup>12</sup> Another act of vandalism was reported in December 2019 when an old church in Tegucigalpa was painted in the colours of the gay pride flag.<sup>13</sup>

In the period under review, two Evangelical pastors were murdered with no clear motive. In August 2019, a pastor who owned an Evangelical radio station was murdered at his home in Santa Bárbara.<sup>14</sup> A few months later, in October, another pastor was shot in his car in San Pedro Sula.<sup>15</sup> A young man was also killed inside a church in Choloma during a religious service.<sup>16</sup> Church authorities noted that most violence against its members originated from criminal organizations, as member churches were present in areas of high violence with minimal state presence.<sup>17</sup>

In August 2019, the Constitutional Chamber of the Supreme Court of Honduras ruled in favour of a group of

Seventh-day Adventist university students who were denied the possibility of taking exams and classes on days other than Saturday. The Court ordered the university to come up with regulations that guarantee religious freedom.<sup>18</sup>

In October 2019, the Catholic Bishops’ Conference of Honduras criticised the collusion of politicians with drug traffickers, who have infiltrated state institutions, as well as the Penal Code that violates “fundamental rights and favours offences related to drug trafficking and corruption.”<sup>19</sup>

Following the outbreak of the COVID-19 pandemic in March 2020, the government decreed a state of exception and suspended religious celebrations.<sup>20</sup> In May 2020 the Catholic Bishops’ Conference released a protocol for religious worship, saying that it is supportive and complies with the measures taken by the authorities.<sup>21</sup> Two months later, in July, the country reopened, churches included.<sup>22</sup>

In September 2020, the government announced plans to deliver biosecurity materials to all churches. The Evangelical Confraternity asked for financial support (via a bonus) for elderly pastors,<sup>23</sup> sparking controversy. Other Evangelical communities decided against it.<sup>24</sup> The Catholic Bishops’ Conference of Honduras said it was unaware of the decree in favour of churches and would not accept the bonus.<sup>25</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Between 2018 and 2020, no significant religious freedom violations were reported. Church authorities agreed that in the majority of cases, clergymen were victims of criminal action, whilst in another, a young man was killed in church; in none of these incidents did religion appear to be the cause.

During the same period, the Superior Court of Justice issued a significant ruling protecting the rights of religious minorities. For their part, Churches spoke out against links between people in power and drug traffickers as well as the authorities’ failure to provide protection in certain parts of the country.

Notwithstanding the blight of drug trafficking and related gang violence affecting Honduran society, the situation of religious freedom has not changed and prospects for the future remain stable.

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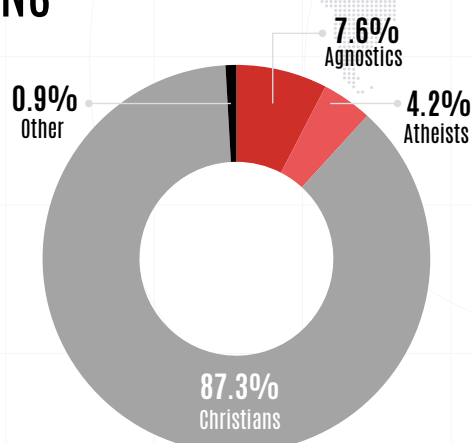
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# HUNGARY

## RELIGIONS



Population  
**9,621,254**  
GDP per capita  
**26,778 US\$**



Area  
**93,024 Km<sup>2</sup>**  
GINI INDEX\*  
**30.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Hungarian constitution recognises the prominent place of Christianity in the history of the country, declaring: “We are proud that our king, Saint Stephen, built the Hungarian state on solid ground and made our country a part of Christian Europe 1,000 years ago.”<sup>1</sup> Provisions on freedom of religion or belief in the 2011 constitution were amended in 2016. Article VII (1) enshrines the principle of religious freedom, drawing on Article 18 of the Universal Declaration of Human Rights.<sup>2</sup> Article VII (3) goes on to establish the separation of Church and state while underlining the value to both of cooperating on “community goals”.<sup>3</sup>

In 1990, after the fall of the Iron Curtain and communism, Hungary adopted legislation that guaranteed the right of freedom of conscience and religion for all and prohibited discrimination. In 2018, the much-debated Church Act was amended, setting up categories of Churches that can register with Hungarian courts. These categories are: established, registered or recognised churches, as well as a broader category called “religious associations”.

The amended law states in principle that every community defining itself as a religious community (even without legal personality) is entitled to all the protection provided by the constitu-

tion to religious communities in the context of free religion in a free state. Regardless of their organisational form, legal status or denomination, the state upholds its neutrality and non-interference, maintains the separation between itself and religious communities, and protects their broad autonomy, free self-determination (structure, name, etc.), and equality while prohibiting discrimination.

In the context of state-religious community cooperation, the state can conclude specific agreements with the various religious communities in certain areas. In the case of established churches, it can conclude comprehensive agreements that are legally enacted on the basis of the communities’ history, social acceptance and importance, organisation and social responsibility, which led them to become an established religious community. The 32 established groups include most Christian Churches (Catholic, Protestant, Orthodox), Jewish denominations, as well as other world religions (Buddhism, Islam, etc.). The Church Act is compliant with the corresponding articles of the European Convention on Human Rights.

In order to ensure the survival of Christianity in the Middle East and other areas of the world where religiously motivated persecution takes place, the Government of Hungary took various measures in 2016, including the creation of a new Secretariat of State for Persecuted Christians. This office includes an im-

portant funding agency called “Hungary Helps” to support local projects related to education, health and economic development for persecuted communities. The government budget includes “Stipendium Hungaricum”, a scholarship set up to fund higher education programmes for young Christians both in their own country, but also in Hungary for applicants unable to pursue their studies in their own country because of discrimination or the physical destruction of local institutions of higher learning. During the period under review, the beneficiaries included students from Nigeria, Egypt, Lebanon, Israel, Palestine, Jordan, Pakistan, Syria and Iraq.<sup>4</sup> Students were selected in cooperation with the local Church authorities.

Hungary is home to an important Jewish community. The higher profile it acquired during the Holocaust Remembrance Year in 2014 led to sizeable programmes of reconstruction of historic buildings and support for the production of educational material such as a textbook titled *The History of Hungarian Jewry*, published in October 2018.

## INCIDENTS AND DEVELOPMENTS

During the first months of the implementation of the “Church Act”, there were no violations of religious freedom in Hungary during the period under review.

The Hate Crime reporting section of the Organization for Security and Co-operation in Europe (OSCE) lists a total of 194 and 132 hate crimes for 2018 and 2019, respectively. Of these, 15 and 19 were hate crimes with a religious bias, most of them ending in prosecution. They consisted mostly of anti-Semitic graffiti and insults against people in religious garb.<sup>5</sup>

The 2018 and 2019 reports by the Office of International Religious Freedom of the US Department of State<sup>6</sup> concentrated on the new aspects of the “Church Act”, and how it creates categories among the religious organisations in order to assign available funds. In general, the new law simplified the procedures to register and receive public support for a wider number of faith-based organisations.

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Other organisations reporting on religious freedom in Hungary highlight interneccine disputes among prominent Jewish associations in Hungary, regarding their different positions towards the “House of Fates Holocaust Museum”, a project of the Hungarian government. While full ownership was transferred to the Jewish community, funding remained public (€18 million).<sup>7</sup>

In April 2019 Prime Minister Orbán, during the opening ceremony of the Avicenna Institute for Middle Eastern Studies, expressed hope that improved knowledge of one another would make Christians and Muslims better partners.<sup>8</sup>

In the first week of August 2019, Hungary hosted the European Maccabi Games, with total public funding of about €90 million, including the building of infrastructure, and the participation of 2,000 athletes from 42 countries.<sup>9</sup> In December 2019 the Unified Hungarian Jewish Congregation (EMIH) obtained €6.1 million in funding to build a cultural centre.<sup>10</sup>

The provision of funds to all religious groups under the new “Church Act” has enabled these groups to provide more services to society, Hungary’s Education minister asserted. Registration in Church-run schools and students doubled between 2010 and 2019.<sup>11</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

The extensive amendment in 2018 of the “Church Act” made this piece of legislation a unique case in Europe, with favourable prospects for the development of religious freedom.

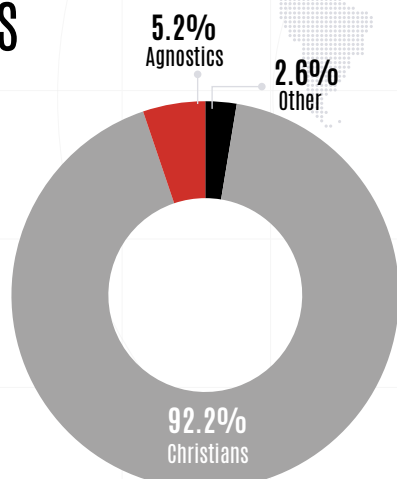
Because it involves the distribution of sizeable amounts of public money (€450 million for 2018, €220 million for 2019), disputes regarding who gets how much arose among religious communities; nevertheless, there seems to be a growing understanding of the importance of the services provided by faith-based organisations, which are likely to grow, including Church-run schools.

Hungary plays an active part in international platforms promoting freedom of religion, including the International Religious Freedom or Belief Alliance, established in February 2019.



# ICELAND

## RELIGIONS



Population

**343,228**



GDP per capita

**46,483 US\$**



Area

**103,000 Km<sup>2</sup>**



GINI INDEX\*

**26.8**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Republic of Iceland establishes the Evangelical Lutheran Church (ELC) as the national Church entitled to state support and protection (Article 62).<sup>1</sup> The same article asserts that “this may be amended by law.” Currently, there is a push to separate Church and state.<sup>2</sup>

In its present form, the constitution guarantees people the right to form religious associations and to practise their religion in accordance with their beliefs. However, “Nothing may be preached or practised which is prejudicial to good morals or public order” (Article 63).

The constitution also provides that everyone is equal before the law, irrespective of religion (Article 65), and no person “may lose any of his civil or national rights on account of his religion, nor may anyone refuse to perform any generally applicable civil duty on religious grounds” (Article 64).

Religious and secular groups may apply for recognition and registration with the authorities.<sup>3</sup> This entitles them to certain rights and obligations, as well as a share of the mandatory congregation fees (church tax) people have to

pay when they file their income tax.<sup>4</sup>

The portion of congregation fees of those who do not belong to any registered group go to the University of Iceland (Article 64).

From December 2018 to June 2020, Siðmennt (Icelandic Ethical Humanist Association) had the greatest increase in membership, while the ELC had the greatest decrease.<sup>5</sup> The Catholic Church, the second largest religious group after the ELC, saw a 5 per cent increase during the same period.<sup>6</sup>

Iceland’s Compulsory School Act indicates that the “role of compulsory schools is to cooperate with homes” for the development of all pupils, with their work guided by “the Christian heritage of Icelandic culture and marked by equality [. . .] responsibility, consideration, forgiveness, and respect for human worth” (Article 2).<sup>7</sup> Instruction in Christianity, ethics, and theology is compulsory in public and private schools. Parents may apply for an exemption for their children by submitting a written request.<sup>8</sup>

Under Article 233 (a) of the General Penal Code, people can be fined and convicted for publicly mocking, defaming, denigrating or threatening by comments or other expressions (such as pictures or symbols) a person or group for

their religion, nationality, race, colour, sexual orientation or gender identity.<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

In September 2019, the Icelandic government and ELC officials signed an agreement to increase the financial independence of the Church, in a step towards the Church becoming a religious community responsible for its own operations and finances, rather than a state institution. While it remains the national Church, as provided for in the constitution, the agreement simplifies the system of payments from the state to the ELC, and as of January 2020, ELC clergy are no longer considered civil servants.<sup>10</sup>

After a complaint from several religious and secular organisations, the government reversed an October 2018 decision to block access to official group membership lists for data protection reasons. Effective 1st December 2019, all religious and secular organisations have full access to their membership lists.<sup>11</sup>

A 2018 proposed ban on male circumcision, opposed by both the Jewish and Muslim communities, was withdrawn after intense lobbying from around the world.<sup>12</sup>

The Organisation for Security and Co-operation in Europe's 2018 Hate Crime database reported one crime motivated by anti-Christian bias - an attack on a place of worship.<sup>13</sup>

The United States Office of International Religious Freedom reported five instances of "religiously motivated incidents" in 2019, such as insults and threats against Muslims.<sup>14</sup>

The same report indicated that a member of the Jewish community was subjected to anti-Semitic comments on a social media post in September 2019.<sup>15</sup>

A ban on public gatherings of more than a hundred people due to the coronavirus pandemic in 2020 resulted in the suspension of religious services, including confirmations, funerals, and weddings.<sup>16</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the period reviewed, no incidents or negative developments were reported with respect to religious freedom in Iceland and the prospects are for continued stability in this regard.

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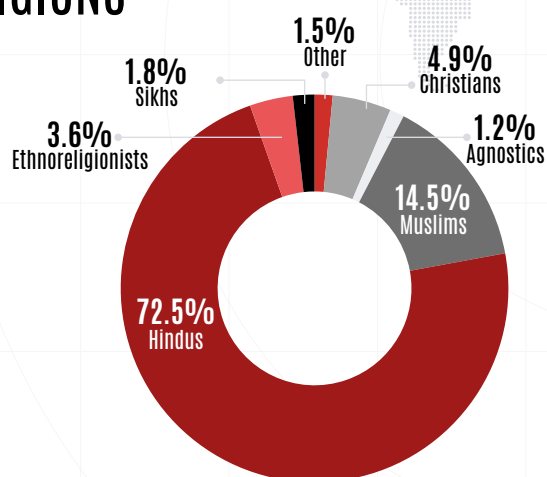
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## INDIA

## RELIGIONS



Population

**1,383,197,753**

GDP per capita

**6,427 US\$**

Area

**3,287,263 Km<sup>2</sup>**

GINI INDEX\*

**37.8**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

India's constitution<sup>1</sup> guarantees religious freedom, and the country has a distinct form of secularism that strives to treat religious traditions equally. However, the influence of Indian secularism has waned since Prime Minister Narendra Modi and his Bharatiya Janata Party (BJP) came to power in 2014.

Although interreligious tensions have been a major issue in India dating back to the independence movement and the 1947 partition that created the independent nations of India and Pakistan, the political, social and cultural influence of Hindu nationalist groups, collectively known as Sangh Parivar (family organisation or association), like the Rashtriya Swayamsevak Sangh (National Volunteer Organisation, RSS), has grown dramatically since Modi's election. Members of various Sangh Parivar organisations now hold senior positions in the government, the military, and academia.

According to the Constitution of the Republic of India, religious freedom is guaranteed by Article 25, which states that "all persons are equally entitled to freedom of conscience and the right to freely profess, practise and prop-

agate religion." Furthermore, Article 27 states that no one may be compelled to pay taxes intended for the promotion or financing of a particular religious denomination. The constitution devotes a distinct clause, Article 26, to safeguarding the freedom of "every religious denomination" to "establish and maintain institutions for religious and charitable purposes" and to "manage its own affairs in matters of religion." In addition, Article 30 defines the right of minorities, including religious minorities, to establish and administer their own educational institutions.

Despite India's official secular status, various governments, at both federal and state levels, have enacted laws that restrict the religious freedom of individuals and groups. One of the areas in which governmental and administrative restrictions on the freedom of religious institutions have become significantly more severe in recent years is foreign funding for religious groups, specifically the Foreign Currency Regulations Act (FCRA).<sup>2</sup>

With increasing frequency since 2014, Indian authorities have frozen the bank accounts of different organisations, using the 2010 Foreign Contributions Regulations Act (FCRA) to prevent them from accessing funding to carry out their operations. Many activists believe that the current government has used the 2010 FCRA selectively to target

non-governmental organisations affiliated to minority religious communities, shutting down, for example, Christian humanitarian and development organisations.<sup>3</sup> Existing regulations based in the Indian Penal Code allow the government to treat religious NGOs with greater - and inequitable - severity.

In 2020, the central government used FCRA regulations to further extend its control over civil society groups; specifically, the Ministry of Home Affairs (MHA) revoked the foreign currency licences of four Protestant organisations and one Catholic institute, the Don Bosco Tribal Development Society. The society, founded in 1976 by the Salesians, serves the tribal and other marginalised communities in Tamil Nadu. With the loss of its foreign currency licence, it can no longer receive donations from foreign sources, including officially recognised Catholic agencies, to pursue its mission. As in other cases, the MHA may reject an organisation's FCRA application if the recipient is judged to be engaged in creating communal tensions or disharmony.<sup>4</sup> Since 2017, the Indian government has cancelled over 6,600 foreign currency licences including 900 licences of religious institutions.<sup>5</sup>

Because of the traditional veneration of cows by Hindus, Jains, and Buddhists, there is widespread social distaste for beef consumption and the slaughter of cows. Cow protection has been an important and sometimes controversial political issue for centuries, and currently around two thirds of Indian states have laws that regulate, circumscribe, or prohibit cow slaughter. What is more, the Supreme Court of India has upheld the constitutionality of these laws. Advocacy for legal prohibitions against cow slaughter has been a special feature of social and political groups promoting Hinduism, such as Hindu nationalist groups, including the ruling Bharatiya Janata Party (BJP).

Another concrete way the BJP facilitates social restrictions of religious freedom is through anti-conversion legislation. Several states have passed Freedom of Religion Acts (or, as their critics call them, "anti-conversion laws"). These are state-level statutes designed to regulate religious conversions allegedly accomplished through "forcible" and "fraudulent" means, including "inducement" and "allurement."<sup>6</sup>

The basic structure and content of these laws vary only minimally between states, as newer laws tend to be modelled on earlier statutes in other states. Odisha was the first state in India to enact a Freedom of Religion Act (1967),

followed by Madhya Pradesh (1968), Arunachal Pradesh (1978, though it has yet to frame its rules), Chhattisgarh (2000), Tamil Nadu (2002, repealed two years later), Gujarat (2003), Rajasthan (2006, not yet signed into law by the state governor), Himachal Pradesh (2006, repealed in 2019 but replaced by a new law soon after), Jharkhand (2017), and Uttarakhand (2018).<sup>7</sup>

In August 2019, the Himachal Pradesh Freedom of Religion Act 2019 was unanimously approved by the state's legislative assembly, proposing "stringent punishments - up to seven years in jail compared to the three years under the existing law" - for those convicted of forced religious conversion.<sup>8</sup> In June 2020, the chief minister of the northern state of Haryana said that his state would implement a bill to prevent what he called "forced conversions." If the bill is passed, Haryana will become the ninth state in India to pass an anti-conversion law.<sup>9</sup>

The prejudicial intent of these laws is made evident by the fact that they have never been used to investigate or prosecute Hindus, even in situations when members of the majority have been accused of offering explicit financial inducements for conversion to Hinduism.<sup>10</sup>

These laws disadvantage minority faiths. This became evident in 2015 when the Supreme Court ruled that a person who "reconverts" from Christianity to Hinduism is entitled to certain benefits (of which Christians are normally excluded) if the convert's forefathers belonged to a Scheduled Caste and the community accepts the convert back after "reconversion."

Because anti-conversion laws are often passed at the behest of Hindu nationalist groups who fear that India's Hindu character is under siege due to the growth of competing faiths, the laws disproportionately target religious minorities in the states where they reside. Muslims and Christians are especially affected and burdened because both of these faith traditions engage in missionary activity. These prohibitions provide opportunities for local officials and Hindu supremacist organisations to harass and intimidate members of minority communities.<sup>11</sup>

Muslims in India have been increasingly at risk since the Hindu nationalist leader, Narendra Modi, won a resounding re-election in April-May 2019. Within five months, India's BJP-dominated central government took two significant steps concerning the rights of India's Muslim-minority community. In August, it stripped India's Muslim-majority-state, Jammu and Kashmir, of its special autonomy em-

bodied by Article 370 of the constitution, and in the process jailed dozens of its political and civil society leaders, without cause or trial, and subjected the entire state to a months-long Internet shutdown.<sup>12</sup> In December, the Indian Parliament passed a Citizenship Amendment Act (CAA) that expressly excludes Muslims from a select group of neighbouring countries from applying for refugee and citizenship status on grounds of religious persecution.<sup>13</sup>

The Indian Penal Code (IPC)<sup>14</sup> includes an anti-blasphemy provision. Section 295A penalises insulting the religion or religious beliefs of any class of citizens, if such insult is made with the “deliberate and malicious” intent to “outrage the religious feelings.” This law has been applied at times against Christians (Indian and foreign) who allegedly criticise Hinduism in the course of their evangelising work.<sup>15</sup>

## INCIDENTS AND DEVELOPMENTS

The Christian community in India continues to face targeted violence and hate crimes. In 2019 alone, the Religious Liberty Commission recorded 366 incidents in which Christians across the country were attacked, intimidated, or harassed.<sup>16</sup>

Hindu extremists attack Christian places of worship often with the support of local government authorities. Police and law enforcement either play down the attacks or look the other way. On 21st July 2020, in Odisha, eastern India, scene of the 2008 anti-Christian pogrom,<sup>17</sup> Christians were threatened for allegedly disturbing the peace of a local village as a result of their worship services. Another attack took place in the state when a group of villagers assaulted and set fire to a building used temporarily as a church while 40 people were still inside engaged in worship services. The angry mob then attacked the members as they left the building. To date, although a police report was filed almost immediately with the local station, there have been no arrests. When he heard about the violence in the village, the executive magistrate at the local district court applied Section 107 of the Code of Criminal Procedure to prevent anyone from “disturbing the peace”,<sup>18</sup> noting that the recent event at the church made it “risky to continue meeting for worship,” effectively stopping all Church-based activities from taking place in the village.<sup>19</sup>

Christianity in India has grown among many different groups, especially tribal communities in rural India.<sup>20</sup> One such group of tribal converts to Christianity are the Dangs

in the State of Gujarat. Alarmed by the growing numbers of tribal converts to Christianity, Hindu extremists started deliberate campaigns to “reconvert” tribal Christians, like the Dangs, to Hinduism. In January 2020, Hindu extremists reconverted to Hinduism 144 Dangs in Bhogadiya village. Speaking about the right-wing Hindu groups who claim to have successfully reconverted Christians, Jesuit Fr. Cedric Prakash, who is based in Gujarat’s state capital, Ahmedabad, said that while Hindu extremists might try to spread rumours about the successful return of hundreds of Christians to Hinduism, “for those in the Catholic Church, we are convinced that the faith of the people is unflinching.”<sup>21</sup>

Christian converts who refuse to reconvert to Hinduism often suffer unspeakable abuse including torture and even death. In the State of Chhattisgarh, in Gadada village, families were ordered by local authorities to recant their faith or face severe consequences. The converts refused to deny Christ and were beaten. After the attacks, a radical Hindu group returned to the village and conducted a “reconversion” ceremony with two other Christian families. Attacks on Christians have also increased in Chhattisgarh’s Bastar and Kondagaon regions because converts refuse to comply with their village leaders’ orders to publicly renounce their faith.<sup>22</sup>

In several states, attacks on Muslims and Christians in the name of cow protection have increased in the past few years. According to a Human Rights Watch report, 44 individuals were killed between March 2018 and December 2018 in the name of cow protection.<sup>23</sup>

These cow vigilante attacks largely target Muslims and Dalits (previously known as outcasts or pariahs),<sup>24</sup> as well as indigenous Christian communities in rural areas whose livelihoods are linked to farming and raising cattle.

On 31st July 2020, a 25-year-old Muslim man was attacked by a cow vigilante lynching mob when he was delivering buffalo (not cow) meat to a bazaar. His face was bruised and his skull cracked while the local police stood idly by as the violence unfolded. The victim filed a complaint at the local police station but no one was arrested.<sup>25</sup>

In the State of Jharkhand in eastern India, a group of 60 Hindu extremists arrived in Bherikhudar village on 16th September 2020 to attack a group of indigenous Christians. The assailants accused the Christians of slaughtering cows and selling beef in the local market. In addition, the Hindu group tried to force the Christians to chant “Jai

Shri Ram” (hail Lord Ram). When the villagers refused, they were pelted with shoes and had their heads partially shaved to ridicule and insult them in front of other members of their community.<sup>26</sup>

Many Hindu extremists use “Jai Shri Ram” as a rallying cry when they attack Christian villagers for allegedly engaging in cow slaughter.<sup>27</sup> The chant, traditionally a greeting among traditional Hindus, has also preceded several attacks against young Muslim men forced by lynching mobs of angry Hindu extremists to chant the slogan. In July 2019, a video went viral on social media showing 24-year-old Tabrez Ansari, a young Muslim man who was tied to a pole and beaten by a mob in Jharkhand, complying with the attackers and repeating the chant. The young man died four days later in police custody from the injuries he sustained during the attack.<sup>28</sup> Another Muslim man was killed by a group of Hindu men in September 2020 who demanded he recite, “Jai Shri Ram.”<sup>29</sup> The victim, Aftab Alam, a Muslim cab driver, was confronted by a gang of Hindu extremists and fearing for his life began to record the encounter with the men on his telephone. His phone and the recording were later found when his son tracked it down to a side road in Noida, a city near New Delhi. Eventually, Aftab’s beaten body was found in his cab. When his son tried to file the case as a hate crime case at the local police station, however, police denied it was anything but a robbery.

In December 2019, the lower and upper houses of the Indian Parliament passed the controversial Citizenship Amendment Act (CAA), which was followed by widespread violence and unrest in Delhi, Uttar Pradesh, Madhya Pradesh, Maharashtra, Karnataka, Assam, and on several university campuses. In February 2020, at least 27 people were killed and more than 200 injured in north-east Delhi after protestors clashed with the police.<sup>30</sup> The CAA has drawn sharp criticism from national and international scholars and activists because it makes religion the sole criterion for granting citizenship to irregular migrants and refugees from India’s immediate neighbours.<sup>31</sup>

Finally, India has seen a rising number of attacks on priests and clergy. In November 2018, Fr. Vineet Pereira was attacked while he was conducting a prayer service in Ghohana, a town in the northern state of Uttar Pradesh.<sup>32</sup> A few months later, in February 2019, in the State of Tamil Nadu, a group of Hindu extremists broke into the Little Flower Catholic Higher Secondary School and attacked the Franciscan Sisters of the Immaculate Heart of Mary

who run the establishment.<sup>33</sup> Another attack took place on 8th October 2020 when 83-year-old Jesuit Fr. Stan Swamy was arrested by the National Investigation Agency because he spoke out against the mistreatment of India’s tribal community in Jharkhand state.” Fr. Swamy, who was charged under the Unlawful Activities Prevention Act, is the oldest person ever to be charged in India for alleged terrorism-related activities.<sup>34</sup> However, most people, including senior members of the Catholic Church describe Fr Swamy as a “soft-spoken, low profile activist” who has devoted his life to the “uplift of tribespeople ever since he moved to Jharkhand in 1991.”<sup>35</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

While India might advertise itself as a multi-religious democracy with a rich history of religious diversity and pluralism, it is now sadly known as a country on a global watch list for violating the basic religious freedoms of its citizens. The rising level of restrictions on Christians and other religious minorities, accompanied by religiously motivated violence, impunity, intimidation, and growing restrictions on the freedom of individuals to practise a religion of their choice, is deeply disconcerting.

In 2020, the United States International Commission for International Religious Freedom (USCIRF) recommended the United States Department of State designate India as a “Country of Particular Concern” (CPC). This is the first time India has been placed in this category since 2004. In addition, the religious freedom panel recommended “targeted sanctions on Indian government agencies and officials responsible for severe violations of religious rights.”<sup>36</sup>

The current COVID-19 pandemic has exacerbated harassment and violence against the Muslim community in India. In some cases religious minorities have been refused admission into hospitals to treat the virus and some authorities have randomly quarantined Muslims.<sup>37</sup> Prospects for religious freedom, therefore, appear grim.



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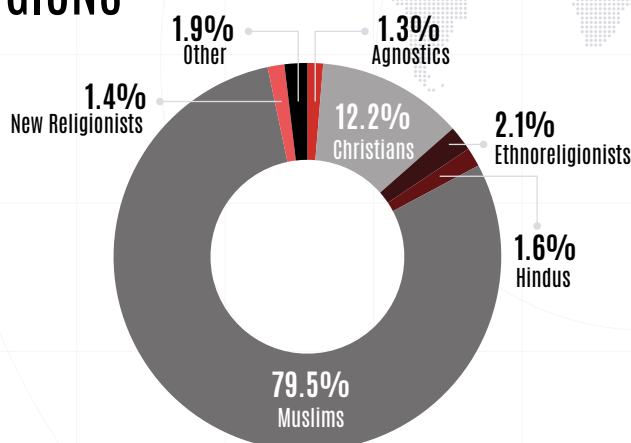


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# INDONESIA

## RELIGIONS



Population  
**272,222,987**  
GDP per capita  
**11,189 US\$**



Area  
**1,910,931 Km²**  
GINI INDEX\*  
**39.0**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Indonesia is the world's largest Muslim-majority nation, but it is not an Islamic state. Its constitution guarantees freedom of religion and the right to worship but there are some restrictions designed to protect the rights of others. The official state ideology or philosophy is called "Pancasila" (five principles). The Preamble to the Constitution defines it as "a belief in the One and Only God, just and civilised humanity, the unity of Indonesia, and democratic life led by wisdom of thoughts in deliberation amongst representatives of the people, and achieving social justice for all the people of Indonesia."<sup>1</sup> The constitution therefore does not uphold any one religion, but it does require citizens to believe in a deity and protects the rights of the followers of the six officially recognised religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism and Confucianism. The rights of believers of other religions, including local traditional beliefs, agnostics and atheists are not equally protected.

Indonesia does not enforce Shari'a (Islamic law) at a national level, but it is estimated that at least 52 of Indonesia's 470 districts and municipalities have introduced some

78 Shari'a-inspired regulations.<sup>2</sup> Various sources contend that the real figure is even higher, with at least 151 local Shari'a bylaws in Java, Sulawesi, Sumatra and West Nusa Tenggara.<sup>3</sup>

According to Article 28E (1) of the constitution, "Every person shall be free to choose and to practice the religion of his/her choice." Article 28E (2) emphasises that "every person shall have the right to the freedom to believe his/her faith (kepercayaan), and to express his/her views and thoughts, in accordance with his/her conscience." Article 29 (2) further reiterates that "The State guarantees all persons the freedom of worship, each according to his/her own religion or belief."

The Penal Code of Indonesia<sup>4</sup> punishes blasphemy, heresy and religious defamation. Specifically, Article 156 imposes up to four years in prison to anyone "who publicly gives expression to feelings of hostility, hatred or contempt against one or more groups of the population of Indonesia," where groups are defined by "race, country of origin, religion, origin, descent, nationality or constitutional condition." Article 156a imposes up to five years in prison for "abusing or staining a religion, adhered to in Indonesia."

In 1965, then President Sukarno issued Presidential Decree No. 1/PNPS/1965 on the Prevention of Blasphemy

and Abuse of Religions, which is informally known as the “blasphemy law”. Article 1 of this decree, which was subsequently implemented by Sukarno’s successor, President Suharto (in power from 1967-1998), prohibits the “deviant interpretation” of religious teachings and requires the president to dissolve any organisation practising “deviant” teachings.<sup>5</sup>

In 1969, the Ministry of Religious Affairs and the Ministry of Home Affairs issued a Joint Ministerial Decree detailing the procedures required to authorise the construction of places of worship. In 2004, then President Susilo Bambang Yudhoyono instructed the Minister of Religious Affairs to review the 1969 decree; this resulted in Joint Regulation No. 8 and 9/2006 on Guidelines for Regional Heads and Deputies in Maintaining Religious Harmony, Empowering Religious Harmony Forums and Constructing Houses of Worship. According to its provisions, the construction of places of worship needs the support of the local population, the names and identity cards of at least 90 members of the congregation of the new house of worship, approved by local authorities, together with letters of support from at least 60 other members of the local community, endorsed by the village head. In addition, the request must obtain the written recommendation from the district office of the Ministry of Religious Affairs and from the Religious Harmony Forum (FKUB) of the local district or city. Once all the documentation is collected, the application goes to the local mayor who has 90 days to decide whether to accept it or not.<sup>6</sup>

The regulation also requires local authorities to establish the aforementioned Religious Harmony Forum, composed of local religious leaders in proportion to the size of their respective communities. Effectively, this means that the body will be dominated by either Muslims or Christians depending on their numerical supremacy in a given region.<sup>7</sup>

Laws for particular religious groups have also been in place for several years. On 9th June 2008, the government announced a Joint Decree of the Minister of Religious Affairs, the Attorney General, and the Minister of Home Affairs regarding “Admonition and Instruction to the Disciples, Members and/or Members of the Organising Board of the Jemaat Ahmadiyah Indonesia (JAI) and the Members of the Public”.<sup>8</sup>

The Joint Decree stopped short of an outright ban, but it orders all ‘Ahmadis “to discontinue the promulgation of interpretations and activities that are deviant from the principle (sic) teachings of Islam, that is the promulgation of

beliefs that recognise a prophet with all the teachings who comes after the Prophet Mohammad.”<sup>9</sup>

In August 2008, the Secretary General of the Ministry of Religious Affairs, the Deputy Attorney General for Intelligence, and the Director General for National Unity and Political Affairs of the Ministry of Home Affairs issued a Joint Circular regarding the “Implementation Guideline of the Joint Decree”. This specifically stated that the Joint Decree applies only to ‘Ahmadis who “claim themselves to be Muslims”, and that “those who do not claim themselves as Muslims are exempted from the target of this admonition and order.”<sup>10</sup>

Violations of the Joint Decree are deemed a criminal act, defined as abuse of religion and religious defamation as set out in Article 1 (prohibiting “deviant interpretation” of religion and “deviant” teachings), and Article 3 of Presidential Decree No. 1/PNPS/1965 on the Prevention of Blasphemy and Abuse of Religions, and Article 156 (a) of Indonesia’s Penal Code. Punishment carries a maximum of five years’ imprisonment.

In addition to the blasphemy law, the regulations on the construction of places of worship, and the anti-‘Ahmadi regulations, hundreds of local bylaws and regional laws and regulations have been promulgated over the past two decades restricting religious practice.

In recent years, the Pew Forum has consistently rated Indonesia as a country with one of the highest levels of restrictions on religion among the world’s 25 most populous nations, taking into account both government regulations and social hostilities.<sup>11</sup>

Dr. Musdah Mulia, Chairperson of the Indonesian Conference on Religion and Peace, claims that there are at least 147 “discriminative laws and public policies in regards to religion,” and believes that “as long as those laws are permitted to prevail, there is always a strong potential for violence in society. There need to be efforts for reforms and also to create new laws that are more accommodative towards the principles of human rights, the principles of democracy, tolerance and pluralism.”<sup>12</sup> Some of these regulations simply enforce national legislation, but others introduce new restrictions.

## INCIDENTS AND DEVELOPMENTS

Indonesia’s tradition of pluralism and reputation for religious tolerance has come under increasing threat in re-

cent years. In its most recent annual report (2020), the United States Commission on International Religious Freedom (USCIRF) observed that “in 2019 religious freedom conditions in Indonesia generally trended negatively compared to the previous year,” an observation it had already made in previous reports.<sup>13</sup> In an editorial, the Jakarta Post reported that “Indonesia is in a deep crisis of intolerance. Many insist that it is fringe groups that protest the construction of a temple or church. But if they’re just on the fringe, why are they allowed to stop people from worshipping, time and again, in a country founded on acceptance of diversity? ... Crystal clear signs from the national leadership are needed to unequivocally show what is needed to improve the national project of Indonesia.”<sup>14</sup>

On 17th April 2019, 190 million Indonesians voted in presidential, parliamentary, regional and local elections.<sup>15</sup> However, while the elections were largely “calm, peaceful and orderly”, according to Christian Solidarity Worldwide (CSW) “the campaign itself featured religion, religious intolerance and identity politics as much more prominent themes than in any previous campaign, and threatened to further tear at Indonesia’s proud tradition of religious pluralism.”<sup>16</sup>

A number of cases in recent years illustrate these concerns. In 2019, three women were put on trial for blasphemy, two of whom with diagnosed mental health problems; another woman was tried for comments on social media. A Catholic woman, Suzethe Margaret, who was diagnosed with paranoid schizophrenia, was detained on 30th June 2019 for entering a mosque with her dog, and subsequently put on trial. On 5th February 2020 she was acquitted by the Cibinong District Court in West Java due to her mental incapacity. However, in April 2019, the Supreme Court rejected the appeal of Meliana, a Buddhist woman convicted of blasphemy in 2018 for requesting a local mosque to lower the volume of its loudspeakers. She was released on parole a month later.<sup>17</sup>

Places of worship continue to be the object of threats and pressure. The Setara Institute documented 202 cases of abuse of religious freedom in 2018, up from 151 in 2017;<sup>18</sup> of these, 72 were committed by the government. The Wahid Foundation found a similar increase, from 265 cases of violations of religious freedom in 2017 to 276 in 2018, with 130 of these perpetrated by the government.<sup>19</sup>

In March 2019, the Gereja Bethel Indonesia Church in South Bireuli, Central Sulawesi, had to close due to objections from the local community.<sup>20</sup> A month later, a Cath-

olic family was forced to leave Karet, a village in Bantul district (Yogyakarta), because Muslim residents claimed local regulations do not allow non-Muslim residents.<sup>21</sup>

In May 2019, extremist Islamist groups protested and “reportedly threatened jihad” against plans to build a Hindu temple in Bekasi, West Java.<sup>22</sup> In July 2019, authorities in Bantul district, Yogyakarta, withdrew a permit granted to a Pentecostal church after hardliners demonstrated and threatened violence. In a dispute that has continued since 2008, the GKI Yasmin church in Bogor, West Java, has still not received permission to reopen, despite assurances by local authorities and a ruling from the Supreme Court in its favour.<sup>23</sup>

In August 2019, local police forced the Pentecostal Efata Church in Sari Agung Hamlet, Indragiri Hilir Regency, in Riau, to stop worship activities.<sup>24</sup>

Other religious communities, particularly Shi’as and ‘Ahmadis, also face persistent discrimination and pressure. For instance, a government circular in Makassar Municipality, South Sulawesi, issued in September 2019, warned people “not be influenced by Shia ideology and teachings.” The letter also reportedly asked people to prevent the dissemination of Shi’ism, calling it a “deviant teaching”.<sup>25</sup>

In that same month, the Regent of Gowa, South Sulawesi, issued a decree disbanding Tarekat Taj Al-Khalwat Syech Yusuf, a Sufi religious community with about 10,000 followers. The Indonesian Ulama Council (Majelis Ulama Indonesia - MUI) had issued a fatwa against the group in 2016, accusing them of heresy. In November 2019, the group’s leader Puang Lalang was arrested on charges of financial fraud, embezzlement and blasphemy for charging members a fee of 50,000 Indonesian rupiah (US \$4).<sup>26</sup>

Meanwhile, Indonesia’s Ministry of Religious Affairs (MORA) continues to denounce “deviant” teachings and groups, above all ‘Ahmadis, trying to get them to convert to mainstream Sunni Islam.<sup>27</sup>

In late 2018, the Attorney General in Jakarta released a mobile phone application that provided citizens with the ability to report “deviant” religious practices,<sup>28</sup> “creating panic among Indonesia’s religious minorities and underscoring the risks of acceding to pressure from hardliners and other intolerant groups.”<sup>29</sup>

While Shari’a-inspired regulations exist in many parts of the country, Aceh is the only province to have fully implemented it, backed by a religious police enforcing the rules, which include corporal punishment. In January 2019, a

couple, both 18, were flogged 17 times, for hugging in public.<sup>30</sup> In another case, a man was whipped for “being intimate with a woman in a grocery store”.<sup>31</sup> In December 2019, a man and a woman convicted of adultery in separate cases were beaten unconscious with a cane.<sup>32</sup>

On the positive side, there are some countervailing trends. Despite the divisive religious rhetoric of the April 2019 national elections, most voters heeded the message of religious tolerance by the incumbent President Joko “Jokowi” Widodo rather than that of his Islamist challenger. With the re-election of President Widodo, the pro-Islamist coalition was considerably weakened and had lost momentum by the end of 2019.<sup>33</sup> Furthermore, following the 2019 elections, the Ministry of Religious Affairs began to implement an ambitious nationwide program to promote religious moderation and tolerance.<sup>34</sup>

Encouragingly, Indonesia has also witnessed some significant progress on other fronts during the period under review. Numerous grassroots interfaith groups have pursued initiatives in favour of religious harmony.<sup>35</sup> The government continued to implement and enforce a widely hailed 2017 ruling by the Constitutional Court extending protection and providing public funding to non-recognised spiritual traditions in indigenous regions.<sup>36</sup> Perhaps most importantly, the spiritual wing of the Nahdlatul Ulama (NU), Indonesia’s largest civil society movement and the world’s largest Muslim organisation with some 90 million followers, is pursuing an aggressive national and global campaign to recontextualise elements of Islamic orthodoxy that have fuelled jihadist extremism and religious intoler-

ance towards non-Muslims. A significant step in this direction was the NU’s formal decision - at a gathering of some 20,000 Muslim religious scholars in February-March 2019, to abolish the legal category of “infidels” (those who do not adhere to Islam) and to recognise all citizens irrespective of religion, ethnicity or creed as having equal rights.<sup>37</sup> In late October 2020, GP Ansor, the NU’s five-million-strong youth wing, hosted an event in Jakarta, openly sharing US Secretary of State Mike Pompeo’s public commitment to religious freedom and unalienable human rights.<sup>38</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

At present, Indonesia is at a crossroads. Despite encouraging efforts by some civil society groups, religious leaders, and public officials to counter the rise of intolerance and defend freedom of religion, Indonesia’s long tradition of pluralism and religious harmony is under increasing threat. Failure to strengthen initiatives in favour of interreligious dialogue and understanding, and to protect the right to freedom of religion or belief for all, could lead to further erosion of Indonesia’s pluralism and undermine the rights of ordinary citizens. In view of the situation, prospects for freedom of religion in the Asian nation appear uncertain.



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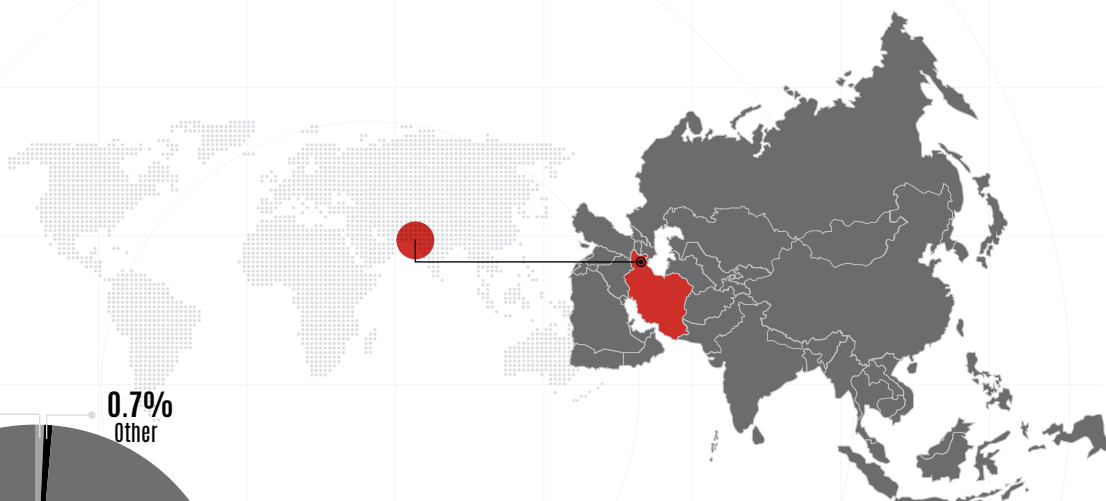
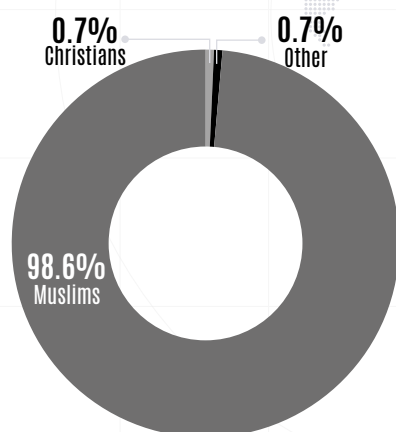
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# IRAN

## RELIGIONS



Population  
**83,587,129**  
GDP per capita  
**19,083 US\$**



Area  
**1,628,750 Km<sup>2</sup>**  
GINI INDEX\*  
**40.8**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Iran is an Islamic republic based on a theocratic constitution adopted after the Islamic Revolution that toppled the Shah in 1979. Article 12 of the constitution<sup>1</sup> states that the Islamic school of Ja'fari Shi'ism is the official religion of the country. Article 13 does recognise Christians, Jews, and Zoroastrians as protected religious minorities with the right to worship freely and form religious societies: "Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education". Two seats in the Iranian parliament (Majlis) are reserved for Armenian Christians – the country's largest Christian minority (300,000), and one each for Assyrian Christians, Jews and Zoroastrians.<sup>2</sup>

The state is under the authority of the Shi'a clergy, who rule through the Rahbar-e mo'azzam-e irān, the Supreme Leader of Iran, nominated for life by the Assembly of Experts – 86 theologians elected by the people for a term of eight years.<sup>3</sup> The Rahbar presides over the Guardian

Council of the Constitution, a 12-member body (six appointed by the leader and six by the judiciary).<sup>4</sup> The council exercises control over the laws and governing bodies of the state, including the presidency, whose office holder is elected by direct vote for a four-year term, renewable once.<sup>5</sup>

In Iran, one of the principal obstacles to full religious freedom is "apostasy". Conversion from Islam to another religion is not explicitly banned in the constitution or the penal code, but it is difficult because of the country's powerful Islamic traditions and the legal system founded on Shari'a (Islamic law). For all cases not mentioned explicitly in the constitution, judges have the option, under Article 167, to refer to "authoritative Islamic sources or authentic fatawa [fatwas]". In cases of apostasy, sentences are based on Shari'a and fatwas and can be punished with the death penalty.<sup>6</sup>

The government continues to enforce gender segregation throughout the country. Women of all religious groups are expected to respect the Islamic dress code in public, including covering their hair.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

In June 2018 Mahamed Salas, a member of the Gonabadi Dervishes, a Sufi group, was executed after a trial that was criticised as highly unfair, based on a confession extracted under torture.<sup>8</sup>

In July 2018, four Dervish women were sentenced to five years in prison for participating in protests against the government.<sup>9</sup>

In July 2018, gunmen assassinated a Sunni cleric in south-eastern Iran,<sup>10</sup> and in November of that same year, a Sunni cleric was shot four times in Iran's Golestan province.<sup>11</sup>

In July 2018, in a rare move, a ban was lifted on Sepanta Niknam, a Zoroastrian city council member in the city of Yazd. Although Zoroastrians are a registered religion, hardliners considered non-Muslims running for city council illegal.<sup>12</sup>

Pastor Youcef Nadarkhani, a convert from Islam to Christianity who leads the Evangelical Church of Iran, was re-arrested in July 2018. He was convicted of "propagating house churches" and "promoting Zionist Christianity".<sup>13</sup> In September 2019 he went on a hunger strike that lasted three weeks "to protest against his 15-year-old son Youeil being barred from school because he refused to take Islamic classes," Article 18, an Iranian NGO, reported.<sup>14</sup>

In August 2018, police blocked the entrances to Sunni prayer houses in four districts of Tehran during the Eid al-Adha holiday.<sup>15</sup>

In August 2018, Iran's revolutionary courts sentenced a group of 208 Sufis to "prison terms ranging from four months to 26 years, flogging, internal exile, a ban on travel, and a prohibition on participation in certain social and political groups in the country," Human Rights Watch reported. Charges included visiting family of a prisoner and "writing human rights articles against the state".<sup>16</sup>

In August 2018 a revolutionary court convicted at least six editors of the website Majzooban Noor, considered to be the only independent source dedicated to Iran's Sufi Gonabadi Dervishes, sentencing them in absentia to flogging and prison terms between seven and 26 years.<sup>17</sup>

In August 2018, a group of Iranian Christians – Victor Bet-Tamraz, his wife Shamiram Issavi, Amin Afshar-Naderi and Hadi Asgari – were "sentenced to a combined total of 45 years in prison for practising their Christian faith, including through attending Christmas gatherings and organizing house churches", Amnesty International reported.<sup>18</sup>

In August and September 2018, Iranian security forces cracked down on the Baha'i community in the cities of Karaj, Baharestan and Shiraz with more than 20 people arrested.<sup>19</sup>

In September 2018, two Christians, Saheb Fadaie and Fatemeh Bakhteri, were sentenced to 18 and 22 months in prison respectively on the charge of "spreading propaganda against the regime."<sup>20</sup> The verdict was upheld after a final appeal in May 2019.<sup>21</sup>

Human Rights Watch, citing Iranian human rights NGO, Article 18, reported that 37 Christian converts from Islam were jailed "for missionary work".<sup>22</sup>

In October 2018, Ali Reza Soltan-Shahi from the Office of the Iranian Presidency organised and spoke at an anti-Semitic conference in Tehran "where Jews were accused of manipulating the global economy and exploiting the Holocaust," Memri reported.<sup>23</sup>

In October 2018 unknown individuals exhumed the body of a deceased Baha'i woman from Gilavand and left the body in the desert.<sup>24</sup>

A total of 114 Christians were arrested in Iran during the first week of December 2018, whilst there was a total of 150 in both November and December 2018.<sup>25</sup>

In May 2019 Iran's Minister of Intelligence Mahmoud Alavi "disclosed publicly that his agency had deployed operatives and assets to counter "advocates of Christianity" active throughout the country," the Washington Times reported. According to the paper "the ministry is also increasing its efforts to intimidate prospective converts, and has 'summoned' individuals who have expressed an interest in learning more about the Christian faith for invasive interviews and intimidating interrogations".<sup>26</sup>

In January 2019, Bishop Sipan Kashjian, leader of the Armenian community in Isfahan and southern Iran, was quoted by AsiaNews as saying: "In spite of Western propaganda the faithful of different religions enjoy complete freedom of worship and can practice freely and independently".<sup>27</sup>

In January 2019, the vice-president of the Iranian Parliament Ali Motahari called for a referendum on the Islamic veil. "In the event of a referendum he hopes that the country chooses to maintain the norm," he said. Female activists protesting the veil countered that "our rights cannot be decided" by men or by a vote.<sup>28</sup>

In February 2019 a jihadist attack against some Revolutionary Guards (Pasdaran), who are loyal to the Supreme Leader, killed at least 27 people and injured 13. The incident took place in the Iranian province of Sistan-Baluchistan, in the south-east of the country, near the border with Pakistan. The Sunni Salafist group Jaish al Adl (Army of Justice) claimed responsibility.<sup>29</sup>

In March 2019 an Iranian court sentenced Vida Movahedi to a year's imprisonment after she was convicted of objecting to cover her hair. Mohavedi became a symbol of the struggle of Iranian women against the compulsory Islamic veil.<sup>30</sup>

In April 2019 Mohammad Ali Taheri, founder of a spiritual movement (Ergan-e Halgheh or Spiritual Circle), was released from prison. He had been sentenced to death in 2015 and 2017 for "spreading corruption on Earth", but the verdict was overturned and reduced to a prison term for "insulting religious sanctities".<sup>31</sup>

Kurdish singer Peyman Mirzazadeh was flogged in July 2019. He had been sentenced to two years in prison and 100 lashes for "drinking alcohol" and "insulting Islamic sanctities".<sup>32</sup>

In July 2019 a crucifix that had been removed from an Assyrian church in Tabriz was reinstalled after protests.<sup>33</sup>

In September 2019 Iranian authorities arrested at least 13 people on charges of signing two open letters, published over a year earlier (June 2018). In it, they asked Supreme Leader Ayatollah Ali Khamenei to resign. The theocratic regime, however, "remains impervious to reforms," keeping the nation under the yoke of the "dictatorship of an individual".<sup>34</sup>

In February 2020 three Sufi women from the Gonabadi Dervish sect were released from Evin prison after two years.<sup>35</sup>

In March 2020, a Muslim convert to Christianity, Ebrahim Firouzi, had his two-year internal exile extended by 11 months after an unauthorised leave of absence. Firouz had already finished a six-year prison term for Christian evangelism in 2019.<sup>36</sup>

On 14th March 2020, at least 26 Baha'is in Shiraz were summoned to Shiraz Revolutionary Court, to answer charges. They were to face a judicial official who had stated his desire to "eradicate" Baha'is from the city.<sup>37</sup>

In April 2020 in a letter addressed to Pope Francis, Iranian Ayatollah Alireza Araf, Rector of the Al Mustafa International University of Qom, proposed to "intensify" collaboration and exchange of experiences with Catholic institutions, in order to "create a community of celestial religions at the service of humanity," Fides reported.<sup>38</sup>

Starting in March 2020 revolutionary courts in the cities of Tehran, Shiraz, Isfahan, Karaj, and Birjand sentenced at least 30 Baha'is to more than 148 years in prison.<sup>39</sup>

In July 2020 Al Monitor quoted Rabbi Yehuda Garami, the Chief Rabbi of Iran's Jewish community, as saying: "We have total freedom of religion. All the synagogues are open, and Torah classes take place there. We have all sorts of educational institutions too, including elementary and middle schools".<sup>40</sup>

In August 2020 Iranian-Assyrian Christian Pastor Victor Bet-Tamraz and his wife Shamiram Issavi fled Iran. The two had been sentenced to 10 and 5 years of prison respectively. Shamiram Issavi was hours away from beginning to serve her sentence for "acting against national security by establishing and managing 'house churches', participating in Christian seminars abroad, and training Christian leaders in Iran for the purposes of espionage".<sup>41</sup> Christian converts Kavian Fallah-Mohammadi, Hadi Asgari and Amin Afshar-Naderi also left the country. They were facing 35 years of prison after their appeal had been rejected. Their case is linked to that of Bet-Tamraz and Issavi.<sup>42</sup>

According to AsiaNews, Iranian authorities in October 2020 released veteran journalist and activist Narges Mohammadi, one of the signatories – when she was already in prison – of a referendum campaign for the end of theocracy in the country.<sup>43</sup>

Christian convert Mohammad Reza (Youhan) Omid was reportedly lashed 80 times in October 2020 for drinking wine as part of Holy Communion.<sup>44</sup>

In November 2020 Christian convert Nasser Navard Gol-Tapeh – imprisoned since January 2018 – was informed that his third request for a retrial had been rejected. Nasser is currently serving a 10-year prison sentence because of his membership in a house church. In July 2017 he was convicted of "acting against national security".<sup>45</sup>



## PROSPECTS FOR RELIGIOUS FREEDOM

The theocratic system of the Islamic Republic of Iran, under the rule of a clerical caste, is not compatible with many human rights, including the right to religious freedom as defined by United Nations conventions. Even Muslims who do not share the regime's interpretation of Islam are exposed to all kinds of abuses, including the death penalty. Sunni Muslims and members of the Sufi community are especially targeted. The year 2018 saw one of the most comprehensive campaigns against Iranian Sufis.

The Baha'i community too suffers from state persecution, which escalated during the period under review. The removal of the "other religions" option from national identity card application forms dealt another serious blow to the Baha'is since, in accordance with the precepts of their faith, they must not lie about their religious affiliation.<sup>46</sup> Other non-registered communities have also been affected by the new regulations.

Jews, Zoroastrians and Christians belonging to the traditional registered Churches can worship freely as their leaders confirm, but only within the narrow limits of the law, and its interpretation by local authorities. Nevertheless, they too are under the permanent surveillance of state security.<sup>47</sup> Any activity designed to spread the Gospel is against the law. Christians from non-registered Churches, especially Evangelical ones, are considered enemies of the state and suffer from systematic persecution. Converts from Islam to Christianity especially face serious threats to their freedom, physical integrity and life.

Given the regime's brutal reaction to internal dissent at the end of 2019,<sup>48</sup> its escalating confrontation with its Sunni Arab rivals and Israel in the Middle East region, and threats to its internal economic stability from US sanctions and the COVID-19 pandemic, it is fair to say that Iran remains a country of deep concern and the outlook for religious freedom in the Islamic republic is bleak.

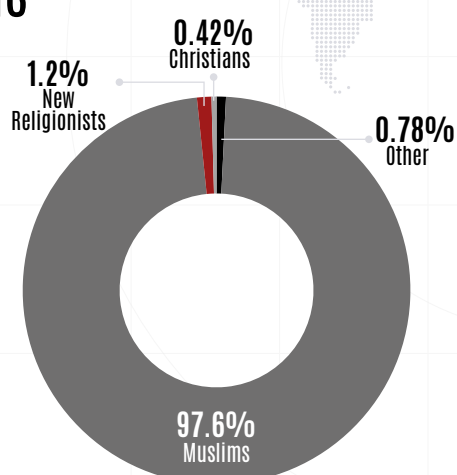
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## IRAQ

## RELIGIONS



Population

**41,502,885**

GDP per capita

**15,664 US\$**

Area

**435,052 Km<sup>2</sup>**

GINI INDEX\*

**29.5**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

Under Iraq's 2005 constitution,<sup>1</sup> Islam is the official state religion and a "source of legislation". According to Article 2 (1), nothing can contradict Islam, the principles of democracy or constitutionally recognised rights and freedoms. Under Article 2 (2), the Islamic identity of most Iraqis and the religious rights of Christians, Yazidis, and Mandaean Sabians are equally protected.

Article 4 states that Iraqis have the right "to educate their children in their mother tongue, such as Turkmen, Syriac, and Armenian", which "shall be guaranteed in government educational institutions in accordance with educational guidelines, or in any other language in private educational institutions."

Racism, terrorism and takfirism (accusing other Muslims of apostasy) are banned under Article 7. The state has a duty under Article 10 to maintain and protect "holy shrines and religious sites" with the right to use them freely for the "practice of rituals".

Equality before the law is guaranteed under Article 14, "without discrimination based on gender, race, ethnicity, nationality, origin, colour, religion, sect, belief or opinion,

or economic or social status." The state is bound by Article 37 to protect individuals "from intellectual, political and religious coercion."

According to Article 41, the law regulates personal status according to the various "religions, sects, beliefs, and choices". "[F]reedom of thought, conscience, and belief" are guaranteed under Article 42.

Iraqis are free, under Article 43 (1), to practise their religious rites, manage their religious affairs, institutions and endowments (waqf) as "regulated by law". Likewise, the state guarantees and protects places of worship in accordance with Article 43 (2).

Muslims cannot convert to other religions.<sup>2</sup> Under Article 372 of Iraq's 1969 Penal Code, insulting religious beliefs, practices, symbols or individuals seen as holy, worshipped or revered can be punished with imprisonment of up to three years or fines.<sup>3</sup>

By law, nine seats out of 329 in the Council of Representatives (lower house of parliament) are reserved for members of minority groups: five seats for Christians from Baghdad, Nineveh, Kirkuk, Erbil, and Dohuk; a seat each for the Yazidis, Sabean-Mandaeans, and Shabaks, as well as one for Fali Kurds from Wasit.<sup>4</sup>

## INCIDENTS AND DEVELOPMENTS

On 2nd June 2018, Iraq's Shia cleric Muqtada al-Sadr spoke in favour of the return of the Jews who were expelled from Iraq half a century ago. "If their loyalty was to Iraq, they are welcome." Sadr said this in response to a question by one of his followers on the right of Iraqi Jews to return to a country where they once lived and in which they owned property.<sup>5</sup>

In July 2018, US Vice President Pence announced a new US initiative to help the victims of the atrocities committed by Daesh, i.e., the Islamic State (IS) group. The USAID's Genocide Recovery and Persecution Response program doubled US assistance for Iraq's persecuted ethnic and religious minorities to more than US\$239 million.<sup>6</sup>

In July 2018, the Nineveh Provincial Council suspended the transfer of 450 Sunni Arab families to the Nineveh Plain, which had already been authorised by the federal government, and requested instead that they be relocated to areas south and east of Mosul.<sup>7</sup> The move was reportedly taken with the declared aim of preventing or at least limiting any attempt to change the demographic balance in the Nineveh Plain, an area traditionally inhabited by Iraqi Christians, Yazidis and Shabaks.<sup>8</sup>

On 2nd August 2018, then Iraqi Prime minister Abadi signed Executive Order 1388 moving the Popular Mobilisation Forces (PMF) out of Mosul city and the Nineveh Plain, and placing them under the operational and administrative control of the army-led Nineveh Operations Command.<sup>9</sup>

In late 2018, media began reporting a number of real estate scams at the expense of Christians. As cited by Fides, an Iraqi TV network reported that at "least 350 homes belonging to Christians [ . . . ] have been illegally taken away from their legitimate owners, taking advantage of their absence and through the creation of false legal documents, which make their recovery very difficult."<sup>10</sup> Thanks to greater government controls, at least 50 attempts at false buying and selling of real estate belonging to Christians were thwarted.

In an address in Baghdad to the Catholic Patriarchs of the Middle East Council of Churches in November 2018, <sup>11</sup> Iraqi President Barham Salih stressed the principle of "citizenship". He said this should apply to "all people,"<sup>12</sup> in a nation whose citizens are all equal, free of any cultural, ethnic or religious discrimination. President Salih also

mentioned his meeting with Pope Francis in the Vatican earlier that month in which he invited the Holy Father to visit Iraq to pray with other religious leaders in memory of Abraham, the father of all believers.<sup>13</sup>

Iraqi Deputy Justice Minister Hussein al-Zuhairi is quoted in Al-Monitor as saying that Bahaism is not a religion or faith. Zuhairi was reiterating the Iraqi government's commitment to 1970 legislation prohibiting the Baha'i religion, adding that there can be no religion above Islam since the Iraqi constitution sets the tenets of Islam as a source of law. In his view, Iraqi society is Muslim, and it is not possible to ignore Islamic principles in legislation.<sup>14</sup>

In December 2018 US President Trump signed into law the Iraq and Syria Genocide Relief and Accountability Act. The legislation is aimed at improving US aid for Christians and Yazidis who suffered from the genocide committed by Islamic State terrorists.<sup>15</sup>

At the beginning of 2019, Iraqi Shia leader Ayatollah Ali al-Sistani met with a UN delegation which visited the country to collect evidence against Daesh's crimes. He reiterated the urgent need to investigate the militant group's violence and crimes. In particular, Al-Sistani recommended an investigation into the "heinous crimes" perpetrated against certain Iraqi communities, such as Yazidis in Sinjar, Christians in Mosul, and Turkmen in Tal Afar, and in particular the "abduction, slavery and sexual violence" of women.<sup>16</sup>

Al-Monitor reported that a high-ranking Shia clerical delegation from Najaf visited the Yazidi holy temple in Lalish, northern Iraq, in March 2019. Earlier that month, high-level Christian, Muslim and Yazidi religious leaders met at the Shia Imam Hussein Shrine in Karbala.<sup>17</sup>

In a letter to Iraqi Premier Adel Abdul Mahdi, the Syriac Catholic Archbishop of Mosul, Yohanna Petros Moshe, expressed concern that, under the cover of post-Daesh reconstruction plans, the religious and demographic balance in the Niniveh Plain is at risk of being fundamentally altered. Reconstruction plans in the town of Bartella are of great concern to Christians who fear the growing demographic influence of the Iran-backed Shabak Shia community.<sup>18</sup>

Forced by Daesh to flee to Canada, the US and Europe in the summer of 2014, a number of Christians returned to Mosul and the Nineveh Plain to celebrate Easter 2019, a Chaldean clergyman told AsiaNews.<sup>19</sup>

After two elderly Christian women were robbed and injured in their homes in the Niniveh Plain in May 2019,



Christians questioned what religious motive lay behind the attack. Prof Muna Yaku, who teaches law at the University of Salahaddin in Erbil, linked the beating of the two women to other acts of intimidation aimed at removing or keeping Christian families away from their villages of origin.<sup>20</sup>

According to media reports, provincial officials said sporadic sectarian attacks by members of pro-Iran militias in Iraq's Diyala province have threatened the peace of local communities and incited retaliatory violence. Iraqi MP Raad al-Dahlaki, who represents Diyala in parliament, said the militias are "undermining safety and security" and causing a return of incidents of "murder, displacement and expulsion."<sup>21</sup>

In June 2019 the Chaldean Church of the Virgin Mary in Basra was reopened after undergoing extensive restoration work funded by Iraq's central bank and the Association of Iraqi Private Banks.<sup>22</sup>

In July 2019, the Masarat, a Baghdad-based nonprofit organisation dedicated to minorities, collective memory studies and interfaith dialogue, inaugurated the Institute for the Study of Religious Diversity in the Iraqi capital in cooperation with several universities and civil rights groups.<sup>23</sup> Cardinal Louis Raphael I Sako, head of the Chaldean Catholic Church, and author of the institute's Christian curriculum said: "By teaching Christianity and other religions to Muslims, the institute will contribute to the confrontation of sectarianism and ignorance of the other." Such an "experience deserves support, as it includes authoring the religious curricula by its adherents and teaching it by them as well."<sup>24</sup>

In a letter to the speaker of the Iraqi parliament, Cardinal Sako also urged the house to keep the quota of seats reserved for Christians and other minority ethnic-religious groups in provincial councils in order to maintain their representation.<sup>25</sup>

On 10th June 2019 Pope Francis announced plans to visit Iraq in 2020, a trip that would bring together "Christians and Muslims", Chaldean Primate Cardinal Sako told AsiaNews.<sup>26</sup> According to Abdul Amir al Hamdani, Iraqi Minister of Culture, Tourism and Antiquities, the Iraqi government has already set aside funds for the papal visit.<sup>27</sup>

The Syriac Catholic Church re-established a diocese in the Kurdistan region of Iraq. Archbishop Nathaniel Nizar Semaan heads the new Diocese of Hadiab-Irbil and all of Kurdistan. Previously, the area was under the jurisdiction of the Archdiocese of Mosul. Archbishop Semaan was

ordained on 7th June 2019 as the Coadjutor Archbishop of Mosul, and Archbishop of the new diocese which was erected on 28th June.<sup>28</sup>

Kurdistan's regional parliament officially declared 3rd August as Yazidi Genocide Remembrance Day in commemoration of the fifth anniversary of the massacre in the Yazidi heartland of Shingal. The next day, representatives of the Kuridsh regional government (KRG) attended a ceremony marking the event.<sup>29</sup>

Around 3,000 Mandeans remain in Iraq, the majority living in the southern province of Basra. Ghazi Laibi, head of the Sabian Mandaean Council in Basra, told Al-Monitor that due to the relatively substantial Mandaean population in Basra, the community deserve a seat in the local provincial council.<sup>30</sup>

Chaldean Patriarch Sako told AsiaNews in December 2019 that Christians should set up their own party in order to be stronger and better represented in Iraq's political institutions. "Perhaps it is now necessary, before it is too late, to think and plan a unified Christian strategy," he wrote.<sup>31</sup>

In January 2020 Pope Francis met Iraqi President Barham Salih at the Vatican.<sup>32</sup>

The Iraqi Human Rights Commission condemned an attack against a Kakai cemetery in the Safiya, Gwer sub-district, an area claimed by the Kurdistan Regional Government against Iraq's federal government, local media reported.<sup>33</sup>

In February 2020 it was announced that the reconstruction of the St Thomas Syriac Catholic Church in Mosul would start in April. The church was devastated by Daesh. UNESCO will support the restoration work, thanks above all to substantial funding provided by the United Arab Emirates.<sup>34</sup>

In March 2020, Iraqi Muslim, Yazidi and Christian religious leaders released a joint statement to highlight their commitment towards peace, and show solidarity to the victims of crimes committed by Daesh. This is the first time the country's religious leaders have come together to call for justice on behalf of Daesh's victims. The UN hailed the statement as "the beginning of a process of further engagement with other religious leaders in Iraq".<sup>35</sup>

On 26th March French authorities reported that four aid workers with SOS Chrétien d'Orient, a French Christian non-governmental organisation, had been released. The four had been missing since 20th January.<sup>36</sup>

The precarious condition of Christian and Yazidi refugees still displaced in Iraqi Kurdistan was the focal point of talks held in July 2020 in Erbil between Evan Faeq Yakoub Jabro, the federal minister of Migration and Refugees and a Chaldean Christian, and Kurdish President Nechirvan Idris Barzani.<sup>37</sup> Ms. Jabro was confirmed in her post by Iraq's parliament in June 2020.<sup>38</sup>

In September 2020 suspected Daesh terrorists stormed a village near Iraq's border with Iran, killing at least seven people and injuring four others.<sup>39</sup>

During a visit to Mosul and Nineveh province, the new Iraqi Prime Minister, Mustafa al Kadhim, who assumed office on 6th May 2020, said that "Christians represent one of the most authentic components of Iraq, and it saddens us to see them leave the country".<sup>40</sup>

In June 2020 the Turkish Air Force targeted PKK bases near Zakho, a city inhabited by Kurds and Christians. Cardinal Sako, a Zakho native, described the situation as "tense and confusing. There is talk of at least five civilian deaths and also of many displaced people."<sup>41</sup>

In July 2020 Cardinal Sako urged the Iraqi government to find a solution to the legal status of the country's Christian and other minorities.<sup>42</sup> The prelate was critical of the fact that legal questions relating to the personal status of all Iraqi citizens are regulated by laws based on Islamic legal tradition, which directly or indirectly refer to Sharia, i.e., Islamic law. The patriarch suggested the government adopt laws on the model of Lebanon, with civil laws valid for everyone and not inspired by religious juridical schools, leaving to clerical or religious courts the possibility of regulating marriage, child custody, and inheritance that pertain to the various faith communities.<sup>43</sup>

Cardinal Sako also called for changes to apostasy legislation. "We believe that the time has come," wrote the Iraqi cardinal, "to enact a law that respects freedom of conscience, that is, the right to change doctrine and religion without exerting any pressure, following the examples of Lebanon, Tunisia, Morocco and Sudan, which [have] repealed the law of apostasy".<sup>44</sup>

Thousands of tearful Shia pilgrims, wearing masks as required by regulations to contain the novel coronavirus pandemic, gathered in August 2020 in the holy city of Kerbala to celebrate the feast of Ashura. The pandemic meant foreign pilgrim numbers were down considerably.<sup>45</sup>

Prime Minister Al Khadimi appointed Suha Daoud Elias al Najjar, a Chaldean Christian, to the post of president

of Iraq's National Investment Authority. Al Najja will be in charge of overseeing the use of foreign funds for areas hit by conflict.<sup>46</sup>

The summer of 2020 saw the start of reconstruction work on the Al Tahera Catholic Church in Mosul, which had been damaged by Daesh. Emirati media reported that funding for the reconstruction of this and other religious sites - including the famous Al Nuri Mosque with its leaning minaret - is coming from the United Arab Emirates.<sup>47</sup>

Turkish air raids in the Sinjar mountains, northern Iraq, damaged Yazidi religious sites, local sources reported. Fr. Samir Al-Khoury, a Chaldean parish priest in Enishke, speaking to the Italian news agency SIR, stated: "The Turks managed what even the Islamic State terrorists couldn't do: hit the Yazidi shrine of Sheikh Chilmira located on the highest peak of the mountain range."<sup>48</sup>

Further Turkish air raids against PKK positions in northern Iraq also hit the Christian villages of Chalikh, Bersiveh and Sharanish, north of Dohuk. Since the beginning of 2020, at least 25 Christian villages in northern Iraq have been abandoned by those who formerly lived there.<sup>49</sup>

Villages in Diyala's Khanaqin area inhabited by the Kakai religious community have been depopulated following repeated Daesh attacks, local media reported. Daesh has exploited the lack of security in the region resulting from the dispute between the Kurdish authorities and Iraq's federal government. Iraqi MP and Khanaqin native Sherko Mirways told Rudaw that more than 10 Kakai villages in Khanaqin lie empty because of Daesh attacks and "unidentified gunmen".<sup>50</sup>

For the first time, the Iraqi Postal Service issued a series of stamps celebrating the country's churches.<sup>51</sup>

Yazidis mourned the loss of their spiritual leader, Baba Sheikh Khurto Hajji Ismail, who passed away on 1st October 2020 at the age of 87.<sup>52</sup>

The Presidential Office of Iraq's Kurdistan Region instructed the regional government to create an ad hoc commission to examine, document and prosecute the systematic illegal expropriation of land and real estate owned by Christians, especially in the Dohuk Governorate (province).<sup>53</sup>

On 19th October, during a visit to Iraqi President Barham Salih, Chaldean Primate Cardinal Sako presented a request to make Christmas a public holiday for all Iraqis.<sup>54</sup>

In November 2020 approximately 200 displaced Christian

families who had fled Daesh returned to Mosul and the Nineveh Plain.<sup>55</sup>

In November 2020 a court of appeal in Dohuk, Iraqi Kurdistan, accepted to hear a petition by more than 100 Christian families against the illegal seizure of their land by Kurdish landowners, thus overturning a prior ruling by a lower court.<sup>56</sup>

On December 16, the Iraqi parliament voted unanimously to establish Christmas as an annual national holiday. Previously, December 25 was recognised as a Christian holiday but not a national public holiday.<sup>57</sup>

In the first days of January 2021, Iraqi Shiite leader Muqtada al Sadr, head of the influential Sadist political party, announced the creation of a Committee charged with “collecting and verifying news and complaints regarding cases of illegal expropriations from Christian property owners” throughout Iraq.<sup>58</sup>

On Sunday 3rd January, a delegation of the same party led by Sheikh Salah al-Obaidi offered Christmas greetings and congratulations to the Head of the Chaldean Church, Patriarch Louis Raphael Sako together with a copy of the document.<sup>59</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

With the military defeat of Daesh (Islamic State) the country overcame the worst enemy of religious freedom in its modern history. As a result, the general situation for religious freedom has improved considerably. But the threat has not gone away. Many Daesh fighters have not been arrested and have gone underground. They continue to attack religious minorities.

Meanwhile, new sources of conflict are emerging. Turkish interventions in northern Iraq are affecting different religious minorities, most notably Christians and Yazidis. Around 45 per cent of Christians have gone back to their homeland in the Nineveh Plains. Despite considerable efforts to encourage the Christians to go back, conflicts have developed with ethnic Shabak, who are mostly Shia. The latter have created their own militia, which is preventing more Christian families from returning.<sup>60</sup> The generally poor economic and security situation adds to the difficulties of minorities wanting to re-establish themselves. The coronavirus pandemic is making things worse.

It should be noted that Muslim religious and political au-

thorities have undertaken various initiatives to build bridges, expressing their appreciation for a multi-religious Iraq and taking concrete steps towards inclusion. The recent recognition of Christmas as a national public holiday as well as the creation of a Committee charged with the review of illegally expropriated Christian properties seeking “to restore justice and end violations of the property rights of the ‘Christian brothers’<sup>61</sup>, is a strong signal.

Protests in late 2019 bringing together demonstrators from various religious groups unified against corruption and mismanagement have also hinted at a possible end to the sectarian polarisation that has ravaged the country for more than a decade. Chaldean Archbishop Bashar Warda of Erbil said that Christians, Yazidis and other minorities have been openly welcomed into the ranks of the protest movement.<sup>62</sup>

Notwithstanding this, the prelate is anything but optimistic about the future of Iraqi Christians. “Christianity in Iraq, one of the oldest Churches, is perilously close to extinction,” he said. “In the years prior to 2003, we numbered as many as one-and-a-half million - six per cent of Iraq’s population. Today, there are perhaps as few as 250,000 of us left. Maybe less. Those of us who remain must be ready to face martyrdom.”<sup>63</sup>

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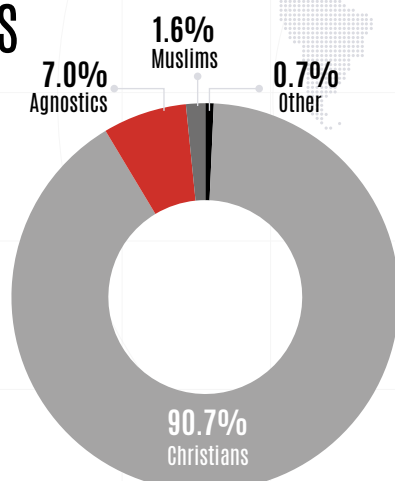
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# IRELAND

## RELIGIONS



Population

**4,887,992**



GDP per capita

**67,335 US\$**



Area

**69,797 Km²**



GINI INDEX\*

**32.8**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The protection of religious freedom in the Republic of Ireland is legally guaranteed at both a national level, under the Constitution of Ireland,<sup>1</sup> and a supranational level, under the Charter of Fundamental Rights of the European Union.<sup>2</sup> Article 44.2 of the Irish constitution protects freedom of conscience, profession and practice of religion.

The state also makes guarantees not to endow any religion nor make adherence to any religion grounds for discrimination. There is an important guarantee that all religions have the right to buy and maintain educational and charitable institutes and to manage their own business and property without state interference. The freedom for people to convert, proselytise and educate others (including their children) in any religion is legally upheld in Ireland.<sup>3</sup> Broadly speaking, state protection of religious worship and expression remains comparatively advanced by international standards. A referendum held on 26th October 2018 removed article 40.6.1 from the Irish Constitution, which had previously forbidden blasphemy.<sup>4</sup>

Hate crime statistics in Ireland are unreliable, therefore it is often difficult to understand the exact extent of religious discrimination and religiously motivated attacks in Ireland.<sup>5</sup> The Gardaí (Irish police) classify attacks on places of worship as simply “vandalism”, this means it is hard to tell if attacks are motivated by religious hatred or are a result of general hooliganism.<sup>6</sup> It is certain that the extent of attacks based on religion are significantly lower in the Republic of Ireland than in Northern Ireland, with on average an attack on a place of worship occurring every three days in Northern Ireland over the past five years.<sup>7</sup> The attacks on places of worship in Northern Ireland also tend to be more serious, including crimes such as arson.<sup>8</sup> The high numbers of attacks on places of worship in Northern Ireland are a result of the historic sectarianism between Catholics and Protestants in the region, which date back to the 17th century Plantation of Ulster. These conditions do not exist to nearly the same extent in the Republic of Ireland.

The rapid secularisation and changing morality of Irish society has led to some potential infringements of religious freedom. This is particularly the case in health care and education. Since the legalisation of abortion in the Ireland in 2019, the majority of Irish doctors (ap-

proximately 90%) have not signed up to taking part in abortions.<sup>9</sup> As a result of this, government ministers have considered only hiring health care professionals willing to take part in abortions for certain positions in specific hospitals.<sup>10</sup> This would exclude most health care professionals who practice Catholicism, which is by far Ireland's largest religion. In October 2020, a bill proposing the legalisation of assisted suicide entered committee stage of the Houses of the Oireachtas.<sup>11</sup> If this bill should become law it is possible similar infringements of freedom of conscience will occur, as have happened with the legalisation of abortion.

The Irish State continues to attempt to exercise its control over Irish schools with a religious ethos. Concerns have been raised over a new proposed sexual education curriculum, although some government officials have promised an exemption to denominational schools should they request it.<sup>12</sup> There has also been a proposal by the new government formed in 2020 to hold a "Citizens' Assembly" on education, with some fearing that the state may attempt to take control fully of many religious schools in Ireland, specifically Catholic schools.<sup>13</sup> In October 2020 the government proposed to have Catholic symbols, mandatory graduation Masses and visits by diocesan inspectors phased out of approximately 200 secondary schools run by the state's Education and Training Boards in order to reflect a multi-denominational ethos.<sup>14</sup>

Over the course of the Covid-19 pandemic public worship has been suspended in Ireland. Initially major religious denominations voluntarily suspended public worship before it was suspended legally.<sup>15</sup> Most major religious figures in Ireland were supportive of the restrictions and the national broadcaster RTÉ started daily televised broadcast of Mass and broadcast a Protestant service every Sunday on television.<sup>16</sup> Public worship was reinstated in late June 2020 with a seemingly arbitrary limit of 50 people with no consideration of the size of the church.<sup>17</sup> Over the course of September and October 2020 public worship was again legally prohibited in certain regions and then in the entire country.<sup>18</sup> This second period of restriction received much more criticism, with Catholic bishops and other religious leaders requesting that the government allow public worship again.<sup>19</sup> This follows the findings that only 6 outbreaks of Covid-19 were credited to religious services, including weddings and funerals.<sup>20</sup> A legal

case was filed to allow public worship again.<sup>21</sup>

Calls for restrictions to be lifted have been heard in the Dáil (Irish parliament).<sup>22</sup> Senior members of cabinet, including the Taoiseach<sup>23</sup>, have committed to attempting to restoring public worship in December or at least allowing special facilitation for publicly celebrating Mass during Christmas.<sup>24</sup> Given the evidence that religious services are not credited with spreading the Coronavirus, the claims that restricting people's fundamental right to freedom of worship is warranted under OHCHR's provision allowing restrictions to the free exercise of religious on public health grounds do not stand up to scrutiny. Several Catholic priests were cautioned for celebrating public Masses, although government officials committed to not bringing any charges against priests who ignore the government's restrictions.<sup>25</sup> The relatively small opposition to Covid restrictions on public worship is an example of how the Irish, though not hostile to people exercising their religion, they view religious practice as an optional extra and not as a basic human right. Analysts have considered this a symptom of a high level of religious illiteracy in Ireland, including skewed understanding of the majority Catholic Faith even by those who were nominally raised Catholic.<sup>26</sup>

## INCIDENTS AND DEVELOPMENTS

### Related to Christians

There has been a continuous trend of attacks and particularly vandalism carried out against churches and Church owned property, corresponding to the definition of hate crimes by the OSCE. It is, however, hard to tell if this is motivated by inter-Christian sectarianism, general anti-Christian and anti-Catholic sentiment or by general hooliganism.

In July and August 2019 there was a string of attacks on Catholic churches and other Church related property. This includes the decapitation of a statue of Dr Patrick Leahy (Archbishop of Cashel and Emly during the 19th century) outside of Thurles Cathedral, the daubing of a swastika on an oratory and cross at Scrouthea Hill in Connemara, and a stained glass window of St. Michael's Church in Shrold Co. Longford were smashed.<sup>27</sup> The Gardaí have not indicated the motivation.

There were also continued occasional attacks against

Protestant, particularly rural Anglican churches, in Ireland. Attacks and vandalism against the Anglican Christ Church in Buncrana Co. Donegal forced the church to close for a time in October 2018 in order to carry out repairs and renovation.<sup>28</sup> It is not believed these attacks were motivated specifically by anti-Christian or anti-Protestant sectarianism, but the vandals showed a complete disregard for local Anglicans' rights to exercise their religion as they might see fit. Very shortly after this event, between 29-31 October 2018, St Catherine's Anglican church in Tullamore Co. Offaly had 104 windows smashed, with the church having to spend an estimated €50,000 on repairs and new security measures.<sup>29</sup>

Probably the most serious attack on a church during this period occurred in Dublin and was directed against St. Michan's Anglican church (there is a Catholic St. Michan's church close by).<sup>30</sup> St. Michan's is one of the oldest parishes in Dublin City and is the oldest parish in Dublin City's northside. The crypt of St. Michan's contains burials from the Middle Ages and Early Modern Period. The unusual environment and air conditions in the crypt have resulted in the bodies being remarkably well preserved and the bodies are colloquially called mummies. There is a very limited number of Anglicans in Dublin's North City, therefore in order to pay for upkeep of the historic church visitors are charged to visit the crypt. In February 2019, vandals broke into the crypt and trashed many of the burials and bodies.<sup>31</sup> The vandals also decapitated and stole the head of the 800-year-old mummy known as "the crusader". The head was later recovered, and a man charged with the attack and sentenced to 28 months imprisonment.<sup>32</sup> The vandal apologised for the attack and claimed he was under the influence of drugs when he desecrated the crypt. St. Michan's lost €35,000 in revenue from having to close the crypt to tours and had to spend €15,000 on repairs and new security measures. This means the attack cost the church €50,000.

In March 2012, the relic of the heart of Dublin's patron saint, St. Laurence O'Toole, was stolen from its shrine in one of Dublin's Anglican cathedrals, Christ Church Cathedral.<sup>33</sup> The relic was recovered in April 2018. In November 2018, the relic and reliquary were housed in a shrine in Christ Church and are again open to pilgrims and visitors.<sup>34</sup>

There were also incidents of the State and educational

authorities limiting the ability of Catholics to exercise their religion as they might see fit.

On 15 November 2020, Fr P.J. Hughes of Mullahoran parish Co. Cavan was threatened by the Gardaí (Irish police) with potential prosecution for celebrating public Mass contrary to Covid-19 restrictions.<sup>35</sup> In response to the threat, Fr. Hughes cited that free exercise of religious practice was enshrined in the Irish Constitution.

In November 2020, Trinity College Dublin's Central Societies Committee (CSC) forbade the Laurentian Society (Trinity's Catholic society) from holding prayer meetings.<sup>36</sup> The reason given was that the Laurentian Society was a cultural society under its own constitution and Trinity's Chaplaincy contained two Catholic chaplains who held prayer meetings for Trinity's Catholics, therefore it was not appropriate for the society to host religious events. There are societies for other religious groups in Trinity College and none of them was instructed to halt religious events.<sup>37</sup> The CSC seems to be unaware that free practice of religion includes communal religious activities outside of the university's chaplaincy. This incident is particularly noteworthy given Trinity College Dublin's traditional status as a Protestant university, which historically has been home to anti-Catholic bigotry.

#### Related to Muslims

On 29 July 2019, Ahmadiyya Muslim mosque in Galway City was attacked and vandalised.<sup>38</sup> The mosque had been attacked before in 2014 and 2017.<sup>39</sup> Windows were smashed in the latest attack and security equipment stolen. The imam, Ibrahim Noonan, was warned three months prior to this attack that he and his mosque were a target of a far-right group. The caller said he was involved with far-right groups and did not want Muslims in Ireland but wanted to warn Imam Noonan because of the imam's work against radical Islam. The continuous targeting of the Ahmadiyya Muslim community in Galway is a serious area of concern.

In May 2019, there were two separate attacks on Muslim men in Limerick City. In the first attack two men were attacked as they were entering a mosque for prayer, both men were hospitalised.<sup>40</sup> This attack occurred during the first Sunday of Ramadan. The following Thursday a Muslim man was punched in the face as he was about to enter the mosque.<sup>41</sup> In both incidents the perpetrators were lying in wait before the

attack. Local Muslims do feel they are being targeted by certain elements, and the fact they were attacked as they prepared to enter the mosque represents a serious threat to the ability of Limerick's Muslims to practice their religion.

## PROSPECTS FOR RELIGION FREEDOM

Outside of the Covid-19 restrictions, there were no significant changes to laws governing religious freedom, but there were changes in their application that affected it in practice. During the period under review, there was continued conflict between Church run institutions and the State. The attempt by the Irish State to take control of the direction of Church schools and hospitals, as well as to overrun the right to conscientious objection of various professionals, including those in health care are a continued area of concern. In general,

and among the population, there is a trend to overlook the fact that the fundamental right to religious freedom includes the full manifestation of faith in public and in private, individually and collectively. This belief is manifest in the restriction on public worship during the pandemic, even though there is no evidence in Ireland of religious worship posing a public health concern.



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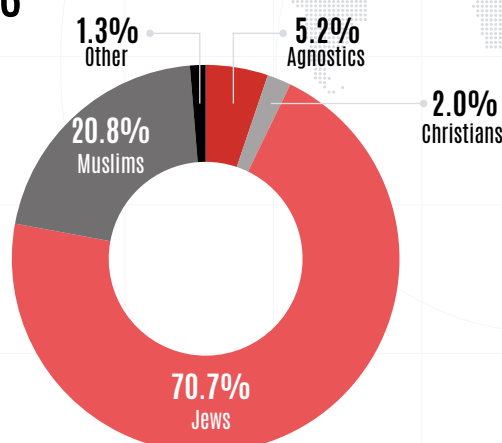
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## ISRAEL

## RELIGIONS



Population

**8,713,559**

GDP per capita

**33,132 US\$**

Area

**22,072 Km<sup>2</sup>**

GINI INDEX\*

**39.0**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

Since its independence in 1948, Israel has defined itself as a Jewish and democratic state.<sup>1</sup> Jews around the world who meet certain criteria are entitled to become citizens of the state.<sup>2</sup> In 1967, Israel conquered East Jerusalem, the West Bank, Gaza and the Golan Heights. To the present day, these territories are disputed and the UN General Assembly, the UN Security Council, and the International Court of Justice consider them to be under occupation, and Israel's settlements are accordingly deemed illegal.<sup>3</sup>

Sunni Arab Palestinians are the biggest non-Jewish group in the country. Most Israeli Christians are also Palestinian Arabs. Both groups hold Israeli citizenship. Most Christians belong to the Melkite Greek Catholic and Roman Catholic Churches, followed by the Greek Orthodox Church. Other minorities include the Druze community. In 1957, the Druze were designated as a distinct ethnic community by the government.<sup>4</sup>

Israel has no formal constitution<sup>5</sup>, so it is necessary to refer to the 1948 Declaration of Independence for the provisions relating to religious freedom. According to the Declaration, "The State of Israel will [...] uphold the full social

and political equality of all its citizens without distinction of race, creed, or sex; will guarantee full freedom of conscience, worship, education, and culture; will safeguard the sanctity and inviolability of shrines and Holy Places of all religions; and will dedicate itself to the principles of the Charter of the United Nations."<sup>6</sup>

The Israeli Supreme Court has ruled that the Basic law on Human Dignity and Liberty is the basis of fundamental freedoms such as religion.<sup>7</sup>

In July 2018, the Israeli parliament, the Knesset, passed a controversial law, titled the 'Basic Law: Israel as the Nation-State of the Jewish People',<sup>8</sup> which says: "The Land of Israel is the historical homeland of the Jewish people, in which the State of Israel was established." Thus, "The State of Israel is the nation state of the Jewish People, in which it realizes its natural, cultural, religious and historical right to self-determination. [...] The exercise of the right to national self-determination in the State of Israel is unique to the Jewish People."<sup>9</sup>

The Catholic ordinaries of the Holy Land have heavily criticised the law. In a statement released in November 2018, they said: "We, as the religious leaders of the Catholic Churches, call on the authorities to rescind this Basic Law and assure one and all that the State of Israel seeks

to promote and protect the welfare and the safety of all its citizens.”<sup>10</sup>

Despite the special status for Jews in Israel, Judaism is not the official religion of the state. State institutions are secular and function according to the model of western democracies. Nonetheless, provisions specific to Judaism predominate in social practices, such as the observance of the Sabbath, kosher food, etc. These can create tensions between observant and non-religious Jews.

Non-Jewish citizens have in theory the same civil rights and obligations as Jewish citizens; they can, for example, vote in elections, join political parties, and be elected to the Knesset. Still, their role is insignificant in political life and, with certain exceptions – notably the Druze – they are not drafted into the Israeli Defence Force (IDF). Effectively, this denies Arab Israelis the various benefits that come with military service.<sup>11</sup> Prime Minister Benjamin Netanyahu does favour the admission of Arab Christians into the IDF.<sup>12</sup>

Conversions from one religion to another are legal but face considerable negative social pressure. Proselytising is legal for all religious groups. However, the law prohibits offering a material benefit as an inducement to conversion. It is also illegal to convert a person under 18 unless one parent is a member of the religious group seeking to convert the minor.

Matters relating to personal status are governed by the recognised religious communities to which a citizen belongs. There is no civil marriage, though such marriages performed abroad are recognised.

## INCIDENTS AND DEVELOPMENTS

Identifying who is a Jew remains a major controversial issue in the Jewish state.<sup>13</sup> In June 2018, The Times of Israel reported that “the chief rabbis of Israel and some 25 religious Zionist rabbis called on Israeli Prime Minister Benjamin Netanyahu to reject a proposal to overhaul the system of conversion to Judaism in the country, arguing that stripping the Chief Rabbinate of that authority will divide Jewry and facilitate the loss of Jewish heritage.” Jews from the Conservative and Reform movements have been criticising the Chief rabbinate’s monopoly on conversions for years.<sup>14</sup>

According to Israeli media, Prime Minister Benjamin Netanyahu told Knesset Speaker Yuli Edelstein, after a three-

year ban, that Knesset members can resume visiting the Temple Mount, as long as no more than once every three months and that the visits were coordinated in advance with the police.<sup>15</sup> Israeli Agriculture Minister Uri Ariel was the first to visit the site, which is a permanent point of discord between Israel and Muslims.<sup>16</sup>

In October 2018, the cemetery attached to the Catholic Salesian Convent of Beit Jamal, 35 kilometres from Jerusalem, was desecrated once again by persons unknown. This time 28 graves were affected.<sup>17</sup>

In the same month, Israeli Prime Minister Netanyahu hailed Israel as the only real protector of Christians in the Middle East while accusing the Palestinian Authority in the West Bank of persecuting local Christians. “Israel is the one country that protects the human rights of all. We protect the religious rights of all. We don’t just protect Christian religious sites – we protect Christian people. Christians should enjoy all the freedom to worship as they please in the Middle East and anywhere else and the only place in the Middle East where they can do so is Israel,” Netanyahu said.<sup>18</sup>

In November 2018 dozens of heads of Churches in the United States sent a letter to US Secretary of State Mike Pompeo expressing concern over the ‘Properties Bill’ that was before the Knesset at that time. “Jerusalem Patriarchs and Heads of Churches consider this legislation to be an existential threat”, and this concern “cannot be overstated”.<sup>19</sup> Earlier, the heads of Churches in Israel wrote to Israeli Prime Minister Netanyahu asking him to halt the bill.<sup>20</sup>

In January 2019 clashes erupted between police and Arab Christians protesting a sculpture deemed blasphemous on exhibit in a Haifa museum. According to the police, the protesters tried to enter the museum to remove a sculpture depicting fast food icon Ronald McDonald on a cross. Three officers were injured.<sup>21</sup> After protests from Church leaders and Israeli Culture Minister Miri Regev, the city’s mayor announced the removal of the sculpture.<sup>22</sup>

In February 2019, Israeli police confirmed that Sheikh Abdelazeem Salhab, from the Jerusalem Islamic Waqf trust, was briefly detained and then released for allegedly opening, without authorisation, the doors of Bab al Rahma Hall on the Haram al Sharif (Temple Mount), thus enabling Muslim prayer there. Jordan strongly protested the detention of its appointee.<sup>23</sup>

In March 2019, Israeli prosecutors dropped charges against two Jewish extremists they had indicted for a se-



ries of crimes, including vandalising the Catholic Dormition Abbey in Jerusalem. In 2015, the monks had discovered graffiti scribbled on one of the building's walls and on its door with messages such as "death to Christians," "death to Arabs," and "Jesus is a monkey."<sup>24</sup>

Israeli police detained four suspects who attempted to smuggle two baby goats into the Temple Mount area for a Jewish Passover ritual sacrifice. Two journalists who wanted to film the illegal sacrifice were also detained.<sup>25</sup>

In June 2019, clashes erupted on Jerusalem Day between Palestinian worshippers and Israeli forces at Jerusalem's Al-Aqsa Mosque compound. A tour of Jewish visitors on the last days of Ramadan led to the confrontation. "Some 1,179 Jewish extremists stormed the compound since morning," Omar Kiswani, director of Al-Aqsa Mosque, told the Anadolu Agency. "In a massive violation of the holy month of Ramadan, the settlers broke into the compound through Al-Mugharbah gate under the protection of Israeli police," he added.<sup>26</sup>

In June 2019, Israeli MK Bezalel Smotrich of the Union of Right-Wing Parties (URWP) called for the introduction of a Jewish religious law based on the Torah to replace civil law. Prime Minister Netanyahu criticised the statement.<sup>27</sup> Later Smotrich said he did not want to force his beliefs on others.<sup>28</sup>

In June 2019, Orthodox Jewish extremists disrupted a Jewish messianic gathering in Jerusalem. According to eyewitnesses who spoke to the Israel Today newspaper, dozens of religious Jews rallied to block local believers from attending an annual concert. "They wouldn't let us enter. I was pushed aside violently," said Professor Gideon, a messianic Jew and Dean of the School of Sciences at Tel Aviv Academic College. "There were families with small children and the religious were pushing and cursing," Gideon added. "Police eventually arrived at the site, but the anti-messianic group refused to leave."<sup>29</sup>

In June 2019, 60 Armenian seminarians were said to have attacked and attempted to lynch two young Jews who were walking on the Armenian Patriarchate Street in Jerusalem's Old City. The victims were severely beaten and required urgent medical treatment.<sup>30</sup>

Following the incident, the Armenian Patriarchate of Jerusalem issued a press release with a different version of the incident. According to the Patriarchate, on 8th June 2019, a group of Armenian Seminarians and the dean of the seminary were attacked by three extremist Jews and

their dog. "They were verbally and physically attacked by extremist Jews." This has "unfortunately happened [...] thousands of times and still continues to happen. For many years the Armenian clergy [has been] spat on, verbally attacked and also physically attacked by extremist Jews", the statement read.<sup>31</sup>

In June 2019, the Israeli Supreme Court decided in favour of Ateret Cohanim, thus ending a 14-year legal dispute over the lease of a Greek Orthodox Church property in Jerusalem's Old City to a settler group. The Church had tried to overturn the initial lease. A Church official called the Supreme Court's decision "illegal and illegitimate".<sup>32</sup>

In July 2019, the Assembly of Catholic Ordinaries of the Holy Land denounced acts of intimidation perpetrated against local Christian communities by extremist Jewish groups. This followed attacks against cars and offensive graffiti against Christians in Jish, a village in Galilee. Prior to the incident, members of St. James Catholic parish in Beit Hanina, a suburb of East Jerusalem, were hit by tomatoes and other objects thrown by provocateurs from the nearby Jewish neighbourhood of Naveh Yaacov.<sup>33</sup>

In August 2019, a poll conducted by the NGO Hiddush found that 68 percent of adult Jews in Israel supported the introduction of civil marriage; if introduced, it would include state recognition of marriages performed by Reform and Conservative rabbis.<sup>34</sup>

In August 2019, the Israeli High Court overturned a lower court decision allowing a gender-segregated concert, but the ruling came too late to stop the event from going ahead amidst celebrations from ultra-Orthodox officials.<sup>35</sup>

Reversing an earlier decision, Israeli police in August 2019 allowed Jews to enter the Temple Mount area to mark the Jewish holiday of Tisha B'Av. Their initial ban followed clashes with Muslim worshippers celebrating the Muslim holiday of Eid al-Adha. According to some media reports, 61 worshippers were wounded; four police officers were also slightly injured.<sup>36</sup>

In January 2020, Sephardic Chief Rabbi Yitzhak Yosef questioned the Jewishness of some immigrants from the former Soviet Union. He was heavily criticised for the remarks.<sup>37</sup>

On 25th March 2020, Israeli authorities ordered the closure of the Basilica of the Holy Sepulchre in Jerusalem in order to combat the COVID-19 pandemic.<sup>38</sup>

In April 2020, Jerusalem's Al-Aqsa mosque compound



was closed to Muslim worshippers throughout the fasting month of Ramadan due to the pandemic. The Jerusalem Islamic Waqf called the decision “painful”.<sup>39</sup>

An Israeli court decided to temporarily stop construction of a homeless shelter in Jaffa on the site of an 18th century Muslim cemetery. This did not stop clashes between residents and police. A number of protesters were arrested for disturbing the peace, trying to break into the cemetery, throwing rocks and spraying tear gas at police.<sup>40</sup>

In a statement released in July 2020,<sup>41</sup> the Patriarchs and Heads of the Churches of Jerusalem called on the Israeli government to safeguard the integrity of the Christian heritage and patrimony in the Old City of Jerusalem, as well as the Holy Sites and the rights of the residents of the Christian Quarter of Jerusalem. The statement followed a court decision upholding the contested sale in 2004 by the Greek Orthodox Patriarchate of three buildings near the Jaffa Gate to the Jewish organisation Ateret Cohanim.<sup>42</sup> For those opposed, the transfer of property threatens the status quo in Jerusalem.

In July 2020, an Israeli court ordered the closure of Bab al-Rahma, the eastern gate of Jerusalem’s Al-Aqsa mosque. The Waqf that runs the Muslim holy place reported: “Al-Aqsa is superior to be subject to any court or political decision by the Israeli authorities,” the Muslim spokesman said in a statement.<sup>43</sup>

The Haaretz newspaper reported that if Israel’s Interior Ministry had its way, group conversions performed in so-called “emerging” Jewish communities would no longer be recognised by the state. This would effectively mean that Jews who freely choose to undergo conversions in remote communities will not be allowed to immigrate to Israel under the Law of Return. “The ministry was responding to a suit filed five years ago by two converts from an emerging Jewish community in Peru who had been ordered to leave the country after their requests to obtain immigrant status were denied,” the article said. The Israeli Supreme Court has yet to issue its final ruling in the case.<sup>44</sup>

In September 2020, a spokesperson for the Jerusalem Islamic Waqf told Al-Monitor that it had rejected a request by Israeli police to open the door to the Bab al-Asbat minaret to allow officers to cross from it to the roof of the northern Al-Aqsa Mosque wall to install loudspeakers. The spokesperson explained that the police used ladders to reach the roof and then would forcibly install them, thus increasing its surveillance of the Islamic holy place.<sup>45</sup>

In September 2020, Jewish ultra-orthodox members of Jerusalem’s City Council criticised the planned project of a cable car running to Dung Gate, close to the Temple Mount area. The proposed route would pass over a Karaite cemetery, thus desecrating it.<sup>46</sup>

In September 2020, an Israeli court issued a demolition order for a mosque in Silwan, a neighbourhood in East Jerusalem, for a “lack of a construction permit,” residents told the Anadolu news agency.<sup>47</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Israeli law protects the freedom of religion of its citizens regardless of their creed – a condition that has remained unchanged. However, at a societal level, religion can often cause tensions.

Given Israel’s Jewish majority and its unresolved political conflict with the Palestinians, it is often hard to know whether conflicts between Israeli Jews and Palestinian Muslims are motivated solely by religion or by other factors.

The Temple Mount or Haram esh-Sharif (Noble Sanctuary) in Jerusalem is a constant source of tensions between Israel and Muslim worshippers. Muslims and Christians are regularly exposed to threats and attacks by Jewish extremists at the site that sometimes go unpunished.

In such an environment where religion is of primary legal, political, and social importance, interreligious relations are precarious. While the right to religious freedom is generally respected, each and every incident involving religious freedom is fraught and invites close scrutiny by Israeli, Jordanian, and Palestinian civil and religious authorities, and is equally monitored by the international community.

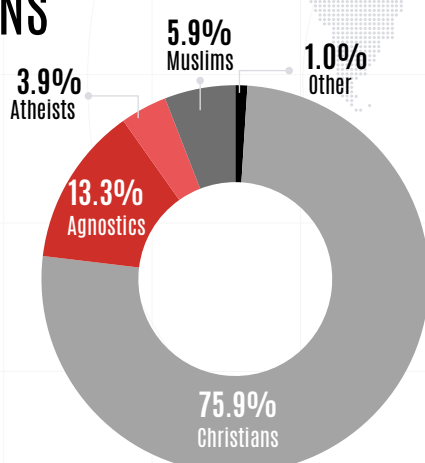
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# ITALY

## RELIGIONS



Population

**59,132,073**



GDP per capita

**35,220 US\$**



Area

**302,073 Km<sup>2</sup>**



GINI INDEX\*

**35.9**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Italian legislation on religious freedom guarantees freedom of religion or belief and recognises it as a fundamental right. Article 3 of the constitution expresses the principle of non-discrimination on religious grounds, stating that “all citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinion, personal and social conditions.”<sup>1</sup> Article 19 guarantees individuals their right to profess “their religious belief in any form, individually or with others, and to promote them”. It also allows them “to celebrate rites in public or in private, provided they are not offensive to public morality.” Article 8 stipulates that “all religious denominations are equally free before the law”.

Italy has no state religion, but Catholicism is the religion of most Italian citizens. Article 7 of the constitution asserts that the Italian state and the Catholic Church are independent and sovereign, and the 1929 Lateran Pacts<sup>2</sup> (amended in 1984)<sup>3</sup> govern their relations.

The Italian government allows the Catholic Church to select teachers to provide religious education in state schools.

Relations between the state and other religions are regulated by law, based on agreements with their respective religious organisations. Before applying for an agreement, the religious organisation needs to be recognised as having legal personality by the Ministry of the Interior, in accordance with Law No. 1159/29.<sup>4</sup> The request is then submitted to the Office of the Prime Minister. An agreement grants religious ministers automatic access to state hospitals, prisons, and military barracks; it allows for the civil registration of religious marriages; it facilitates special religious practices regarding funerals; and it also exempts students from school attendance on religious holidays. Any religious group without an agreement may also request these benefits from the Ministry of the Interior on a case-by-case basis. An agreement also allows a religious group to receive funds collected by the state through the so-called “Eight per thousand”, a compulsory deduction (of 0.8 percent) from taxpayers’ annual income tax.

13 non-Catholic denominations have an agreement with



the Italian state, while an agreement with Jehovah's Witnesses has been under negotiation since 1997. The Italian government and the Church of England (Anglican) signed an agreement on 1st August 2019.<sup>5</sup>

An agreement has not yet been reached with the Islamic community, despite the fact that it represents the largest non-Christian group in Italy and about a third of Italy's immigrant population are Muslims.<sup>6</sup> The National Association of Italian Muslims (ANMI) presented a proposal on 19th June 2018, following statements by the then Minister of the Interior Matteo Salvini, who said he hoped to enter into an agreement with the Islamic community before the end of the incumbent legislature.<sup>7</sup>

In the text, ANMI asks for the same financial arrangement provided by the aforementioned "Eight per thousand" tax contribution. It says that Muslims should be able to "profess and practise the Muslim religion freely, to teach and observe it in any form," that they be allowed to "propagate" it in public and worship and perform their rituals as they see fit. At the same time, ANMI agrees that only clerics admitted to the "Register of Imams" should be allowed to minister if they "know the Italian language", have resided "in Italy for at least 5 years", know the "main points of the Italian Constitution" and have "no direct or indirect connections" with "known terrorists or terrorist organisations."<sup>8</sup>

So far, no progress has been reported in this regard at the time of writing this report. Part of the problem is the lack of consensus among Muslims and the absence of a recognised official Islamic leadership with the authority to negotiate an agreement with the government.

ANMI itself does not represent the entire Islamic community in Italy. Consequently, the Italian Ministry of the Interior has tried to manage Islam-related issues by creating a Council for Italian Islam in 2005, and drafting a "Charter of Values of Citizenship and Integration" in 2007 and a "Declaration of Intent for a Federation of Italian Islam" in 2008.

In 2016, the "Council for Relationship with Italian Islam" was established within the Interior Ministry to raise awareness about Islam and enhance dialogue with the Islamic community. Following this, the Ministry of the Interior and representatives of Italy's main Muslim as-

sociations signed a "National Pact for an Italian Islam" on 1 February 2017. In it, among other things, all parties agree to "encourage the development and growth of dialogue", "ensure that places of worship maintain decent standards in compliance with existing legislation," and "guarantee that Friday sermons are delivered or translated into Italian."<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

As in the previous 2016-2018 reporting period, Catholics have expressed concern in the past two years about growing anti-clerical sentiments and the introduction of some legislative measures deemed contrary to Christian values. A decision by the Constitutional Court (242/2019) on a section of Article 580 of the Criminal Code has aroused particular concern. The ruling recognised that, if certain conditions are met, assisted suicide would no longer be criminally punishable.<sup>10</sup>

Concerns were also raised by the "application guidelines for article 17" of the Code of Medical Ethics, following the Constitutional Court's decision on assisted suicide. The guidelines, adopted on 6 February 2020 by the National Council of the Federation of Medical Association of Surgeons and Dentists (FNOMCEO), stipulate that no disciplinary action will be taken against doctors if conditions correspond to the Constitutional Court's criteria for non-punishment of doctors who take part in assisted suicide.<sup>11</sup>

Another measure of concern to Catholics is a bill against "homotransphobia" presented in November 2019 by Alessandro Zan, a Member of Parliament. It would apply "hate crime" legislation, which already punishes acts of violence and incitement to violence on grounds of ethnicity, nationality and religion, to homosexual or transgender people. The unease in the Catholic community is that if the draft legislation becomes law, statements about homosexuality in line with Catholic biblical and moral teaching could be punished.<sup>12</sup>

During the reporting period there were also several incidents in which Catholic churches, statues and sacred objects were stolen, damaged and desecrated.

Overnight on 20-21 July 2018, a crucifix and several sacred statues were damaged in the town of Andria.<sup>13</sup> Two months later, in September, the Church of the Holy Martyrs in Montesilvano was set on fire twice over an



eight-day period. The local parish priest, Fr Rinaldo Lavezzo, also received threatening letters.<sup>14</sup>

Similar incidents occurred especially over the Christmas holidays, between December 2019 and January 2020. Numerous Nativity scenes were burnt and damaged in several parts of the country; in Mogliano Veneto, a statue of the Child Jesus was hanged with an electric cable.<sup>15</sup>

The Muslim community continues to complain that its members are victims of social discrimination. This perception is confirmed by the European Islamophobia Report 2018,<sup>16</sup> according to which physical and verbal attacks against Muslim migrants, asylum seekers, refugees and citizens have increased in both northern and southern Italy.

According to the study, anti-Islamic sentiment takes two forms: “political Islamophobia”, inspired by leaders of right-wing and far-right parties or movements, and “cultural Islamophobia”, shaped by mass media, which tends to refer to Muslim people only in the context of immigration while depicting Islamic culture as impossible to integrate and deeply sexist.<sup>17</sup>

It is hard to assess whether bias and prejudice are motivated by religion or, more likely, related to an anti-immigration sentiment among the population, which tends to see migrants as predominantly Islamic. Frequently, Muslims are associated with Islamic terrorists and are considered potentially dangerous, as noted by the “Jo Cox Commission on hatred, intolerance, xenophobia and racism” established by the Italian Chamber of Deputies.<sup>18</sup>

Undoubtedly, the rising threat of jihadist attacks does not help. In January 2020, the U.S. Department of State identified Italy as a country at high risk of attack (level 2), urging US citizens who planned to visit or stay in Italy to show great caution.<sup>19</sup> In the past two years, several individuals were arrested for terrorist offences, many of them for alleged links with jihadist networks. As indicated in the 2019 European Union Terrorism Situation and Trend Report, drafted by Europol experts, 40 individuals were arrested in Italy in 2018 in connection with Islamic terrorism.<sup>20</sup> The report lists 129 successful, failed and foiled terrorist attacks in Europe in 2018. Of these, 13 took place in Italy.<sup>21</sup>

Growing radicalisation of Muslim inmates in Italian prisons is another major issue. A case in point: Anis Amri. The Tunisian man, who carried out a serious terrorist attack at a Berlin market on 19 December 2016, had started on a path of jihadist radicalisation when he was in jail in Sicily, after his conviction for crimes unrelated to extremism.<sup>22</sup> Another case is that of Giuseppe D'Ignoti, an Italian man convicted on terrorism charges in January 2019 for inciting jihad on the Internet. He had converted to Islam in 2011 when he was in the Caltagirone prison, serving a 5-year sentence for sexual violence, injury and mistreatment against his ex-wife. Aziz Sarrah, a 31-year-old Moroccan man, who was expelled in 2017 for possession of an Islamic State flag, had encouraged him to convert.<sup>23</sup>

Research by the Institute for International Political Studies (ISPI) found that prisons are important venues for jihadist radicalisation in the West. It is estimated that Muslims constitute one fifth of Italy's prison population.<sup>24</sup>

The Report on Anti-Semitism by the European Union Agency for Fundamental Rights (FRA), produced together with the Institute for Jewish Policy Research, noted an increase in anti-Semitic acts in Europe during the period under review. Italy is no exception.<sup>25</sup>

According to the Observatory on Anti-Semitism, about 370 anti-Semitic incidents occurred in Italy from June 2018 to March 2020,<sup>26</sup> mostly online. One particular case involved highly offensive tweets against Liliana Segre, an Italian senator and Holocaust survivor.<sup>27</sup> On 29 October 2019 she presented a motion calling for the establishment of a Special Commission to combat intolerance, racism, anti-Semitism and incitement to hatred and violence. The motion was approved on 30 October 2019,<sup>28</sup> but it did not stop the verbal attacks. Eventually, Segre was given police protection.<sup>29</sup>

Other anti-Semitic acts include the verbal and physical assault against an 11-year-old Jewish boy in a school in the city of Ferrara in April 2019<sup>30</sup> and the theft and vandalising of Jewish memorials, such as the so-called “stumbling stones” (stolperstein).<sup>31</sup> In one incident, 20 of them were stolen in Rome in December 2018.<sup>32</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Although religious freedom is guaranteed and respected by the state and would appear to remain stable in the future, Italy will have to deal with a number of issues related to the increase in its Muslim population.

According to the first Report on the Islamization of Europe by the Farefuturo Foundation, foreign Muslims in Italy numbered 1.58 million on 1 January 2019, or 30.1% of foreigners residing in Italy, with an increase of 28.2% compared to 2018.<sup>33</sup>

From this perspective, measures aimed at integration will be necessary, as will an agreement with the Islamic community, or with organisations representing at least part of it. The radicalisation trend among prisoners is an issue that also needs to be addressed, as will the need to regulate Islamic clerics and places of worship.

In addition, problems such as growing anti-Semitism and the right of Catholics to express their own opinions in the public sphere will also have to be addressed.

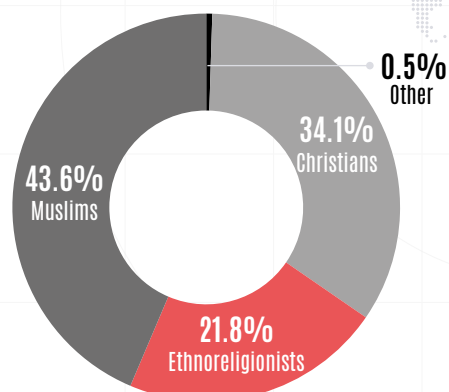
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# IVORY COAST

## RELIGIONS



Population  
**26,171,750**  
GDP per capita  
**3,601 US\$**



Area  
**322,463 Km<sup>2</sup>**  
GINI INDEX\*  
**41.5**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Republic of the Ivory Coast (officially Côte d'Ivoire) is home to around 70 different ethnic groups.<sup>1</sup> Religious affiliation is divided between traditional African religions, which still have many followers, Islam and Christianity. Islam shapes the lives of a large part of the population in and from the north of the country, as well as immigrants from neighbouring countries. The umbrella organisation of Ivorian Muslims is the National Islamic Council of Ivory Coast (Conseil National Islamique de Côte d'Ivoire). The majority of Christians live in the south. Abidjan, Bouaké, Gagnoa and Korhogo are the seats of Catholic archdioceses.<sup>2</sup>

The country has faced significant political strife in its recent past - notably a protracted civil war between 2002 and 2007.<sup>3</sup> The conflict's consequences - forced displacement and violence - were still being felt during the reporting period.<sup>4</sup>

Despite the country's ethnic and religious diversity, Christians and Muslims have traditionally lived side by side in peace. Consequently, violence is more likely to

be seen as a symptom of political division, abject poverty - more than 40% live below the poverty line - and a lack of employment opportunities<sup>5</sup>.

A new constitution came into effect on 8 November 2016.<sup>6</sup> Article 49 states, "The Republic of Côte d'Ivoire is one and indivisible, secular, democratic and social."<sup>7</sup> This has remained unchanged from previous versions. Freedom of religion is among the civil liberties guaranteed under Article 4. The constitution prohibits political parties "along regional, religious, tribal, ethnic or racial lines"<sup>8</sup> (Article 25).

Traditionally, the country's many religious communities have lived side by side amicably. For a country with many ethnic and religious groups, this is a basic requirement for peace. During the reporting period, the Ivorian government continued to subsidise pilgrimages to Mecca for Muslims as well as to Lourdes (France) and Israel for Christians.<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

Ivorian Catholic authorities have drawn attention to a number of anti-Catholic acts of violence. In July 2019, a statue of the Virgin Mary in Grand-Yapo was decapi-



tated. A similar incident occurred at a shrine in Abidjan the following month.<sup>10</sup> The secretary of a parish priest, Mrs Faustine Brou, was “stabbed to death” in her office at the St Cecile’s Catholic Church in Abidjan.<sup>11</sup> No group or organisation has claimed responsibility for the attack, but the alleged perpetrators of the murder have been arrested and the case is under investigation. It is not yet clear if a contract killing or if religion was a motive, though after the incident Catholic and government authorities increased security in the parishes.

On 4 July 2018, authorities in Abidjan arrested a Muslim preacher, Aguib Touré, for two videos he posted online. In one he urges Muslims not to enrol their children in Christian schools. In the other, he complains about the high cost of Hajj and of the destruction of the homes of the poor “to give land to the rich”.<sup>12</sup> He was charged “for alleged acts of terrorism, incitement to hatred, xenophobia, [and] civil disobedience,” but was later released on 6 August 2018. An evangelical preacher was also arrested on 1 August 2018 for “xenophobic and tribalistic messages” but was released five days later when the president granted him an amnesty.<sup>13</sup>

On 11 June 2020, at least a dozen Ivorian soldiers died in a jihadist attack in the north of the country.<sup>14</sup> This was the second significant assault after the Grand Bassam attack in March 2016, but the first in the country’s section of the Sahel, an area where terrorist groups have been operating for nine years, a sign of rising jihadist activity in the southern Sahel.

The Ivory Coast continued to suffer from interethnic violence in 2019.<sup>15</sup> Clashes are often linked to “land ownership and transport”.<sup>16</sup> Municipal elections in October 2018 were marked by violence, and many people fear that upcoming presidential elections in October 2020 could cause further tensions between ethnic groups. Due to the tense political situation, the country’s Catholic bishops called for a National Week of “Reconciliation” ahead of the vote.<sup>17</sup> In a statement on 24 June 2019, the bishops warned against “a climate of widespread fear among the population in the Ivory Coast; fear linked to the recurrence of conflicts between communities or land occupation, the illegal occupation of forests and widespread insecurity.”<sup>18</sup>

Religious activities resumed on 17 May 2020 after two months of lockdown imposed to contain the COVID 19 virus.<sup>19</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Historically good relations should ensure that the Ivory Coast’s various religious communities continue to live together amicably for the foreseeable future. Nevertheless, the country continues to be threatened by jihadist groups who are increasing their activity in the wider West African region, as evidenced by the June 2020 attack.

Political tensions are also rising in the country ahead of the 31 October 2020 presidential elections, especially since the death of Prime Minister Amadou Gon Coulibaly on 8 July 2020. In this regard, Ivorian bishops in late July 2020 issued a statement stressing the need for justice, peace and reconciliation in the country.<sup>20</sup>

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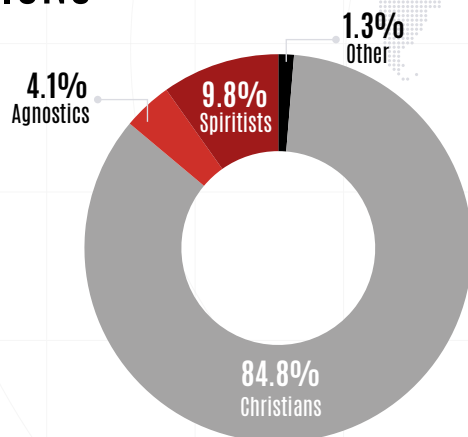
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# JAMAICA

## RELIGIONS



Population  
**2,913,160**  
GDP per capita  
**8,194 US\$**



Area  
**10,990 Km<sup>2</sup>**  
GINI INDEX\*  
**45.5**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Jamaica<sup>1</sup> stipulates (Article 13) that the state has an obligation to promote universal respect and observance of human rights and personal freedoms, to which everyone is entitled by virtue of their inherent dignity as human beings.

Article 13 also recognises freedom of thought, conscience, belief and observance of political doctrines, the right of association and equality before the law as well as the right not to be discriminated against because of one's religion.

According to Article 14, anyone detained has the right to communicate with and be visited by a religious counsellor.

Article 17 enshrines the right to religious freedom, which includes the right to change one's religion and to manifest one's belief, alone or with others, in public or in private, in worship, teaching, practice and observance.

The same article stipulates that a religious organisation cannot be altered without the consent of its governing authority. It goes on to say that every religious organisation has the right to provide religious instruction to its mem-

bers, irrespective of whether it receives public funds or not.

Article 17 also indicates that, except with their own consent (or that of their parents or guardian in case of minors), no person attending an education establishment shall be required to receive religious instruction or attend a ceremony of any religion other than their own.

Various officials must take an oath of allegiance before taking office. The oath includes the final phrase "So help me God".

## INCIDENTS AND DEVELOPMENTS

In September 2018, Dr. Garth Anderson, president of the Jamaica Teachers' Association, expressed concern over the shortage of religious educators.<sup>2</sup> Nadine Chambers, a teacher of religion, noted that principals are the ones who refuse to hire specialists to teach the subject.<sup>3</sup>

In January 2019, the leaders of several churches rallied in front of Gordon House (Jamaica's parliament building) to express their pro-life message and reject abortion, whilst a motion to decriminalise it was being discussed inside.<sup>4</sup>

In mid-May 2020, Jamaica was set to ease restrictions imposed following the outbreak of the COVID-19 pandemic, so as to allow churches to reopen during a trial period. Religious services resumed under an agreement with religious groups.<sup>5</sup>

In July 2020, the Supreme Court issued a ruling regarding a girl excluded from school because of her dreadlocks. In its decision, “the court accepted and reaffirmed, the position that Rastafarianism is a widely practiced religion, and that the expression by the appellant of his [sic] religious beliefs in the form of dreadlocks is protected.”<sup>6</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

No acts of vandalism have been reported since the 2016-2018 period. The incidents that have occurred are indicative that issues are openly debated. More broadly, religious freedom is appreciated and people can express their beliefs. Prospects for the future of religious freedom in the country thus appear good.

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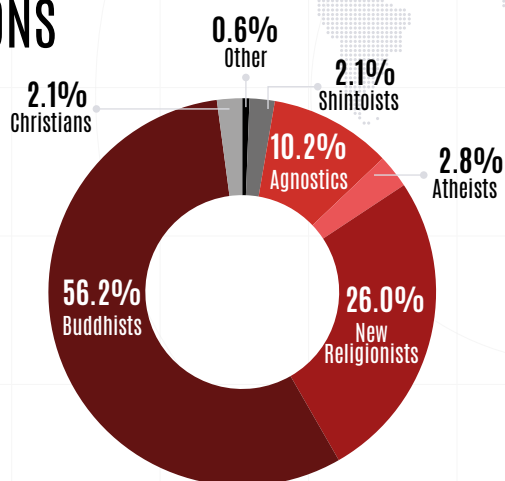
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# JAPAN

## RELIGIONS



Population

**126,495,647**

GDP per capita

**39,002 US\$**

Area

**378,000 Km<sup>2</sup>**

GINI INDEX\*

**32.9**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Japan is a democratic constitutional monarchy. Religion is freely practised, and protected by the government, which is strictly neutral in the matter. Respect for freedom of religion is based on the existing constitution and laws.

The Constitution of Japan, promulgated on 3rd November 1946 and implemented on 3rd May 1947, expressly articulates a commitment to religious freedom as well as separation of religion and state. Article 20 states: "Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the state, nor exercise any political authority. No person shall be compelled to take part in any religious act, celebration, rite or practice. The state and its organs shall refrain from religious education or any other religious activity." Article 89 adds: "No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association, or for any charitable, educational or benevolent enterprises not under the control of public authority."<sup>1</sup>

These articles provide robust protection for religious freedom in its various dimensions, including the freedom to believe, not to believe, convert, worship, organise, and spread religious beliefs. They also enshrine a strict separation between state and religion. This principle does not have deep roots in Japanese history or culture; however, the widespread perception that the pre-war alliance between Shintoism and the state - what became known as "State Shintō" ideology<sup>2</sup> - contributed to Japanese imperialism and militarism in the 1930s and 1940s and made the separation of state and religion a moral and political imperative in the minds of many Japanese, regardless of their beliefs, following World War II. This perception also shaped the thinking of the Americans who developed the early drafts of what eventually became the Japanese constitution during the Allied Occupation of Japan (1945-1952).<sup>3</sup>

Currently, just over 2 percent of Japanese identify as Shintoists, but more than 80 percent take part in Shinto rituals.<sup>4</sup> Given this situation, the conservative Liberal Democratic Party (LDP), which has ruled Japan for almost its entire post-war history, has favoured relaxing the separation of religion and state in order

to facilitate state support of certain traditional Shinto shrines and ceremonies.

Of particular interest to LDP leaders is the Yasukuni Shinto shrine in Tokyo that honours Japanese<sup>5</sup> who died in the service of the country. It also lists the names of more than a thousand war criminals tried and executed after World War II. Built in 1869 to pay tribute to the Japanese who gave their lives in the name of the Emperor of Japan, it is believed that the shrine watches over the souls of the more than two million Japanese soldiers and others who died between 1868 and 1951. The nationalist leaders of the LDP believe that the Japanese government should support Yasukuni not as a matter of religious belief or piety but as a matter of custom, civic ritual, and patriotism. They also believe that it is legitimate for the state to support other Shinto rituals, particularly those related to the imperial succession, because their significance, they argue, is more civic than spiritual.<sup>6</sup>

Accordingly, on multiple occasions, the LDP has proposed revising Article 20 to permit the government and public officials to support and participate in “social ceremonies or customary actions,” even if they might have a religious origin. However, Buddhists, Christians, and virtually all other non-Shinto religious groups have opposed efforts to weaken the separation clause. As Helen Hardacre, author of *Religion and the Japanese Constitution*, states: “Numerous religious organizations in Japan today were prosecuted before 1945 on charges that their doctrines or practices constituted *lèse majesté* because they were seen as insulting to the emperor or to Shinto. For these organizations, especially, reassertions that Shinto ritual has some part to play in democratic government will be highly objectionable.”<sup>7</sup> Consequently, the issue of the separation of state and religion is highly controversial, and the Japanese public is likely to remain deeply divided over it for the foreseeable future.

## INCIDENTS AND DEVELOPMENTS

In 2019, the government provided direct financial support for three Shinto-related rituals related to the imperial succession. The government defended the funding by arguing that, even though the rituals contained a

religious element, the constitution authorises support for imperial succession ceremonies. Christians, Buddhists, and other critics condemned the funding, arguing that it violated the constitutional separation of religion and state. In the end, in February 2019, “[t]he Tokyo High Court [. . .] dismissed a lawsuit challenging the use of state funding, but a similar suit remained pending at year’s end.”<sup>8</sup>

While other nations in Asia are seeing increasing levels of religious persecution, Japan has become, to some extent, more tolerant, especially towards Islam following an influx of Muslims in recent years. The upcoming Olympic Games (originally scheduled for 2020, but postponed until 2021 due to COVID-19), as well as an increase in tourists from Muslim nations, have heightened “awareness in Japan of the need to create a Muslim-friendly environment that ensures an enjoyable experience for these visitors.”<sup>9</sup> This includes the visible display of halal seals of certification in restaurant windows. “Halal seals of certification displayed in restaurants, on menus, and on restaurant websites are one way of assuring Muslim visitors that they can eat safely in these places.”<sup>10</sup>

The Muslims who have recently come to Japan include ethnic Uyghurs<sup>11</sup> fleeing persecution in China’s Xinjiang region (also known as East Turkestan). But even in Japan, Chinese intelligence agents continue to subject them to surveillance designed to intimidate them and extract information. In one such incident, a Uyghur resident of Japan was contacted by “a man he had never seen before [. . .]. The man said he belonged to a government organization and told [him], ‘China is forever your motherland. I want to be your friend and talk about many issues.’ He urged [him] to provide information on the Japanese Uyghur Association’s activities, and said he would be in touch.”<sup>12</sup> According to Amnesty International, many Uyghurs living abroad face similar pressure from Chinese authorities. A February 2020 report by the London-based human rights organisation concluded that Chinese security officials are making “aggressive efforts [. . .] to recruit informants to spy on others in overseas Uyghur communities.”<sup>13</sup>

On 6th October 2020, Japan was one of 39 signatory countries to “[urge] China to respect the human rights of minority Uighurs.” The declaration called on China, “to allow immediate, meaningful and unfettered access to Xinjiang for independent observers including the

U.N. High Commissioner for Human Rights.”<sup>14</sup>

Pope Francis visited Japan from 23rd to 26th November 2019. His visit raised great expectations, as the last papal visit by Pope John Paul II was in 1981. An article by Francesca Regalado on the visit states: “Japanese Catholics comprise only 1% of Japan’s population, but in recent decades, the country has become home to a diverse diaspora of Catholics and other Christian denominations. Tokyo’s churches are full of believers from the neighbouring Philippines and from the West. There are also immigrants and refugees who have found it safer to practice Christianity in Japan than in their native lands in China, Southeast Asia, Africa and the Middle East.”<sup>15</sup> A theme of the Pope’s visit was protecting the dignity of all people, and he was widely and graciously received by Japanese citizens of all backgrounds.<sup>16</sup>

The Japanese government’s stance on Myanmar’s persecution of its mostly Muslim Rohingya community has been ambiguous. Notwithstanding Japan’s basic commitment to religious freedom, and its welcome to approximately 300 Rohingya Muslim refugees,<sup>17</sup> the Japanese ambassador to Myanmar, Ichiro Murayama, stated that although he did not “rule out that human rights violations occurred in Rakhine State during clashes between the military and Arakan Rohingya Salvation Army (ARSA)... I don’t think that the Myanmar Tatmadaw [military] committed genocide or [had the] intent of genocide. I also don’t think that they have intention to kill all the Muslim residents in Rakhine.”<sup>18</sup> Japan was also the first country to voice support for Myanmar following Gambia’s petition to the International Court of Justice on 11th November 2019 requesting “provisional measures” of protection for Rohingya Muslims.<sup>19</sup> On 23rd January 2020, the International Court of Justice in The Hague imposed emergency provisional measures on the country “instructing the government of Aung San Suu Kyi to respect the requirements of the 1948 genocide convention.”<sup>20</sup>

freedom will change in any significant way in the foreseeable future.

## PROSPECTS FOR RELIGIOUS FREEDOM

Although the ongoing efforts by the ruling Liberal Democratic Party to relax Japan’s constitutionally mandated separation of religion and state will continue to fuel a lively debate and stir controversy, nothing suggests that the country’s positive attitudes towards religious

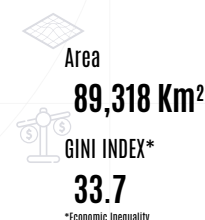
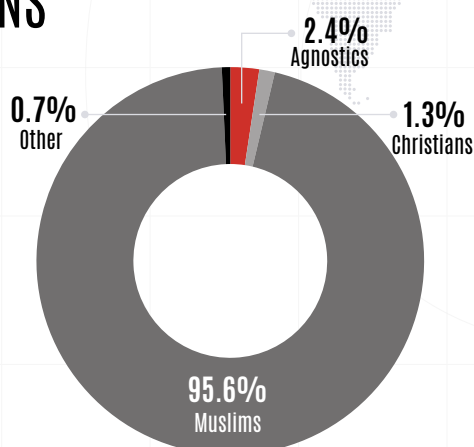
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# JORDAN

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Since it was established, the Kingdom of Jordan has been ruled by the Hashemite dynasty, who originally hail from Makkah and claim to be direct descendants of the Prophet Mohammed. In 1948, Jordan (then called Transjordan) seized East Jerusalem and the West Bank in the first Arab-Israeli War. It lost those territories to Israel in the Six Day War in 1967. As a result of both conflicts, it took in hundreds of thousands of Palestinian refugees, who now constitute the majority of the Jordanian population. Only a minority of Jordanians belong to traditional Bedouin groups who lived for centuries in the area. In 1994, Jordan made a peace treaty with Israel, which confirms the Jordanian king's rights as Custodian of the Holy Places in East Jerusalem.

Relations between Sunni Muslims and Christians in Jordan are usually peaceful. The Christian community has praised the Royal Family for fostering a spirit of tolerance. The Catholic Church is present with parishes and institutions such as Caritas Jordan. The country has also welcomed Christian and Hindu migrant workers, mainly from Asia, temporarily living and working in the country.

According to Article 2 of the Jordanian constitution<sup>1</sup> of 1952, "Islam is the religion of the State". Article 6 states that "Jordanians shall be equal before the law with no discrimination between them in rights and duties even if they differ in race, language or religion." Article 14 obliges the state to "safeguard the free exercise of the rites of religions and creeds in accordance with the customs observed in the Kingdom, if such is not inconsistent with public order or morality." Under Article 28e, "It is a condition for the person who shall ascend the Throne to be a Moslem, [...] and of Moslem parents."

Article 99 establishes civil, religious and special courts. Article 104 divides religious courts into Shari'a courts and the tribunals of other religious communities. All matters related to the personal status of Muslims are regulated by Shari'a (Islamic law). Christians are subject to their respective ecclesiastical courts. Civil marriage does not exist. A Muslim woman cannot marry a Christian man. If a Christian woman converts to Islam, her Christian husband has to convert too if they want to remain married; otherwise, they are automatically divorced.

The constitution and other relevant laws do not explicitly ban Muslims from converting to another faith, and there are no penalties under civil law for doing so. Nonetheless,



by giving primacy to Shari'a, which prohibits Muslims from converting to another religion, the government effectively prohibits both conversion from Islam and proselytising Muslims by members of other religions. According to Islamic law, there are consequences for Muslims when they adopt a religion other than Islam. For instance, if someone is convicted of apostasy, the Islamic courts adjudicating matters of personal status have the power to void the person's marriage and deny their right to inherit from their spouse and Muslim relatives.<sup>2</sup>

Jordan explicitly criminalises blasphemy. Article 273 of Jordan's Penal Code of 1960 states that any individual who insults any of the prophets is liable for a term of imprisonment of one to three years.<sup>3</sup>

Christians have a quota of nine seats in Parliament and have access to higher ranks in the government and the Armed Forces. The proportion of Christians in the country has been declining for half a century, with the figure now around 1.3 percent of the population, down from 20 percent in 1930.<sup>4</sup>

The 2014 Law for Councils of Christian Denominations officially recognises 11 Christian denominations.<sup>5</sup> They are the Greek Orthodox, Roman Catholic, Greek Catholic (Melkite), Armenian Orthodox, Maronite Catholic, Assyrian, Coptic, Anglican, Lutheran, Seventh-day Adventist and United Pentecostal Churches. Some Churches were recognised in 2018 as "associations", namely the Free Evangelical Church, the Church of the Nazarene, the Assemblies of God, the Christian and Missionary Alliance, and the Baptist Church. Jehovah's Witnesses are one of the still unrecognised denominations, but such groups have been able to practise their faith, run schools, and operate health facilities without hindrance.<sup>6</sup> Chaldean and Syriac Christians among Iraqi refugees are referred to as "guests" by the government.

## INCIDENTS AND DEVELOPMENTS

In August 2018, the Jordanian army assigned Christian military officers to Christian sites in Palestine and Jerusalem in a symbolic move that reflects the Kingdom's aim to promote pluralism and equality among its citizens.<sup>7</sup>

In December 2018 Jordanian authorities arrested prominent journalist and publisher Mohammed Al Wakeel, who operates the Al Wakeel news website, on charges of blasphemy and irreverence for publishing an image of Jesus.

The arrest followed protests led by the schools of the Latin Patriarchate of Jerusalem in Jordan.<sup>89</sup>

In March 2019 King Abdullah received the Lamp of Peace Award of the Franciscan Order in Assisi. In his acceptance speech, the sovereign stressed: "The principles of coexistence and interfaith harmony are deeply embedded in Jordan's heritage." He added, "Our country is home to a historic Christian community. All our citizens actively share in building our strong nation. Indeed, Christians have been part of Middle East societies for thousands of years and are vital to the future of our region."<sup>10</sup>

At a meeting with Middle Eastern Church leaders in Amman in April 2019, King Abdullah once more affirmed that Christians are an "integral part of the tissue of the Arab world". He also emphasised the role the Hashemite monarchy plays in the protection of Christian and Muslim holy places in Jerusalem.<sup>11</sup>

In May 2019 King Abdullah II made a personal donation for the restoration of the Church of the Holy Sepulchre in Jerusalem.<sup>12</sup>

In June 2019 thousands of radical Muslims took to the streets to protest against the peace plan of the Trump administration to solve the Israeli-Palestinian conflict. The event was organised by the Islamic Front, the local branch of the Muslim Brotherhood in Jordan.<sup>13</sup>

According to a poll by Arab Barometer only 22 percent of Jordanian youth identify as religious. This represents a decline of seven percent compared to the previous survey.<sup>14</sup>

In August 2019 the Jordanian Foreign Office slammed Israel for allowing Jews to visit the Temple Mount/Haram esh-Sharif on the first day of Eid al Adha, describing the decision as one of the many "blunt Israeli violations on the Temple Mount as Palestinians mark the first day of Eid al-Adha", Haaretz reported. The paper quoted a Jordanian spokesperson saying that "Jordan harshly rejects Israel's conduct, which only inflames rage and frustration, and it is a provocation of [Muslim] worshippers on the first day of the Feast of the Sacrifice". Jordan considers itself to be the protector of the Muslim holy sites of Jerusalem.<sup>15</sup>

The Tomb of the Prophet Aaron near Petra was shut down in August 2019 after a video went viral that appeared to show Jewish visitors from Israel praying at the site, which is holy to both Muslims and Jews. Jordanian Waqf Minister Abdul Nasser Musa Abu al-Basa, who is in charge of Holy Sites, stated that "the performance of rituals without the knowledge of the Ministry" was the reason for the shut-

down. Jewish visitors of the site denied praying illegally. Soon after the shutdown, the Ministry reopened the site for visitors, except Israelis.<sup>16</sup> Following talks between Israeli President Reuven Rivlin and Jordanian Prince Ghazi, the King's adviser on religious and cultural matters, the two sides reached an agreement allowing Israeli visitors to visit the site after prior coordination and with on-site guides and security.<sup>17</sup>

King Abdullah II donated a minibus to an orphanage in Anjara (Northern Jordan) run by the Catholic Order of the Incarnate Word.<sup>18</sup>

In September 2019 Jordanian physics professor Hisham Ghassib called Judaism a “despicable” religion in a lecture hosted by the Jordanian Philosophical Society broadcast on Feeneeq Internet TV.<sup>19</sup>

In October 2019, during a visit to the Haram esh-Sharif in Jerusalem, Cardinal Leonardo Sandri, Prefect of the Congregation for the Oriental Churches, thanked the Royal Family of Jordan for setting up a meeting with the representatives of the Grand Mufti and the Waqf in Jerusalem.<sup>20</sup>

On 5th October 2019, Jordanian Deputy Prime Minister Marwan Moasher participated in the celebration of 150 years of Catholic schools in Jordan at the Our Lady of Peace Centre near Amman.<sup>21</sup>

In July 2020 Jordan's Court of Cassation ordered the dissolution of the Jordanian branch of the Muslim Brotherhood due to its failure to resolve its legal status in the Kingdom.<sup>22</sup> In September 2020, the Islamic Action Front, the political wing of the Muslim Brotherhood, reversed its decision to boycott the parliamentary elections of November 2020.<sup>23</sup>

On 7th October 2020, King Abdullah bestowed honours on Islamic scholars for promoting interreligious peace and understanding during the 18th General Conference of the Royal Aal al-Bayt Institute for Islamic Thought.<sup>24</sup>

In a commentary on Pope Francis' Encyclical letter 'Fratelli Tutti' published in the Al Arab newspaper, Jordanian Prince Hassan bin Talal emphasised that the document also applies to the Middle East. In the new document, the Pope calls on everyone to recognise that “God created all human beings and made them equal in terms of rights, duties and human dignity,” said the Prince, adding that “The bond of brotherhood that unites all people is the real antidote to all forms of aggression and [to] any desire to oppress those belonging to other social or religious groups.”<sup>25</sup>

The Heads of the Council of Churches in Jordan issued a statement in October 2020 in reaction to the murder by an Islamist of French teacher Samuel Paty, who had shown caricatures of the Prophet Mohammed to his students in order to explain the concept of freedom of expression. French President Macron later defended the teacher's action. The Council's statement reads: “We, heads of Churches in Jordan (...) closely follow the regrettable events that took place in France due to the tarnishing of Islamic religious symbols and the successive reactions which led to murdering the French teacher, and the subsequent reactions. We consequently condemn all attempts to disparage religions, as well as all acts of violence in our capacity as brethren who worship.”<sup>26</sup> Jordan's Foreign Ministry said it condemned the “continued publication of caricatures of Prophet Muhammad under the pretext of freedom of expression” and any “discriminatory and misleading attempts that seek to link Islam with terrorism.” Jordan's opposition Islamic Action Front party called on the French president to apologise for his comments and urged Jordanians to boycott French goods.<sup>27</sup> Jordanian shops launched an online campaign aimed at boycotting French products in response to Muhammad caricatures the French President Macron defended. Some media reported “that large stores have taken French milk, cheese and other products off their shelves”.<sup>28</sup>

Ahead of the November 2020 legislative elections, Roman Catholic Bishop and Latin Patriarchate Vicar for Jordan, William Shomali, issued a statement saying that “worshipping the one God and fulfilling our religious duties go hand-in-hand with the performance of our national duty. One of the basics of good citizenship is casting our votes at the ballot box”. He ended his statement by calling on God to “protect the Hashemite family under the leadership of His Majesty King Abdullah II Ben Al Hussein, protect the Jordanian government, and protect the security agencies that watch over our security and comfort.”<sup>29</sup> Nine out of 130 seats in the Jordanian Chamber of Deputies are reserved for Christians.

In November 2020, the Jordanian Ministry of Foreign Affairs denounced Israeli violations of the sanctity of the Al-Aqsa Mosque in Jerusalem, the latest of which was allowing Israeli settlers more time to be on the premises of the holy site, the Palestinian WAFA news agency reported. Foreign Ministry spokesman Daifallah al-Fayez said in a statement, quoted by the new agency, that allowing entry of Israeli Jewish visitors to the holy compound was

a “blatant disregard of the historical and legal status quo, which gives Jordan the sole right to run the affairs of the compound and organize Muslim prayers there.”<sup>30</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Jordan, although not a secular state granting full religious freedom of conscience to all its citizens, continues to be a country where the members of registered Churches enjoy full freedom of worship. Christians also have access to the higher echelons of government. However, the kingdom is a conservative Muslim country. There are clear societal and legal limits for atheists, agnostics and converts from Islam, as well as obstacles to evangelisation. On the fringes, there are problems with radical Islam.

The Hashemite monarchy remains a pillar of interreligious dialogue and actively promotes peaceful coexistence in Jordan and beyond. Above all, King Abdullah himself constantly emphasises the role of Arab Christians in Middle Eastern societies. As a sign of tolerance and hospitality, the Kingdom has opened its borders to Christian refugees from Iraq and Syria. Overall, little has changed during the period under review, and the prospects for religious freedom remain positive.

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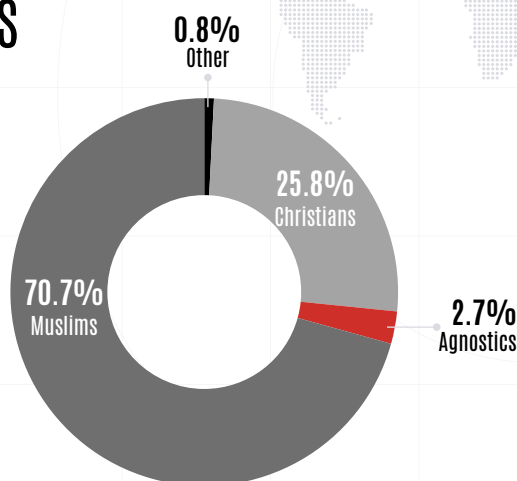
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# KAZAKHSTAN

## RELIGIONS



Population  
**18,777,139**  
GDP per capita  
**24,056 US\$**



Area  
**2,724,902 Km<sup>2</sup>**  
GINI INDEX\*  
**27.5**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Kazakhstan<sup>1</sup> recognises freedom of conscience (Article 22, 1), and bans discrimination on religious grounds (Article 14, 1). Calling for violence in the name of religion is also outlawed (Article 20, 3). Foreign religious groups must coordinate their activities with Kazakh authorities (Article 5, 5).

Religious activity in the country is mainly governed by a 2011 law on religion, which imposes strict registration requirements and bans unregistered religious activities.<sup>2</sup>

Nevertheless, some improvements have been reported in recent years, most notably after the Kazakh parliament decided, after a year and half of debate, to drop amendments to the law on religion that would have made it more restrictive.<sup>3</sup>

On 29th January 2020, Information and Social Development Minister Dauren Abayev signed a “religious freedom road-map” that would soften the law on religion. This would address censorship, introduce warnings, and lower fines imposed for exercising the right to religious freedom.<sup>4</sup>

## INCIDENTS AND DEVELOPMENTS

According to the Committee for Religious Affairs (CRA), Kazakhstan had 3,770 registered religious associations as of September 2019, up from 3,715 in 2018.<sup>5</sup>

Although small in number (around 1% of the total population),<sup>6</sup> the Catholic Church operates without particular restrictions. In 2019, it published its first Kazakh-language religious book.<sup>7</sup> Through Caritas, the Church is also involved in important social projects.<sup>8</sup> The Church remained active during the COVID-19 lockdown. Although Mass and spiritual services were provided mainly online, Catholics could still confess and receive the Eucharist.<sup>9</sup>

In May 2019, the Catholic, Orthodox and Lutheran communities signed a memorandum establishing the Council of Traditional Christian Confessions, the aim of which is to help Kazakh authorities engage in dialogue with Christian groups.<sup>10</sup>

Non-traditional communities, like the Union of Baptist Churches, Hare Krishna and Jehovah’s Witnesses also saw improvements in 2019.<sup>11</sup>

Nonetheless, problems remain. Although down from 171 cases reported in 2018, and 280 in 2017, there were still

161 administrative proceedings launched against individuals and religious communities for the free exercise of freedom of religion in 2019.<sup>12</sup>

Sanctions tended to be imposed mostly on meetings by unregistered religious communities or meetings in non-designated locations. For example, members of the unregistered Protestant Karaganda Revival Church were fined for celebrating a birthday in November 2018.<sup>13</sup>

Between November 2018 and March 2019, police raided four meetings of unregistered Baptist congregations, once in Almaty<sup>14</sup> and three times in the city of Taraz,<sup>15</sup> imposing fines on some members. In May, Jehovah's Witness Sergey Nurmanov was penalised in Taranovsk for holding religious meetings at his organisation's registered address without first obtaining permission from his neighbours.<sup>16</sup>

Sanctions continued into 2020, especially after controls intensified due to the COVID-19 pandemic. Pastor Isak Neiman received a warning for violating anti-Coronavirus measures when he led a community meeting on 29th March in Pavlodar. At the same time, he was fined the equivalent of almost two months salary for leading an unregistered religious meeting.<sup>17</sup>

The three leaders of the registered New Life Church in Almaty - Maxim Maximov, his wife Larisa, and Sergei Zaikin - were convicted in absentia in July 2019 for exerting psychological influence on the faithful, and were sentenced to prison terms of up to five years. All three currently live in the United States. The two buildings owned by the Church were seized and a restraining order was placed on three others.<sup>18</sup>

On 14th February 2020, Nur-Sultan municipal authorities ordered the confiscation of a building belonging to the Grace Presbyterian Church, citing the need to build a new public kindergarten. They also seized a building under construction for the Agape Pentecostal Church, planned for use as a place of worship, on the same plot of land.<sup>19</sup>

Kazakhstan closely censors religious literature. In some cases, courts have ordered the destruction of religious texts despite an apparent lack of extremist content. This happened in May 2019, when a court in Kyzylorda ordered the destruction of 29 Muslim books seized from a bookseller, Aruzhan Omirbai, who was fined an amount equal to three weeks average salary.<sup>20</sup>

Askarbek Sarsenov, also in Kyzylorda, received the same penalty in September 2018 for putting 85 Islamic brochures on sale without state permission. Likewise, in

Kalbatau, Zairash Amanova was similarly punished for trying to sell two books with religious content online, one of which, Bible Stories, was ordered to be destroyed in December 2018.<sup>21</sup>

Muslims tend to be subjected to even harsher government controls, especially for those who belong to groups which practice a version of Islam that is different from the officially sanctioned Hanafi school. Various Islamic groups belong to the Sunni Hanafi Spiritual Administration of Muslims (SAMK), which regulates their activities, from the appointment of imams to directives for Friday sermons.<sup>22</sup>

Administrative sanctions are still imposed for praying in ways banned by the Muslim Board. This is what happened, for example, on 12th February 2019 to Nariman Bagirov in Almaty, who was fined the equivalent of a month's salary for saying the word Amen too loudly.<sup>23</sup>

Speaking about religious issues online or via WhatsApp has also become dangerous for Muslims. In August 2019, eight Salafi Muslims went to prison after a court in Almaty convicted them of "propaganda of terrorism" and inciting "hatred" by taking part in a WhatsApp discussion group on Islam. Their prison terms ranged from five and a half years, to eight years.<sup>24</sup> In January 2020, a ninth member of the group, Zhuldyzbek Taurbekov, was sentenced to seven years in prison despite his poor health conditions.<sup>25</sup>

Kazakh secret services brought Dilmurat Makhmatov, a Muslim man, back to Kazakhstan where he was sentenced in May 2019 to eight years in prison on charges of illegal preaching to fellow Kazakhs via the Internet from Saudi Arabia, where he had been living with his family for 20 years.<sup>26</sup> In late 2018, two other people, Dadash Mazhenov and Galymzhan Abilkairov, were sentenced to more than seven years in prison for posting Kuanysh Bashpayev's talks about Islam online.<sup>27</sup>

Among non-traditional Islamic groups, Tabligh Jamaat, a missionary movement banned in February 2013, is still the most affected by repression. As of April 2020, 24 Muslims are still in prison for their religious beliefs, most of them members of this movement.<sup>28</sup>

The vagueness of terms such as "extremism" and "terrorism" has been criticised at international level because they are often used to limit and violate human rights, including freedom of religion, expression and association.<sup>29</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Human rights in Kazakhstan might improve in the future. In a surprise move, President Nursultan Nazarbayev resigned in March 2019 after almost 30 years in power. His successor, Kassym-Jomart Tokayev, is well known internationally and many expect him to take decisive steps towards granting more rights. Tokayev has publicly expressed support for freedom of worship and peaceful co-existence between different religions. However, more than a year after he became president, there is little sign that the expected transition is coming, but hope for change remains.<sup>30</sup>

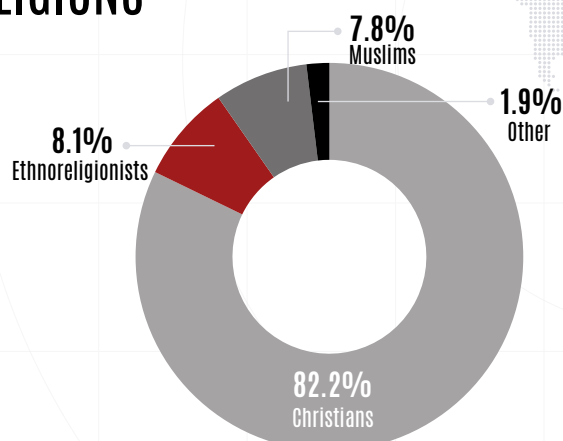
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# KENYA

## RELIGIONS



Population  
**53,491,697**  
GDP per capita  
**2,993 US\$**



Area  
**591,958 Km<sup>2</sup>**  
GINI INDEX\*  
**40.8**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 32 (1-4) of the 2010 Constitution of Kenya<sup>1</sup> guarantees the right to freedom of conscience, religion, belief and opinion. All citizens have the right to worship, practise, teach or observe their beliefs, which includes a day of worship in accordance with their faith. Personal or professional discrimination as well as coercion on account of religion is prohibited.

Kenya has a very lively debate about the legal aspects of religious freedom. During the period under review, the country saw some contentious issues come up involving religious freedoms and their legislative regulation. Professor Githu Muigai, Kenya's former Attorney General (2011-2018), has played an important role in such controversies since 2016.

At the beginning of 2016, Professor Muigai announced that new provisions would be added to the Religious Societies Rules of 2015, aimed at exercising tougher control over religious groups. Henceforth, preachers or Church leaders would be required to have academic credentials.<sup>2</sup> Kenyan President Uhuru Kenyatta later decided to withdraw the proposed regulations following complaints from

certain groups and a meeting with religious leaders.<sup>3</sup> At present, the new Religious Societies Rules are on hold.

Atheists in Kenya, an advocacy group for atheists and agnostics, was first registered in February 2016 but was suspended two months later by the Office of the Attorney General, after the latter received complaints from the public regarding its activities and statements. The group challenged its suspension by filing a case before the High Court of Kenya, which overturned its deregistration in January 2018.<sup>4</sup> Thereupon, the group demanded the resignation of the Attorney General, who eventually left office in February 2018 for reasons unknown.<sup>5</sup>

Regulating the right of Muslim women to wear a head covering (like the hijab) has been a contentious issue, especially given the inconsistency of the government's legal decisions on the matter. In September 2016, the Court of Appeal of Kenya ruled that female Muslim students can wear a head covering in educational institutions (including Christian facilities). This ruling overturned a previous High Court decision in March 2015. In addition, some members of independent African Churches such as the Akorinos, whose members wear turbans (men) and veils (women), claimed that the ruling allowed them to keep their religiously required dress code as well.<sup>6</sup> They have



often complained about discrimination in public offices, schools and other public institutions.<sup>7</sup> Despite official rulings, this issue continued to be controversial in a number of educational establishments where bans on head coverings have been challenged.

Social tensions in Kenya's Coast Province, due to police harassment of leaders of Muslim groups, have subsided somewhat, partly because the main concern of security agencies in recent years has moved from jihadist terrorism to the political opposition, following tensions surrounding Kenya's last two presidential elections.

Violent actions by the Somali-based jihadist Al-Shabaab group, especially in Kenya's north and the east, continue, however, and still represent a serious threat to Kenyans, especially to outsiders and non-Muslims who live and work in those regions. This is also happening because the group uses religion as a pretext for political and propaganda purposes and targets non-Muslims and non-Islamic institutions.

## INCIDENTS AND DEVELOPMENTS

The period under review has been characterised by Al-Shabaab attacks, mainly in the region bordering Somalia. The majority of the population in this area are ethnic Somalis and Muslim. The Catholic Church has been very vocal about the lack of security in the country.

In September 2018, armed militants believed to belong to Al-Shabaab stopped a bus headed to Garissa, a town not far from the border with Somalia. They made the passengers recite verses of the Qur'an and executed two who were not able to do so.<sup>8</sup> A month later, in October 2018, two Christian teachers were killed in another incident in Mandera blamed on Al-Shabaab, a town on the border with Somalia. During the attack, the assailants set fire to the house of one of the teachers and shot the two men as they tried to escape.<sup>9</sup>

In January 2019, Al-Shabaab gunmen stormed a luxury hotel in Nairobi killing 21 people.<sup>10</sup> Pope Francis described the incident as a "senseless act of violence" and sent condolences to the families of the victims.<sup>11</sup> At the end of the year, on 6th December 2019, Al-Shabaab carried out yet another attack on a bus in north-eastern Kenya, near the border, killing at least 10 people.<sup>12</sup> The Al-Shabaab militants divided the people who were on the bus into two groups depending on whether they were locals or not.

Afterwards, they proceeded to shoot the outsiders, who happened to be mostly Christians.<sup>13</sup>

A few reported incidents involved priests. In December 2018, a priest was killed in Kinoo (Kiambu) during a robbery.<sup>14</sup> Archbishop Cardinal Njue of Nairobi called for an investigation into the circumstances of the clergyman's death.<sup>15</sup> Weeks after the killing, four suspects linked to the priest's murder were killed in a police ambush during another attempted robbery.<sup>16</sup> On another occasion, on 8th October 2019, Father Michael Kyengo Maingi was killed and robbed. Three suspects were charged in connection with the murder.<sup>17</sup>

In May 2019, the Annual Inter-Diocesan Conference on Cross-Border Peace and Evangelisation brought bishops and other participants from various countries in the East Africa region. The prelates issued a call for action towards disarming pastoralists living along the borders, with the involvement of both civil society groups and the authorities.<sup>18</sup>

The Kenya Conference of Catholic Bishops (KCCB) launched an anti-corruption campaign in November 2019, calling for a ban on cash donations to avoid "money of dubious origin".<sup>19</sup>

As a sign of good will between religious groups, during the Christmas season in 2019, Catholic leaders collected donations for Muslims in the region bordering Somalia. The priests said that Muslim leaders had previously delivered gifts to them during their religious celebrations and that "it is the Church's time to give".<sup>20</sup>

In March 2020, the Archbishop of Nairobi complained in a letter sent to every parish that two sectarian groups had "targeted Catholic faithful taking advantage of fear and intimidation". He said that the groups wanted to restore traditional worships and "backwards practices".<sup>21</sup>

After four people were killed in June 2020 in Marsabit,<sup>22</sup> the Catholic Justice and Peace Commission issued a statement bemoaning the escalation of violence and slamming politicians who exploit ethnic differences for their own interest.<sup>23</sup> The region is plagued with tensions and insecurity.

Al-Shabaab multiplied its ambushes, kidnappings and attacks in Mandera county, close to the border with Somalia, indiscriminately attacking military and civilians, up until the time of writing. Shooting attacks on buses are very frequent. Other attacks take place frequently in Wajir and Garissa counties.<sup>24</sup>

In November 2020, Pope Francis met President Kenyatta in the Apostolic Library in the Vatican. The meeting highlighted the “good bilateral relations” and the contributions of the Catholic Church to Kenyan society.<sup>25</sup>

The first national TV station owned by the Catholic Church was scheduled to open in Kenya after the Communications Authority granted a licence in September 2020. The decision to launch a TV channel was influenced by the need to maintain social distancing brought about by the coronavirus pandemic.<sup>26</sup>

Places of worship, which were closed in March 2020 to contain the spread of the coronavirus,<sup>27</sup> reopened in July 2020.<sup>28</sup> The Catholic Church provided humanitarian assistance to Kenyans in need during the pandemic.<sup>29</sup> For his part, President Kenyatta called for a National Day of Prayer.<sup>30</sup>

After the security forces brutally enforced the measures issued by the president to contain the virus, the KCCB's Justice and Peace Commission released a statement denouncing the “brutality and harassment”.<sup>31</sup> Furthermore, in November 2020, the conference organised training sessions in dioceses throughout the country to “address the rising incidences of gender-based violence in the wake of the COVID-19 pandemic”.<sup>32</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Despite Al-Shabaab losing part of the Kenyan territory it once controlled, the group is still strong. As the United States and African Union Mission in Somalia (AMISOM) gradually withdraws troops from Somalia at the end of 2020, the consequences for the security situation in the whole region are a source of concern. Kenya, which borders Somalia, will continue to suffer from insecurity as long as Al-Shabaab maintains a presence in the area. The COVID-19 pandemic, and the relative absence of security forces, have facilitated the return of the Islamist fundamentalist terrorist group. Although the terrorists do not target particular religious groups per se, among their objectives is to establish a territory.

The visit of President Kenyatta to Pope Francis at the Vatican in November 2020 was a unique event, highlighting the good relations between Kenya and the Catholic Church. The meeting allowed the two leaders to discuss, among other things, the role that Kenya can play in the region when it becomes a non-permanent member of the United Nations Security Council in 2021.<sup>33</sup>

Notwithstanding the attacks by the Al-Shabaab terrorist group, interreligious relations are expected to remain good in much of the country for the foreseeable future.

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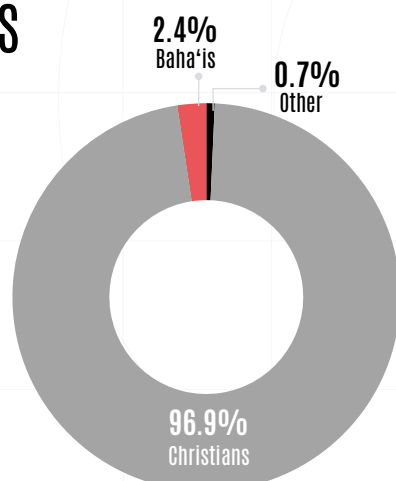
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# KIRIBATI

## RELIGIONS



Population  
**122,439**  
GDP per capita  
**1,981 US\$**



Area  
**726 Km<sup>2</sup>**  
GINI INDEX\*  
**37**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Republic of Kiribati is a small insular nation of 32 coral atolls and one raised coral island, located about halfway between Hawaii and Australia. Its capital is Tarawa.

Its 1979 constitution (amended in 2013) protects freedom of religion. Under Article 11 (1), religious groups are entitled, “both in public and in private, to manifest and propagate [their] religion or belief in worship, teaching, practice and observance.”<sup>1</sup> Religious freedom may nevertheless be legally curtailed under Article 11 (6, a) if it is “reasonably required in the interests of defence, public safety, public order, public morality or public health,” provided that the curtailment is “reasonably justifiable in a democratic society.”<sup>2</sup>

Religious groups are entitled to establish, maintain, and run their own schools. Religious instruction is not compulsory in public schools<sup>3</sup> and parents may have their children opt out of such instruction.<sup>4</sup>

Religious organisations whose membership is 2 per cent or more of the country’s population must register with the authorities. However, it is known that those which have failed to register are not penalised.<sup>5</sup> The government con-

tinues to administer grants to registered religious organisations for development work.

As a predominantly Christian nation since British and American missionaries arrived in the 19th century, Kiribati acknowledges “God as the Almighty Father in whom we put our trust” in the Preamble to the Constitution.<sup>6</sup>

Catholics are more than half of the population (57 per cent), and predominate in the northern islands. Protestants dominate in the southern islands. There are also small numbers of Mormons, Seventh-day Adventists and Jehovah’s Witnesses, as well as Muslims and Baha’is.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

In the past two years, no religious incidents have been reported in Kiribati. The local government remains committed to religious freedom. Yet, the US Department of State has noted that a “one-Church only” tradition is still maintained in two southern islands.<sup>8</sup> Despite this, no tensions have been reported.

Conversely, the decision by the Kiribati government to recognise Communist China in September 2019 could jeopardise Catholic Church projects funded by Taiwan, the

Catholic Bishop of Kiribati and Nauru, Koru Tito said in a radio interview.<sup>9</sup>

Like many other South Pacific island nations, Kiribati has not had a single COVID-19 case, as of mid-September 2020.<sup>10</sup> As soon as a worldwide pandemic was declared, local authorities were quick to institute a state of emergency<sup>11</sup> in March 2020, closing the country to foreign travellers to prevent the spread of the SARS-CoV-2 virus. However,

this eventually led to the mass departure of most foreign Mormon missionaries.<sup>12</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Everything suggests that the government is not likely to interfere with the constitutional right to freedom of religion.

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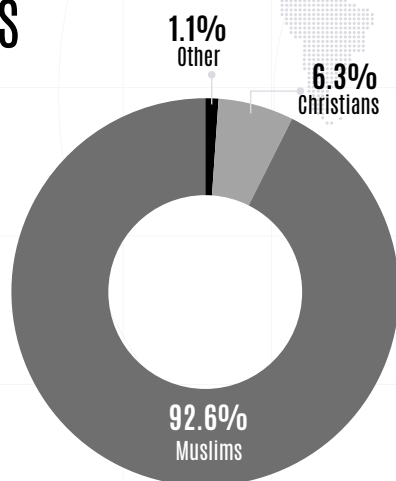
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# KOSOVO

## RELIGIONS



Population

**2,096,100**

GDP per capita

**30,908 US\$**

Area

**10,908 Km<sup>2</sup>**

GINI INDEX\*

**29**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Republic of Kosovo is, according to the country's constitution,<sup>1</sup> "a secular state and is neutral in matters of religious belief" (Article 8). It is worth noting that the original text of the constitution refers to the secular model, *shtet laik*, based on French and Turkish texts.<sup>2</sup> The constitution also protects and guarantees freedom of religion. Article 9 of the Constitution states that the republic "ensures the preservation and protection of its cultural and religious heritage". Article 24 guarantees the equality of all and prohibits discrimination on the grounds of religion. Article 38 guarantees freedom of belief, conscience and religion. That "includes the right to accept and manifest religion, the right to express personal beliefs and the right to accept or refuse membership in a religious community or group". Article 39 enshrines the protection of "religious autonomy and religious monuments within its territory. Religious denominations are free to independently regulate their internal organisation, religious activities and religious ceremonies. Religious denominations have the right to establish religious schools and charity institutions following this Constitution and the Law".<sup>3</sup>

The fundamental Law on Freedom of Religion in Kosovo came into force on 1st April 2007.<sup>4</sup> Interestingly, the legislation was not prepared by Kosovo authorities but by the United Nations Interim Administration Mission in Kosovo (UNMIK), two years before the country's declaration of independence. The Law only makes provisions for the most fundamental issues and recognises five religious communities: the Islamic Community of Kosovo, the Serbian Orthodox Church, the Catholic Church, the Hebrew Belief Community, and the Evangelist Church (Article 5, 4). The Law has been heavily criticised by both religious communities and international organisations. The lack of clear regulations on registration and financing as well as on the construction of religious sites and the maintenance of graveyards are of significant concern to religious communities. Despite many attempts to amend the Law (starting in 2011) and comments from the Venice Commission,<sup>5</sup> no solutions have been adopted so far. The Kosovo Protestant Evangelical Church and the Serbian Orthodox Church<sup>6</sup> are particularly critical of the lack of action. The Council of Europe's Venice Commission published its views on amending the Law on Freedom of Religion, outlining the need for several improvements. These include expanding the list of religious communities that "constitute the historical, cultural and social heritage of the

country” from five groups to include all other established religious communities.

The latest proposal<sup>7</sup> suggests including a sixth religious community – the Tarikate Community of Kosovo (Article 4A), as well as the possibility of forming new religious communities with at least 50 adult citizens of Kosovo (7B).

## INCIDENTS AND DEVELOPMENTS

The tiny community of Catholics in Kosovo, estimated at 60,000, is mostly concentrated in Gjakova, Prizren, Klina, Janjevo and a few villages near Peć and Vitina. There is great pride that Mother Teresa, Saint Teresa of Calcutta, was an ethnic Albanian. The main boulevard in Pristina and the city’s Catholic cathedral are named after the nun who heard her calling to join the mission in the church of Letnica, in south-east Kosovo. Saint Teresa’s canonisation by Pope Francis in 2016 was celebrated by Albanians all over the Balkans. For a long time before this, Catholic and Muslim Albanians promote upheld Saint Teresa as Mother of all Albanians.

Although more than 20 years have passed since the Kosovo conflict (1998-1999), its legacy casts a long shadow over relations between Kosovo’s ethnic and religious communities. According to the 2017 report on Kosovo by the International Commission for Missing Persons, out of 4,500 people who disappeared during the war, the remains of more than 1,600 are still missing.<sup>8</sup> Meanwhile, interethnic tensions between Kosovo Albanians and Serbs continue.

It is estimated that around 400 Kosovo citizens have travelled to war zones in Syria and Iraq which makes the small Balkan nation Europe’s most significant contributor of foreign fighters to the Islamic State (IS) group in relation to the population.<sup>9</sup> In April 2019 after the collapse of the self-proclaimed Islamic caliphate in Syria and Iraq, 110 Kosovars returned to Kosovo,<sup>10</sup> including 24 women who were arrested on suspicion of participating in a terrorist group.<sup>11</sup> The Pristina Basic Court convicted six defendants for planning terrorist attacks in Kosovo, Albania, Belgium, France, and North Macedonia, including planned suicide bombings in Kosovo against KFOR troops, nightclubs, and Serb Orthodox churches between December 2017 and June 2018.<sup>12</sup>

In May 2018, a group of about 60 Albanian Kosovar protesters blocked the road to a Serbian Orthodox church in Petrič, where 50 Serbs were visiting for a ceremony. One man was assaulted during the incident.<sup>13</sup> On 31st May 2018 the Serbian Orthodox Diocese of Raška-Prizren issued a statement strongly condemning the series of incidents that highlight the serious deterioration of the security situation for Serbs and the Orthodox Church in Kosovo and Metohija. The diocese also noted the systematic passivity of the police in such incidents.<sup>14</sup>

In August 2018, a Kosovar group protested near the Serbian Orthodox Monastery in Gjakov/Đakovica against the announced visit of Serbian pilgrims and displaced persons.<sup>15</sup>

On 21st October 2018, two buses carrying Serbian pilgrims, including displaced people from Kosovo, were stoned on their way to the remains of the Serbian Orthodox church at the abandoned Bogorodica Hvostanska Monastery in Studenicë/Studenica, Istog/Istok municipality.<sup>16</sup>

In February 2019, a Muslim woman’s application to join the Kosovo Security Force was rejected because she wore a hijab.<sup>17</sup>

In May 2019 the Mayor of Decan municipality stated that he would not cede contested land to a UNESCO-listed Serbian Orthodox monastery despite a 2016 decision by Kosovo’s constitutional court and pressure from the European Union. As a result of multiple attacks over the years, the monastery is protected by NATO troops.<sup>18</sup>

In July 2019, unknown vandals demolished 20 Serbian graves at the Orthodox cemetery in Lipljan.<sup>19</sup> In December 2019 another nine graves were vandalised.<sup>20</sup>

Regarding the COVID-19 pandemic, there have been a relatively low number of cases and deaths in Kosovo at the time of writing. The handling of the measures by the government provoked some cabinet changes in March 2020, including the dismissal of the Minister of the Interior because he expressed support to establish a state of emergency, which the Prime Minister opposed because “it would cause unnecessary panic”.<sup>21</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The promotion and protection of all human rights in Kosovo is fragile and the prospect dire. Religious freedom tries to develop in a country where many ethnic and religious communities have co-existed for centuries under considerable tensions, and is currently under a harsher threat. Extreme poverty, high unemployment, the influx of money from Saudi Arabia and the pandemic are seriously threatening to turn a European-oriented, tolerant Muslim society into a haven for Islamic extremism. The self-proclaimed protector of Islam in the Balkans,<sup>22</sup> Turkey's President Recep Erdoğan, is becoming increasingly interested in spreading his political and Islamist agenda in Kosovo. Millions of Turkish lira are being used to build dozens of new mosques.<sup>23</sup> What is more, Ankara has demanded the revision of Kosovo history textbooks to present Ottoman rule in a more positive light. Increasingly, accusations against the President of Kosovo Hashim Thaçi in connection with war crimes against Serbs committed during the Kosovo war further raise concerns about escalating religious and ethnic tensions.<sup>24</sup>

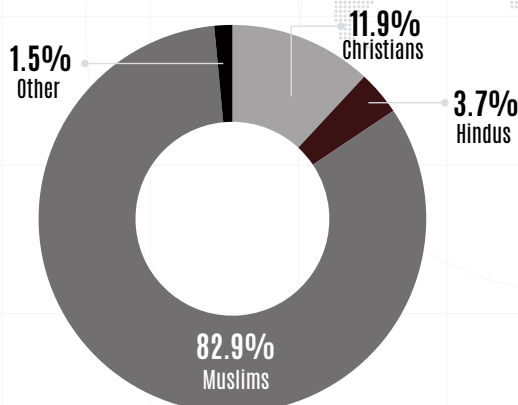
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# KUWAIT

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Located in the Persian Gulf, the State of Kuwait is ruled by the Al Sabah, a Sunni Muslim dynasty. The majority of the country's citizens adhere to Sunni Islam. There is a large Shi'a minority of around 30 percent (including 'Ahmadis and Ismailis).<sup>1</sup> They theoretically enjoy full political rights but have experienced a rise in harassment in the aftermath of the 2003 US invasion of Iraq, and the 2011 Shi'a-led uprising in Bahrain,<sup>2</sup> and have seen their representation decreased.<sup>3</sup>

Kuwait's expatriate community is estimated to be around 3.1 million, much larger than the 1.3 million who hold Kuwaiti citizenship.<sup>4</sup> Among foreigners, Muslims, both Sunnis and Shi'as, constitute the biggest group (64 percent).<sup>5</sup> They are followed by an estimated 513,000 Christians and 160,000 Hindus.<sup>6</sup> Only eight Christian families are officially Kuwaiti citizens<sup>7</sup> among a total of just over 200 people.<sup>8</sup> A few Baha'is also hold Kuwaiti citizenship. Kuwait is one of few countries in the Gulf Cooperation Council (GCC) with Christian citizens.<sup>9</sup> However, despite numerous calls to allow the naturalisation of non-Muslims,<sup>10</sup> this remains impossible.<sup>11</sup>

Seven Christian denominations have official recognition, namely the Latin-rite and Greek Catholic Churches; the Greek Orthodox, Coptic Orthodox and Armenian Apostolic Churches; the Nation-

al Evangelical Church and the Anglican Church. Other Churches enjoy de facto recognition.<sup>12</sup> There are no synagogues and non-Abrahamic religions are not accepted. Non-recognised religious groups include Hindus, Sikhs, Druze, Bohra Muslims and Baha'is.<sup>13</sup>

The Catholic Church is the largest Christian denomination in Kuwait. According to local Catholic sources, there are around 350,000 Catholics who follow different rites.<sup>14</sup>

Kuwait was the first GCC member to establish diplomatic ties with the Holy See in October 1968; however, the Apostolic Nunciature in Kuwait took years to be established and opened only in the year 2000.<sup>15</sup>

The Kuwaiti constitution of 1962, reinstated in 1992 after the Iraqi occupation, states in Article 2: "The religion of the state is Islam and Islamic Law shall be a main source of legislation."<sup>16</sup> Article 12 declares: "The state shall maintain the Islamic and Arab heritage and shall share in the path of civilisation and humanitarianism."

Article 29 guarantees equality: "The people are peers in human dignity and have, in the eyes of the Law, equal public rights and obligations. There shall be made no differentiation among them because of race, origin, language or religion." Under Article 35, freedom of belief is unrestricted: "The state shall protect freedom in the observance of religious rites established by custom, pro-



vided such observance does not conflict with morals or disturb public order.”

Despite what the constitution proclaims, freedom of belief and equality have their limit in Kuwait. Article 18 of the 1984 Law 51 on Personal Status,<sup>17</sup> which is based on Shari’a (Islamic law), outlaws marriage between non-Muslim men and Muslim women. Under Article 294 of the same law, apostates cannot inherit from their Muslim relatives or spouse.

Kuwait also has laws to punish individuals guilty of blasphemy. The 2012 Law 19 on National Unity<sup>18</sup> which amends Article 111 of the Penal Code, imposes stricter penalties in the matter. It also criminalises the publication or the broadcast of content that could be deemed offensive to religious sects or groups. Penalties include fines ranging from US\$36,000 to US\$720,000 and up to seven years in prison. Non-citizens who are convicted are subject to deportation. Pursuant to the country’s blasphemy legislation, anyone can file criminal charges against the author of material deemed defamatory on religious grounds.

Religious groups can register but the process is said to be lengthy. The first step is to file an application with the Ministry of Awqaf and Islamic Affairs (MAIA). If this is granted, applicants must seek approval from the Ministry of Social Affairs and Labour (MOSAL), the Ministry of Interior (MOI), and the local municipality. For this last step, applicants must obtain written permission from all the immediate neighbours around the site of the proposed place of worship. The process is not transparent since no information on the status of pending registrations is communicated. Furthermore, there is no recourse if the latter is rejected.<sup>19</sup>

Registered religious groups are allowed to rent space to worship. Only citizens can purchase land. Registered groups can bring clergy and religious personnel from abroad. In Christian schools, catechetical instruction is forbidden, although this can be taught in private homes or in church compounds. In private schools, Islamic instruction is mandatory for Muslim pupils. This applies even if there is only one Muslim pupil present. Christian pupils do not have to attend.<sup>20</sup>

The law does not allow non-Muslims to proselytise among Muslims.<sup>21</sup> Eating, drinking and smoking are forbidden during Ramadan. This also applies to non-Muslims. Any breach is punishable by a fine and/or imprisonment for one month.

## INCIDENTS AND DEVELOPMENTS

In June 2018, the six-month prison sentence with labour imposed on journalist and secular activist Abdul Aziz Abdullah al-Qenaei’s was reportedly reduced by four months. He was convicted in a

blasphemy case of “contempt of Islam” and “slander of sharia”. Speaking on Al Jazeera, he had declared that freedom did not exist in Islam and that Shari’a involved “criminal acts” and promoted extremism and terrorism.<sup>22</sup>

In July 2018, two Kuwaiti lawmakers asked that a 1966 decision refusing marriage certificates for Baha’is be reversed. Ahamd Al-Fadhli and Khaled Al-Shatti said it was a breach of Kuwait’s constitution which stipulates total equality among citizens and accordingly must be abolished.<sup>23</sup>

In December 2018, Imam Sheikh Fahad Al-Kandari was suspended by the Ministry of Awqaf and Islamic Affairs for “publicly exaggerating the praise of the Prophet and asking Allah to show-er mercy and forgiveness on Amna bint Wahab, the mother of the Prophet”.<sup>24</sup>

Christmas regularly causes controversies and debates in Kuwait over whether non-Muslim holidays should be celebrated in public. Some Members of Parliament have complained about the sale of Christmas trees and decorations. In December 2018, Dr Sheikh al-Jassem, Assistant Professor of Philosophy at Kuwait University, participated in a debate with Mohammad Al-Sadani, Arabic language instructor and TV broadcaster. The latter explained that the celebration of Christmas, even as a cultural practice without any religious meaning, is harmful to the Kuwaiti identity. By contrast, Dr al-Jassem argued that Kuwait’s identity is inclusive and does not forbid the celebration of Christmas holidays.<sup>25</sup> The academic and human rights activist, who was charged with blasphemy herself in 2016,<sup>26</sup> added that Kuwait’s identity is dynamic, always evolving.

In January 2019, Public Law professor Fatima Al Matar fled to the United States after being accused of “insulting God.”<sup>27</sup> In explaining why she was targeted, she said: “I was referred to public prosecution over a linked tweet, they accused me of blasphemy, insulting God and misusing a phone! They sent me to trial because I asked God for a Ferrari and equal rights! I can no longer stand an abhorrent, hypocritical society. I no longer believe in a homeland that ridiculously jails its people.” At the time of writing this report, her Twitter account was not active.<sup>28</sup>

In April 2019, the Church of Jesus Christ of Latter-day Saints announced that it received official recognition from Kuwait. It is estimated that nearly 300 Mormons live and work in Kuwait.<sup>29</sup> Later, during his visit in June 2019, Elder Quentin L Cook of the Quorum of the Twelve Apostles met Kuwaiti government leaders to express gratitude on behalf of the First Presidency of the Church for the recognition.<sup>30</sup>

In June 2019, three Kuwaiti Christians filed a lawsuit against Sheikh Othman al-Khamees for “stoking sectarian tension”. Their

lawyer, Hani Hussain, said that the complaint came after al-Khamees stated that Muslims cannot wear clothes bearing images of the cross or the devil unless it is in “an insulting place such as socks”.<sup>31</sup> In 2015, this hard-line Salafi cleric was banned from preaching in mosques due to his anti-Shi’a views, which he regularly posted on social media.<sup>32</sup>

In July 2019, the authorities arrested several people for seemingly making offensive remarks about God and the Prophet Muhammad in a video that went viral on social media. The Ministry of Interior’s General Department for Public Relations and Security Media promised legal action without exceptions.<sup>33</sup>

In August 2019, an Iranian activist was arrested after he was accused by lawyer Bashar Al-Nasser of making blasphemous remarks. On social media he had posted pictures showing himself with an actress while in hospital. “Please if you go to Heaven, ask Allah to admit me there,” he is supposed to have asked her.<sup>34</sup>

In December 2019, an Indian citizen was arrested for posting a derogatory comment against Islamic worship. Aneesh Dharmarajan had mentioned on his Facebook page his support for India’s amended Citizenship Act.<sup>35</sup> He was accused of responding to a critic in a derogatory manner, demeaning the Islamic way of worship.<sup>36</sup>

Following French President Emmanuel Macron’s comments on Islamism and his support for free speech, Kuwaiti co-ops decided to boycott French products. In September 2020, at the start of the trial of people arrested in connection with the deadly Charlie Hebdo 2015 attacks, Macron criticised “Islamist separatism” in France adding that “Islam is a religion that is in crisis all over the world

today, we are not just seeing this in our country.”<sup>37</sup> Following the beheading of a French schoolteacher, Samuel Paty, the French president said that cartoons and drawings will not be disavowed, underlining France’s tradition of secularism.<sup>38</sup> Paty had shown his class Charlie Hebdo’s Muhammad caricatures, which are considered blasphemous by Muslims.

In March 2020, following the outbreak of the COVID-19 pandemic, Kuwaiti authorities ordered the closure of all places of worship. Health restrictions were imposed, including social distancing. During Ramadan (23rd April-23rd May), a 16-hour curfew was put in place, until 28th May.<sup>39</sup>

In June, restrictions were eased in certain areas allowing some mosques to reopen.<sup>40</sup> After four months of closure, all mosques reopened in July 2020 to allow prayers for Eid al-Adha celebrations (30th July).<sup>41</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Religious freedom in Kuwait remains limited to the freedom to worship. Regional tensions between Sunnis and Shi’as have spilled over into Kuwait, and have had an impact on its Shi’a minority. Although religious equality is recognised in the constitution, non-Muslims are in effect penalised by the country’s laws, culture and social mores. Christian catechesis is banned in schools, a non-Muslim man cannot marry a Muslim woman, non-Muslims can be fined or jailed for failing to keep the Ramadan fast and the threat of blasphemy charges remains a constant possibility.

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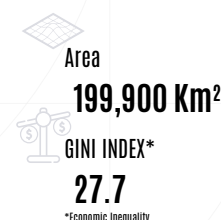
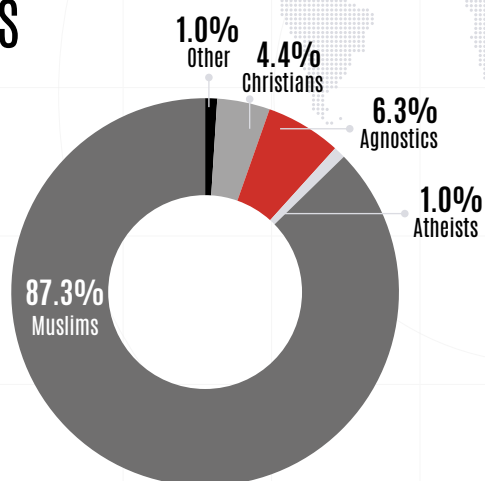
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# KYRGYZSTAN

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Kyrgyzstan guarantees and protects religious freedom (Article 32,2 and 3);<sup>1</sup> however, the Religion Law of January 2009 restricts free religious practice. Among other things, it requires religious groups to register with the authorities and imposes limits on missionary activity and religious education. Proselytising is banned, but the right to conscientious objection is recognised.<sup>2</sup>

A number of restrictive amendments to the Religion Law proposed by the State Commission on Religious Affairs in 2017 were put on hold for greater review by the same Commission.<sup>3</sup>

On a positive note, a new penal code came into effect in January 2019, which reduced the penalties for several crimes related to terrorism. In particular, possession of extremist literature and/or audio and video material can be treated as a crime only if there is intent to distribute it.<sup>4</sup> Before the law was changed, police could arrest suspects for mere possession under the guise that the materials were used for practicing more conservative, or fundamentalist, forms of Islam.

International organisations have criticised Kyrgyzstan several times for excessive use of this accusation of extremism. Hundreds of people were sent to prison for the simple possession of unauthorised literature, even if it did not contain explicit references to violence.<sup>5</sup> With the new legislation, fewer people are being arrested.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

Given the country's relative openness in religious matters, various religious groups can meet, worship and engage in evangelisation with a certain degree of freedom.

The life of Kyrgyzstan's small Catholic community - about 600 to 1,500 members scattered across the country composed of mainly ethnic Germans, Poles and other Europeans<sup>7</sup> - is largely untroubled, with fruitful relations with other religious communities.

For Kyrgyz Catholics 2019 marked two important occasions, namely the 50th anniversary of the official registration of the Bishkek community by the Soviet government and the consecration of a new church in the city of Talas. The latter is the first newly constructed Catholic place of worship, not a repurposed old building.<sup>8</sup> The



Catholic Church is engaged in pastoral outreach and humanitarian works, the latter in close cooperation with Caritas.<sup>9</sup>

Some positive developments were reported in terms of freedom of worship thanks to a changed approach by the State Commission for Religious Affairs. Between December 2018 and June 2019 alone more than 60 groups, mostly Protestant communities,<sup>10</sup> were able to register, including Jehovah's Witnesses in Osh who were able to obtain state recognition after ten years.

Nonetheless, religious practice still faces some obstacles; for example, it is still difficult to hold religious meetings outside the sites registered for that purpose. Importing and distributing religious literature still faces censorship.<sup>11</sup> In rural areas and smaller communities, Christians also meet strong social opposition amid the inaction of local authorities. This is even more so in the cases of Christian converts from Islam.<sup>12</sup>

An example is that of what happened in October 2018 to Eldos Sattar, a young Christian convert in Tamchi, a village in the Issyk-Kul region. He suffered a concussion, a fractured jaw and an eye injury after three Muslim men brutally assaulted him because they wanted him to go back to Islam.<sup>13</sup> In the following months, he, his friends and fellow Christians were subjected to more violent attacks and threats. In one of the latest incidents, a Muslim from the village was beaten by ten fellow Muslims because he was a good friend of Eldos. Sattar then chose to leave Kyrgyzstan, along with his uncle Nurbek Esenaly, for fear of further violence.<sup>14</sup>

Those responsible for these acts were charged with hooliganism, but the court refused to acknowledge that religion was the cause of the attacks; instead, the culprits were placed under house arrest, which was never fully enforced.<sup>15</sup>

About 80% of Kyrgyzstan's population is Muslim. With large pockets of poverty and widespread unemployment fears of religious radicalisation in the population remain strong. Government policies on religious matters have sought to create the conditions for the development of a more "traditional Islam" based on the Hanafi school, limiting outside influences and preventing the impact of globalisation on religious life.<sup>16</sup> Some 21 religious groups deemed extremist have been banned in the country.<sup>17</sup>

As in previous years, a number of suspected Islamic

extremists have been arrested and put on trial, especially alleged members of Hizb ut-Tahrir, a banned movement.<sup>18</sup> Other arrests involved people suspected of carrying out terrorist actions or taking part in the activities of the Islamic State group in Syria.<sup>19</sup>

Following a disputed parliamentary election held on 4th October 2020 that sparked public protests, President Jeenbekov resigned on 15th October.<sup>20</sup> Newly appointed Prime Minister Sadyr Japarov took over as acting head of state. New elections are scheduled to take place on 20th December.<sup>21</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Despite being one of the poorest republics of the former Soviet Union, Kyrgyzstan has managed to reach levels of democracy higher than those of other Central Asian countries.

During his time in office, President Sooronbai Jeenbekov stressed the importance of boosting interfaith harmony, while at the same time fighting those who use "Islam for their own selfish purposes, to turn it into an instrument of violence and extremism."<sup>22</sup> As long as the struggle against extremist or alleged extremist groups does not impinge upon the right to free religious practice, there is hope for positive developments regarding freedom of religion in this Central Asian nation.



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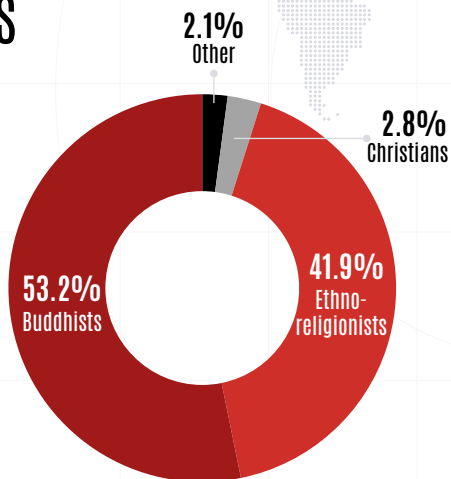
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# LAOS

## RELIGIONS



Population  
**7,164,822**  
GDP per capita  
**6,397 US\$**



Area  
**236,800 Km<sup>2</sup>**  
GINI INDEX\*  
**36.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Lao People's Democratic Republic is a one-party communist state. Freedom of religion and freedom of belief are enshrined in its constitution<sup>1</sup> and laws.

The 1991 Constitution, revised in 2015, describes the rights of the people in some detail, including freedom of religion (Article 9). In practice, however, the status of religious freedom in Laos is similar to that of its eastern neighbour, Vietnam - no doubt due to the ideological proximity of the two communist regimes.

The legal framework can be described as one of petition and concession, in which religious organisations seek permission from state authorities to carry out their own activities, and the authorities, in turn, grant or deny their requests. For example, Article 43 of the Constitution guarantees the "right and freedom to believe or not to believe in religion which are not contrary to the laws." And Articles 8 and 9 contain vague limitations on this right, such as a ban on "all acts creating division and discrimination among ethnic groups" and "religions and classes of people." These provisions "have been used

to justify state interference with the activities of religious groups."<sup>2</sup> At the heart of the Laotian legal framework governing religion is what could be called "governmental overreach" in which public officials enjoy a virtually unlimited authority to regulate religious matters.<sup>3</sup> At the same time though, during the period under review, there appear to have been some measurable improvements to the extent that religious freedom is now better respected in law and practice.

In addition to the constitution, religion in Laos is regulated by certain laws. In 2002, the Decree Number 92 on Management and Protection of Religious Activities was adopted. This was replaced on 16th August 2016 by Decree 315.<sup>4</sup> Signed by Prime Minister Thongloun Sisoulith, the new decree seems to have the potential to improve religious freedom if it is fully understood and implemented by local officials.

Decree 315 introduced improvements over Decree 92, including giving all religions equal status in law, making governmental regulations more consistent and transparent, and more clearly defining the procedures whereby religious groups may secure official recognition.<sup>5</sup>

However, both decrees presuppose that the state does - and should - continue to control the country's religious affairs. For example, Decree 315 gives sweeping powers to the Ministry of Home Affairs (MOHA) to regulate all aspects of religious life. Officially, it requires religious groups to seek prior MOHA approval for almost anything they wish to do, such as establishing congregations in new districts, modifying existing structures, constructing new worship facilities, and organising religious meetings. Even more invasive is the requirement that, at least once a year, religious groups submit to the MOHA their plans for all scheduled activities. Also, they must submit the names of their leaders to both central and local MOHA offices for their "study, consideration and approval," as well as secure MOHA approval in order to operate in multiple provinces. In addition, Article 5 (2) of Decree 315 gives the government comprehensive powers to supervise a religious organisation's internal governance and doctrine since it is up to MOHA officials to determine if religious groups are "consistent with the heart of the religion, its religious precepts, and its religious teachings."<sup>6</sup>

Overall, Decree 315 gives the MOHA blanket permission "to restrict religious activities that they perceive to be at odds with local customs, national policies, national stability, the environment, or unity between religious and ethnic groups."<sup>7</sup>

The government recognises four religious groups: Buddhists, Christians, Muslims, and Bahá'ís.<sup>8</sup> Among Christian groups the authorities have granted administrative recognition only to the Catholic Church, the Lao Evangelical Church, and the Seventh-day Adventist Church.<sup>9</sup>

Religious affiliation in Laos tends to follow ethnic boundaries. Almost 55 percent of the population is ethnically Lao, the majority of whom are Theravada Buddhists.<sup>10</sup> Buddhist cultural influence is such that, in practice, Buddhist monks and pagodas are not subject to the same restrictions as members of other religions and places of worship. At the national level, the Sangharaja, the Supreme Patriarch of Buddhism in Laos, maintains intimate ties with the country's political leaders.

The community facing the most severe challenges to religious freedom appears to be the Protestant community, which makes up less than 1 percent of the population. Persecution also affects the country's 48 ethnic minorities,

which constitute about 45 percent of the population. The ongoing persecution of Protestants occurs mostly in remote villages. Conversion to Christianity can provoke hostile reactions from other Laotians, who often view Christians as "alien" agents of Western imperialism. Many Christians belong to the Hmong ethnic minority, which supported the US against communist forces during the Vietnam War.<sup>11</sup> To preserve "harmony" and avoid public disturbances, government authorities tend to be harsh with Christians, periodically forcing recent converts to declare their allegiance to ancestors and animist spirits. However, the attitudes of local officials and the population vary greatly from one province to another, with the most repressive policies implemented in more isolated areas.<sup>12</sup>

In view of the ongoing vulnerability of Protestants to persecution, an encouraging recent contribution to the country's legal framework is the central government's enactment of the Law on the Evangelical Church on 19th December 2019. The law formally gives Christians the right to conduct worship services, preach throughout the country, and maintain relationships and communications with fellow Christians outside Laos.<sup>13</sup> Combined with the positive features of Decree 315, the Law on the Evangelical Church has the potential to reduce arbitrary restrictions and mistreatment of Protestants once local officials are made aware of its provisions.<sup>14</sup>

## INCIDENTS AND DEVELOPMENTS

In February 2020, a fact-finding mission to Laos by the U.S. Department of State's Office of International Religious Freedom and the U.S. Commission on International Religious Freedom (USCIRF)<sup>15</sup> found evidence that the conditions for religious freedom had improved somewhat during the period under review. Even though Decree 315 requires all religious organisations to register with the government, this provision is not strictly enforced, giving "many unregistered religious groups space to operate." Furthermore, it appears that there have been fewer arrests and detentions related to alleged violations of religious regulations. In 2019, according to the US delegation, "there were no reports of the central government conducting such arrests, although there were several cases at the local level."<sup>16</sup>

This apparent improvement appears to reflect the more positive features of Decree 315 and the Law on the Evan-

gelical Church. In order to implement these measures at the local level, Church leaders and NGOs such as the US-based Institute for Global Engagement (IGE) are working with the MOHA and the Lao Front for National Construction, holding seminars to make the measures more widely known. At the same time, dissemination is reportedly “slow and inconsistent.”<sup>17</sup>

Notwithstanding the improved climate, the period under review saw numerous local attacks on members of religious minorities, particularly Christians. In August 2018, for example, a group of Christians were detained in Khammoune Province for holding a religious service without a permit.<sup>18</sup> In September 2018, seven members of the Lao Evangelical Church (LEC) were detained in Champasack Province.<sup>19</sup> In November 2018, a regional governor in northern Laos issued an ultimatum to 20 Christian families to leave their village within a month or go to jail. At least five families abandoned their faith in order to remain.<sup>20</sup> In early 2020, “14 people from three ethnic Hmong Christian families were evicted from their homes in the village of Tine Doi in Luang Namtha province in the north for refusing to renounce their Christian beliefs. Their homes were then demolished.”<sup>21</sup>

Ethnic and religious minorities in Savannakhet Province, in western Laos, have also continued to face particularly persistent and serious mistreatment. In November 2018, four Christians, including an elderly grandmother, were arrested for holding a worship service without permission in Vilabouly District.<sup>22</sup> In December 2018, seven Christians were arrested after their Christmas service was deemed illegal in Nakanong village, and authorities destroyed their stage and sound system.<sup>23</sup> In April 2019, police arrested and assaulted a Christian man in Savannakhet and allegedly forced him to renounce his faith.<sup>24</sup> Also in April, three US citizens were detained in Laos on suspicion of “disseminating bibles and Christian material without government approval.” The group was later released and deported to Thailand 10 days after their detention.<sup>25</sup>

In mid-March 2020, a Protestant pastor was arrested for conducting a religious service in Kalum Vangkhea village. No official explanation was given for the arrest, but UCANews reported that “it is likely” the pastor was seized on the pretext that he had broken COVID-related social distancing rules. Sentenced to six months in prison, the pastor was not permitted to see his family.<sup>26</sup>

During the reporting period, several minority religious

communities, including Catholics and Baha’is, successfully renewed their government registration according to the procedures spelled out in Decree 315, and the Seventh-day Adventist Church successfully registered for the first time. The registration status of the Lao Evangelical Church (LEC) remained unclear as of November 2019.<sup>27</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Decree 315, the Law on the Evangelical Church, and the apparent intention of the government to stabilise and regularise the treatment of religious minorities all suggest that religious freedom in Laos is on a somewhat positive trajectory, and one can be cautiously hopeful that this trend will continue in the coming years. However, getting local officials at the village level to conform to the new measures is a daunting challenge and will likely take many years; consequently, ethnic and religious minorities in remote areas can expect to face periodic and perhaps severe persecution in the foreseeable future.

Furthermore, though the recent measures represent an improvement, the government’s framework for addressing religious matters remains fundamentally problematic because it enshrines and legitimates an extensive and invasive level of external control over religious affairs, including over the internal governance of religious communities. The government remains slow in recognising unregistered religious groups and those improvements that have occurred rest too much on the personal relationships individual religious communities have cultivated with particular government officials rather than on systematic structural reform.

Laos may well continue to enjoy somewhat greater religious freedom in the coming years, but the improvements it has seen so far are limited, fragile, and uncertain, and thus require close monitoring if they are to be sustained and expanded.



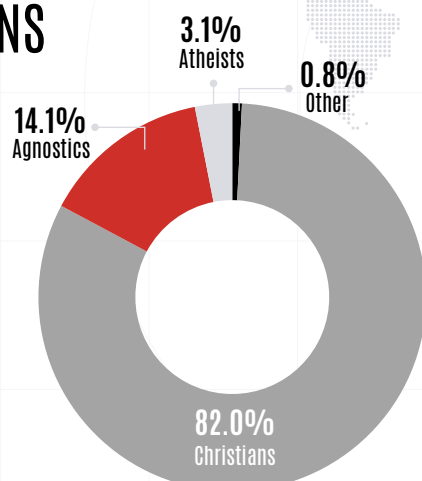
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## LATVIA

## RELIGIONS



Population

**1,892,993**

GDP per capita

**25,064 US\$**

Area

**64,573 Km<sup>2</sup>**

GINI INDEX\*

**35.6**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

In its preamble, the Constitution of Latvia (Satversme) defines the country “as democratic, socially responsible and national state [. . .] based on the rule of law and on respect for human dignity and freedom; it recognises and protects fundamental human rights and respects ethnic minorities.” It ends by enunciating, “God, bless Latvia.””<sup>1</sup>

Article 99 of the Latvian Constitution guarantees “freedom of thought, conscience and religion” as well as the separation of Church and state.<sup>2</sup> Limits to this are any acts that threaten “public safety, welfare, morals” and the rights of others, but “restrictions may also be imposed on the expression of religious beliefs” (Article 116). Freedom of expression is guaranteed and “censorship is prohibited” (Article 100).

The state protects and supports marriage, defined as “a union between a man and a woman”, as well as “the family, the rights of parents and the rights of the child” (Article 110).

The Law on Religious Organisations guarantees and defines the right to freedom of religion, including the

freedom to choose, change, and express religious beliefs (Article 2, 2).<sup>3</sup> The Law recognises the right of parents and guardians to bring up their children in accordance with their religious beliefs (Article 5, 3).

The law also regulates registration of religious organisations (Article 5). Religious groups are not required by law to register, but doing so provides them with certain rights and privileges. These include legal entity status for owning property (Article 16), conducting financial transactions and providing tax benefits for donors.<sup>4</sup>

Registered religious groups are permitted to conduct religious activities in hospitals, prisons and military units (Article 14, 5). With the agreement of local authorities, they may also hold services in public places such as parks and public squares (Article 14, 3).

In order to register, a religious group must have at least 20 members over the age of 18 recorded in the population registry (Article 7, 1). Should the registration of a religious group pose a threat to human rights, democracy or public safety, the Ministry of Justice has the right to deny the application (Article 8, 2). Foreign missionaries may only receive a residency permit, hold meetings or proselytise if they are invited by local religious groups (Article 14, 4). Registered organisations

must submit annual reports on their activities to the Ministry of Justice (Article 14, 7).

On the basis of a curriculum approved by the Ministry of Education, Christian religious education can be offered in public schools (Article 6, 2) by Evangelical Lutheran, Roman Catholic, Orthodox, Old Believer, and Baptist teachers if there are at least 10 pupils who are interested (Article 6, 3). In public schools that cater to national minorities, religious education in that faith may also be taught (Article 6, 4). Religion and ethics education are financed from the state budget (Article 6, 5).

Incitement to national, ethnic, racial, or religious hatred, enmity, threats, or violence is a crime.<sup>5</sup>

In 2016, the Ministry of Justice proposed a law banning the full-face Islamic veil and other face coverings in public,<sup>6</sup> and in 2017 the Cabinet of Ministers indicated its support for the law,<sup>7</sup> but in 2017 the Human Rights Commission issued an opinion opposing the legislation and it never reached a first reading in parliament.<sup>8</sup> Halal and kosher slaughter are allowed, but they require post-cut stunning.<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

In August 2020, the Council of Jewish Communities of Latvia urged the parliament to revisit the 2019 proposed restitution and compensation law for properties seized from the Latvian Jewish community during the Second World War and Soviet occupation.<sup>10</sup>

In response to a media inquiry, the Latvian State Security Service said that there had been no criminal proceedings for incitement to religious hatred or enmity.<sup>11</sup> However, a Rīga Stradiņš University researcher said that there are signs of some intolerance against Muslims, as well as anti-Semitism, on social media platforms.<sup>12</sup> Nevertheless, Jewish and Muslim leaders felt that their communities were free to practise their religions and did not feel threatened or discriminated against.<sup>13</sup>

Hate crime data from Latvia was not made available to the Organisation for Security and Co-operation in Europe for inclusion in its hate crime reports for 2018.<sup>14</sup> In its fifth monitoring report on Latvia, the European Commission against Racism and Intolerance did not raise any concerns about hate crimes or bias-motivated incidents relating to religion.<sup>15</sup>

According to the Foundation for Political, Economic and Social Research (SETA), “compared to the three previous years, Latvia did not see a strong increase in Islamophobic attitudes in 2018. No physical attacks on individuals or organisations were reported in 2018”.<sup>16</sup> SETA did not include Latvia in its 2019 Islamophobia Report.<sup>17</sup>

Restrictions on public religious gatherings due to the coronavirus pandemic in 2020 resulted in the suspension of services. Latvia’s approach was described as “high” (compared to “very high,” “moderate,” or “low”) because public religious gatherings were suspended but places of worship were open for private prayer.<sup>18</sup>

In September 2018, Pope Francis met with Latvian officials in Riga as part of a Baltic tour. The pontiff spoke of the “motherhood of Latvia”, which is demonstrated in the country’s promotion of “truly effective strategies centred on the family”.<sup>19</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review and the overall societal situation remains, and is likely to continue, stable for Latvia’s various religious communities.

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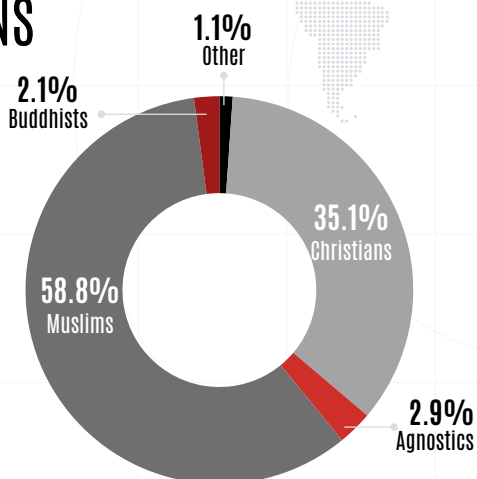
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# LEBANON

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In Lebanon, Sunni and Shi'a Muslims are roughly equal in number (around 30 percent each, with small percentages of Alawites and Ismailis). Christians represent approximately 35.1 percent of the population, the highest percentage of Christians in the Arab world.

There are 18 officially registered religious communities: five Muslim groups (Shi'a, Sunni, Druze, 'Alawite, and Ismaili), 12 Christian groups (Maronite, Greek Orthodox, Greek Catholic, Armenian Catholic, Armenian Orthodox, Syriac Orthodox, Syriac Catholic, Assyrian, Chaldean, Copt, evangelical Protestant, and Roman Catholic), and Jews. Baha'is, Buddhists, Hindus, several Protestant groups, and the Church of Jesus Christ of Latter-day Saints are not officially recognised.

Demographics are at the heart of the country's political life. Demographic shifts have major political implications; for this reason, no census has been conducted since 1932. Confessional groups that are demographically declining fear what might happen to their political representation if the actual numbers were known.

Lebanon is a parliamentary republic with no official reli-

gion but it is not formally a secular state. The political system is denominational and reserves the highest political offices to the various communities according to well-defined criteria: the Office of the Presidency of the Republic falls to a Maronite Christian, the Prime Minister's Office (Presidency of the Council of Ministers) belongs to a Sunni Muslim, and the Speaker of the National Assembly is a Shi'a Muslim. Religious communities are represented in parliament according to fixed quotas. Only one non-confessional independent MP, Paula Yacoubian,<sup>1</sup> was elected in the 2018 election. Yacoubian, together with four other MPs, resigned a few days after the August 2020 Beirut Port explosion.<sup>2</sup>

Lebanon's constitution provides for freedom of religion.<sup>3</sup> According to Article 7, "all Lebanese are equal before the law." Article 9 states that "freedom of conscience is absolute". It further stipulates: "In assuming the obligations of glorifying God, the Most High, the state respects all religions and creeds and safeguards the freedom of exercising the religious rites under its protection, without disturbing the public order. It also guarantees the respect of the system of personal status and religious interests of the people, regardless of their different creeds."

Article 10 says: "Education is free so long as it does

not disturb the public order, does not violate the morals, and does not touch the dignity of any religion or creed. The rights of communities to establish their own private schools cannot be violated, provided that they comply with the general requirements laid down by the state with respect to public education.”

The Lebanese Penal Code criminalises blasphemy and insults against the name of God and the practices of any religion.<sup>4</sup> Conversion from one religion to another is legal but converts can face strong social resistance.

Matters of personal status (such as marriage, parentage, inheritance) are dealt with under the separate jurisdictions of each of the 18 religious communities recognised by the state (12 Christian, 5 Muslim and one Jewish). Each community possesses its own rules and manages its own welfare organisations and educational institutions. However, certain religious communities (Yezidis, Baha'is, Buddhists and Jehovah's Witnesses) are not legally recognised and therefore have no rights as institutional groups. Instead, they are obliged to declare themselves as members of recognised religious groups in government records in order to ensure their marriage and other personal status documents remain legally valid. They are nonetheless permitted to perform their religious rites freely.

Members of non-recognised religious communities, or those who may want to have a civil marriage, have to do so abroad. But, where this course is pursued, the law relating to their marriage and its effects are those of the country where their civil marriage was celebrated. It is a matter of debate and there have been repeated attempts by some civil society and human rights groups to push for its official adoption. Civil marriages are rare due to administrative and legal difficulties, and when they happen, they make headlines.<sup>5</sup>

Lebanon has the highest debt-to-GDP ratio in the world. The exchange rate for the US dollar reached new heights: 10,000 Lebanese pounds per dollar in July 2020<sup>6</sup> while previously averaging around 1,500.<sup>7</sup> While the unemployment rate was estimated at 25 percent in November 2019,<sup>8</sup> it is believed to have affected more than a third of the workforce in November 2020.<sup>9</sup>

Lebanon has the largest number of Syrian refugees per capita in the world with an estimated 1.5 million. It also hosts an additional 18,500 refugees from Ethiopia, Iraq, Sudan and other countries, as well as more than 200,000 Palestinian refugees under the mandate of the United

Nations Relief and Works Agency's (UNRWA).<sup>10</sup> The high number of refugees causes tension and anguish among Christian communities who fear their proportion will still decrease compared to Muslims.

## INCIDENTS AND DEVELOPMENTS

In a country where politics and religion are tightly intertwined, the right to freedom of religion depends on domestic politics, which to a large extent depends on the actions of broader regional and international actors.

On the 17th October 2019, mass anti-government demonstrations against the political establishment started. Due to the announcement of new taxes – mainly a “WhatsApp tax” which would have affected many Lebanese who use messaging services and voice calls to stay in touch with relatives abroad – was the catalyst of social, economic and political discontent. Demonstrations kept happening for months without reaching any suitable and sustainable solution. The country's instability deepened and tensions rose. The measures imposed to tackle the COVID-19 pandemic exacerbated these issues.

On the 4th of August 2020, Beirut was shaken by the explosion of 2,750 tonnes of ammonium nitrate stored in Beirut's port, causing 203 deaths, 6,500 injuries and made 300,000 people homeless.<sup>11</sup>

In late 2020, the country reached a political dead end. Former Prime Minister, Saad Hariri had resigned in October 2019 as a result of mass protests. In January 2020, Hassan Diab was designated prime minister, but was forced to resign in August 2020, following the Beirut blast. The Lebanese Ambassador to Germany, Mustapha Adib, was then named prime minister. But less than a month later, on 26th September 2020, he too quit, unable to form a government as a result of strong opposition from the main Shi'a groups, Hezbollah and Amal. The latter were mainly against his plan to form a cabinet composed of independent specialists rather than ministers chosen on the basis of their confessional affiliation. Above all, they were opposed to giving up the key Finance Ministry.<sup>12</sup>

Lebanese President Michel Aoun eventually chose former Prime Minister Saad Hariri on 22nd October 2020 to lead a new cabinet, almost a year after his resignation. At the time of writing, there was still no government formed. Meanwhile, Hassan Diab remained as caretaker prime minister.

## INCIDENTS AND DEVELOPMENTS

Non-Maronite Christian groups – which include, among others, Syriac Orthodox, Syriac Catholics and Chaldeans – renewed their criticism of the government following the May 2018 parliamentary elections because it had made little progress towards implementing the Taif Agreement’s goal of eliminating political sectarianism. Instead, they demanded the government privilege “expertise and competence”. Together, non-Maronite Christians only got one out of the 64 Christian seats in parliament. Furthermore, the Syriac League demanded greater representation for non-Maronite and non-Greek Orthodox Christians in the cabinet, parliament, and high-level civil service.<sup>13</sup>

In July 2018, Charbel Khoury was briefly detained and questioned by the Internal Security Forces’ (ISF) Cybercrime Bureau for posting a sarcastic joke on Facebook about the medical miracles performed by Saint Charbel, a religious figure revered by many in Lebanon. He had to sign a pledge not to use his Facebook account for one month and not to criticise or make fun of religions.<sup>14</sup>

In August 2018, Al-Akhbar journalist Joy Slim wrote an article describing her interrogation by the ISF Cybercrime Bureau. She was summoned in order to explain a joke she had made about Charbel Khoury’s post. In her article she describes, among other things, how ISF officers asked her if she was baptised because nobody who is not inhabited by “devil spirits” would write jokes about religion.<sup>15</sup>

Cases of blasphemy and insults to religion come under Articles 473 and 474 of Lebanon’s 1943 Penal Code, whereby anyone who “disparages” the name of a god or religion can be imprisoned for between one month and several years.<sup>16</sup>

In August 2018, Cardinal Patriarch Bechara Boutros al-Rahi, head of the Maronite Church, hosted Swiss President Alain Berset together with Lebanon’s Christian and Muslim religious leaders, at the patriarchal summer residence in northern Lebanon. The leaders pledged to work towards peace in the region and to ensure the “dignified” return of refugees to their homelands. Card al-Rahi stressed the fact that “this presence of high Muslim and Christian dignitaries clearly reflects the uniqueness of Lebanon as a country of convergence and interfaith dialogue.”<sup>17</sup>

On 26<sup>th</sup> September 2018, during his address to the UN General Assembly in New York, President Michel Aoun reiterated his wish to “make Lebanon an international center

for the dialogue of religions, cultures and races”.<sup>18</sup>

In January 2019, Tripoli Mufti Malek Shaar met with a 27-member delegation from the Association of Dialogue for Reconciliation and Life, with members from 12 countries and different religions. In a statement he explained why he met with Rabbi Alex Goldberg, noting that “our problem is with the Jews occupying al-Quds [Jerusalem] and the lands in Palestine, Lebanon, Syria and the neighbourhood.”<sup>19</sup>

In February 2019, shortly after he was appointed Minister of Interior, Raya Al Hassan, said in a television interview that she was open to discussion on the recognition of civil marriage.<sup>20</sup> Although she received support from some political figures, including Walid Jumblatt, leader of the mostly Druze Progressive Socialist Party, her comments were criticised by other politicians and both Christian and Muslim clerics and organisations. Dar al-Fatwa, Lebanon’s highest Muslim Sunni authority, rejected the idea, saying that civil marriage contradicts Shari’a.<sup>21</sup> Sheikh Malik Al-Sha’ar, Mufti for northern Lebanon and the city of Tripoli, also opposed the proposal, noting that a 2013 fatwa (Muslim religious ruling) had declared that those who called for civil marriage were no longer Muslim.<sup>22</sup>

In May 2019, Lebanon’s main political and religious leaders attended the state funeral of Maronite Patriarch Cardinal Nasrallah Boutros Sfeir. Sheikh Abdul Latif Daryan, Grand Mufti of Lebanon’s Sunni Muslims, described Sfeir as “a role model for moderation, openness, wisdom, dialogue, love and coexistence between Muslims and Christians.”<sup>23</sup>

In August 2019, the organisers of the Byblos International Festival cancelled a concert by internationally renowned Lebanese indie rock band Mashrou’ Leila in order “to avoid bloodshed and maintain security and stability.” Religious leaders had accused the group of “offend[ing] religious and human values and insult[ing] Christian beliefs”. A number of Lebanese MPs as well as private citizens threatened to use violence if the concert went ahead. The controversy was about a Facebook post in which an image transposed the face of pop diva Madonna onto an image of the Virgin Mary.<sup>24</sup>

According to the Lebanon chapter of the US Department of State’s 2019 International Religious Freedom Report, in September 2019, the Internal Security Forces (ISF) questioned Jewish Community Council (JCC) senior member Semaria Bihar about the identity of visitors to synagogues

and Jewish cemeteries.<sup>25</sup>

JCC reported acts of vandalism at the Jewish cemeteries in Beirut and Sidon (Saida). In November 2019, a report explicitly showed how roadwork in Sidon resulted in the sagging and destruction of multiple graves.<sup>26</sup> Furthermore, it is reported that the Jewish community faced problems getting material for their religious rites due to a national ban on the trade of Israeli goods, especially since customs agents are circumspect about imports with Hebrew script.<sup>27</sup>

In December 2019 Shi'a protesters demonstrated in Beirut after a controversial video was posted on social media showing a Sunni individual insulting Shi'a political and religious figures. The author of the video, Saidawi, later apologised for posting it.<sup>28</sup>

After a social media uproar, Beirut Governor Ziad Chehib ordered the removal of a cubic art sculpture in downtown Beirut in order to prevent any violent clashes because of its resemblance to the Star of David.<sup>29</sup>

According to a 2019 Arab Barometer report, religious piety declined in Lebanon over the past decade. While 44 percent described themselves as "religious" in 2010, this figure dropped to 24 percent in 2018. Nonetheless, support for a greater role for religious leaders in Lebanese politics grew.<sup>30</sup> Concerning intolerance towards neighbours of a different religion, the report found that while in 2010, 5 percent said they strongly disliked or disliked having members of a different religion as neighbours, the figure was 21 percent in 2018.<sup>31</sup>

In June 2020, there were serious concerns over the viability of the Catholic private schools' network. In an open letter addressed to Lebanese President Michel Aoun, the head of the General Secretariat of Catholic schools, Father Boutros Azar, highlighted the dire financial situation faced by these strategic educational establishments. Fr Azar blamed the problem on "state negligence" causing "a general challenge for the private education sector, which provides schooling to over two thirds of pupils in Lebanon (710,000 students, compared to 260,000 in public education)."<sup>32</sup>

In November 2020, the protocol of assistance for the families of the Residence des Pins, in Beirut, was signed at a symbolic ceremony. This emergency aid, granted by France to Lebanese families, takes the form of partial or total support for the schooling of 9,000 pupils in 45 schools

with a French curriculum, for a total of €5 million (around US\$ 6 million) for the year 2020-2021. The ceremony took place in the presence of some thirty heads of schools and congregations of the French-speaking network, including Father Boutros Azar.<sup>33</sup>

In July 2020, Patriarch al-Rahi called for Lebanon to maintain its neutrality vis-à-vis regional conflicts.<sup>34</sup> This caused an uproar, mainly from Shi'a parties, who accused him of treason. It is not uncommon for Hezbollah or its allies to accuse their critics of treason against the state, or being Zionists or spies. Many Lebanese, from different confessional affiliations, came to the Patriarch's defence on social media, putting their patriotism above their confessional affiliation.<sup>35</sup>

In mid-October 2020, following demonstrations for the first anniversary of the protest movement started on 17th October 2019, Patriarch al-Rahi, in his Sunday sermon, asked political leaders to stop delaying negotiations in order to form a new government. He even blamed the political class for the country's financial crisis and political impasse: "Take your hands off the government and liberate it. You are responsible for the crime of plunging the country into total paralysis in addition to the implications of the coronavirus pandemic," adding that "No one is innocent of Lebanon's (financial) bleeding."<sup>36</sup>

Greek Orthodox Archbishop Elias Audi strongly criticised politicians as well. "The number of ministries and the names of ministers and quotas" are "still more important (to politicians) than the fate of Lebanon and the Lebanese," he said.<sup>37</sup>

At the end of October 2020, after Friday prayers, demonstrators protesting against French President Emmanuel Macron's defence of the right to publish cartoons seen as offensive to Islam headed towards the residence of the French ambassador. Some of them brandished black and white Islamist flags.<sup>38</sup>

In November 2020, Patriarch al-Rahi called for more collaboration between Christians and Muslims. He said that at a time in which the world is faced with inhuman ferocity and repeated international Islamist atrocities, such as beheading innocent people while insultingly invoking the name of God, it was essential to avoid the climate of "conflict between religions" and to embrace the path of collaboration between Christians and Muslims.<sup>39</sup>

Due to COVID-19, Lebanon imposed a lockdown in March



2020. At the beginning of June, churches and mosques were allowed to partially reopen at 30 percent capacity.<sup>40</sup> At the end of July, restrictions were reimposed for two weeks resulting in the shutdown of places of worship.<sup>41</sup> In mid-October 2020, the authorities imposed a week-long lockdown, including places of worship, in certain regions of the country.<sup>42</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The role played by Hezbollah is crucial in the process of unlocking the political impasse, and hopefully in finding a way out from a dire social and economic situation. In one year, Lebanon went through multiple crises. First came social unrest and protests in October 2019 with no concrete outcome yet. This was followed by the COVID-19 crisis,

with its tremendous social and financial costs. Finally, Beirut experienced a devastating explosion on 4th of August 2020, which hit a predominantly Christian neighbourhood with greater collateral repercussions for that community.

Various factors – different levels of emigration and birth rates – have changed the country's confessional composition. The result is that Christians are decreasing in numbers. This evolution will likely have a fatal impact on their political role and power.

The tight linkage of religious freedom with domestic and international politics impacts heavily on the prospects for full enjoyment of the fundamental right to freedom of thought, conscience and religion. The prospects are particularly negative.

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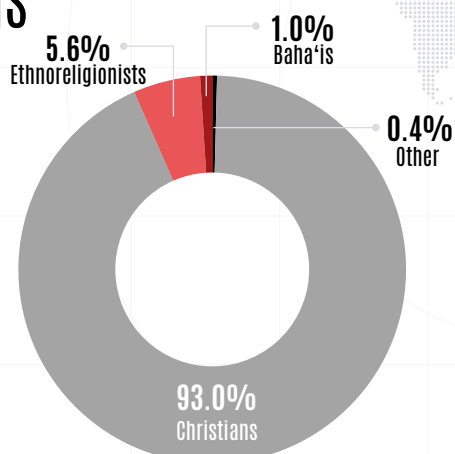


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# LESOTHO

## RELIGIONS



Population  
**2,322,217**  
GDP per capita  
**2,851 US\$**



Area  
**30,355 Km<sup>2</sup>**  
GINI INDEX\*  
**44.9**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Christians constitute the largest religious community (90%) in the Kingdom of Lesotho. In terms of state policy, there are “no established requirements for recognition of religious groups [...]. Most religious groups register, but there is no penalty for those that do not.”<sup>1</sup> Those who do register are exempt from income tax.

About 83 per cent of Lesotho’s primary schools and 66 per cent of its secondary schools are owned and run by Churches.<sup>2</sup> The constitution allows students to opt out of religious classes, but so far none have done so.<sup>3</sup>

Teachers are paid by the state, which also sets the standard curriculum. Article 13 (Section 3) of Lesotho’s constitution states that no student is “required to receive religious instruction or to take part in or attend any religious ceremony” without their consent.<sup>4</sup>

The sponsors of denominational schools are mainly the Catholic Church, the Anglican Church and the Lesotho Evangelical Church. The Anglican Church is the third largest denomination in the country. Some schools are also

run by the Methodist Church. Lesotho introduced free elementary education in 2000. A number of new state schools have been built, in some cases replacing denominational schools. However, the vast majority of schools are still in the hands of Churches.

Lesotho is a constitutional monarchy; the head of state is King Letsie III. The country’s 1993 constitution (revised in 2018) guarantees fundamental human rights and freedoms (Article 4, Section 1), including freedom of conscience, freedom of expression and freedom from discrimination, irrespective of the person’s race, colour, sex, language, religion, political or other opinion.<sup>5</sup> Article 13 (section 1) is devoted to individual freedom of conscience and explicitly states that these protections include “freedom of thought and of religion, freedom to change his religion or belief and freedom, either alone or in community with others, and both in public and in private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.” Freedom of association, which also applies to religious meetings, is described in detail in Article 16.

The Catholic Church helped found the Basutoland National Party (now called the Basotho National Party) in 1959, whilst the Basutoland Congress Party is aligned with the

Protestant Church.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

Some members of the Anglican clergy have been unhappy with Bishop Adam Mallane Taaso, head of the Diocese of Lesotho, over his involvement in politics. The latest incident dates back to December 2018 when the Bishop gave an award to MoAfrika FM, a Maseru-based radio station.<sup>7</sup> However, one clergyman, Rev. Maieane Khaketla, had already written in 2015 to Archbishop Thabo Cecil Makgoba of Cape Town, primate of the Anglican Church of Southern Africa, to complain about the issue.<sup>8</sup>

Except for the above, there were no particular institutional changes or major events that have hindered freedom

of religion. In the country's liberal climate, the religious groups are free to work unimpeded to deepen the faith of their members.

## PROSPECTS FOR RELIGIOUS FREEDOM

No violations of religious freedom have been reported in the country in recent years. Nevertheless, Lesotho is one of the poorest countries in the world and has been affected by periodic drought.<sup>9</sup> Wherever poverty prevails, religiously motivated tensions are often not far away. In this regard, it is not certain that good relations among religions will continue, especially if social pressures increase.

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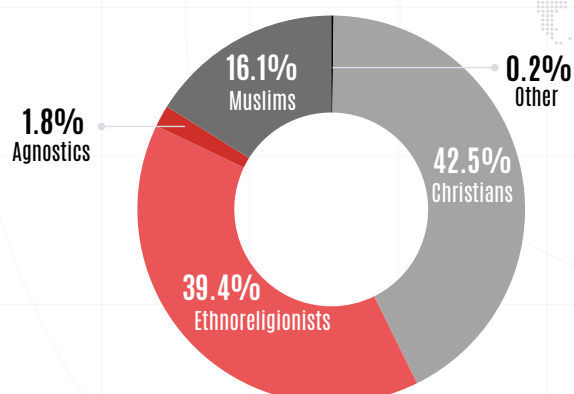
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# LIBERIA

## RELIGIONS



Population  
**5,103,853**  
GDP per capita  
**753 US\$**



Area  
**111,369 Km<sup>2</sup>**  
GINI INDEX\*  
**35.3**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Under the Constitution of Liberia, Church and state are separate, everybody is entitled to “freedom of thought, conscience and religion” (Article 14),<sup>1</sup> and all religious groups are guaranteed equal treatment. Article 18 upholds the equality of opportunity for all Liberian citizens, “regardless of sex, creed, religion, ethnic background, place of origin or political affiliation”.<sup>2</sup>

Religious organisations, including missionary groups, are required to register. This gives them tax advantages as well as the right to appear in court as “a single entity.”<sup>3</sup> Indigenous religious groups don’t have to register with the authorities as they are subject to customary law.

The curriculum at government-run schools offers “non-sectarian religious and moral education,” and covers religious traditions and moral values.<sup>4</sup> Private schools, many of which are run by Christian or Islamic organisations, receive state financial support.

Liberia was founded by freed American slaves resettled in Africa.<sup>5</sup> Christians are the largest group but it is not unusual for some people to combine religious practices. Liberian society is broadly tolerant towards religion. The

(Protestant) Liberian Council of Churches and the National Muslim Council of Liberia represent the two largest religious communities. Liberia’s religious groups generally live in peace with each other, a practice encouraged and upheld by many of the Liberian politicians. The current President of the country, George Weah, is described by experts as a Christian Methodist who calls for “harmony between religions”.<sup>6</sup> The Liberian government supports the Muslim community institutionally and financially by helping pilgrims travel to Mecca for the Hajj. In 2019, a total number of 335 Liberians travelled to Saudi Arabia (the highest number to perform the Hajj so far),<sup>7</sup> a hundred of whom received financial help from the government.<sup>8</sup> In March 2018, President George Weah appointed two Christians as religious advisors to his new administration. Leaders of Muslim organisations complained that these advisors would control access to the president rather than facilitate outreach.<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

In spite of the positive situation of religious freedom, some minor incidents have been reported in the country. In March 2019, a 21-year-old Muslim Liberian convert to Christianity had to flee the country after his house was

burnt down. He fears retaliation if he returns to Liberia.<sup>10</sup>

The Liberian Muslim Women Network expressed concerns that some of them are not allowed to wear the hijab in schools or workplaces. The organisation called on the government to ensure that Muslim women can wear the veil “without hindrance”.<sup>11</sup> The National Muslim Heritage Foundation of Liberia also called on the government to pay attention to two attacks allegedly committed against Muslim missions in the country. The organisation said that it would conduct an investigation before reaching “any conclusion”.<sup>12</sup>

On 17th September 2019, a fire broke out at an Islamic school near the capital Monrovia killing 27 people, including many children.<sup>13</sup> Even though it was said to be caused by an electrical problem, the local Muslim community asked for an exhaustive and credible investigation.

After anti-COVID-19 measures were adopted, the Catho-

lic Bishops’ Conference of Liberia (CABICOL) expressed concern over the growing number of human rights violations by Liberia’s various security agencies, stressing the importance of acting within the confines of the law.<sup>14</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The current atmosphere of religious tolerance in Liberia is most likely to continue in the future. Religious freedom is upheld by government institutions, the country’s major political parties, and its religious communities.

The economic situation, however, is getting worse and mass civil protests have taken place over the last two years following the initial jubilation resulting from the election of President Weah. Protesters accuse the President of corruption in connection with various scandals, as well as mismanaging the economy. These challenges pose a risk to social and political stability in the coming years.<sup>15</sup>

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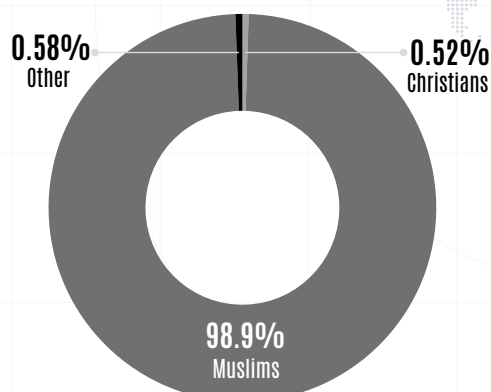
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## LIBYA

## RELIGIONS



Population

**6,662,173**

GDP per capita

**17,882 US\$**

Area

**1,676,198 Km<sup>2</sup>**

GINI INDEX\*

**N/A**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

Since the downfall of Muammar Gaddafi's regime in 2011, Libya has been mired in a permanent upheaval. Violence erupted again following elections in June 2014 and in December 2015, an interim government, the Government of National Accord (GNA), was formed under a United Nations-led initiative and was recognised as the sole legitimate authority in Libya.

Field Marshal Khalifa Haftar, head of the Libyan National Arab Army (LNA), later became head of a de facto separate government in a large portion of eastern Libya, with Tobruk as his base.<sup>1</sup> He is the main political adversary of Fayeze El-Sarraj, head of the Presidential Council of Libya, which acts as the presidency of the GNA, and controls a relatively small part of the territory of Libya, with Tripoli as his base.<sup>2</sup>

Tensions between the main factions eventually degenerated into a series of military clashes, leading to a civil war with wider regional dimensions.

Violent extremist groups and terrorist organisations, including the Islamic State group (Daesh), used the internal conflicts, the post-Gaddafi power vacuum, and govern-

ment inaction to expand their influence in Libya. Parts of the territory remain outside of either government's control.

Amid violent protests due to deteriorating living conditions and corruption, Libya's Tobruk-based government, under Khalifa Haftar, resigned on 14th September 2020. Since then, the LNA is represented by Aguila Saleh Issa. Two days later, Fayeze al-Sarraj, head and prime minister of the Tripoli-based Government of National Accord, announced that he would resign from his position by the end of October 2020. He eventually left office on 5th February 2021.<sup>3</sup> His successor is Mohamed Yunus al-Menfi.

Since 2011, Libya has been governed under a temporary constitution, the interim Constitutional Declaration promulgated by the National Transitional Council (NTC) on 3rd August 2011, revised on 13th March 2012. The Declaration states that Islam is the religion of the state and Shari'a (Islamic law) is the principal source of legislation. The state guarantees non-Muslims the freedom to practise their religion (Article 1).<sup>4</sup> Article 6 promotes the equality of all Libyans before the law.<sup>5</sup> The Declaration prohibits any form of discrimination on the basis of religion or sect. This is the first time that religious freedom has been constitutionally protected since 1969 when the late dictator Gaddafi took power. The draft of the new constitution

(2017)<sup>6</sup> recognises Islamic Shari'a as the only source of legislation, and does not guarantee any other aspects of freedom of religion and belief.<sup>7</sup>

Although the Constitutional Declaration prohibits any form of discrimination based on religion, the ongoing fighting between rival governments has restricted effective application of the interim constitution. Pre-revolution laws restricting religious freedom are still applied, and all kinds of discrimination occur.<sup>8</sup> Non-Muslims are subject to legal restrictions and prohibitions. Articles 289, 290 and 291 of the Penal Code of Libya criminalise insulting, attacking and defaming religion, especially the state religion.<sup>9</sup> Information by non-Muslims that can offend Muslims or threaten the country's social structure is banned. Insulting Islam or the Prophet Mohammed as well as "instigating division" are punishable with a maximum penalty of death.<sup>10</sup>

Until recently, the Catholic Church ran a number of charitable and educational centres, among them hospitals, schools, and homes for the disabled, and thousands of young Libyans attended Catholic schools.<sup>11</sup>

Islamic religious education is obligatory in state-run schools as well as in private educational institutions. Other forms of religious education are not offered in educational establishments.

Although limited, there are a number of non-Islamic places of worship in the country. Most foreign Christians are sub-Saharan African migrants, Catholic Filipino foreign workers, some Coptic Egyptian migrants, and other foreign residents from Europe. There are a few Anglicans, as well as Greek and Russian Orthodox, and nondenominational Christians.

Most of the Jewish population left the country between 1948 and 1967. As of 2004, there are none left.<sup>12</sup>

Non-Muslims are restricted in their right to worship; there are also restrictions on foreign clergy who must apply for visas or one-year residence permits.

The Catholic Church is present in various parts of Libya through three Apostolic Administrations and one Apostolic Prefecture. In 2017, Pope Francis named Bishop George Bugeja OFM as Apostolic Vicar of Tripoli.

The Ministry of Endowments (Waqf) and Islamic Affairs is in charge of Islamic worship in Libya, with authority over mosques, clergy and religious practices, ensuring that they conform to government regulations.<sup>13</sup> This same body provides imams with the texts of their sermons,

which often contain matters of a political and social nature.

## INCIDENTS AND DEVELOPMENTS

Madkhali-Salafis, ultra-conservative Sunni Muslims, are gaining importance in the country. They are playing an active role in armed groups and have become a decisive factor in the ongoing political conflicts. They firmly reject any kind of religious or cultural diversity.<sup>14</sup>

In May 2018, the Ministry of Interior integrated the Rada (Radaa) Special Deterrence Force (SDF), a GNA-aligned Salafist armed group.<sup>15</sup> Rada is notably responsible for arresting and detaining people accused of violating Islamic law, including some accused of sorcery.

Given the precarious security situation and the lack of control over the territory, Libya has become a haven for human traffickers. Migrants and refugees have poured into the country hoping to make the crossing into Europe. Many have ended up in detention centres run by militias. Christians have said that they are more exposed to physical violence, sexual assault and rape than other migrants and refugees in such facilities.<sup>16</sup> A field report by Refugees International found that Christian refugees were treated worse than Muslim refugees. An Ethiopian Christian woman said they hid their crosses "because the Libyan police working in [detention centres] didn't appreciate Christians."<sup>17</sup>

Several armed militias run detention centres for migrants and refugees. People arrested and detained by such groups for reportedly violating Islamic law have attested to being tortured and abused.<sup>18</sup> According to Middle East Concern, a Christian rights advocacy group, apostates are severely punished in areas where Islamic militias operate as the de facto police force.<sup>19</sup>

In a February 2020 interview, Bishop Bugeja said that "the Libyan Church is present, not hidden".<sup>20</sup> Although many Christians fled Libya after 2011 and 2014, the Catholic Church remained. Catholics are estimated to be around 3,000 in a country of seven million,<sup>21</sup> Bishop Bugeja noted, but many are emigrating. The local Church includes another priest in Tripoli, three Friars Minor in Benghazi, two communities of Sisters of Mother Teresa, "a total of eight nuns who volunteer in two government institutions [...] housing the mentally disabled. Their efforts are deeply appreciated."<sup>22</sup>

The Vicariate of Tripoli has only one church, dedicated to

Saint Francis, which was confiscated following the 1969 revolution along with other churches. At present, it is “assigned to but not owned by the Church.”<sup>23</sup> Tripoli’s cathedral<sup>24</sup> has been transformed into the Jamal ‘Abdel-Nasser Mosque on Algeria Square. A second church dedicated to Mary Immaculate is in Benghazi.<sup>25</sup>

After the Islamic State group set foot in the country and attacked Church properties, Catholic communities continued to worship in places other than church buildings.<sup>26</sup>

Following the outbreak of the COVID-19 pandemic, mosques and other places of worship were closed, reopening only in October 2020. Worshippers went back to pray under certain conditions, which included wearing a face mask, respecting social distancing and limiting attendance to half of pre-coronavirus levels.<sup>27</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Theoretically guaranteed by Libya’s temporary constitution, freedom of religion is limited in practice though it has been deteriorating over the last years. One important concern is the de facto ban on proselytising and the severe penalties it entails.

Over the period under review, there has been an upsurge in killings of members of religious minorities, especially Christians; connected to that, extremist Islamic organisations linked to the Government of National Accord (GNA) have gained influence both on the ground and in political circles. What is more, because of the political divisions and the lack of a unified government, extremist groups are expanding, exercising control over parts of the country.

The inhumane treatment of mainly sub-Saharan and Christian migrants and refugees in Libya is a matter of great concern. Overall, there are no prospects for improvement in human rights, including freedom of religion or belief.

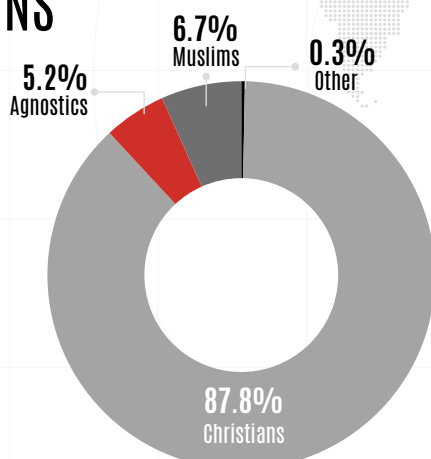
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# LIECHTENSTEIN

## RELIGIONS



Population

**38,645**

GDP per capita

**43,833 US\$**

Area

**160 Km<sup>2</sup>**

GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Liechtenstein is a hereditary constitutional monarchy with a democratic and parliamentary form of government headed by the Prince of Liechtenstein (Article 2).<sup>1</sup>

The Constitution guarantees freedom of belief and conscience (Article 37, 1), expression (Article 40), association (Article 41), and assembly (Article 41), as well as equality of rights under the law (Article 31, 1). The Roman Catholic Church is the “State Church” and as such “enjoys full protection of the State,” but other religions are entitled to “practice their creeds and to hold religious services” (Article 37, 2). Civil and political rights are not dependent on religious belief, nor may religious belief allow people to neglect their civil obligations (Article 39).

There is no law requiring religious groups to register with the state. Religious groups have the freedom to establish private associations, but require authorisation from the commercial registry. If they register, they are eligible for government funding for a variety of activities, including the provision of religious education in schools.<sup>2</sup>

Religious education is required in primary and secondary public schools.<sup>3</sup> In primary schools, Catholic or Protestant Reformed religious education is compulsory. However, parents are permitted

to apply to the Office of Education for exemption. Islamic education is also offered (but is not compulsory) in primary schools. Religious communities provide teachers for Catholic, Protestant Reformed, and Islamic religious instruction and the Office of Education pays their salaries, in whole or in part.<sup>4</sup>

In secondary schools, parents and students are given a choice between a course in Catholic religious education, organised by the Catholic community and paid for by the government, or a general, sociological course about religion and culture.<sup>5</sup>

The Holocaust is included in the general curriculum of public schools; discussions and forums are held on International Holocaust Remembrance Day.<sup>6</sup>

Liechtenstein’s criminal code prohibits public incitement of hatred or discrimination against individuals or religious groups, as well as refusing to serve a person or group of persons based on their religious affiliation. Membership in any association that promotes discrimination against religious groups or individuals is also banned.<sup>7</sup>

The slaughtering of animals without stunning is outlawed, thus making ritual slaughter for kosher and halal meat illegal (Article 20, 1 and 2).<sup>8</sup>

In 2017, the United Nations Human Rights Committee (UNHRC) questioned the close ties between the state and the Catholic



Church and expressed concerns regarding the impact that those close ties could have on the protection of freedom of religion as envisaged in the International Covenant on Civil and Political Rights.<sup>9</sup>

In its recommendations, the UNHRC asked Liechtenstein to ensure that: “(a) Efforts are redoubled to reach an agreement within outstanding municipalities in order to amend the Constitution; (b) Funding is provided to religious organisations of all religious communities on a basis of equality and that such funding is not limited to efforts aimed at integration of minority communities; and (c) The criteria for the recognition of religions guarantees the freedom of religion and belief and freedom to manifest a religion or belief either individually or in community with others, in public or in private, in worship, observance, practice or the teaching.”<sup>10</sup>

## INCIDENTS AND DEVELOPMENTS

In the period under review there were no reported violations of religious freedom in Liechtenstein. There were, however, a number of developments in relation to religion.

In May 2018, the European Commission against Racism and Intolerance (ECRI) of the Council of Europe issued a report<sup>11</sup> that recommended Liechtenstein address the lack of a Muslim cemetery and provide government funding to the community; it also called for the recognition of minority religions and granting Muslims “access to appropriate premises for practising their religion.” The lack of a Muslim burial site was described by Muslim groups as an urgent problem because those who hold a foreign passport can be buried in their home countries, but Muslims who only hold Liechtenstein citizenship have no such option.<sup>12</sup>

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In December 2018, the Turkish-Islamic Cultural Association was founded; as of February 2020, it was in the process of negotiating the use of rented space in Nendeln as a prayer room. This would be in addition to the “Green Mosque” (Grünen Moschee) in Triesen where space is limited, especially for Friday prayers and holiday celebrations.<sup>13</sup>

In December 2019, Prince Alois said that he advocated a clearer separation between Church and state in Liechtenstein, but that the “unbundling” proposal had been delayed for three years due, in part, to questions of how to address the issue of Church assets. Separation would require constitutional changes, a religious law, and agreements with major religious communities.<sup>14</sup>

Restrictions on religious gatherings due to the coronavirus pandemic in 2020 instituted by the government were eased in May 2020 for religious communities, so long as social distancing and health measures were respected.<sup>15</sup>

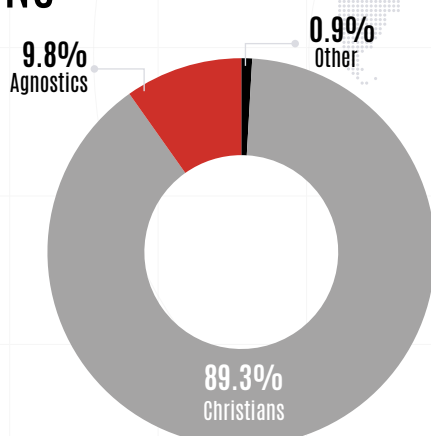
## PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom is guaranteed and the prospects for religious freedom remain stable. The population of Liechtenstein has slowly become more pluralistic over the last few decades. While Catholics made up more than 95% of the population in the 1930s and 1940s (90.3% in 1970),<sup>16</sup> their share has steadily declined since then (73.4% in 2015).<sup>17</sup> The planned reorganisation of the relationship between the state and the Catholic Church could create a uniform legal basis for the relationship between the state and all religious communities.



# LITHUANIA

## RELIGIONS



Population  
**2,852,478**  
GDP per capita  
**29,524 US\$**



Area  
**65,286 Km<sup>2</sup>**  
GINI INDEX\*  
**37.3**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Lithuania guarantees freedom of thought, conscience, and religion, which includes the right to choose, profess, and practise a religion, to express one's beliefs and to belong to - or not belong - to a religious community (Article 26).<sup>1</sup> The law specifically protects a person's right to teach, "profess and spread his religion or belief" and this right may only be limited when necessary to "guarantee the security of society, the public order, the health and morals of the people as well as other basic rights and freedoms of the person" (Article 26). Everyone is equal before the law; no one may "be granted any privileges on the ground of gender, race, nationality, language, origin, social status, belief, convictions, or views" (Article 29).

Freedom of expression is guaranteed, and may only be limited to protect the "health, honour and dignity, private life, and morals of a human being, or to defend the constitutional order" (Article 25). Incitement of "national, racial, religious, or social hatred, violence and discrimination" is illegal (Article 25).

Article 4 of the 1995 Law on Religious Communities and Associations defines religious groups as (1) religious commu-

nities; (2) religious associations, which are comprised of at least two religious communities under a common leadership; and (3) religious centres, which are the governing bodies of religious associations.<sup>2</sup>

Article 5 of the law recognises nine traditional religious communities and associations that are part of Lithuania's "historical, spiritual and social heritage," namely Roman Catholic, Greek Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Jewish, Sunni Muslim, and Karaite Jewish. Traditional religious groups do not need to register with the government. They can perform marriages recognised by the state, set up joint private/public schools (Article 14), offer religious education in public schools (Article 9) and benefit from public funds on an annual basis (Article 7).

According to Article 6 of the aforementioned law, other religious associations may apply to the Ministry of Justice (MOJ) for state recognition if they have been officially registered in the country for at least 25 years. The Lithuanian Parliament (Seimas) then votes whether to grant this status upon recommendation from the MOJ (Article 6). The Evangelical Baptist Union of Lithuania, the Seventh-day Adventist Church, the Pentecostal Evangelical Belief Christian Union, and New Apostolic Church of Lithuania are the only state-recognised

non-traditional religious groups.<sup>3</sup>

Religious groups must register if they want to open a bank account, own property or legally operate as a community. All registered religious groups can legally own property to use for various purposes such as prayer houses or homes, as well as apply for construction permits to build the facilities they need for their religious activities.<sup>4</sup>

In June 2019, the Lithuanian parliament refused to recognise the Romuva, a “neopagan Baltic” religious community, despite a favourable recommendation from the Ministry of Justice. Under the law, the group will now have to wait a decade before reapplying for recognition. The community said it will turn to the European Court of Human Rights.<sup>5</sup> The United Methodist Church’s application for recognition has been pending, unconsidered by the parliament, for over 15 years.<sup>6</sup>

Alternate service/employment is available to those who conscientiously object to compulsory military service.<sup>7</sup>

A restitution fund was established by law in 2011 for Jewish-owned communal property seized by Soviet and Nazi regimes. The government is committed to pay about €37 million (around US\$45 million) by 2023 to the Good Will Foundation, an NGO headed by Lithuanian and international Jewish leaders. The funds are used for projects “which deal with religious, cultural, health care, sports, educational and scientific goals pursued by Lithuanian Jews in Lithuania”.<sup>8</sup>

Lithuania has also set up the Office of the Equal Opportunities Ombudsperson to investigate complaints of discrimination based on, among others, belief, convictions or views, and religion.<sup>9</sup> In 2018, the Office received 34 requests for inquiries or complaints about discrimination based on religion, belief, convictions and views.<sup>10</sup> In 2019, 16 investigations were carried out, 19 inquiries were answered, and 51 consultations were provided (39 on the basis of “beliefs or views”).<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

In September 2018, Pope Francis visited Lithuania as part of a Baltic tour. He met with officials and paid tribute to the victims of the Soviet and Nazi occupations.<sup>12</sup> In a public address, the pontiff encouraged Lithuanians to continue “welcoming differences” to become “a bridge between Eastern and Western Europe”.<sup>13</sup>

In October 2018, a cemetery was vandalised with anti-Christian graffiti.<sup>14</sup>

In January 2019, during a visit to Israel, Lithuanian Prime

Minister Saulius Skvernelis called for “zero tolerance” against “any form of anti-Semitism”.<sup>15</sup>

On 10th May 2019, the United Nations’ Committee on the Elimination of Racial Discrimination issued its concluding observations on the combined 9th and 10th periodic reports on Lithuania. It found a “lack of policies directed against hate speech and incitement of hatred” and “a low level of reporting of hate speech and hate crimes”.<sup>16</sup>

The Lithuanian Jewish community expressed concern about neo-Nazi participation in Lithuanian Independence Day celebrations (11th March) in 2018 and 2019. After the removal of a plaque commemorating a Nazi collaborator, the Jewish community received threats and the Vilnius Synagogue was closed for a few days in August 2019 due to security concerns.<sup>17</sup>

The Foundation for Political, Economic and Social Research (SETA) reported that despite anti-Muslim rhetoric online, mostly on far-right websites, “Islamophobic cases are quite rare in Lithuania”.<sup>18</sup> In September 2019, the Seimas (Parliamentary) Ombudsman reported that Muslim immigrants staying in a migrant registration centre in Pabradė were not offered an alternative to pork dishes.<sup>19</sup>

In October 2019, a suspected bomb and a spray-painted swastika were discovered in front of a Vilnius residence.<sup>20</sup> Five other incidents of anti-Semitic vandalism were reported around the same period<sup>21</sup> including an incident in November 2019 in which three teenagers were suspected of painting “Heil Hitler” on a sign at the Kaunas synagogue. The same youths were suspected of smashing windows at the Kaunas mosque.<sup>22</sup>

Restrictions on public religious gatherings due to the coronavirus pandemic in 2020 resulted in the suspension of religious services, including during Ramadan, Easter, and Passover. Lithuania’s approach was described as “high” (compared to “very high”, “moderate”, or “low”) because public religious gatherings were suspended but places of worship were open for private prayer.<sup>23</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

It appears that there were no significant new or increased governmental restrictions on religious freedom in Lithuania during the period under review. Despite persistent anti-Semitism, and anti-Muslim comments online, the overall societal situation remains stable for Lithuania’s various religious communities.

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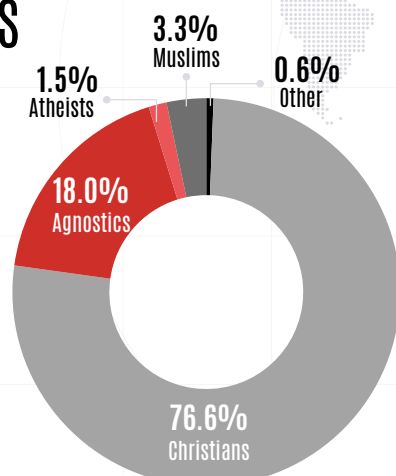
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# LUXEMBOURG

## RELIGIONS



Population  
**603,944**  
GDP per capita  
**94,278 US\$**



Area  
**2,586 Km<sup>2</sup>**  
GINI INDEX\*  
**34.9**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Grand Duchy of Luxembourg guarantees freedom of religion, provided no crimes are committed in its exercise and expression (Article 19).<sup>1</sup> Article 20 of the constitution bans forcing people to take part in any religious practices, while the Penal Code prohibits forcing or preventing someone from practising a religion, attending religious services, or celebrating religious holidays (Article 142).<sup>2</sup> Freedom of assembly is protected, but open-air religious or other meetings are subject to laws and police regulations (Article 25).

While there is no official state religion, a 2015 law formally approved conventions between religious communities and the state.<sup>3</sup> Official recognition was granted to six religious communities: the Catholic Church, the Jewish community, the Protestant Church, the Muslim community, the Anglican Church and the Orthodox Church. The law commits the government to providing religious groups with annual financial support with amounts depending on the number of members.<sup>4</sup>

To sign a convention with the state, a religious community must be from a world-recognised religion, be well-established in Luxembourg, and be supported by a sufficiently large com-

munity.<sup>5</sup> The law abolishes religious education in public primary and secondary schools and replaces it with an ethics course entitled “Life and Society”, but religious communities must be regularly consulted with respect to this course.<sup>6</sup>

The Penal Code prohibits preventing, delaying or interrupting religious ceremonies, showing disrespect to religious objects (Article 144), and insulting or assaulting religious leaders during religious services (Articles 145 and 146).

In May 2018, Article 563 of the Penal Code was amended to prohibit the use of face coverings in certain public spaces, including schools, educational establishments, hospitals, nursing homes, public institutions and public transit.<sup>7</sup>

In April 2019, the Administrative Court annulled a 2016 regulation prohibiting the wearing of a headscarf in a driving licence photo.<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

Hate crime data collected by the police, prosecutors, and the Ministry of Justice are not publicly available.<sup>9</sup>

The Observatory of Islamophobia in Luxembourg (OIL) was created in January 2018 and formally constituted as an association in March 2019.<sup>10</sup> According to a 2018 OIL poll of 340

randomly chosen Muslims, 82% felt that Muslims are socially well integrated in Luxembourg.<sup>11</sup> The poll results indicate a general decrease by 12% in the number of acts perceived as Islamophobic among the participants between 2017 (38.2%) and 2018 (26.2%).<sup>12</sup> The number of incidents reported decreased by 3.8% between 2017 (25%) and 2018 (21.2%).<sup>13</sup>

OIL expressed concern that the authorities did not take preventive actions to protect the Muslim community after the attacks on mosques in Christchurch, New Zealand in March 2019, and Brest, France in June 2019, but steps were taken after the December 2018 attack on a Christmas Market in Strasbourg, France.<sup>14</sup>

According to RIAL, an anti-Semitism research organisation,<sup>15</sup> there were more anti-Semitic incidents reported in the first half of 2019 than in all of 2018.<sup>16</sup> In 2017, the organisation recorded 12 anti-Semitic incidents, 26 in 2018 and 47 last year. In 2019, incidents included Stars of David tagged in front of a store, a hostile sticker stuck on the letterbox of the rabbi of Esch-sur-Alzette, and Holocaust denying remarks on social media.<sup>17</sup> RIAL president Bernard Gottlieb said “Luxembourg

is not anti-Semitic, but like everywhere we must not relax our vigilance.”<sup>18</sup>

Restrictions on public religious gatherings due to the coronavirus pandemic in 2020 resulted in the suspension of religious services. Luxembourg’s approach was described as ‘high’ (compared to ‘very high’, ‘moderate’, or ‘low’) because public religious gatherings were suspended but places of worship were open for private prayer.<sup>19</sup>

Christians have no faith-oriented structure nor research organisation like OIL or RIAL. In September 2019, Pope Francis announced that Archbishop Höllerich, SJ, of Luxembourg would be one of thirteen new cardinals. He is the first cardinal from Luxembourg.<sup>20</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

There were no significant new or increased governmental restrictions on religious freedom during the period under review. The rise in anti-Semitic incidents is of concern, but overall, the situation seems to be stable.

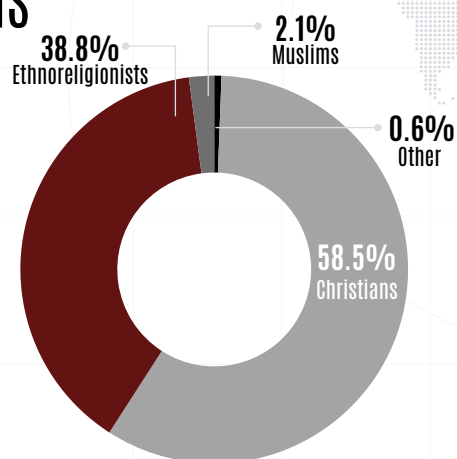
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# MADAGASCAR

## RELIGIONS



Population  
**27,690,798**  
GDP per capita  
**1,416 US\$**



Area  
**587,295 Km²**  
GINI INDEX\*  
**42.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 1 of the 2010 constitution<sup>1</sup> states that Madagascar is a secular state. Under Article 2, the concept of state neutrality towards all religions is presented as the basis of the separation between state and religion. No government official can hold a position of responsibility in a religious body. Freedom of religion is guaranteed by Articles 6 and 10.

Religious groups must register with the Ministry of the Interior. Tax exemption for religious groups can be requested in the case of foreign donations.<sup>2</sup> According to Madagascan law, in order to be legally registered as a religious entity, groups must have at least one hundred members and an elected council with a maximum of nine members, all of them Madagascan citizens. There are about 373 officially registered religious groups.<sup>3</sup>

Religious instruction is not included in the curriculum of public schools.<sup>4</sup>

A change in Madagascar's nationality law in 2017 enabled women to transmit their nationality to their chil-

dren, regardless of their marital status.<sup>5</sup> Since then, 1,360 nationality certificates have been issued.<sup>6</sup> The issue of stateless children disproportionately affected Muslim families.<sup>7</sup>

While being a secular state, politics and religion continue to be mixed.<sup>8</sup> During the 2019 general elections, many candidates used religion to appeal to voters. This was notable with two presidential candidates, Marc Ravalomanana and Davidson Andriamparany. Ravalomanana, who spoke at the closing ceremony marking the 50th anniversary of the Church of Jesus Christ in Madagascar (FJKM),<sup>9</sup> has been accused of politicising the FJKM.

Another presidential candidate, Pastor André Mailhol, unites religion in his political campaign; politics and religion are understood as one and the same.<sup>10</sup>

In March 2019, the government issued a decree making Eid al-Fitr and Eid al-Adha, previously for Muslims only, paid national holidays.<sup>11</sup> Until recently, only Christian holy days such as Christmas or Easter were publicly recognised. The goal of this decision was to ensure an equal treatment of Madagascar's two main religions.<sup>12</sup>

## INCIDENTS AND DEVELOPMENTS

In the last two years, Catholic Church properties have continued to suffer attack. In July 2018, a church was desecrated after somebody broke into it overnight, turning crosses upside down, smashing the figure of Jesus and throwing some liturgical objects to the floor, among other things.<sup>13</sup>

In February 2019, a priest was killed when he was returning home after bringing communion to a sick man. Reports say that his attackers had asked him for money before beating and shooting him.<sup>14</sup>

In September 2019, Pope Francis visited Madagascar during his apostolic journey to southern Africa. In his sermons, the pontiff addressed human rights violations in the region, as well as poverty and corruption.<sup>15</sup> Two hundred Muslims volunteered along with thousands of Catholics to prepare the arrival of the Pope.<sup>16</sup>

During an interview with Aid to the Church in Need in March 2020, the new Cardinal of Madagascar, Archbishop Désiré Tsarahazana of Toamasina, noted that an extremist form of Islam was “settling en masse in Madagascar”.<sup>17</sup> He also stated how “in the north they give money to women to wear the full veil, the burka, in streets, in order to advertise the expansion of Islam in the country.”<sup>18</sup>

Christians raised concerns about a new education plan that would reduce the number of years of basic education in denominational schools from twelve to nine years. They argued that since Catholic schools offer religious instruction after the ninth year, many of them would have to close, especially in rural areas.<sup>19</sup>

Some Muslims and Evangelical Christians complained that they were denied employment due to their religious affiliation.<sup>20</sup> The Muslim Malagasy Association, which claims to represent the country’s Muslim community, stated that having Arabic-sounding names made it harder for some Muslims to obtain identity papers. Furthermore, labour laws were not always respected, forcing some employees to work when they would normally attend religious services.<sup>21</sup>

In 2020, as a result of the coronavirus pandemic, churches closed throughout the country.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Archbishop Désiré Tsarahazana, Pope Francis’s new Malagasy cardinal, has warned that “extremist Islam” is being imported into the country, particularly in the North.<sup>23</sup> He spoke about a plan to build 2,600 mosques in the island nation and pointed to poverty as the reason locals were converting to Islam, attracted by the money they would receive.<sup>24</sup> The impact of this situation on freedom of religion remains to be seen.

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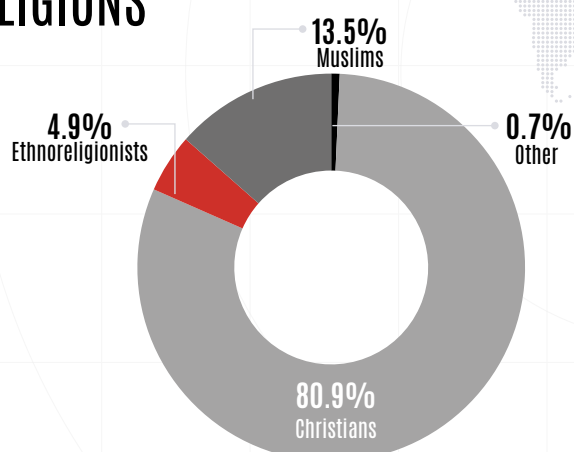
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## MALAWI

## RELIGIONS



Population  
**20,283,691**  
GDP per capita  
**1,095 US\$**



Area  
**118,484 Km<sup>2</sup>**  
GINI INDEX\*  
**44.7**  
\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

The Republic of Malawi is predominantly Christian, though Islam predates Christianity with estimations of Islam's arrival in Malawi with Arab traders occurring between the 15th and 18th centuries.<sup>1</sup> The first Christian missionaries arrived in the late 1800's.<sup>2</sup>

Malawi's constitution enshrines freedom of religion.<sup>3</sup> The country's laws require religious communities to register with the authorities,<sup>4</sup> however, their religious beliefs and activities are not subject to state monitoring.

Religious instruction in primary schools is compulsory.<sup>5</sup> Depending on the faith or confessional affiliation of the pupils, this includes Bible studies or moral and religious education.

According to the constitution, education seeks to overcome religious intolerance (Article 13, f, iv).<sup>6</sup> Religious groups are allowed to run their own private schools and offer religious education reflecting their respective faiths. Private "grant-aided" schools - usually religious establishments - also exist where the government pays

the teaching staff but in turn can select a large portion of the students who attend.<sup>7</sup> Faith groups can also operate radio and television stations. At least 18 radio stations and 10 television stations are affiliated to religious groups; about 80 per cent are Christian affiliated and 20 per cent Muslim.<sup>8</sup> However, material that is "offensive to the religious convictions of any section of the population" is banned.<sup>9</sup>

Muslims continue to request the education ministry, particularly in predominantly Muslim areas, to favour "moral and religious education" over the Bible studies courses offered in "grant-aided" Christian schools.<sup>10</sup>

## INCIDENTS AND DEVELOPMENTS

Relations between Malawi's religious communities are usually good. Nevertheless, in November 2019 there were disagreements between the Anglican Church and some Muslims in the Balaka district that led to violence. It started when two girls were prevented from attending a Christian school as a result of their wearing the hijab in contradiction to the school dress code.<sup>11</sup> A mosque, a primary school and the home of a clergyman were damaged during subsequent clashes.<sup>12</sup>

The UN issued a statement condemning the acts and encouraging Malawians to engage in peaceful dialogue to resolve their differences.<sup>13</sup> The Muslim Association of Malawi (MAM) condemned the violence highlighting the generally amicable relations between Anglicans and Muslims in Malawi.<sup>14</sup>

The Muslim group went to court stressing that freedom of religion includes the right to dress as commanded by their faith; hence, the call on the government to respect this right.<sup>15</sup> For his part, the Anglican Bishop Brighton Malasa “appealed to other churches to stand in solidarity with the Anglican Church,”<sup>16</sup> believing that this was a national matter.<sup>17</sup> The case is now before the courts.

Rastafarians have traditionally suffered discrimination in Malawi with schools requesting Rastafari students to cut off their dreadlocks.<sup>18</sup> According to Malawi’s Education Ministry, such measures were necessary to assure the pupils’ neatness and school cleanliness.<sup>19</sup> Two years ago, a group of Rastafari parents appealed to the Centre for Human Rights, Education, Advice and Assistance because their children were “denied admission into government schools”.<sup>20</sup> In January 2020, a Malawi High Court judge ordered the country’s 7,000 government-run schools to admit “all children of Rastafari religion, who have dreadlocks.”<sup>21</sup>

Malawi held general and presidential elections in May 2019. In February 2020, the High Court overturned the presidential vote over allegations of fraud. The Supreme Court ordered new elections<sup>22</sup>, which were held in June 2020 and were won by opposition leader Lazarus McCarthy Chakwera.<sup>23</sup> The new president was a Pentecostal preacher for 24 years in the Assemblies of God denomination.<sup>24</sup>

The Catholic Bishops’ Conference of Malawi issued a statement<sup>25</sup> calling on the new president (and vice president) to live up to their pledge to fight corruption, respect the rule of law, uphold the constitution, provide quality public services, and promote economic development. Malawi’s Catholic bishops hope that the country’s new leaders will embody the “true meaning of leadership which [means being in] the service of citizens and national unity.”<sup>26</sup>

The election campaign was marred by some violence. In Lilongwe, three people died when a petrol bomb was thrown at the office of a political party.<sup>27</sup> Condemning the act of violence, the Public Affairs Committee (PAC),

a Malawi-based multi-faith association, stressed that “Every human life is sacred,” and called on the authorities to bring the perpetrators to justice.

## PROSPECTS FOR RELIGIOUS FREEDOM

Freedom of religion in Malawi is generally well respected and faith groups, for example in cases of religious dispute between Muslims and Anglicans, seek to work towards dialogue. The government and the courts too have taken steps to protect this freedom reflecting a strong interest keeping peace between Malawi’s faith groups.

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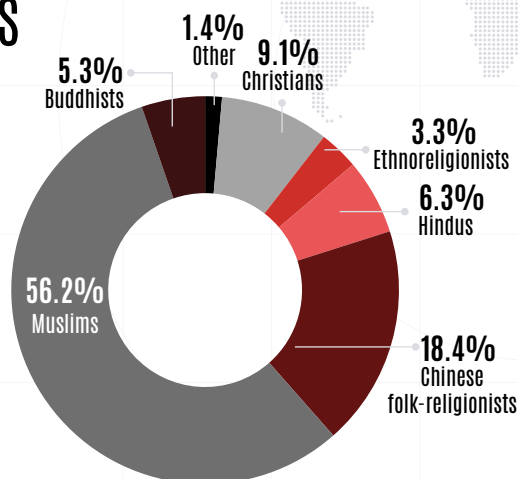
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# MALAYSIA

## RELIGIONS



Population  
**32,869,323**  
GDP per capita  
**26,808 US\$**



Area  
**330,323 Km<sup>2</sup>**  
GINI INDEX\*  
**41**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Malaysia's Constitution protects religious freedom. However, the rights and interests of both majority and minority communities are constrained by the constitutional and legal privileges granted to Sunni Islam as interpreted by the government. Under Article 3 (1) of the Constitution, "Islam is the religion of the Federation [of Malaysia] but other religions can be practised in peace and harmony throughout the Federation."<sup>1</sup> Article 11 stipulates that "everyone has the right to profess and practise his religion", but, at the same time, paragraph 4 of the same article declares that the laws of the states and the federal government "may control or restrict the propagation of any religious doctrine or belief among people professing the religion of Islam." The provisions of the constitution have been interpreted to allow states to prevent Muslims from converting to other religions and restrict any Muslim minority sect considered deviant by Malaysia's religious authorities.

Article 160 of the constitution defines a "Malay" as, among other criteria, "a person who professes the religion of Islam." Ethnic Malays, who represent about 60 percent of

the population,<sup>2</sup> are formally and constitutionally defined as ethnically and religiously distinct from other ethnic groups, who are mainly of Chinese and Indian origin. These ethnic minorities adhere to Buddhism, Hinduism, Christianity, other religions, or no religion.<sup>3</sup>

Non-Malays are free to convert to any religion of their choice, including Islam. By contrast, conversion out of Islam by Malay Muslims is deemed apostasy and is formally forbidden.<sup>4</sup> However, reports suggest that a procedure is technically in place whereby Muslims can convert out of Islam - a lengthy process that requires the formal consent of a Shari'a court in accordance with state Islamic law. This consent, in turn, requires that those wishing to convert spend months in religious "rehabilitation centres" in which they are pressured to remain Muslim.

In a series of judgements, civil courts have ruled that apostasy cases must be directed to Shari'a courts, which again must formally consent to any conversion.<sup>5</sup> However, in recent years, civil courts have also been able to intervene in certain cases where there was a strong presumption that the individuals in question were never Muslims in the first place.

In a landmark case in May 2016, a Hindu woman, Indira Gandhi (no relation to the Indian leader), successful-

ly argued before the country's highest judicial body, the Federal Court, that the attempt by her husband - a former Hindu who converted to Islam - to convert their three children was invalid and they were therefore never Muslims, with the consequence that Shari'a courts lacked any jurisdiction over their religious identity and religious choices. In addition, in 2016, "the High Court of Sarawak permitted Rooney Rebit, a professing Christian, to convert out of Islam. In this particular situation, the court considered the case a constitutional rather than a jurisdictional issue. While acknowledging that the Shari'a courts had jurisdiction over issues of conversion, the court argued that it was apparent that Rooney was never a Muslim in the first place (one does not need to practice Islamic law to know that a person does not practice Islam)."<sup>6</sup>

All Muslims in Malaysia are governed by Islamic law through state Islamic enactments, which place all matters of personal law (i.e. marriage, divorce and inheritance) under the jurisdiction of Islamic or Shari'a courts. A constitutional provision stipulates that civil courts do not exercise any jurisdiction over matters that fall within the jurisdiction of Shari'a courts.

Each Malaysian state has its own Islamic authority that governs Muslim affairs in that state. The state Islamic authorities have, to a large extent, side-lined minority forms of Islam through regulations of religious activity. For example, the National Fatwa Council declared Shi'a Islam deviant in 1996 and banned it outright, this despite the fact that Malaysia is home to hundreds of thousands of underground Shi'as.<sup>7</sup> The federal religious authority, the Department of Islamic Development (JAKIM), along with state fatwa committees, closely monitor and systematically control all forms and interpretations of Islam in Malaysia. State religious authorities play a supervisory role over mosques, influence the content of sermons, and ensure that the teachings they convey are in line with Sunni orthodoxy as interpreted by the state.

Many Shi'a Muslim publications remain banned under the Communications and Multimedia Act of 1998, which "criminalizes online and network communications that are considered obscene, indecent, false, menacing, or offensive in nature with intent to annoy, abuse, threaten or harass another person."<sup>8</sup>

The Printing Presses and Publications Act of 1984 poses problems for non-Muslim groups with respect to the word God. According to the law, the word "Allah" (the Arabic term for God) is exclusive to Islam. Malay Bibles distrib-

uted in Malaysia that use the word "Allah" for God have therefore been banned.<sup>9</sup>

On 23rd June 2014, the Federal Court of Malaysia refused to hear an appeal brought by the Catholic Church challenging the prohibition against the use of the word "Allah" by non-Muslims. For Herald Malaysia, a Malaysian Catholic weekly, banning the use of "Allah" by non-Islamic publications was unconstitutional and a violation of religious freedom.<sup>10</sup> The Appeal Court's ruling was interpreted by the government to apply only to the Catholic publication, even though it set a legal precedent for a comprehensive ban on the usage of the term "Allah" among Christians. The court declared that the use of the word "Allah" is not essential or integral to the Christian faith and went on to rule that any non-Muslim religious speech and practice must now be tested against their potential to offend Muslims.<sup>11</sup> Malaysia has seized more than 20,000 Bibles in recent years for referring to God as "Allah."<sup>12</sup>

In Sarawak, the majority of the population is Christian. However, there is entrenched discrimination against certain Christian religious institutions in that state. Larger, more well-known Churches are recognised under a Missionary Societies Ordinance (MSO), but smaller Churches in particular face significant difficulty in registering and securing government recognition and support. Additionally, smaller Churches have difficulties in applying for grants from UNIFOR (Unit for Other Religions), a state government agency in Sarawak established in 2017.<sup>13</sup> In September 2020, Sarawak Deputy Chief Minister Datuk Amar Douglas Uggah reaffirmed the government's policy that only religious groups registered with the Registrar of Societies (RoS) or the state Missionary Societies Ordinance (MSO) are eligible to receive financial support from UNIFOR.<sup>14</sup>

## INCIDENTS AND DEVELOPMENTS

In November 2018, four Finnish nationals were arrested by police for allegedly distributing Christian pamphlets. The Finns were accused of breaking laws that ban disturbing religious harmony; some 47 pens and 336 Christian booklets were confiscated.<sup>15</sup> Section 298 of the Penal Code of Malaysia states that "whoever, with deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished

with imprisonment for a term which may extend to one year or with fine or with both.”<sup>16</sup> The prosecution initially planned to file a charge sheet under the penal code, but eventually decided to expel the four Finnish nationals.<sup>17</sup>

In September 2019, the Selangor Islamic Religious Department (JAIS) arrested 23 people in Gombak district and investigated them for opposing a fatwa against Shi’ism.<sup>18</sup> Shi’as were again deemed “deviant”. Islamic authorities have often and aggressively raided private events organised by Shi’as.<sup>19</sup>

In that same month, the State of Johor’s Islamic Affairs Department conducted raids on private Shi’a functions, arresting foreign nationals alongside locals. Eight people were reportedly taken into custody, including one Yemeni and two Singaporeans. At a private Ashura function at a Bandar Sunway condominium, authorities arrested several individuals, including Pakistani nationals.<sup>20</sup> These incidents occurred despite a 2010 fatwa by the Selangor Islamic Department (JAIS) exempting foreign nationals from the ban against Shi’ism.<sup>21</sup>

In September 2019, Church leaders in Malaysia reported rising tensions because certain conservative Muslim politicians continue to depict Christianity as a threat to the Muslim majority nation. The Council of Churches of Malaysia denounced unfounded assertions by the Pan-Malaysian Islamic Party and the United Malays National Organization that elements in the government were pursuing a “Christianization agenda.” Other assertions painted Evangelical Christianity in a negative light.<sup>22</sup>

In the State of Sabah, experts reported that Christians are vulnerable to government officials arbitrarily changing their religious identity to Islam, and Christians have “minimal recourse” if this occurs. Lawyers specialising in religious freedom and human rights report instances in which Christians are labelled as Muslims on their ID cards. Experts in Sabah also noted that other restrictions have been added during the period under review, including curbs on Christian proselytising, restrictions on the ability of Churches to welcome seekers and inquirers from all backgrounds, and limits on the ability of Christian students to pray openly in some schools.<sup>23</sup>

In May 2020 Malaysian authorities turned away Rohingya and Ahmadi Muslim refugees under the pretence of preventing new COVID-19 outbreaks. This is in stark contrast to Malaysia’s previous record of providing a relative safe haven for Rohingya Muslims fleeing persecution in Myan-

mar.<sup>24</sup> A shift in public attitudes during the period in review has meant that many Malaysians are now averse to having more Rohingya migrants, as evidenced by an online hate campaign and violent threats against Rohingya refugees in the country. Reportedly, some politicians have also joined the online campaign in order to capitalise on those fears. The online posts consisted of “discriminatory and dehumanising language and images, with some users threatening prominent Rohingya activists as well as their supporters with murder and sexual violence.”<sup>25</sup>

Several refugees have been imprisoned as a result of raids by the Malaysian government and reportedly were subject to poor treatment and harsh conditions while in detention. The UNHCR confirmed that foreign lawyers who helped detainees access legal support had been indiscriminately rounded up by police, though they were later released. Malaysian authorities have also threatened foreigners with revoking their immigration passes if they “make statements damaging to Malaysia.”<sup>26</sup>

The spread of COVID-19 adds to the already difficult conditions experienced by migrants and refugees in Malaysia’s detention centres. The government also announced a ban on foreign nationals entering mosques when they reopen following the lifting of COVID-related interdictions.<sup>27</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Many senior Malaysian leaders, Muslim and non-Muslim alike, are deeply dissatisfied with the country’s oppressive religious and political climate. In December 2014, a group of 25 eminent Malay Muslims, including former senior civil servants, signed an open letter stating that the country was “slowly sliding towards religious extremism and violence.”<sup>28</sup> They expressed deep concern with the rise of Islamic radicalism, which, in their view, has been tolerated and even encouraged by Malaysian political leaders.

In May 2018 the election of the pro-reform Pakatan Harapan government provided a brief political opening and fostered a climate of greater religious and ethnic tolerance and understanding; however, this proved short-lived. With the government’s collapse in February 2020 came a return to hard-line governance under Prime Minister Muhyiddin Yassin and his conservative Perikatan Nasional (PN) coalition. This has diminished the prospects for any serious improvement in the country’s religious freedom for the foreseeable future.

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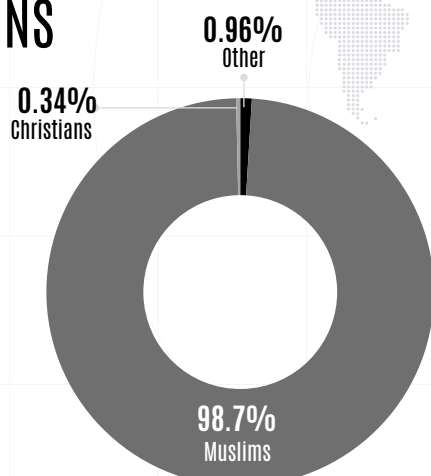
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# MALDIVES

## RELIGIONS



Population

**458,909**



GDP per capita

**15,184 US\$**



Area

**300 Km<sup>2</sup>**



GINI INDEX\*

**31.3**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Maldives is known as an international tourist destination. Yet few of the nearly 1.5 million sightseers who visit the Maldives each year have any contact with the reality of life in a country in which Sunni Islam is the official religion and in which only Sunni Muslims can be citizens. According to Article 2 of the 2008 Constitution,<sup>1</sup> the Maldives is “a sovereign, independent and democratic Republic based on the principles of Islam.” Article 10 (a) of the Constitution stipulates that “the religion of the state of the Maldives is Islam.” Noting that Islam is central to the country’s legal structure, Article 10 (b) adds, “No law contrary to any tenet of Islam shall be enacted in the Maldives.”

Under Article 9 (d), “a non-Muslim may not become a citizen of the Maldives,” which is why the Maldives claims to have a 100 percent Muslim population. Nevertheless, these official statistics ignore the presence of up to 95,000 immigrants, or 25 percent of the total population, mainly from Bangladesh, India, Sri Lanka, and the Philippines,<sup>2</sup> many of whom are non-Muslims.

The Maldivian Constitution contains no protections for religious freedom. However, Article 27 protects the right to

freedom of thought and the freedom to communicate one’s opinions and to express oneself, but “in a manner that is not contrary to any tenet of Islam.” Article 19, dealing with restrictions on freedom, provides that, “A citizen is free to engage in any conduct or activity that is not expressly prohibited by Islamic Shari’a or by law.” Paragraphs (f) and (g) of Article 67 prescribe that it is the responsibility of Maldivian citizens “to promote democratic values and practices in a manner that is not inconsistent with any tenet of Islam” and “to preserve and protect the State religion of Islam, culture, language and heritage of the country.” Pursuant to Article 100 (a, 1), the president and vice-president may be removed from office by a resolution of Parliament (People’s Majlis) in case of “direct violation of a tenet of Islam.” In accordance with article 70 (c), Parliament “shall not pass any law that contravenes any tenet of Islam.” Article 142 requires that judges take account of Shari’a in order to settle issues not covered in the Constitution or the judicial system.

Article 274 (a) of the Constitution defines the “tenet of Islam” as follows: “The Holy Qur’an and those principles of Shari’a whose provenance is not in dispute from among those found in the Sunna of the Noble Prophet, and those principles derived from these two foundations.” The term “Islamic Shari’a” is defined as: “the Holy Qur’an and the



ways preferred by the learned people within the community and followers of the Sunna in relation to criminal, civil, personal and other matters found in the Sunna.”

In addition to the restrictions within the Constitution, the Protection of Religious Unity Act 1994 regulates the practice and preaching of Islam, and limits the practice and expression of religions other than Sunni Islam.<sup>3</sup>

Article 2 requires government authorisation for Islamic sermons, conferences, and publications. In accordance with Article 4, these sermons, conferences or doctrines must not contradict Sunni orthodoxy as interpreted by the government. Article 4 also prohibits preaching by other religions. According to Article 6, “it is forbidden to propagate a faith other than Islam or to make any effort to convert anyone to a religion other than Islam. It is also illegal to display in public symbols or slogans belonging to a religion other than Islam, or to generate interest in them.” According to Article 7, it is also illegal to “carry or exhibit in public books about other religions (apart from Islam), books and texts that promote and propagate other religions, as well as the translation into Dhivehi, [the official Maldivian language] of those books and texts related to other religions.”

Under Article 9, it is unlawful for non-Muslim residents or visitors to publicly express their faith in any way. In addition, according to Article 10, “It is unlawful to possess, distribute or propagate programs, writings, works of art and advertising about religions other than Islam.” The penalty for any violation of these legal provisions, pursuant to Article 12, is between two and five years of imprisonment for Maldivians, and foreigners who transgress or infringe them “must be handed over to the Ministry of Immigration and Emigration for expulsion from the Maldives.”

The law concerning defamation criminalises any speech, remark, writing or action that is considered defamatory towards “all proponents of Islam.” Potential offenders are punishable by fines ranging from 50,000 Maldivian rufiyaas (US\$3,200) to two million rufiyaas (US\$130,000), and sentences of three to six months of imprisonment. Publications, including those online, found guilty of harbouring “defamatory” comments may have their licences revoked.<sup>4</sup>

The Maldives claims that foreigners residing in the country can practise their religion privately, but many Christian expatriates have been either arrested or deported for attending private worship.<sup>5</sup>

All visitors to the Maldives are required to sign an immigration form stating that they do not carry pornographic

material, idols, alcohol, pork, or “material against Islam”.<sup>6</sup> Consequently, the official import of Bibles and Christian literature is forbidden.

With the absolute government prohibition of non-Muslim religious expression in any form (alongside an absolute level of government control of Muslim expression), there is no church or place of Christian worship in the country. The few Maldivian Christians have nowhere to meet and do their best to keep their faith private. Officially, there are no Maldivian Christians, only Christian expatriates.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

The presidential elections of 23rd September 2018 saw the election of opposition leader Ibrahim “Ibu” Solih, a founder of the Maldivian Democratic Party (MDP) along with Mohamed Nasheed, the Maldives’ first democratically elected president.<sup>8</sup> In the parliamentary elections that followed (6th April 2019), the MDP won a landslide victory and Nasheed became the speaker of parliament.<sup>9</sup>

While President Solih’s government has worked to reform key institutions, including the Supreme Court, the criminal justice system, and the security forces, progress towards wider political reform, greater religious freedom, and curbing Islamist extremism has been scant.<sup>10</sup>

Solih also pledged to confront Islamic radicalism and, to this end, appointed a presidential commission to investigate certain recent murders of moderates. Encouragingly, in September 2019, the commission published its conclusion that al-Qaeda-linked networks were responsible for the killings. However, as of mid-2020, the government has yet to prosecute a single suspect.<sup>11</sup>

Indeed, the Maldives has become a notorious recruiting ground for terrorists. A study by The Soufan Group found high levels of Islamic State (IS) recruitment among Maldivians as far back as April 2016.<sup>12</sup> Graffiti on walls in different atolls called on people to join IS. The country’s police commissioner revealed in December 2019 that “almost 500 Maldivians had travelled, or attempted to travel, to Syria or Iraq” during the peak years of the Islamic State’s power and expansion between 2014 and 2018. Per capita, this makes the Maldives one of the world’s principal sources of Islamist foreign terrorist fighters (FTFs).<sup>13</sup>

Evidence abounds that Islamic radicalism continues to grow, especially with the Solih government’s inconsistent response to the problem. In September 2019, the US Government claimed that a Maldivian, Mohamad Ameen, was a “key leader for ISIS in Syria, Afghanistan, and the Mal-

dives,” and that he was active as recently as April 2019 in recruiting jihadis in the Maldivian capital of Malé.<sup>14</sup>

On 4th February 2020, Islamist extremists, alleging in a subsequent on the Telegram channel Al-Mustaqim Media that the Maldivian Government was being run by infidels<sup>15</sup>, stabbed three foreign nationals, two Chinese and one German, on Kaffu Atoll. It is suspected that they were inspired by the Islamic State.<sup>16</sup>

On 12th April 2020, Easter Sunday, the Islamic State claimed responsibility for an attack on several boats anchored off Mahibadhoo Island, some of which (according to the ISIS Al Naba magazine) belonged to the “apostate government” of the Maldives.<sup>17</sup>

Equally problematic for religious freedom and the country’s transition to democracy is the influence of conservative Islamic organisations, including the Adhaalath Party. In late 2019 this party pressured the Solih government to close a reputable democracy and human rights NGO, the Maldivian Democracy Network (MDN). Adhaalath described the MDN’s reporting on the dangers of jihadist extremism as “blasphemy against Islam.”<sup>18</sup> Rather than defend MDN, the Solih government agreed with the conservatives that a 2015 MDN report on Islamic radicalisation contained “content slandering Islam and the Prophet Mohamed (PBUH).”<sup>19</sup> The government officially dissolved the MDN in December 2019.

Among other developments, unchecked Islamic radicalism is putting pressure on women to wear hijabs, leading to social harassment of those women who choose not to. For the Maldives, this is a new trend; as late as a decade ago, very few women wore headscarves in the insular nation.<sup>20</sup>

“creating opportunities for populists and demagogues.” If unchecked, “these factors could easily bring an untimely end to democracy’s latest sojourn in paradise.”<sup>21</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Human rights are not a priority of the current Maldivian government, which is more concerned about fostering relations with India and China, and trying to extricate the country from the Chinese “debt-trap diplomacy” created by the previous administration.

The outlook for religious freedom in the Maldives is exceptionally negative. The country lacks constitutional protections, faces a powerful current of Islamist extremism at the social level, and is ruled by political leaders unwilling to curb jihadism and pursue meaningful political and religious reform.

Worse still, according to one analyst, “[t]he full devastation of COVID-19” and “a prolonged economic downturn” are

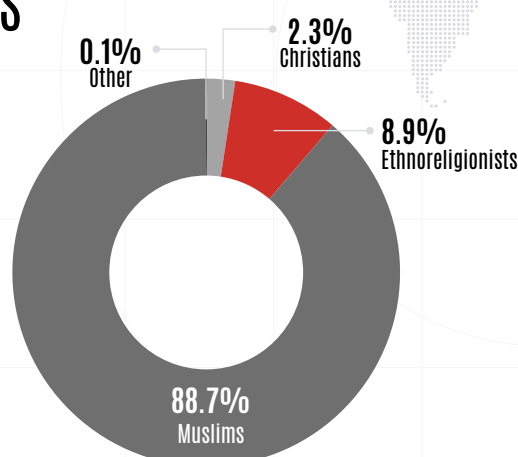
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# MALI

## RELIGIONS



Population  
**20,284,180**  
GDP per capita  
**2,014 US\$**



Area  
**1,240,192 Km<sup>2</sup>**  
GINI INDEX\*  
**33**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Mali declares Mali to be a secular state that guarantees all citizens the same rights, regardless of their religious affiliation.<sup>1</sup> The secular nature of the state is enshrined in the Preamble. Article 2 stipulates that “All Malians are born and live free and equal in their rights and duties. Any discrimination based on social origin, colour, language, race, sex, religion, or political opinion is prohibited.” Mali’s constitution guarantees the right to freedom of worship and the right to profess one’s faith through individual or communal acts of worship. As Article 4 states: “Every person has the right to freedom of thought, conscience, religion, worship, opinion, expression, and creation in respect to the law.”<sup>2</sup>

Mali’s penal code also follows a fundamentally liberal approach. Nevertheless, discrimination based on religion, or acts that impede freedom of religious observance or worship, can be punished with up to five years in prison or a 10-year ban from the country.<sup>3</sup>

Concerning education, Article 18 of the constitution

says that “public education is mandatory, free and non-religious.”<sup>4</sup> Public schools cannot offer religious instruction, but private schools may do so. Privately funded Islamic religious schools (Madrasas) teach Islam but are required to follow the standard government curriculum. Non-Muslim students are not required to attend Islamic religious classes. The same rule applies in Catholic schools.<sup>5</sup>

All religious organisations are required to register with the Ministry of Territorial Administration and Decentralisation. This does not apply to those groups practising indigenous religious beliefs. Registration confers no tax preferences or other legal benefits, and there is no penalty for failure to register.<sup>6</sup>

Mali is predominantly Muslim Sunni. Almost 13% of the population belongs to other religions. Christians constitute just over 2%, two thirds being Catholic and one third Protestant. Mali is also home to traditional African religions (almost 9% of the population); some Muslims and Christians also incorporate African traditions into their ritual observances.<sup>7</sup>

Statutory national holidays include the Christian festivities of Christmas and All Saints’ Day, and the Muslim feasts of Mawlid (Birth of the Prophet) and Eid al-Fitr

(end of Ramadan).<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

The security situation in Mali remained very unstable during the reporting period. The southern part of the country was relatively safe, while the situation in the central region and the north remained tense. There is a strong presence of foreign military troops, including UN forces.

Since early 2013 MINUSMA, the UN peacekeeping and stabilisation mission, has conducted military operations. France, which maintains a strong anti-terror unit in Mali, has also contributed 4,500 soldiers to an important military operation in the Sahel region called Operation Barkhane, an anti-insurgent action that involves cooperation between French forces and the armies of Burkina Faso, Mali, Mauritania, Niger and Chad.<sup>9</sup>

The rising ethnic and inter-communal violence that Mali has experienced in the past few years takes place largely in the region of Mopti, central Mali. The conflicts are mainly related to the ownership of land and resources though a certain religious element has also been recognised. The dispute mainly pits Muslim Fulani against the mostly ethno-religionist Dogon people, a group that also includes some Christians. For this reason, the Fulani have sometimes been accused of “operating alongside groups of Muslim extremists in central Mali.”<sup>10</sup>

Even though a long-standing simmering conflict, violent clashes have escalated recently becoming more numerous and deadly with a more clearly defined religious component. In a video released in November 2018, three leaders of the Group to Support Islam and Muslims (a coalition of jihadist groups created in 2017 and affiliated with al-Qaeda) called on the Fulani people dispersed across the Sahel and West Africa to “pursue jihad”.<sup>11</sup> However, the nature and depth of the links between the Fulani people and jihadi armed groups operating in Africa are unclear.

The situation in Mali attracted global media attention due to a massacre in a Fulani village. On 23 March 2019, the village was attacked by “armed men wearing traditional Dogon hunters’ clothing.”<sup>12</sup> The incident resulted in more than 130 Fulani assassinated, including children. According to the NGO International Christian

Concern, the attack was perpetrated by an anti-jihadist militia called Dan Na Ambassagou, composed of ethnic Dogon people. The attack was allegedly perpetrated as a reprisal against Fulani “harbouring Islamic extremists”.<sup>13</sup> Dogon militias have increasingly targeted Muslims, blaming them of having ties with jihadist organisations.

The massacre shocked Malian public opinion forcing the Malian government to resign (April 2019) for failing to disarm the militias.<sup>14</sup> A new government was appointed soon afterwards.

More attacks took place in 2019. On 9 June, 35 ethnic Dogon were assassinated by armed men in a predominantly Christian village. The attackers were reportedly Fulani “jihadists”.<sup>15</sup> On 2 July, one month later, 23 people were assassinated in a Fulani village in central Mali. The local mayor blamed the attack on Dogon hunters. Two other Fulani communities were targeted that same day.<sup>16</sup>

In addition to inter-ethnic violence, the government of Mali is confronting a significant and growing presence of armed jihadi groups, which are increasingly active in the northern and central parts of the country. Their main targets are the security forces, but they have also targeted religious personnel.

In February 2017, the armed group Nusrat al-Islam kidnapped a Colombian nun, Sister Gloria Argoti. At first, she was presumed dead, but in January 2019, the terrorist organisation released a video showing that she was alive.<sup>17</sup>

The nun’s abduction together with several attacks on military posts show the increasingly brazen nature of the international Islamist terror groups in Mali. One of the deadliest attacks occurred on 2 November 2019, when 53 Malian soldiers were killed in an attack claimed by the Islamic State.<sup>18</sup> The UN peacekeeping forces in Mali have also come under fire, with several casualties.<sup>19</sup> The government appears overwhelmed by the rapid spread of militias throughout the central and northern parts of the country.

Mali continued to be affected by a high level of political instability in mid-2020. In August 2020, the Malian President, Ibrahim Boubacar Keita, announced his resignation hours after he and his Prime Minister, Boubou Cissé, were arrested by mutinying soldiers. This followed months of mass protests calling for Keita to



resign three years before the end of his second term as president.<sup>20</sup> At least 11 people were killed and more than 100 injured in clashes between Malian security forces and demonstrators.

During the protests, religious leaders appealed for peace. Cardinal Jean Zerbo, Archbishop of Bamako, Islamic High Council President Cherif Ousmane Madani Haidara, and Rev Nouh Ag InfaYattara, president of the Association of Evangelical Protestant Church Groups and Mission in Mali (AGEMPEM), called for peace and political dialogue.<sup>21</sup>

As a consequence of the measures taken to counter the coronavirus pandemic, Mali's Catholic Church suspended Mass services. Mosques, however, remained open.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The prospects for religious freedom are troubling. Mali's security situation and political stability have deteriorated in recent years. Although ethnic tensions are not new, the cycle of reprisals and sheer brutality on military and civilians alike, fuelled by the presence of jihadist groups, has reached unprecedented levels. This situation profoundly impacts freedom of religious as, even though religion appears not to be the main driver of violence, religious affiliation increases the susceptibility to persecution. Even with the efforts of Operation Barkhane, a transitional government led by an interim president will continue to struggle to contain the explosive combination of poverty, ethnic conflicts, and radical Islam.

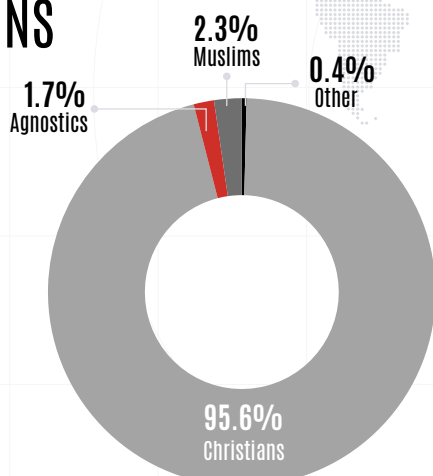
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# MALTA

## RELIGIONS



Population

**434,363**

GDP per capita

**36,513 US\$**

Area

**315 Km<sup>2</sup>**

GINI INDEX\*

**29.2**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 2(1) of the Constitution of Malta states, “the religion of Malta is the Roman Catholic Apostolic Religion”.<sup>1</sup> This does not mean or imply that Catholicism is the state religion. The Roman Catholic religion is referenced based on the reality that the majority of the citizens of Malta are baptized Catholics. The Constitution, in Article 40(1), enshrines freedom of religion: “All persons in Malta shall have full freedom of conscience and enjoy the free exercise of their respective mode of religious worship”.<sup>2</sup>

Furthermore, the Constitution also affirms that the State is bound to provide the teaching of the Catholic religion in state schools. This is reiterated in the Agreement between the Holy See and the State of Malta, signed on 16<sup>th</sup> November 1989, and the Modes of Regulation on Catholic Religious Instruction and Education in State Schools.<sup>3</sup> A further agreement between the Holy See and the State of Malta, signed on 28<sup>th</sup> November 1991, guarantees the existence and the functioning of Church schools.<sup>4</sup>

According to the Directory for the Application of Principles and Norms on Ecumenism (1993) the majority Ro-

man Catholic Church seeks to assist other Churches and Christian Traditions in all possible ways when it comes to providing them with suitable places where they can worship God. “Catholic churches are consecrated or blessed buildings which have an important theological and liturgical significance for the Catholic community. They are therefore generally reserved for Catholic worship. However, if priests, ministers or communities not in full communion with the Catholic Church do not have a place or the liturgical objects necessary for celebrating worthily their religious ceremonies, the diocesan bishop may allow them the use of a church or a Catholic building and also lend them what may be necessary for their services. Under similar circumstances, permission may be given to them for interment or for the celebration of services at Catholic cemeteries”.<sup>5</sup>

## INCIDENTS

Generally, the relations between Churches are good with ecumenical efforts, particularly in the sharing of church buildings, a feature. Examples include: the Serbian Orthodox community making a temporary agreement with the Ministry for Culture to use the Catholic Church of Our Lady of Pilar in Valletta; the Romanian Orthodox parish of

the Nativity of St John the Baptist making regular use of the Catholic church of St Roque in Valletta; various Coptic Orthodox communities (Egyptian, Ethiopian and Eritrean) using Catholic churches or chapels in Zebbug and in Valletta and; plans (December 2020) for the Catholic Church of St Nicholas in Valletta to be used by the Ecumenical Patriarchate of Constantinople to serve the spiritual needs of the Greek Orthodox community. Several Evangelical and Pentecostal groups have also flourished in Malta of which some have been offered space to assemble and worship in Catholic parishes (within the parochial premises). Most of the faithful are migrants from Nigeria and Pakistan.

A 2017 application by the Russian Orthodox Church of St. Paul the Apostle to build a new church in Kappara was again delayed in 2018 by the Planning Authority postponing the decision for another six months for further study. The application is opposed by nearby residents and the Nature Trust Malta of the Wied Ghollieqa nature reserve.<sup>6</sup>

Inter-religious relations are also good. On 7th February, 2019, during the UN's World Interfaith Harmony Week, under the patronage of President Marie-Louise Coleiro Preca, Jewish, Christian, Muslim, and other faith groups signed the first declaration of friendship and solidarity.<sup>7</sup> Later, on 8th May, 2019, incoming President George Vella hosted the first interfaith roundtable at the San Anton Palace. The President highlighted, "that continuous interfaith dialogue based on mutual understanding and respect is a key for a harmonious coexistence".<sup>8</sup>

In 2018, Archbishop Charles Jude Scicluna, the Roman Catholic Archbishop of Malta, drew social media ire following his retweet of an opinion piece "comparing Malta's political patronage to the Sicilian Mafia".<sup>9</sup> In a subsequent explanation posted on the Facebook page of the Malta Archdiocese the Archbishop distinguished between his own tweets and opinions he retweets, and stated that those articles retweeted, he hoped, "could lead to a mature discussion, away from partisan politics, which seek the best interests of society".<sup>10</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The prospects for religious freedom in Malta are good. Religious freedom is enshrined in the Constitution, all faith groups are free to practise their religion, and the presidency has shown concrete efforts to further tolerance and inter-faith dialogue. Evident too are ecumenical efforts by the Catholic Church particularly in the sharing of Church buildings for those without.

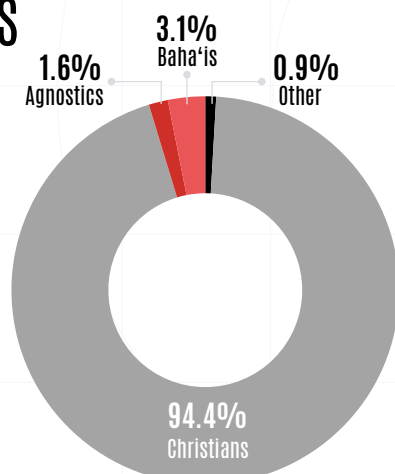
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# MARSHALL ISLANDS

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Marshall Islands are “two archipelagic island chains of 29 atolls, each made up of many small islets, and five single islands”.<sup>1</sup> They lie halfway between Hawaii and Australia.

The country’s Constitution<sup>2</sup> grants every person the right to “free exercise of religion” (Article II, 1, 1). “[R]easonable restrictions” on this right may be imposed by law, if they are “necessary to preserve public peace, order, health, or security or the rights or freedoms of others” (Article II, 2, 2a).

Pursuant to Article II (2, 2c), any such restrictions must achieve these aims by the least restrictive means possible and must not “penalise conduct on the basis of disagreement with the ideas or beliefs expressed.”<sup>3</sup>

Religious groups are not required to register with the government.<sup>4</sup> Under the Constitution, no executive or judicial act shall, either expressly or by practical application, discriminate on the basis of religion (Article II, 12, 2).

The Constitution also allows the government to fund “re-

ligiously supported institutions” (Article II, 1, 3) that offer educational, medical or other social services on the condition that it does not discriminate between groups when it provides this funding.

Islanders are predominantly Christian and Christianity has been the main cultural influence since Western missionaries first visited the islands in the nineteenth century. Although there is no official state religion, governmental functions and other formal, public meetings often start and end with a Christian prayer.

Major religious groups include the United Church of Christ, the Assemblies of God, and the Roman Catholic Church. Minority religions include Baha’is, Iglesia ni Cristo, Jews, Hindus, Ahmadi Muslims, Baptists; these and other minorities collectively constitute less than 5 percent of the population.<sup>5</sup>

In 2012, the Ahmadiyya Muslim community opened its first mosque in the capital, Majuro. It remains the only mosque in the Marshall Islands.<sup>6</sup>

The country is a party to the International Covenant on Civil and Political Rights.<sup>7</sup>



## INCIDENTS AND DEVELOPMENTS

Although some reports of social intolerance (related mainly to international media reports linking Islam to violence) were reported by the Ahmadiyya Muslim community<sup>8</sup> in the period under review, the Ahmadis of the Marshall Islands are generally respected and free to practise their religion. James Matayoshi, the mayor of Rongelap Atoll, stated that “Christians here have been a little biased towards them (Ahmadiyya Muslims)” while Sajid Iqbal, the Majuro mosque’s prayer leader said, “Ahmadis of the Mar-

shall Islands are aware of their privilege to practice their religion freely”.<sup>9</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The prospects for religious freedom are positive and there is nothing to suggest that the situation of religious freedom in the Marshall Islands will change in the near future.

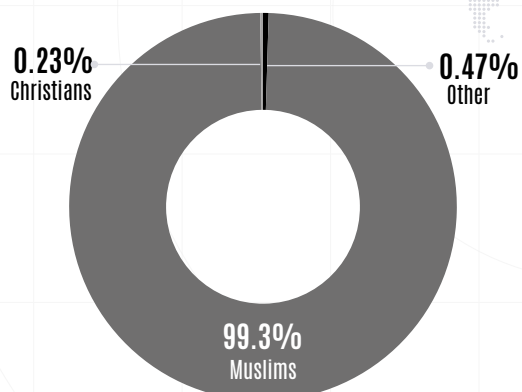
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# MAURITANIA

## RELIGIONS



Population  
**4,783,767**  
GDP per capita  
**3,598 US\$**



Area  
**1,030,700 Km<sup>2</sup>**  
GINI INDEX\*  
**32.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Islamic Republic of Mauritania lying on Africa's west coast is mostly desert, sparsely populated, and one of the poorest countries in the world. The nation has been an Islamic Republic since it gained independence in 1960. Article 5 of the constitution<sup>1</sup> recognises Islam as the official religion of the state and its citizens.<sup>2</sup>

Mauritania is the only Islamic state in Africa after The Gambia became again a secular republic.<sup>3</sup> This fact, and that its population is almost entirely Muslim, has a profound impact on everyday life in the country.

A report by the United Nations High Commissioner for Human Rights found that freedom of conscience and religion are not formally guaranteed in Mauritania, not even for Muslims;<sup>4</sup> in fact, neither freedom is mentioned in the constitution. Non-discrimination on the basis of religion is not mentioned either. Changing religion is treated as apostasy, which carries the death penalty.<sup>5</sup> Article 23 holds that the country's president must be a Muslim.

The Ministry of Islamic Affairs and Traditional Education (MIATE) is responsible for "enacting and disseminating fatwas, fighting extremism, promoting research in Islamic studies, organizing the Hajj and Umrah pilgrimages, and monitoring mosques."<sup>6</sup> The government selects six imams who serve on the High Council of Islam, advising the government on Islamic precepts and compliance of legislation to these.<sup>7</sup>

Mauritania's Penal Code was amended in 2018 and the death penalty was made mandatory in cases of blasphemy, without exceptions.<sup>8</sup> (Before the amendment, Article 306 of the Penal Code only implemented the death penalty if the accused refused to show remorse or apologise; now that is no longer possible.)<sup>9</sup> The law also includes imprisonment up to two years and a financial penalty up to 600,000 Ouguiyas (US\$15,940) for "offending public indecency and Islamic values" and for "breaching Allah's prohibitions" or assisting in their breach.<sup>10</sup>

The changes were made in response to the case of Mohamed Cheikh Ould Mkhaïtir, a Mauritanian blogger who in 2014 wrote an article critical of Islam. He was initially sentenced to death, but on 9<sup>th</sup> November 2017, an appeals court in Nouadhibou reduced the sentence

to two years' imprisonment and a fine.<sup>11</sup> Devout Muslims in many cities of Mauritania took to the streets to protest the court's decision and demanded that the death sentence be imposed.<sup>12</sup> The last time the death penalty was carried out in the country was in 1987.<sup>13</sup>

Concerning education, both public and private schools are required to provide Islamic instruction for four hours a week. International schools are an exception, as they are not required to teach the Islamic religion.<sup>14</sup>

Officially, the traditionally nomadic population of Mauritania is almost 100 per cent Muslim, almost exclusively Sunni, and mostly organised in Sufi brotherhoods<sup>15</sup> such as the Qadiriya, the Tijāniyyah and the Hamawiya.

The Christian population in Mauritania is estimated anywhere between 4500<sup>16</sup> and 10,000.<sup>17</sup> The exact number of ethnic Mauritanian Christians is unclear as in tribal culture, "leaving Islam is not only seen as religious betrayal, but also as a betrayal of the tribe and family."<sup>18</sup> Consequently, the few non-Muslims in Mauritania have no real opportunity to live out their faith, at least not publicly. Shari'a (Islamic law) is applied to civil matters, particularly in family issues. Some offences and certain violations of Shari'a, are severely punished with flogging, stoning, and amputation.<sup>19</sup>

## INCIDENTS AND DEVELOPMENTS

Mauritania has continued to restrict religious freedom during the reporting period. The authorities continued to reject calls from the international community to decriminalise apostasy and blasphemy, which are punishable by death.

This is exemplified by the aforementioned blasphemy case of Mohamed Ould Cheikh Mkhaitir, the blogger who was to be freed after his original death sentence was overturned in July 2019.<sup>20</sup> Although he had already served his two-year jail sentence, he remained in prison for "his own safety", according to authorities. After repeated international calls for his release, he was eventually freed and went into exile in Europe. He now lives in France.<sup>21</sup>

Presidential elections took place on 22nd June 2019. Incumbent President Mohamed Ould Abdel Aziz could not run because of term limitations; his ruling party's candidate, however, Mohamed Ould Ghazouani, won but the result was contested by several opposition can-

didates.<sup>22</sup> Ghazouani is considered a firm ally of the former president and is likely to continue his policies.

In connection with the vote, Amnesty International published a Human Rights Manifesto on 3rd June 2019 for presidential candidates to sign.<sup>23</sup> The Manifesto called on the candidates to support freedom of expression and assembly, abolish slavery, end impunity for "perpetrators of abuses, torture, illegal detention, extrajudicial killings and mass expulsions", and more. Three out of six candidates signed it; Ghazouani refused. The latter's election campaign "also neglected to commit to improving the disastrous human rights situation in the country", Amnesty said.<sup>24</sup>

Since 26th February 2020, eight defendants (five held in pretrial detention) stand accused of blasphemy and contempt of religion under article 306 of the Penal Code.<sup>25</sup> A conviction of the charges, which include "mocking God, his messenger and the Holy Book," and "creating, recording and publishing messages using an information system that affects the values of Islam", could result in the death penalty. These stem from their attendance at a meeting of the Alliance for the Refoundation of the Mauritanian State, which calls for "reforming Mauritania's public administration and health systems and rejects the country's caste system."<sup>26</sup>

On 3rd June 2020, authorities arrested journalist and member of the Advertising Regulatory Authority Eby Ould Zeidane, regarding his Facebook post suggesting the traditional month of Ramadan should be "observed on fixed dates according to the Gregorian calendar, contrary to Muslim tradition."<sup>27</sup> On 8th June he was charged with blasphemy under article 306 of the penal code - which carries the death sentence - and under article 21 of the Cybercrime Law for "publishing leaflets that undermine the values of Islam."<sup>28</sup> "Zeidane was released on June 8, and on July 2 publicly repented his remarks after meetings with religious scholars and the Minister of Islamic Affairs."<sup>29</sup>

Concerning jihadism and other forms of religiously motivated armed violence, the country has "proven remarkably resilient against it",<sup>30</sup> despite the dire situation in some of Mauritania's neighbours (jihadi groups have a strong presence in Mali for example) and the calls by al-Qaeda in the Islamic Maghreb (AQIM) to its followers to commit terrorist attacks across the Sahel (including Mauritania). Since one of the main priorities of the new president is maintaining security, no major

changes should be expected when it comes to armed jihadi groups.

Due to the coronavirus pandemic, places of worship were closed to avoid the spread of the virus. They reopened on 8th May 2020.<sup>31</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In light of the country's current situation, the new government is not likely to decriminalise apostasy and blasphemy, nor improve respect for human rights, including religious freedom. Prospects for the future of freedom of religion are therefore negative.

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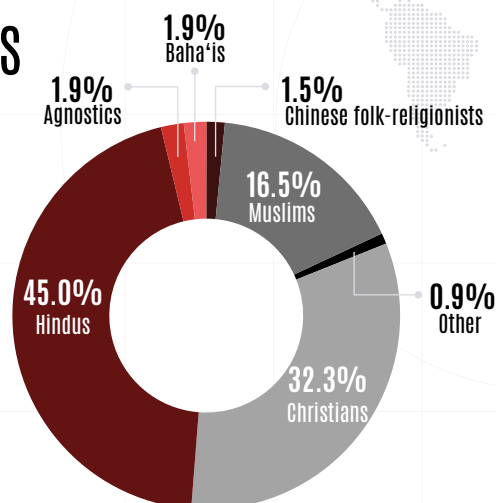
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# MAURITIUS

## RELIGIONS



Population  
**1,274,114**  
GDP per capita  
**20,293 US\$**



Area  
**1,969 Km<sup>2</sup>**  
GINI INDEX\*  
**36.8**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Mauritius recognises in Chapter II, Article 3 (b), “freedom of conscience, of expression, of assembly and association and freedom to establish schools”.<sup>1</sup> Article 11 (Section 1) upholds freedom of conscience, thought and religion, including the freedom to promote one’s religious beliefs, or change them.

Article 3 bans discrimination on the grounds of creed. Under Article 11 (Section 4), no one can be forced to take an oath that is “contrary to his religion or belief.”

Article 11 (Section 2) requires the consent of students, or parents/legal guardians in the case of minors, to receive religious instruction. Article 14 (Section 1) allows religious groups to establish and maintain schools that give religious instruction.<sup>2</sup>

Six religious denominations – Hindus, Roman Catholics, Muslims, Anglicans, Presbyterians, and Seventh-day Adventists – are subsidised by the government based on how many members they have. Other groups receive no subsidies and must register with the authorities in order

to obtain tax exemptions.<sup>3</sup> New religious groups can be founded and registered. Residence permits for missionaries are limited to three years non-renewable.<sup>4</sup>

## INCIDENTS AND DEVELOPMENTS

Mauritius is an ethnically diversified country, built on a legacy of successive colonial rulers (Dutch, French and British) who brought in slaves (from continental Africa) and indentured labour (from India). Today, ethnicity and religion continue to play major roles in society and in the economy.<sup>5</sup> Hindus are the largest and dominant group, followed by Christians and Muslims.

Interethnic relations remain tense in the island nation, mainly because of underrepresentation of certain groups in government institutions.<sup>6</sup> Although no reliable statistics exist concerning the ethnic composition in the public service, non-Hindus, mainly Muslims and Christians, complain that Hindus dominate the government apparatus, giving them an unfair advantage in government employment and preventing non-Hindus from reaching higher-level positions.<sup>7</sup>

Unlike in previous years, Hindus and Muslims have reportedly not clashed during the period under review. Some violent incidents initially thought to be related to religion

turned out to be cases of domestic violence and personal issues, according to the police.<sup>8</sup>

Meanwhile, the Council of Religions,<sup>9</sup> a multi-religious and multi-ethnic umbrella organisation that represents 18 religious groups, has hosted interfaith events and celebrations to promote mutual understanding and collaboration among religious communities.<sup>10</sup>

A religious event of note took place in 2019 with the visit of Pope Francis to the island nation. Approximately 100,000 people - roughly 10% of the entire population of Mauritius

- attended the final Mass in Port Louis.<sup>11</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the present context of respect for religious freedom and political stability, no relevant changes can be expected for the foreseeable future. The Pope's visit<sup>12</sup> in 2019 opened a new space for dialogue and interreligious exchange.<sup>13</sup>

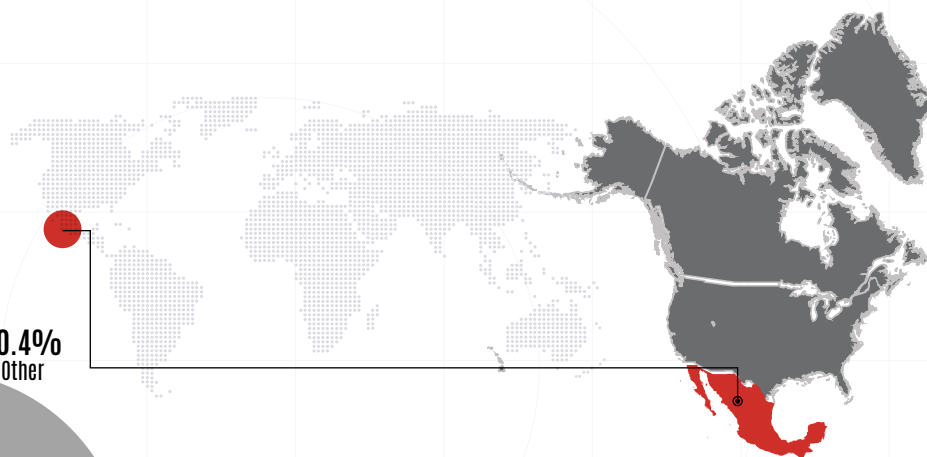
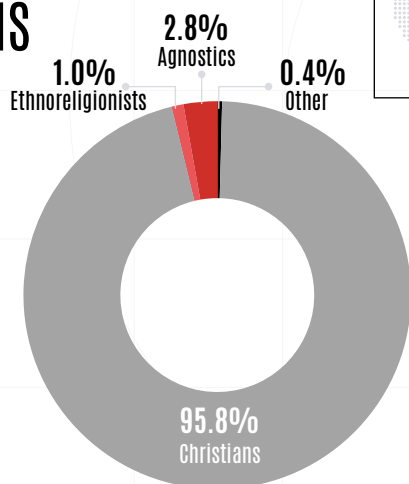
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# MEXICO

## RELIGIONS



Population  
**133,870,027**  
GDP per capita  
**17,336 US\$**



Area  
**1,964,375 Km<sup>2</sup>**  
GINI INDEX\*  
**45.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 1 of the Mexican Constitution<sup>1</sup> states that all government authorities have an obligation to promote, respect, protect and guarantee human rights. The same article bans discrimination on grounds of ethnic or national origin, gender, age, disabilities, social condition, health, religion, opinions, sexual preferences, marital status or any other factor that might infringe upon human dignity.

According to Article 3 (I) of the Constitution, state education must be secular and should exclude any references to religious doctrines.

Article 24 of the Constitution contains elements of Article 18 of the Universal Declaration of Human Rights. It states: "Every person has the right to have freedom of ethical convictions, of conscience and of religion, and to have or to adopt, as the case may be, the one of preference. Such freedom includes the right to participate, individually or collectively, in both public and private ceremonies, worship or religious acts of the respective cult, as long as they are not a felony or a misdemeanour punished by law." In addition, "No person is allowed to use these public acts of

religious expression for political ends, for campaigning or as means of political propaganda."

Article 27 (II) refers to the capacity of religious associations constituted in accordance with Article 130 of the Constitution, as well as the Law of Religious Associations and Public Worship<sup>2</sup> (the statute that regulates Article 24 of the Constitution), to acquire, possess or administer assets.

Articles 55 (VI) and 58 of the Constitution preclude members of the clergy from becoming federal deputies or senators. Article 82 (IV) prohibits the president of Mexico from being a minister of religion.

Article 130, which sets out the historic principle of separation of Church and state, stipulates that Churches and religious groups cannot obtain legal recognition as religious organisations unless they register with the relevant authorities. The latter, however, cannot interfere in the internal affairs of religious associations. Mexican citizens are free to become ordained members of any religious group, but by so doing they become unable to hold public office. This ban is reiterated by the Law of Religious Associations and Public Worship, whereby members of the clergy may not be elected to public office "even though they have a right to vote like any citizen."<sup>3</sup>

Under Article 29 (X) of the aforementioned law, members of the clergy can neither associate for political purposes nor come out for or against any candidate, party or political association, “nor can they oppose national laws or institutions in public meetings.”<sup>4</sup> Likewise, Article 15 of the law stipulates that members of the clergy cannot inherit from people whom “they have helped spiritually and to whom they are not related to the fourth degree.”<sup>5</sup>

Religious associations and members of the clergy are also not allowed to own or administer telecommunications concessions, except for printed publications of a religious nature.

The same law contains 32 articles that refer to the nature, constitution and operation of religious associations; their associates, members and representatives of the clergy; their patrimonial regime; their religious acts of public worship; the role of the authorities; as well as offences and penalties. The law stipulates that religious beliefs are not grounds for any exemption from complying with the country’s laws. The state shall exercise its authority over any individual or collective religious activities, if they are inconsistent with the provisions of the Constitution, international treaties ratified by Mexico, and other applicable legislation.

Churches and other religious groups must meet a set of requirements to obtain legal recognition.<sup>6</sup> Religious associations have the right to set up and run the administrative structures governing their activities, perform acts of public worship, and manage private welfare institutions, educational establishments, and health institutions as long as they are non-profit.

In order to engage in public acts of religious worship outside places designated for that purpose, organisers must give at least 15 days prior notice to the authorities.

Under Article 25 of the aforementioned law, worship can be prohibited for “reasons of public security, health protection, morality, quiet and order and to protect the rights of third parties.”<sup>7</sup>

According to the same article, federal, state and municipal officials cannot “take part [in any] religious act” or “activity with similar motives or purpose,” except in case of diplomatic practices.<sup>8</sup>

Under the federal Law to Prevent and Eliminate Discrimination,<sup>9</sup> it is discriminatory to place limits on the free expression of ideas or to hinder freedom of thought, conscience or religion, religious practices or customs, provided that these do not violate public order.

Article 10 (bis) of the General Health Law<sup>10</sup> recognises the right to conscientious objection of the medical and nursing staff employed by the national health system. This means that health workers can refuse to provide certain services, otherwise required by the law, if those services are contrary to their convictions, except in the case of a medical emergency or where the life of the patient is at risk. This section also notes that conscientious objection cannot be grounds for employment discrimination.<sup>11</sup> This provision can only be applied to medical and nursing staff. Other general restrictions on conscientious objection remain in place.

## INCIDENTS AND DEVELOPMENTS

During the period under review, the NGO Centro Católico Multimedial reported<sup>12</sup> the murder of three priests<sup>13</sup> and the kidnapping of two others; furthermore, several churches were attacked, the objects of multiple robberies and acts of desecration.

In August 2018, the body of Fr. Miguel Flores Hernández - who had disappeared a few days before - was found shot to death. In October 2018, Fr. Ícmar Orta was also found inside a vehicle with gunshot wounds. In the same month, Fr. Juan Carlos Alatríste Flores and Fr. Enrique Madrid Hernández were kidnapped.<sup>14</sup> Still in August 2018, shots were fired at the house of Cardinal Emeritus Norberto Rivera killing a security guard.<sup>15</sup>

In May 2019, two young men were murdered in the parking lot of Nuestra Señora de Guadalupe church, in Córdoba, Veracruz State. In a statement, the Church said that “violence in Veracruz shows no limits, no hours, no places nor any respect for the sacred.”<sup>16</sup> That same month, unknown persons threw a grenade in the courtyard of the Sagrado Corazón de Jesús church in Zacatecas, seriously wounding four children.<sup>17</sup>

In July 2019, Fr. Juvenal Candía Mosso was shot while travelling for a prison ministry meeting in the city of Cuernavaca.<sup>18</sup> The priest and driver were taken to hospital where the driver succumbed to his wounds.

On August 3, Fr. Aarón Méndez Ruiz, director of the Casa del Migrante AMAR migrant shelter in Nuevo Laredo, was kidnapped after blocking an attempt by an organized criminal group to kidnap Cuban migrants from the shelter.<sup>19</sup>

On 23rd August 2019, Fr. José Guzmán Vega was repeatedly stabbed and killed with a knife.<sup>20</sup>

Fr. Omar Sotelo, a Pauline priest running the Catholic website CCM, noted: “So far this year there have been several incidents against priests and religious,” for example, “the case of a priest injured by a firearm in Cuernavaca Morelos and death threats to priests in various areas of Veracruz.”<sup>21</sup>

In November 2019, three Mormon women and six children were killed in an ambush in Sonora, near the border with the United States.<sup>22</sup> Men armed with assault rifles fired at a group of families driving through the region. Apparently, the cause was a turf dispute between drug cartels; the cartels have been trying to intimidate residents and force them to leave their properties so that they can take them over. The fact that the victims had dual citizenship (Mexican and US) and were members of a religious minority attracted media attention in both countries. Investigating the crime and capturing those responsible, however, has been made more difficult by Mexico’s new federal security policy of “hugs, not bullets”, which calls for restraint from direct confrontation with organised crime groups.

In March 2020, suspected hitmen murdered three Jehovah’s Witnesses during a religious celebration in Michoacán.<sup>23</sup>

In March 2020, rallies held on International Women’s Day resulted in damage to public and private property. Catholic churches were violently attacked in several states across the country.<sup>24</sup> Violence was typically throwing paint on the churches, but some incidents included the use of incendiary devices, for example Molotov cocktails.<sup>25</sup> Approximately 80 faithful, caught inside the cathedral of Hermosillo when demonstrators began attacking, had to be evacuated by the national guard.<sup>26</sup>

In April 2020, the Catholic Church reported that in the State of Chiapas a priest received threatening phone calls against himself, his family and his congregation from the Jalisco New Generation Cartel. Alleged members of the cartel demanded that the Church recognise that they owned the area in exchange for keeping the peace.<sup>27</sup>

Considering relations between religious associations and the federal government, in July 2019 the Catholic Church decided not to distribute the Moral Primer (Cartilla Moral), a document for national reflection on principles and values promoted by the government, arguing the “promotion of ethics must be recognized and encouraged as the main task of parents.”<sup>28</sup> The Fellowship of Evangelical Christian Churches, on the other hand, joined the program.<sup>29</sup>

In February 2020, the Catholic Bishops’ Conference of Mexico (Conferencia Episcopal Mexicana, CEM) explained how to answer the question on religion in the 2020 census. This was deemed necessary to avoid a repeat of a dispute that broke out 10 years ago, when the Archdiocese of Mexico argued that the ambiguity of the census questions could lead to an under-registration of believers.<sup>30</sup>

On 1st December 2018, when current President Andrés Manuel López Obrador took office, a public event was held in the Zócalo, Mexico City’s main square, in front of the Metropolitan Cathedral and the National Palace, in which representatives of native groups blessed the president. In this traditional indigenous religious ceremony, the president knelt before the indigenous representatives, who prayed for him to the Virgin of Guadalupe, purified him with copal and basil leaves and gave him a symbolic Staff of Command.<sup>31</sup> This is the first time that a Mexican president has knelt before representatives of the indigenous community.<sup>32</sup>

During both the electoral campaign and in his daily press conferences, the president has made references to religious symbols, the teachings of Pope Francis, even the Gospel, sparking criticism over the political use of religion, the weakening of the state’s secularism,<sup>33</sup> as well as the relationship he has established with his followers, who support him with almost religious fervour.<sup>34</sup>

During the period under review, the Law of Religious Associations and Public Worship has been the subject of debate. In February 2019, the “Inter-American Forum for Interreligious Collaboration and Dialogue on Religious Freedom” was held in the Mexican Senate, where the possibility of modifying the Law or drafting a new one was raised. In December 2019, a plan was presented on media access and conscientious objection,<sup>35</sup> which the Bishops’ Conference endorsed.<sup>36</sup>

In March 2020, the president, who has consistently downplayed the COVID-19 pandemic and its effects, displayed a religious card noting that it was his “protective shield” against the economic consequences of the coronavirus.<sup>37</sup> On Twitter, former President Felipe Calderón expressed his concern about the “manipulation of the sentiments and religious symbols of the Mexican people.”<sup>38</sup>

In July 2020 civil rights organisations denounced the government for promoting actions against life and the family through changes in educational programs that would vio-



late the right of parents to educate their children.<sup>39</sup>

Regarding other issues, the results of a survey carried out in 2017 by the National Council for the Prevention of Discrimination were released in August 2018. They show that one in five of those surveyed felt discriminated against; of these, 24 percent because of their religious beliefs.<sup>40</sup>

With the outbreak of the COVID-19 pandemic in March 2020, the Bishops' Conference called for halting religious services to help prevent the spread of the virus.<sup>41</sup> Later, in May 2020, it issued general guidelines for restarting worship during the pandemic.<sup>42</sup> In July 2020, several Catholic churches in Mexico City reopened, while some Evangelical churches decided to stay closed, despite official authorisation allowing reopening.<sup>43</sup>

In September 2020, in preparation for the celebration of Mexico's independence, the Army blocked access to the cathedral without prior notice to the Archdiocese and without taking into account existing agreements in this regard.<sup>44</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In Mexico egregious violence continues against priests, churches and believers. This violence has numerous causes including, among others: organised crime, land disputes, corruption, extortion and revenge.

For organised crime groups, members of the clergy are natural targets of violence because they speak out and report abuses and criminal actions. Priests and nuns try to protect their communities, particularly migrants who are one of the most vulnerable groups exploited by human traffickers and drug cartels.

The evidence suggests then, that although the attacks particularly against priests do not seem to be religiously motivated - thus negating the idea that clergy are victims of religious persecution - priests are kidnapped or murdered because of their pastoral work with its often-implicit defence of human rights. In this way the violence profoundly curtails the effective exercise of freedom of thought, conscience and religion.

During the period under review, a growing number of acts of vandalism, sacrilege, robbery and other forms of attacks against churches have been reported across the country. The various motivations carried out by a variety of actors, for example in some cases by feminist radicals, makes it difficult to analyse and identify general themes. Addition-

ally, although acts of violence were reported in the media, there is no consistent record of police investigations resulting in any legal convictions. Thus, there is an impression of impunity for attacks against religious freedom.

Finally, notwithstanding the possible benefits of having a president who is sensitive to religion, there are concerns to the proper relationship between state and religion - particularly the use of religious language and symbols for political intents. Indeed, political pundits accuse the president of presenting commitment to his government programs in quasi-Gospel like terms, "Whoever is not with him is against him,"<sup>45</sup> fomenting polarisation between political supporters and opponents.

The right to religious freedom in Mexico is precarious. Violence targeting Christians who either denounce, or seek to protect those threatened by criminal gangs or drug cartels, is growing. So too are attacks against church buildings or personnel as a consequence of varied socio-political protests. This, combined with an increased political instrumentalisation of religion indicates that there is no improvement in religious freedom compared to past reports; the prospects for this human right in the future remain negative.

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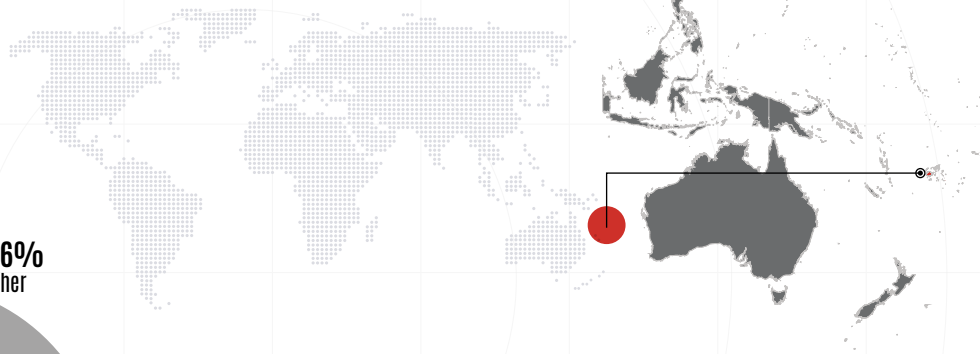
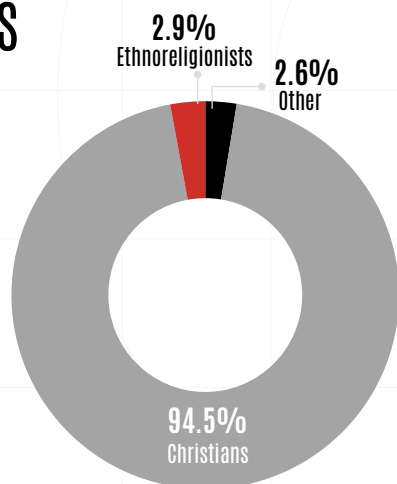
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# MICRONESIA

## RELIGIONS



Population  
**107,774**  
GDP per capita  
**3,299 US\$**



Area  
**702 Km<sup>2</sup>**  
GINI INDEX\*  
**40.1**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Located in the eastern Caroline Islands, the Federated States of Micronesia (FSM) are a widely scattered archipelago in the Pacific Ocean. The easternmost section of the four island groups is about three quarters of the way between Hawaii and Indonesia.

The Declaration of Rights (Article IV) of the FSM's Constitution<sup>1</sup> includes the right to freedom of religion and the free exercise thereof. This provision forbids the establishment of a state religion or any governmental restrictions on religious freedom. Article V (2) of the Constitution also protects the country's traditions by statute, and if the constitutionality of any statute were challenged, the protection of traditions would "be considered a compelling social purpose warranting such governmental action."

Religious groups are not required to register with the state.<sup>2</sup> Public schools do not provide religious education but private schools may teach religion in addition to the government-approved curriculum.<sup>3</sup> The government can provide assistance to parochial schools (Article IV, 2).

In Pohnpei, an interdenominational council deals with social issues and encourages cooperation among Christian communities.

There are no indications that the central government pursues policies or allows practices that violate constitutional safeguards of religious freedom. Official functions and events often begin with a Christian prayer led by a Catholic or a Protestant minister.<sup>4</sup> No significant objections have been made to this practice.

## INCIDENTS AND DEVELOPMENTS

In the period under review, the Ahmadi Muslim community reported isolated cases of discrimination and vandalism, and there were concerns about sporadic acts of intolerance toward non-Christians.<sup>5</sup>

A list was released in January 2019, with the names of four Jesuit priests who had been involved in child sex abuse claims from the 1950s to date. The Provincial Superior, Father John Cecero, released it, "hoping to contribute to healing from the pain and anger caused by clergy sex abuse and the lack of accountability and transparency on the part of church leadership."<sup>6</sup> No additional incidents of significance were reported during the period under review.

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom is constitutionally protected in the FSM, and the government recognises the importance of this right. Except for some minor tensions, the prospect for re-

ligious freedom in FSM is positive with religious groups demonstrating a commitment to peaceful coexistence.

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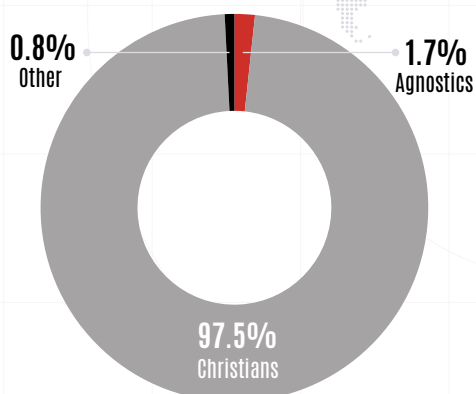
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# MOLDOVA

## RELIGIONS



Population  
**4,017,687**  
GDP per capita  
**5,190 US\$**



Area  
**33,846 Km<sup>2</sup>**  
GINI INDEX\*  
**25.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The right to freedom of religion or belief in Moldova is enshrined in its 1994 constitution.<sup>1</sup> Pursuant to Article 10 (2), “The State shall recognize and guarantee the right of all citizens to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity.”

With respect to equality, Article 16 (2) recognises that “All citizens of the Republic of Moldova shall be equal before the law and public authorities, regardless of the race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, property or social origin.”

Article 31 (1-4) guarantees freedom of conscience, which includes the right to worship freely. Religious groups can “organize themselves and operate according to their own statutes under the rule of law.” However, they cannot show enmity to each other. Such groups are independent from the state, but can enjoy its “assistance in the army, hospitals, penitentiaries, nursing homes and orphanages.”

According to Article 32 (3), the law bans and will prosecute actions “aimed at denying and slandering [...] the State and people, the instigation to sedition, war of aggression, national, racial or religious hatred”.

In matters of education, Article 35 (8-9) stipulates that the state ensures that education is secular, but also guarantees “freedom of religious education” and parents’ right to choose their children’s education.

Lastly, the Moldovan parliament has the power to pass organic laws related to religious worship (Article 72, 3, I).

Despite the constitution’s apparent neutrality in religious affairs, Article 15 of the “Law on religious denominations and their component parts” acknowledges the “special importance and leading role of the Orthodox Christian religion, and of the Moldovan Orthodox Church in the life, history and culture of the people of Moldova.”<sup>2</sup> Article 4 (4) grants a special status to the Moldovan Orthodox Church (MOC) and prohibits “abusive proselytism”.

Registration of religious communities with the Ministry of Justice (MoJ) is not compulsory, but it provides benefits, ranging from tax exemptions and residence permits for missionaries, to granting religious communities a legal status enabling them to own property and land, build churches, publish religious literature, open bank accounts, hire employees and create associations and foundations.<sup>3</sup>

Despite legal reforms to protect religious freedom introduced in 2007, 2008 and 2009, religious minorities still

face difficulties in registering as their application can be denied “on the grounds that ‘97% of the population of Moldova is Christian’”.<sup>4</sup> In 2020, two religious entities applied to the MoJ for registration but their requests are still pending.<sup>5</sup>

Amendments introduced in November 2018 to the “Law on freedom of conscience, thought and religion” did not improve the situation of minorities. As a consequence, Ahmed Shaheed, the UN Special Rapporteur for Religious Freedom, urged Moldova to repeal laws infringing on minorities’ rights to worship and hold beliefs, noting its “failure to eliminate discrimination” and “political marginalisation” and prevent “nationalist attacks against other identities.”<sup>6</sup> According to the Human Freedom Index, over the last 10 years the freedom to establish religious organisations worsened in Moldova as more legal and regulatory restrictions were introduced.<sup>7</sup>

Although Transnistria is internationally recognised as a part of Moldova, it has been de facto independent since 1992. Russian troops are still stationed in the breakaway region and Moldova has no means to force their withdrawal.<sup>8</sup> This explains the legal and practical situation of religious communities, and the privileged status of the MOC in the disputed territory to the detriment of minority religious groups. According to the UK Home Office, “In order to be formally registered, religious groups are required to have at least ten members and be active for a minimum of ten years, during which they have limited permission to address the public. Moreover, religious groups can lose their property if they are active without registration. The Transnistrian de facto legislation neither complies with international standards, nor guarantees equality for diverse religious groups.”<sup>9</sup> Certain laws were adopted in 2016, imposing restrictions and penalties related to the unauthorised distribution of religious literature, preaching in public spaces, and organised religious activities in residential buildings.<sup>10</sup>

## INCIDENTS AND DEVELOPMENTS

Moldova struggles with deficiencies in applying the rule of law and suffers from pervasive corruption, which have led to large-scale emigration. A third of Moldova’s potential labour force, equivalent to approximately 25 percent of the population, lives or works abroad, contributing through remittances to nearly 26 percent of the national GDP.<sup>11</sup>

Internally, Orthodox Christians demographically dominate

the country and the Orthodox Church wields great influence over the social life of Moldovan citizens (whether Russians, Ukrainians, ethnic Moldovans, or others). But many Moldovans opt for Romanian passports to easily access the Schengen Area.<sup>12</sup>

The Orthodox Church is divided between competing communities with varying degrees of influence over various ethnic and national groups. The largest Church, the Moldovan Orthodox Church (MOC), also known as the Metropolis of Chişinău and All Moldova, is a self-governing Metropolitanate subordinate to the Russian Orthodox Church (Moscow Patriarchate), and includes an estimated 91.4 percent of all Moldovan Christians (2019 census). The smaller (3.7 percent as of 2019) Bessarabian Orthodox Church (BOC), also known as the Metropolis of Bessarabia, is subordinate to the Romanian Orthodox Church.<sup>13</sup> Territorially, the MOC has been very influential since 2002 when the Moldovan government refused to recognise the Romanian Orthodox Church, due to the opposition of the Moscow Patriarchate, but also because it feared that the newly independent country might fall under the influence of neighbouring Romania.<sup>14</sup> Influence from neighbour states remains a potential threat to Moldova’s integrity, especially in view of externally fuelled separatist tendencies in the Transnistria and Gagauzia regions.

Religious freedom in Moldova concerns not only its legal recognition, but also the wider societal perception of religion, especially in the political arena. Although Churches and religious associations do not play an official role in the country’s political system or law-making process, the Orthodox Churches in Moldova publicly comment on political issues and openly support certain politicians. In return, political parties maintain close ties with the Orthodox clergy and financially support Church actions. Furthermore, the MOC has strong ties with Russia and, for decades, has promoted Russia’s political agenda intervening in the electoral process in favour of more conservative, pro-Russian parties and candidates.<sup>15</sup> Nevertheless, it is also true that the MOC has never denied the legitimacy of democratically elected authorities.<sup>16</sup>

The 2019 parliamentary and 2020 presidential elections exemplified the Church’s political influence. In 2018 Russian Orthodox Patriarch Kirill visited Moldova,<sup>17</sup> during which President Igor Dodon was awarded with a Russian religious order, tacitly demonstrating Moscow’s political support for his party in the 2019 parliamentary elections.<sup>18</sup> After his Socialist Party’s success, President Dodon de-

scribed Orthodoxy as “one of the pillars on which the statehood of the Republic of Moldova is based, the treasure left as an inheritance by our ancestors”.<sup>19</sup> The president frequently highlighted his visits to churches, bishops, monasteries, and in a TV interview declared that during a meeting, Patriarch Kirill told him that his mandate was willed by God.<sup>20</sup>

In the 2020 presidential election, although forbidden by law, the MOC gave a particularly strong electoral endorsement to Igor Dodon, the pro-Russian incumbent,<sup>21</sup> against other candidates, including Maia Sandu, a more independent and pro-EU contender. Although the president was visibly supported by the MOC and used religious events for campaigning,<sup>22</sup> Maia Sandu won decisively in the second round becoming the first female president of the country.

After the Ukrainian Orthodox Church proclaimed its independence from the Moscow Patriarchate in 2018, the Patriarch Kirill visited Moldova to cement the ties with the MOC. On this occasion, President Dodon openly stated that Moldova “will remain the canonical territory of the Moscow Patriarchate.”<sup>23</sup> The MOC did not speak at the time of the split between the Moscow and Constantinople Patriarchates over Ukraine’s autocephaly.<sup>24</sup> While there are no autocephalous tendencies in Moldova, there is certainly a competition for state support. The recent transfer of some parishes, for moral and financial reasons, to the BOC from the jurisdiction of the MOC, has provoked conflicts.<sup>25</sup> Only in April 2019, approximately six months after the Orthodox rift, did the Synod of the Orthodox Church of Moldova publish a statement on the situation regarding the Ukrainian Orthodox Church.<sup>26</sup>

According to a 2017 report by the UK government, the MOC exercised strong influence on government policies and “abusively interfered with the minority religious groups’ right to the freedom of religion”, most notably in Transnistria.<sup>27</sup> The Human Rights Information Centre reported “that minority religious groups, including Jehovah’s Witnesses, Baptists, and Pentecostals, reported cases of verbal abuse, property destruction, and media discrimination as well as discrimination by MOC priests. The Muslim community reported biased attitudes, resulting in harassment in schools and negative media coverage.”<sup>28</sup>

Following terrorist attacks in Europe, Muslim immigrants began to be perceived as a security threat, a fear exploited in the 2016 presidential election and the 2018 local election in Chişinău. In the 2020 presidential election, fake re-

ports claimed that 30,000 Syrian immigrants might arrive if opposition candidate Maia Sandu was elected president.<sup>29</sup>

Moldova’s small Muslim community is currently represented by the Islamic League, an organisation which was granted official status in 2012, following a decade of unsuccessful attempts and protests by the Orthodox Church. In the period under review, Muslims were targeted on several occasions by negative media coverage and attacked by certain public figures.<sup>30</sup> There were, however, no incidents reported to the ODIHR.

Before the Second World War, Chişinău had 77 synagogues and Jews represented up to 40 percent of the city’s population.<sup>31</sup> The Holocaust perpetrated by Nazi Germany, however, and migration to Israel following the dissolution of the Soviet Union, reduced the size of the Jewish community. In 1920, Jews in Moldova numbered 267,000. In 1979, some 80,000 still lived in the small country. In 2018, an estimated 2,000 are left, concentrated in the capital,<sup>32</sup> still victims of personal harassment and physical attacks, as reported to ODIHR.<sup>33</sup>

In December 2019, an information stand at a memorial to the victims of the 1903 Chişinău pogrom was destroyed. That same month, a Jewish man was beaten, subjected to anti-Semitic insults and had his life threatened.<sup>34</sup> In November 2020, headstones at the Jewish cemetery in Chişinău were smashed and painted with hostile symbols. The same cemetery had been targeted by vandals for over three years.<sup>35</sup> A handful of anti-Semitic hate crimes were recorded by the government as well. On a positive note, in recent years, about 25 memorials have been erected at the sites of mass killings of Jews during WWII. Additionally, Holocaust Remembrance Day on 27th January became a permanent national day of remembrance.<sup>36</sup> Finally, Moldova was praised by Jewish communities for adopting a common definition of anti-Semitism in 2019.<sup>37</sup>

As most of the people of Transnistria are Christian Orthodox, local authorities have tried to limit the activity of other religious groups. Several smaller faith groups, including Jehovah’s Witnesses, have had their application to register turned out despite repeated attempts to maintain their status under a 2009 law on religion.<sup>38</sup> Jehovah’s Witnesses have been consistently refused the right to conscientious objection for military service. Muslims reported a reluctance to practise their faith openly due to past intimidation by the authorities.<sup>39</sup> A follow-up UN Report on Human Rights in the Transnistrian Region confirmed the alleged obstacles to (re)registration of religious groups and

the fact that religious groups were singled out for closer scrutiny by security agents.<sup>40</sup>

According to media reports, Moldovan authorities introduced COVID-19 restrictions with an impact on various civil society groups, including religious groups (temporary suspension of religious services, social distancing, travel restrictions on pilgrimages, etc.).<sup>41</sup>

MOC leaders did not agree with some provisions established by the National Extraordinary Public Health Commission and so openly defied the rules, encouraging local churches around the country to continue their activities. The Church pressured the authorities to ease restrictions, claiming that the content of official public messages that mentioned “nucleus of infection”, “unhealthy spaces”, and “medieval practices” were part of a denigration campaign against the Church. During the state of emergency imposed from 17th March to 15th April, the police issued 206 fines to clerics for non-compliance with COVID-19 restrictions.<sup>42</sup>

Speaking about such restrictions, Metropolitan Teofan of Moldavia and Bukovina said: “Believers have endured severe restrictions on their freedom to manifest religious beliefs in the name of fighting the plague. Everything has a limit though, and if this limit is passed no one profits.”

The prelate went on to “ask everyone to turn this pain into a time of repentance, prayer and good deeds” and fast for several days.<sup>43</sup>

moments of widespread socio-economic insecurity. Such a situation will continue to represent a challenge for religious freedom.

Although prospects for religious freedom remain comparatively positive, debates over religion will continue to be influenced by geopolitical factors, traditional identities, a relatively weak state, and the oversized socio-political role of Orthodox institutions.

## PROSPECTS FOR FREEDOM OF RELIGION

Moldova generally protects fundamental human rights and freedoms of assembly, speech, and religion. However, given its socio-political importance, the Orthodox Church in Moldovan society has a complex impact on religious freedom.

The Moldovan model of state-religion relations can be best described as preferential, favouring the majority religion, a situation found in other post-socialist countries, with a close relationship between national identity and the dominant religious group.<sup>44</sup> This often translates into political advantages for the favoured faith group, like broad exemptions that override the rights of other religious communities. The most recent presidential election (2020) highlights the Orthodox Church’s privileges as well as its usefulness as an ally to those in power, particularly in



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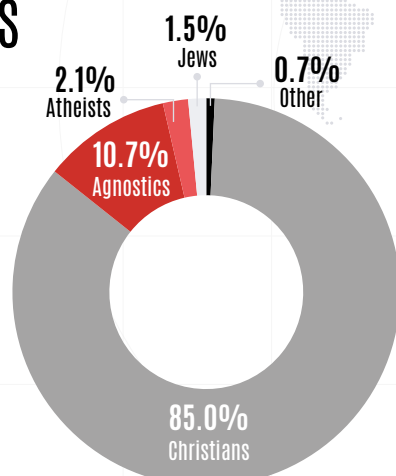


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# MONACO

## RELIGIONS



Population

**39,297**



GDP per capita

**43,833 US\$**



Area

**2 Km<sup>2</sup>**



GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Principality of Monaco states that all its citizens are equal in the eyes of the law, and that there are no individual privileges among them (Article 17).<sup>1</sup> It guarantees to all individuals, including non-citizens, “freedom of religion and of public worship, and freedom to express one’s opinions in all matters [ . . . ] subject to the right to prosecute any offences committed in the exercise of the said freedoms”. Furthermore, “No one may be compelled to participate in the rites or ceremonies of any religion or to observe its days of rest” (Article 23).

Roman Catholicism is the state religion (Article 9). Other religious groups must apply for government recognition, which provides them with legal rights and privileges. To build public places of worship, religious communities must file a request with the Ministry of the Interior. It is government policy to consider such requests on a case-by-case basis.<sup>2</sup>

There are several Catholic churches, two Protestant churches, one Greek Orthodox church, and one synagogue.<sup>3</sup> The Russian Orthodox community was registered

in 2017 and holds its services at a Protestant church.<sup>4</sup> According to 2018 reports, Orthodoxy overtook Protestantism to become the second-largest denomination in Monaco.<sup>5</sup> There are no mosques, but Muslims can worship at a mosque less than two kilometres away in Beausoleil, France, and in private prayer rooms in their homes.<sup>6</sup>

In 2017, the Jehovah’s Witnesses filed a request for formal recognition with the Ministry of the Interior following a ruling by the Supreme Court of Monaco overturning the government’s 2016 refusal to recognise the community. The government again rejected the application in 2018 and the Jehovah’s Witnesses appealed that decision.<sup>7</sup> In February 2019, the Supreme Court ruled against the government’s rejection, noting that the latter had not proven that the community posed a risk to public order.<sup>8</sup>

In March 2019, Peace and Sport and Licra Monaco organised a symbolic day honouring Josephine Baker under the patronage of His Serene Highness Prince Albert II of Monaco, as part of the Week of Education and Action against Racism and Antisemitism.<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

No notable incidents relating to religious freedom were re-

ported during the period under review.

Due to the coronavirus pandemic of 2020, public religious gatherings in places of worship were prohibited for several months, but entry for private prayers was permitted.<sup>10</sup> In May 2020, the restrictions were eased provided that proper hygiene and physical distancing measures were respected.<sup>11</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the absence of reports about violations of religious freedom or bias-motivated incidents, and given the Supreme Court's recognition of a minority religion and societal efforts to combat racism and antisemitism, prospects for religious freedom in Monaco remain positive.

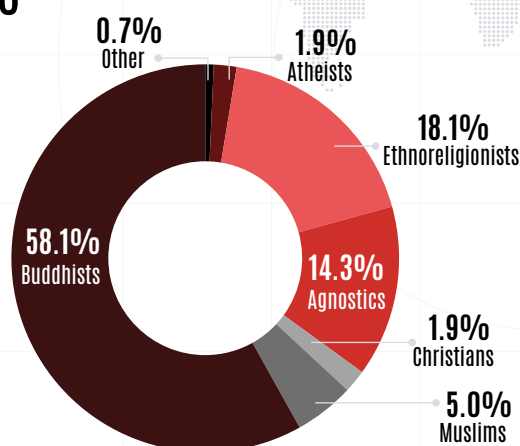
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# MONGOLIA

## RELIGIONS



Population  
**3,209,404**  
GDP per capita  
**11,841 US\$**

Area  
**1,564,116 Km<sup>2</sup>**  
GINI INDEX\*  
**32.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In the period under review, Mongolia has seen little constitutional or legal change with respect to freedom of religion. Following the collapse of the USSR in 1989, the end of Soviet domination brought a return to religious freedom. Mongolia's constitution, adopted on 13th January 1992, guarantees all fundamental freedoms, including the freedom of religion, and officially upholds the principle of separation of the state and religion. Although the Buddhism practised by Mongolians has no status as an official religion, Mongolian law nevertheless asserts that the government must "respect" Buddhism as the majority religion – an affirmation justified by the need to preserve the unity of the country and defend Mongolian history and culture. The law also states that the respect due to Buddhism by the state "cannot prevent a citizen from practising another religion". According to the criminal code, if a person is found to hinder activities of religious organizations, the fine would range from 450,000 to 2.7 million tugriks. If acts of proselytization are found to be done by force, pressure or deception, then the fine would range from 450,000 to 5.4 million tugrik.<sup>1</sup>

The promise of religious freedom, seen when the country came into being in the 1990s, has not been realised. Instead, a restric-

tive and intrusive bureaucracy has sought to restrain religious communities deemed "foreign" to the national culture. Mongolia's Christians have suffered particularly.

Religious communities in Mongolia are treated in the same way as NGOs. They are forced to meet many complex regulations and administrative requirements. They must register with a state agency, the General Authority for Intellectual Property and State Registration. Because the law is unclear about how long registration certificates issued by this body remain valid, it is, in fact, local governments that determine their duration.

In practice, religious organisations are obliged to renew their registration certificates every year. To do so, they must apply to six different administrative bodies at the local and national levels. This process is long, tedious and unpredictable, as some provinces are more reluctant than others to provide registration certificates.

Another extremely restrictive condition which applies to all foreign organisations, and thus to religious communities, is the requirement of a minimum percentage of Mongolian employees among their staff. This percentage varies between 25 percent and 95 percent depending on the sector of activity. Each year, a list of required percentages is published; most religious organisations are automatically subjected to the maximum quota of 95 percent of local employees. Many religious organisations

have objected to this system as much of their staff and funding originate largely outside of Mongolia. The Catholic Church is an exception because, unlike almost all other religious organisations with NGO status and mandatory 95 percent local staffing, the Catholic Church has managed to obtain a quota of only 75 percent.

The criminal code also bans any activities that are inhumane and dangerous to the culture and traditions of the people of Mongolia.

According to USCIRF, the law regulating civil and military service specifies that all male citizens between ages 18 and 25 must complete one year of compulsory military service. The law provides for alternatives to military service for citizens who submit an objection based on ethical or religious grounds. Alternative service with the Border Forces, the National Emergency Management Agency, or a humanitarian organization is available to all who submit an ethical or religious objection. There is also a provision for, in lieu of service, paying the cost of one year's training and upkeep for a soldier.

## INCIDENTS AND DEVELOPMENTS

In December 2018, the AsiaNews.it reported that the Chinese Communist Party (CCP) was influencing the process of finding successor for Jebtsundamba Khutugtu - spiritual head of the Gelug school of Tibetan Buddhism in Mongolia. It has been reported that the CCP has been influencing senior lamas to cause internal divisions and counter Dharmasala's influence on the Buddhist discourse.<sup>2</sup>

Under Mongolian law, the head of a religious organisation must be a Mongolian national. Religious communities, especially Christian ones, without native Mongolian clergy, can own land only if the title deed is held by a Mongolian citizen. Registering these titles and religious depends at least in part on the goodwill of the administration. The Central Province, with its strong Buddhist tradition, seems less disposed to allow the opening of Christian churches, whereas other provinces, such as that of Erdenet,<sup>3</sup> remain more open to foreigners.

In January 2020, Mongolian scholars have been permitted to use the Vatican Secret archive. This was a step towards intensifying their cultural domain. The agreement was signed by L Purevsuren, ambassador of Mongolia to the Holy See and Permanent Representative to the United Nations and other international organisations, and Mgr Paul Richard Gallagher, Vatican Secretary for Relations with States. This may also lead to photo exhibition and a scientific conference at the Holy See, on 6-8 May, 2020.<sup>4</sup>

According the USCIRF, a Christian church reported that a Facebook posting of baptism photographs received many negative comments. The USCIRF report also wrote about representatives of a minority religious group who said that employers sometimes recruited its members, who were widely seen as "honest and ethical" based on religious affiliation. Some Christians, however, reported that a negative perception among the public about the growing influence of Christianity continued.

Mongolia acted swiftly to control the Covid-19 pandemic, adopting decisive preventative measures in January such as quarantining travel from China and shutting down potential super-spreader events such as national holiday gatherings.<sup>5</sup> As such, out of its 293 total cases, only three remained active by August 2020.<sup>6</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

As it faces serious economic difficulties, Mongolia cannot escape the influence of its neighbour, China. Freedoms gained in the aftermath of the fall of communism seem to be well established and in this respect, freedom of religion seems to be safer in Mongolia than in China. However, economic difficulties and rapid social change have prompted local authorities to distrust religions deemed new to the country, such as Christianity, both Protestant and Catholic. Despite these institutional and cultural obstructions, and even in the face of rapid secularisation in Mongolia, Christian communities in particular continue to expand.

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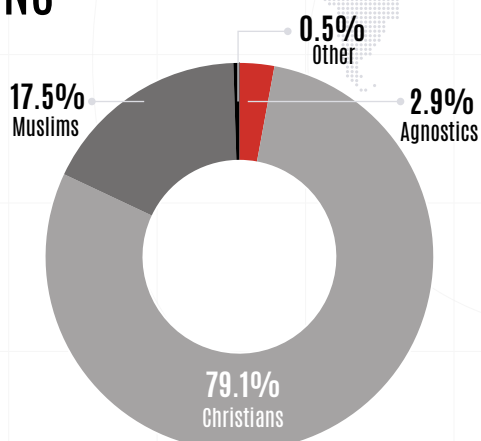
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# MONTENEGRO

## RELIGIONS



Population  
**629,397**  
GDP per capita  
**16,409 US\$**



Area  
**13,812 Km<sup>2</sup>**  
GINI INDEX\*  
**39.0**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Republic of Montenegro is a secular state. Its constitution<sup>1</sup> guarantees freedom of thought, conscience and religion. Pursuant to Article 46, “Everyone shall be guaranteed the right to freedom of thought, conscience and religion, as well as the right to change the religion or belief and the freedom to, individually or collectively with others, publicly or privately, express the religion or belief by prayer, preaches, customs or rites. No one shall be obliged to declare own religious and other beliefs.”

The Montenegrin constitution recognises no state religion, nor any traditional religious community. Article 14 states that “religious communities shall be separated from the state” and guarantees equal rights and freedoms in the practice of ceremonies and religious rites and affairs.

Article 48 provides for the right to conscientious objection to military service.

Whilst the constitution, adopted in 2007 and amended in 2013, is in line with the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR), religion and related issues are also governed by other legislation.

When the country became independent in 2006, the 1977 Law on the Legal Position of Religious Communities (LL-SRC)<sup>2</sup> remained in effect. Adopted when the country was one of the constitutive republics of the former Socialist Federal Republic of Yugoslavia, it is inspired by the then dominant Marxist ideology and atheism.

Eventually, the government recognised the need for a new law that is in line with the ECHR. On 30th July 2015, a Draft Law on Freedom of Religion<sup>3</sup> was proposed to address this issue. However, it caused great concerns for most Churches and religious communities because it introduced an element of discrimination between Montenegrin citizens and foreign nationals, and ethnic minorities without Montenegrin passports. This is important because according to the last census (2011), Montenegrins represent only 45 percent of the country’s population (around 630,000), leaving Serbs (28.7 percent), Bosniaks (8.6 percent), Albanians (4.9 percent) and others seemingly unprotected.<sup>4</sup>

Moreover, the proposed bill contained provisions that undermined the autonomy of Churches and religious communities by opening the possibility of state interference in their internal affairs, such as the appointment of high religious dignitaries. Additionally, there were provisions

concerning the nationalisation of religious buildings and properties which were never returned to their legitimate owners after being confiscated by the Communist government post-World War II. The Draft Law also left the legal status of the Serbian Orthodox Church unresolved even though it accounts for 70 percent of the Orthodox population while the Montenegrin Orthodox Church represents only 30 percent.

On 24th August 2015, the Ministry for Human and Minority Rights of Montenegro requested the opinion of the Venice Commission (Council of Europe) about the Draft Law.<sup>5</sup> Criticism by the rapporteurs led Montenegrin authorities to abandon it.

In May 2019, the authorities went back to the Venice Commission for an opinion on a new Draft Law on Freedom of Religion or Belief and Legal Status of Religious Communities.<sup>6</sup> Strong recommendations were issued to conform the draft law to international standards. A law was eventually adopted in December 2019 and came into effect in January 2020.<sup>7</sup>

Currently, there are 21 recognised religious groups in the country. The government has signed agreements with some of them. The Basic Agreement between Montenegro and the Holy See, which was signed on 24th June 2011 in the Vatican and ratified on 21st June 2012, regulates the legal framework of relations between the Roman Catholic Church and the state.<sup>8</sup> In 2012, the government signed similar agreements with the Islamic and Jewish communities, but not with the Serbian Orthodox Church.

All of the recognised groups are registered except for the Serbian Orthodox Church (SOC), which was exempted from registration as it existed before the LLSRC came into force in 1977.

In 1920, following the “Podgorica Assembly” (1918)<sup>9</sup>, the Montenegrin Autocephalous Church (MAC) was merged with the Serbian Orthodox Church (SOC), which for decades was considered the sole legitimate Orthodox body in Montenegro.

The Montenegrin Orthodox Church (MOC) was established on 31st October 1993, but it was not canonically recognised by other Eastern Orthodox Churches. The new ecclesiastical body now claims the succession to the autocephalous Church which was active until 1920. For the Montenegrin Orthodox Church, the referendum of 12th May 2006, which sanctioned Montenegro’s independence from Serbia, should be interpreted as nullifying the 1920

royal decree that put an end to the Montenegrin Autocephalous Church. The Serbian Orthodox Church denies that the 1993 Montenegrin Orthodox Church is the rightful successor of the Montenegrin Autocephalous Church. Instead, it claims that the Montenegrin Autocephalous Church participated in the creation of the Serbian Orthodox Church by merging with it in 1920.<sup>10</sup>

In 2001, the Montenegrin Orthodox Church was officially registered as an NGO. The Serbian Orthodox Church is not registered either as an NGO or as a religious community under Article 2 of the 1977 LLSRC, and so formally it is not a legal entity.

On 22nd August 2016, the Serbian Orthodox Church obtained a document from the Ministry of the Interior stating that the Metropolitanate of Montenegro and the Littoral and other Orthodox eparchies of the Serbian Orthodox Church do not have to register because they pre-existed the entering into force of the 1977 LLSRC.

In November 2018, the Montenegrin Parliament adopted a resolution on the occasion of the centenary of the Podgorica Assembly. This resolution invalidated the decisions of the Podgorica Assembly of 1918.

## INCIDENTS AND DEVELOPMENTS

The aforementioned legal and historical background is the foundation of the three-way dispute between the Serbian Orthodox Church, the Montenegrin Orthodox Church and the Republic of Montenegro over the ownership of religious buildings and other property.

Ignoring the recommendations of the Venice Commission, the Montenegrin Parliament passed a law on 27th December 2019 directly impacting the property of the Serbian Orthodox Church. The vote was marred by a confrontation in Parliament that involved 24 people, including 18 MPs from the pro-Serb Democratic Front.<sup>11</sup>

The adoption of the new law triggered daily demonstrations by those who identify as Serbs in Montenegro, heightening tensions between Montenegro and Serbia. Despite strong opposition both inside and outside Parliament, the law came into force on 8th January 2020.<sup>12</sup>

Article 62 of the law requires religious communities to prove ownership of the property they used before 1918 when Montenegro became a part of the Kingdom of Serbs, Croats and Slovenes (renamed the ‘Kingdom of Yugoslavia’ in 1929); otherwise, it becomes state property. For the

Serbian Orthodox Church, this meant losing its medieval monasteries and churches, as well as any other property built before 1st December 1918, which, for the most part, lack title deeds.<sup>13</sup>

In a statement issued in May 2019, the Serbian Orthodox Church in Montenegro pointed out that the Draft Law on Freedom of Religion would lead to the:

“(1) confiscation (nationalization) of religious property, (2) annihilation of the previously obtained legal status of religious communities, (3) systematic discrimination between the churches and religious communities, (4) narrowing the scope of freedom of religion and belief and disenabling the equal status and rights of priests and religious officers, including the prohibition of the religious teaching within the elementary schools, and (5) unilateral drafting procedure cleansed from every kind of public, institutional and/or inclusive dialogue.”<sup>14</sup>

On 31st January 2020, the police in Montenegro arrested the mother of Milan Knežević, a leader of the main opposition alliance in Montenegro’s Parliament as well as a member of the Parliamentary Assembly of the Council of Europe (PACE), along with another member of his family. The arrests appear to be government retaliation following a conference Knežević held the day before with the European Centre for Law and Justice (ECLJ) at the Council of Europe (Strasbourg). The conference examined the new religion law, exposing its negative impact on the Serbian Orthodox Church (SOC).<sup>15</sup>

In December 2019, Pope Francis<sup>16</sup> and Patriarch Bartholomew I of Constantinople<sup>17</sup> expressed strong concerns about the situation of Orthodoxy in Montenegro and called for interreligious dialogue.

The UN Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, the EU External Action Service (EEAS), and other organisations<sup>18</sup> called for a more inclusive approach, bringing together all relevant stakeholders in line with international and European standards on human rights.

Under pressure from the international community, Montenegro finally decided to temporarily postpone the implementation of the law until its Constitutional Court ruled on its constitutionality, and, in the case of rejection, until the decision of the European Court of Human Rights in Strasbourg.<sup>19</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

The tensions between the Serbian Orthodox Church and the Montenegrin state continue unabated. The political agenda of Montenegro appears to be to upgrade the status of the Montenegrin Orthodox Church and to reduce the role and presence of the Serbian Orthodox Church through nationalisation.

Hope for improvement lies with the international community, particularly the European Union (EU), as Montenegro is a candidate for EU membership. The most recent recommendations of the Venice Commission<sup>20</sup> also provide a good roadmap for a peaceful resolution to the crisis. With little headway in the thorny issue to date, the prospect for freedom of religion remains negative.

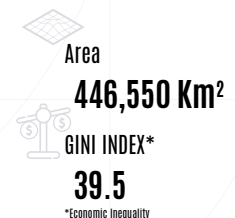
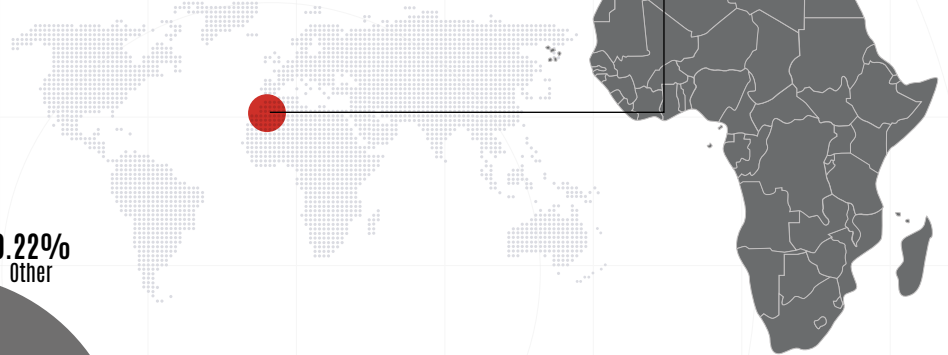
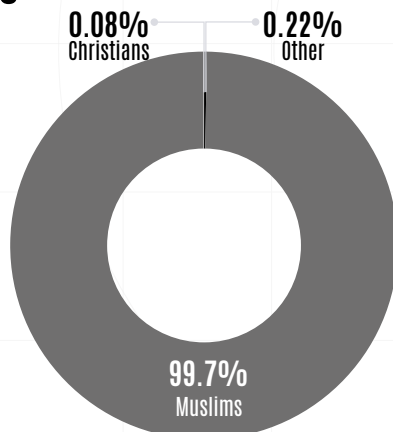
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# MOROCCO

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Morocco is a hereditary monarchy ruled by a Sunni dynasty which has reigned for centuries. The incumbent monarch, King Mohammed VI, is considered to be a descendant of the Prophet Muhammad. More than 99 percent of the country's population are Sunni Muslims of the Maliki-Ashari school. Other religious groups constitute less than 1 percent of the population. The country's Jewish community is very old and the majority left after the establishment of the State of Israel. According to the Jewish Population Data Bank (2018), the estimate the number of Jews is only 2,150, with the majority living in Casablanca.

Christian leaders in the country estimate the number of Christians of all denominations to be as high as 33,639 (24,000 Roman Catholics and 4,750 Protestants)<sup>1</sup>. The vast majority of Christians are foreigners. They use the churches built during the French protectorate era (1912-1956). It is not clear how many Muslim citizens have converted to Christianity; some put the figure as high as 8,000.<sup>2</sup> There are

also small unrecognised Shi'a and Baha'i groups in the country.

According to the Moroccan constitution, the country is a sovereign Muslim state. Article 3 reads: "Islam is the religion of the State, which guarantees to all the free exercise of beliefs".<sup>3</sup> The constitution prohibits political parties, parliamentarians or constitutional amendments to infringe upon Islam.<sup>4</sup> The European Parliament acknowledges that religious freedom is constitutionally enshrined in Morocco but adds that "Muslims who converted to Christianity face 'numerous forms of discrimination' and 'are not allowed to set foot in a church.'"<sup>5</sup>

Article 41 states that the King, as the "Commander of the Faithful [...] sees to the respect for Islam." He is the "Guarantor of the free exercise of beliefs," and presides over the Superior Council of the Ulemas. This council alone is empowered to comment and agree on religious consultations (fatwas) that are officially in keeping with the "precepts and designs of Islam." The article adds that this council is established by Dahir [royal decree].<sup>6</sup>

Under the Moroccan Penal Code, proselytising by non-Muslims, that is "shaking the faith" of the Mus-



lim population, is illegal. The distribution of non-Islamic religious materials is also restricted by the government.<sup>7</sup>

Article 220 of the Penal Code<sup>8</sup> prescribes imprisonment of six months to three years, plus a fine of 200 to 500 dirham (about US\$11-55) for any person employing “means of seduction in order to convert” a Muslim to another religion, exploiting his weaknesses or his needs, or making use of “educational establishments, health facilities, asylums and orphanages” to convert.

Voluntary conversion is not a crime under the penal or civil codes,<sup>9</sup> and Morocco does not impose the death penalty against apostates from Islam under the provisions of its Penal Code. However, Moroccans converts to Christianity do not enjoy the same rights as others.<sup>10</sup> In order to achieve greater recognition and the right to a public religious life, a group of Moroccan converts to Christianity have formed the National Coalition of Moroccan Christians (NCMC)<sup>11</sup> calling for an end to persecution against them. Some Christians in Morocco have reportedly demanded their rights and have spoken out against the discrimination to which they are subjected.<sup>12</sup>

Article 219 of the new Penal Code draft law “provides for ‘imprisonment from one year to five years’ against anyone guilty of ‘undermining’, ‘offending’, or ‘insulting’ God and the prophets by any means.”<sup>13</sup> Under Article 223, anyone convicted of vandalism in connection with places of worship or sacred texts can be sentenced to jail for six months to two years.<sup>14</sup>

The personal status of Muslim citizens is regulated by the country’s interpretation of Shari’a (Islamic law). Male Muslim citizens can marry Christian or Jewish women. But female Muslim citizens cannot marry non-Muslim men. Jews have rabbinical courts that oversee their personal status affairs such as marriage or inheritance. Moroccan Christians do not have a legal status that guarantees their rights as a minority.<sup>15</sup> Furthermore, no Church is allowed to admit Moroccans who have converted to Christianity and they are therefore forced to practise their faith in private.

The breaking of the Ramadan fast in public is a crime punished under the Penal Code with six months in

prison and a fine of up to 500 dirhams.<sup>16</sup>

Friday sermons are now monitored by the government. Thus, all imams are screened and required to pass a certification course before conducting Friday prayers; all mosques now have to meet specific security standards and are vetted as public buildings; government-enforced standards now apply to religious education and women are entitled to become “morchidas” or secondary leaders within Muslim communities.<sup>17</sup>

## INCIDENTS AND DEVELOPMENTS

Moroccan Christians generally agree that arrests have almost stopped. A Christian convert who is now a Protestant cleric noted that “harassment has become scarce”.<sup>18</sup> But social and sometimes security pressures still exist. Very few converts speak out because they fear being harassed in the streets, verbally abused and – on rare occasions – physically assaulted.<sup>19</sup>

Pope Francis made an official visit to Morocco in March 2019. It was the first visit by a Pontiff since 1985, and was described as an opportunity for him to continue building bridges between Christians and Muslims.<sup>20</sup> During his visit, Pope Francis asked Catholics not to proselytise their faith arguing that trying to convert people to one’s own belief “always leads to an impasse”.<sup>21</sup>

Asked about King Mohammed VI’s public declaration during his visit that he would “protect Moroccan Jews as well as Christians from other countries, who live in Morocco”, the Pope replied: “I can say that in Morocco there is freedom of worship, there is freedom of religion, there is freedom of religious affiliation. Then again, freedom always develops, grows... [...] Other countries like Morocco do not create problems, they are more open, more respectful and seek a certain way to proceed with discretion.”<sup>22</sup>

On the other hand, Jawad El Hamidy, chairman of the Moroccan Association for Religious Rights and Freedoms declared that Christians want “official recognition<sup>23</sup> of the existence of the various faiths and [they] want laws that enshrine their existence in society.”<sup>24</sup>

During the Pope’s visit, the King requested a special

performance. This was held at the Mohammed VI Institute for the Training of Imams, Morchidines and Morchidates (religious preachers), and consisted of a Muslim call for prayer (Addhan), a Jewish call for prayer (Adonai), and Caccini's motet Ave Maria.<sup>25</sup> The International Union of Muslim Scholars (IUMS) criticised the performance stating "(the) principle of tolerance, coexistence, and dialogue is a fixed and broad principle in Islam, but it does not mean giving up the constants and merging the great Islamic rites and the church chants, which contradict our creed and rituals."<sup>26</sup> It added that the Qur'an strongly warns of divine punishment upon "violators of the constants of this religion."<sup>27</sup>

In April 2019, Mustapha Ramid, Morocco's Minister of Human Rights, declared in a TV program, that Morocco does not criminalise apostasy. He added that the penal code criminalises persons who try to "shake" other people's faiths or convert them into religions other than Islam, but not the victim who has converted.<sup>28</sup>

In January 2020, former Tunisian President Moncef Marzouki said that countries like Saudi Arabia, the United Arab Emirates and Egypt were behind a "counter-revolution in North Africa" that targeted Algeria, Tunisia and Morocco. He stressed the case of Morocco, where King Mohammed VI's decision to include Islamists in the decision-making process has been interpreted by "countries leading the counter-revolution as blatant blasphemy that necessitates retaliation against the perpetrators".<sup>29</sup>

In May 2020, Moroccan actor Rafik Boubker was arrested after allegedly insulting Islam. He had appeared in a video clip mocking mosques and Friday sermons. He later on apologised to Moroccans, regretting his video and adding that he was a Muslim.<sup>30</sup>

In July 2020, a Court of First Instance and Appeals confirmed the six-month prison sentence given to Mohammad Awatif Kachchach for having posted a caricature on Facebook considered to have insulted Islam under Article 267(5) of the Criminal Code.<sup>31</sup>

According to Morocco Jewish Times, Morocco has decided to include Jewish history and the Hebrew component into the school curriculum from the early years of education.<sup>32</sup>

Regarding the Covid-19 pandemic, Morocco adopted restrictions due to the pandemic, and decided to close places of worship in mid-March and banned non-essential movements.

Salafist preacher Abou Naim appeared on a video accusing the Moroccan state of "apostasy". He was arrested on terrorism charges.<sup>33</sup> His statements in the video included clear incitement to violence and hatred as well as a serious violation of public order.<sup>34</sup>

These restrictions – among them curfew time from 7 PM to 5 AM<sup>35</sup> – also affected charity during Ramadan, and different NGOs had to adapt in order to be able to help the poor.<sup>36</sup> At the end of May, the Supreme Scientific Council issued a press release urging Moroccans to perform Eid Al Fitr prayers at home.<sup>37</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The general trend is one of progress towards religious freedom, but one that is slow and fraught with setbacks. Although efforts have been made to better accept Christianity as practised by foreigners, pressure on Moroccans religious minorities is still important.<sup>38</sup> Christians' main demands are the right to pray in churches, to marry according to their religion, to give their children Christian names, to decide if they want their children to take Islamic religion class in school<sup>39</sup> and to be buried in Christian cemeteries.<sup>40</sup> Unrecognised religious minorities are forced to hide in order to pray and still face administrative obstacles affecting their legal rights, security and social status.

Since 2016, the King called for education reform in order to fight extremist ideas.<sup>41</sup> He urged the commission he appointed to revise schoolbooks and remove problematic content.<sup>42</sup>

Regarding the question of converts, and of freedom of religion and belief in general, Morocco is facing a dilemma. On the one hand, the country wants to remain strict on religious matters in accordance with the Maliki school of Islamic jurisprudence, to especially avoid displeasing the more conservative part of society. On the other hand, it wants to project a certain image of openness towards Western coun-

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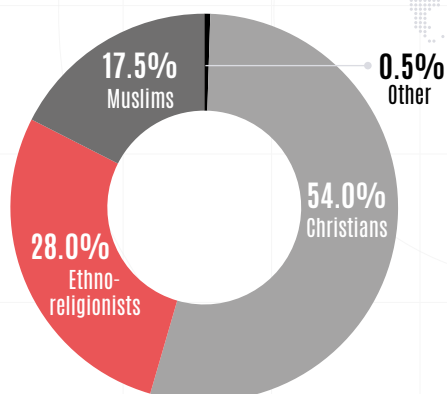
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# MOZAMBIQUE

## RELIGIONS



Population  
**32,309,195**  
GDP per capita  
**1,136 US\$**



Area  
**799,380 Km<sup>2</sup>**  
GINI INDEX\*  
**54**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Mozambique is a secular state (Article 12, Section 2). Its constitution and laws enshrine freedom of religion.<sup>1</sup> The constitution prohibits discrimination on religious grounds and guarantees freedom of religious expression. Under Article 54, “All citizens shall have the freedom to practice or not to practice a religion” (Section 1); [r]eligious denominations shall have the right to pursue their religious aims freely and to own and acquire assets for realising their objectives” (Section 3).<sup>2</sup>

By and large, every Mozambican government has respected these principles since the country’s civil war (1977-1992) ended. Under the former Marxist-Leninist regime, religious freedom was tolerated. At present NGOs, including religious NGOs, must register with the Ministry of Justice.<sup>3</sup> Religious organisations are permitted to own and run schools, but religious instruction in state-run schools is prohibited.<sup>4</sup>

Relations between the Republic of Mozambique and the Vatican are governed by a 2012 agreement.<sup>5</sup> This recognises the Church’s legal independence with the

right to organise its internal affairs and appoint staff and other workers.<sup>6</sup>

Southern Mozambique and its main cities are predominantly Christian. The north and coastline areas are majority Muslim (mostly Sunni). Traditional African religious communities are vibrant and strongly represented particularly in rural regions.

Religious life in Mozambique is diverse and dynamic, attracting a number of evangelical Churches. Of note, as a consequence of the shared language, is the missionary activity of religious movements coming from Brazil such as the Universal Church of the Kingdom of God.<sup>7</sup>

Relations between Christianity and Islam in Mozambique have historically been calm, marked by respectful co-existence and deference to each other’s traditions. Recently, however, relations have been challenged by a growing Islamist insurgency in the north of the country.<sup>8</sup> Violence, a consequence of poverty, corruption and frustration among disenfranchised young men, is fuelled by fundamentalist Islamic insurgents entering through neighbouring countries and young Islamic preachers returning to Mozambique from studies in countries such as Egypt, Kuwait, Saudi Arabia and

South Africa imbued with a strict interpretation of Islam.<sup>9</sup>

The Churches, especially the Catholic Church, played a crucial role in ending the civil war between FRELIMO and RENAMO. Thanks to its involvement, the Church has gained credibility and influence in Mozambique.<sup>10</sup>

Despite decades of peace, the country's political situation is by no means trouble-free. The ruling party, FRELIMO, has been in power uninterrupted since independence in 1975 switching from Marxism to social-democracy. But the latest election in October of 2019 was contested.

## INCIDENTS AND DEVELOPMENTS

Whilst religious freedom is generally respected by the government and traditional inter-religious relations respectful, repeated attacks by different criminal armed groups and jihadist militias marked by merciless brutality is challenging the status quo, especially in the northern province of Cabo Delgado. The most prominent of these Islamist groups is Al-Sunna wa Jama'a (ASWJ) locally known as Al-Shabaab (not to be confused with the armed Somali jihadist group by the same name). It is estimated that since October 2017, Islamist insurgents have conducted some 139 attacks, killing more than 350 civilians and military.<sup>11</sup>

On 5th June 2018, ASWJ/Al-Shabaab burnt 164 houses and five cars, killed cattle and beheaded a local Islamic leader inside a mosque before burning it down.<sup>12</sup> Over the following days, the group raided a neighbouring village, killing six people and burning more than 100 houses. In another village, attackers beheaded an elderly man and burnt down at least 100 homes. Over a two-month period (May-July), more than 400 homes were set on fire and thousands were left homeless in Cabo Delgado Province.

On 18th August 2018, armed insurgents affiliated with the Islamic State (IS) group attacked a Christian village in northern Mozambique, torched houses, forcing its residents to flee. This was one of several similar attacks in the region.<sup>13</sup>

On 25th November 2018, twelve people were killed in an Islamist attack in which ASWJ-Al-Shabaab militants attacked people with machetes and torched homes in Chicuaia Velha, a village in the northern Nangade dis-

trict. This provoked an exodus of locals who fled into neighbouring Tanzania.<sup>14</sup>

In February 2019, armed insurgents attacked Piqueue, a village close to the Quirimbas National Park.<sup>15</sup>

On 8th February 2019, suspected jihadists killed seven men and abducted four women in Cabo Delgado.<sup>16</sup>

In May 2019, after a devastating typhoon, Islamist insurgents attacked the affected villages killing nearly two dozen villagers and burning homes.<sup>17</sup> On 28th May 2019, 16 people were killed when insurgents, using explosives and firearms, attacked a truck in Macomia.<sup>18</sup>

On 2nd May 2019, local media reported that 41-year-old parish priest, Father Filipe Rosa Marques, opened his parish church Maria Auxiliadora to more than a thousand storm victims of every background. "We don't ask about people's religions, human life is all we value," Father Marques told the AP news agency.<sup>19</sup>

On the 3rd July 2019, jihadist insurgents killed seven people including a policeman in northern Mozambique. The attack was claimed by the Islamic State group.<sup>20</sup>

From 4-6th September 2019, during a pastoral visit to Mozambique, Pope Francis met with President Nyusi and government officials as well as an interfaith delegation of religious leaders, and presided over a Mass before 60,000 people in Maputo's national stadium. During the liturgy, the Pontiff urged Mozambicans to continue on the path of post-civil war reconciliation, and warned about the dangers of corruption and inequality.<sup>21</sup>

In November 2019, seven Islamist attacks took place, one claimed by the Islamic State, with a total of 33 dead including policemen and soldiers.<sup>22</sup>

On 23rd March 2020, Islamist insurgents attacked and seized for a day the town of Mocimboa de Praia.<sup>23</sup> The main port of Cabo Delgado province is strategically located only 100 km south of Afungi, the site of Mozambique's huge offshore gas reserves.

On 7th April, 2020, although precise figures are unclear, it is estimated that over 50 men were killed in village of Xitaxi in Muidumbe district after having refused to join the ranks of the Islamist militants.<sup>24</sup>

On 10th April 2020, a jihadist group attacked Muambula, a village in Cabo Delgado, destroying the homes of missionaries and damaging the church. The missionar-

ies were able to flee to Pemba.<sup>25</sup>

On 12th May 2020, a Benedictine mission house was attacked in the village of Auasse, also in Cabo Delgado; the monks had to flee.<sup>26</sup> Despite these latest attacks the Catholic Bishop of Pemba, D. Luiz Fernando Lisboa, stated that he does not believe the attacks specifically targeted the Catholic Church.<sup>27</sup>

In July 2020, the Bishop of Pemba, Luiz Fernando Lisboa, called for prayers for the victims of insurgent violence;<sup>28</sup> he also played a leading role in the solidarity campaign launched by the local Caritas for the suffering population of Cabo Delgado.<sup>29</sup>

Violent actions continued to occur in August and September 2020, forcing the population to flee. Bishop Lisboa of Pemba received credible death threats after his repeated public appeals for help to the government and the international community. Pope Francis called the bishop to express his solidarity and support<sup>30</sup> and soon thereafter the president of Mozambique visited him in Pemba.<sup>31</sup> To the date of this writing, violence is still growing and the jihadists have retaken territory including control of the port of Mocimboa da Praia, as well as several villages in Muidumbe where they have razed to the ground homes, schools and religious buildings, kidnapping the younger inhabitants.<sup>32</sup> A particularly gruesome massacre perpetrated by Islamist terrorists linked with ISIS took place on 11th November in which approximately 50 people were decapitated with machetes.<sup>33</sup> This brings the total killed to over 2000 with more than 430,000 homeless in the majority Muslim region,<sup>34</sup> entirely dependent on the humanitarian aid provided by the Churches and international aid organizations.<sup>35</sup>

The government is responding claiming to have killed more than 120 presumed jihadists in April 2020 alone.<sup>36</sup> The government response, while welcomed, has been also characterised by media and NGO's as heavy handed. Members of the Islamic Council (CISLAMO) said that government forces "arbitrarily detained Muslim leaders, in some cases for months", and that "those dressed in traditional Islamic clothing" or wearing beards "risked detention on suspicion of involvement" with the terrorists.<sup>37</sup>

Mozambique's foremost Muslim leaders have also condemned the attacks stating "that the strict version of Islam preached by those allegedly responsible was not

in line with the country's traditional Islamic culture and practice".<sup>38</sup>

In November 2020, the Bishops of Mozambique issued a Pastoral Letter titled "Hope, Peace and Reconciliation". Addressed to all the faithful and people of goodwill, the Mozambican Bishops called for peace and reconciliation in the country.<sup>39</sup>

In addition to this, in the period under review, the country is experiencing an exponential growth of religious cults and sects, fuelled by audio and video clips posted on social media about alleged miracles. In light of this situation, Mozambican authorities are monitoring unregistered new Churches and are planning to draft a new law on religious freedom that would include a code of conduct.<sup>40</sup> In July 2020 the government began consultations.<sup>41</sup> The new legislation, which will include religious training, will replace the existing law introduced almost 50 years ago.

## PROSPECTS FOR RELIGIOUS FREEDOM

While religious freedom is respected, and relations between the government and religious groups - as well as between the various religious groups - are strong and stable, there is a significant risk that the ongoing violence in the north may destabilise the historical religious tolerance in Mozambican society.

As with other countries in the region, this is largely related to the growth and convergence of criminal organisations, Islamic radicalisation and jihadist terrorism targeting principally the impoverished Cabo Delgado province where jihadist groups have found fertile ground for their operations. Affiliates of the Islamic State are inflicting serious losses on government forces (military and police) and civilian populations alike creating a new generation of IDP's. Of note is that as the northern and coastal regions of Mozambique are predominantly Muslim, many of the civilians killed or injured are Muslim.

Religious leaders are condemning the use of religion to promote violence and working together to call for peace and religious tolerance.<sup>42</sup>

The prospects for religious freedom are dire. Much rests on the government's ability to control the criminal and Islamist terrorist activities plaguing the north of country; the government's willingness to address the

source of the social and economic issues in the impoverished region and; the capacity of religious leadership to isolate radicalisation, condemn the use of religion to promote violence and work together for reconciliation. Efforts from these authorities and stakeholders will help enable Mozambique to continue its legacy of religious tolerance.

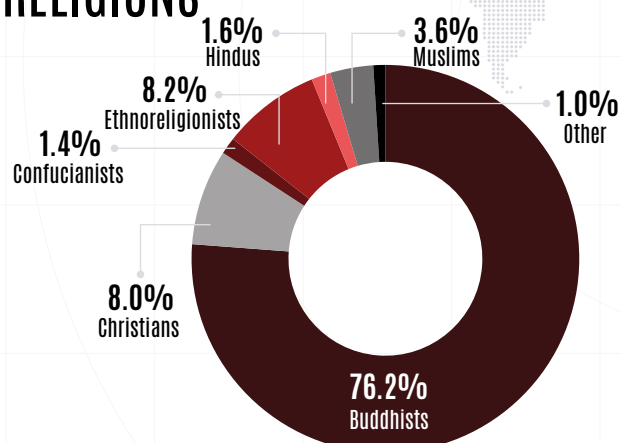
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# MYANMAR (BURMA)

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The 2008 constitution of Myanmar (also known as Burma) protects freedom of religion for its citizens. Article 34 states that, “Every citizen is equally entitled to freedom of conscience and [has] the right to freely profess and practise religion subject to public order, morality or health and to the other provisions of this Constitution.” While acknowledging Christianity, Islam, Hinduism and Animism as “the religions existing in the Union at the day of the coming into operation of this Constitution” (Article 362), the constitution recognises the “special position of Buddhism as the faith professed by the great majority of the citizens of the Union” (Article 361).<sup>1</sup>

Article 364 forbids “the abuse of religion for political purposes” and states that “any act which is intended or is likely to promote feelings of hatred, enmity or discord between racial or religious communities or sects is contrary to this Constitution. A law may be promulgated to punish such activity.”

In addition to the constitution, Sections 295, 295A, 296, 297 and 298 of the Penal Code relate to religion and prohibit religious offence or insult. They are similar to blas-

phemy laws in other countries. Section 295 relates to acts that destroy, damage or defile a place of worship; Section 295A refers to insulting religion; Section 296 refers to causing a disturbance to a religious gathering; Section 297 relates to trespass into a place of worship; and Section 298 refers to insulting the religious feelings of a person. All these carry with them fines and prison terms of one to two years.<sup>2</sup>

In 2015, Myanmar introduced four bills<sup>3</sup> which were eventually adopted and remain in effect today, known as the “Protection of Race and Religion” laws. They include legislation that requires registration of marriages between non-Buddhist men and Buddhist women, imposing obligations to be observed by non-Buddhist husbands and penalties for non-compliance, as well as regulations on religious conversion and a requirement for conversions to be approved by a government body.<sup>4</sup>

Article 121 (i) bans members of “religious orders,” such as priests, monks, and nuns, from all religions, from running for public office as well as voting (Article 392, a). The government restricts, by law, the political activities and expression of the Buddhist clergy (sangha). The constitution forbids “the abuse of religion for political purposes” (Article 364).

The Department for the Perpetuation and Propagation of the Sasana (Buddhist teachings) of the Ministry of Religious Affairs oversees the government's relations with Buddhist monks and schools, and the State Sangha Monk Coordination Committee (SSMNC) oversees the nine religious orders approved in the country. The government bans any organisation of Buddhist monks other than those of the nine state-recognised monastic orders.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

The Rohingyas, who are a predominantly Muslim people, have been the victims of the most egregious violations of human rights in recent memory. As a result of attacks by the military and other armed groups, an estimated one million Rohingyas fled to neighbouring Bangladesh where they are sheltered in refugee camps in Cox's Bazaar district.<sup>6</sup> The United Nations Independent International Fact-Finding Mission concluded in August 2019 that the Myanmar military had a "genocidal intent".<sup>7</sup>

In response to a case brought by The Gambia, the International Court of Justice in The Hague announced on 23<sup>rd</sup> January 2020, a provisional ruling calling on Myanmar to "take all measures within its power" to ensure that the military and armed groups "do not commit acts of genocide" against the Rohingya.<sup>8</sup> On 13th November 2019, a lawsuit was filed against Myanmar in an Argentinian court based on the principle of universal jurisdiction.<sup>9</sup> A day later, the International Criminal Court opened an investigation into the military's actions in Rakhine State.<sup>10</sup>

The persecution of the Rohingyas is not solely due to religion; ethnicity, politics and control over natural resources are also significant factors. In a June 2018 speech to Church leaders and political personnel in Melbourne, Australia, Myanmar's Cardinal Charles Maung Bo outlined the history of the Rohingya in Myanmar, and the instrumentalisation of the issue to fire conflict. According to the Cardinal, what is often forgotten are the international economic interests the region. "The Rakhine state, where the conflict rages, is also the place of both superpowers, India and China, which compete for trade routes and resources. Sadly, the Rohingyas sit on these aspirations. Companies and cronies have already begun the process of land alienation from our farmers."<sup>11</sup>

Nevertheless, religion plays a significant role in the conflict. As the cardinal observed in the same speech, religious extremists in Myanmar, and "a fraction of the reli-

gious elite", misuse the conflict proliferating hate speech to stir up the majority Buddhist population. "In a deeply religious country they are believed. Radicalising the minds of the people of Myanmar is the great tragedy."<sup>12</sup>

The same is true regarding violations of religious freedom witnessed in the rest of the country. In Burma, religion and ethnicity are deeply intertwined. When instrumentalised for political purposes it creates a toxic mix: ethno-religious nationalism. Many of the violations of religious freedom in Burma occur in the context of ethnic and political conflict. At times cases of religious discrimination and persecution are clear to see; at other times it is difficult to differentiate between religious and racial hatred or, especially in the case of the military, between religiously motivated violence and the wider conflict."<sup>13</sup>

Violence and discrimination have been fuelled by hate speech, driven by social media platforms like Facebook as well as DVDs, pamphlets and sermons by Buddhist nationalist monks. In the run-up to the 2020 general election, the Burma Human Rights Network (BHRN) documented cases of hate speech and disinformation in a report titled Digital Hate: Free and Fair for Some - Disinformation and Hate Speech in Burma's General Election Campaign.<sup>14</sup> The survey noted that, "Most election related disinformation on social media alleges conspiracies between the NLD (National League for Democracy) and Muslims [...]. Burma has not enforced any laws related to discriminating minority religions and elections laws when candidates used anti-Muslim rhetoric".<sup>15</sup> In addition, according to BHRN, "Burma unjustly disqualified Muslim candidates from running for office after falsely claiming they could not prove their ancestry's citizenship."<sup>16</sup>

Muslims continue to face restrictions on opening or rebuilding mosques after the anti-Muslim violence in 2012. At least 40 mosques remain closed, despite a campaign by Muslim leaders to get them reopened.<sup>17</sup> In May 2019, hard-line Buddhist nationalist monks forced Muslim prayer sites in Yangon to close down during Ramadan.<sup>18</sup>

Christians continued to be affected by the military conflicts as well, particularly in Kachin, Shan, Chin and Rakhine states. The Myanmar military reportedly bombed a village in Paletwa Township, Chin State, on 7th April 2020, killing seven civilians including two children, a mother and an infant. At least eight other civilians were injured and eight houses burnt down.<sup>19</sup>

The Catholic Church in Myanmar has been vocal and ac-

tive in defending religious freedom and human rights, and seeking peace. Cardinal Bo has been especially outspoken.

In August 2019, he published a long paper titled *Reflections from the Periphery - God's love for the people and nations of Asia*, in which he called for religious freedom. He stated: "Preachers of hatred incite discrimination and violence in the name of a peaceful religion, unjust laws and regulations impose restrictions on religious freedom for minorities, and identity politics has mixed race, religion and politics into a dangerous cocktail of hate and intolerance."<sup>20</sup>

On 1st October 2019, the prelate, who is the Archbishop of Yangon, called on religious leaders to speak out against violence, saying: "Not a single day passes without the heart-wrenching news of innocent civilians being displaced or killed or maimed by the ongoing conflict in Lashio, other Northern regions and Rakhine State. [I was] pained by the silence of religious leaders."<sup>21</sup>

In February 2020, Cardinal Bo protested against the prohibition on clergy from voting in Myanmar elections, and called for the ban to be repealed. "As cardinal," he said, "I can make statements and speeches and encourage citizens to vote, but I am myself barred from voting. This is an extremely unusual arrangement. I am not aware of any other democracy in which this is a requirement."<sup>22</sup>

In September 2020, the cardinal emphasised the need for justice as a key component for peace: "For there to be real peace, true reconciliation, there has to be justice. The crimes committed against Muslims in Myanmar - not only in Rakhine but throughout the country - is an assault on human dignity itself and all of us, of whatever faith, must cry out for justice. For without justice, there cannot be peace. At the same time, while the Rohingyas have very rightly received worldwide attention, and I do not detract from that, there is also a need to pay attention to the plight of the predominantly Christian Kachin, Chin, Karenni, and many among the Karen, as well as our Buddhist brothers and sisters among the Rakhine, Shan and Mon, and among those who have struggled for so long in the wider democracy movement, too."<sup>23</sup>

After visiting Rohingya refugee camps in Bangladesh in 2019, Cardinal Bo said: "Whatever the historical arguments, whatever the legal determinations, what has happened to these people is a scar on the conscience of my country, and it must be put right."<sup>24</sup>

In 2020, Myanmar was seriously hit by COVID-19, particularly during the second wave, and places of worship have mostly remained closed throughout the year. Restrictions have been harshly enforced with prison terms imposed in some cases for violations of anti-pandemic regulations. In May 2020, Pastor David Lah, a Myanmar-born Canadian citizen, was arrested for holding a church service in defiance of the ban on gatherings. Sentenced to three months in prison, he was released in August 2020.<sup>25</sup> The authorities prosecuted other participants gathering for religious activities, including Muslims who attended prayers at a mosque in Mandalay.<sup>26</sup>

On 1st February 2021 the Commander-in-Chief of the military, General Min Aung Hlaing, launched a coup d'état, seizing power and imprisoning the de facto head of the elected civilian government, Aung San Suu Kyi, ministers and senior leaders of the NLD, as well as key civil society activists. Several weeks of protests erupted throughout Myanmar with tens of thousands of people participating. In some instances the military used live ammunition as well as rubber bullets to crack down on the protests, and several people were killed.

## PROSPECTS FOR FREEDOM OF RELIGION

The military takeover is likely to make things worse for all religious minorities. The commander-in-chief, General Min Aung Hlaing, has already been internationally condemned and sanctioned<sup>27</sup> for his alleged role in numerous military attacks against various ethno-religious minorities, such as the Rohingya, but also the Chin and Kachin, among whom there are many Christians. The previous civilian leadership had provided at least some restraint on such extremism and violence, albeit too little. Without international pressure on the military regime to restore the country to a path of democracy, with the civilian leadership gone, anti-minority repression and religious persecution is expected to become more severe.

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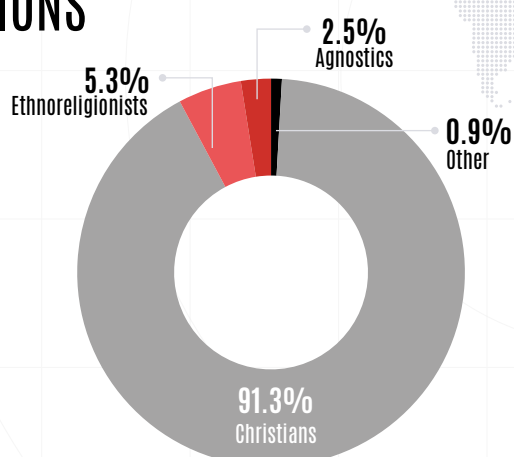
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# NAMIBIA

## RELIGIONS



Population  
**2,696,537**  
GDP per capita  
**9,542 US\$**



Area  
**824,116 Km<sup>2</sup>**  
GINI INDEX\*  
**59.1**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

As a secular state, Namibia gives no preferential treatment to any religious community.<sup>1</sup>

The Namibian constitution guarantees freedom of religion and protects citizens from religious discrimination (Article 10).<sup>2</sup> Article 21 (Section c) recognises the “freedom to practise any religion”, while Article 19 refers more broadly to culture: “Every person shall be entitled to enjoy, practice, profess, maintain and promote any culture, language, tradition or religion subject to the terms of this Constitution”.

This model of Church-state relations is reflected in Namibian government policy. For example, the state places no restrictions on the establishment of religious communities. Official recognition through registration is possible but not mandatory if the group is set up as a voluntary association. Religious groups can register as non-profit organisations with the Ministry of Industrialization, Trade and SME Development.<sup>3</sup> The Inland Revenue Department can also grant tax exemptions to welfare organisations, including religious ones.

The Council of Churches in Namibia is highly influential and is involved in interfaith dialogue.<sup>4</sup> The Lutheran Churches are the largest denomination in the country. The Catholic Church of Namibia is also highly regarded as a moral authority.

## INCIDENTS AND DEVELOPMENTS

While no specific incidents of religious violence were reported for the period covered by this report, some religious groups have complained of discrimination. The Office of the Ombudsman has received complaints from jailed Muslim converts because they were unable to get their religious affiliation changed, and were not allowed to meet Muslim clergy.<sup>5</sup> Likewise, the country’s strict visa requirements for foreign religious staff have been criticised for making it difficult to bring in foreign workers and volunteers.<sup>6</sup> In April 2019, various Christian, Muslim, Jewish and Baha’i groups set up an interfaith council.<sup>7</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

As a result of extensive missionary activity, mainly by Protestant missionaries before and during Germany’s coloni-

sation, the former South West Africa is today predominantly Christian.<sup>8</sup> At the same time, many Namibian Christians combine elements of Christian belief and practice with traditional African rites and customs. This has created a nation characterised by great ethnic, cultural and religious diversity.

Given this background and the present stable political context, religious freedom is not expected to deteriorate.

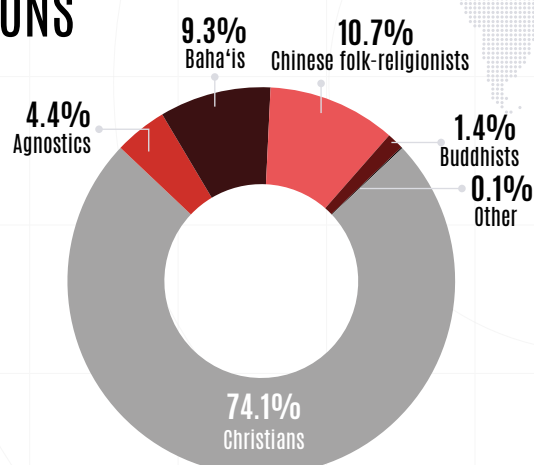
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# NAURU

## RELIGIONS



Population

**11,227**



GDP per capita

**12,896 US\$**



Area

**21 Km<sup>2</sup>**



GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Located in the South Pacific to the south of the Marshall Islands, Nauru is an island with a population of around 10,300. It is the world's smallest republic.

The Preamble to its Constitution acknowledges "God as the almighty and everlasting Lord and the giver of all good things." Under Article 11 (1), a person has the right "either alone or in community with others and in public or private, to manifest and propagate his religion or beliefs in worship, teaching, practice and observance." A person also has the right to change his or her religion or belief.

According to Article 12 (3a), freedom of expression may only be restricted by law when it is "reasonably required in the interests of defence, public safety, public order, public morality or public health". Likewise, restrictions can be imposed on freedom of conscience when it is necessary to protect the right of individuals to practise their religion without "the unsolicited intervention of members of some other religion" Article 11 (4b).<sup>1</sup>

There is no requirement that public schools offer reli-

gious instruction. However, religious groups may run private schools or provide religious education within public schools. In schools where religious education is provided, students are required to participate in the program led by the representative of their respective religious group, or if their faith isn't represented, to engage in independent study.<sup>2</sup>

Officially, in order to officiate marriages, proselytise, construct religious buildings or hold public services, religious groups are required to register with the state.<sup>3</sup> According to a 2014 regulation, groups must have at least 750 members to register. At present, only the Catholic Church, the Nauru Congregational Church, the Assemblies of God, the Nauru Independent Church, and the Seventh-day Adventist Church have been officially registered.<sup>4</sup>

Nothing suggests that registration is biased against certain groups per se. However, smaller religious groups have noted that the membership requirement limits their clergy's ability to officiate at state-recognised marriages.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

During the period under review, there were no reports of significant government or societal discrimination against

individuals or groups on account of their religion.

Of note, however, is that Australia maintained for years a refugee processing centre in Nauru, many of them victims of human rights violations, including religious persecution, in Iraq, Iran, or Pakistan.<sup>6</sup> The facility was closed by March 2019,<sup>7</sup> but almost 150 refugees still remain on the island nation as of November 2020<sup>8</sup> suffering particularly with the onset of the COVID-19 pandemic.<sup>9</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom is generally protected and observed in Nauru and the prospects for the future of this right remain positive. The conditions for the remaining refugees, including that of religious freedom, requires observation.

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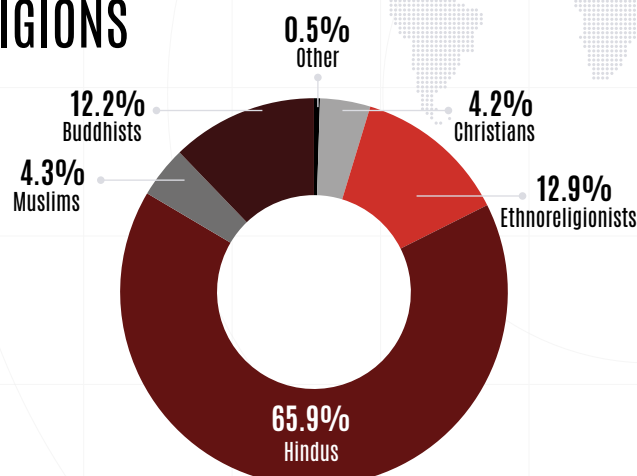
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## NEPAL

## RELIGIONS



Population

**30,260,244**

GDP per capita

**2,443 US\$**

Area

**147,181 Km<sup>2</sup>**

GINI INDEX\*

**32.8**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

The Constitution<sup>1</sup> defines Nepal as a secular state. In Article 4 (1), it stipulates that “Nepal is an independent, indivisible, sovereign and secular state.” It adds: “For the purpose of this article, the term ‘secular’ means the protection of religion and culture being practised since ancient times as well as religious and cultural freedom.”

The Constitution’s protection for religious freedom includes freedom for religious institutions. For example, Article 26 (1) declares religious freedom to be a fundamental right, and Article 26 (2) states, “Every religious denomination shall, maintaining its independent existence, have the right to manage and protect its religious places and religious trusts in accordance with the law.” However, Article 26 (3) expressly prohibits conversion and any act that might “disturb” the religion of others, stating that “no person shall... convert a person of one religion to another religion, or disturb the religion of other people. Such an act shall be punishable by law.” These provisions were strengthened in the revised penal code, which criminalises “offending the religious feelings” of others. Article 9.158 of the penal code prohibits attempts to “convert” others or “to

weaken the religion, faith or beliefs practised since ancient times (sanatan) by a community, caste or ethnic group”; it also imposes a severe penalty of up to five years in prison and a fine of 50,000 rupees (just under US\$500).<sup>2</sup>

The law stipulates that the state must protect the “Sanatana Dharma”, a term often translated as “Primordial Tradition”. This generally designates the essence of Hinduism as it has been passed down over the centuries. In addition, Article 9 (3) of the constitution affirms that the national animal is the cow, which Hinduism regards as sacred. These pro-Hindu provisions are embedded in the constitution, and can potentially legitimise and encourage religious persecution and discrimination. Such provisions and penalties, which include the vaguely worded constitutional prohibition of religious conversion, impose severe restrictions on the religious freedom of religious minority groups, leaving them vulnerable to both legal and social abuse by majority Hindus, but can also impinge on the freedom of conscience and religion of members of the majority community.

The Constitution’s anti-conversion provisions are perceived as specifically targeting Nepal’s Christian communities. Indeed, many have noted that since the Constitution’s enactment, Christians have been increasingly harassed and, in some cases, detained by local govern-



ment officials due to allegations that they were converting Hindus, especially Hindu Dalits.<sup>3</sup> Their places of worship have also been bombed.<sup>4</sup>

Apart from religious hostilities, government regulations present challenges to faith-based organisations in general and Christian groups in particular; for example, registration rules impose burdensome requirements and constraints on raising funds from abroad.<sup>5</sup>

Apart from the Constitution and the penal code, other laws and regulations discriminate against non-Hindus. Laws currently in place mean that it is much easier to obtain legal recognition for Hindu organisations than the institutions of other faiths.<sup>6</sup> For example, non-Hindu organisations face obstacles to acquiring property for institutional use.

During the period under review, there were both improvements in some areas and setbacks in others. Christian and Muslim minorities can now more easily buy land to establish their cemeteries or enlarge existing ones.<sup>7</sup> In the area of the family, however, marriages involving couples of different religions remain difficult, mainly for cultural or social reasons.<sup>8</sup>

With respect to Christian holidays, there was little change. Despite protests by Christians, Christmas was not reinstated as a public holiday. After the civil war it had been made a statutory holiday in 2008 only to be repealed in 2016. Christians protested but the Ministry of Home Affairs argued there were too many public holidays (83) already and that “(T)his measure is in no way directed against Christians.”<sup>9</sup>

A prominent Protestant leader, Rev. Tanka Subedi criticised Hindu leaders for saying that secularism was a Trojan horse introduced by Christians to subvert Nepal’s Hindu identity.<sup>10</sup> In his view, the country’s rulers should behave in a more “neutral” manner, noting that “the rulers do not believe in any religion, yet they organise official events to celebrate Hindu festivals while persecuting members of religious minorities as if they had broken the law. This gives the impression that we are still living under the old one-party Panchayat political system.”<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

Following the adoption of the new Constitution in 2015 and the new penal code outlawing proselytising and efforts to convert others, which took effect in August 2018, Nepal has witnessed an increase in legal and social pressure on Christians.

In June 2019, the Bardiya District police arrested a US

citizen and his Nepali associate on charges of possessing Christian literature and conducting “conversionary” activities. The US citizen was released after 12 days in detention and a court hearing, and later left the country.<sup>12</sup> In April, four Christians, including a woman from the US, were arrested on similar charges of conversion by allure-ment.<sup>13</sup>

In September 2019, a pastor in Chitwan was forced into hiding by Hindu extremists as a result of an interview in which he witnessed about his journey to Christ that was posted on social media. The pastor and his family subsequently received death threats.<sup>14</sup>

With the advent of the COVID-19 pandemic in early 2020, religious minority communities, including Christians, Muslims, and Buddhists, have reportedly suffered increased discrimination, harassment and persecution.

A nationwide lockdown was issued in March. It ended in July, but certain restrictions and other health regulations remained limiting the size of gatherings.<sup>15</sup> Religious leaders have criticised the lockdowns and forced scaled-back festivals and rituals, claiming that “divine anger” would lead the country into catastrophe.<sup>16</sup>

Amidst the pandemic, police arrested two pastors on charges of holding worship services in violation of the country’s anti-COVID-19 lockdown. Media accounts report that, on separate occasions, the two clergymen were on church grounds with their families, counselling illiterate church members who were unaware of the government’s COVID-19 orders.<sup>17</sup>

Several Hindu temples were also closed down, and worshippers were unable to participate in centuries-old rituals.<sup>18</sup>

In July 2020, after the authorities lifted COVID-19 lockdown restrictions, members of a Church in the Baglung District renewed construction of a temporary structure with the capacity for 50 people on rented land. Some local non-Christian residents had petitioned the church to stop building and vacate the land. When this did not happen, they turned to local municipal and police authorities.<sup>19</sup>

For Mukunda Sharma, executive secretary of the Nepal Christian Society, Nepalese law is not clear when it comes to Churches and their buildings, a situation that Hindu extremists exploit to level accusations at Christians. Hitherto building permits have not been required for places of worship and prayer. Now, however, religious institutions carrying out charity and philanthropic activities must be registered and need a permit from district administration and

revenue officials to conform with the latest amendments to the Nepal National Code, which was itself changed in accordance with the new Constitution.

Such a multi-tiered registration procedure places significant burdens on religious communities, particularly on small religious organisations.<sup>20</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

While the Constitution is nominally secular and guarantees the right to profess and practise one's religion, it also expressly prohibits converting people from one religion to another and bans religious behaviour that might disturb the religious beliefs of others and challenge the established religious and cultural order.

Nepali social structures are still in many ways based on 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 defines secularism in a way that obligates the state to protect the country's "immemorial" and indigenous religious traditions, i.e., Hinduism.

With an unclear constitutional and legal framework, the latitude for accusations and tensions generated by some Hindu groups are an additional factor undermining the prospects for religious freedom in Nepal.

Under these circumstances, the religious freedom of the country's Christians, Muslims, Buddhists, and other religious minorities is likely to face significant legal and social challenges and limitations in the coming years. The prospects for the right of religious freedom remain negative.

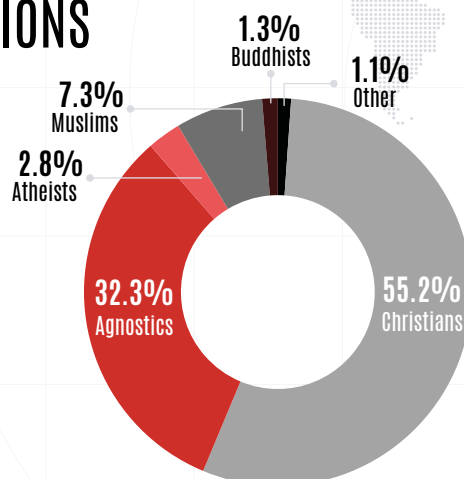
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# NETHERLANDS

## RELIGIONS



Population  
**17,181,248**  
GDP per capita  
**48,473 US\$**



Area  
**41,542 Km<sup>2</sup>**  
GINI INDEX\*  
**28.5**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Kingdom of the Netherlands<sup>1</sup> protects freedom of religion. Article 6 provides: “Everyone shall have the right to profess freely his religion or belief, either individually or in community with others, without prejudice to his responsibility under the law,” but the government may restrict the exercise of this right “for the protection of health, in the interest of traffic and to combat or prevent disorders.”

All citizens are to be treated equally, and discrimination on the grounds of religion or belief is prohibited by the constitution (Article 1). Discrimination complaints may be made to a national government helpline as well as the Netherlands Institute for Human Rights. Complaints about online discrimination can be made to the internet discrimination hotline (MiND Nederland).<sup>2</sup> The Public Prosecution Service registers all discrimination cases and operates the database of criminal cases for discrimination-related crimes.<sup>3</sup>

Freedom of expression is guaranteed in Article 7 of the

Constitution, but there are limits on this right. The Dutch Criminal Code makes it a crime to make or disseminate public intentional insults on the basis of religion, as well as to engage in verbal, written, or illustrated incitement to religious hatred.<sup>4</sup>

There is no legal requirement for religious groups to register with the government, but to receive tax-exempt status religious groups must be “of a philosophical or religious nature,” contribute to the general welfare of society and be non-profit and nonviolent.<sup>5</sup> The government requires all clerics, including imams and pastors, who require long-stay visas in the Netherlands to begin the “civic integration process,” including learning Dutch, before arrival in the Netherlands.<sup>6</sup> Some Muslim communities have “raised concerns about the selectivity of [this requirement] for foreign imams, [but] not always required for other religious communities.”<sup>7</sup>

Schools financed by public funds must pay “due regard” to the freedom to provide education according to religious or other belief” and the government provides funding to religious schools and institutions.<sup>8</sup> As of 2019, the government supported nearly 6,800 primary and 1,450 secondary special religious schools.<sup>9</sup> Special religious schools

may require that teachers and student have a particular religion or belief, but discrimination on other grounds is illegal.<sup>10</sup> Although under the law anyone is free to start a new school based on their religion or belief, it was nearly impossible to receive government funding.<sup>11</sup> However, in May 2020, the Senate approved a law making it easier for new schools to apply for funding as of 1st June 2021.<sup>12</sup>

All schools must teach “sexuality and sexual diversity” so children “learn to respect sexual differences and preferences.”<sup>13</sup> How schools achieve these objectives may depend on the school’s identity and religious schools may choose what methods to use.<sup>14</sup>

The Dutch animal welfare party continued to support a ban on all slaughter of animals without stunning, but the Council of State issued an advisory opinion in May 2019 in which it said such legislation would constitute an excessive restriction on freedom of religion for observant Muslims and Jews.<sup>15</sup> Reacting to the European Court of Human Rights’ decision to uphold a ban on ritual slaughter in Belgium in December 2020, the Chief Rabbi of the Netherlands said that if such a law passed there, “Orthodox Jews will leave.”<sup>16</sup>

A ban on face-covering clothing, including burqas and niqabs, in public places such as government buildings, schools, hospitals, and on public transport came into force on 1st August 2019.<sup>17</sup> Only a few hundred women are estimated to wear such clothing and authorities in Dutch cities said they did not intend to make enforcement a priority.<sup>18</sup> As of October 2020, four warnings had been issued and no fines had been imposed.<sup>19</sup>

In June 2020, the final report was issued by a Parliamentary committee into the influence of “anti-democratic” countries and the funding of mosques in the Netherlands. The committee concluded that (often invisible) financiers from countries such as Kuwait, Qatar and Saudi Arabia exerted “their political-religious influence” by “training, paying and sending imams to the Netherlands” and that Diyanet, the Turkish organisation which employs all Turkish imams maintained a “political grip.”<sup>20</sup> In November 2020, the government announced a plan, The Social Organizations Transparency Act, to more “intensely” investigate donations, freeze money flows where necessary, and enhance efforts to make “target groups in the Netherlands more resilient to” the influence of foreign donors from “unfree”

countries.<sup>21</sup>

Catholic leaders criticized the April 2020 Supreme Court ruling that doctors may legally carry out euthanasia on people with severe dementia, provided that an advance directive is in place.<sup>22</sup> In October 2020, Cardinal Willem Eijk of Utrecht denounced regulations to allow the euthanasia of children, noting that when the regulations come into force, “people’s lives can be, under conditions, ended by doctors from conception and at any age without being punishable.”<sup>23</sup>

In December 2020, the government announced the creation of a new national coordinator position against anti-Semitism, due to the increase in anti-Semitic incidents in the country. Plans for a national coordinator for discrimination and racism position were announced earlier.<sup>24</sup>

## INCIDENTS AND DEVELOPMENTS

The official police hate crime figures reported to the OSCE for incidents in 2018 and 2019 included hate speech incidents. In 2019, crimes committed with a “bias against members of other religions or beliefs” were not further disaggregated. Anti-Semitic crimes were reported separately. In 2018, crimes committed with anti-Semitic or anti-Muslim bias were disaggregated from those with a “bias against members of other religions or beliefs.”

### Related to Jews

Official police figures for 2019 included 257 incidents motivated by anti-Semitism and 275 such incidents in 2018.<sup>25</sup> In its 2019 report, Centre Information and Documentation Israel (CIDI) recorded the “highest number of anti-Semitic incidents ever observed in a calendar year” since it began recording in 1982: 182 cases in six categories, excluding online hate speech. The category with the greatest increase was “real-life” cases involving physical or verbal assaults or threats – 61 cases – twice as many as the previous year.<sup>26</sup> “Far-right anti-Semitism” accounted for one incident and 18 were committed by Boycott, Divestment and Sanctions movement activists.<sup>27</sup>

Incidents in 2018 included a physical assault on a Jewish boy by security guards at a party in June and a visibly Jewish man being insulted and spat at in the face on a



major Jewish holiday in September. There were numerous vandalism incidents reported.<sup>28</sup>

Incidents in 2019 included in December a boy shouting at a Jewish family outside a synagogue in Rotterdam “Jew, I’ll shoot you dead,” as his parents watched.<sup>29</sup>

#### Related to Muslims

Official police figures for 2018 (the most recent disaggregated data) reported 137 hate crimes, hate speech, or incidents motivated by bias against Muslims and civil society organisations reported 23 incidents.<sup>30</sup> For 2019, civil society groups reported 47 incidents to the OSCE.<sup>31</sup>

Incidents in 2018 included physical attacks on women wearing headscarves, threats against Muslim families, and windows broken or vandalism at mosques.<sup>32</sup> For example, in 2018 a teenage girl was hospitalised for a physical assault after refusing to remove her headscarf. The wall of a mosque was smeared with tomato sauce in September 2018.<sup>33</sup>

An example of physical violence included the Turkish Forum Netherlands’ report that a teenage Muslim boy and his mother were attacked at home by perpetrators shouting the name of a politician with anti-Muslim and anti-migrant views in March 2019. The group also reported threats, including in January 2019 the Muslim community had been threatened “when the remains of several dead sheep were left alongside an anti-Muslim text.”<sup>34</sup>

In March 2020, the trial of the gunman who shot passengers on a tram in Utrecht while shouting “Allahu akbar” began. According to prosecutors, the man confessed to the shooting and left a hand-written note in a getaway car reading: “I’m doing this for my religion. You kill Muslims and you want to take our religion away from us, but you won’t succeed. Allah is great.”<sup>35</sup> He was convicted and sentenced to life imprisonment.<sup>36</sup>

In October 2020 the online petition to make it punishable to proffer insults to the prophet Mohammed was signed by more than 120.000 persons. This ‘blasphemy law’ was a positioning toward the French government’s new law of the Republic against separatist Islam, based on the concept that the shocking decapitations that followed in France (one professor and 3 Catholic faithful) “have nothing to

do with Islam”. The request to have a legal protection for Islam was heavily criticized, led to more polarization in the debate about freedom of religion.<sup>37</sup>

#### Related to Christians

Official figures relating to crimes or incidents with an anti-Christian motivation were disaggregated in the hate crime reporting to the OSCE in 2018 or 2019.

In September 2018, Archbishop Eijk of Utrecht said the Catholic Church was “rapidly disappearing” from the Netherlands due to a “rapid decline in church attendance” and the “aging Catholic population.” He predicted that over ten years, the Utrecht dioceses would shrink from 280 churches to probably 10 or 15.<sup>38</sup>

In November 2018, the prosecutor’s office in the Hague announced that the man charged with three counts of attempted murder for stabbings in May 2018 was specifically searching for “Christian and Jewish kuffars” (Arabic for non-believers). He was recorded telling his mother that kuffars were akin to “animals or retarded people.”<sup>39</sup> A court found him not responsibly by reason of insanity and ordered an indefinite hospitalization. Appellate proceedings initiated by the Public Prosecution Service began in September 2020.<sup>40</sup>

In January 2019, the Dutch translation of the “Nashville Statement,” with approximately 250 signatories, including prominent Protestant pastors and community leaders, was published in the Reformatorisch Dagblad newspaper.<sup>41</sup> The Statement, initiated by the Southern Baptist Convention in the United States in 2017 to address a “Western culture [that] has become increasingly post-Christian.” It “affirms” a “biblical view” of marriage and sexual morality.<sup>42</sup> It was met with intense criticism in the press and in public, despite a published postscript to acknowledge that churches had been deficient in providing pastoral care to those with a homosexual orientation.<sup>43</sup> A formal police complaint was filed against the newspaper and one of the politicians who signed it, claiming that the text discriminated against the LGBT community in violation of Article 1 of the Dutch Constitution. In March 2020, the prosecution service announced that it would not bring criminal charges because to do so would “interfere with their freedom of religion.”<sup>44</sup>

In June 2020, a statue of Our Lady of Częstochowa was defaced with the letters “BLM” in Breda.<sup>45</sup> In November 2020, the Protestant Markuskerk was severely damaged by fireworks with the “force of a hand grenade.”<sup>46</sup>

Concerning religious standpoints and public education, there is recent discussion about protestant (reformed) schools that require a written statement from parents saying that they distance themselves from homosexuality. The (Christian) minister of Education at first claimed that the schools had this right, but later - due to political pressure - acknowledged that there is “a tension” between different fundamental rights, such as freedom of education and the prohibition of discrimination, saying that the anti-gay-declaration is a step too far.<sup>47</sup>

#### Related to Covid-19

The Dutch government did not impose restrictions on public worship, except regulating the number of people permitted inside at one time, during their coronavirus pan-

demic-related lockdowns in 2020/21.<sup>48</sup> This, however, was ignored by several communities and provoked a larger public debate on freedom of religion.<sup>49</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review. Rising anti-Semitism is a concern, however it appears that the government has taken measures to try to tackle the issue. The societal response to the controversial “Nashville Statement” may result in a “chilling effect” on some Christians who hold orthodox positions, but the decision not to prosecute was positive. If certain anti-migrant political parties continue to gain popularity, however, there may be an increased risk of legislative proposals leading to increased restrictions on religious freedom for minority religions, particularly for Muslims.

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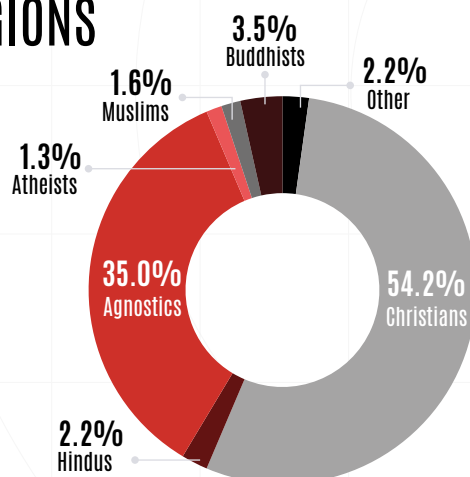
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# NEW ZEALAND

## RELIGIONS



Population  
**4,834,420**  
GDP per capita  
**36,086 US\$**



Area  
**268,107 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

New Zealand has two main laws that specifically protect human rights: The Bill of Rights Act (rights which the government and anyone carrying out a public function must observe) and the Human Rights Act (prohibiting discrimination in all areas of life).<sup>1</sup>

According to the New Zealand Bill of Rights, “Everyone has the right to freedom of thought, conscience, religion, and belief, including the right to adopt and to hold opinions without interference” (Section 13).<sup>2</sup> Freedom of expression (Section 14), including religious expression, is protected: “Every person has the right to manifest that person’s religion or belief in worship, observance, practice, or teaching, either individually or in community with others, and either in public or in private” (Section 15). These rights are “subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society” (Section 5).

The Education and Training Act 2020,<sup>3</sup> which went into effect on 1 August 2020, replaced the Education Legislation Act 2016. The former law required that teaching in state

primary schools be “entirely of a secular character” (Section 77).<sup>4</sup> The 2020 law permits religious instruction and observances in public primary and intermediate school buildings if approved by the school board (Section 56).<sup>5</sup> The law has an “opt-in” process whereby students only receive religious instruction with their parents’ written permission (Section 58).<sup>6</sup> The previous legislation required a parent or guardian to “opt out” of religious instruction for their children.<sup>7</sup> Taking part in religious observances in schools is not required (Section 59).<sup>8</sup>

Discrimination on the basis of religion, or lack of religious belief, is prohibited.<sup>9</sup> Complaints of unlawful discrimination may be filed with the government-funded Human Rights Commission (HRC).<sup>10</sup> In its Annual Report for the period ending 30 June 2019, the HRC reported 87 enquiries and complaints on the grounds of religious belief.<sup>11</sup>

In March 2019, the existing blasphemy law, which had not been applied since 1922, was repealed.<sup>12</sup>

Parliament passed the “End of Life Choice Act 2019” in 2019, and it became law after more than 50% of voters voted “yes” in a referendum held on 17 October 2020. The Act, which legalised euthanasia and assisted suicide, was criticised by hospice groups, leaders of several Christian denominations, as well as the Nathaniel Centre, New Zea-



land's Catholic bioethics centre.<sup>13</sup>

## INCIDENTS AND DEVELOPMENTS

On 15 March 2019, Australian citizen Brenton Tarrant entered the Al Noor Mosque in Christchurch and began shooting at worshippers during Friday prayers. He then went to the Linwood Islamic Centre, also in Christchurch, and shot at worshippers there. The attacks resulted in 51 deaths and 49 injuries, the country's worst mass shooting.<sup>14</sup> Tarrant, who live-streamed the attack and posted a white-supremacist manifesto online, was charged with 51 counts of murder, 40 counts of attempted murder, and one count of terrorism. In September 2019, the Christchurch High Court moved the original May 2020 trial date to June 2020 to avoid conflicting with the Islamic holy month of Ramadan.<sup>15</sup>

In March 2020, Tarrant pleaded guilty to all charges.<sup>16</sup> On 27 August 2020, a judge sentenced him to life in prison without parole. Both the conviction for terrorism and the life sentence without parole were the first in the nation's history.<sup>17</sup>

In the aftermath of the Christchurch attacks, the government established a Royal Commission of Inquiry to investigate, "whether State agencies are doing all they can to protect the people of New Zealand from terrorist attacks and whether more could be done".<sup>18</sup> In July 2020, the deadline for the Commission's report was extended to 26 November 2020.<sup>19</sup>

According to the Human Rights Commission, "The Christchurch attacks have reignited public debate about harmful speech and hate crime and how we balance the right to freedom of expression with the need to protect vulnerable people and communities. The attacks also cast light again on the absence of systematically collected data and information on racially and religiously motivated crimes in New Zealand. Without such data it is difficult to have an informed discussion about the prevalence of hate crimes, or to design effective measures to counter them."<sup>20</sup>

In a show of solidarity with the Muslim community, the New Zealand Jewish community shut its synagogues on a Shabbat, the Jewish day of rest, for the first time in its history. Several synagogues also urged extra caution and expressed concerns about security.<sup>21</sup> Pope Francis assured all New Zealanders, in particular the Muslim community, of "his heartfelt solidarity in the wake of these attacks."<sup>22</sup>

The Shifting Jewry 2019 survey of 600 members of the New Zealand Jewish community revealed that 44% said they thought antisemitism was either a "fairly big" or "very big" problem in New Zealand, particularly relating to online hate speech.<sup>23</sup> However, the majority of respondents indicated that they had not directly experienced antisemitism in the previous 12 months, either as verbal insults, harassment or as a physical attack. About 16% of respondents had experienced a verbal insult or harassment (compared to 44% in 2008) and three had been physically attacked. 363 respondents (52%) had not experienced any of these forms of antisemitism.<sup>24</sup> In January 2020, a swastika was painted on the outside of Temple Sinai in Wellington.<sup>25</sup>

In early March 2019, Jacob Lowenstein confessed to burning down two Church of Jesus Christ of Latter-day Saints buildings and was sentenced to nearly seven years in prison.<sup>26</sup> In April 2020, his attorney appealed the sentence, arguing it was "excessive" and that his client showed "remorse". The prosecutor argued against a sentence reduction, noting that Lowenstein had expressed disappointment that the Christchurch mosque attacks just weeks later had "overshadowed" his offences. After the arguments, the court reduced his sentence by five months.<sup>27</sup>

Restrictions on public gatherings due to the coronavirus pandemic in 2020 resulted in the closure of places of worship for several weeks and complete suspension of religious services for nine weeks.<sup>28</sup> Rules were loosened at the end of May to permit religious services with some restrictions.<sup>29</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

There were no new or increased governmental restrictions on religious freedom during the period under review. Societal intolerance against minority religions does not seem to be rising significantly and is monitored by both civil society groups and government agencies.

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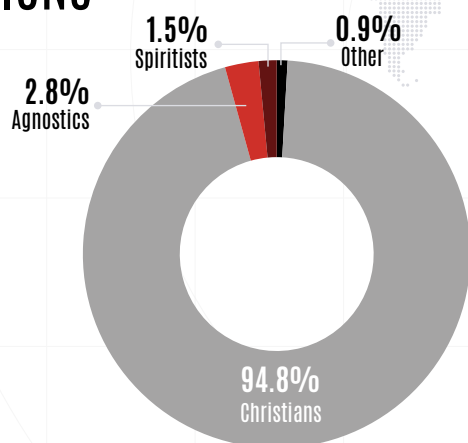
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# NICARAGUA

## RELIGIONS



Population  
**6,416,568**  
GDP per capita  
**5,321 US\$**



Area  
**130,373 Km<sup>2</sup>**  
GINI INDEX\*  
**46.2**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

According to its Preamble, the Constitution of Nicaragua<sup>1</sup> emanates from the Nicaraguan people in the name, among others, of “those Christians who inspired by their belief in God [. . .] joined and committed themselves to the struggle for the liberation of the oppressed”.

Under Article 4, the state is responsible for “promoting the human development of each and every Nicaraguan, inspired by Christian values”.

In its foreign policy, Nicaragua rejects “all forms of political, military, economic, cultural, or religious aggression”; therefore, interfering in the internal affairs of other states is forbidden and proscribed (Article 5).

The nation’s principles include recognition of indigenous peoples and Nicaraguans of African descent as well as respect for human dignity and Christian values.

The state has no official religion (Article 14). Under Article 27, everyone is equal before the law, and the state does not discriminate, among other things, on religious grounds.

Article 29 stipulates that, “Everyone has the right to freedom of conscience and thought and to profess or not profess a religion. No one shall be the object of coercive measures which diminish these rights or be compelled to declare his/her creed, ideology or beliefs.”

Among various social groups, religious men and women have, according to Article 49, the right to establish organizations with “the goal of realizing their aspirations”.

According to Article 69, “All persons, either individually or in a group, have the right to manifest their religious beliefs in public or private, through worship, practices and teachings.”

Article 124 stipulates that “Education in Nicaragua is secular”; nevertheless, the state “recognizes the right of private education centers with a religious orientation to teach religion as an extracurricular subject.”

Members of the clergy cannot run for president, vice-president or parliament unless they resign their ministry at least twelve months before the election (Article 134).

Minority communities on the Caribbean coast are guaranteed a high level of autonomy to develop in accordance with their own historical and cultural traditions. Article 180 guarantees them the right to preserve, “their cultures and

languages, religions and customs.”

## INCIDENTS AND DEVELOPMENTS

Nicaragua plummeted into a political and economic crisis in April 2018, when pro-government “shock troops” crushed a small demonstration against reforms to Nicaragua’s pension system. Since that time hundreds of people have been killed, thousands injured and more than 100,000 people have fled reported human rights abuses as the protests have grown calling for democratic reforms, and government attempts to quell them have increased.<sup>2</sup>

Churches, members of the clergy, nuns and ordinary believers too came under attack during the period covered by this report predominantly while the country was mired in this profound political and economic upheaval.<sup>3</sup>

The seriousness of the crisis moved the Catholic Church and other organisations to publicly express concern about the situation and criticise the government’s repressive policy.

On 25th February 2019, the Archbishop of Managua, Cardinal Leopoldo Brenes, travelled to Rome to inform the Holy Father of the “socio-political crisis” in Nicaragua.<sup>4</sup>

On 27th February, Cardinal Brenes participated as an observer on the first day of negotiations between the government of President Daniel Ortega and the opposition group, the Civic Alliance for Justice and Democracy. Not receiving any invitation for the next three meetings, however, in March the bishops announced their decision to not take further part in the negotiations. The Apostolic Nuncio Waldemar Stanislaw was present at all talks as a “witness”.<sup>5</sup>

In July 2019, the Inter-American Commission on Human Rights (IACHR) expressed its concern over the ongoing crackdown and the serious restrictions on public liberties, not to mention the attacks on religious services by pro-government groups and anti-riot police.<sup>6</sup>

In October 2020, the bishops expressed concern over government bills limiting freedom of expression. One such bill would require people receiving funds from abroad to register with the Ministry of the Interior and submit to financial audits, which could affect the charitable mission of the Church.<sup>7</sup>

The European Parliament also passed a resolution condemning the laws on foreign agents, cybercrime and hate

crimes, which, if approved, would cause more human rights violations and provide President Ortega’s government with new means of repression.<sup>8</sup>

In the period under review, religious institutions and faithful have increasingly come under attack, targeted by hate crimes (attacks on religious properties and people identified as religious) and acts of intimidation against those expressing their faith or practising it by helping victims of violence.

In June 2018, an Evangelical pastor and his family burned to death at their home in Managua in an arson attack blamed on police officers.<sup>9</sup> In January 2019, the government interfered with the Catholic procession for peace traditionally held on 1st January. This included threats posted on social media and the presence of riot police deployed along the procession’s route.<sup>10</sup>

In April 2019, protesters took advantage of the traditional Holy Week processions to stage protests against President Ortega’s government a year after the start of socio-political unrest caused by the government’s reform of the social security system.<sup>11</sup> When riot police tried to disperse the protesters, some sought refuge in the Managua Cathedral. The apostolic nuncio mediated “between the authorities and the opposition to allow the protesters to leave the cathedral safely.”<sup>12</sup>

In November 2019, a group of people went on a hunger strike in a church to demand the release of political prisoners. The authorities surrounded the church and prevented the hunger strikers from receiving the basics, like water and medicines.

After another hunger strike started in the Managua Cathedral, police surrounded the building, allowing pro-government sympathisers to get inside where they attacked a priest and a nun who were protecting the protestors. The Church of Nicaragua condemned the desecration of the cathedral.<sup>13</sup>

Several acts of vandalism and church desecrations were reported in the country. An NGO counted 22 attacks between December 2018 and July 2020,<sup>14</sup> including an incident in April 2020 at the Nuestra Señora de la Merced parish in Managua;<sup>15</sup> and, among others,<sup>16</sup> two in July against the Nuestra Señora de Veracruz parish<sup>17</sup> and the Nuestra Señora del Perpetuo Socorro chapel.<sup>18</sup> In July the Managua Cathedral was again the target of attack, this time of a terrorist act. An unidentified individual threw a bomb that started a fire inside the building.<sup>19</sup>



In September 2020, the government began cancelling visas for foreign priests, even though they had been working in the country for several years. During this month the Cristo Rey parish was attacked whilst the Santo Domingo chapel was also desecrated.<sup>20</sup>

With the onset of COVID-19, the government failed to heed the signs of the pandemic, for example public services continued to operate normally, enabling the virus to spread. The vice president encouraged religious services during Holy Week; by contrast, the Bishops' Conference limited activities and took steps to prevent infections,<sup>21</sup> cancelling for example a traditional Lenten pilgrimage to the Sanctuary of Jesús del Rescate.<sup>22</sup>

pastor and his family were murdered, members of the clergy were attacked, harassed and persecuted, whilst foreign priests saw their visas cancelled.

In this explosive climate, the Catholic Church has tried to mediate between the government and the opposition, without success, and subsequently has been the target of attacks and reprisals for giving sanctuary in her buildings to protestors demanding the release of political prisoners.

The Church and international organisations have condemned the climate of fear and violence, warning that human rights, including religious freedom, are being violated. The status of this fundamental right has visibly deteriorated in Nicaragua, and the outlook for the future is bleak.

## PROSPECTS FOR RELIGIOUS FREEDOM

Against the backdrop of a profound socio-political crisis under the presidency of Daniel Ortega, an Evangelical

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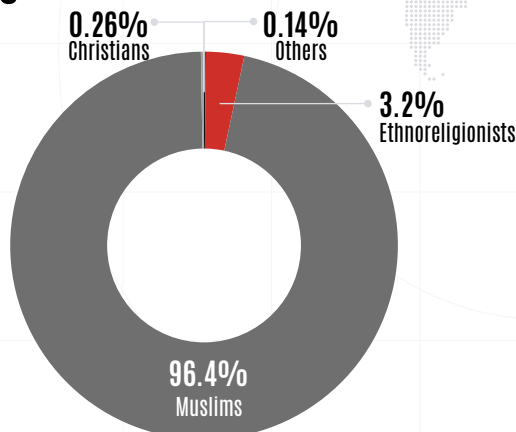
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# NIGER

## RELIGIONS



Population

**24,074,693**



GDP per capita

**926 US\$**



Area

**1,267,000 Km<sup>2</sup>**



GINI INDEX\*

**34.3**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The constitution of Niger's "Seventh Republic", promulgated on 25th November 2010,<sup>1</sup> guarantees, among other things, the separation of powers, decentralisation, a multi-party system, and protection of civil and human rights.

According to the constitution, the Republic of Niger is a secular state. This provides for a clear separation of state and religion. Respect for all faiths is embodied in Article 8, which enshrines equality of all people before the law, regardless of religious identity.

Article 9 stipulates that "political parties with an ethnic, regionalist or religious character are prohibited. No party may be knowingly created with the purpose of promoting an ethnic group, a region or a religion." Religious communities must register with the authorities.<sup>2</sup>

The National Assembly of Niger approved a law in June 2019, which reaffirmed the existing legislature on freedom of religion but granted the government the power to regulate and oversee the construction, financing, and use of

places of worship and other religious facilities.<sup>3</sup>

The country's president, prime minister and the speaker of the National Assembly must take a religious oath when they assume office. The oath varies according to the office holder's religion. Conversion is permitted. Larger public events with the aim of proselytising are, however, prohibited for security reasons.<sup>4</sup>

Muslims represent the vast majority of the country's population. There are, though, small Christian (Catholic and Protestant) communities. Religious instruction is not allowed in state-run schools. Schools with religious sponsors require the approval of the Ministry of the Interior and the Ministry of Education.<sup>5</sup> The Office of Religious Affairs in Niger's Ministry of the Interior is responsible for interreligious dialogue (full name is "Ministry of the Interior, Public Security, Decentralisation, and Traditional and Religious Affairs").<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

Because of its location in the heart of the Sahel region, Niger has become an important focal point for Islamist jihadist armed groups, who pose a serious threat of religious radicalisation. In a continued effort to counter the rapid

growth of Wahhabism in the country, the government has sought to standardise Islamic practices through an Islamic forum of more than 50 national Islamic organisations.<sup>7</sup>

During the reporting period, the Muslim-Christian Interfaith Forum has continued to meet promoting interreligious dialogue and peace. However, some reports suggest a certain deterioration in relations between Christians and Muslims, largely because of increased social pressure from more conservative Islamic branches. One manifestation of interreligious tensions is the decreased acceptance of each other's religious holidays.<sup>8</sup>

The Sahel, where Niger is located, has become one of the hotspots of international and regional jihadist terrorism, and has seen a rapid rise in militant Islamist groups, such as Boko Haram, al-Qaeda, and the Islamic State in the Greater Sahara (ISGS), which have gained a foothold in the country.<sup>9</sup>

In September 2018, Fr. Pierluigi Maccalli, a Catholic missionary, was kidnapped from a parish church in Bomoanga, a village near the border with Burkina Faso, by armed militants from Boko Haram.<sup>10</sup> The Catholic mission had to close due to security concerns and the nuns and missionaries fled to Niamey.<sup>11</sup> The National Committee of Inter and Intra Religious Dialogue, which includes Muslim leaders, condemned the kidnapping and called for his release.<sup>12</sup> He was eventually freed in October 2020 in Mali.<sup>13</sup>

In November 2018, Boko Haram kidnapped 15 girls in the Diffa region in south-western Niger. Parliamentarians urged the government to take action and deploy the military in the area to protect the local population.<sup>14</sup>

On 13th May 2019, an unidentified group attacked the Catholic parish of Dolbel in the Diocese of Niamey, wounding the priest.<sup>15</sup> Three days later, ISGS militants conducted an ambush in Tongo Tongo, a village also in south-western Niger, killing 28 Nigerien soldiers.<sup>16</sup>

In June 2019, Boko Haram threatened Christians in Diffa telling them to leave the region within three days or they would be killed.<sup>17</sup> The next day, a group of demonstrators set a Protestant church on fire in Maradi, the third largest city in Niger, as a protest against the arrest of a prominent local imam.<sup>18</sup>

In October of 2019, suspected Islamist militants killed 25 soldiers and wounded six more in an attack against an army post in western Niger near the border with Mali.<sup>19</sup>

In December 2019, al-Qaeda and ISGS militants attacked

a military base in western Niger, killing 71 soldiers.<sup>20</sup> Later that month, on 26th December, fourteen soldiers escorting a voting registration team were killed in an ambush by Islamist militants in Tillabéri, also in western Niger.<sup>21</sup>

On 9th January 2020, suspected Islamist militants conducted the deadliest attack on a Nigerien army base in years with at least 89 fatalities.<sup>22</sup> In February 2020, an action by the French-led military forces, Operation Barkhane, killed 120 terrorists in western Niger.<sup>23</sup> Although less attacks were registered during the Covid-19 pandemic (March to November 2020), the violence continued.

In March 2020, the authorities decided to close all places of worship in order to contain the spread of the COVID-19 pandemic. This was met with protests throughout the country, because the holy month of Ramadan was about to begin.

On 19th April 2020, protesters threw stones at the pastor's house next to a Protestant church.<sup>24</sup>

On 13th May 2020 all places of worship were allowed to reopen.<sup>25</sup>

In the first week of January 2021, in the wake of the presidential elections, two attacks by suspected Islamists in the province of Tillabéri caused close to 100 deaths and hundreds more injured among the civilian population. Also, in the same week, at least five French soldiers were ambushed and killed in same region.<sup>26</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The security situation in Niger is very volatile. The country has suffered attacks from various Islamist fundamentalist groups, including al-Qaeda and the Islamic State group. Troops from the United States, Germany, France and Italy have been deployed to the country to combat the terrorist threat.

Niger's neighbours are also very unstable and plagued by violence. In the south of the country, troops are combatting expanding Boko Haram terrorist attacks from Nigeria. In neighbouring Mali, the government is fighting against terrorists linked to al-Qaeda in the Islamic Maghreb (AQIM).

The extremist militant violence has caused great suffering for Niger's majority Muslim population, though instances of targeted attacks against Christians - as evidenced by the kidnapping and subsequent release of Fr. Maccalli - have been recorded.

The outbreak of the coronavirus pandemic has compounded the situation. The UN Secretary General Antonio Guterres called for a global ceasefire in April 2020, which Pope Francis echoed and repeated in July,<sup>27</sup> but in Niger the appeals went “almost completely unheard.”<sup>28</sup>

Niger is facing insurgencies both at home and from transnational attacks along its borders. The French-led Operation Barkhane is working in coordination with the G5

Sahel Joint Force to target the Islamic State in the region, especially in the Mali-Burkina Faso-Niger border area<sup>29</sup>. The ongoing high level of violence and the government’s limited capacity to provide security across the vast territory can only lead to a negative evaluation of the prospects for religious freedom in Niger.

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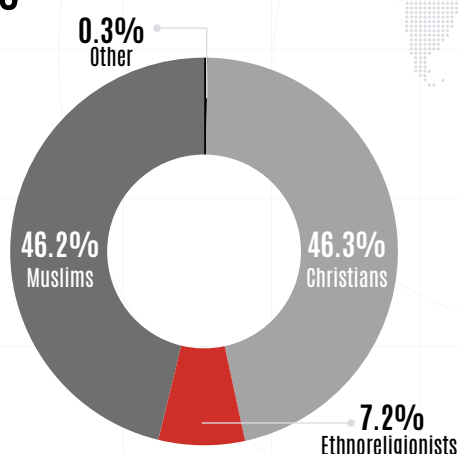


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# NIGERIA

## RELIGIONS



Population  
**206,152,701**



GDP per capita  
**5,338 US\$**



Area  
**924 Km<sup>2</sup>**



GINI INDEX\*  
**43**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Nigeria, Africa's most populous country with a population of around 200 million, is a federal republic with a democratic system of government that guarantees religious freedom. In addition to its 36 states, the country also has a Federal Capital Territory in which the capital, Abuja, is located. Under Article 15 of the Nigerian Constitution, no person may be discriminated against on grounds of his or her religious affiliation.<sup>1</sup> Article 10 stipulates that neither Nigeria as a Federal Republic, nor any of its individual states, may adopt a state religion.

Beyond this, Article 38 (I) of the Constitution guarantees the right to freedom of thought and religion, including the right to freely practise one's faith, propagate it through religious instruction, and convert to another faith. Article 38 (II) says that no one may be compelled to participate in religious instruction against his or her will if the instruction is not in accordance with that person's faith. This guarantee also extends to religious observances.

In the effort to promote social inclusion, Article 15 (3, c and

d) of the Constitution places the state under an obligation to foster inter-religious marriages and to promote the establishment of associations and groups for members of different religions. Article 222 (e) also prohibits political parties from identifying with any particular religion or region.

Nigeria has a mixed legal system with four separate sources, namely English law, common law, customary law, and, in a number of states, Islamic law (Shari'a).<sup>2</sup> Pursuant to Article 275 of the Nigerian Constitution, states are entitled to empanel a Shari'a Court of Appeal.

When 12 states officially introduced Islamic law more than 20 years ago, many Muslims reacted with enthusiasm while Christians protested the decision. There were riots that claimed several thousand lives - Christians as well as Muslims.<sup>3</sup>

According to Fr. Atta Barkindo, director of the renown Catholic Kukah Centre promoting interfaith dialogue<sup>4</sup>, after 20 years of Shari'a, the situation in northern Nigeria where it has been implemented has become worse.<sup>5</sup> Ethnicity and religion have effectively become a means to obtain power, resources and privileges. Fr. Barkindo states: "What Sharia law has done is to divide us more

in this country. You go to communities; people have withdrawn into the womb of their religions".<sup>6</sup> According to Fr. Barkindo it is urgent for Nigerians to discuss what their country should actually look like as a secular state, how it can define itself as a nation, and how Christians and Muslims can live together.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

With 55.6 percent of the votes, Mohammadu Buhari, a Muslim and former army general was re-elected to another four-year term following the presidential election of the 23<sup>rd</sup>-24<sup>th</sup> February 2019.<sup>8</sup>

His government confronted a variety of problems during the reporting period including: Islamist terror, the COVID-19 pandemic, widespread poverty, omnipresent corruption and police brutality, most notably by the Special Anti-Robbery Squad (SARS), which was the target of massive public demonstrations in 2020.<sup>9</sup>

In addition to a famine experienced by the poorest segments of society exacerbated by the COVID-19 virus, the population suffered increasingly brutal terrorist attacks, both in the majority Muslim north of the country where the extremist Islamist militant group Boko Haram operates<sup>10</sup> as well as by Fulani (herder) militants in the central states. Calls for a ceasefire by Nigeria's Catholic bishops, Pope Francis and the UN Secretary General Antonio Guterres during the pandemic have gone unheeded.<sup>11</sup>

Serious human rights violations have been reported with women and children often the victims. In June 2020, the Archbishop of Abuja, Ignatius Ayau Kaigama, deplored increasing sexual violence against women in Nigeria.<sup>12</sup> The increase in cases of rape against women and attacks by the SARS have led to massive protests in some regions of the country. On social media, urgent measures and demands for justice have appeared on behalf of the victims under the hashtags #WeAreTired and #EndSARS.<sup>13</sup>

During the period under review, Nigeria remained one of the worst places in the world for the persecution of Christians and Muslims by Islamist terrorists. According to the UN, an estimated 36,000 people have died and two million have been displaced as a result of two decades of Boko Haram violence alone.<sup>14</sup> The International Committee of the Red Cross reported that half of the approximately 40,000

people reported missing in Africa to date come from the north-eastern region of Nigeria, the scene of attacks and kidnappings by Boko Haram.<sup>15</sup>

The Boko Haram violence, in an effort to overthrow the government and establish an Islamic state<sup>16</sup>, targets government personnel and facilities including military and police, as well as churches and schools (translation of Boko Haram is generally understood to mean "western education is forbidden")<sup>17</sup>, Muslim critics<sup>18</sup>, as well as arbitrary attacks on civilians in village markets. More recently the group has engaged in the kidnapping of school children.

Muslims have suffered a great burden of the horrific violence at the hands of the extremists, not least because the insurgency occurs in a predominantly Muslim part of the country, but also due to the ideological influences that underpin Boko Haram's fundamentalist approach to Islam. Tony Blair Institute analyst for Extremism Policy, Audu Bulama Bukarti, states that, "as many as 44 of the 46 so-called 'scholars' who influence Boko Haram are Saudi. Just two are indigenous to Nigeria".<sup>19</sup> These scholars, according to Bukarti, follow "anachronistic texts, which sought to weed out weak or pretend believers according to an extreme reading of the Qur'an developed during the Mongol invasions of Mesopotamia in the 14th century".<sup>20</sup>

Notwithstanding this, starting in 2011 and 2012, Christians have increasingly become the victims of a strategic, targeted attack.<sup>21</sup> In 2019, the Christian Association of Nigeria (CAN) stated, "the widespread killing in Nigeria's north has predominately targeted Christians, who make up 95 percent of those currently detained by jihadists".<sup>22</sup>

Concerns to the impact of terror by Boko Haram, however, were overshadowed in 2019 by an upsurge in violence by Fulani militants. The Global Terrorist Index 2019<sup>23</sup> indicated that in 2018 alone, "Fulani extremists were responsible for the majority of terror-related deaths in Nigeria (1,158 fatalities)".<sup>24</sup> This dark trend continued throughout the reporting period.

The Muslim community contains two of the country's largest ethnic groups, Hausa and Fulani. The Fulani, numbering approximately 7 million in Nigeria, are a semi-nomadic group herding cattle over vast regions in the central states. The antagonism between Fulani (mainly Muslim)

herdsmen and farmers (mainly Christian) is historical. As the Terrorism Research & Analysis Consortium states: “Fulani herders and farmers are in constant violent conflict over herdsmen’s increased need for access to grazing lands against the expansion of farmland by farmers into corridors traditionally used by the Fulani”.<sup>25</sup> These often degrade into revenge-based clashes. The issue, however, “has been exacerbated in recent times by external factors such as climate change”.<sup>26</sup>

The reality of systematic terror against farmers, as well as police and military, with the use of high-grade weapons orchestrated by a small minority of militant Fulani extremists, however, is recent. So too is the increasingly radical Islamist nature of the attacks. A June 2020 British All Party Parliament Group report stated: “While not necessarily sharing an identical vision, some Fulani herders have adopted a comparable strategy to Boko Haram and Islamic State of West Africa Province (ISWAP) and demonstrated a clear intent to target Christians and symbols of Christian identity such as churches”. The report also noted: “During many of the attacks, herders are reported by survivors to have shouted ‘Allah u Akbar’, ‘destroy the infidels’ and ‘wipe out the infidels’”.<sup>27</sup> Again, however, Muslim farmers have not been spared. In Zamfara State where violence is prevalent, “both herders and farmers are mostly Muslim and mostly Fulani”.<sup>28</sup>

A study to the Fulani militant violence conducted by independent researcher and analyst, Dr. José Luis Bazán, revealed that between 2017 and 2020 “more than 2,539 people were killed, 393 were wounded, 253 kidnapped, 16 raped, more than 7,582 houses burnt and 24 churches destroyed in 654 attacks carried out over the three years”.<sup>29</sup> The cumulative impact on the nation of Boko Haram, Fulani, the Ansaru terror group, as well as that of the ISIS splinter group Islamic State West African Province (ISWAP), alongside roving criminal groups - is catastrophic.

In a letter sent to the Catholic Bishops’ Conference of Nigeria in early July 2020, Cardinal Jean-Claude Hollerich, President of the Bishops’ Conferences of the European Community (COMECE), expressed solidarity with Nigeria’s Christian communities who are “living a situation of continuous attacks by terrorists, insurgents and militias that in some cases reaches levels of genuine criminal persecution”.<sup>30</sup> Debates in the international community address whether this is, in fact, a genocide.

There are generally three types of closely related violence affecting Christians in particular: attacks on churches, the killing of people, and kidnappings. The list of incidents in each case below is, by very fact of the sheer number of attacks, and often the difficulty in tracking in rural environments, only a representative selection.

#### Attacks on churches

Christian churches and homes in Nigeria are repeatedly targeted by the militant groups.

On 3rd July 2018, Fulani militias on motorcycles set fire to 17 Christian homes, the Baptist Church and vicarage, and a government run hospital in the village of Rahwol-Fwi, central Nigeria.<sup>31</sup> The Christian Association of Nigeria stated: “There is no doubt that the sole purpose of these attacks is aimed at ethnic cleansing, land grabbing and forceful ejection of the Christian natives from their ancestral land and heritage”.<sup>32</sup>

On 23rd March 2019, Fulani militants attacked two villages (Mante and Nida) in Nasarawa State, burning down 28 homes and two Evangelical Church Winning All (ECWA) buildings, and two belonging to the Evangelical Reformed Church of Christ (ERCC); hundreds of displaced Christians sought refuge in Akwanga town.<sup>33</sup>

On Christmas Eve 2019, Boko Haram jihadists attacked the Christian village of Kwarangulum in Borno State, in the northeast of the country.<sup>34</sup> The town church, along with other buildings, was burnt to the ground. Seven people attempting to flee were shot to death.

On 27th January 2020, 32 people were killed and The Church of Christ in Nations (COCIN) church and pastor’s house was burned down in two nights of attacks by Fulani militants in Plateau State.<sup>35</sup> This followed an earlier attack on Christian communities in Marish and Ruboi villages in which Fulani militants killed 17 people, and an attack on Kwatas in which 15 people were killed.<sup>36</sup>

On the evening of 21st February 2020, members of Boko Haram raided a predominantly Christian settlement in Garkida, Adamawa State, killing several people.<sup>37</sup> Three Protestant churches were reported destroyed in the attack. According to the President of the Evangelical Church Winning All (ECWA), Stephen Panya Baba (Jos), residents of the settlement had warned security forces of an impending attack by radical Islamists, however,

the security forces did nothing to protect the town.<sup>38</sup> The attackers systematically destroyed the homes of Christians.<sup>39</sup>

On 23rd April 2020, Fulani extremists killed two people, kidnapped another and burned down a church including the pastor's home in a predominantly Christian area of north-central Nigeria.<sup>40</sup>

On 15th September 2020, following two attacks on the parish church of St. Peter in Makurdi on 12th August and 13th September, the local bishop, Wilfred Anagbe, ordered the indefinite interruption of all pastoral activities.<sup>41</sup>

### Killing of people

During the period under review, a number of Christian faithful, pastors and Catholic priests were killed.

On 1st January 2018, approximately 50 persons were killed in coordinated attacks on Tom-Atar and Umenge, Akor villages in Guma, Benue State, by suspected Fulani militia. The attacks, which started late New Year's Day, left several injured, destroyed homes and forced thousands of people to flee.<sup>42</sup>

On 6th January 2018, the Christian Association of Nigeria (CAN), issued a statement accusing the Federal Government of complicity in the attacks by Fulani militants by protecting the culprits. CAN president, Reverend Ayokunle Samson said: "We in the Christian Association of Nigeria are forced to make this press release on the continuous inhuman and wicked activities of the Fulani herdsmen all over the federation who are going from community to community killing innocent farmers with impunity".<sup>43</sup>

On 7th January 2018, Fulani militants attacked Tombo village, Benue State, killing 11 persons.<sup>44</sup>

On 25th January 2018, Fulani militants killed five people and injured eight others in an attack on Bassa, Plateau State. 20 houses were also destroyed.<sup>45</sup>

According to a February 2018 report by The Nation, an influx of Tiv residents from Nasarawa State into Benue State occurred following sustained attacks by suspected Fulani militia. Benue State Governor Samuel Ortom said, "there are seven IDPs camps with over 100,000 people there".<sup>46</sup>

On 27th February 2018, 19 farmers including Catholics and Lutherans were killed in an attack by Fulani militia in remote northern Nigeria. The Nigerian army killed a number of militants but not before the Gwamba village in Adamawa state was set ablaze.<sup>47</sup>

In March 2018, 27 were killed in the predominantly Christian community of Dong village north of Jos by Fulani militants.<sup>48</sup>

In mid-March 2018, Fulani militia killed three persons including a catechist, Christopher Umenger, shot on his way to morning Mass, in Guma, Benue State.<sup>49</sup>

In mid-April 2018, suspected Fulani herdsmen in Benue State killed a reported 42 persons.<sup>50</sup>

During the same period, Fulani militants killed two priests - Rev. Fathers Joseph Gor and Felix Tyolaha - one catechist and 15 worshippers attending morning Mass at St. Ignatius Catholic Church, Ayar-Mbalom, in Benue State. Many of the villagers sustained serious injuries during the attack and nearly 50 houses were burnt. At the memorial Mass, Rev. Paulinus Ezeokafor, the Catholic Bishop of Awka Diocese, condemned the killings stating: "This senseless killing of the innocent Nigerians are becoming a daily occurrence. Why can't our government put a stop to these killings here and there? Is it not obvious that some people, somewhere are carrying a particular agenda? There is more to this than meets the eye".<sup>51</sup>

On 9th May 2018, suspected Fulani militants killed nine villagers and injured three others of the Tutuwa community in Taraba State, while going for early morning prayers.<sup>52</sup>

On 21st May 2018, the Archdeacon of Eket, Victor Oghotuma, of the Anglican Diocese of Ughelli, Delta State, said that the "unabating killings of Christians by the Fulani herdsmen all over the country was part of the Islamic agenda for Nigeria which the present administration has failed to tame".<sup>53</sup>

On 28th May 2018, Fulani militants attacked the Sacred Heart Minor Seminary, Jalingo, shooting Fr. Cornelius Kobah in the leg and beating up Fr. Stephen Bakari.<sup>54</sup>

On 23rd June 2018, Fulani militants attacked 10 villages in the Barkin Ladi area of Plateau State killing 86 mainly Christian farmers.<sup>55</sup>



On 30th June 2018, 238 Christians were killed by Islamist militias in a series of attacks in Plateau State.<sup>56</sup>

On 3rd July 2018, the Nigerian House of Representatives declared the sustained Fulani “herdsmen” attacks in the Plateau State as “genocide”.<sup>57</sup>

In September 2018, Islamic extremists attacked Christian homes and murdered 11 people in the city of Jos, Plateau State.<sup>58</sup>

On 19th September 2018, Fr. Louis Odudu died in a hospital in Warri, Delta State, four days after escaping from his kidnappers.<sup>59</sup>

On 18th October 2018, unidentified Muslims killed “dozens of Christians” in a market and burned a church in Kaduna state, north-central Nigeria.<sup>60</sup>

On 2nd January 2019, Fulani militants killed at least 14 people returning from Churches, and burnt several houses in attacks in Barkin Ladi, Plateau State.<sup>61</sup>

On 20th February 2019, hundreds of Christian women marched on the streets of Jagindi and Godogodo towns to protest the killing of 12 Christians at a wedding reception in a Jagindi suburb on 16th December 2018.<sup>62</sup>

On 1st March 2019, Fulani militants set several buildings on fire including homes and churches killing over 30 Christians in an early morning attack near the town of Maro, Kaduna State.<sup>63</sup>

On 13th March 2019, the governor of Kaduna State, Nasir El-Rufai, imposed a dusk to dawn curfew in Kajuru following the killings of more than 120 people by alleged Fulani militants since February in the state. The attacks displaced thousands and included the destruction of more than 140 homes.<sup>64</sup>

In mid-March 2019, at an Aid to the Church in Need conference, Fr. Joseph Bature Fidelis from the Diocese of Maiduguri in north-east Nigeria stated: “Nigeria today has the highest levels of Islamist terrorist activity in the world”.<sup>65</sup>

On 20th March 2019, the body of Catholic priest Fr. Clement Rapuluchukwu Ugwu of St. Mark’s Church, was found in Obinofia Ndiuno in the Ezeagu Local Government Area, Enugu State. He had been abducted on 13th March.<sup>66</sup> Bishop Callistus Onaga of Enugu expressed frustration

at the police’s inability to free Fr. Ugwu. Despite their assurances that they were on the kidnapper’s trail, the criminals continued withdrawing money from the priest’s account using his ATM card.<sup>67</sup>

In mid-April 2019, 17 persons were killed following an attack by suspected Fulani militia during a naming ceremony in Kochum-Numa village in Akwanga council area.<sup>68</sup>

In early May 2019, at least six persons were killed by suspected Fulani militants in four villages in Andawama.<sup>69</sup>

On 20th May 2019, approximately 20 persons were killed by Fulani militants in an agrarian community in Uzo-Uwani, Enugu State.<sup>70</sup>

On 1st June, 2019, in a memorial Mass, Fr. Cyriacus Kamai decried the killing of 51 Kona locals and the displacement of 8,494 people over the month of May across 11 villages following attacks by alleged Fulani militants.<sup>71</sup>

On 17th June 2019, Fulani militants killed four Christians in Kaduna State, and nine other Christians in neighbouring Plateau state.<sup>72</sup>

In July 2019, the Southern and Middle Belt Leaders Forum stated that Fulani militants were “deliberately committing genocide against the Nigerian people while disguising as cattle breeders”. The Forum stated that according to compilations from international sources, “about 30,000 Nigerians have been killed in the last four years by Fulani herdsmen/militia”.<sup>73</sup>

On 14-15th July 2019, Fulani militants attacked and killed three Christians and burned down 75 houses and two church buildings in the Christian communities of Ancha, Tafigana, Kperie, Hukke and Rikwechongu.<sup>74</sup> Villager Zongo Lawrence stated: “We have been experiencing daily attacks by these Fulani herdsmen in our communities, most especially on Sundays during worship hours or Thursdays when church activities are held”.<sup>75</sup>

In July 2019, an 83-year-old Muslim cleric, Imam Abubakar Abdullahi, was honoured with the 2019 International Religious Freedom Award for hiding 262 Christians fleeing attackers in his home and mosque. US Religious Freedom Ambassador Sam Brownback stated: “The imam gave refuge to his Christian neighbours, sheltering 262 Christians in his mosque and his home... then stood outside the doors confronting the Muslim attackers,

pleading with them to spare the lives of the Christians inside, even offering to exchange his own life for theirs”.<sup>76</sup>

On 1st August 2019, Fr. Paul Offu of the Catholic community in Ugbawka, Enugu State, was stopped and shot by Fulani militants.<sup>77</sup> At a public protest, the priests of the Diocese of Enugu called for greater security by state institutions. The Catholic Diocese of Enugu issued a statement on its Facebook page describing the dramatic situation of a region as “marked by massacres, kidnappings, rape, arson and devastation”, and also calling into question the responsibilities of the political authorities.<sup>78</sup>

On 29th August 2019, Fr. David Tanko was murdered on his way to Takum, Taraba State, to take part in a meeting brokering an end to conflicts between the Tiv and Jukun communities. The perpetrators, allegedly from a Tiv militia, burnt the priest’s body and set his car on fire.<sup>79</sup>

On 25th December 2019, Islamic State West Africa Province (ISWAP) shot and beheaded 11 Christians. This followed a Christmas Eve attack by Boko Haram, which left at least 11 dead and a church burned to the ground.<sup>80</sup>

On 26th December 2019, a 56-second propaganda video produced by the ISIS “news agency” Amaq displayed the execution of the 11 Nigerian Christians by ISWAP.<sup>81</sup> The extremist group stated that the killings were to “avenge the death of its leader Abu Bakr al-Baghdadi during a raid in Syria in October”.<sup>82</sup>

Following the publication of the video, in an interview with the Catholic charity Aid to Church in Need, Catholic Bishop Matthew Hassan Kukah of the Sokoto Diocese stated that although Muslims were also victims of the violence, the systematic attacks against Nigerian Christians by Fulani militants constituted a genocide.<sup>83</sup>

On 26th December 2019, the UK’s Humanitarian Aid Relief Trust (HART) released a 2019 report indicating that “over 1000 Christians were killed in Nigeria by Fulani and Boko Haram militants since January”.<sup>84</sup>

In early January 2020, Boko Haram kidnapped Protestant pastor and regional leader of the Christian Association of Nigeria (CAN), Lawan Andimi, and beheaded him on 20th January because he refused to renounce his Christian faith.<sup>85</sup>

On 20th January 2020, Fr. Augustine Avertse of the St

Augustine Catholic Church in the Keana Local Government Area, Nasarawa State, was murdered.<sup>86</sup> In the morning hours, presumed nomadic Fulani militants, attacked the community of Abebe, firing their weapons. Fr. Augustine Avertse, together with his father, Akaa’am Avertse, and two other people were killed in the shooting. One survivor injured in the attack emphasised that the attack was unprovoked, as there had never been any disputes between the members of the community and the Fulani who lived in the area.<sup>87</sup>

On 1st March 2020, hundreds of demonstrators, led by Catholic bishops, rallied in the capital city of Abuja for a peaceful protest against the widespread violence and the persecution of Christians in the country.<sup>88</sup> President of the Catholic Bishops’ Conference of Nigeria, Archbishop Augustine Akubueze of Benin City, stated: “We protest against the brutal killings of innocent Nigerians by Boko Haram and groups of armed herdsman who violently invade the lands of agricultural populations”.<sup>89</sup> Archbishop Akubueze added: “The killing of the children of God is evil, the inability to protect innocent people from incessant attacks is evil, not pursuing terrorists is an evil thing, our government’s response to the terrorist attack is, using an understatement, very below average”.<sup>90</sup>

On 16th March 2020, the International Society for Civil Liberties and Rule of Law (Intersociety) released a report indicating that at least 70 Catholic priests, seminarians and religious have been abducted or murdered in Nigeria since June 2015.<sup>91</sup> “Available statistics show that between 11,500 and 12,000 Christians have died since June 2015 when Nigeria’s current government took power”.<sup>92</sup> According to the study, jihadist Fulani militants were responsible for 7,400 Christian deaths, Boko Haram for 4,000, and “highway bandits” for another 150-200.<sup>93</sup> The report notes that most of the victims of attacks in north-eastern Nigeria by Boko Haram/ISWAP (Islamic State in West Africa) were Christians.<sup>94</sup>

On 5th April 2020, Fulani herdsman killed more than 60 Christians, including at least 13 Christians in Plateau state, in one month.<sup>95</sup>

On 12th April 2020, Fulani militants killed 12 Christians and kidnapped a couple from their church wedding ceremony in northwest Nigeria.<sup>96</sup>

On 23rd-25th April 2020, Fulani militants killed 13

Christians and kidnapped 13 others in five villages in Kaduna state.<sup>97</sup>

On 3rd May 2020, Fulani militants shot and killed three Evangelical Church Winning All (ECWA) members, and a Baptist Church member, Emmanuel Kure.<sup>98</sup>

On 22nd July 2020, members of the Islamic State in West Africa Province (ISWAP) posted a video on YouTube that showed the execution of five Christian development workers. In the video, which has since been removed from the platform, one of the attackers stated that the executions were carried out in retaliation for alleged efforts to convert Muslims to Christianity. The act came as “a message to all those being used by infidels to convert Muslims to Christianity.”<sup>99</sup>

On 5th August 2020, unidentified gunmen killed at least four Christians in the local church of Azikoro village in Bayelsa State.<sup>100</sup>

On 24th September 2020, Fulani militia killed five men, members of the Church of Christ in Nations (COCIN) or Catholic churches in Jos South County's K-Vom town, Vwang District.<sup>101</sup>

On 28th-29th November 2020, Fulani militants attacked predominantly Christian communities in Kaduna state killing seven Christians, two days after suspected Fulani militants killed Nigerian Baptist Convention pastor, Rev. Johnson Oladimeji, as he travelled home from Ikere-Ekiti.<sup>102</sup>

On 13th December, 2020, a special report released by The International Society for Civil Liberties and Rule of Law concluded that from January 2020 to 13th December 2020, approximately 2,200 Christians were killed across Nigeria. “Jihadist Fulani Herdsmen accounted for 1,300 Christian deaths, followed by Boko Haram and its splinter groups (ISWAP and Ansaru) with 500 Christian deaths. The Nigerian Army also killed 200 Judeo-Christians in 2020 while Jihadist ‘Bandits’ accounted for 100 Christian deaths”.<sup>103</sup>

In the last two weeks of December 2020 approximately 200 Christians were killed. These included five kidnapped on Christmas Eve from Garkida (Adamawa) by ISWAP jihadists and beheaded on 29th December.<sup>104</sup> “Out of the about 200 Christian deaths, Boko Haram/ISWAP accounted for about 130 while Jihadist Fulani Herdsmen/

Fulani Bandits took responsibility for remaining 70 Christian deaths”.<sup>105</sup>

### Kidnappings

Time and again violent attacks and kidnappings, as a tool of terror, were carried out against Christian faithful, pastors, Catholic priests and members of religious orders. A representative selection includes:

On 19th February 2018, Boko Haram kidnapped 110 Dapchi schoolgirls. The government secured the release of the majority, only Leah Sharibu remained in captivity for refusing to renounce her Christian faith.<sup>106</sup>

On 1st March 2018, the Islamic State West African Province (ISWAP) kidnapped humanitarian aid workers working in Borno State for UNICEF. The others were captured, killed or released, but Alice Ngaddeh, a UNICEF nurse, remains a “slave”.<sup>107</sup>

On 29th March 2018, Pastor Pius Eromosele of the Church of God Mission at the Odighi community, Edo State, was abducted by suspected Fulani militants. The kidnappers demanded a ransom of N4m. On 3rd April, the decomposing body of Pastor Pius Eromosele was found.<sup>108</sup>

On 1st September 2018, Fr. Christopher Ogaga of the Emmanuel Catholic Church in Ovir-Okpe, Delta State, was kidnapped while travelling from Okpe to Warri.<sup>109</sup>

On 25th October 2018, five members of the Order of the Missionary of Martha and Mary of the Diocese of Issele-Uku were abducted in Delta State.<sup>110</sup>

On 6th November 2018, four priests were abducted by armed men near Abraka, Delta State, on their way to a meeting in Uhielle in neighbouring Edo State.<sup>111</sup>

On 25th March 2019, Fr. John Bako Shekwolo was kidnapped from his home in Ankuwai, Kaduna State. Some sources believe that he was murdered,<sup>112</sup> while others think that he is still held captive.<sup>113</sup>

On 16th June 2019, Fr. Isaac Agubi was abducted on his way from Auchu to Igarra while en route back home after celebrating Mass.

In 2019, Enugu State in southern Nigeria also reported abductions of Catholic priests. A total of nine priests were

taken between January 2019 and late November 2019, including Fr. Arinze Madu kidnapped on 28th October 2019; he was released on 30th October. On 25th November 2019, Fr. Malachy Asadu was kidnapped from the Diocese of Nsukka. He was also released two days later.

On 8th January 2020, armed men kidnapped four seminarians from the Good Shepherd Major Seminary in Kakau. The kidnappers eventually released three seminarians but killed 18-year-old Michael Nnadi after he refused to repudiate his faith.<sup>114</sup>

On 18th January 2020, in northeast Nigeria's Borno state, five aid workers kidnapped by the Islamic State's West Africa Province (ISWAP) in 2016 while visiting displaced persons camps to provide medical and food items, were freed.<sup>115</sup>

On 1st March 2020, Fr. David Echioda was kidnapped by armed men while returning from Sunday Mass in Utonkon (Ado), Benue State.<sup>116</sup>

On 20th April 2020, the kidnappers of Rev. Anthony Oyi, an Anglican Priest in Issele-Mkpetime, in Aniocha, Delta State, demanded the sum of N15 million for his release.<sup>117</sup>

On 22nd April 2020, Fulani militants kidnapped Emmanuel Iliya Agiya, an elder and treasurer of the Evangelical Church Winning All (ECWA) in Atang village, Jema'a County.<sup>118</sup>

In July 2020, Fr. Amadasun Idahosa of the Holy Cross Cathedral, Benin City, was stopped by armed men on the road. In addition to the priest, the bandits abducted several other people who were held until families or friends paid a ransom.<sup>119</sup>

On 11th September 2020, four Christian farmers were abducted. The following day a further 17 Christians were kidnapped. All were members of either Baptist or Assemblies of God churches.<sup>120</sup>

Fr. Jude Onyebadi, a Catholic priest in Delta State, and three others were kidnapped from his home on 26th September 2020.<sup>121</sup> The clergyman's companions were released several hours later. The priest, on the other hand, was not released until three days later. The spokesman was unable to confirm if a ransom had been paid for Fr. Onyebadi's release. The kidnappers are believed to have been Muslim Fulani militants. (Fr. Onyebadi had already

been kidnapped in 2016 and released a few days later).<sup>122</sup>

The Catholic Bishops' Conference of Nigeria has banned paying any ransom for the release of priests and members of religious orders. Often, however, parishioners raise their own money to get their priests back.<sup>123</sup>

Christian groups have paid for release of captives. According to John Hayab, a Baptist pastor and vice president of Christian Association of Nigeria (CAN) for 19 northern Nigerian states, said that in the 12-month (2019-2020) period, "\$1.1 million in ransom has been paid by Christians to secure release of captives".<sup>124</sup>

On 11th December 2020, a large gang of Boko Haram fighters attacked a boarding school in Katsina, in the north-centre of Nigeria. They kidnapped over 300 male students, and claimed responsibility for the attack citing Boko Haram's opposition to Western-style education.<sup>125</sup>

On 18th December, the Nigerian military freed the 344 students abducted. The governor of Nigeria's Katsina state, Aminu Masarithe claimed that no ransom had been paid.<sup>126</sup>

On 15th December 2020, Bishop Valentine Oluchukwu Ezeagu was kidnapped in Imo State travelling to his father's funeral in the neighbouring Anambra State. He was "unconditionally released" the following day.<sup>127</sup>

On 19th December 2020, militants kidnapped Rev. Luka Dani of the Evangelical Church Winning All in the village of Galumi. He was released on December 23.<sup>128</sup>

On 21st December 2020, Rev. Thomas James of the Godiya Baptist Church located in Gwazunu was abducted by Fulani militants.<sup>129</sup>

On 24th December 2020, militants attacked and beat Rev. Luka Shaho of the Assemblies of God Church in Ungwan Waziri. These then kidnapped the pastor's wife, Mrs. Jumai Luka. Her whereabouts are still unknown.<sup>130</sup>

In the last two weeks of December 2020 including Christmas Eve, 40 Christians were kidnapped by Boko Haram and ISWAP attacks on the Damaturu-Maiduguri Highway.<sup>131</sup> The extremist militants stopped vehicles and "forcefully separated Christians from Muslims and abducted over 35", killing "five others who tried to flee on the spot".<sup>132</sup> In the weeks leading up to Christmas Boko Haram/ISWAP had announced plans for violent attacks



against Christians as “a punishment for marking the ‘un-Godly feast of Christmas’”.<sup>133</sup>

Following the outbreak of the COVID-19 pandemic, the government imposed strict social isolation measures including the banning religious events and services, especially in hard-hit regions. Both Muslims and Christian religious leaders complained about the restrictions questioning why the government would close down churches, while allowing crowded markets to remain open.<sup>134</sup>

As long as Nigeria’s political elites are not genuinely guided by a desire to promote the common good rather than pursue interests along political, ethnic or religious lines, no substantial improvement to the human right of religious freedom can be expected.<sup>137</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In 2020, 60 years after the country gained its independence, the right to religious freedom in Nigeria has declined dramatically.

Fundamental societal challenges remain: widespread poverty, corruption, a lack of security, and a disenfranchised youthful population, as well as ethnic and resource-based conflicts, provide fuel for the rise of extremist Islamist militants in both the northern and central states. The unwilling or ineffective resolution by the authorities to these challenges results in unrestrained brutal incidents of terror and killing.

Often, those hardest hit are Christians (particularly by Islamist terrorists) evidenced by a litany of kidnapping and killings of Church leaders and faithful. But Muslims, particularly in the majority Muslim north, have also been heavily victimised, traumatised by the persistent violence of armed Islamist extremists and a lack of security.

In the period under review, Nigeria’s Catholic bishops have repeatedly drawn attention to the suffering of the population and ineffective security response demanding the government to address the fundamental issues, even calling on President Buhari’s government to resign due to its blatant failure to tackle the situation.<sup>135</sup> Bishop Matthew Kukah of Sokoto made a particularly forceful appeal to President Mohammadu Buhari on the occasion of the 60th anniversary of Nigeria’s independence on 1st October 2020.<sup>136</sup> In his message, the prelate called for a radical change in policy in order to rapidly end the violence, stop the nepotism that favours certain Muslim elites, and put a halt to the murder of Christian farmers, mainly by Muslim Fulani militants.



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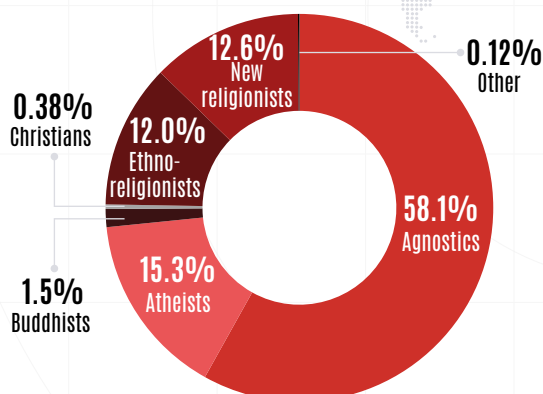
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# NORTH KOREA

## RELIGIONS



Population  
**25,840,863**  
GDP per capita  
**18,009 US\$**



Area  
**120,538 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

North Korea's 1972 constitution (revised in 2016)<sup>1</sup> guarantees, under Article 68, "freedom of religious belief". This right includes "approval of the construction of religious buildings and the holding of religious ceremonies," however, "Religion must not be used as a pretext for drawing in foreign forces or for harming the State or social order."

Article 3 of the constitution states that "the Democratic People's Republic of Korea is guided in its activities by the Juche idea and the Songun idea, a world outlook centred on people, a revolutionary ideology for achieving the independence of the masses of people." Juche (self-reliance) is an "immortal" idea, established by the country's founding leader, Kim Il Sung.<sup>2</sup>

The Preamble to the Constitution enshrines Kim Il Sung's place and that of his son and first successor in North Korea's national mythology. "The great Comrades Kim Il Sung and Kim Jong Il are the sun of the nation and the lodestar of national reunification. Regarding the reunification of the country as the supreme national task, they devoted all their efforts and care for its realization. [...] Under the leadership of the Workers' Party of Korea, the

Democratic People's Republic of Korea and the Korean people will uphold the great Comrades Kim Il Sung and Kim Jong Il as the eternal leaders of Juche Korea, and will carry the revolutionary cause of Juche through to completion by defending and carrying forward their ideas and achievements."<sup>3</sup>

## INCIDENTS AND DEVELOPMENTS

Despite stated constitutional protections, every single article of the Universal Declaration of Human Rights is, in some manner or another, denied to the people of North Korea. In October 2019, the UN's Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Tomás Ojea Quintana, reported: "There is no freedom of expression and citizens are subject to a system of control, surveillance and punishment that violates their human rights."<sup>4</sup> In December, the UN General Assembly passed a resolution condemning "the long-standing and ongoing systematic, widespread and gross violations of human rights in and by" North Korea.<sup>5</sup> The General Assembly "specifically expressed its very serious concern at 'the imposition of the death penalty for political and religious reasons,' and 'all-pervasive and severe restrictions, both online and offline, on the freedoms

of thought, conscience, religion or belief, opinion and expression, peaceful assembly and association.”<sup>6</sup>

North Koreans are required to show total devotion to the ruling Kim dynasty. At the heart of North Korea’s indoctrination program is the Ten Principles for the Establishment of the One-Ideology System (the Ten Principles)<sup>7</sup>, which form the life of each North Korean from early childhood. These Principles dictate that the entire North Korean society should believe only in the Kim family.<sup>8</sup> Any deviance or suspected disloyalty - particularly by adopting a religious belief - is punished. North Korea’s ‘Songbun’ system - categorising people according to their loyalty to the regime, and thus determining access to necessities such as health care - classifies Christians as ‘hostile’.<sup>9</sup> Christians “are especially vulnerable because the ruling Worker’s Party views them as foreign agents and the practice of Christianity is treated as a political crime. North Korean propaganda has even compared missionaries to vampires.”<sup>10</sup>

As noted in a 2014 report of the United Nations Commission of Inquiry on the Human Rights Situation of the DPRK: “The State considers the spread of Christianity a particularly serious threat, since it challenges ideologically the official personality cult and provides a platform for social and political organization and interaction outside the realm of the State. Apart from the few organized State-controlled churches, Christians are prohibited from practising their religion and are persecuted. People caught practising Christianity are subject to severe punishments in violation of the right to freedom of religion and the prohibition of religious discrimination.”<sup>11</sup>

It is almost impossible to identify individual cases of human rights violations because very few foreigners are allowed into the country. The information gathered by international commissions and specialised NGOs is therefore crucial; even so, any findings are, at best, approximations based on researchers’ ability to analyse limited information.

According to the Database Centre for North Korean Human Rights (NKDB), at least 1,341 specific cases of violations of freedom of religion or belief by the authorities in North Korea were reported between 2007 and 2018. Offences included religious propaganda and activities, possession of religious materials, and contact with people engaged in religious activities. At least 120 people were killed, 90 went missing, 48 were physically injured, 51 were deported or transferred, and 794 were detained, while 133 were placed under travel restrictions.<sup>12</sup>

In 2020, Open Doors stated an estimated 50,000 to 70,000 North Koreans were imprisoned for being Christian. In the report, they note: “If North Korean Christians are discovered ... not only are they deported to labor camps as political criminals or even killed on the spot, their families will share their fate as well.”<sup>13</sup>

A 2nd February 2019 Associated Press article interviewing defectors, detailed how Christians in North Korea live: “Most of North Korea’s underground Christians do not engage in the extremely dangerous work of proselytizing. Instead, they largely keep their beliefs to themselves or within their immediate families. But even those who stay deep underground face danger.”<sup>14</sup>

The capital, Pyongyang, has five government-sanctioned churches (three Protestant, one Catholic, and one Orthodox), but experts suggest they are show churches for the benefit of foreign visitors - “fakes aimed at covering up the nation’s religious abuse and winning outside aid.”<sup>15</sup>

Yeo-sang Yoon and Sun-young Han of the North Korean Human Rights Archives and Database Center present an insight into the North Korean imprisonment policy, stating: “According to the outcome of an intensive survey on the level of punishment against those involved in religious activities, only 2.9 percent of those arrested are sent to labor training camps.” [...] “By contrast, 14.9 percent are sent to prisons and an astonishing 81.4 percent to political prisons camps, the harshest level of punishment in North Korean society. This testifies how severely the regime punishes those involved in religious activities.”<sup>16</sup>

Folk religion and superstitious beliefs are not exempt from repression. In a public trial in March 2019, three women in Chongjin, North Hamgyong Province, were convicted of fortune telling; two were publicly executed and the third was sentenced to life in prison.<sup>17</sup>

In 2019, the North Korean regime launched a crackdown against Falun Gong practitioners. The Buddha-inspired spiritual movement is severely persecuted in China, but has grown in North Korea thanks to North Korean migrants working across the border in China. In April 2019, North Korean authorities issued an order that Falun Gong practitioners should report their status, the first time the government has taken such a step. According to Radio Free Asia, the order threatened harsh punishments for those failing to report. Soon afterwards, police arrested 100 people in Pyongyang’s Songyo District for Falun Gong practices.<sup>18</sup>

A 2020 study<sup>19</sup> released by the Korea Future Initiative (KFI), an advocacy group dedicated to human rights in North Korea, provides further evidence of the persecution of Christians north of the 38th parallel. Titled *Persecuting Faith: Documenting religious freedom violations in North Korea*, the study is based on 117 interviews with survivors, witnesses, and perpetrators over a period of seven months. It reveals that violations of freedom of religion or belief remain widespread in North Korea.

KFI's research identified 273 victims of religious repression, 215 Christians and 56 ethno-religionists (shamanists), with ages ranging from three years-old to over 80 years-old. Women and girls accounted for nearly 60 percent of the documented victims. Criminal charges included: religious practice, religious activities in China, possessing religious items, contact with religious persons, attending places of worship, and sharing religious beliefs. The resulting violations included: arbitrary arrest, arbitrary detention, arbitrary imprisonment, arbitrary interrogation, refoulement, punishment of family members, torture and sustained physical assault, sexual violence, execution, public trials and resident exposure meetings.<sup>20</sup>

In addition to North Korea's violations of freedom of religion and belief, it is important to consider the policy and practice of the People's Republic of China vis-à-vis North Koreans fleeing into its territory. In violation of international humanitarian principles of non-refoulement, Beijing has a policy of forcible repatriation resulting in almost certain imprisonment, torture and sometimes execution. On 28th April 2019, a North Korean family of seven who had escaped to China were arrested, detained, and faced forcible repatriation. The group included a nine-year-old and a 17-year-old. A relative appealed for help. In view of the situation, Justice for North Korea, a Seoul-based NGO, said that "international organizations and the international community are the only way to save the lives of these seven at risk."<sup>21</sup> North Koreans who leave their country unauthorised face criminal charges. North Koreans forcibly repatriated have been detained in political prison camps or similar facilities. In some cases, they have been executed.<sup>22</sup>

North Korea is already the world's most isolated nation; as a consequence of COVID-19 it is even more inaccessible. This makes it extremely difficult to obtain and assess reliable and verifiable information about the scale of the pandemic in the country, and its impact on religious

freedom. One effect of the health crisis is the complete closure of its borders and the imposition of harsher travel restrictions. North Korea has in fact told China that it does not want to take back its citizens currently held in China.<sup>23</sup>

Leading North Korea expert Suzanne Scholte, president of the Washington-based Defense Forum Foundation, sees this as a "golden opportunity to rescue the lives of North Korean defectors detained in China."<sup>24</sup> In an October 2020 open letter published in the Seoul-based Chosun Ilbo newspaper, Ms. Scholte urged South Korea's President Moon Jae-in to appeal to China's President Xi Jinping to free all North Korean defectors now held in Chinese detention centres, and allow them to travel to South Korea.<sup>25</sup>

Over the past few decades, more than 33,000 North Korean refugees<sup>26</sup> have already resettled in South Korea after escaping from the north, but thousands remain in China. As Ms. Scholte wrote: "Most of these refugees were trying to reach their families in the Republic of Korea, a crime which makes them subject to execution if forced back to North Korea. Some of these refugees have become Christians, which means they are also subjected to immediate execution. Among them are young children."<sup>27</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

In 2018, historic talks were held between North and South Korean leaders, and between Kim Jong-Un and US President Donald Trump. This brought some hope for a possible thawing of relations, though with no further rapprochement and no tangible long-term policy changes in the North, aspirations for any further opening have faded. On 18th October 2018, South Korean President Moon Jae-in conveyed a handwritten letter from North Korean leader Kim Jong-un to Pope Francis, inviting him to visit Pyongyang. South Korean chief press secretary Yoon Young-chan said: "The pope told President Moon that he would immediately respond to the invitation once he officially receives one."<sup>28</sup>

Notwithstanding these overtures, the reality is as long as Kim Jong-Un's dictatorship, with its deification of the Kim dynasty, continues in its current form, prospects for improvements in freedom of religion or belief are without hope. Only in the case of profound and lasting political and social reforms, or regime change, can any improvements in human rights, and progress in the area of freedom of religion or belief, be expected.

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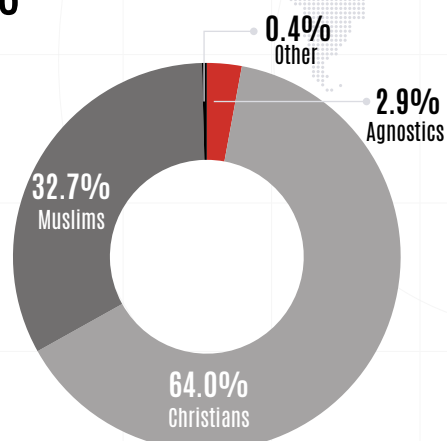
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# NORTH MACEDONIA

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The 1991 Constitution of the Republic of North Macedonia, amended in 2019 to reflect the name change from the Republic of Macedonia,<sup>1</sup> guarantees equality to its citizens regardless of religious beliefs.<sup>2</sup> Article 16 protects freedom of conscience, thought and expression, and Article 19 upholds freedom of religion, and the right to freely and publicly express one's faith.

Encouraging or inciting religious hatred or intolerance is prohibited (Article 20) and the religious identity of communities of all nationalities is protected (Article 48). Freedom of belief, conscience, thought, and religious confession may not be restricted (Article 54). The Constitutional Court of North Macedonia protects the rights and freedoms recognised in the constitution (Article 110).

Amendment VII (1, 2) to the constitution states that the Macedonian Orthodox Church, the Islamic Religious Community in Macedonia, the Catholic Church, the Evangelical Methodist Church, and the Jewish Community, as well as "other Religious communities and groups" are separate from the state and equal before the law. The amendment

also provides for the establishment of religious educational institutions, social and charitable organisations.

Registered groups are: exempt from taxes, may apply for government funding, and can establish schools.<sup>3</sup> To register, groups must file an application and provide information about their creation, their physical presence in the country, a description of their basic religious teachings, proof of citizenship of their founders, and information about their financial assets and funding sources.<sup>4</sup> Once approved, groups are registered with the Commission for Relations with Religious Communities and Groups.<sup>5</sup> The Commission classifies religious organisations into registered churches, religious communities and religious groups. The law does not make any distinction in the legal status of these categories.<sup>6</sup>

Registered churches include 18 Christian religious groups, both traditional and newly founded, and the Church of Scientology. The second category includes nine religious communities: the Islamic Community, the Jewish Community, Jehovah's Witnesses, and six others. The third category, religious groups, includes 11 associations.<sup>7</sup>

Religious primary schools are not allowed, but religious organisations may run secondary schools. Religious secondary schools are not subject to the Ministry of Educa-



tion's certification. Their students are not permitted, however, to take the national baccalaureate exam, and are thus precluded from enrolling in universities.<sup>8</sup> Sixth grade students are required to enrol in one of two elective religious courses or take an alternative course, namely Classical Culture in European Civilisation.<sup>9</sup> In June 2018, the Ministry of Education fined a public elementary school for holding Muslim religious services during Ramadan.<sup>10</sup>

North Macedonians may submit complaints of religion-based discrimination, hate speech, "loudness of prayers", or violations of the "principle of secularity" to the Commission for Relations with Religious Communities and Groups.<sup>11</sup>

The European Commission's 2020 report on North Macedonia noted that while "the legal framework on the protection of fundamental rights is largely in line with European standards", the "Constitutional Court's decision to repeal the Law on Prevention and Protection against Discrimination on procedural grounds means that the country currently lacks a comprehensive legal framework on non-discrimination and an equality body". It recommended that this "serious gap" be addressed by the new legislature.<sup>12</sup>

The Commission also noted that "the country still needs to implement the April 2018 ruling by the European Court of Human Rights on the refusal to renew the registration of the Bektashi [Tetovo] Community".<sup>13</sup> The US Department of State reported that although the government paid the community court-ordered damages, the registration application remained pending.<sup>14</sup> Both the Bektashi (Tetovo) community and the Orthodox Archbishopric of Ohrid (OAO) reported "discrimination and intimidation" as well as police harassment.<sup>15</sup>

The government made its final payment in June 2018 to the Holocaust Fund in compensation for properties seized from Jews during the Second World War and the Soviet occupation.<sup>16</sup> The Holocaust Memorial Center officially opened in March 2019, offering educational programmes.<sup>17</sup>

In March 2020, the European Council agreed to open accession negotiations with North Macedonia, but in November of the same year, Bulgaria blocked an agreement on a negotiating framework due to unresolved disputes over language and history.<sup>18</sup> In December 2020, EU leaders urged an end to the delay, warning Bulgaria that "it risks undermining security in the Balkans – and wider Europe".<sup>19</sup>

## INCIDENTS AND DEVELOPMENTS

According to the Turkey-based Foundation for Political, Economic and Social Research (SETA), compared to previous years "when ethnic and religious hatred and incidents were far more present," there were no major incidents in 2019. The think tank noted that when reporting Islamophobia in the country, "it is very difficult to make a distinction between ethnic and religious hatred . . . because the two [often] go hand in hand."<sup>20</sup> SETA reported one anti-Muslim incident in 2019: "a professional soldier praised the perpetrator of a mass shooting of Muslims in a post on social media."<sup>21</sup> In 2018, SETA reported that a historic mosque was set on fire in October.<sup>22</sup>

The US Department of State reported that the founder of the Religious Community of Orthodox Albanians was attacked in front of his home in September 2019 and that he had been previously targeted and attacked "because he had publicly declared himself an Orthodox Albanian."<sup>23</sup>

The Macedonian Helsinki Committee for Human Rights and OSCE Mission to Skopje reported three property crimes committed against Christian sites in 2019: the burglary of a church, destruction of tombstones in a cemetery around Orthodox Easter in an "ethnically diverse area," and a vandalised gravestone in an Orthodox cemetery where previous incidents had occurred.<sup>24</sup>

On 1st September 2020, police arrested three men suspected of planning terrorist attacks, seizing firearms, ammunition, tactical vests, along with an Islamic State flag.<sup>25</sup> The Islamic Religious Community condemned a November 2020 Islamic State-inspired terrorist attack near a church in Vienna, Austria, committed by a man with dual Austrian and North Macedonian citizenship.<sup>26</sup>

During the 2020 coronavirus pandemic, the government instituted a curfew and imposed restrictions on gatherings during Easter and Ramadan, but permitted the Orthodox Church to open its houses of worship on Maundy Thursday and Good Friday so priests could give communion to believers.<sup>27</sup> Religious groups accused one another of violating health restrictions<sup>28</sup> and after an enormous Orthodox Christian procession in Struga in violation of government recommendations, the Islamic Religious Community decided to open its own houses of prayer as well.<sup>29</sup>

Pope Francis visited North Macedonia in May 2019, the first-ever papal visit to the country. The Pope visited the Mother Theresa Memorial and celebrated a Mass attend-

ed by an estimated 15,000 people. The pontiff praised the country's "multi-ethnic and multi-faith culture," noting that it showed "peaceful coexistence can exist in a country rich with diversity."<sup>30</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

After several years of instability, North Macedonia has received favourable reports about its reforms from the European Union and is poised to enter accession negotiations. There were fewer reports of religiously motivated incidents and inter-ethnic conflicts. The fight against Islamist extremism, the establishment of a legal framework on non-discrimination, and the creation of an equality agency, along with the recognition of religious minorities, as requested by the European Court of Human Rights, will greatly contribute to continued stability.

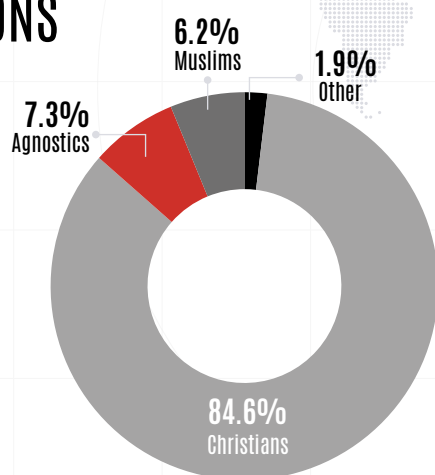
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# NORWAY

## RELIGIONS



Population

**5,449,693**

GDP per capita

**64,800 US\$**

Area

**386,194 Km<sup>2</sup>**

GINI INDEX\*

**27**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 16 of the Constitution of Norway guarantees the right to free exercise of religion.<sup>1</sup> While there is a separation between the Church of Norway (Evangelical-Lutheran) and the state, the Church of Norway still receives support from the government. The Constitution specifies that “all religious and belief communities should be supported on equal terms”.<sup>2</sup>

In April 2020, the parliament passed the Religious Communities Act (effective January 2021).<sup>3</sup> This law, which consolidated three acts regulating religious and life stance communities,<sup>4</sup> continues to require that a faith or spiritual organisation register with the government to receive financial support (Chapter 2, 5). To register, the community must be “permanently organised” and have at least 50 registered members who are residents of Norway and not members of another religious or life stance community (Chapter 2, 4). Grants to registered communities may be denied on several grounds, including engaging in violence or coercion, violations of rights and freedoms (including children’s rights), and accepting contributions from coun-

tries that do not respect the right to freedom of religion or belief (Chapter 2, 6).

The law prohibits discrimination and harassment on the basis of religion or belief.<sup>5</sup> Public statements or symbols, including threats, insults, promotion of hatred of or contempt for another person based on religion or life stance are illegal.<sup>6</sup> Complaints concerning discrimination on the grounds of religion are made to the Equality and Anti-Discrimination Ombudsman.<sup>7</sup>

Ritual slaughter practices not preceded by stunning are illegal, but halal and kosher food may be imported.<sup>8</sup>

Teachers, students, and employees are prohibited from wearing face-covering clothing, including burqas and niqabs, in all private and public educational settings.<sup>9</sup> Passport photograph regulations were changed in October 2020 to permit religious headwear to cover ears after objections primarily from Sikhs and Muslims.<sup>10</sup>

The Education Act mandates instruction on “Christianity, Religion, Philosophies of Life and Ethics” (KRLE) in primary and lower secondary schools (Section 2, 3).<sup>11</sup> KRLE “must not involve preaching” and must promote understanding and respect while presenting “different world religions and philosophies of life in an objective, critical and

pluralistic manner” (Section 2, 4). Parents may request exemptions for their children from parts of the curriculum to which they have a religious or philosophical objection (Section 2, 3 a).

In September 2020, the government announced its Action Plan against Racism and Discrimination on the Grounds of Ethnicity and Religion 2020-2023.<sup>12</sup> It includes the renewal of the existing anti-Semitism action plan,<sup>13</sup> and the creation and implementation of an action plan against discrimination and hatred of Muslims.<sup>14</sup>

## INCIDENTS AND DEVELOPMENTS

For the year 2019, the government reported 73 hate crimes motivated by a bias against members of religions or other beliefs to the Organisation for Security and Co-operation in Europe, but did not disaggregate the data by religion.<sup>15</sup> For 2018, 112 such hate crimes were reported, again without disaggregation.<sup>16</sup>

In its annual hate crime report, the Oslo police noted that most religiously motivated incidents (including hate speech) were directed against Muslims or suspected Muslims. The agency reports anti-Semitism under ethnicity rather than religion in consultation with Jewish community leaders.<sup>17</sup>

In August 2019, a gunman broke down a locked door at the Al-Noor Islamic Centre mosque in Bærum and opened fire.<sup>18</sup> Although no one was killed, he testified at trial that his aim was “to kill as many Muslims as possible” and that he had been inspired by the mass shootings at two mosques in Christchurch, New Zealand.<sup>19</sup> In June 2020, he was sentenced to 21 years in prison for the earlier murder of his stepsister and the terrorist attack against the mosque.<sup>20</sup>

In June 2019, the Supreme Court of Norway declined to hear the Oslo Catholic Diocese’s appeal against a 2019 judgement in which it was ordered to repay state and municipal support due to inflated membership numbers.<sup>21</sup>

In November 2019, a Christian street preacher was attacked by a group of four Muslim men who reportedly threatened him with death if he did not convert to Islam.<sup>22</sup>

A man was arrested in March 2020 for arson and attempted arson involving two churches. He admitted setting the fires because he was “angry ... because he heard that a Norwegian man set fire to the Koran without police having done anything about it.”<sup>23</sup>

A case related to the 2015 removal of children by Norway’s child welfare agency, the Barnevernet, due to “indoctrination” by their Christian parents, is pending in the European Court of Human Rights and is scheduled to be heard in January 2021.<sup>24</sup>

In-person religious services were suspended from March to May 2020 during the coronavirus pandemic.<sup>25</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

During the period under review, no significant changes have been made to government restrictions on religious freedom. Nevertheless, intolerance against minority religions within Norwegian society has been a focus of government policy.



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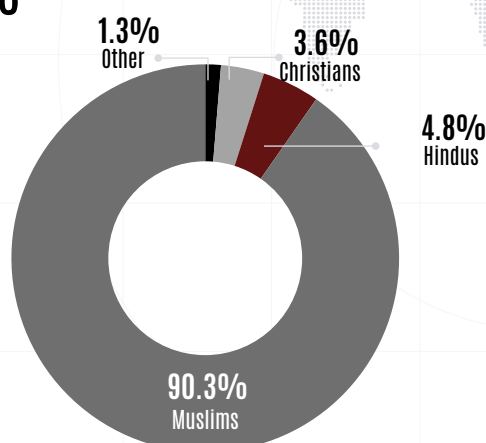
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# OMAN

## RELIGIONS



Population

**5,149,700**

GDP per capita

**37,961 US\$**

Area

**309,500 Km<sup>2</sup>**

GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Oman is a sultanate located on the Gulf of Oman and the Indian Ocean. Three quarters of its population, including the ruling dynasty, are Ibadi Muslims.<sup>1</sup> Neither Sunni nor Shi'a, Ibadis are descendants of an early branch of Islam. Oman is the only country in the world with an Ibadi majority. The rest of the population consists of Sunnis and, to a lesser extent, Shi'as. A small number of Christian and Hindu families have been naturalised.<sup>2</sup> Hindus have lived in Oman for centuries, having settled originally in Muscat.

Non-citizen residents, mostly foreign workers, make up around 45 percent of the country's population.<sup>3</sup> They include Christians, Hindus, Buddhists, and Sikhs.

About 300,000 Christians of different denominations live in Oman.<sup>4</sup> There are around 90 congregations composed mostly of expatriates and foreign workers. Among non-Muslim groups, the Ministry of Endowment and Religious Affairs (MERA)<sup>5</sup> recognises the Catholic Church in Oman, Protestant Church of Oman (a partnership between the Reformed Church of America and the Anglican Church), the Al-Amana Centre (a Protestant organisa-

tion that fosters dialogue and mutual learning between Muslims and Christians),<sup>6</sup> the Hindu Mahajan Temple, and the Anwar Al-Ghubaira Trading Company in Muscat (Sikh). Each religious organisation is responsible for providing MERA with the group's religious beliefs and the names of its leaders. MERA must also grant its approval for new Muslim groups to form.<sup>7</sup>

There are five Catholic parishes in Oman under the jurisdiction of the Apostolic Vicariate of Southern Arabia (AVO-SA). According to Church sources, the Catholic population numbers around 60,000.<sup>8</sup>

The constitution of 1996, as amended in 2011,<sup>9</sup> states in Article 1: "The Sultanate of Oman is an Arab, Islamic, Independent State with full sovereignty". Article 2 declares: "The religion of the State is Islam and Islamic Shari'a is the basis for legislation." Article 28 says: "The freedom to practise religious rites according to recognised customs is protected, provided it does not violate the public order or contradict morals."

Oman has no law that criminalises apostasy from Islam. However, a father who converts from Islam loses his paternal rights over his children.

In January 2018, a new penal code was approved. It in-

cludes harsher sentences for “insulting the Quran” and “offending Islam or any [Abrahamic] religion”.<sup>10</sup> The maximum prison sentence was increased from three to ten years. For those who “form, fund, [or] organise a group... with the aim of undermining Islam... or advocating other religions”<sup>11</sup> without prior permission, the sentence can be up to seven years. The maximum sentence for “‘holding a meeting’ outside government-approved locations to promote another religion” is three years.<sup>12</sup>

Unlike Abrahamic religions, the new code does not mention other faiths. It does however criminalise the use of the internet that “might prejudice public order or religious values,” and imposes a “penalty of between one month and one year in prison and a fine of not less than 1,000 Omani rials”.<sup>13</sup>

Shari’a (Islamic law) applies in matters of inheritance and marriage to non-Muslims (Law 32 in Personal Status of 1997).<sup>14</sup>

Imams must possess a licence and preach the sermons issued by the government.<sup>15</sup>

Although public proselytising is forbidden, certain “Islamic propagation centres” are accepted by the government.<sup>16</sup>

Non-Muslim groups may practise their religion according to their values, customs, and traditions without interference but only on land “specifically donated by the Sultan for the purpose of collective worship”.<sup>17</sup> Religious gatherings are allowed only within government-approved places of worship.

## INCIDENTS AND DEVELOPMENTS

In September 2019, the new St Francis Xavier’s Catholic Church was inaugurated in Salalah.<sup>18</sup> The construction in less than 18 months of a new Catholic Church on a land given by the government is a very positive sign.

In January 2020 the Anti Defamation League demanded that numerous books with anti-semitic content, both in Arabic and in English, were removed from the Muscat International Book Fair.<sup>19</sup>

In August 2020, Pope Francis has extended Eastern patriarchs’ jurisdiction over the Arabian Peninsula. This decision affects six Eastern Catholic patriarchal churches (the Coptic, Maronite, Syriac, Melkite, Chaldean and Armenian Catholic churches). The Pontiff has requested

from the patriarchs to coordinate with the apostolic vicars. The Patriarch will have to obtain approval of the Vatican in order to establish new territorial jurisdictions.<sup>20</sup>

### Covid-19

From 16th November 2020, mosques are open again, five times a day for prayers, but will not open for Friday prayers.<sup>21</sup> Only mosques that met the requirements for safe congregation, and could accommodate 400 worshippers, could reopen.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Despite repercussions of regional tensions, especially Sunni-Shi’a conflicts, Oman has succeeded in maintaining a relatively neutral position. It is well known that Oman shares good relations with Iran which it has tried to maintain despite regional pressure.

After almost 50 years in power, Sultan Qaboos passed away in January 2020. In an increasingly tense regional situation, Haitham bin Tariq Al Said, Sultan Qaboos’s cousin and chosen successor, reassured his people and the world that he would continue along the path set by his predecessor.<sup>23</sup>

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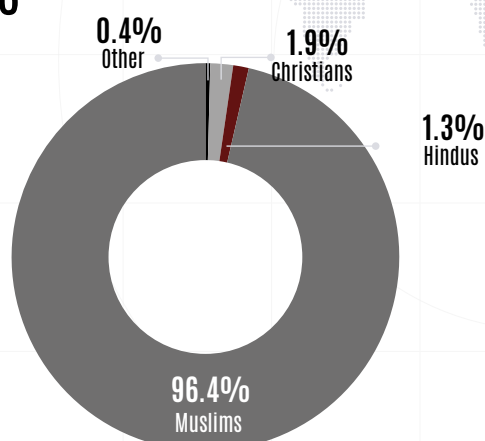
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# PAKISTAN

## RELIGIONS



Population  
**208,362,334**  
GDP per capita  
**5,035 US\$**



Area  
**796,095 Km²**  
GINI INDEX\*  
**33.5**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Pakistan was founded at the time of British India's partition in 1947. Only later did the country's more devoted Muslim character assert itself as it began to take a distinctly Islamic orientation under the dictatorship of General Zia ul-Haq, in power from 1977 to 1988. As a consequence, Islamic law (Shari'a) came to play a greater role within the Pakistani legal system.

The population is almost entirely Muslim, mostly Sunnis (between 85 and 90 percent). Shi'as are around 10-15 percent. Religious minorities, mostly Christians, Hindus and Ahmadis, plus some Baha'is, Sikhs, Parsis, and a dwindling Jewish community, are only 3.6 percent.<sup>1</sup> The main ethnic groups are (in percentages): Punjabis (44.7), Pashtuns (Pathans) (15.4), Sindhis (14.1), Saraikis (8.4), Muhajirs (7.6), Balochis (3.6), and others (6.3).<sup>2</sup>

Pakistan is a signatory to the Universal Declaration of Human Rights of 1948, and ratified the International Covenant on Civil and Political Rights (ICCPR) in 2010. It is therefore obliged under Article 18 to provide freedom of thought, conscience and religion to its people.<sup>3</sup>

Although Article 2 of the 1973 Pakistani constitution<sup>4</sup> (amended several times, most recently in 2015) states that "Islam shall be the State religion of Pakistan," the same document ostensibly guarantees rights to religious minorities as well. In fact, in its Preamble, it says that "adequate provision shall be made for the minorities freely to profess and practise their religions and develop their cultures." Article 20 (a, b) recognises that "every citizen shall have the right to profess, practice and propagate his religion," and that every religious denomination has "the right to establish, maintain and manage its religious institutions."

Article 21 says that "No person shall be compelled to pay any special tax, the proceeds of which are to be spent on the propagation or maintenance of any religion other than his own." Article 22 (1 and 3) contains "Safeguards as to educational institutions in respect of religion," clearly noting that "no person attending any educational institution shall be required to receive religious instruction," and "no religious community or denomination shall be prevented from providing religious instruction for pupils of that community."

In reality however, this article is not fully enforced since many students in public schools are required to attend Qur'anic classes or take Islamic courses; otherwise, they

lose important credits needed to complete the school year. Moreover, in public schools, subjects such as history, literature and mathematics are strongly permeated by Islamic precepts. Recently, the Punjab government has made the teaching of the Holy Qur'an compulsory at the college and university levels.<sup>5</sup>

In Article 260 (3, b) of the constitution, a distinction is made between Muslims and non-Muslims, and this stokes religious bias and fuels discriminatory attitudes towards, for example, the Ahmadi community, which is described as non-Muslim. Article 41 (b) is unequivocally discriminatory since it states that "A person shall not be qualified for election as president unless he is a Muslim." Article 91 (3) also stipulates that the prime minister must be a Muslim. Under Article 203D, the Federal Shariat (Islamic) Court has the power to invalidate any law contrary to Islam and suggest amendments to it.<sup>6</sup>

Pakistan's electoral system is equally discriminatory, a fact highlighted again in the parliamentary elections held in July 2018. Pakistan has a president elected by an electoral college made up of Members of the National Assembly and Members of Provincial Assemblies. There are no countrywide presidential elections.<sup>7</sup>

Pakistan's bicameral parliament includes a 342-member National Assembly and a 104-member Senate. In the lower house, 272 seats are elected according to the first-past-the post system, while the other 70 seats are reserved, 60 for women (elected via proportional representation) and 10 for non-Muslim minorities (elected in a single, country-wide constituency).<sup>8</sup> Senators are elected by the country's four provincial assemblies, a reflection of the federal nature of the Pakistani state, but in this case too, seats for women and minorities are reserved.

While this guarantees some representation for such groups, female and minority candidates are virtually excluded from running for the other (more than 300) seats. This situation has led many non-Muslim politicians to align themselves with Muslim-led political parties, which is less effective in terms of promoting policies aimed at improving the situation of minorities. Candidates elected to reserved seats are still bound by party discipline, even if that means ignoring the concerns of their own community.<sup>9</sup>

The status of religious minorities is further affected by Pakistan's so-called "blasphemy laws", introduced by General Zia-ul-Haq between 1982 and 1986. Strictly speaking,

they are not laws but amendments to the Pakistan Penal Code,<sup>10</sup> namely Sections 295B, 295C, 298A, 298B, and 298C, which severely restrict freedom of religion and freedom of expression. Punishable offences include "defiling" the Qur'an and insulting the Prophet Muhammad, which carry maximum sentences of life imprisonment and the death penalty respectively.

As the concept of "blasphemy" is quite broad, the notion is easily abused to sanction various types of conduct, including irreverence towards people, objects of worship, customs and beliefs. While Section 295A protects all religions from "Deliberate and malicious acts intended to outrage religious feelings", the section's next paragraphs and Sections 298B and 298C exclusively target conduct deemed anti-Islamic.

Historically, Pakistan's legal system is a combination of English Common Law and Shari'a, but the legal practices are Islamocentric, especially since the Penal Code was amended in the 1980s.<sup>11</sup> It is not surprising, therefore, that between 1947 (when Pakistan was founded) and the 1980s (when amendments were introduced), only six blasphemy cases were recorded, compared to 1,550 cases filed between 1987 and 2017.<sup>12</sup>

Even though in the period under review some people accused of blasphemy were released, including the now well-known Ms. Asia Bibi,<sup>13</sup> the volume of cases and death sentences for blasphemy has not decreased.

Accusations of blasphemy have been made against both Muslims and members of religious minorities; however, when non-Muslims are involved, accusations often result in lynching, mob attacks on entire neighbourhoods, and extrajudicial killings. Furthermore, the number of minority believers accused of blasphemy is highly disproportionate to their share of the population. Out of the 1,550 people accused of blasphemy between 1986 and 2017, 720 were Muslims, 516 Ahmadis, 238 Christians, 31 Hindus, and 44 unknown. This means that 46.45 percent of the accused were Muslims (who are 96.4 percent of the population), while 50.7 percent involved minorities (who are 3.6 percent of the population). Of these, 33.5 percent were Ahmadis, 15.3 percent were Christians and 2 percent were Hindus.<sup>14</sup>

Of particular concern are Sections 298B and 298C of the Pakistan Penal Code, which were promulgated under Zia-ul-Haq via Ordinance XX of 1984.<sup>15</sup> The latter made it a

criminal offence for Ahmadis to call themselves Muslims or to refer to their faith as Islam.

According to Omar Waraich, head of South Asia desk at Amnesty International, “There are few communities in Pakistan who have suffered as much as the Ahmadis”.<sup>16</sup> Some sources mention that between 1984 and 2019, 262 Ahmadi were killed because of their faith, 388 have faced violence and 29 Ahmadi mosques have been destroyed.<sup>17</sup> By law, they cannot have their own mosques, or make the call to prayer, and in order to vote they have to either be classified as non-Muslims or adhere to one of the mainstream currents of Islam.<sup>18</sup>

The persecution of Ahmadis goes back to the movement’s foundation in the late 19th century. Although Ahmadis accept Muhammad as a prophet, they are considered heretical by mainstream Muslims because they believe that their founder, Mirza Ghulam Ahmad, was the Mahdi, a messianic figure in Islam. He also believed that he was the reincarnation of Muhammad, Jesus and the Hindu god Krishna.<sup>19</sup>

In July 2020, the Punjab Provincial Assembly passed a bill, the Protection of the Foundation of Islam Act (Tahaffuz-e-Bunyad-e-Islam), which is of great concern. The new law essentially imposes a Sunni definition of Islam. It bans any printed material deemed offensive to Muhammad and other holy religious figures, and requires people when speaking about the prophet himself precede his name with the title “Last prophet of God” (Khatam-an-Nabiyyin), followed by the Arabic invocation “Peace be upon him” (sallallahu alaihi wasallam).<sup>20</sup>

Education is another domain where blasphemy allegations and violence against minorities are growing. In its seven-year study titled “Education and Religious Freedom: a fact sheet”,<sup>21</sup> the National (Catholic) Commission for Justice and Peace found that school and college curricula promotes discrimination against non-Muslims. According to the report, “Factual inaccuracies, historical revisionism, and easily recognisable omissions teach a version of history that is decidedly monolithic, reinforce negative stereotypes and create a narrative of conflict towards religious minorities”.<sup>22</sup>

School curricula and textbooks play an essential role in promoting a culture of intolerance towards minorities and there is much concern about the so-called Single National Curriculum (SNC), scheduled to be implemented in

2021.<sup>23</sup> The Human Rights Commission of Pakistan has expressed concern that the SNC might “violate the constitutional guarantee that no member of a religious minority will be required to ‘receive religious instruction’ not relevant to their own religion”.<sup>24</sup>

In 2020, the government created a National Commission on Minorities (NCM). This was prompted by an order by the Supreme Court of Pakistan in June 2014 to set up an agency to protect minorities,<sup>25</sup> a decision influenced by an attack against a church in Peshawar in September 2013.<sup>26</sup> In May 2020, the Ministry of Religious Affairs and Inter-religious Harmony also notified the reconstituted National Commission for Minorities and its mandate to ensure that the places of worship of non-Muslim communities are preserved and maintained in functional conditions. However, the NCM’s status is uncertain, since it is simply an ad hoc body set up by the federal cabinet and not an agency established by a law, and its powers are limited. What is more, Ahmadis are not represented in this body because, to quote Information Minister Shibli Faraz, they do not “fall [with]in the definition of minorities”.<sup>27</sup> Last but not least, since the adoption of the 18th Amendment to the constitution in 2010, minorities have become a provincial issue, and the NCM has no legal power to enforce its resolutions.<sup>28</sup>

Marriage is another major legal matter that has affected religious minorities. For Christians, there was some improvement. In 2019, the Supreme Court of Pakistan ruled that Christians could register their marriages with an official marriage certificate.<sup>29</sup>

Still there was not much else. Under Pakistani law, the minimum age of marriage is 18 years, but this has been constantly put aside by courts that accept Islamic marriage practices that allow girls to marry when they have their first period.<sup>30</sup>

This issue is particularly sensitive because of the forced marriage and conversion of Christian and Hindu girls. To deal with the situation, the Sindh provincial assembly passed the Sindh Child Marriage Restraint Act in 2013, the only province to do so; yet, the same province has the highest number of forced marriage cases. Some kidnapped girls have been returned to their families during the period under review, but the law cannot annul Islamic marriages even if it can be proven that the girl was underage when she was married.<sup>31</sup>

A national law seems necessary. The Pakistani Senate tried to tackle the issue in 2020. Its Standing Committee to Protect Minorities from Forced Conversions began looking into the matter in July 2020.<sup>32</sup> The Protection of Rights of Minorities Bill was introduced in the Senate in August, but the Standing Committee on Religious Affairs and Interfaith Harmony rejected it a month later on the grounds that “minorities in Pakistan have already been granted several rights.”<sup>33</sup> In November the bill was reintroduced in the Senate. If approved, it would ban forced conversions and anti-minority content in textbooks, and would impose seven years in prison and a fine for forced conversion and 14 years in case of forced marriages involving members of minorities.<sup>34</sup>

## INCIDENTS AND DEVELOPMENTS

During the period under review there have been scores of incidents affecting freedom of religion as well as positive and negative developments.

On the plus side, since Prime Minister Imran Khan and his Tehreek-e-Insaf Party came to power in August 2018, a few positive steps have been taken in favour of minorities.

The government took on extremists led by Tehrik-e-Labaik Pakistan (TLP) who demanded that Asia Bibi’s acquittal in October 2018 be reversed. Instead, the authorities arrested members of the TLP’s leadership.<sup>35</sup>

Regarding Hindus and Sikhs, just days before the 550th anniversary of the birth of Sikhism’s founder, Guru Nanak, on 12th November 2019, the government opened the Kartarpur corridor allowing Sikh pilgrims to visit the Gurdwara Darbar Sahib, one of Sikhism’s holiest shrines, located in Pakistan’s Punjab Province. For Sikh pilgrims from India, the corridor cuts down travel time, cost and red tape at the border.<sup>36</sup>

Despite such progress, life for members of Pakistan’s minorities remains difficult. This is also true for Pakistan’s Shi’a community, the country’s largest minority, which continues to be the target of violent attacks. In particular, the Shi’a Hazara community, based mainly in Quetta, Balochistan, has often been attacked by militants. A report released by the National Commission for Human Rights stated that 509 Hazaras were killed and 627 injured in various acts of terrorism in Quetta during the last five years.<sup>37</sup>

It is also not surprising that persecution against the Ahmadis continued in the past couple of years since Prime Minister Khan publicly supported anti-Ahmadi laws and groups during the 2018 election campaign. Once elected, Khan appointed an Ahmadi, Dr. Atif Mian, to the Economic Advisory Council (EAC), but following protests by members and supporters of his own party, he reversed his decision.<sup>38</sup>

Terrorism against minorities also continued unabated. The country ranked fifth in the Global Terrorism Index 2019 and was one of the 10 countries that accounted for 87 percent of terrorism-related deaths in 2018.<sup>39</sup>

The Shi’a Hazara community was frequently targeted. A suicide attack on 12th April 2019 at a vegetable market in Quetta’s Hazar Gunji area, left 21 people dead and 50 others severely wounded. The market is frequented by Hazara traders. The attack was claimed by the Islamic State group.<sup>40</sup>

In early September 2020, Sunni extremist groups organised at least four unprecedented anti-Shi’a demonstrations during which Shi’as were described as “heretical” and “infidels”,<sup>41</sup> this amid the apparent indifference of Pakistani authorities.<sup>42</sup>

That same month, at least five Shi’as were killed in different parts of the country in sectarian violence, while more than 30 blasphemy cases were filed against Shi’as. At least one Shi’a congregation was attacked and several videos appeared on social media showing Shi’as forced to accept the Sunni historical view of the caliphs.<sup>43</sup>

On 8th May 2019, during the holy month of Ramadan, a bomb exploded near Data Darbar, an important Sufi shrine in Lahore, crowded with hundreds of pilgrims, killing 13. Hizbul Ahrar, a splinter group of Jamaat-ul-Ahrar and Tehrik-i-Taliban Pakistan, claimed responsibility.<sup>44</sup>

Ahmadi places of worship were also targeted. On 6th February 2020, a crowd stormed a 100-year-old Ahmadi mosque in Kasur, Punjab. The local authorities gave in to pressure from the extremists and handed over the mosque to them.<sup>45</sup> In October 2019, another Ahmadi mosque was “razed” in Bahawalpur District.<sup>46</sup> In July 2002, an Ahmadi cemetery was desecrated in Punjab.<sup>47</sup>

On a positive note, some people convicted for blasphemy had their sentences overturned. Asia Bibi, a Christian



woman sentenced to death for blasphemy in 2010, was finally acquitted by the Supreme Court of Pakistan on 31st October 2018; however, as a result of large-scale street protests, she had to wait until January 2019 for her acquittal to be upheld again. Subsequently, she moved with her family to Canada.<sup>48</sup> Sawan Masih, another Christian, was also acquitted of blasphemy on 5th October 2020.<sup>49</sup>

Such cases cannot, however, erase the long years spent in prison by the two accused. What is more, they represent isolated successes. In fact, blasphemy cases continue to rise; for example, in August 2020 alone, there were 42.<sup>50</sup>

Prof. Khalid Hameed, head of the English Department at the Government Sadiq Egerton College in Bahawalpur, was stabbed to death by one of his students on 20th March 2019 for allegedly making derogatory remarks against Islam.<sup>51</sup>

In September 2019, the principal of the Sindh Public School, in the town of Ghotki (Sindh Province), was arrested for allegedly blasphemous comments about the Prophet Muhammad. This was followed by street protests and a strike. As a result, the principal's school was damaged and a Hindu temple was vandalised.<sup>52</sup>

In December 2019, Junaid Hafeez, a 33-year-old university lecturer, was sentenced to death for blasphemy. He had been arrested in March 2013 on charges of posting derogatory comments about the Prophet Muhammad on social media.<sup>53</sup>

In another incident, Tahir Ahmad Naseem, a US citizen was killed on 29th July 2020 in a courtroom in Peshawar. He had been arrested for blasphemy in April 2018 after claiming to be a prophet. A video went viral on social media showing the suspected killer telling people in the courtroom after the murder that the Prophet Mohammad had told him to kill the blasphemer.<sup>54</sup>

In August 2020, a Muslim leader in Abidabad, Nowshera Virkan, accused a Christian, Sohail Masih, of insulting Islam. Police took Masih into custody on 5 August after he was attacked by a mob. His family was forced to flee.<sup>55</sup>

The violence and discrimination against Pakistan's Hindu community continued as well. On 30th June 2020, Jamia Ashrafia, a leading religious school in Pakistan, issued a fatwa against the construction of Islamabad's first-ever Hindu temple since it would be "aiding in a bad deed".

Islamabad High Court also issued a notice to the Capital Development Authority that the temple did come under the master plan for the city.<sup>56</sup>

Meanwhile, the problem of abducted Christian and Hindu girls got worse. Asad Iqbal Butt, chairperson of the Human Rights Commission of Pakistan, noted that the number of victims had doubled since 2018, to 2,000 per year.<sup>57</sup> Kidnappers, often with the complicity of corrupt police officers and court officials claim that the girls are over 18 and marry of their own free will. Pleas by parents with identity papers showing the true age of the girls have failed far too often to stop forced marriages and conversions.

In early September 2020, 14-year-old Hindu girl, Parsha Kumari, was kidnapped in Mori District, Khairpur (Sindh), and was reportedly converted by force and married to her abductor, Abdul Saboor Shah.<sup>58</sup> A similar case was that of Jagjit Kau, kidnapped at gunpoint on 27th August 2018 in the city of Nankana Sahib. After months of rumours, including unsubstantiated claims that she had been returned to her family, Jagjit was placed at the Darul Aman women's shelter in Lahore. On 12th August 2020, a court ruled that she should return to her husband, ostensibly on her request.<sup>59</sup>

Christian girls are victims of such crimes, cases are so numerous we will just cite the still active case of Huma Younus, a 15-year-old, was kidnapped on 10th October 2019 in Karachi by Abdul Jabbar, a Muslim, who raped her, forcibly converted her to Islam and then forced her to marry him.<sup>60</sup> Although her parents provided documents attesting to her being underage - confirmed later by medical examination, the High Court of Sindh on 3rd March 2020 upheld the marriage, citing that she had already had her first period and could therefore contract marriage,<sup>61</sup> this despite that the Sindh Child Marriage Restraint Act forbids marriage under the age of 18. Her family's lawyer said that Huma spoke with her parents on the phone and told them that she had been forced to have sex with her captor, thus becoming pregnant, and that she is confined in a single room in the house where she is being held.<sup>62</sup> As of November 2020, Huma Younus is still captive.<sup>63</sup> The case of Arzoo Raza, a 13-year-old Christian girl, shows an active involvement of the Judiciary and other instances of government to elucidate claims of legality of the said marriage. Arzoo was kidnapped and forced to marry a 44-year-old Muslim man. In this case, the Sindh High Court initially considered the marriage valid, accepting her

abductor's arguments; but after a medical examination, the same court found that she was a minor and ordered that she be returned to her family. A further hearing on 23rd November 2020 ruled that Arzoo should stay at a government-run shelter until she was 18.<sup>64</sup>

Even after liberation, life in Pakistan for freed girls remains grim. Maira Shahbaz's case shows how difficult it is. The 14-year-old Catholic girl was kidnapped in Madina Town, near Faisalabad on 28th April 2020. On 4th August Lahore High Court recognised her marriage as valid but two weeks later she escaped her captor. Maira and her family went into hiding after receiving repeated death threats.<sup>65</sup>

For Pakistan's Cardinal Joseph Coutts, "The issue of kidnapping, forced conversions and forced marriages should be dealt with based on fundamental human rights, rather than making it a religious issue".<sup>66</sup> In a plea for respect of minority rights, he explained that, "It is the responsibility of the State to provide protection, to ensure justice to every citizen, without distinction of creed, culture, ethnicity and social class."

Unfortunately, these rights are still not guaranteed in Pakistan, as was evident during the first outbreak of COVID-19. While the virus - dubbed by some the "Shi'a virus" - was spreading, there were numerous reports of food aid and protective equipment denied to Hindus and Christians.<sup>67</sup> In Karachi's Korangi area, local Christians were allegedly forced to recite the "Kalima", the Islamic declaration of faith, in order to receive rations. As they refused, they were denied needed essentials; by contrast, the Catholic Church distributed food and other basic items to all the needy irrespective of religious differences.<sup>68</sup>

Regarding COVID-19 measures, while churches and temples in Punjab and Sindh were voluntarily closed by their respective religious leaders after an increase of infections, mosques remained open. The government, fearing a backlash, chose not to intervene.<sup>69</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Despite Prime Minister's Imran Khan's election promise of a "Naya Pakistan", a new Pakistan, in which "civil, social and religious rights of minorities"<sup>70</sup> are guaranteed, the road to such a reality is still very long and full of obstacles. His vision of building a modern "State of Medina" akin to the model laid down by the Prophet Muhammad 14 cen-

turies ago is contributing to radicalisation in a political system already highly permeated by Islamism.

As the aforementioned long but not exhaustive list of incidents indicates, religion in the Asian country is still a source of discrimination and denial of rights. It is therefore not surprising that in 2018 the US State Department designated Pakistan as a Country of Particular Concern.<sup>71</sup>

Discrimination, blasphemy, abduction of women and girls, and forced conversions still haunt the everyday life of religious minorities. The persistent use of school textbooks and curricula with sectarian content against Shi'as and members of minorities leaves little hope for the future.

To all this must be added the proliferation of Islamic terrorist groups, often perpetrators of attacks against Shi'as and religious minorities. Tehrik-e-Taliban Pakistan and its associated groups constitute the greatest threat to the country's internal security while the Islamic State Khorasan Province is particularly adept at exploiting Pakistan's fragile sectarian fault lines. In May 2019, the Islamic State announced the creation of a "Wilayat Pakistan" (Pakistan Province) after claiming multiple attacks in the province of Balochistan.<sup>72</sup>

Pakistan's proximity to Afghanistan, its close involvement in ongoing US-Taliban talks and intra-Afghan dialogue, and Afghanistan's presidential elections will certainly affect Pakistan's internal security.<sup>73</sup> This in turn will have an impact on already dim prospects for religious freedom in the country.

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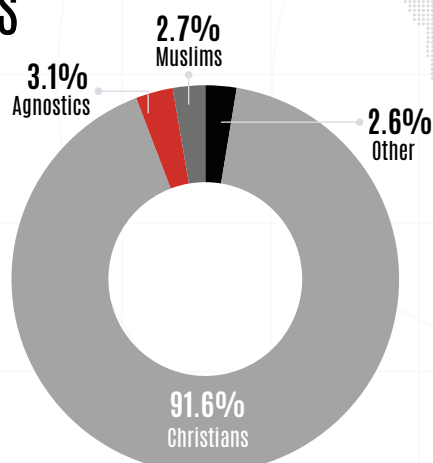


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# PALAU

## RELIGIONS



Population

**22,442**



GDP per capita

**13,240 US\$**



Area

**459 Km<sup>2</sup>**



GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Located to the south-east of the Philippines, Palau is an archipelago of some 250 islands that form the western range of the Caroline Islands. More than half the country's population lives in Koror State. Once a part of the Spanish East Indies, the islands were incorporated within the US-governed Trust Territory along with other islands in the Pacific Ocean after US troops liberated Palau from the Japanese during the Second World War. The country gained full sovereignty in 1994 and has a Compact of Free Association<sup>1</sup> (COFA) with the United States. Palau and the US maintain close economic, political, and security ties.

Under Article IV (1) of the Constitution, the government shall not discriminate against any citizen on the basis of religion or belief. It shall take no action to "deny or impair the freedom of conscience or of philosophical or religious belief of any person nor take any action to compel, prohibit or hinder the exercise of religion."<sup>2</sup>

The Constitution prohibits any state religion. Nevertheless, the state may provide funding to "private or parochial schools on a fair and equitable basis for non-religious

purposes."<sup>3</sup>

The population is mainly Christian, and Catholicism is the principal form of Christianity. Some estimates indicate that around half of the population is Catholic. Other religious groups include the Evangelical Church and Seventh-day Adventists.<sup>4</sup>

The Modekngai faith is unique to the country and, according to some sources, is professed by about 5.7 percent of the inhabitants.<sup>5</sup> Followers combine Christianity with ancient Palauan, animistic beliefs. Many of the followers live in the small town of Ilobang and attend daily church services. The Belua Modekngai School is located in that town.

There are also small groups of Muslims, Mormons, Jehovah's Witnesses, Baptists and members of the Assembly of God, as well as other religious groups.

The constitutional guarantees of religious freedom are respected in practice.

## INCIDENTS AND DEVELOPMENTS

No incidents of significance were reported during the period under review.

On 6th October 2020, Palau was one of 39 nations to sign a joint statement that condemned human rights abuses by the Chinese government in Hong Kong and against the Uyghur Muslims in China's Xinjiang province.<sup>6</sup>

On 21st October 2020, Thomas Remengesau, the President of Palau, authorised the United States to establish a permanent military presence in the country, highlighting that "Palau could serve as a bulwark against 'destabilizing actors' in the region."<sup>7</sup> A question remains as to the Chinese response and the impact on this otherwise neutral nation.

## PROSPECTS FOR RELIGIOUS FREEDOM

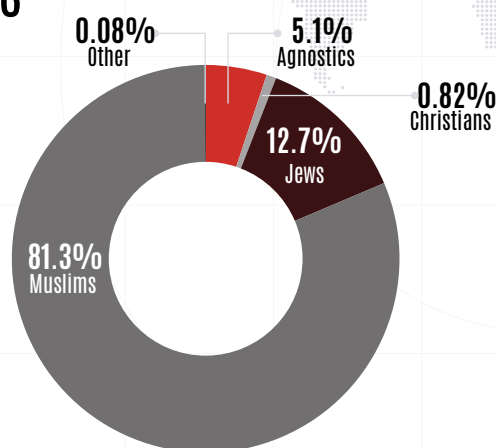
The government and society of Palau generally respect freedom of religion and the prospects for the future of this right remain positive.

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# PALESTINIAN TERRITORIES RELIGIONS



Population  
**5,322,629**  
GDP per capita  
**4,450 US\$**



Area  
**6,020 Km<sup>2</sup>**  
GINI INDEX\*  
**33.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The UN General Assembly, the UN Security Council and the International Court of Justice consider the Palestinian Territories to be under Israeli occupation.<sup>1</sup> The territories came into being in June 1967 when Israel seized areas beyond the 1949 armistice lines, held until then by Jordan and Egypt, namely East Jerusalem, the West Bank and Gaza. In 1993, as a result of the so-called Oslo process, Israel and the Palestine Liberation Organisation (PLO) formally recognised each other. One year later, the Palestinian (National) Authority (PA) was established as an institution of Palestinian self-rule in certain areas of the West Bank and Gaza, but not East Jerusalem, which Israel considers an integral part of its capital and where the PA exerts no authority at all.

Bilateral negotiations between Israelis and Palestinians intended to create a Palestinian state next to Israel have not been successful. In 2005 Israel withdrew from Gaza but kept control over access to the Strip. The Islamist Hamas party took political control over Gaza in 2007. Since then, the Palestinian Territories have been split between

the internationally recognised PA government in Ramallah (West Bank) and the Hamas-controlled Gaza. During this time, Israel and Hamas have clashed militarily on several occasions. In November 2012, the General Assembly of the United Nations recognised Palestine as a non-member observer state.<sup>2</sup>

Palestine is currently recognised by 139 states, amongst them the Holy See.<sup>3</sup> In 2015 the Holy See and the State of Palestine signed a Comprehensive Agreement,<sup>4</sup> which came into full force in January 2016. The treaty deals with essential aspects of the life and activity of the Catholic Church in Palestine, including the right of the Church to operate in Palestinian territory, and of Christians to practise their faith and participate fully in society.

Palestinians are mostly Sunni Muslims, but there is an indigenous Christian community of about 50,000 (including East Jerusalem) and a tiny Samaritan community of around 400 members living near Nablus. Around 500,000 Jewish settlers live in the Palestinian Territories and East Jerusalem, in settlements considered illegal under international law.

Palestine has no permanent constitution, but the Palestinian Basic Law serves as a temporary charter.<sup>5</sup> Article 4 states: "Islam is

the official religion in Palestine. Respect for the sanctity of all other divine religions shall be maintained. The principles of Islamic Shari'a shall be a principal source of legislation." According to Article 9, "Palestinians shall be equal before the law and the judiciary, without distinction based upon race, sex, colour, religion, political views or disability." Article 18 stipulates: "Freedom of belief, worship and the performance of religious functions are guaranteed, provided public order or public morals are not violated." Article 101 says that Shari'a affairs and personal status are under the jurisdiction of Shari'a and religious courts in accordance with the law.

Legally, conversion from Islam is not explicitly forbidden but in practice it does not occur due to strong social pressure. Proselytising is forbidden.

Pursuant to a presidential decree of 2017, the heads of several municipal councils - Ramallah, Bethlehem, Beit Jala and seven others - must be Palestinian Christians even if Christians are not the majority in those cities.<sup>6</sup> Another presidential decree from 2005 allocates six seats to Christians in the 132-member Palestinian Legislative Council.<sup>7</sup> Palestinian President Mahmoud Abbas has Christian ministers and advisers. Christians are also represented in the PA's foreign service and domestic administration.

A 2008 presidential decree officially recognises 13 Churches. These include the Roman Catholic, Greek Orthodox and the Armenian Apostolic Churches. Ecclesiastical courts decide on matters of personal status, including marriage, divorce and inheritance in accordance with Church laws. Other Churches, mostly Evangelical ones, are not officially registered but can operate freely. However, they do not have the same rights when it comes to matters of personal status. In 2019 the Council of Local Evangelical Churches in Palestine was granted legal recognition.<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

In July 2018, speaking at the Great Omari Mosque in Gaza City, Fathi Hammad, a Hamas political bureau official, called on Muslims to kill "Zionist Jews" wherever they find them. "O Muslims, wherever you find a Zionist Jew, you must kill him because that is an expression of your solidarity with the al-Aqsa Mosque and an expression

of your solidarity with... your Jerusalem, your Palestine and... your people."<sup>9</sup>

In October 2018, Israeli forces arrested two Palestinians suspected of throwing a pipe bomb at Rachel's Tomb, known in Arabic as the Bilal bin Rabah mosque, near Bethlehem. Although located in Palestinian territory, the site is cut-off from the rest of the West Bank by Israel's separation barrier.<sup>10</sup> The shrine is holy to Jews, Christians and Muslims.

According to the NGO Middle Eastern Concern, since 2018 Israel restricted Christmas visas for Christians from Gaza to applicants over 55 years of age, thus considerably reducing the number of people eligible for a visa.<sup>11</sup>

Haya Bannoura, a Christian lawyer from Beit Sahour, was granted a licence to represent clients in Palestine's Shari'a courts. The licence was issued by Mahmoud al-Habbash, President of the Supreme Council of Islamic Law, who stressed "that the Palestinian people are cohesive and united and Palestinian Christians are an integral part of the country's social fabric as well as the Palestinian people as a whole."<sup>12</sup>

Despite statements of Palestinian unity, relations between Palestinian Muslims and Christians can be difficult. In April 2019 tensions rose in Jifna, a predominantly Christian town near Ramallah, in connection with a roadside incident involving a young man with family links to the ruling Fatah. When he was detained by the police, a Christian woman and other villagers from Jifna were threatened by a mob that destroyed property, fired shots in the air and cursed at the people of the village, hurling religious and sectarian insults. After the intervention of Palestinian Prime Minister Mohammad Shtayyeh, Ramallah Governor Lila Ghannam, and al-Bireh security forces, the parties involved in the clash finally signed a reconciliation agreement in the village and repaired the damage.<sup>13</sup>

In July 2019, after Hamas political bureau official Fathi Hammad called again on Palestinians to indiscriminately "slaughter Jews" if Israel did not end its blockade of the Gaza Strip, the Islamist movement distanced itself from the official. In a statement, Hamas said that Hammad's views "don't represent the movement's official positions," and that it supports fighting the Israeli occupation, "not the Jews or their religion."<sup>14</sup> Later, Hammad said that he ac-



cepted Hamas's policy of limiting the struggle to the areas under "Zionist occupation".<sup>15</sup>

In July 2019, the Israeli Defence Forces (IDF) neutralised a pipe bomb found near Joseph's Tomb in Nablus during preparations for the visit of 1,200 Jewish worshippers. According to media reports, disturbances broke out as the worshippers entered the tomb. Palestinian protesters burnt tires and threw stones at IDF forces, who tried to disperse the crowd.<sup>16</sup>

In September 2019, Israeli forces demolished a mosque and a house, both under construction in Jabal Jares, Hebron. Some 300 people were affected by the mosque demolition, the Israeli Committee Against House Demolitions (ICAHD) reported.<sup>17</sup>

Palestinian President Mahmoud Abbas criticised both the US and Israel for their policy vis-à-vis Jerusalem and its holy sites. In his speech at the 2019 United Nations General Assembly in New York he said: "In East Jerusalem, the occupying power is waging a reckless, racist war against everything Palestinian, from the confiscation and demolition of homes, to assaults on clergy, to the eviction of our citizens from their homes, to attempts to violate the sanctity of the holy Al-Aqsa Mosque and the Church of the Holy Sepulchre, to the legislation of racist laws, to the denial of access by worshippers to the holy places."<sup>18</sup> Turning to the United States, he added: "The US administration has undertaken extremely aggressive and unlawful measures, declaring Jerusalem as the so-called 'capital of Israel' and moving its embassy there, and in blatant provocation to the sensitivities of hundreds of millions of Muslims and Christians, for whom Jerusalem is a central part of their religious faith."<sup>19</sup>

In a survey<sup>20</sup> measuring attitudes towards Shari'a, Arab Barometer found that a majority (53 percent) of Palestinians are in favour of laws being based mostly or entirely on Shari'a. About 45 percent of respondents in the West Bank, and 51 percent in Gaza, believe that a government based on Shari'a should above all avoid corruption. For a third (32 percent) in both the West Bank and Gaza, such a government should provide basic services (health facilities, schools, garbage collection, and road maintenance). "Only 8 percent in the West Bank and 14 percent in Gaza think that the most essential aspect of the Shari'a is a government that uses physical punishments to make sure people obey the law."<sup>21</sup>

On 3rd November 2019, the Palestinian Authority granted legal recognition to the Council of Local Evangelical Churches in Palestine. According to Munir Kakish, President of the Council of Local Evangelical Churches in Palestine, this act grants his community civil rights as a religious organisation. "Now the Evangelical Churches can issue marriage certificates, open bank accounts, and purchase Church property to be registered in the name of the Church and the organisation instead of individual persons," a statement by the Council read.<sup>22</sup>

In November 2019, the Assembly of Catholic ordinaries of the Holy Land denounced an act of vandalism committed in the Palestinian Christian village of Taybeh, where anti-Arab Hebrew-graffiti was sprayed on a wall and a car was torched. In a statement, the Catholic ordinaries said: "We strongly condemn these racist acts of vandalism. We also urge the Israeli authorities to investigate seriously these apparent hate crimes and to bring those responsible and those who incite for such crimes to justice as soon as possible."<sup>23</sup>

In December 2019, Church leaders in Jerusalem appealed to Israeli authorities to reverse a decision denying travel permits to a few hundred Gaza Christians who wanted to visit Bethlehem, Nazareth and Jerusalem for Christmas. Citing security concerns, Israeli officials initially decided not to grant the permits.<sup>24</sup> However, just before 25th December, Israel relented<sup>25</sup> and allowed some Gaza Christians to travel to the West Bank. However, less than half of the applicants were granted visas.<sup>26</sup>

Following the outbreak in March 2020 of the worldwide COVID-19 pandemic, Palestinian political and religious authorities ordered the shutdown of churches and mosques.<sup>27</sup> In May 2020, the Heads of the Three Communities, custodians of the Basilica of the Nativity in Bethlehem, informed the public that starting on 26th May, the Holy Place was accessible again to the faithful for visits and prayer after a COVID-19 related closure.<sup>28</sup>

A survey published in October 2020 by the US-based Philos Project, a Christian advocacy NGO, found that nearly six in 10 Palestinian Christians (59 percent) have thought of emigrating for economic reasons. A huge majority (84 percent) expressed fear Israel might expel Palestinians; a similar proportion (83 percent) expressed fear that Jewish settlers would attack them and that the Jewish state

would deny them civil rights. Nearly eight in 10 (77 percent) were also concerned about radical Salafist groups in Palestine. A substantial minority (43 percent) believed that most Muslims do not want them and that they are victims of discrimination when applying for jobs (44 percent).<sup>29</sup>

On Rosh Hashana in September 2020, Israeli forces prevented Muslim worshippers from entering Hebron's Ibrahimi Mosque for days in order to allow Jewish visitors to pray inside.<sup>30</sup> The mosque is the burial site of several patriarchs venerated by Jews, Christians and Muslims, and is used as a synagogue and a mosque.

In October 2020, 21 Members of the European Parliament (MEPs) called on the European Union to urge Palestinian authorities to remove anti-Semitic, violent and jihadist incitement from Palestinian textbooks.<sup>31</sup> In a letter addressed to the EU High Representative for Foreign Affairs and the EU Commissioner for Neighbourhood and Enlargement, the EU lawmakers asked the EU to look into Palestinian textbooks and take action, noting that the EU pays the salaries of Palestinian educators and that the books are said to contain "anti-Semitic content and imagery, hate speech and incitement to violence, martyrdom, jihad." Hence, the MEPs called on the Commission to withdraw part of the funding devoted to the Palestinian education sector in response to the incitement found in the textbooks.<sup>32</sup>

In October 2020, Archbishop Atallah Hanna from the Greek Orthodox Patriarchate of Jerusalem was the highest Christian cleric to take part in a joint Christian-Muslim demonstration in Bethlehem to express disapproval of the re-publication by the satirical French magazine *Charlie Hebdo* of cartoons denigrating the Islamic religion.<sup>33</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Palestine does not enjoy full independent statehood, and the Palestinian Authority is not a secular state. There are limits to a Palestinian citizen's religious liberty at both legal and societal levels.

Recognised non-Muslim communities continue to enjoy a reasonable level of freedom of religion. Especially in the West Bank under the Palestinian Authority, Christians are regarded as part of the Palestinian people under Israeli occupation. Palestinian Christians share their nation's narrative, and have access to the offices and positions of

power within the Palestinian State.

In Gaza where Islamist Hamas rules, the few remaining Orthodox and Catholic Christians are tolerated but the environment is considerably more religious, and the migration of Christians continues because of the economic hardships and the constant military confrontation with Israel. Christians and Muslims from the West Bank as well as Gaza face restrictions on religious freedom because of travel restrictions to Christian and Muslim holy places in Israel, East Jerusalem and the West Bank. In general, the situation of religious freedom has not changed and the prospects for a positive change are dim.

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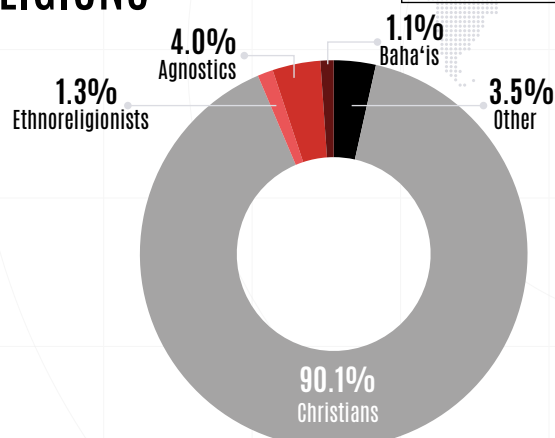
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# PANAMA

## RELIGIONS



Population  
**4,289,330**  
GDP per capita  
**22,267 US\$**



Area  
**75,320 Km<sup>2</sup>**  
GINI INDEX\*  
**49.2**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The protection of God is invoked in the Preamble of the constitution.<sup>1</sup> Under Article 35, “All religions may be professed and all forms of worship practiced freely, without any other limitation than respect for Christian morality and public order. It is recognised that the Catholic religion is practiced by the majority of Panamanians.”

The constitution stipulates that “there shall be no public or private privileges, or discrimination, by reason of race, birth, social class, handicap, sex, religion or political ideology” (Article 19).

Notwithstanding the duties inherent to their mission, ministers of religion “may hold public posts only when such positions are related to social welfare, public education, or scientific research” (Article 45). It is illegal to establish political parties based on religion (Article 139).

Before taking office, the president and vice president take the oath of office with the words set out in Article

181: “I swear to God and to the country to comply faithfully with the Constitution and the laws of the Republic.” However, Article 181 states that citizens who do not profess religious beliefs can dispense with the invocation of God in the oath.

According to Article 36, “Religious organizations have juridical capacity and manage and administer their property within the limits prescribed by law, the same as other juridical persons.”

According to Article 94, both public and private schools “are open to all students without distinction of race, social position, political ideology, [or] religion.”

Under Article 107 of the constitution, “The Catholic religion shall be taught in public schools.” However, “students shall not be obliged to attend religion classes, nor to participate in religious services” if their parents or guardians do not wish it.

## INCIDENTS AND DEVELOPMENTS

In June 2018, the Interreligious Day of Prayer was held to bear witness to peaceful coexistence and pray for World Youth Day (WYD) 2019.<sup>2</sup>



In August 2018, the Jehovah's Witnesses held their regional assembly.<sup>3</sup>

The country prepared for WYD 2019, the first to be held in Central America. In September 2018, the Ministry of Security arranged for participants to enter the country.<sup>4</sup> In October 2018, the Public Services Authority granted temporary permits to telephone companies to meet increased demand for WYD.<sup>5</sup>

23rd - 27th January 2019, Pope Francis presided over the 15th international World Youth Day. The pope was received by the Panamanian President Varela. At the vigil, the Pope prayed with about 600,000 young people in Campo San Juan Pablo II<sup>6</sup> and approximately 700,000 pilgrims were present at the Campo San Juan Pablo II Metro Park for the final Mass.<sup>7</sup> Present at this Mass were the presidents of Panama, Juan Carlos Varela; of Costa Rica, Carlos Alvarado; of Colombia, Iván Duque; of Guatemala, Jimmy Morales; of El Salvador, Salvador Sánchez Cerén; and Honduras, Juan Orlando Hernández.<sup>8</sup>

In May 2019, the council charged with reforming the constitution ruled out the removal of the reference to "Christian morality" in Article 35.<sup>9</sup>

In May 2019, the Panamanian president honoured two Catholic bishops "for their valuable service to the country and for their contributions to the Nation in the social, religious and humanitarian fields".<sup>10</sup>

In May 2019, Panama's National Assembly approved funding for the Catholic Church, planned by the government of Juan Carlos Varela, a month and a half before he left office. Questions had been raised about the economic support his government had provided to the Catholic Church.<sup>11</sup>

In July 2019, a Member of the National Assembly proposed adding a religious invocation at the opening of the plenary session of the National Assembly.<sup>12</sup>

Following tradition, the faithful took part in the thanksgiving pilgrimage to the Black Christ in October 2019, which also occurs during Holy Week.<sup>13</sup>

Some sects have been involved in a number of incidents. In December 2019, members of the Carbon Nation sect were expelled as a threat to national security.<sup>14</sup> In January 2020, police discovered a mass grave containing the remains of members of the New Light of God sect in the Ngäbe-Buglé district. In September po-

lice arrested the leader and members of the same sect accused of mistreatment, disappearances and the killing of six people in a community, allegedly as a result of violent exorcisms involving beatings and torture.<sup>15</sup>

In January 2020, a youth leader complained that local authorities had no records of the religious groups and sects present in the area.<sup>16</sup>

In August 2020, the Ministry of Health and various religious groups agreed to work together in the fight against COVID-19.<sup>17</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the period examined, no episodes of religious intolerance or discrimination were reported. The government has a good relationship with religious organisations and appreciates their work. The number of incidents involving sects has declined. In general, the situation has not changed with respect to religious freedom and the prospects for the future are positive.

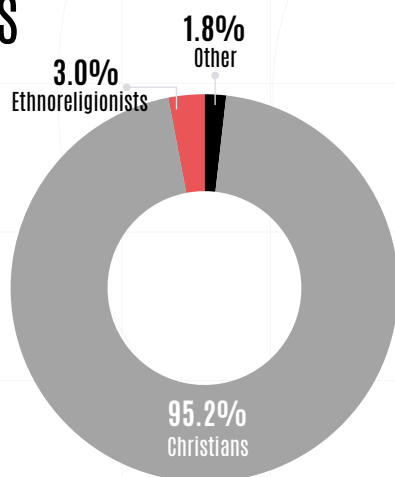
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# PAPUA NEW GUINEA

## RELIGIONS



Population  
**8,755,675**  
GDP per capita  
**3,823 US\$**



Area  
**462,840 Km<sup>2</sup>**  
GINI INDEX\*  
**41.9**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Independent State of Papua New Guinea (PNG) includes the eastern half of the island of New Guinea and some offshore islands in Melanesia. It is one of the most culturally diverse countries in the world with 848 languages. Most of its nearly eight million inhabitants live in traditional rural communities. Only 18 percent of the population lives in urban areas. Christian missionaries first arrived in the second half of the 19th century. The territory was divided among various missionary groups, leading to the current denominational differences among the population.<sup>1</sup>

A June 2020 article by the National Research Institute of Papua New Guinea analysed the constitutional status of Christianity in PNG. The Preamble to the Constitution pledges “to guard and pass on to those who come after us our noble traditions and the Christian principles that are ours now.”<sup>2</sup> While this reference to “Christian Principles” would suggest that Christianity is constitutionally privileged to some extent, Article 45 (1) recognises other religions and grants religious freedom to those who practise them.<sup>3</sup> Moreover, the Constitution does not explicitly

make Christianity the state religion, nor does it formally establish or subsidise any of the country’s Christian churches.<sup>4</sup> Furthermore, under Article 55, all citizens have “the same rights, privileges, obligations and duties” regardless of their religion.

According to Article 45 (1), the right to freedom of religion includes the “freedom to manifest and propagate” one’s “religion and beliefs in such a way as not to interfere with the freedom of others.” Article 45 (3) also states: “No person is entitled to intervene unsolicited into the religious affairs of a person of a different belief, or to attempt to force his or any religion (or irreligion) on another.” The right to religious freedom may, under Article 303 (1, a), be restricted by law in the interests of “defence”, “public safety”, “public order”, “public welfare”, “public health”, “the protection of children and persons under disability”, as well as “the development of underprivileged or less advanced groups or areas.” This right may not be subject to a derogation under emergency laws.

Foreign missionaries and other religious workers may apply for visas to enter the country under the “special exemption category” provided they are not engaged in “business activities” on behalf of their Church (which require a different type of visa).<sup>5</sup> Applicants need a letter of sponsorship

from a religious organisation within Papua New Guinea and must pay a small application fee. These visas are valid for three years. There are no reports of visa applications being refused.

The Associations Incorporation Act of 1966<sup>6</sup> requires all non-governmental organisations and institutions to register with the government. This enables them to own property, benefit from limited liability and also to qualify for certain tax exemptions. Reportedly, the government has not been restrictive vis-à-vis registering any group that has submitted an application.<sup>7</sup> However, the government does require religious groups to register if they want a bank account and to own property in their own name. If they want to be exempted from income tax or import duties, they must apply with the Revenue Commission and the Department of Treasury.<sup>8</sup>

The Papua New Guinea Council of Churches (PNGCC) is an ecumenical organisation founded in 1965. Its members include the Roman Catholic Church, the Evangelical Lutheran Church, the United Church, the Anglican Church, the Baptist Union, the Salvation Army and the Gutnius Lutheran Church. It also has a large number of associate members.<sup>9</sup> Papua New Guinea's Seventh-day Adventists and Pentecostals are not members. The PNGCC promotes dialogue between members, sponsors social welfare projects, and occasionally intervenes in public debates.

Churches in PNG provide more than half of the country's health and educational services,<sup>10</sup> indicating a strong relationship between the Churches and public services. Public schools offer religious courses taught by representatives of various Christian churches, from which students may be exempt upon parental requests.<sup>11</sup>

Papua New Guinea celebrates the following Christian festivities as national holidays: Good Friday, Holy Saturday, Easter, Easter Monday and Christmas. The National Day of Repentance on 26th August is also a public holiday.<sup>12</sup> Official public events often open and close with a Christian prayer.<sup>13</sup>

## INCIDENTS AND DEVELOPMENTS

In August 2020, the PNG cabinet (National Executive Council) approved a proposal to formally amend the Constitution to declare Christianity the state religion of Papua New Guinea.<sup>14</sup> Prime Minister James Marape supported the view noting that Christianity's majority status in

the population justifies amending the Constitution to declare PNG a Christian nation. He added that making "any amendment to declare PNG a Christian country would not have any major constitutional implications" since the practitioners of other religions would still enjoy religious freedom. The measure appears to enjoy widespread support.<sup>15</sup>

However, by far the most significant developments with respect to religious freedom during the period under review relate to periodic violent attacks inspired by attitudes towards sorcery (*sanguma*). Such thinking is rooted in traditional Melanesian understandings of the workings of the spirit world and is still relatively widespread. The 1971 Sorcery Act, which allowed sorcery as a defence in murder cases, was not repealed until 2013. Those accused of practising witchcraft and placing curses on others risk violence in the form of beatings, torture, and even murder. Crimes committed against those accused of witchcraft often go unreported as "many women were hanged, tortured and killed in the remote villages of the province but relatives do not report in fear of retaliation."<sup>16</sup> Without effective tribal justice systems that address witchcraft accusations, villages are left to angry mobs who "often go looking for a scapegoat" to resolve the problems they face, such as sudden death or illness.<sup>17</sup>

On 12th April 2020, Easter Sunday, three women were burnt and tortured on suspicion of sorcery in the country's Southern Highlands Province. Sr. Lorena Jenal, a Franciscan Sister of Divine Providence known for working against sorcery-related accusations and violence, and for helping victims, stated in an unpublished essay that "the three women are recovering from their physical torture, but the trauma of all the rest that happened is far from being healed, it possibly takes a lifetime."<sup>18</sup> In the aforementioned province, it is reported that 76 people survived similar attacks but 12 were victims of murder related to sorcery accusations.<sup>19</sup>

In response to the violence committed in connection with witchcraft and sorcery, Catholic Bishop Donald Lippert of Mendi hosted an awareness seminar to mark the first International Day against Witchcraft and Sorcery Accusation Violence (SAV) on 10th August 2020. In PNG the day was marked by a peaceful march with people carrying placards calling for respect of human dignity.<sup>20</sup>

The Australian immigration detention centre on Manus Island has attracted international attention. The Manus Island Regional Detention Centre is on PNG territory, but



is funded and operated by Australia. Asylum seekers, many of whom are Muslim,<sup>21</sup> are sometimes portrayed in a negative light in the media, suggesting without evidence that they are terrorists or radicals. Given the poor conditions in which asylum seekers live, people held in the facility are vulnerable and potential victims of criminal violations and attacks. In March 2020, all but four refugees and asylum seekers in PNG were transferred from Manus Island to Port Moresby, PNG's capital and largest city.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom is generally respected in Papua New Guinea and the prospects for this human right remain positive. There is little government regulation of religion and the government partners with Christian churches to provide health care services and education.

Nevertheless, charges of sorcery and witchcraft, especially against women, remain a worrying and serious form of religion-related violence and persecution rooted in traditional spiritual beliefs. In the absence of reform such violence is likely to continue.

In addition, given the proposal approved by the government to amend the Constitution to formally declare PNG a Christian state, some fear an increase in intolerance towards non-Christians. Prime Minister James Marape stated that "other religions will be allowed to practise their faith in the country," but he also suggested that all will be expected "to respect Christianity as the official state religion."<sup>23</sup>

While there are as yet no concrete indications that the measure will undermine Papua New Guinea's constitutional framework safeguarding religious freedom and non-discrimination, social and political pressures to make PNG an officially Christian nation could have consequences for religious freedom and religious tolerance, and should be monitored.

The offshore immigration facility on Manus Island also raises concerns. Although there have been no reports of religious restrictions, stereotypical attitudes towards the religious background of the refugees remain a source of concern.

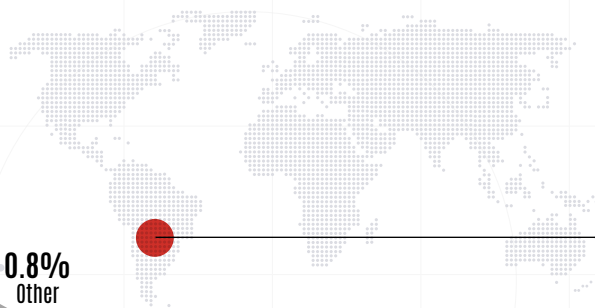
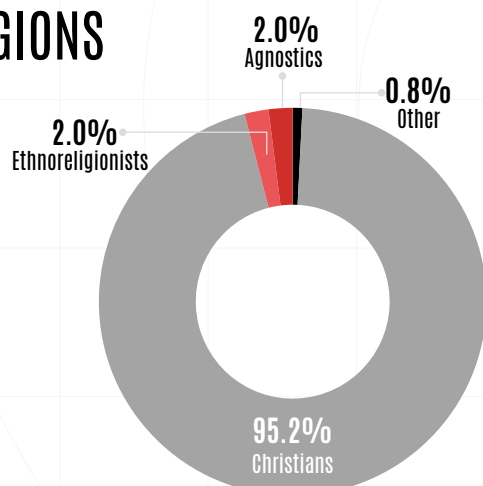
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# PARAGUAY

## RELIGIONS



Population  
**7,066,330**  
GDP per capita  
**8,827 US\$**

Area  
**406,752 Km²**  
GINI INDEX\*  
**46.2**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the constitution<sup>1</sup> invokes God and reaffirms the principles of a “pluralistic democracy”.

Under Article 24, “freedom of religion, of worship, and ideological [freedom] are recognized without any restrictions other than those established in this constitution and in the law.” Under Article 82, “the predominant role of the Catholic Church in the historical and cultural formation of the nation is recognized.” Nevertheless, Article 24 specifies that “No religious faith will have official character” and “The relations between the State and the Catholic Church are based on independence, cooperation, and autonomy.”

Article 24 also guarantees “The independence and the autonomy of the churches and religious faiths”, except for restrictions imposed by law. It also stipulates that “No one may be interfered with [molestado], questioned, or forced to give testimony by reason of their beliefs or of their ideology.”

Article 37 provides that “The right to conscientious objection for ethical or religious reasons is recognized for those

cases in which this Constitution and the law admit it.” In case of conscientious objection to military service, Article 129 stipulates that objectors will perform a civilian service in assistance centres, as regulated by Law 4013 of 2010. The latter set up the National Council of Conscientious Objection to Compulsory Military Service.<sup>2</sup>

Article 46 states: “All the inhabitants of the republic are equal in dignity and rights.”

Article 63 of the constitution recognises and guarantees the right of indigenous peoples to preserve and develop their ethnic identity, noting that they have the right to “freely apply their systems of political, social, economic, cultural and religious organization.”

Article 74 enshrines the “the right to a religious education” and “ideological pluralism”.

Article 88 condemns religious discrimination against workers.

The Ministry of Education and Science includes a Vice Ministry of Religion, which has jurisdiction over religious education, the registration of religious organisations and certifying foreign missionaries. It also monitors freedom of religion and inter-faith dialogue.<sup>3</sup>

Under Articles 197 (5) and 235 (5) of the constitution,

members of the clergy cannot run for president or vice president, nor Congress (Chamber of Deputies and Chamber of Senators).

## INCIDENTS AND DEVELOPMENTS

In December 2018, the National Directorate of Conscientious Objection issued the regulatory framework overseeing this right.<sup>4</sup> By January 2019, more than 24,000 applications had been filed. A number of bills were later tabled to modify certain aspects of the law,<sup>5</sup> all in 2019. In November of the same year, legal action was undertaken to prove the unconstitutionality of the provision, which, among other things, requires applicants to state a motive for their conscientious objection.<sup>6</sup> During this period, recognition was granted to some religious figures.

In June 2018, a vast crowd filled Asunción's largest football stadium for the beatification of Sister Chiquitunga. Coming soon after an election, both the outgoing president and president-elect were present at the event.<sup>7</sup> In March 2019, the Paraguayan Senate paid tribute to Spanish Jesuit Francisco de Paula Oliva, better known as Pa'i, little father in Guaraní.<sup>8</sup>

In August 2018, the "Educate to Remember-Holocaust, Paradigm of Genocide Act" was enacted as part of the country's educational programme.<sup>9</sup>

In September 2018, an investigation was launched against an Evangelical pastor for destroying traditional and worship objects belonging to an elderly indigenous man in Caaguazú.<sup>10</sup>

In July 2019, the traditional festival in honour of Saint Francis Solanus (San Francisco Solano) was held in the town of Emboscada. Paraguayan faithful devoted to the Spanish friar celebrated in the streets in a show of popular religiosity.<sup>11</sup>

Following the outbreak of the COVID-19 pandemic in March 2020, the government suspended all group activities, including religious gatherings. As recommended, the Church of Jesus Christ of Latter-day Saints (Mormons) closed its doors and suspended its activities,<sup>12</sup> including the Asunción Paraguay Temple (Templo de Asunción).<sup>13</sup>

In April 2020, Catholic bishops asked the government to ensure that the measures it adopted during the easing phase would allow acts of worship.<sup>14</sup> The following month, the Church agreed with the government to reopen places of worship for baptisms and weddings with a reduced

number of people present.<sup>15</sup> The Evangelical Church followed suit, accepting the recommendations of the Ministry of Health, including the free movement of accredited pastors and religious leaders.<sup>16</sup>

In July 2020, after a meeting with the authorities, Evangelical Churches came up with a health protocol that would allow a greater number of worshippers at their religious events.<sup>17</sup>

Although the constitution does not allow members of the clergy of any creed to run for Congress, one senator is actually an Evangelical pastor. In April 2020, she came under investigation for failing to respect the quarantine regulations after contracting COVID-19.<sup>18</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

No cases of religious intolerance have been reported. The state is seen as well disposed towards religion and open to dialogue. The situation of religious freedom has not changed and the future outlook is positive.

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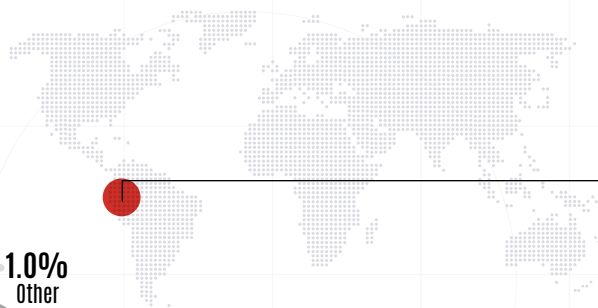
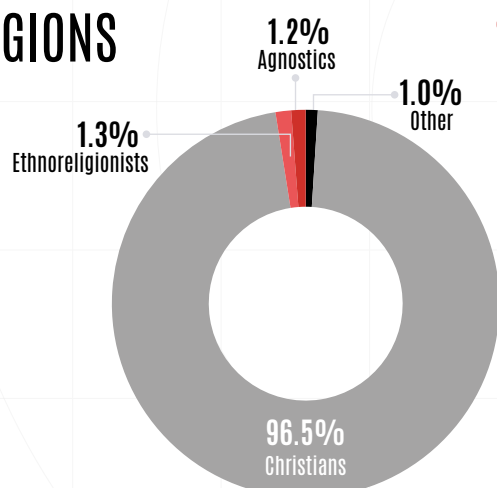
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## PERU

## RELIGIONS



Population  
**33,312,178**  
GDP per capita  
**12,237 US\$**



Area  
**1,285,216 Km<sup>2</sup>**  
GINI INDEX\*  
**42.8**  
\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

The Preamble to the constitution<sup>1</sup> invokes “Almighty God”. Under article 2 (3), everyone has the right to “freedom of conscience and religion, in an individual or collective manner. No one shall be persecuted on a basis of their ideas or beliefs. There is no crime of opinion. Public exercise of any faith is free, insofar as it does not constitute an offence against morals, or a disturbance of the public order.”

Article 2 (2) recognises “equality before the law” with specific reference to freedom of religion, which means that “no one shall be discriminated against on the basis of” their “religion”. According to Article 2 (18), everyone has the right to keep their religious convictions private.

Under Article 50 of the constitution, the state “recognizes the Catholic Church as an important element in the historical, cultural, and moral formation of Peru, and lends the church its cooperation.”

These provisions echo the agreement signed between

Peru and the Holy See in July 1980, under which the Catholic Church enjoys full independence, autonomy and legal recognition. The Concordat with the Holy See provides subsidies to the Catholic Church, as well as tax exemptions.<sup>2</sup>

Under article 50 of the constitution, the Peruvian state also “respects other denominations and may establish forms of collaboration with them.”

Under Article 14 of the constitution, “religious education is provided in keeping with freedom of conscience” and education more generally is provided “in conformity with constitutional principles”.

Law No. 29.635 on Religious Freedom<sup>3</sup> reiterates and elaborates on some of the constitutional guarantees. There is a fundamental right to freedom of religion. This includes a person’s right to practise his or her religion in public or private, provided this does not interfere with the right of others (Article 1).

Article 2 bans discrimination on religious grounds and recognises the diversity of religious entities.

According to Article 3, freedom of religion includes free-

ly professing one's chosen religious beliefs, changing or abandoning them at any time, practising them individually or collectively, in public or in private, performing acts of worship, receiving religious assistance, choosing religious and moral education in accordance with one's convictions, expressing oneself publicly for religious purposes, celebrating festivities and keeping days of rest that are considered sacred in one's religion.

According to Article 3, religious freedom includes the right to take an oath in accordance with one's own convictions or refraining from doing so, as well as being buried according to the traditions and rites of one's religion.

Article 4 recognises the right to conscientious objection.

Article 6 grants civil legal recognition to religious entities, as well as the right to appoint their ministers of religion, disseminate and propagate their faith, and create foundations and associations for religious, educational and social purposes.

Article 8 stipulates that educational establishments must respect the right of students to be exempt from religious studies. Religious groups registered with the Ministry of Justice are legal entities governed by private law and have the status of non-profit organisations.

## INCIDENTS AND DEVELOPMENTS

A bill to amend the Law on Religious Freedom was presented in September 2018 in order to prohibit "authoritarian, abusive, discriminatory practices."<sup>4</sup> Another bill came forward in March 2019 to set up chaplaincies and provide religious assistance for evangelicals in state entities.<sup>5</sup>

In November 2018, the Ministry of Justice organised a conference together with the Interreligious Cultural Fair (Feria Cultural Interreligiosa) to raise awareness about the country's religious pluralism.<sup>6</sup> In June 2019, the same Ministry published a paper, "Right to religious freedom in Peru: regulations and jurisprudence" (Derecho a la libertad religiosa en el Perú: normativa y jurisprudencia), to highlight the scope of this right.<sup>7</sup>

In January 2019 the Constitutional Court ruled that Members of Congress can resign from their political grouping for reasons of conscience.<sup>8</sup>

In April 2019, the charred body of a British lay Brother and environmental activist was discovered at a youth hostel for

indigenous students he managed in Iquitos.<sup>9</sup>

In May 2019, security staff ("Seguridad Ciudadana") asked a religious group to leave the park where they were singing and preaching. The group agreed to move away peacefully.<sup>10</sup>

In September 2019, a proposed constitutional reform was put forward to declare the Republic of Peru a secular state and remove the express recognition of the Catholic Church.<sup>11</sup>

In October 2019, members of the Evangelical Church in Cuzco protested against the celebration of Halloween, which they consider a satanic cult.<sup>12</sup>

In August 2019, the festival of San Pedrito officially became a national holiday.<sup>13</sup> Other bills have been presented in the past couple of years to declare certain religious festivals and buildings of national interest as intangible parts of the country's cultural heritage.<sup>14</sup>

The Catholic Bishops' Conference of Peru has issued various statements urging Peruvians to seek the common good.<sup>15</sup> Following the outbreak of the COVID-19 pandemic in March 2020, the Conference called on the faithful to observe the measures adopted by health authorities. It also indicated how the Eucharist would be administered<sup>16</sup> and made its social outreach organisations available to care for vulnerable people.<sup>17</sup>

In October 2020, President Martín Vizcarra indicated that the government was engaged in talks with the Church in order to gradually reopen places of worship in November.<sup>18</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

As in the previous period, no relevant episodes of intolerance or discrimination have been reported. The government of President Vizcarra appreciated concrete actions to promote the right to religious freedom. At the time of this writing, however, political instability had returned to Peru. The situation has not changed since the 2018 and the outlook for the future is positive.

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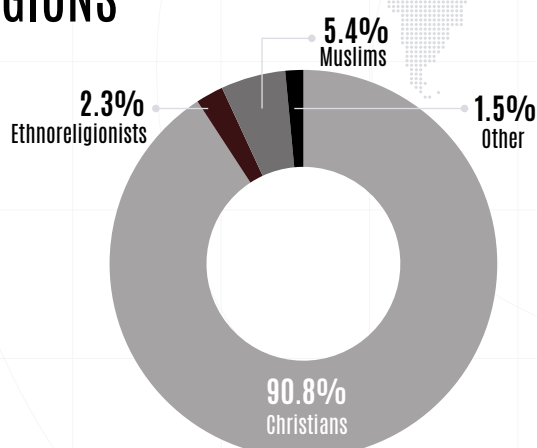
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# PHILIPPINES

## RELIGIONS



Population  
**109,703,396**  
GDP per capita  
**7,599 US\$**



Area  
**300,000 Km<sup>2</sup>**  
GINI INDEX\*  
**44.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The current Constitution of the Philippines, enacted in 1987, guarantees the free exercise of religion and provides for the separation of Church and state. Section 5 of Article III (“Bill of Rights”) states, “No law shall be made respecting an establishment of religion or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed.”<sup>1</sup> The preamble specifies that the constitution is promulgated by the “sovereign Filipino people,” who thereby are “imploring the aid of Almighty God.”

After Spain ceded the Philippines to the United States in 1898, many American ideas and cultural practices were adopted as well, including American-style separation

of Church and state. According to Section 6 of Article II (“Declaration of Principles and State Policies Principles”), “The separation of Church and State shall be inviolable.”

Under the Philippine constitution, religious groups are required to register in order to secure tax-exempt status. Institutions engaged in “religious, charitable, or educational” activities under Article VI (Section 28) are given this status. More specifically, these may be “charitable institutions, churches and parsonages or convents appurtenant thereto, mosques, non-profit cemeteries, and all lands” used exclusively by them.

Christianity has exercised a significant influence on the culture of the Philippines ever since the 1500s, when the Spanish began their colonisation of the archipelago. Despite the constitutional separation of Church and state, the Catholic Church retains an influential position in national politics. For example, the Catholic Church has long shaped the country’s education system. One reflection of the Church’s influence is that the government permits religious instruction with the written consent of a student’s parents or guardian in a public-school setting. Section 3 of Article XIV states, “At the option expressed in writing by the parents or guardians, religion shall be allowed to be taught to their children or wards in public elementary and high schools within the regular class hours.”

While a predominantly Christian country, the Phil-

ippines has a small but significant Muslim minority, particularly concentrated on the large southern island of Mindanao. Most Muslims in Mindanao are Sunni, whereas a smaller minority of Shi'a Muslims lives in the provinces of Lanao Del Sur, in central Mindanao, and Zamboanga Del Sur, on the island's extreme west.

The integration of the Muslim minority remains a major and unresolved issue in national politics. In Mindanao, the followers of Islam, who were referred to as Moros or Moors by the Spanish, make up the majority. Despite the promise of Article X (1) of the constitution to establish "Muslim Mindanao" as an "autonomous region," violent conflict between the Philippine government and Moro Muslim insurgents has been ongoing since 1969.

Following peace agreements signed between the Government of the Philippines and the Moro Islamic Liber-

ation Front (MILF) in 2018, President Duterte signed the proposed Bangsamoro Organic Law (BOL). Ratified in 2019, the BOL formally abolished the Autonomous Region in Muslim Mindanao. The new law provided the area's Muslim majority population with greater autonomy and a somewhat larger area.<sup>2</sup> According to President Duterte, "the successful ratification of this Organic Law will enable us to create an environment that will be conducive to the peaceful coexistence between the

Muslims, Christians... and all tribes...who will consider Mindanao as their home."<sup>3</sup> However, despite these peace efforts, violence has continued across Mindanao as terrorist groups excluded from government negotiations engage in widespread attacks subjecting minority religious communities to horrific violence and displacement.

The government recognises and authorises Shari'a courts to operate in Mindanao. Pursuant to Presidential Decree 1083, the Code of Muslim Personal Laws of the Philippines, a member of the Philippine Shari'a Bar may be appointed as a Shari'a circuit court judge from a shortlist of nominees submitted to the President by the Judicial Bar Council. In order for Muslims residing in other areas of the country to pursue action in a Shari'a court, they must travel to the districts in Mindanao with recognised Shari'a courts. Shari'a

courts have authority only in matters of Muslim customary and personal law. Their jurisdiction is restricted to Muslims and have no authority over criminal matters. Moreover, they operate under the administrative supervision of the Supreme Court of the Philippines. With the ratification of the Bangsamoro Organic Law, a Shari'a High Court with jurisdiction over the region's Muslim population was established.<sup>4</sup>

The revised penal code, which has been in place since the 1930s, criminalises certain acts committed in the context of religious worship. Article 133 prohibits anyone from performing "acts notoriously offensive to the feelings of the faithful" in a place of religious worship or "during the celebration of any religious ceremony." Article 132 criminalises the prevention or disturbance of a religious service by an officer of the state.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

In 2019 Carlos Celdran died, the first and only Filipino to be convicted under Article 133, and with this his case came to a close. In 2010, Celdran, an artist and tour guide, walked into a religious function in Manila's Catholic Cathedral and held up a sign with the word "Damaso", a reference to a villainous character in the famous Filipino novel, *Noli Me Tangere*. Padre Damaso was a priest who personified the hypocrisies of the Church during Spanish colonial rule. Celdran's intention at the time was to condemn the opposition of the Catholic Church's hierarchy to a reproductive health bill designed to expand access to artificial contraception. Celdran was tried and convicted but eventually apologised to the Archdiocese of Manila (who said he was "forgiven"), but had to wait eight years for a final ruling in his case. In August 2018, the Supreme Court rejected his appeal and upheld a minimum sentence of three months and a maximum sentence of one year. He left the Philippines before a warrant for his arrest could be served, went into self-exile in Spain, and died there of a heart attack in October 2019.<sup>6</sup>

After Carlos Celdran's death, Bill No. 5170 was introduced in the Philippine House of Representatives in order to repeal Article 133. Should it be passed, all pending criminal cases and related civil cases that deal with Article 133 violations would be dismissed. However, the measure appears to face considerable

opposition, and it is unlikely that it will be enacted in the foreseeable future.<sup>7</sup>

Members of the Islamic extremist rebel group Abu Sayyaf, which claims allegiance to the Islamic State group, played a role in a suicide bombing that struck a religious service at Our Lady of Mt. Carmel Cathedral in Jolo, Sulu province, in January 2019. At least 22 people were killed, and more than 100 were wounded. The Chairman of the Moro Islamic Liberation Front and local Christian leaders condemned the Jolo cathedral bombing.<sup>8</sup>

In August 2019, a Protestant pastor with the United Church of Christ in the Philippines (UCCP) known for his work in promoting human rights, was gunned down. Although the motives underlying the pastor's murder were not established, the Ecumenical Bishops Forum noted that violent attacks against Christian human rights defenders have "alarmingly increased in the three years of President Duterte's government."<sup>9</sup>

Several Catholic and Protestant leaders have strongly criticised the Duterte administration, especially with regard to the president's war on drugs and his reinstatement of the death penalty. Indeed, the Catholic Church in particular has openly challenged the "direction" of Duterte's drug war, which openly targets "mostly poor people [. . .] brutally murdered on the mere suspicion of being a small-time drug user and peddler while the big-time smugglers and drug lords go scot-free." Many of the drug-related deaths that have occurred under the President's administration involve the poorest Filipinos.<sup>10</sup>

Despite the assistance Christian Churches have provided to help former drug users and victims of the killings lead new lives, Church leaders lament that they face sometimes virulent abuse by the current Philippine government and by President Duterte himself.

President Duterte was antagonistic to the Catholic Church even before his election on 9th May 2016. In early May 2016, he said the Catholic Church was "the most hypocritical institution." That same year, when the anti-drug campaign was gaining momentum and hundreds of people had already died, the President called the members of the Roman Catholic clergy "sons of bitches" for criticising his actions in this area.

President Duterte has also denounced several bishops by name, using graphic and abusive language. The president has previously called God "stupid" and described the doctrines of the Catholic Church as "silly."<sup>11</sup> He has also said that the Church lacks the moral authority to criticise him and in February 2019 predicted that "Catholicism will disappear in 25 years because of the clergy's alleged abuses."<sup>12</sup> Still, Duterte remains very popular, with a reported 91 percent approval rating among Filipinos in October 2020.<sup>13</sup>

In January 2020, police arrested two Abu Sayyaf militants tasked with carrying out a bomb attack at a Catholic cathedral in Basilan province.<sup>14</sup>

In the same month, in Davao City, Mindanao, a Church-run shelter for displaced tribal people was surrounded by knife-wielding men, who later tore down a wall and occupied the facility. The Council of Bishops of the United Church of Christ of the Philippines (UCCP) demanded a public apology and a full statement by the members of the paramilitary group responsible for the incident. Police who were in the vicinity took no action.<sup>15</sup>

In February 2020, the Philippine government's Anti-Money Laundering Council froze the bank accounts of certain Church organisations for alleged "terrorism financing." The missionary organisation whose bank accounts were affected issued a statement saying that such action "is only depriving the rural poor of the help and services they deserve and that the government refuses to provide." The group added that they have been accused in the past of being a communist and terrorist front, lamenting that their members have been harassed and threatened as a result of such accusations.<sup>16</sup>

Also in February 2020, a court in Manila issued warrants for the arrest of two Catholic priests, a former senator, and eight others for conspiracy to commit sedition. The two priests denied the accusations. The Department of Justice concluded that a similar complaint against four bishops lacked evidence.<sup>17</sup> The two priests, Flaviano Villanueva, SVD and Albert Alejo, SJ, appeared in court in October 2020 to formally plea "not guilty."<sup>18</sup>

In July 2020, an anti-terrorism law championed by President Duterte was passed. It authorises the

President to jail suspects without charges. Although intended to prevent “terrorism,” many human rights activists are concerned that the government can use the law to discourage activism by criminalising the defence of basic human rights.

The law gives security forces sweeping powers — with almost no judicial approval or oversight — to pursue suspects, conduct up to 90 days of surveillance and wiretaps, and detain suspects for up to 24 days. The Catholic Bishops’ Conference of the Philippines (CBCP) published a letter written by Bishop Broderick Pabillo strongly denouncing the anti-terrorism measure.<sup>19</sup> Considering the criticisms against the administration by Christian groups, there is a real and imminent danger that the government could use the new law to target Christian leaders who have been critical of President Duterte and his policies.

In late July 2020, shortly after the anti-terrorism law was passed, Bishop Gerardo Alminaza observed that “[a]mid a global health crisis, unjust killings across the country continue. We, sadly, must admit that it is unlikely for our government to use its power to stop this, because from the very start of the Duterte administration, it is officially endorsed.” The prelate also criticised the administration’s practice of “red tagging” — i.e. labelling human rights and social justice organisations as communist fronts, which has in turn led to warrantless arrests, detention, torture, enforced disappearances, and extrajudicial killings. Further, the Bishop notes that “the war on drugs has rippled into a war-on-rights, spilling blood among our flock.”<sup>20</sup>

During a Sunday Mass in July 2020, the pastor of San Isidro Labrador Parish caught uniformed police officers taking photographs of him. Local authorities claimed that they were performing routine inspections to make sure the parish was following COVID-19 restrictions on gatherings. However, the incident left the clergyman fearing for his safety due to previous death threats he received after speaking out against Duterte’s war on drugs.<sup>21</sup>

In August 2020, Jolo saw twin terrorist attacks by the wives of slain jihadists. At least seven soldiers, six civilians, and a policeman were killed, while 80 others were wounded.<sup>22</sup>

In October 2020, the authorities captured an Indonesian woman and two Philippine women believed to be married to Abu Sayyaf militants. Found with suicide vests, they were suspected of plotting a suicide attack in Jolo. The authorities believe that the detained individuals may be connected to those responsible for the cathedral attack in Jolo in January 2019.<sup>23</sup>

Despite government criticism, the Catholic Church has received widespread praise for its efforts and fund raising to help the needy during the COVID-19 pandemic. Many Church foundations and charity groups launched nationwide drives to help cushion the effects of COVID-19 and have effectively coordinated with local government authorities to provide aid.<sup>24</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Despite the constitutional safeguards for religious freedom and separation of Church and state, the criminal justice system under Article 133 has the potential to shield certain office holders, institutions, practices, ideas, and viewpoints from public criticism and debate over religious matters. With the demographic and cultural dominance of Catholicism in the Philippines, minority religious groups feel vulnerable to legal harassment if they express views the Catholic majority considers offensive.

President Duterte’s administration has presented several challenges directly related to religious freedom. While the constitution guarantees religious freedom, recent developments and violent incidents point to a problematic trajectory in the coming years.

The anti-terrorism law creates significant challenges and paves the way for potential legal abuses by people in authority, i.e. the Duterte administration, against government critics, including Church leaders and Church-supported human rights defenders. Churches and Christian organisations in the Philippines have forcefully criticised this and similar policies.

The open verbal and legal attacks by President Duterte against Church leaders remain a serious threat to religious freedom, a central element of which is the freedom of religious leaders and communities to contribute to public deliberations about the common good, particularly in defence of the most vulnerable.

Furthermore, Christians and other minority groups in Mindanao continue to be targeted in violent attacks by extremist groups. Despite the ratification and enactment of the Bangsamoro Organic Law (BOL) in 2019, a truly durable and comprehensive solution to violent Islamist extremism and Mindanao's ongoing conflicts appears to be elusive. This threatens the prospects for full religious freedom and peaceful coexistence in the restive region in the future.



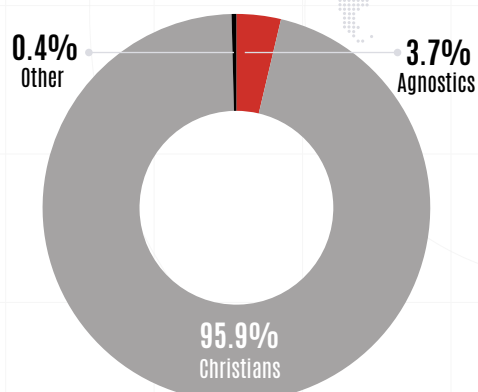
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# POLAND

## RELIGIONS



Population

**37,942,231**

GDP per capita

**27,216 US\$**

Area

**312,679 Km<sup>2</sup>**

GINI INDEX\*

**29.7**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The relations between the Republic of Poland and the Churches are based on a model of cooperation, which is expressed in Article 25 (3) of the 1997 constitution,<sup>1</sup> stating: “The relationship between the State and Churches and other religious organizations shall be based on the principle of respect for their autonomy and the mutual independence of each in its own sphere, as well as on the principle of cooperation for the individual and the common good.”

Article 25 (2) guarantees the legal equality of all Churches and religious organisations and notes that “Public authorities in the Republic of Poland shall be impartial in matters of personal conviction, whether religious or philosophical, or in relation to outlooks on life, and shall ensure their freedom of expression within public life.”

Article 25 (4 and 5) stipulates that the state regulates its relations with the Roman Catholic Church and other religious organisations through bilateral accords. The relations between the state and the Catholic Church are formally regulated in a concordat signed in 1993.<sup>2</sup>

The Preamble to the constitution explicitly mentions God and the Christian heritage of the nation, while including, at the same time, those who do not believe in God but respect the universal values of truth, justice, good and beauty.

Article 53 (1 and 2) guarantees everyone freedom of conscience and religion, which includes, inter alia, the “freedom to profess or to accept a religion by personal choice as well as to manifest such religion, either individually or collectively, publicly or privately, by worshipping, praying, participating in ceremonies, performing of rites or teaching.”

Under Article 53 (3), “Parents shall have the right to ensure their children a moral and religious upbringing and teaching in accordance with their convictions.” Article 53 (5) states, “the freedom to publicly express religion may be limited only by means of statute and only where this is necessary for the defence of state security, public order, health, morals or the freedoms and rights of others.”

Article 196 of the Penal Code protects religious believers from offences against their religious feelings.<sup>3</sup>

The Polish-Lithuanian Commonwealth was the first

state in Europe to grant religious tolerance in a law known as the Confederation or Compact of Warsaw of 1573.<sup>4</sup> In 2019, the Polish government joined other countries to establish the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief under the aegis of the United Nations.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

According to the Central Statistical Office of Poland, more than nine out of 10 residents of Poland aged 16 and more declared membership in a religion. The majority religion is Christianity, mostly members of the Catholic Church (92 percent). About 6 percent of the population do not belong to any religion or did not answer. There are smaller Christian communities: Orthodox, Protestant, and others. Believers of other religions are few, but some have a long historical connection with the country, like Polish Jews and Polish Muslim Tatars.<sup>6</sup> For this reason, incidents described below concern mostly the Catholic Church and its members.

Over the period under review, Poland saw a rise in hate crimes with a religious bias. The latest data from the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Cooperation in Europe recorded 972 hate crimes in Poland in 2019 (432 were prosecuted, and 597 sentenced), 1,117 in 2018 (397 were prosecuted and 315 sentenced), compared to 886 cases in 2017 and only 251 cases in 2010.<sup>7</sup>

With respect to bias motivation, the ODIHR database for 2019 recorded 136 cases against Jews and Jewish interests, 37 against Muslims and 70 against others (including 59 against Christians).<sup>8</sup> In 2018, there were 197 hate crimes involving Jews and Jewish interests, 62 against Muslims, and 20 against others (including an unspecified number of Christians).<sup>9</sup> Other sources reported 39 specified cases against Christians (35 attacks on property and four physical assaults).<sup>10</sup>

The above data are based on police statistics. The Religious Freedom Laboratory recorded as many as 72 cases, with 54 classified as serious offences.<sup>11</sup> Other sources, including media reports, confirm the trend in hate crimes against Christians.<sup>12</sup>

There were eight cases of physical assault, including a case in January 2019 in which a priest was beaten

and robbed in Sandomierz.<sup>13</sup> In April, an elderly man mistaken for a priest was murdered in the St. Augustine parish in Warsaw, while the intended victim was injured trying to help him.<sup>14</sup> In June, a man wielding an axe attacked the altar of a church in the town of Rypin during Mass.<sup>15</sup> Also in June, a man stabbed a priest in Our Lady of Ostrów Tumski Church in Wrocław. The victim was hospitalised and survived despite many wounds.<sup>16</sup> At the end of July, three men insulted and physically attacked a priest and two church employees in Szczecin's St. John the Baptist Basilica.<sup>17</sup> In July, four vandals attacked a priest in the parish office of the Sacred Heart of Jesus Church in Turek. The priest was insulted and beaten. The attackers left the parish office only after police intervened.<sup>18</sup> In September, a priest going to visit the sick with the Blessed Sacrament in Częstochowa was insulted and hit in the face; passers-by came to his aid and called the police.<sup>19</sup> In November three 14-year-olds attacked a priest coming out of St. Nicolas Church in Mosin after the evening Mass.<sup>20</sup>

In 2019 damage and desecration of religious buildings and symbols were another source of concern. In May, someone threw paint on a monument honouring Pope John Paul II and US President Ronald Reagan in Gdańsk's Ronald Reagan Park.<sup>21</sup> Also in May, an unknown man broke into a church in Kwidzyń and trampled the cross.<sup>22</sup> In July, a woman smashed a glass window at the entrance of the church in Suchy Las; she also damaged sacred objects, including the altar.<sup>23</sup> In September, there was an arson attack against a 14th century Evangelical church in Biskupiec.<sup>24</sup> In December, someone broke the entrance door to the church in Jenin on Christmas Day, smashing crosses and trying to set fire to the building.<sup>25</sup>

In 2019, media reports evidenced an upsurge of hate crimes in which groups of LGBT supporters disrupted religious celebrations, attacked property and offended religious feelings. In April 2019, activists in Płock disrupted a Mass<sup>26</sup>, while in September demonstrators interrupted a Mass in Świdnica Cathedral shouting slogans and waving a rainbow flag.<sup>27</sup> During Pride events, an LGBT group publicly parodied the Corpus Christi Procession (Gdańsk, May 2019)<sup>28</sup> and the Catholic Mass (Warsaw, June 2019).<sup>29</sup> In August, during the 2019 Ms. Lesbian Poland and Mr. Gay Poland competitions, a drag queen simulated cutting the throat of an inflatable doll with a mask of Archbishop Marek Ję-

draszewski of Krakow.<sup>30</sup>

Christians were not the only faith group to suffer hate crimes based on their religious beliefs. In July 2019, an unknown individual painted anti-Semitic slogans on the walls of the old Jewish cemetery in Tarnów.<sup>31</sup> In October, a swastika was painted and anti-Semitic slogans scribbled on the wall of Krakow's former Jewish ghetto.<sup>32</sup> The Simon Wiesenthal Center, although mentioning cases of hate speech<sup>33</sup> in its 2019 review, did not report any cases of violent attacks against Jews in Poland. The Chief Rabbi of Poland Michael Schudrich acknowledged that some incidents have taken place but noted that Poland provides a nonviolent environment for Jews. Still, he added that social media is now "an enhancer of hatred" against minorities.<sup>34</sup>

There were very few incidents against Muslims in 2019. In August, a Muslim woman dressed in hijab walking a baby was insulted and threatened in Rzeszów.<sup>35</sup> In October, unknown men tried to take off a head scarf from a Muslim woman in a Kraków tramway.<sup>36</sup> In November, the Internal Security Agency detained two people suspected of planning attacks on Muslims living in Poland.<sup>37</sup>

The Catholic Church holds an Islam Day together with the Joint Council of Catholics and Muslims, as well as a Judaism Day with the Polish Council of Christians and Jews. In October 2019 an interreligious prayer for peace was organised on the initiative of the Catholic Church.<sup>38</sup>

By 15th October 2020, the number of hate crimes against Christians increased by up to a hundred as reported by various organisations.<sup>39</sup> In January, a priest was attacked in Brodnica with a baseball bat and had €20 stolen;<sup>40</sup> in March, a priest was attacked in Górne Wymiary, beaten up and had €300, a laptop, and a telephone stolen;<sup>41</sup> also in March, a priest in Brenna was beaten, tied up, and robbed;<sup>42</sup> in October, a 70-year-old priest, the victim of attempted robbery at Nysa railway station, was hit on the head, face and neck.<sup>43</sup>

Seven other violent attacks were reported. In January, someone shot at four priests and altar boys from the Holy Family parish in Rzeszów during a traditional Christmas blessing of parishioners' houses; no one was injured.<sup>44</sup> In February, a 32-year-old man severely beat and kicked a priest at the St. Ursula Parish Church in Łódź.<sup>45</sup> In April, two men attacked a priest during con-

fessions in the Church of Our Lady in Kobibór, beating the priest in the face and body.<sup>46</sup>

In May, a man with a knife entered the presbytery of the Basilica of the Holy Sepulchre in Miechów; during the incident he threatened to kill two priests, demanded money, and destroyed wall decorations. In three previous incidents, he disrupted the Mass, shouting insults at both the priest and the congregation.<sup>47</sup> Also in May, a man interrupted a religious service on several occasions, desecrating the Church of Our Lady of the Scapular in Dąbrowa Tarnowska. He also insulted the priest, following him into the presbytery shouting "paedophile" at him.<sup>48</sup> In October, a priest was severely beaten in the presbytery of a church in Działoszyn. A man who tried to defend the clergyman also suffered injuries.<sup>49</sup>

Attacks have also come from various organised groups. On 22nd October 2020, the Polish Constitutional Court declared the law on abortion in case of foetal defects as unconstitutional.<sup>50</sup> This decision sparked a spate of attacks against churches and Christians from abortion supporters, even though the Church did not participate in the process.

The reaction to the ruling took violent forms, including insults, attacks on churches, vandalism, desecrations, and malicious disruption of religious services across Poland. In October, participants in protests in Szczecinek in favour of unrestricted abortion encircled, insulted and detained for some time a priest going with the Blessed Sacrament to visit a sick person.<sup>51</sup> In October, abortion supporters attacked, insulted and beat a priest in Myślibórz.<sup>52</sup> In the same month, pro-abortion militants attacked with clubs a group of Catholics praying around the John Paul II statue in Wołomin; some of the victims suffered wounds to the head and other serious injuries.<sup>53</sup>

In 2020, supporters of LGBT rights were also involved in attacks against Christians. In March, congregants were assaulted during Mass at the St Padre Pio Church in Warsaw;<sup>54</sup> in July, a rainbow flag was displayed on the sculpture of Jesus at the Holy Cross Church in Warsaw;<sup>55</sup> in October the Holy Cross Church was again vandalised with slogans and a rainbow painted on the façade.<sup>56</sup>

In 2020 very few incidents of this kind were reported concerning Jews (except for certain cases of anti-Semitic graffiti) and virtually none involving Muslims.

## PROSPECTS FOR FREEDOM OF RELIGION

No major changes in the legislation on religious freedom are expected in the coming years (the next parliamentary elections in Poland are scheduled for 2023). Notwithstanding concerns to an increase in hate crimes, the prospects for freedom of religion remain positive.



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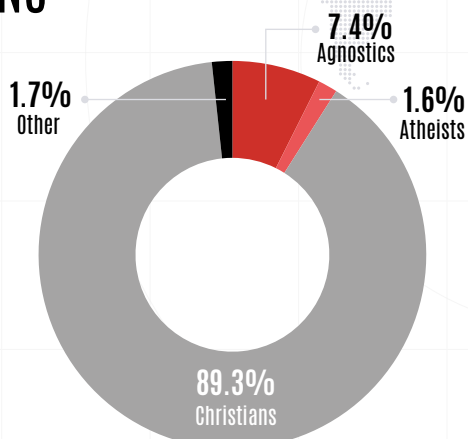
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# PORTUGAL

## RELIGIONS



Population  
**10,218,413**  
GDP per capita  
**27,937 US\$**



Area  
**92,226 Km²**  
GINI INDEX\*  
**33.8**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In Portugal, the constitution<sup>1</sup> guarantees religious freedom. Article 41 (2) says: “No one shall be persecuted, deprived of rights or exempted from civic obligations or duties because of his convictions or religious observance.” Conscientious objection is guaranteed by law (Article 41, 6).

Under Article 41 (4), “Churches and other religious communities shall be separate from the state and free to organise themselves and to perform their ceremonies and their worship.”

Article 41 (5) goes on to guarantee, “Freedom to teach any religion within the denomination in question and to use appropriate media for the pursuit of its activities”.

According to Article 43 (2), the state “shall not lay down educational and cultural programmes in accordance with any philosophical, aesthetic, political, ideological or religious directives.” Paragraph 3 of the same article says, “Public education shall not be denominational.”

Article 51 (3) bans political parties from employing “names that contain expressions which are directly related to any

religion or church, or emblems that can be confused with national or religious symbols.”

The constitution also requires trade unions to “be independent of employers, the state, and religious denominations” (Article 55, 4).

Lastly, Article 59 (1) protects workers’ rights “Regardless of age, sex, race, citizenship, place of origin, religion and political and ideological convictions, every worker shall possess the right”.

Relations between the Portuguese Republic and the Holy See are regulated by the Concordat of 18th May 2004.<sup>2</sup> The relations with the other religious faiths are governed by the Religious Freedom Law (Law No. 16/2001), which envisages the possibility for the state to enter into different agreements with Churches and religious communities based in Portugal (Article 45).<sup>3</sup>

According to the aforementioned legislation, minority faith groups based in Portugal may, like the Catholic Church, celebrate religious marriages with the same effects as a civil marriage (Article 19, 1). Spiritual and religious assistance in the armed and security forces, prisons and public hospitals is also ensured by this law (Article 13, 1).

In certain situations, faith groups can obtain some tax ben-

efits. Taxpayers can choose to have five percent of their taxes devolved to a registered religious group.<sup>4</sup> Although no Church or religion is funded by the state, the latter can support the construction of churches (and, occasionally, non-Catholic temples), as well as social and welfare works.

Under Article 52 of Law No. 16/2001, a Religious Freedom Committee (CLR) was created as an independent advisory body to both parliament and government to monitor the application of the law itself.

## INCIDENTS AND DEVELOPMENTS

During the period under review, some incidents were reported in Portugal involving religious groups and places of worship. Some issues related to religion also gained prominence in Portuguese media.

In September 2018, the Church of São Sebastião in Cem Soldos, Tomar, was inappropriately used for a rock concert, which provoked criticism and led to an official reaction from the local diocese.<sup>5</sup>

Various places of worship were also vandalised. In December 2018, the nativity scene in São João da Madeira was damaged.<sup>6</sup> In June 2019, the image of Our Lady of Fatima in the Parish Church of Campo Maior was vandalised. Acts of this kind continue to happen in Campo Maior.<sup>7</sup> In July 2019, four of the 14 chapels of the Way of the Cross on the Shepherds' Way between Aljustrel and Cova da Iria were spray-painted yellow and defaced with obscene words.<sup>8</sup> In November 2019, the niche of Our Lady of Graça, in Lagoa, Azores, was burnt.<sup>9</sup>

In September 2019, Sister Maria Antónia Guerra, 61, was murdered in São João da Madeira, sparking great outrage. Known as "the radical nun" for riding a motorbike and her work with the most disadvantaged, she was killed and raped by an ex-convict.<sup>10</sup> Bishop D. Manuel Linda of Porto criticised the Portuguese judicial system for failing miserably in this case.<sup>11</sup> The Conference of Religious Institutes of Portugal (CIRP) issued a statement condemning the "unexpected and violent" death of the sister, a member of the Congregation of the Servants of Mary Ministers to the Sick.<sup>12</sup> The National Commission for Justice and Peace also expressed its sorrow and consternation for the news of the Sister's violent death as well as the "painful silence" surrounding the case and the inefficiencies of the justice system that facilitated the crime.<sup>13</sup> The culprit was

tried and given 25 years in prison, the maximum sentence under Portuguese law.<sup>14</sup>

Several issues have strained relations between religious groups, civil society organisations, and the authorities, at various levels.

In October 2018, the board of trustees (*fabrica ecclesiae*) of the Paço de Sousa Parish in Penafiel received a tax bill for additional municipal property tax (IMI), usually applied to luxury assets, after the authorities added in their estimate for the catechism rooms and the parish house as well as the 12 homes for the poor built by the parish priest. This is one of several such cases that occurred over the past few years.<sup>15</sup>

In December 2018, the Association for Secularism criticised Portugal's public broadcaster RTP for giving the Catholic Church a "privilege incompatible with the secular nature of public service" when it aired the Christmas message of Cardinal Manuel Clemente, Patriarch of Lisbon.<sup>16</sup> In a letter sent to the Minister of Culture, the non-profit association claimed that other programmes could have aired the same message. According to the association, RTP, which "is obliged" to respect the secular nature of the state and the public service, "must end" the broadcasting of messages outside these programmes.<sup>17</sup>

In January 2019, the Portuguese Atheist Association (AAP) slammed Portuguese President Marcelo Rebelo de Sousa for taking part in World Youth Day in Panama, considering it, "a serious attack on the religious neutrality of the secular State".<sup>18</sup> In a statement, the AAP said that it viewed the trip as official; "if this is the case, it deserves the utmost disapproval as it was done on behalf of the country."<sup>19</sup>

In April 2019, the Archdiocese of Braga claimed that it incurred losses in an agreement with the municipality over the construction of social housing on land that it owned. To compensate the Archdiocese for the losses, the Municipal Council agreed to transfer land of lesser value, but this was never done.<sup>20</sup>

In June 2019, the Jehovah's Witnesses met in congress in Lisbon with 60,000 participants and more than 5,300 international delegates from 46 countries. The event was a particularly important milestone in the history of religious freedom in Portugal, according to Pedro Candeias, communications director of the Portuguese chapter of the Association of Jehovah's Witnesses.<sup>21</sup>

Also in June, following the end of contracts between the



state and private schools in regions where the state is unable to provide education, the Jesuit school of the Immaculate Conception in Cernache, Coimbra, was forced to close, as were many other private educational establishments directly linked to the Catholic Church.<sup>22</sup>

In July 2019, the Religious Freedom Commission proposed to the National Institute of Statistics to include Buddhist, Hindu, Jehovah's Witness as well as "believer without religion" as options in future censuses. Vera Jardim, head of the Religious Freedom Commission, said that more detailed knowledge of the religious life in Portugal should be sought.<sup>23</sup>

In November 2019, the Observatory for Religious Freedom published a communiqué about three possible violations of religious freedom.<sup>24</sup> In one case, a Muslim female athlete was not allowed to practise her sport because she wore the hijab or Islamic veil, although this does not represent any technical-sporting constraint. For the Observatory, this is an attack on the principle of religious freedom. The second case refers to a Religious and Catholic Moral Education course in a school in Torrados. It was alleged that enrolling in this programme, and then not attending the sessions, would have excluded pupils from Church-related services such as catechesis, baptisms, first communion and other Catholic celebrations. In a statement, the Diocese of Porto rebuffed the claim saying it "does not reflect any guidance from the Church. The information is wrong and the Church legislation does not allow that."<sup>25</sup> The third case has to do with the complaint by a teacher at a public school in São Vicente, Madeira, who feared that her job performance would have been negatively evaluated after she refused to take part in a meeting with the Bishop of Funchal organised by the school for pupils because she thought it was of a religious nature. The Observatory stated that this is a case of a person being denied her right to have no religion.<sup>26</sup>

Again in November 2019, there was a television debate on the topic of religious information and programming on RTP.<sup>27</sup> According to José Vera Jardim, head of the Religious Freedom Commission, the public broadcaster's devoting "airtime to the various religions is remarkable, and the way they are organised and accepted has contributed to the good understanding that exists in Portugal regarding coexistence between believers." However, some groups have questioned the support the state provides to the various religions on RTP. When journalist Dina Aguiar ended her programme, Portugal em Directo, she said "see

you tomorrow, God willing". This was also raised in this debate, in response to a viewer who expressed his "annoyance" at the expression used.<sup>28</sup>

In January 2020, Portugal's Border Service (SEF) detained three Brazilian Evangelical pastors in Amadora on suspicion of human trafficking, after they housed about 30 of their compatriots, including some children, in warehouses in poor conditions. Most were irregular immigrants and were forced to donate a portion of their salary to their Church.<sup>29</sup>

On 8th January 2020, the bell of the shrine of Our Lady of Viso, in Celorico de Basto, was stolen.<sup>30</sup> In June 2020, thieves removed the image of the Immaculate Heart of Mary from outside Our Lady of Lourdes Church in Montes Claros, Coimbra.<sup>31</sup>

In May 2020, one of the consequences of the coronavirus pandemic was the limitation of activities in public space, including churches and other houses of prayers. This led to some criticism.<sup>32</sup>

In June 2020, the statue of Father António Vieira in Lisbon was damaged during a wave of anti-racist protests in several countries, Portugal included, over the death of George Floyd in the United States. Fr Vieira, a Jesuit, was a defender of indigenous peoples in 17th century Brazil.<sup>33</sup>

In June 2020, Portuguese President Marcelo Rebelo de Sousa defended the need to respect the public dimension of religious freedom, besides the individual one. On the National Day for Religious Freedom and Interreligious Dialogue, he pointed out that "the dialogue between religions is an expression of religious freedom, but it is also the translation of culture, of one of the aspects of culture".<sup>34</sup>

In October 2020, the Catholic Lawyers Association said it feared that "indifference to unjustified restrictions on fundamental freedoms" in the fight against the COVID-19 pandemic would contribute to devaluing constitutionally protected religious freedom.<sup>35</sup>

In November 2020, a man disrupted Mass in the Church of the Holy Family in Entroncamento, which was being streamed live online. The man went up to the altar and said into the microphone: "You have to leave Africa. We don't want Christianity in Africa. We want to build our own Africa."<sup>36</sup>

In January 2021, the Portuguese parliament approved a law decriminalising medically assisted euthanasia in certain circumstances by a majority of 136 votes in favour, 78



against, and four abstentions.<sup>37</sup>

On the same day that euthanasia was approved in parliament, the Permanent Council of the Portuguese Bishops' Conference issued a statement in which it described the decision as an "unprecedented cultural regression" and urged the president to refer the law to the Constitutional Court.<sup>38</sup>

On 15th March 2021, following a request for its opinion by President Marcelo Rebelo de Sousa, the Constitutional Court rejected the law that decriminalised medically assisted death, on the grounds that it included too many imprecise terms. This left open the possibility of reintroducing another version of this law in the future.<sup>39</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

In the period under review, there were no significant cases of discrimination on religious grounds nor abuses of religious freedom that could be attributable to the state or to other government entities. However, some churches suffered thefts and acts of vandalism, and one nun was the victim of a brutal murder. What is more, certain phenomena in Western societies have reached Portugal, most notably the gradual marginalisation of religion in public life and the legalisation of certain practices, such as euthanasia, that are contrary to tenets of several religions. Whether such trends will continue remains to be seen. No other major social, economic or political tensions are expected to affect the prospects for religious freedom for the near future.

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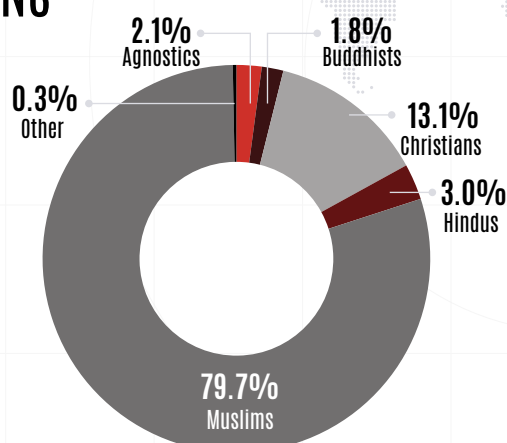
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## QATAR

## RELIGIONS



Population

**2,791,807**

GDP per capita

**116,936 US\$**

Area

**11,607 Km<sup>2</sup>**

GINI INDEX\*

**N/A**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

Qatar is a hereditary monarchy (emirate) ruled by the Al Thani dynasty. Rich in natural gas and oil, it is one of the wealthiest countries in the world per capita. All Qatari citizens are Muslims, but represent only around 10 percent of the resident population; the rest are mostly expats and guest workers. The Wahhabi form of Sunni Islam dominates, but there is a Shi'a minority.

Most foreign residents are Muslim (Sunni or Shi'a) but there is a sizeable number of Christians, Hindus, and Buddhists. The local Catholic Church estimates the number of Catholics to be as high as 300,000. Other Christian groups such as Anglicans and Orthodox number less than five percent of non-citizens.<sup>1</sup>

The eight registered Christian denominations<sup>2</sup> are permitted to hold group worship at a government-provided location on the outskirts of Doha, on land donated by the emir. Before this area was set aside, Catholics used to pray and worship in makeshift 'chapels', in private homes and, in one case, at a school.

In 1995, freedom of worship was granted, but only to the People of the Book, i.e. the Abrahamic faiths (Judaism, Christianity, and Islam). Other faiths cannot register nor establish places of worship.

Pursuant to Article 1 of its constitution,<sup>3</sup> "Qatar is an Arab State, sovereign and independent. Its religion is Islam, and the Islamic Law is the main source of its legislations." Article 35 states that "people are equal before the law. There shall be no discrimination against them because of sex, race, language, or religion." Article 50 stipulates that "freedom to worship is guaranteed to all, according to the law and the requirements to protect the public order and public morals"; however, Qataris cannot convert to another religion. People who leave Islam do so at great risk and have to conceal their new religious beliefs. According to the Christian advocacy organisation, Open Doors, "[Apostates] risk being ostracised by their families and communities, physical violence or even honour killing if their faith is discovered."<sup>4</sup> Qatari Muslims who convert to Christianity do so mainly abroad and never return for fear of their safety.

The "Law No. 11 of 2004 Issuing the Penal Code" (full name of the law),<sup>5</sup> incorporates traditional punishments prescribed by Islamic law, which penalises various offences.

es, including apostasy.<sup>6</sup> It stipulates: “The provisions of the Islamic Shari’a shall be applicable on the following offences when the defendant or the plaintiff is a Muslim”:

- The Dogma/Qur’anic offences (hudûd offences) related to theft, banditry, adultery, defamation, drinking alcohol and apostasy.
- Offences of retribution (qisas) and blood money (diya).

While apostasy is one of the offenses subject to the death penalty, Qatar has not imposed any penalty for this offense since its independence in 1971.<sup>7</sup>

Article 257 of the Penal Code criminalises proselytising. Anyone who “establishes, organizes or runs an assembly, association, organization or a branch aimed at opposing or challenging the basics and tenets of Islam, or calls upon, or favors or promotes another religion; cult or concept shall be punished with imprisonment for a term not exceeding ten years.”<sup>8</sup>

Article 58 of Qatar’s Family Law<sup>9</sup> states that a wife “must take care and obey” her husband, while he has “to look after her and his property”. Under Article 69 a “disobedient” wife risks losing her financial maintenance. She is deemed “disobedient” if “she refuses to surrender herself to her husband or to move to the marital home without legitimate reason.” The same is the case if she travels or works “without his permission [. . .] unless he is abusing his right in preventing her from working.”<sup>10</sup>

Article 256 of the Penal Code criminalises blasphemy, including insulting “Allah”.<sup>11</sup> Although officially the defamation or desecration of any of the three Abrahamic faiths is punishable by up to seven years in prison, it has not been enforced.<sup>12</sup>

## INCIDENTS AND DEVELOPMENTS

According to the US Office of International Religious Freedom, an Arabic-speaking evangelical Christian pastor was deported in June 2018. He was accused of leading an unauthorised place of worship and of proselytising.<sup>13</sup>

Anti-Semitism in Qatar remains a major issue, in religious circles, media and school textbooks.<sup>14</sup> School books purportedly teach that non-Muslim “infidels” such as Jews are “combatants” whom God has mandated Muslims to fight, except in the extenuating circumstances that they have diplomatic immunity, pay a special tax associated with second-class citizen status, or have a formal pact to leave

off fighting with Muslims.”<sup>15</sup> Anti-Semitic material has been promoted at the Doha International Book Fair; no less than half a dozen titles were listed at the December 2018 event.<sup>16</sup> According to the Anti-Defamation League, the US Embassy took immediate action contacting the Qatari government, which decided to remove some of the books.<sup>17</sup>

In May 2019, a video was posted by Al Jazeera Arabic claiming that Israel was the biggest “winner” from the Holocaust, and that Zionism “suckled from the Nazi spirit” and that “some people believe that Hitler supported Zionism.” After over one million views, and following protests, the video was removed.<sup>18</sup>

In the same month, Al Jazeera English also released a video on the Holocaust, however, with an entirely different approach. On Holocaust Remembrance Day, the broadcaster posted an interview with a 94-year-old Holocaust survivor who talked about the Auschwitz concentration camp.<sup>19</sup> The program also stressed the fact of a 13 percent rise in anti-Semitic attacks worldwide. The discrepancies between the English and Arabic versions caused a backlash. Following protests, the video posted by Al Jazeera Arabic was removed.

During a debate on Al-Araby TV in June 2019, Ahmad Zayed, professor of Shari’a law at Qatar University, was asked whether Shari’a allows Christians to run for office and rule over Muslims. He replied that according to Shari’a, Christians can run for public office, but Muslims should not vote for them “since Shari’a says the ruler must be a Muslim.”<sup>20</sup>

In July 2019, Qatar, along with other Muslim countries, signed a letter supporting China’s human rights record, particularly with regard to Uyghur Muslims. But a month later, it decided to withdraw its support and remain neutral in this matter.<sup>21</sup>

In August 2019, a campaign was organised in favour of Ablikim Yusuf, a Uyghur activist. He had been deported from Bosnia and Herzegovina where he was planning to ask for asylum in Germany, and was held at Doha Airport under threat of repatriation to China.<sup>22</sup> After international pressure, Yusuf found refuge in the United States.<sup>23</sup>

Following the COVID-19 outbreak in March 2020, Qatari authorities closed all places of worship.<sup>24</sup> The Ministry of Awqaf and Islamic Affairs eventually authorised the reopening of mosques starting on the 15th of June. Some restrictions remained in place with regular services to resume in September 2020.<sup>25</sup>



## PROSPECTS FOR FREEDOM OF RELIGION

Qatar remains a highly conservative Muslim country with restrictions and constraints on religious freedom at both the state and societal levels. Foreign members of registered non-Muslim religious groups, however, are able to worship without interference. Worship by members of non-registered groups is tolerated.

Thanks to its wealth, the emirate is able to exert growing international influence via sports sponsorships. It is also using “soft power” in religious matters in third-world countries, something that has raised concerns in some quarters. Together with Turkey, Qatar has been accused of financing the Muslim Brotherhood and even terrorist groups, a charge the government denies.<sup>26</sup>

Despite some recent moves towards rapprochement, the political and diplomatic crisis that broke out in June 2017 with a coalition of Arab countries (led by Saudi Arabia and the United Arab Emirates, and including Bahrain and Egypt) was still keeping Qatar isolated at the time of writing. Qatar tolerates non-Muslims and non-Muslim worship, but this still falls short of full freedom of religion. Prospects for improvement in this area remain dim.

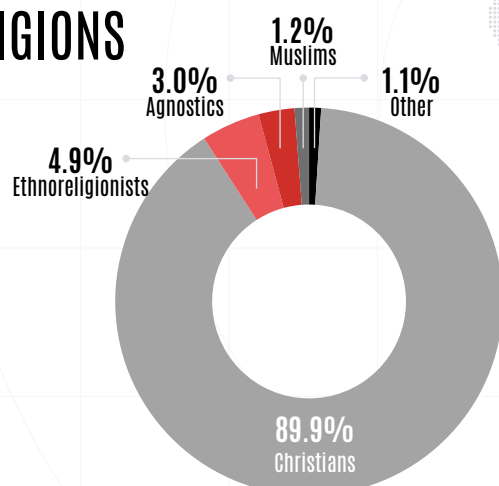
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# REPUBLIC OF THE CONGO

## RELIGIONS



Population  
**5,686,917**  
GDP per capita  
**4,881 US\$**



Area  
**342,000 Km<sup>2</sup>**  
GINI INDEX\*  
**48.9**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Republic of Congo adopted a new constitution<sup>1</sup> on 6th November 2015. Article 1 sets out the secular character of the state. Under Article 15, all kinds of discrimination, including on religious grounds, are forbidden. Article 24 guarantees freedom of conscience and freedom of belief. The same article states that “the use of religion for political ends is prohibited” and that “religious, philosophical, political and sectarian fanaticism are prohibited and punished by the law.”

All religious groups must register and receive approval from the government.<sup>2</sup> There were no reports of discrimination against religious groups that applied to register, although there have been some complaints that the process is time-consuming. Failure to register may result in a fine, the group’s property being confiscated, its contracts with third parties cancelled, and its foreign staff deported.<sup>3</sup>

The Republic of Congo has a steadily growing Muslim minority, many of them migrant workers from West African countries. Since 2014, there has also been a steady influx of several thousand Muslim refugees from Central African Republic.<sup>4</sup>

The full-face Islamic veil (niqab and the burqa) has been banned from public places, ostensibly to guard against ter-

rorist acts. Foreign Muslims are not allowed to stay overnight in mosques.<sup>5</sup>

Public schools do not include religious education as a subject in their curricula, however, private schools are free to provide religious instruction.<sup>6</sup>

The government often allows the use of public buildings for both Christian and Muslim religious ceremonies. For instance, in August 2017, an Evangelical church held a convention at the Alphonse-Massamba-Débat Stadium in Brazzaville.<sup>7</sup>

During the reporting period, a bilateral agreement between the government of Congo and the Holy See (signed in February 2017) entered into force on 2nd July 2019.<sup>8</sup> This agreement regulates the relations between the Church and the state, and “guarantees to the Church the possibility of carrying out her mission in Congo.”<sup>9</sup> In the agreement, the “legal personality of the Church and her institutions is recognised”. Both parties also commit to cooperate “for the promotion of the common good”. The accord also guarantees “the Church’s right to operate freely in the Central African nation,”<sup>10</sup> and offers better legal protection to Church activities and assets (schools, hospitals, religious sites, etc.) in the country.

The following religious festivals are public holidays: Easter Monday, Ascension, Pentecost, All Saints and Christmas.

Muslim religious festivals are not national holidays, but Muslims are given leave to celebrate their main festivals, such as Eid al-Fitr and Eid al-Kebir.

## INCIDENTS AND DEVELOPMENTS

Pool, a department (district) in south-eastern Congo, is an area of the country where security and religious freedom have suffered extensively from fighting between the government and a semi-religious group, the so-called Ninja militia. This group was headed by Frédéric Bintsamou, a Protestant clergyman who went by the name of Pastor Ntumi (or Ntoumi), leader of the Neo-Pentecostal Church of Prophet Isaiah.<sup>11</sup> The war lasted on and off for almost two decades (1999-2003 and 2016-2017), ending in December 2017 with a ceasefire and peace agreement.<sup>12</sup> The agreement included an end to hostilities, the resettlement of people displaced by the conflict, and the complete disarmament of the Ninja militia. So far, the peace agreement has been implemented successfully. In August 2018, procedures to disarm and demobilise the rebel group started.

At the end of June 2019, a priest from the parish of Sembé was kidnapped at night in Ouessou, where he had gone for an ordination. His body was found on 5th July 2019. There is no information about the circumstances of his death.<sup>13</sup>

During the period under review, there were no reports of religiously motivated incidents, or actions directed against any community because of their religious affiliation. Generally, religious groups were free to worship publicly and engage in other activities without any hindrance.

On 31st March 2020 all of the country's places of worship were closed as a measure to avoid the spread of the coronavirus.<sup>14</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The Republic of Congo guarantees and is committed to protecting the right to religious freedom. Although frictions between Christians, Pentecostals and the growing Muslim minority are sometimes reported,<sup>15</sup> so far everything indicates that these tensions have been managed without any serious incidents. The peace process that started in 2017, and the relative calm and effective disarmament and demobilisation of the semi-religious Ninja militia, gives credence to this commitment.

Poverty, corruption and the lack of economic opportunities, however, are likely to persist increasing the potential for social unrest and the subsequent challenges for human rights. Despite this, respect for religious freedom, including that of religious minorities, is anticipated to continue.

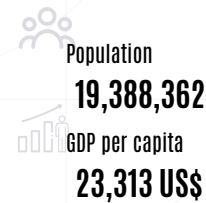
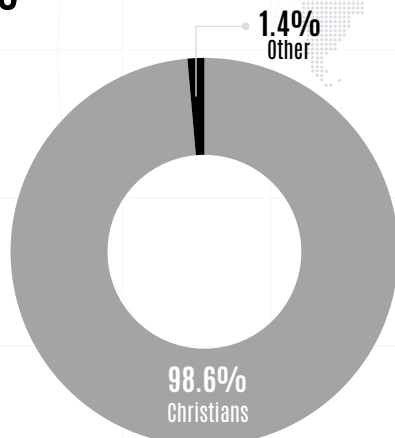
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# ROMANIA

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 29 (1–4) of the Romanian constitution proscribes any restrictions on freedom of thought, opinion, conscience, and religious beliefs.<sup>1</sup> No one may be forced to espouse an opinion or religious belief contrary to their convictions. All religions are independent from the state, and are free to organise “in accordance with their own statutes, under terms defined by the law”.

Article 29 (5) also states that religious denominations shall be autonomous and enjoy state support, including help to facilitate religious assistance in the Armed Forces, hospitals, penitentiaries, retirement homes, and orphanages. The right of parents to educate their children in accordance with their own convictions is guaranteed (Article 29, 6).

Article 30 (1–8) protects freedom of expression, but prohibits incitement to religious hatred or discrimination.

The 2007 Law on the Freedom of Religion and the General Status of Denominations<sup>2</sup> reaffirms the fundamental rights recognised in the constitution; it also outlines the country’s classifications of religious communities (Article

5). Religious communities with a “distinct legal entity status” are “denominations and religious associations” and those without such a status are “religious groups” (Article 5, 2; Article 6). Religious communities are free to choose their legal structure, but all must observe the country’s laws and constitution, and must not “threaten public safety, order, health, morality” or “fundamental human rights and liberties” (Article 5, 3 and 4).

Religious groups, as defined by the aforementioned law (Article 6), are groups of people who adopt, share, and practise the same religion but have not registered as a legal entity. Religious associations are legal entities (Article 6) comprised of at least 300 citizens, which have attained a legal status through registration with the Registry of Religious Associations (Article 40). Religious associations do not receive government funding but get limited tax exemptions (Article 44). To be eligible for state support, after 12 years of continuous activity and with a membership of at least 0.1 percent of the population, a religious association must apply to become a legally recognised denomination, as specified in Article 18.

Under Article 7, denominations are given a higher status than groups and associations. The “important role” of the Romanian Orthodox Church and “that of other churches



and denominations as recognized by the national history of Romania and in the life of the Romanian society” is acknowledged in Article 7, but Article 9 provides for state neutrality “towards any religious or atheistic ideology” as well as equality of the denominations before the law. There are 18 recognised religious denominations.<sup>3</sup>

Article 7 of the 2007 Law on the Freedom of Religion and the General Status of Denominations protects “freedom of religious education in accordance with the specific requirements of each faith”.<sup>4</sup> Students who belong to recognised denominations, regardless of the number of students, are guaranteed religious education in their own religion. Such religious classes are optional; parents of minors and students 18 years or older may opt out.<sup>5</sup>

The restitution of property confiscated from the Jewish community and other religious groups during WWII and the communist era is governed by law. Holocaust survivors and their immediate relatives are eligible for a monthly pension or other compensation. A separate law provides for the return of properties to the Greek Catholic Church from the Romanian Orthodox Church.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

In 2018 and 2019, as in previous years, the Greek Catholic Church reported delays in court decisions in restitution cases and problems obtaining the return of previously confiscated properties. Other groups, including the Federation of Jewish Communities, the Reformed, Roman Catholic, and Evangelical Lutheran Churches reported similar delays.<sup>7</sup>

Greek Catholic priests continued to report harassment and intimidation at local level, particularly in rural areas, from Romanian Orthodox priests who encourage members of their congregations to do the same. Romanian Orthodox priests have denied Greek Catholics access to cemeteries and churches.<sup>8</sup>

The US Department of State reported that in 2018 and 2019 Jehovah’s Witnesses in several areas of the country encountered opposition to their activities as well as threats of violence, including from Romanian Orthodox priests.<sup>9</sup>

In June 2020, prompted by objections from the Romanian Orthodox Church, the Romanian Parliament passed a law replacing mandatory sexual education with an “education for life, including [a] health education” course, requiring parental consent.<sup>10</sup> The Constitutional Court of Roma-

nia upheld the constitutionality of the law in September 2020.<sup>11</sup> However, on 16th December 2020, the same court declared unconstitutional a June 2020 law banning “activities aimed at spreading gender identity theory or opinion” in educational settings.<sup>12</sup>

A Jewish cemetery in Huși was vandalised in mid-March 2019, with more than 70 tombstones destroyed. The president of the Federation of Jewish Communities in Romania expressed indignation and sorrow over the event.<sup>13</sup> The incident occurred less than a year after the childhood home of Nobel laureate Elie Wiesel in Sighetu Marmatiei was vandalised in an anti-Semitic attack in August 2018.<sup>14</sup>

In March 2020, the government created the position of high representative for fighting anti-Semitism and appointed Silviu Vexler, the parliamentarian who introduced both the Law for Preventing and Combating Anti-Semitism in 2018, and the Law for the Establishment of the National Museum of Jewish History and the Holocaust in 2019. Both pieces of legislation were adopted by the Romanian Parliament.<sup>15</sup>

A law imposing a jail term of three months to 10 years for anti-Semitic crimes was enacted in July 2018.<sup>16</sup> A law establishing the National Museum of Jewish History and the Holocaust was signed by Romanian President Klaus Iohannis in October 2019. On Holocaust Remembrance Day in January 2020, President Iohannis said that education about the Holocaust should remain a national priority, but “We should not stop here, because the danger of xenophobic and anti-Semitic attitudes resurfacing is always present. Jewish cemeteries are vandalized, public actors claim the supremacy of certain races, the monstrosities of the Holocaust are relativized publicly, detestable criminals from our history are praised, and Roma citizens are not rarely humiliated or discriminated.”<sup>17</sup>

In May 2020, the Romanian National Council for Combating Discrimination fined Google Bucharest for permitting the name of the country’s largest Orthodox cathedral, the People’s Salvation Cathedral (Catedrala Mantuirii Neamului), to appear for several days as the People’s Foolishness Cathedral (Catedrala Prostirii Neamului) on Google Maps.<sup>18</sup>

During a June 2019 visit to Blaj to beatify seven Greek Catholic bishops, victims of Romania’s former communist regime, Pope Francis said that the bishops left Romanians a “precious legacy” of “freedom and mercy”, which includes the freedom to live a “diversity of religious expressions”. The Pope also asked the Roma community for

forgiveness over past discrimination.<sup>19</sup> A bust of the pontiff was unveiled in Bucharest in June 2020.<sup>20</sup>

During the coronavirus pandemic of 2020, the government imposed a range of restrictions on public gatherings, including religious services. In the lead-up to Christmas 2020, government public health officials met with representatives of religious denominations, which resulted in guidelines to permit religious activities, including in-person services, with health protection measures in place.<sup>21</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

During the period under review, the authorities enacted laws against anti-Semitism, and the issue appears to be one of importance to officials. The continued hostility of some Romanian Orthodox against non-Orthodox believers remains problematic. There does not appear to be any significant new or increased governmental restrictions on religious freedom and the situation remains mostly unchanged at a societal level.

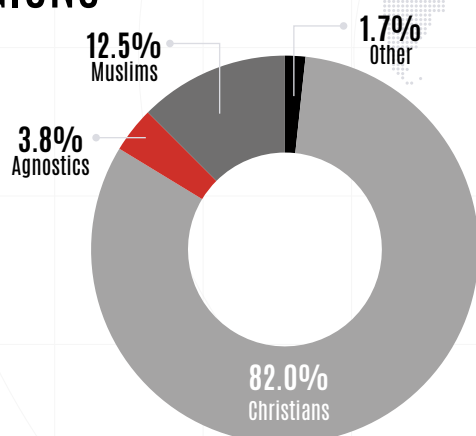
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# RUSSIA

## RELIGIONS



Population

**143,786,842**



GDP per capita

**24,766 US\$**



Area

**17,098,246 Km<sup>2</sup>**



GINI INDEX\*

**37.5**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Russia of 12th December 1993<sup>1</sup> declares in articles 14 and 28 that the Russian Federation is a secular state which guarantees freedom of religion or belief. Article 14 (1) states: “The Russian Federation shall be a secular state. No religion may be established as the State religion or as obligatory.” Article 14 (2) says: “Religious associations shall be separate from the State and shall be equal before the law.” Article 28 states: “Everyone shall be guaranteed freedom of conscience and religion, including the right to profess individually or collectively any religion or not to profess any religion, and freely to choose, possess and disseminate religious and other convictions and act in accordance with them.”

Article 19 (2) guarantees the equality of human and civil rights and freedoms regardless of religion or beliefs adding “all forms of limitations of human rights on social, racial, national, linguistic or religious grounds shall be prohibited.”

Art. 13 (5) and Art. 29 (2) ban the promotion of hostility

based on four different grounds. Art 13 (5) says: “instigating social, racial, national and religious strife shall be prohibited”. Art 29 (2) states that “propaganda or agitation which arouses social, racial, national or religious hatred and hostility shall be prohibited” and that propagating supremacy is forbidden on the same grounds.

Article 30 (1) asserts that “everyone shall have the right to association.”

Art. 59 (3) grants the right to conscientious objection in the case of military service. It states: “In the event that their convictions or religious beliefs run counter to military service and in other cases established by federal law, citizens of the Russian Federation shall have the right to replace it with alternative civilian service”.

The current term of office of Vladimir Putin expires in 2024. In January 2020, he announced a change to the constitution in force in Russia since 1993. In March, the State Duma of the Russian Federation adopted a bill introducing a number of constitutional amendments intended for introduction in mid-2020. These amendments aim to “zero” the term of office (the preceding terms of office of the president will not be taken into account) so

that President Putin can fulfill this role up to 2036. The amendments strengthen the president's power by creating a system called a "super presidential". They also address the issue of the sovereignisation of Russia's attitude to international commitments. They contain, among others a ban on implementing on the territory of the state the decisions of international bodies if they were taken on the basis of an "unconstitutional" interpretation of binding Russia agreements. This also applies to decisions of international courts, including arbitration courts. Activities aimed at separating any part of the territory from Russia are also banned. Thus, the annexation of Crimea is constitutionally recognized as irreversible. As part of the so-called ideological amendments, Russia, on one hand, is recognized as the heir to the traditions and heritage of the Soviet Union,<sup>2</sup> and, on the other hand, invocatio Dei is introduced to the constitution. Since the Soviet Union was an atheist state, the last two amendments seem to contradict each other.<sup>3</sup>

The 1997 Law on Freedom of Conscience and Religious Association (with amendments through to 2019)<sup>4</sup> serves as the main pillar of the religious legislation.

In the preamble, the individual right to freedom of conscience, freedom of religious profession and equality before the law irrespective of religious affiliation and convictions are confirmed. Concerning religious groups, however, the law recognizes four "traditional religions" (Christianity [means: the Russian Orthodox Church], Islam, Judaism and Buddhism). For practical purposes, the Roman Catholic Church and the Lutheran Church are generally treated as traditional Russian religions, being invited to participate in official events. The law stresses the special role of the Russian Orthodox Church because of her historical contribution to the country's spirituality and culture.

The law establishes three different categories of religious entities: Religious Groups (RGs), Local Religious Organizations (LROs) and Centralized Religious Organizations (CROs) (Art. 6).

De facto religious groups (RGs) have the right to conduct religious rituals and ceremonies, hold worship services, and teach religious doctrines. They are not registered with the government and have therefore no legal personality. Nevertheless, when the group first starts its activities, it has to notify local authorities. These cannot open a bank account, build, buy or rent premises or publish or import religious material, receive tax benefits or offer worship services in prisons, state-owned hospitals, or the armed

forces (Art 7).<sup>5</sup>

In order to be recognized as a Local Religious Organization (LRO), a religious group must consist of no less than 10 persons over the age of 18 that permanently reside in a given area. The LRO must be registered at both the federal and the local level. An LRO can open a bank account, buy and own or rent buildings for religious purposes, acquire, import, export and disseminate religious literature, enjoy tax and other benefits, conduct worship services in prisons, hospitals, and armed forces, and so on.

Centralized Religious Organizations (CROs) must consist of no less than three LROs to be eligible for registration. They enjoy the same rights as LROs. After 50 years of existence and activity in the country, they can include the word 'Russia(n)' in their official title (Art. 8 (5)). Additionally, they can also create local religious organizations as affiliates without any waiting period.

Registration of an LRO or CRO requires an association to provide: "a list of the organization's founders and governing body, with addresses and passport information; the organization's charter; the minutes of the founding meeting; certification from the CRO (in the case of LROs); a description of the organization's doctrine, practices, history, and attitudes towards family, marriage, and education; the organization's legal address; a certificate of payment of government dues; and a charter, or registration papers of the governing body, in the case of organizations whose main offices are located abroad"<sup>6</sup>.

On 6th June 2016, the 1997 Law was amended by the so called Yarovaya Package (374-FZ and 375-FZ).<sup>7</sup> The Russian Deputy Irina Yarovaya, together with Senator Victor Ozerov, introduced a project of counter-extremism and counter-terrorism legislation. Citizens in general value security more than freedom, hence the characteristic of Russia's actual restriction of civil liberties under the guise of having to provide better security is not something completely unusual. In Russia, the threat of extremism and terrorism is real. This is due to at least two facts: attempts by foreign interests to radicalize the Russian Muslim community, and terrorist responses to Russian armed conflicts in Georgia and Ukraine. Nevertheless, this real threat is often a pretext for actions that aim to strengthen the security of the authoritarian power and ensure social stability by a more intense supervision and limiting of civil liberties. As part of the Russian "securitisation" policy, the competence of special services is expanded almost every year,



and an increase in “digital authoritarianism” can be observed. A 2017-2030 Strategy for the Development of an Information Society in the Russian Federation adopted in 2017 shows that security is not the only political goal; the document also emphasises “traditional Russian spiritual and moral values and the observance of [corresponding] behavioral norms in the use of information and communication technologies.”<sup>8</sup> The Russian concept of security covers both material security and cultural security associated with the permanence of Orthodoxy. For this reason, usually “foreign” religious groups, even if they present no threat in material terms, are seen as representatives of a foreign, hostile culture.

The Yarovaya amendments increased restrictions for religion under anti-extremism laws. Under these amendments, “missionary activities” have been redefined forbidding preaching, praying, disseminating materials, and answering questions about religion outside designated locations, especially in residential premises (Art. 24 (1) (2-3))<sup>9</sup>. Any missionary activity in the premises, buildings and structures belonging to another religious association, as well as on the land on which such buildings and structures are located, is prohibited without the written consent of the governing body of the respective religious association (Art. 24 (1) (4)). In another amendment (Art. 24 (2) (3-5)) Russians must obtain a government permit through a registered religious organization in order to share their beliefs through missionary activities. Such restrictions also apply to activities in private residences and online (Art. 24 (1) (1)). Thus, to teach the Gospel on a street or to pray collectively in private houses, common practice for many Protestant denominations, is generally forbidden.

There also are restrictions on religious activities undertaken by foreigners. The Yarovaya Law states that foreign missionaries must prove that they have been invited by a state-registered religious organization and may only operate in the regions where their organizations are registered (Art. 24 (2) (3-4)). An amendment from November 28, 2015 requires religious organizations which receive foreign funding to report annually their activities, leadership, and budget plans to the Justice Ministry (art 25.1).<sup>10</sup> The Justice Ministry and related bodies, in such cases, have the right to inspect the religious organizations’ financial activities without prior warning.

People found guilty of violating the anti-extremism law face fines of up to US\$780 for an individual, and up to US\$15,500 for a group or organization. Foreign nationals

also may be deported.<sup>11</sup>

### Other laws

The Federal Law on Combating Extremist Activity adopted on 25th July 2002,<sup>12</sup> grants the authorities the power to censor religious freedom and expression, and to criminalize a broad spectrum of religious activities.<sup>13</sup>

Article 13 of this law provides for the establishment of a federal list of banned extremist materials. Since any court may add materials to the federal list, a judicial ban on a particular item in one city or region on the grounds that it has been found “extremist” can be enforced across the country.<sup>14</sup> At the beginning of 2020, there were 5,018 items on the Federal List of Extremist Materials maintained by the Ministry of Justice.<sup>15</sup>

An opinion issued by the Venice Commission of the Council of Europe at its 91st Plenary Session (15-16th June 2012), stated that the manner in which the Extremism Law is pursued is problematic, on account of its broad and imprecise wording, particularly insofar as the “basic notions” defined by the Law - such as the definition of “extremism”, “extremist actions”, “extremist organizations” or “extremist materials” - are concerned, gives too wide discretion in its interpretation and application, thus leading to arbitrariness.<sup>16</sup>

On 29th June 2013, a so-called blasphemy law was enacted, criminalizing activities aimed at insulting the religious feelings of believers. Article 148 of the Criminal Code provides for a fine, or up to one year of imprisonment or forced labor, for “actions demonstrating disrespect to the society if performed with the purpose of insulting religious feelings of believers.” “Insulting religious feelings” had previously been punished by the rarely used Administrative Code Article 5.26. When the offence was criminalized in July 2013, this article was amended to cover “deliberate public desecration of religious or liturgical literature, objects of religious veneration, signs or emblems of ideological symbols and paraphernalia, or their damage or destruction.” The associated penalties increased from a fine of 500 to 1000 rubles up to 30 to 50 thousand rubles, or obligatory work up to 120 hours, and for officials from 100 thousand to 200 thousand rubles.<sup>17</sup> The “blasphemy amendments” were added to the Criminal Code in reaction to a February 21, 2012 Pussy Riot performance at Moscow’s Cathedral of Christ the Savior. Due to the vacuum in the Russian law the band members were sentenced to two years of imprisonment for “hooliganism motivated by religious hatred.”<sup>18</sup>

According to a report prepared the Global Legal Research Center<sup>19</sup> most blasphemy-related cases are prosecuted under article 282 of the Criminal Code, which bans “actions aimed at inciting hatred [or] enmity, or diminishing the dignity of a person or a group of people because of their religion, [that are] conducted publicly, or using mass media, or the Internet.” These actions can be prosecuted by varied fines, compulsory labor, bans on specific professional activities, or imprisonment for a term of two to five years.<sup>20</sup>

## INCIDENTS AND DEVELOPMENTS

### Related to Protestants

Protestants are mainly targeted for proselytism on the basis of the anti-missionary Yarovaya laws. In early 2018 an unnamed Baptist, a Russian citizen, was found in violation of anti-evangelism laws after he had organized evangelistic activities in his apartment without having registered with the authorities, reportedly distributing religious literature to persons outside of his religious group. He was ultimately found guilty and fined 6,000 rubles (c. US\$100).<sup>21</sup>

On 16th May 2018, Nosisa Shiba, a citizen of Swaziland (Africa) and a final-year student at the Nizhny Novgorod Medical Academy, was charged on the basis of Article 18.8, part 4 of the Code of Administrative Violations of Law of the Russian Federation. The young woman, a Protestant since childhood, began attending an Evangelical church in Nizhny Novgorod upon her arrival in Russia. A video of Shiba singing about God in this church was found on YouTube by the Federal Security Service. The court ruled that she be fined 7,000 rubles (c. US\$110) and deported after the completion of her studies.<sup>22</sup>

On 27th February 2020, a lawsuit brought by the Russian Educational Supervision Service (Rosobrnadzor) calling for the revocation of the license of the Moscow Theological Seminar of Evangelical Christians (a Baptist Theological Seminary established in October 1993), was granted by the arbitration court of the city of Moscow. The reason given was a “violation” of licensing requirements consisting of an “incorrect” form in a document describing the teaching load.<sup>23</sup>

A further case is related to the coronavirus pandemic and the Baptist Church in Briansk. The pastor of the Baptist church was infected, infecting in turn his parishioners, in

Briansk and in Smolensk. The governor of Briansk oblast accused the Baptists on 2nd April 2020 of spreading the virus and, possibly in reaction, on the night of 7-8th April an attempt was made to set fire to the Baptist Church in the city of St. Petersburg located at No. 27 Bolshaia Ozernaia St.<sup>24</sup>

### Related to Muslims

Although Islam is considered a traditional religion in Russia, many Islamic groups are considered as “extremist”.

Among majority of the Muslim individuals arrested, many are supporters of a banned Islamist organization called Hizb ut-Tahrir (HT).<sup>25</sup> According to the European Court of Human Rights, HT (“Liberation Party”) is not a religious organization but a “global Islamic political party”.<sup>26</sup> The European Court dismissed a complaint by HT against its ban in Germany because, even if it does not incite violence, it “advocates the overthrow of governments throughout the Muslim world and their replacement by an Islamic State in the form of a recreated Caliphate.”<sup>27</sup> At the same time, it is not a political party in the Western meaning because it does not intend to stand for democratic elections. In Russia, many HT members are arrested solely on account of belonging to this group, without necessarily any evidence of their association with terrorism, and “the sentences handed down to suspected HT members are significantly more severe than those given to others deemed as extremists, typically ranging between 10 and 19 years. Throughout 2018, authorities arrested and prosecuted HT members nearly every month; in July alone there were 21 arrests.”<sup>28</sup>

Followers of another Muslim group drawing security attention are those of the Qur’anic commentary of Said Nursi, a Turkish Islamic theologian of Kurdish origin. Nursi adepts are typically charged with belonging to a supposed “Nurdzhular” terrorist movement, banned in Russia in 2008 as an extremist group.<sup>29</sup>

On August 28, 2018, the European Court of Human Rights declared that the ban on publishing and distributing Islamic books (read: Nursi’s works) violates Article 10 of the European Convention on Human Rights.<sup>30</sup> Nevertheless, in May 2018, Ilgar Aliyev, a Nursi follower from Dagestan in the Russian North Caucasus, received an eight-year prison sentence and two years additional restrictions for leading a Nursi study group. Colleagues Komil Odilov was sentenced to two years in prison, and Andrei Dedkov was fined the equivalent of more than six months wages.

A fourth man, Sabirzhin Kabirzoda was given a two-year suspended sentence at the end of a trial lasting more than six months.<sup>31</sup> As of 9th April 2020, two more Muslims from the movement are facing criminal prosecution: 62-year old Nakiya Sharifullina who is under house arrest in Naberezhnyye Chelny in Tatarstan, and 53-year-old Ibragim Murtazaliyev from Izberbash in Dagestan, who is in pre-trial detention.<sup>32</sup>

A further Muslim group frequently targeted by Russian authorities is the missionary movement, Tablighi Jamaat, originating from India. The group is widely considered to be pacifist and not involved in politics, however, “In May 2018, two residents of the Russian province of Bashkortostan were sentenced to two years imprisonment for membership in the group. In December, a Moscow court convicted four Tablighi Jamaat members of missionary activity and sentenced them to two years and two months in a penal colony, followed by six months of additional restrictions.”<sup>33</sup>

#### Related to Hindus

Throughout 2018 Hindus faced discrimination and harassment from anti-cult activists, in particular from Alexander Dvorkin, vice-president of the France-based European Federation of Centers of Research and Information on Sectarianism (FECRIS), which receives funding from French public institutions. The activities of Dvorkin are suspected to have led to physical assaults on the group’s members and leadership, including a November 2017 raid on the home and spiritual center of the Hindu leader Shri Prakash Ji.<sup>34</sup>

#### Related to Jehovah’s Witnesses

The Jehovah’s Witnesses, numbering approximately 170,000 in Russia<sup>35</sup> have been banned since 2017, designated under Russian law as an “extremist” organization. The group has, and continues to face, discrimination and persecution. The challenge for researchers is, due to the fact that the court case files are confidential and only in Russian, it is difficult to corroborate information from independent sources. This leaves researchers, particularly non-Russian speaking ones, relying predominantly on information provided by the religious group.

According to information supplied by the Jehovah’s Witnesses, on April 20, 2017, the Supreme Court of the Russian Federation banned the Administrative Centre of Jehovah’s Witnesses on grounds of “extremism”. Since the ban, Jehovah’s Witnesses have faced arrests, imprisonment, interrogation, travel restrictions and other kinds of discrimination. Prayer meetings in private homes have

been interrupted and raided; witnesses have been dismissed from their jobs, interrogated and prosecuted and; a number of their properties and buildings have been vandalized and destroyed.<sup>36</sup> By the end of 2018 the estimated value of Jehovah’s Witnesses property seized by the state was US\$90 million.<sup>37</sup> Since the ban, Jehovah’s Witnesses no longer have the right to refuse military service and choose alternative services as conscientious objectors. The Russian authorities have also threatened to deprive Jehovah’s Witnesses of parental rights.<sup>38</sup> At the end of 2018, there were 23 Jehovah’s Witnesses in prison, 27 under house arrest, 41 forbidden from leaving their hometowns, and 121 under investigation.<sup>39</sup>

On 23rd May 2019, a Danish citizen detained since 2017, Dennis Christensen, was sentenced to six years in a penal colony of general regime for active profession of the religion of Jehovah’s Witnesses. He was found guilty under Article 282.2 (1) of the CC of RF, since he allegedly “continued the activity” of the liquidated Jehovah’s Witnesses.<sup>40</sup> Another EU citizen arrested was Polish national, Andrzej Oniszcuk, released after 11 months.<sup>41</sup>

On 15th February 2019, at least seven Jehovah’s Witnesses in northern Siberia were tortured at the hands of local police after being detained on extremism charges. Investigators demanded information about local membership, meeting places, and leadership.<sup>42</sup>

#### The North Caucasus

After two wars in Chechnya (1994-1996 and 1999-2009), the North Caucasus is today a heavily militarized zone. Influence is divided between Ramzan Kadyrov, the Kremlin-appointed regional leader with his own view of Islam, and jihadist groups aligned with the so-called Islamic State and Al-Qaeda. The region remains in a state of low-level conflict. Kadyrov is proposing a model of “moderate” but strictly controlled Islam as a beacon for the entire Muslim world. Although officially an opponent of Wahhabism and Salafism he demands all Chechen women wear Islamic dress, that forced and polygamous marriages are not punishable by law, and a strict adherence to traditional Islamic values is required.<sup>43</sup>

In Dagestan and Chechnya, security forces have orchestrated the forced disappearance of those suspected of practicing a “non-traditional” Islam. The need to demonstrate success in the battle against Islamist terrorism has led security forces to target peaceful Muslim dissidents and innocent bystanders with no proven connection to

politics.<sup>44</sup>

In North Ossetia, a mostly Christian region, there were reports in 2018 of plans to convert the historic Persian Mosque in the capital of Vladikavkaz into a planetarium.<sup>45</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Since the last report, the situation of religious freedom remains without improvement. The 1997 law, as well as the ideological stances and policies adopted by Russian authorities thereafter, are inspired to ensure the “spiritual security” of Russia - a new concept entrenching the role of the Russian Orthodox Church in safeguarding “national values”.

In Russia’s National Security Concept Presidential Decree No. 24 of 10<sup>th</sup> January 2000, <sup>46</sup> the administration stated: “Ensuring the national security of the Russian Federation also includes protection of the cultural, spiritual and moral legacy, historical traditions and the norms of social life, the preservation of the cultural wealth of all the peoples of Russia [...] along with counteraction against the negative influence of foreign religious organizations and

missionaries.”<sup>47</sup>

This concept is at the base of the religious restrictions that are imposed. In a press briefing in December 2018, when US Ambassador-at-large for International Religious Freedom, Samuel Brownback was asked why Russia was put on their “watch list” underlined that Russia had engaged in and tolerated severe violations of religious freedoms, the most notorious being the suppression of religious expression following their 2016 law which criminalized missionary activity. Brownback mentioned these included 156 cases targeting groups such as the Salvation Army, Pentecostals, Jehovah’s Witnesses, Baptists, Lutherans, Church of Jesus Christ of Latter-Day Saints, and Ukrainian Reformed Orthodox Church. In addition, certain Muslim groups are included.<sup>48</sup>

The European Council’s Venice Commission has voiced concerns that the laws against extremism and missionary activity have been amended in an ambiguous manner, making it easier to prosecute and sentence members of non-Orthodox religious communities and non-mainline Muslim communities of foreign origin. There are no prospects for change.



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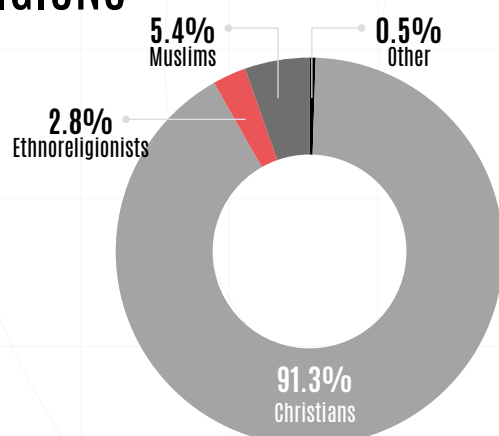


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# RWANDA

## RELIGIONS



Population  
**13,087,173**



GDP per capita  
**1,854 US\$**



Area  
**26,338 Km<sup>2</sup>**



GINI INDEX\*  
**43.7**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 37 of Rwanda's 2003 constitution (amended in 2015) guarantees "Freedom of thought, conscience, religion, worship and public manifestation".<sup>1</sup> Article 57 prohibits political organisations based "on race, ethnic group, tribe, lineage, region, sex, religion or any other division which may lead to discrimination."

Article 277 of Rwanda's Penal Code<sup>2</sup> makes disrupting a religious service an offence punishable with between eight days and three months in prison and fines of 20,000 to 300,000 Rwandan francs. The Penal Code also imposes fines on anyone who "publicly humiliates rites, symbols or objects of religion" (Article 278), or insults, threatens or physically assaults a religious leader (Article 279). People can wear a distinctive head covering in official photos for passports, driver's licenses, and other official documents if it is part of their religious identity.

A new law was passed on 10 September 2018,<sup>3</sup> replacing the 2012 law governing the legal status of

faith-based organisations (FBOs). In addition to new dispute settlement procedures for FBOs (Chapter VIII), the new law has increased registration requirements, for example, FBOs must have legal personality, which can be obtained from the Rwanda Governance Board (RGB) following a particularly complex procedure.<sup>4</sup>

Furthermore, the legal representative of an FBO must meet certain educational requirements (Chapter VI, Article 33) and be "a holder of at least a degree from [a] higher learning institution".<sup>5</sup> This is part of a plan "to educate Church leaders" and ensure that churches "have well equipped and competent leaders", said Rev. Dr. Charles Mugisha, Chancellor of the Africa College of Theology.<sup>6</sup>

Students in public primary and secondary (grades 1-3) schools must take religious courses that teach about various religions. Parents can enrol their children in private religious schools.<sup>7</sup>

The law addressing religious groups does not include non-governmental organisations (NGOs) associated with religious groups. Domestic NGOs associated with religious groups are required to register with the RGB, but under a different law governing NGOs. The

law entails a multi-step NGO registration process and requires annual financial and activity reports and action plans.

## INCIDENTS AND DEVELOPMENTS

After a quarter of a century, Rwanda's genocide of 1994 remains a sensitive topic, and talking about ethnicity is illegal. However, some believe this is increasingly politically instrumentalised. In an April 4, 2019 article marking the genocide, BBC News noted: "Charges of stirring up ethnic hatred have been levelled against some of Mr Kagame's critics, which they say is a way of side-lining them".<sup>8</sup>

Since 2018, Muslim leaders have been working with the Rwanda National Police to fight extremism and radicalisation within their community.<sup>9</sup>

In March 2019, a Rwandan court sentenced 13 people to five years in prison and two to 10 years for membership in, and providing support to, extremist groups including al-Shabaab and the Islamic State. Judge Eugene Ndagijimana said while delivering the ruling of Salim Fundi, one of those convicted, that he participated in "coordinating people in Rwanda who wanted to join terrorist group of al-Shabaab in Somalia".<sup>10</sup>

In a June 1, 2019 article, The New Times stated that Rwanda had become an "oasis of liberal Islam".<sup>11</sup> This is explained as a consequence of the personality of the Mufti of Rwanda, Sheikh Salim Hitimana, who is said to personify the openness of the country's Muslim community.

In October 2019, pastor Gregg Schoof, a US missionary who headed an evangelical church and ran a local radio station, was arrested and deported after he criticised the government's "heathen practices", preaching against the "teaching of evolution in schools, the handing out of condoms in schools and the easing of restrictions on abortion".<sup>12</sup>

The authorities closed his radio station back in April 2018, arguing that it did not comply with the sanctions imposed concerning a program that had aired in 29 January 2018 that "repeatedly denigrated women".<sup>13</sup> Police spokesperson John Bosco Kabera also added

it was "misleading the public" and "abusing other religions like Islam".<sup>14</sup> Rwandan government supporters embraced the decision of closing the Christian radio.

Since the 1994 genocide, Pentecostal churches have grown rapidly across Kigali.<sup>15</sup> The closing of pastor Gregg Schoof's church was among 700 closed by authorities starting in early 2019 for "failing to comply with building regulations and for noise pollution" with the government seeking greater regulation over churches, often accused of preying on congregants demanding considerable financial contributions.<sup>16</sup>

The 2019 closings reflect a wider campaign in which thousands of churches and dozens of mosques have been shuttered in recent years. Human rights groups accuse Kagame's government of clamping down on freedom of expression, which the government has denied.<sup>17</sup> In an Associated Press interview, Anastase Shyaka, head of the Rwanda Governance Board regulating FBOs, stated: "We are closing prayer houses of all different denominations and asking them to meet existing health and safety standards for their followers".<sup>18</sup> In addition to stricter building codes, government regulations now require pastors to be trained in theology to reduce clerical abuse.<sup>19</sup>

Africa analysts such as Phil Clark, professor of international politics at SOAS University, express a wider concern that the Kagame government may seek to limit the societal influence of Protestant churches stating: "The Rwandan government increasingly sees churches as politicised civil society actors". "While the government severely restricted the space of Rwandan civil society, churches were largely untouched. That has now changed."<sup>20</sup>

At the end of March 2020, the government enforced a lockdown as a measure to contain the spread of the COVID-19 pandemic. As a result, churches were also closed.<sup>21</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

While religious freedom is important in Rwanda, concerns are growing regarding greater government restrictions imposed on religious groups. These include, among others, the tightening of control over religious buildings and places of worship, especially

Pentecostal churches, which could lead to increased interfaith tensions in the country.

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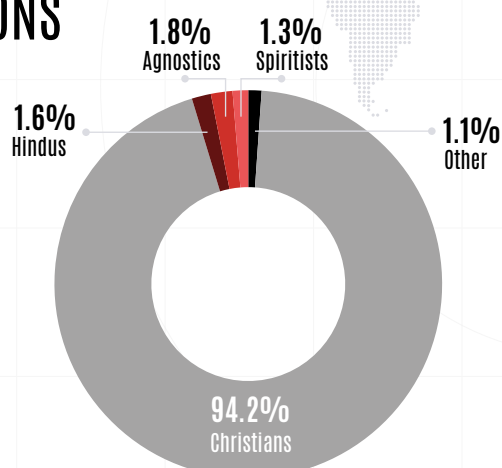
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# SAINT KITTS AND NEVIS

## RELIGIONS



Population

**56,813**



GDP per capita

**24,654 US\$**



Area

**261 Km<sup>2</sup>**



GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution<sup>1</sup> of Saint Kitts and Nevis states that the nation was established on the basis of belief in Almighty God.

Article 3 of the constitution stipulates that everyone has certain fundamental rights and freedoms, irrespective of race, place of origin, birth, political opinions, colour, creed or sex, such as freedom of conscience, expression and association.

The right to conscientious objection to military service is recognised (Article 6, 3, c).

No one shall be denied the right to freedom of conscience, which includes freedom of thought and religion, freedom to change one's religion or belief and to manifest one's belief in worship, teaching, practice and observance, either individually or collectively, in public or in private (Article 11, 1).

No one attending an educational establishment, in prison or performing military service, shall be required to receive

religious instruction or attend any religious ceremony other than their own, except with their consent, or that of a parent or guardian in the case of a minor (Article 11, 2).

Every religious community is entitled to establish and administer their own educational establishments at their own expense (Article 11, 3).

No one may be compelled or coerced into taking an oath against, or in a manner contrary to, their beliefs or religion (Article 11, 4).

The constitution also stipulates that the law may not include any provision that is discriminatory in itself or in its effects (Article 13, 1). Discrimination means treating people differently on the basis of their race, place of origin, birth outside of marriage, political opinion or affiliation, colour, sex or creed (Article 13, 3).

Religious education in school cannot include catechism of any one particular religion.

Publicly-funded private educational establishments are responsible for the religious instruction imparted to the students who belong to the religion they profess.<sup>2</sup> Students who profess a different faith cannot be forced to receive religious instruction or attend any religious ceremony without their consent, or in the case of minors, that of their

parents or guardians.<sup>3</sup>

## INCIDENTS AND DEVELOPMENTS

In January 2019, the press reported that Prime Minister Timothy Harris attended services in two churches, noting that “the Church plays a critical role in the social development of our people”.<sup>4</sup>

In March 2020, the Christian Council of Saint Kitts and Nevis expressed its support for the government in the fight against COVID-19. It announced that the Churches had already adopted preventive measures to avoid the spread

of the virus, suspending for example religious services (which would be accessible via social media), except for funerals.<sup>5</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Relations between the country’s Churches and the government are good. As in previous years, no episodes of religious intolerance or discrimination have been reported. The prospects for religious freedom in the future are positive.

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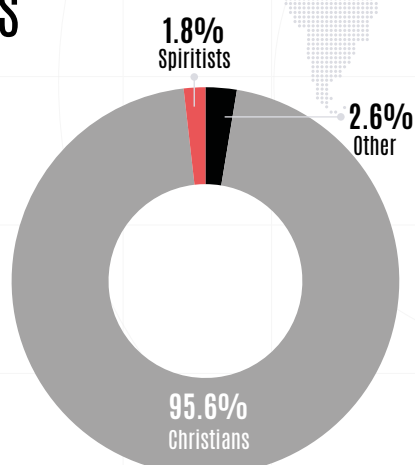
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# SAINT LUCIA

## RELIGIONS



Population

**181,203**



GDP per capita

**12,952 US\$**



Area

**539 Km<sup>2</sup>**



GINI INDEX\*

**51.2**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In the Preamble to their constitution,<sup>1</sup> the people of Saint Lucia affirm their faith in the supremacy of Almighty God. They believe that everyone was created equal by God, with inalienable rights and dignity. They recognise that the enjoyment of these rights depends on certain fundamental freedoms such as freedom of the individual, thought, expression, communication, conscience and association. They realise that human dignity requires respect for spiritual values.

The constitution specifies that everyone has these fundamental rights and freedoms, whatever their race, place of origin, political opinion, colour, creed or sex, subject to respect for the rights and freedoms of others and the public interest (Article 1). It recognises the right to personal freedom, equality before the law, as well as freedom of conscience, expression, assembly and association (Article 1, a and b).

Conscientious objection to military service is recognised (Article 4, 3, c).

No person shall be hindered in the enjoyment of their freedom of conscience, including freedom of thought and religion, the freedom to change religion or belief, the freedom to express one's belief, alone or with others, in public or in private, in worship, teaching, practice or observance (Article 9, 1).

Except with their consent (or that of their parents or guardian in case of minors under 18), no one attending an educational establishment or held in prison or serving in the Armed Forces can be required to receive religious instruction or take part in or attend a religious ceremony that is not of the religion they profess (Article 9, 2).

Every religious community has the right to establish and maintain, at their own expense, educational establishments. They also have the right to provide religious instruction to the members of their organisations irrespective of whether or not they receive a government subsidy (Article 9,3).

No one shall be compelled or coerced into taking an oath against, or in a manner contrary to, their beliefs or religion (Article 9, 4).

Furthermore, no one shall be treated in a discriminatory

manner by any person or authority. Discrimination means providing different or special treatment, totally or partially, to people based on their sex, race, place of origin, political opinion or affiliation, colour or creed (Article 13, 2 and 3).

Ministers of religion cannot be appointed to the Senate (Article 26, b) or elected to the House of Assembly (Article 32, b).<sup>2</sup>

## INCIDENTS AND DEVELOPMENTS

In an interview in January 2019, a Methodist clergyman, Rev. Seth Ampadu, expressed concern about the rapid emergence of “money-making” churches, with ministers posing as prophets, who cheat people and take money from them. He stressed that the government needs to regulate these churches.<sup>3</sup>

In May 2020, in response to the Coronavirus pandemic, Prime Minister Allen Chastanet announced that community and religious organisations could reopen, provided they prepared and presented a COVID-19 response plan for approval by the Ministry of Equity, Social Justice, Local Government, and Empowerment.<sup>4</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the 2018-2020 period, no violations of religious freedom were reported; the situation has not changed and the future prospects of religious freedom are positive.

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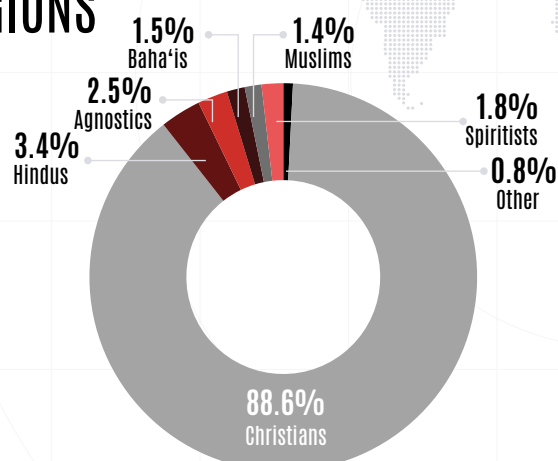
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# SAINT VINCENT AND THE GRENADINES

## RELIGIONS



Population

**110,757**



GDP per capita

**10,727 US\$**



Area

**389 Km<sup>2</sup>**



GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution of Saint Vincent and the Grenadines<sup>1</sup> states that the nation was founded on the belief in the supremacy of God and the dignity of man.

Article 1 of the national charter specifies that everyone enjoys certain fundamental rights and freedoms, such as freedom of conscience, irrespective of race, place of origin, birth, political opinions, colour, creed or sex, subject to respect for the rights and freedoms of others.

Article 4 (3, c) recognises the possibility of conscientious objection to military service.

People are entitled under Article 9 (1) to freedom of conscience, thought, religion and worship, which are inviolable rights in all areas, including religious teaching, practice and observance, whether alone or with others, in public or in private.

No one attending an education establishment, in prison or performing their military service shall be required to receive religious instruction or attend religious ceremonies other than those of their own religion, except with their

consent (Article 9, 2).

Each religious community has the right to establish and maintain their own educational institutions (Article 9, 3).

Lastly, no one shall be compelled or coerced into taking an oath against, or in a manner contrary to, their beliefs or religion (Article 9, 4).

Article 26 (1) stipulates that no minister of religion shall be elected as a representative or appointed as a senator.

A Code of Conduct was adopted in 2010 for the general elections planned for that year, which continues to be respected. It requires that candidates uphold the highest moral principles in accordance with Christian ethics whilst not using religion to obtain the support of voters. They must also respect Church timetables and not disrupt public worship.<sup>2</sup>

The 2006 Education Bill regulates religious matters in education.<sup>3</sup> Religious education must be part of the curriculum of every public or private school. If a private school is owned or operated by a religious entity and admits students who do not share its beliefs, the latter may opt out of its religious instruction and religious ceremonies.

Good Friday, Easter, Pentecost Monday and Christmas are national holidays.<sup>4</sup>



In 2018, the country's parliament (House of Assembly) approved a law that allows the use of cannabis for religious purposes; the legislation does not apply only to Rastafarians.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

In April 2019, Prime Minister Ralph Gonsalves praised the contribution of the Seventh-day Adventist Church to the country. He noted that on Fridays, the government stops working before sunset to accommodate public servants who are members of this Church.<sup>6</sup>

In early March 2020, following the outbreak of the COVID-19 pandemic, the Catholic Church took preven-

tive measures. In May 2020 it resumed Sunday Masses, whilst complying with the protocols established by health authorities.<sup>7</sup>

## PROSPECTS FOR RELIGION FREEDOM

The prospects for religious freedom are positive. As in the 2016 and 2018 reports, no episode of religious intolerance was reported in the period under review and the prospects for religious freedom are positive.

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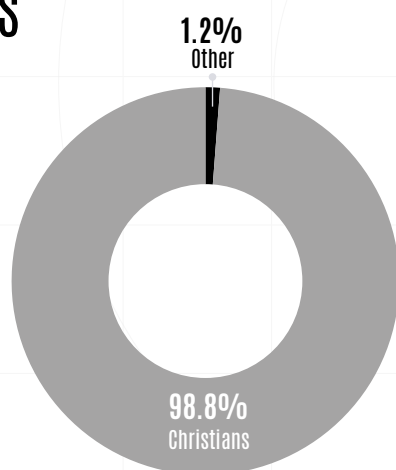
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# SAMOA

## RELIGIONS



Population

**200,117**

GDP per capita

**6,022 US\$**

Area

**2,842 Km<sup>2</sup>**

GINI INDEX\*

**38.7**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Under Article 11 (1) of the Samoan Constitution, “every person has the right to freedom of thought, conscience and religion.”<sup>1</sup> This includes “the freedom to change his religion or belief, and freedom, either alone or in community with others, and, in public or private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.” These rights may be limited by law, if such a law imposes “reasonable restrictions [. . .] in the interests of national security or of public order, health or morals, or for protecting the rights and freedom of others.” There is also legislation to prevent discrimination on the grounds of religion by public or private bodies.

In June 2017, the Legislative Assembly of Samoa passed the Constitution Amendment Bill (No. 2).<sup>2</sup> An official memo states that “the object of the Bill is to insert in the Constitution that Samoa is a Christian nation to declare the dominance of Christianity in Samoa.”<sup>3</sup> The Constitution’s Preamble notes that “Samoa should be an independent state based on Christian principles and Samoan custom and tradition”. According to Prime Minister Tuilaepa Sailele

Malielegaoi, the amendment was necessary because the Preamble lacked legal force. For his part, Attorney General Lemalu Hermann Retzlaff stated that the amendment “will enshrine Christianity from within the body of the Constitution which effectively provides a legal definition of the state’s religion.”<sup>4</sup> He also emphasised that individual rights guaranteed under Article 11 (1 and 2) on “Freedom of Religion” remained “untouched.”

Under Article 12 (1-3) of the Constitution, students are not required to receive religious instruction in a religion other than their own, and religious communities have the right to establish their own schools. Christian instruction is compulsory in public primary schools but optional in public secondary schools.<sup>5</sup>

Religious groups are not required to register with the state but may register as charitable trusts. Registration brings the benefits of legal recognition and tax exemption. Un-registered groups cannot corporately buy property or pay employees.<sup>6</sup>

The country is a signatory to the International Covenant on Civil and Political Rights.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

Local media have reported high societal pressure imposed at the village level to participate in Church activities, as well as to support Churches financially. In some denominations, “financial contributions often totaled more than 30 percent of family income” resulting in a source of hardship for families.<sup>8</sup>

In October 2018, youth leader Joseph Moeono-Kolio representing Caritas Internationalis Youth Forum, stated that in Samoa reporting on “clerical abuse and widespread corruption” amounted to “professional and cultural suicide.”<sup>9</sup>

main positive. Social pressure imposed by Churches and village councils on individuals and families, however, suggests that the principle of religious freedom may not be fully respected at the community level - that open discussion of religious matters may be legally permitted but risks significant social and cultural sanctions.

## PROSPECTS RELIGIOUS FOR FREEDOM

Religious freedom is generally protected and observed in Samoa and the prospects for the future of this right re-

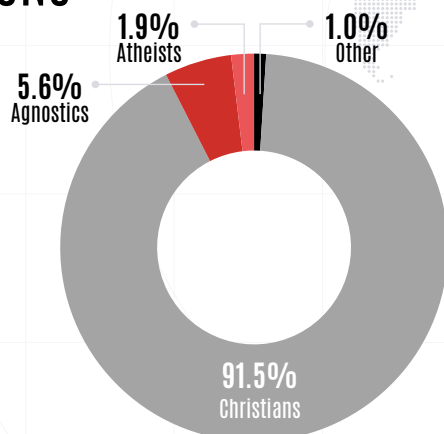
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# SAN MARINO

## RELIGIONS



Population

**33,809**



GDP per capita

**56,861 US\$**



Area

**61 Km<sup>2</sup>**



GINI INDEX\*

**N/A**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Republic of San Marino does not have a written constitution. The legal provisions ensuring religious freedom are contained in various pieces of legislation, the most important of which is the Declaration of Citizen Rights and Fundamental Principles of San Marino Law of 1974 (amended in 2002).<sup>1</sup> Article 4 of the Declaration provides: “Everyone is equal before the law, with no distinction of personal, economic, social, political and religious status.”<sup>2</sup> Article 6 states: “Everybody shall enjoy civil and political freedoms in the Republic. In particular, personal freedoms, freedom of residence, establishment and expatriation, freedom of assembly and association, freedom of thought, conscience and religion shall be guaranteed.”<sup>3</sup>

There is no established religion, but Roman Catholicism is the largest religion in the republic and it is common to see religious symbols such as crucifixes in courtrooms and other public spaces. Since 2009, the government defies a ruling of the European Court of Human Rights that crucifixes should not be displayed in classrooms. The complaint had been introduced by the left-wing Sinistra Unità.<sup>4</sup>

The Penal Code contains a chapter on “Offences against religious faith and feelings towards the deceased”, which includes a “Religious insult”, “Violation of religious freedom”, “Interference

with religious ceremonies”, and “Blasphemy or contempt for the deceased”. The four crimes can be punished with a ‘first-degree’ prison sentence of up to 15 days.<sup>5</sup>

The state supports the Catholic Church through income tax revenue. Taxpayers may request that the three per thousand of their income tax be allocated to the Catholic Church or to other charities, including other religious groups.<sup>6</sup>

There are no private religious schools. Catholic religious education is provided but is non-compulsory in public schools.

There are a number of agreements between the Republic of San Marino and the Holy See: the 1931 Monetary Convention, the 1989 Agreement on Religious Festivities,<sup>7</sup> and the 1992 Concordat.<sup>8</sup> In the most recent, Article 2 provides for a Chaplain Office of the Hospital and Retirement Home to provide spiritual assistance to hospital patients and retirement home residents. Article 3 offers the same to Catholics confined to prison. Article 7 (2) establishes a fund in support of humanitarian, welfare and social activities.

During the period under review, the Holy See and the Republic of San Marino signed another agreement in San Marino City on 26th September 2018 regarding the teaching of the Catholic religion in public schools. It was ratified on 27th September of the same year.<sup>9</sup>

The agreement consists of 4 articles which, among other provisions, ensures “Catholic religious education in public schools at

all levels, except university” and grant “Catholic religious education the same ‘status’ and educational and cultural dignity of other curricular subjects” (Article 1).<sup>10</sup> The 2018 agreement ended a number of controversies that arose after a request was made in 2017 to replace Catholic religious education in public schools with secular courses.<sup>11</sup>

San Marino is home to about 200 Jehovah Witnesses who are registered as an association. They are free to practise their faith but, according to the 2018 Report of the European Commission against Racism and Intolerance (ECRI), the fact that they are not treated as a religion “leads to the application of administrative rules specific to companies/firms which are ill-suited to religious practice.”<sup>12</sup> The same applies to the local Islamic community.<sup>13</sup>

Consequently, the ECRI has proposed the establishment of “a consultative body for promoting a regular dialogue between the state and minority religious communities, in order to examine the practical problems that religious practice can create and to propose measures to solve them.”<sup>14</sup> No measures have been taken as of 2020.

## INCIDENTS AND DEVELOPMENTS

During the period under review, the ratification of the aforementioned agreement between the Holy See and the Republic of San Marino about Catholic religious education in public schools ended the debate over Catholic religious education in public schools.

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However, this debate has been replaced by one over the decriminalisation of abortion. On 7th June 2019, two citizens’ initiatives (Arengo) were submitted to the authorities titled: “Support for parenting and unborn children” and “Rules on conscious and responsible procreation and voluntary termination of pregnancy.”<sup>15</sup>

The promoters of the second initiative say they seek “to protect women’s self-determination, their freedom of choice in the sexual-reproductive field, and the possibility of terminating pregnancy if unwanted.”<sup>16</sup>

The Catholic community has signalled a warning about the initiatives contending that they would deny doctors the right to work if they exercised their right to conscientious objection.<sup>17</sup> At the time of writing, none of these initiatives have been approved.

## PROSPECTS RELIGIOUS FOR FREEDOM

Despite the above-mentioned controversies, no significant cases of religious intolerance were reported in the period under review. Interreligious relations are good and a forum for interreligious dialogue has been held annually since 2016 bringing together representatives of different religions to promote mutual understanding and knowledge.<sup>18</sup>

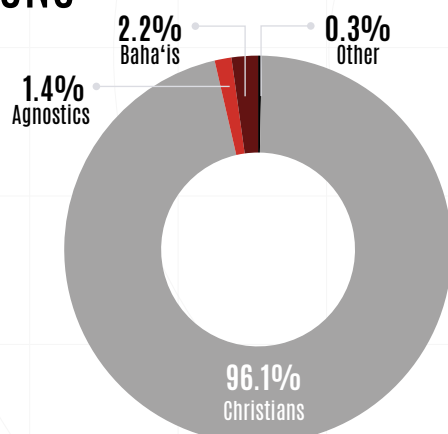
The state of religious freedom in the Republic of San Marino is positive and there are no reasons to expect that this will change in the near future.





# SAO TOME AND PRINCIPE

## RELIGIONS



Population

**218,011**



GDP per capita

**3,053 US\$**



Area

**964 Km<sup>2</sup>**



GINI INDEX\*

**56.3**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Democratic Republic of São Tomé and Príncipe consists of two archipelagos around two main islands in the Gulf of Guinea, off the western equatorial coast of Central Africa.

As Africa's second smallest country after the Seychelles, São Tomé and Príncipe remains one of the continent's most stable democracies. The Portuguese legacy is visible in its culture and customs, which combine African and European influences.

Under Article 8 of the Constitution, São Tome and Príncipe is a secular state. The state is separate "with respect to all religious institutions."<sup>1</sup> All citizens are equal before the law, regardless of their religious beliefs. Religious freedom is an "inviolable" right (Article 27, 1). Religious groups are "free in worship, in education and in their organisation" (Article 27, 4). No one may be persecuted on account of his or her religion (Article 27, 2). However, Article 19 (1) stipulates that restrictions on religious freedom are permissible insofar as they are "foreseen in the Constitution and suspended during the validity of a state of siege or

state of emergency declared in the terms of the Constitution and of the law." In practice, the government respects religious freedom.

Under Article 31 (2) of the Constitution, "The State may not reserve for itself the right to plan education and culture according to any philosophical, political, ideological or religious policies." There are no indications that education is provided in a way that is discriminatory on the grounds of religion.

Religious groups must register in order to be recognised by the government. Registration confers the same tax benefits as non-profit organisations. Failure to register may result in a fine and, in the case of foreign religious groups, possible deportation.<sup>2</sup>

There were no reports of the government refusing to register a religious group. Catholic and Protestant missionaries are active in the country.<sup>3</sup>

Some São Tomean Christians and Muslims have adopted aspects of beliefs derived from the traditional religions of African coastal societies. Religious brotherhoods led by native priests organise religious festivals in honour of the patron saints of towns and parishes, and many people travel to attend such ceremonies. As a result of this mix

of cultures and religions, many Catholics follow the main Catholic rituals like baptisms and funerals but do not adhere as closely to other sacraments.<sup>4</sup>

São Tomé and Príncipe is a signatory to the International Covenant of Civil and Political Rights.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

The US Embassy in Libreville, Gabon, reported<sup>6</sup> that on 16th October 2019 protests took place in São Tomé involving the Universal Church of the Kingdom of God, a Brazil-based Pentecostal denomination. According to reports, some 400 people vandalised the Church's headquarters, causing the death of an adolescent. "The demonstrations reportedly concern[ed] the conviction and sentencing of a São Tomean pastor associated with the Church by a court in Côte d'Ivoire. Local media outlets ... reported incidents of violence and vandalism near several Universal Church of the Kingdom of God locations."<sup>7</sup>

That same month lawmakers threatened to expel the Church from the country if it did not resolve the situation. The pastor was released and returned to São Tomé and Príncipe in December.<sup>8</sup>

There were no other incidents or developments.

## PROSPECTS FOR RELIGIOUS FREEDOM

The status of religious freedom in São Tomé and Príncipe is positive and expected to remain stable in the foreseeable future. Relations between different religious groups are amicable, and government and civil society groups respect the constitutional principle of religious freedom.

Nevertheless, wider religious freedom concerns remain for the African continent. As stated by São Tomean President Evaristo Do Espírito Santo Carvalho, "aside from the pandemic, persistent violent tension spots continue to have major humanitarian repercussions throughout the continent" and hard-fought developmental gains are being reversed in ways that might affect interreligious relations in the coming years.<sup>9</sup> In light of the "activity by terrorist groups Al-Shabaab in East Africa and Boko Haram in Central and West Africa," the president said that the international community should become more involved "against similar flareups in Mozambique, and noted the perennial issue of Western Sahara".<sup>10</sup>

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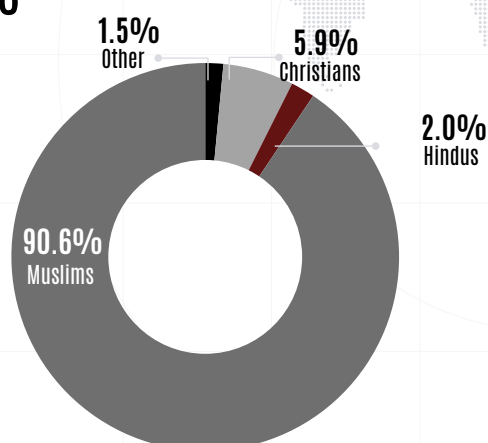
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# SAUDI ARABIA

## RELIGIONS



Population  
**34,709,640**  
GDP per capita  
**49,045 US\$**



Area  
**2,206,714 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Salman bin Abdulaziz Al Saud, who has been king of Saudi Arabia since 2015, is both head of state and head of government. Under the 1992 Basic Law of Governance,<sup>1</sup> the King, who is an absolute ruler, must follow Shari'a (Islamic law). The Kingdom's "constitution is Almighty God's Book, The Holy Qur'an, and the Sunna (Traditions) of the Prophet (PBUH)."

Under the late King Abdullah (2005-2015), the country experienced a gradual modernisation.<sup>2</sup> With about 17 per cent of the world's known oil reserves,<sup>3</sup> the country is one of the wealthiest in the region and a leading political and religious power in the Arab world.

In recent years, demands for political reform have increased along with calls for social change, such as the right of women to drive and some possibilities for freedom of expression. In 2016, the Saudi government adopted ambitious plans for economic reform – Vision 2030 and the National Transformation Program 2020 – to reduce dependence on oil revenues.<sup>4</sup>

An unofficial census by the Apostolic Vicariate of Northern Arabia estimates that Saudi Arabia's Catholics number 1.5 million,<sup>5</sup> mainly foreign workers from India and the Philippines. Some reports indicate a growing number of Saudis identifying as atheists<sup>6</sup> or Christians.<sup>7</sup> But, as a result of harsh social and legal consequences for leaving Islam, they keep quiet about their conversion.<sup>8</sup> The Kingdom does not have official diplomatic ties with the Holy See.<sup>9</sup>

Saudi Arabia is the birthplace of Islam and home to its two holiest cities – Makkah and Madinah – with the Saudi king serving as the official Custodian of the Two Holy Mosques. While the law is based on the Hanbali school of Islamic jurisprudence, the interpretations of Muhammad ibn Abd al-Wahhab, upon whose teachings Wahhabism is based, are also highly influential. The country follows a strict interpretation of Sunni Islam, including restrictions on women and harsh penalties for a range of crimes, including capital punishment (beheading) for minors. A Royal Order is supposed to have been issued to prohibit the death penalty for underage offenders, but as of November 2020 it was not yet officially promulgated. Saudi citizens must be Muslims. Non-Muslims must convert to Islam to be eligible for naturalisation. Children born to Muslim fathers are deemed to be Muslim. It is prohibited to publicly

promote non-official Islamic teachings.<sup>10</sup>

Religious freedom is neither recognised nor protected. Conversion from Islam to another religion is considered apostasy, which is legally punishable by death, as is blasphemy against Islam. More recently, Saudi courts have tended to be lenient, imposing lengthy prison sentences and lashings for blasphemy instead of the death penalty.<sup>11</sup>

Importing and distributing non-Islamic religious materials and proselytising are illegal for both Saudi nationals and foreigners.<sup>12</sup> Non-Muslim places of worship and the public expression of non-Muslim creeds are prohibited. Failure to comply can mean discrimination, harassment and detention. Non-citizens may be deported. Despite government statements that non-Muslims who are not converts from Islam can practise their religion privately, the lack of clear rules has left non-Muslims at the mercy of local police. Some groups of Christian expatriates have been able to discreetly worship on a regular basis without provoking action by the government's religious police, the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), also known as the mutawa.<sup>13</sup>

Religious instruction based on the official interpretation of Islam is mandatory in state schools. Private schools cannot teach separate curricula, and are required to offer both Saudi and non-Saudi Muslim pupils an Islamic studies programme. Non-Muslim students in private schools receive mandatory classes on Islamic civilisation.<sup>14</sup> Other religions or civilisations can be taught at private international schools.<sup>15</sup>

Defendants must be treated equally in accordance with Shari'a. Of the four Sunni schools of jurisprudence, the Hanbali school is the basis for interpreting Islamic law. There is no comprehensive written penal code. Rulings and sentences vary widely from case to case. In civil cases, Christian and Jewish men can receive 50 percent of the compensation a Muslim man would receive. And for other non-Muslims, this gap may go up to one sixteenth the amount a Muslim man would receive. In some cases, the evidence presented by Muslims carries greater weight than that of non-Muslims, and the evidence of Muslim women is worth half that of Muslim men in certain cases.<sup>16</sup>

The 2017 counterterrorism law criminalises "anyone who challenges, either directly or indirectly, the religion or justice of the King or Crown Prince." "The promotion of atheistic ideologies in any form," "any attempt to cast doubt on the fundamentals of Islam," publications that "contradict

the provisions of Islamic law," non-Islamic public worship, public display of non-Islamic religious symbols, conversion by a Muslim to another religion, and proselytising by a non-Muslim are also criminalised.<sup>17</sup>

Despite government policy against non-Muslim burial in the Kingdom, at least one public, non-Islamic cemetery exists.<sup>18</sup> In November 2020 it was the target of an attack claimed by Islamic State group during a ceremony attended by many diplomats (see below). Non-Muslim clerics are not allowed in the country.

Human rights standards are observed "in light of the provisions of Shar'ia". Saudi Arabia is not a party to the International Covenant on Civil and Political Rights.<sup>19</sup> This means that human rights are not really protected. During the period under review, there were frequent reports of restrictions on free speech. No laws or regulations ban discrimination in employment and occupation based on religion as well as other grounds (race, sex, gender identity).<sup>20</sup>

The semi-autonomous mutawa (religious police) monitors public behaviour, reporting to the regular police to enforce a strict Wahhabi interpretation of Islamic norms. Since 2016, its officers have to carry official identification papers, and their powers have been significantly limited by royal decree. Both Muslims and non-Muslims have reported less harassment and fewer raids as a result.

The Ministry of Islamic Affairs has intensified its efforts against extremist Islamic preaching through video surveillance of mosques and close monitoring of Facebook and Twitter.<sup>21</sup>

Since 2004, Saudi Arabia has been designated by the United States Commission on International Religious Freedom (USCIRF) as a "Country of Particular Concern" (CPC).

## INCIDENTS AND DEVELOPMENTS

Zuhair Hussein Bu Saleh was detained in July 2018 to serve a two-month prison sentence and 60 lashes for practising congregational prayers at his house due to the lack of Shi'a mosques in the country's Eastern Province.<sup>22</sup>

In September 2018, the public prosecutor declared that online satire that "disrupts public order" will be punished with up to five years in prison.<sup>23</sup>

In November 2018, a delegation American of Evangelical Christians visited Saudi Arabia and met with Saudi Ara-



bia's Crown Prince Mohammed bin Salman.<sup>24</sup>

Although the government has received many Jewish and Christian religious leaders, most non-Muslim clergy are not allowed to enter the country on a regular basis in order to conduct religious services. In December 2019, Coptic Orthodox Metropolitan Anba Markos paid a three-week pastoral visit to Riyadh upon invitation by Crown Prince Mohammed Bin Salman. During this visit, the first official Coptic Mass was held in Riyadh on 1st December 2018.<sup>25</sup>

According to the US Department of State's 2019 Report on international Religious Freedom, regulations were issued in January 2019 criminalising "calling for atheist thought in any form or calling into question the fundamentals of the Islamic religion".<sup>26</sup>

In January 2019, security forces stormed Umm al-Hamam, a village in the predominantly Shi'a governorate of Qatif, in eastern Saudi Arabia. Clashes, mortar attacks and shooting left five people dead and an unspecified number of injured.<sup>27</sup>

Islamic scholar and former dean at the Islamic University in Madinah, Sheikh Ahmed al-Amari, died on 20th January 2019 after suffering a brain haemorrhage while in detention. The London-based ALQST human rights group declared that he was tortured and injected with a poisonous substance which eventually caused the brain haemorrhage and subsequent death.<sup>28</sup>

Amari, who, according to activists, was held in solitary confinement, was believed to be close to influential religious scholar Safar Al-Hawali, who was arrested in July 2018 after publishing a book in which he criticised the Saudi royal family and called for violence.<sup>29</sup> In his 3,000-page book titled *Muslims and Western Civilization*, Al-Hawali – who had already been arrested in 1994 – incites hate towards other religions and calls for jihad to be a main focus in daily education. He slammed the Saudi government for investing money in the entertainment sector while neglecting preparations for jihad. He also called for "martyrdom operations" (suicide attacks) in order to "intimidate the enemy" and "display the courage of Muslims." He wrote: "Jihadists should be honoured, not imprisoned, and if they do something wrong, they should be corrected."<sup>30</sup>

Although the religious police's role and range of action have been dramatically reduced, comedian Yaser Bakr was briefly detained in February 2019 for making a joke about the religious police in a public stand-up comedy

show. Later he had to apologise on Twitter.<sup>31</sup>

According to the US Department of State's 2019 Report on International Religious Freedom, anti-Semitic material, including *The Protocols of the Elders of Zion* and *Mein Kampf* could be found at the annual Jeddah International Book Fair.<sup>32</sup> Similar material could be found at the annual Riyadh International Book Fair held in March 2019.<sup>33</sup>

In April 2019, the Ministry of Interior (MOI) announced the execution of 37 people, of whom at least 33 were from the Shi'a community, for "terrorism crimes". The sentence was carried out without prior notice.<sup>34</sup> According to various human rights organisations, their trials violated international fair trial standards and confessions were obtained under torture. Based on a MOI statement, the Saudi Press Agency (SPA) specified that one of the convicts was crucified – in Saudi Arabia, this means that the body of the executed person was strung up and exposed to dissuade others.<sup>35</sup> The UN High Commissioner for Human Rights and other human rights organisations condemned the executions, especially since some of the executed were minors at the time of their sentencing.<sup>36</sup>

In May 2019, Muslim World League's (MWL) Secretary General Mohammed Al-Issa signed a memorandum with Global Jewish Advocacy's CEO David Harris, committing the two institutions to further Muslim-Jewish understanding. He also offered his condolences for the April 2019 terrorist attack on a synagogue in California.<sup>37</sup> During his trip in the United States, Al-Issa visited several religious centres.

In May 2019, the MWL organised a four-day international conference on "Values of moderation in the texts of the Qur'an and Sunnah". The "Charter of Makkah"<sup>38</sup> was adopted by 1,200 high-ranking Muslim leaders from 139 countries, representing 27 Islamic sects and communities. King Salman stressed encouraging "concepts of tolerance and moderation, while strengthening the culture of consensus and reconciliation."<sup>39</sup>

Several prominent figures who had criticised concerts and entertainment activities sponsored by the government's General Entertainment Authority (GEA) were arrested on charges of interfering in the internal affairs of the Kingdom. One of them, scholar Sheikh Omar al-Muqbil, was arrested in September 2019 for saying that GEA's sponsored music concerts constituted a threat to the kingdom's culture and were "erasing the original identity of society."<sup>40</sup>



In September 2019, officials declared that violations of “public decency,” including wearing immodest clothing and publicly displaying affection, would be penalised.<sup>41</sup>

In November 2019, a video describing feminism, homosexuality, and atheism as extremist ideas was released on the Twitter account of the Presidency of State Security; it stated that “all forms of extremism and perversion are unacceptable.” Takfir – the practice of declaring as unbelievers those who follow other schools of Islam or even Muslims who do not think the same way – was also described as an unacceptable behaviour. The post was later deleted and the security agency said in a statement posted by the official press agency that the video contained “many mistakes”.<sup>42</sup>

In December 2019, more than 200 people were arrested for violating “public decency,” including wearing immodest clothing, and “harassment”.<sup>43</sup>

Raif Badawi, a Saudi blogger who created the Free Saudi Liberals Forum,<sup>44</sup> has been in prison since 2012. He is accused of flouting Islamic values, violating Shari’a, committing blasphemy, and mocking religious symbols on the Internet. For these offences, he was sentenced to seven years, later increased in his appeal trial to a 10-year prison term and a thousand lashes.<sup>45</sup> In 2015, he received 50 lashes. Eventually he was spared the remaining 950 by the abolition of flogging.<sup>46</sup>

In September 2019, the USCIRF issued a statement condemning Saudi authorities for denying Badawi much needed medicine. Eventually, Badawi decided to go on a hunger strike to protest.<sup>47</sup>

In December 2019, both Badawi and his lawyer Waleed Abu al-Khair went on a hunger strike to protest his solitary confinement.<sup>48</sup> Waleed Abu al-Khair, who founded the Monitor of Human Rights in Saudi Arabia, was detained in 2014 and sentenced to 15 years in prison for “participating in, calling for, and inciting breaking allegiance with the ruler” and “describing the Saudi regime – unjustly – as a police state.”<sup>49</sup>

In April, August, October and December 2019, Sheikh Saleh bin Humaid, adviser to the Royal Court and member of the Council of Senior Scholars, prayed to God at the Grand Mosque in Makkah to “destroy the usurping occupying Zionist Jews.”<sup>50</sup>

In January 2020, MWL Secretary General Mohammed al-Issa and a delegation of Muslim leaders visited Aus-

chwitz concentration camp. On the eve of the 75th anniversary of the camp’s liberation, Al-Issa declared that it was “both a sacred duty and a profound honor”.<sup>51</sup>

A September 2020 report by Ali Al-Ahmed, founder and director of the Institute for Gulf Affairs, found that Saudi textbooks still contained derogatory and violent passages against Jews, Christians and non-Wahhabi Muslims, this despite several statements by Saudi officials that they had been edited and purged of such content.<sup>52</sup> Al-Ahmed noted that although the phrase “Christians and Jews” has been replaced in one passage of a textbook with “the enemies of Islam,” others clearly placed Christians and Jews in the enemies’ camp.

The Institute for Monitoring Peace and Cultural Tolerance in School Education (MPACT-se) also noted that, although some changes to school curricula have been made, Saudi pupils, from kindergarten to high school, were still taught in 2019 to keep westerners at a distance, to consider Jews as “monkeys” and “assassins” determined on harming Muslim holy places, and to punish gays by death. While women are depicted as entrepreneurial and encouraged to be so, IMPACT-se Chief Executive Officer Marcus Sheff said that they are advised not to befriend “westerners they would do business with.”<sup>53</sup>

In September 2020, Abdulrahman al-Sudais, imam of the Grand Mosque of Makkah, delivered a sermon calling for dialogue and kindness to non-Muslims, specifically referring to Jews. Interpreted by some as a possible signal of coming Saudi normalisation with Israel, it caused a stir on social media.<sup>54</sup>

On 21st October 2020, the United Nations Human Rights Commission noted that the Royal Order of April 2020 excluded juvenile offenders from the death penalty in Saudi Arabia. However, the fact that the decree has not been published yet leaves some uncertainty as to its content and application.<sup>55</sup> This decision, if implemented, may affect, among other things, the fate of three Shi’a detainees: Ali al-Nimr (nephew of Nimr al-Nimr, a Shi’a cleric executed by the government in 2016), Dawoud al-Marhoon (both 17 at the time of the alleged offences) and Abdullah Zaher (15 at the time of the alleged offences). The government has disputed that claim, arguing that the courts use the hijri calendar. Lunar years being shorter than solar ones, age computation differs.<sup>56</sup>

On 11th November 2020, an attack with explosives oc-

curred during a World War I remembrance ceremony, held at Saudi Arabia's only non-Muslim cemetery. A couple of days later, the Islamic State claimed responsibility for the terrorist attack against several "consuls of crusading countries" present at the time. The main target was the French consul general because of the publication in France of cartoons depicting the Prophet Muhammad.<sup>57</sup>

Legal foreign residents are required to carry a residence permit (iqama) which contains religious designation. Although this usually is either "Muslim" or "non-Muslim", some recently issued residence cards carried the designation "Christian."<sup>58</sup>

Like many other countries, Saudi Arabia took strong measures in order to slow down the spread of COVID-19. At the beginning of March 2020, the Umrah pilgrimage to Makkah was temporarily suspended, as were prayers in mosques later that month. A few days before the beginning of Ramadan, curfew restrictions were amended in cities where there was no 24-hour curfew. Although some prayers were allowed in the Two Holy Mosques of Makkah and Madinah, they were restricted to employees.<sup>59</sup>

In June 2020, mosques were allowed to reopen,<sup>60</sup> while lessons and lectures in mosques could resume after prayers but with certain restrictions.<sup>61</sup>

On 1st November 2020, some 10,000 foreign pilgrims were allowed to perform the Umrah pilgrimage to Makkah after a seven-month hiatus.<sup>62</sup>

## PROSPECTS RELIGIOUS FOR FREEDOM

All but one state-authorised form of religion (Islam) is allowed in Saudi Arabia for both Muslims and non-Muslims. Except for some important historic meetings with leaders of other religions, and the signing of joint declarations and international charters promoting peace and tolerance, the above-mentioned incidents show that the country has so far failed to make any significant changes in the field of freedom of religion in everyday life.

Despite some encouraging signs of openness, Saudi Arabia is still responsible for "systematic, ongoing and egregious violations of religious freedom"<sup>63</sup> and remains a country of great concern with respect to religious freedom and human rights. Numerous human rights activists and advocates of reforms have been arrested, imprisoned and, in some cases, tortured.

Although there are certain signs of modernisation in the country, it is clear from the contradictory messages sent out by the country's strong man, Crown Prince Mohammed bin Salman, that reform will only happen at the government's initiative. Women activists fighting for women's rights have been detained and tortured, even after the rights they were demanding were granted.

Any kind of opposition – be it conservative or liberal – is strongly silenced. The government continues to crack down on dissent and imprison individuals accused of apostasy and blasphemy, of violating Islamic values and moral standards, insulting Islam, engaging in black magic and sorcery.

Furthermore, internationally, Saudi Arabia has pursued a realist approach; for example, in spite of the leading role it plays in the Sunni Muslim world, it decided not to offer any support to the persecuted Uyghur Muslims of China, valuing more its relationship with that country than the rights of fellow Muslims.<sup>64</sup>

Ultimately, fundamental human rights and freedom of conscience, thought and religion are not protected in Saudi Arabia.

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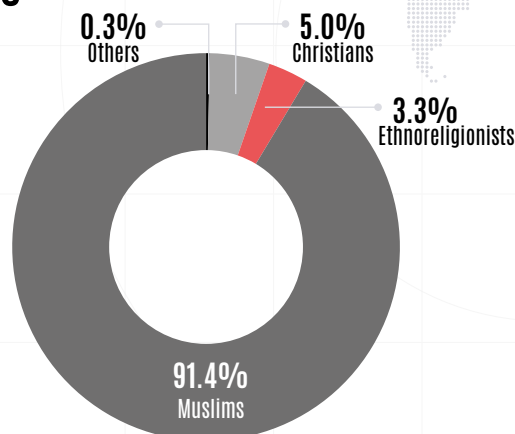
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# SENEGAL

## RELIGIONS



Population  
**17,200,154**  
GDP per capita  
**2,471 US\$**



Area  
**196,712 Km<sup>2</sup>**  
GINI INDEX\*  
**40.3**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 1 of the Constitution of Senegal affirms the secularity of the State, establishes a clear separation between the state and religious organisations, and upholds the principle of equality “without distinction of origin, race, sex [and] religion”.<sup>1</sup> Article 5 criminalises all acts of racial, ethnic or religious discrimination. The constitution also forbids political parties to identify themselves to one specific religion (Article 4), and guarantees religious communities the right to practise their religions, as well as the right to manage and freely organise themselves (Article 24).

Islam is the predominant religion in the country.<sup>2</sup> Most Senegalese Muslims are Sunni and belong to Sufi brotherhoods concentrated in the northern part of the country, while most Christians live in the south-western part of Senegal, Catholics in particular,<sup>3</sup> but there are also some Protestants. Many Muslims and Christians mix their customs with traditional African rites. Most adherents of traditional African religions can be found in the south-east of the country.<sup>4</sup>

Daily life in Senegal is traditionally characterised by a

spirit of tolerance. Conversion is possible and generally accepted. In matters of family law (marriages, divorces, paternity, inheritances, etc.), Muslims have the right to choose between Shari’a (Islamic law) and civil law.<sup>5</sup> Customary and civil law cases are usually presided by civil court judges, but “religious leaders informally settle many disputes among Muslims, particularly in rural areas.”<sup>6</sup>

All religious groups must register with the authorities to obtain official recognition, which is a prerequisite if faith-based organisations wish to conduct business, open bank accounts, own property, receive private financial support, and enjoy certain tax benefits.<sup>7</sup>

Concerning religious education, public schools are allowed to provide optional religious education at the elementary level for four hours per week. Parents can choose between the Muslim and Christian curricula. The Ministry of National Education subsidises schools run by religious groups that meet national education standards. Most subsidies are granted to long-established Christian schools that have a high-quality teaching reputation.<sup>8</sup>

The Ministry of the Interior and the Ministry Foreign Affairs respectively require local and foreign religious

groups to submit annual activity reports that include disclosure of financial transactions. The intention behind this is to identify possible financing of terrorist groups. No cases of illegal activity in this regard came to light during the reporting period.<sup>9</sup>

The government provides financial assistance to religious organisations, usually for the upkeep or restoration of places of worship but also for special events, such as the pilgrimage to Makkah for Muslims or to the Vatican for Christians. All religious group can receive such assistance from the state.<sup>10</sup>

Statutory religious holidays include the Christian feasts of All Saints', Christmas and Ascension, and the Muslim festivities of Eid al-Fitr and Eid al-Adha.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

The general atmosphere in Senegal is one of tolerance and respect for religious freedom. The country is known for its good interfaith coexistence, and there have not been any significant changes in this regard over the past few years. Religious groups have generally continued to interact in a peaceful way.

In spite of the climate of tolerance that prevails in the country, a major controversy broke out when 22 students enrolled at the Sainte-Jeanne d'Arc Institute (a prestigious Christian institute in Dakar) were expelled for wearing the hijab (Islamic veil) at school. Earlier, in May 2019, the school had introduced a new rule banning the hijab on school grounds.<sup>12</sup> After the intervention of a Vatican representative, the students were readmitted on 19th September 2019 with the permission to wear a scarf,<sup>13</sup> which had to be of "suitable size, provided by the school and which does not obstruct clothing."<sup>14</sup>

In March 2019, the pastor of the Cathedral of Ziguinchor, Fr. Damase Mary Coly, announced that the ceiling of the church had partially collapsed and the building had to be closed for safety reasons. The pastor criticised the bureaucratic delays that had prevented the needed repair work from being done so as to avoid the closure of the cathedral.<sup>15</sup>

In April 2020, the St. Germaine Parish in Kolda was broken into and sacred objects were stolen. The parish priest complained that the criminals took advantage of the coronavirus curfew.<sup>16</sup>

Many Muslim families in Senegal send their children to religious schools called daaras to learn the Quran. A June 2019 Human Rights Watch report noted that some Quranic teachers force many children to beg for money and food. Furthermore, some children said they were victims of physical abuse in some daaras. Children that escaped from the schools ended up in children's shelters, and some have become victims of human trafficking.<sup>17</sup> Even though the government has pledged to address the issue, to date it has failed to do so.

In 2019 and 2020, renovation work got underway in certain religious sites in the Sufi holy cities of Touba and Tivaouane.<sup>18</sup> The Dakar Cathedral was also renovated<sup>19</sup> as was the Basilica of Our Lady of Deliverance in Popenguine, with the goal of improving conditions for Christian pilgrims<sup>20</sup>. Moreover, in September 2019, a new mosque was inaugurated in Dakar. The mosque is believed to be the biggest in West Africa with a capacity for 30,000 people.<sup>21</sup>

In March 2020, places of worship closed in Senegal due to health measures designed to contain the coronavirus pandemic. In May 2020, the authorities allowed churches and mosques to reopen despite the growing number of cases; this followed public pressure from Muslims who were celebrating the holy month of Ramadan.<sup>22</sup> Senegal's Catholic bishops decided to keep churches closed until mid-August as a safety precaution.<sup>23</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Senegal has maintained a positive coexistence between religious groups, and the government respects the principle of religious freedom. This is not likely to change in the near future. One of the possible reasons is the strong influence of Sufi Islam in the country, a form of Islam that focuses on spiritual development. Senegal is home to some of the most important Sufi brotherhoods in the world, such as the Tijaniyya.

Nevertheless, it remains to be seen how the rise of fundamentalist Islam in neighbouring regions of Africa may affect this historically peaceful coexistence. Currently, some media and experts are worried about this trend and the complacency of governmental authorities towards it. For example, in an interview with La Croix International, a Senegalese scholar expressed con-

cerns about an agreement reached on 20th July 2019 between the government and the Senegalese Fund for Zakat, an association deemed to be Salafist.<sup>24</sup>

Although the real impact of radical Islam in Senegal is as yet unclear, prospects for freedom of religion in the country remain positive since the authorities have traditionally favoured, and continue to encourage, peaceful relations between religious groups.

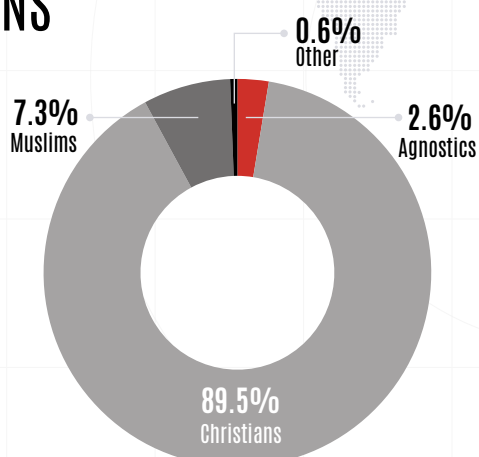
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# SERBIA

## RELIGIONS



Population  
**6,607,842**  
GDP per capita  
**14,049 US\$**



Area  
**88,499 Km²**  
GINI INDEX\*  
**36.2**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 11 of the Serbian Constitution provides that “no religion shall be established as a state or mandatory religion”.<sup>1</sup> Article 21 guarantees equality before the law, equal protection, and prohibits discrimination on the grounds of religion. Article 43 guarantees freedom of thought, conscience, beliefs, and religion, including the right to convert. Everyone may manifest religious beliefs in public or private, as well as in worship, practice, and teaching alone or in community with others, and may not be restricted except to protect “lives and health of people, morals of democratic society, freedoms and rights guaranteed by the Constitution, public safety and order, or to prevent inciting of religious, national, and racial hatred.”

Article 44 applies to Churches and religious communities, which are equal before the law and free to: govern themselves, establish and run religious schools, and organise their own activities. The latter may only be restricted for the protection of others or if they incite intolerance. Incitement to religious inequality or hatred is prohibited and punishable (Article 49). Conscientious objection to military service is protected (Article 45).

The Law on Churches and Religious Communities (LCRC) provides for the registration of Churches but does not require it.<sup>2</sup> Registration makes Churches eligible for favourable tax treatment (Article 30) and allows them to teach religion in schools (Article 36), own and construct buildings (Articles 26 and 32), and receive state funding (Article 28). The law recognises seven “traditional” Churches and religious communities that have centuries of historical continuity in Serbia: the Serbian Orthodox Church, the Roman Catholic Church, the Slovak Evangelical Church, the Reformed Christian Church, the Evangelical Christian Church, the Islamic community, and the Jewish community.<sup>3</sup>

Article 18 of the LCRC outlines the procedures for registration: applicants must include a description of their basic religious teachings, rites, goals, and activities of the organisation; present their sources of income, organisational structure and documents; and provide the names and signatures of at least 0.001 percent of the Serbian population who are adults and citizens or permanent residents of the country. The law prohibits registration if the group’s name includes part of the name of an existing registered group (Article 19).

According to the Directorate for Cooperation with Church-



es and Religious Communities, as of 2020, there were 25 “non-traditional” religious groups registered with the government.<sup>4</sup>

According to the 2019 Report on Religious Freedom by the US Office of International Religious Freedom, because the government only recognises the Serbian Orthodox Church, the Macedonian and Montenegrin Orthodox Churches remain unregistered. The Romanian Orthodox Church operates in the Banat region with the permission of the Serbian Orthodox Church.<sup>5</sup>

Religious education in schools by “traditional churches and religious communities” is regulated by law.<sup>6</sup> Students must receive either religious instruction or civic education.<sup>7</sup> For primary school students, parents can choose either option; in secondary school, the students decide for themselves.<sup>8</sup> Religious instruction is taught by priests and laypersons who are selected by the Churches and religious communities and appointed and paid by the Ministry of Education.<sup>9</sup>

According to Strahinja Sekulić, director of Serbia’s Restitution Agency, the process of return or compensation for properties, forests, agricultural and land confiscated in the past is nearly complete.<sup>10</sup> The deadline for Jewish communities to apply for the return of property confiscated from Holocaust victims with no heirs was 27th February 2019. The United States Office of the Special Envoy for Holocaust Issues acknowledged that Serbia is the “first, and thus far the only, country to enact legislation on heirless and unclaimed property following the 2009 Terezin Declaration.”<sup>11</sup>

In May 2019, Serbian President Aleksandar Vučić offered greetings to the Muslim community for the month of Ramadan during an Iftar dinner at the Egyptian Embassy. On that occasion, Mr Vučić highlighted Serbia’s desire for friendly relations with the Muslim world. The Egyptian ambassador said the meeting sent an important message of intercultural understanding and openness to interfaith dialogue.<sup>12</sup>

In November 2020, Serbian and Croatian media reported that Pope Francis was envisaging a visit to Belgrade, described as “his long-held desire, due to [his] ecumenical policy, especially the establishment of cooperation and ties with Orthodoxy.”<sup>13</sup>

The Serbian government reported 61 hate crimes in 2018 and 86 in 2019 to the Organisation for Security and Co-operation in Europe (OSCE), but did not disaggregate the data by bias motivation.<sup>14</sup>

The OSCE Mission to Serbia reported two anti-Semitic incidents in 2018: a Jewish tombstone was knocked over in a cemetery and an information board about a Jewish political leader was vandalised with an anti-Semitic message.<sup>15</sup> The OSCE Mission reported one anti-Semitic incident in 2019: several buildings were vandalised with anti-Semitic graffiti.<sup>16</sup>

For 2019, the OSCE Mission to Serbia reported two incidents with a bias against Muslims, including an attack against a Muslim Bosniak man by police officers and threats against an Albanian bakery owner in April in which he and his staff were subjected to racist and anti-Muslim insults by a far-right group. The group “sang songs invoking the ethnic cleansing of Muslims and deposited a pig’s head at the bakery.” The other four reported incidents in 2019 included violent attacks on participants in an Albanian culture festival and anti-Muslim vandalism on property.<sup>17</sup>

The US Office of International Religious Freedom reported that the Islamic Community of Serbia was the victim of “threatening correspondence” in 2019, including “a threatening letter with a bullet” received in November.<sup>18</sup>

The Jehovah’s Witnesses reported two incidents in 2019: in September, three men conducting religious activities on the street “were threatened with murder by an off-duty police officer” who also chased them in his car. In December, two women were “punched in the face while engaging in religious activities in the street.”<sup>19</sup> The US Office of International Religious Freedom reported other incidents targeting Jehovah’s Witnesses in 2018, including two physical assaults and two death threats.<sup>20</sup>

The Centre for Media Professionalisation and Media Literacy’s research found an increase in “communicative aggression” and “hate speech” in the media in 2019.<sup>21</sup>

Due to the coronavirus pandemic, the Serbian government declared a state of emergency from 15th March to 5th May 2020, which included a ban on gatherings. The Patriarch of the Serbian Orthodox Church called on clergy to hold religious services in empty churches for broadcast on television,<sup>22</sup> but requested a temporary suspension of the ban during Easter 2020. The government instead imposed an 84-hour curfew to prevent gatherings of people

## INCIDENTS AND DEVELOPMENTS

celebrating the holy day.<sup>23</sup> A representative of the Islamic Community in Serbia called for compliance with government orders and for at-risk believers to avoid going to mosques.<sup>24</sup> On 1st November 2020, the Serbian Orthodox Patriarch, Irinej, contracted the coronavirus after attending the funeral of Metropolitan Amfilohije, the Church's most senior cleric in Montenegro, who had died of COVID-19 on 30th October 2020.<sup>25</sup> Patriarch Irinej himself passed away on 20th November 2020.<sup>26</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

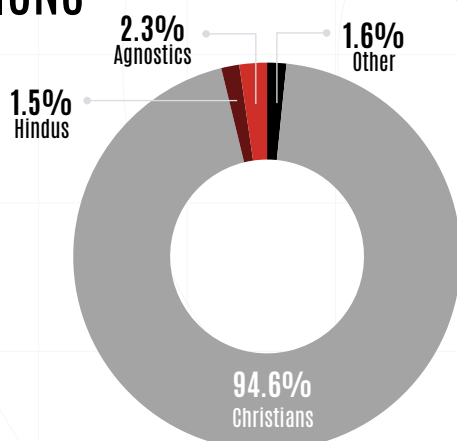
Hate speech has increased in Serbian public discourse, particularly in the media. There were no significant new restrictions on religious freedom, but non-traditional religious communities continued to have difficulties registering. The prospects for freedom of religion remain stable.

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# SEYCHELLES

## RELIGIONS



Population

**96,112**



GDP per capita

**26,382 US\$**



Area

**457 Km<sup>2</sup>**



GINI INDEX\*

**46.8**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Seychelles is an archipelago of 115 islands in the Indian Ocean, to the north-east of Madagascar.

Article 27 (1) of its Constitution<sup>1</sup> guarantees the right to the “equal protection of the law [...] without discrimination on any ground except as is necessary in a democratic society”. Every person has the right to freedom of thought and religion.

Article 21 (1) recognises the right to change religion, as well as the right, “either alone or in community with others and both in public and in private, to manifest and propagate the religion or belief in worship, teaching, practice and observance”.

However, pursuant to Article 21 (2, a and b), this may be subject to limitations, if they are prescribed by law and necessary in a democratic society, in the interests of “defence, public safety, public order, public morality or public health; or for the purpose of protecting the rights or freedoms of other persons”.

Article 21 (4-6) of the Constitution prohibits any legislation which provides for the establishment of any religion or the

imposition of any religious observance. The profession of any particular religion or belief is not a necessary condition for assuming public office. No one shall be compelled to take an oath contrary to their belief or religion.

Seychelles’ population is mainly Christian and within this faith group, the Catholic Church is by far the largest denomination (over 75 percent)<sup>2</sup> followed by Anglicans, Pentecostals, Seventh-day Adventists, and other Christian groups. There are small numbers of Hindus, Muslims, Baha’is and other non-Christian groups.<sup>3</sup>

By law, all religious groups must be registered, either as corporations or as associations. Registration as associations is done at the Registrar General’s Office in Victoria, with few formalities.<sup>4</sup> The Catholic Church, the Anglican Church, the Seventh-day Adventists, the Baha’is, and the Islamic Society of Seychelles have been constituted as corporations by means of separate legislative acts.<sup>5</sup> There are no penalties for failure to register, but registration is necessary in order to benefit from certain social entitlements. For example, it is not possible to broadcast religious programmes on state media without registration.<sup>6</sup>

Article 21 (3) of the Constitution further states that no one attending a “place of education” shall be forced to receive religious instruction or take part in any religious ceremony

or observance. However, Article 21 (7) does not “preclude any religious community or denomination from providing religious instruction for persons of that community or denomination in the course of any education provided by that community or denomination.” Both Catholics and Anglicans provide religious instruction during regular school hours.<sup>7</sup>

The Catholic Diocese of Victoria has been working with the Ministry of Education towards opening the first Catholic private school in modern times, in 2020.<sup>8</sup> Any child of any religious background will be eligible to attend the school.

Although the Constitution provides for freedom of expression, the government controls much of the country’s media,<sup>9</sup> and there are certain limitations on such freedom when it comes to religious broadcasting.

Religious organisations may publish newspapers,<sup>10</sup> but under the Broadcasting and Telecommunications Act 2000 (as consolidated), they cannot be granted broadcasting licences. Instead, the government provides airtime on a pro rata basis, depending on the size of the religious organisation’s membership.<sup>11</sup> Live religious broadcasting is prohibited with the exception of radio broadcasts of Catholic Masses and Anglican services. This has led some smaller groups to complain that they are not afforded their own broadcast time. Nevertheless, 15-minute pre-recorded prayer slots have been made available to registered religious groups.<sup>12</sup>

The country’s public holidays reflect the Catholic majority of the population. They include the feasts of Corpus Christi, the Assumption, All Saints and the Immaculate Conception, together with Christmas, Easter, New Year’s Day and Labour Day. Hindus also celebrate the officially recognised Taippoosam Kavadi Festival holiday, an “assertion of Hindu identity in the multi-racial and multi-cultural Seychelles”.<sup>13</sup>

Churches and other religious groups function without government interference and feel at liberty to raise matters of concern to them in public and to criticise the government. The Churches have been strong advocates of democracy and human rights in the country.

## INCIDENTS AND DEVELOPMENTS

During the period under review, there were no significant incidents or developments related to religious freedom.

## PROSPECTS RELIGIOUS FOR FREEDOM

Freedom of religion is protected and observed in the Seychelles and the prospects for the future of this right remain positive. Generally, no restrictions have been imposed on religious groups, and tax-free status is granted by the government for registered religious groups. One area of concern, however, is the law prohibiting religious groups from obtaining radio or television licenses.<sup>14</sup>

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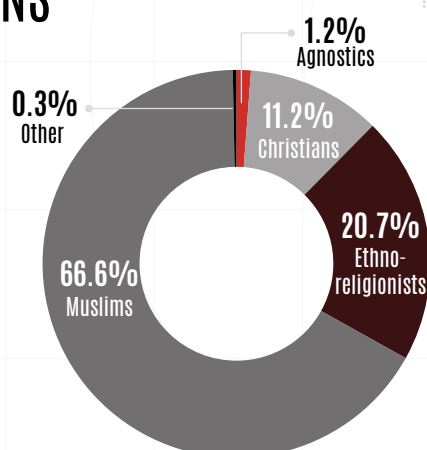
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# SIERRA LEONE

## RELIGIONS



Population  
**8,046,931**  
GDP per capita  
**1,390 US\$**



Area  
**72,300 Km<sup>2</sup>**  
GINI INDEX\*  
**35.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Sierra Leone<sup>1</sup> states that “no person shall be hindered in the enjoyment of his freedom of conscience”, which includes “freedom of thought and of religion, freedom to change his religion or belief, and freedom either alone or in community with others and both in public and in private to manifest and propagate his religion or belief in worship, teaching, practice and observance” (Article 24, 1). Article 8 (3, b) affirms that the state has to ensure that citizens have adequate facilities for their religious life. Article 24 (4) states that “No person shall be compelled to take any oath which is contrary to his religion or belief”. Article 8 (2, a) guarantees the equality of all citizens while Article 35 (5, b-c) prohibits political parties to be identified directly or indirectly with any religious faith.

In matters of education, Article 24 (2) affirms that, except with a person’s own consent (or of a parent or guardian in the case of a minor), “no person attending any place of education shall be required to receive religious instruction [...] or to attend any religious ceremony or observance if that instruction, ceremony or observance relates to a religion other than his own”.<sup>2</sup> Religious education is part of the curriculum in public schools,

but must not be sectarian in orientation; instead, it must be based on the ethical principles of Christianity, Islam, traditional African faiths, and other world religions.<sup>3</sup> Religious communities can offer their own curriculum as an option.

Religious communities are not under any obligation to register with the authorities, but if they do, they can enjoy tax relief and other benefits.<sup>4</sup>

Overall, relations between the country’s various religious communities are essentially good. Marriages between Christians and Muslims are not uncommon, and many families have members from different religions living under one roof.<sup>5</sup> It should be noted that many Muslims and Christians also observe traditional African ethnoreligious practices. Among Christians, Protestant Churches in particular are experiencing growth in membership. The Catholic Church enjoys complete freedom with regard to its missionary apostolate. The Inter-Religious Council of Sierra Leone (IRC), with its Muslim and Christian representatives, makes an important contribution towards peaceful coexistence among the various religious communities.<sup>6</sup>

The government observes several Christian and Muslim religious festivities as public holidays: Good Friday, Easter Monday, Christmas Day, the Mawlid (birthday of the Prophet Muhammad), Eid al-Adha and Eid al-Fitr.

## INCIDENTS AND DEVELOPMENTS

Sierra Leone has traditionally enjoyed good interreligious relations. During the period under review, no incidents were reported that could have undermined the right to religious freedom in the country or the peaceful coexistence between religious communities.

In 2018, the Constitutional Court ordered the Citizens Democratic Party to remove its campaign posters and billboards proclaiming that “Allah is One”.<sup>7</sup> As mentioned above, the constitution prohibits local political parties from identifying themselves with a religious faith.

The government held meetings with both Christian and Muslim communities in 2019, showing goodwill towards both groups.<sup>8</sup> The government, through the Ministry of Social Welfare, Gender, and Children’s Affairs and in co-operation with Islamic authorities, organised the annual pilgrimage (Hajj) to Makkah. On 4th August, 900 Sierra Leonean Muslims departed from Freetown for Saudi Arabia on the traditional pilgrimage. The government funded the travel and other costs and helped with the logistics. In a ceremony at a local stadium, President Julius Maada Bio bid farewell to the pilgrims.<sup>9</sup>

An incident took place in one of the most important mosques in the capital city of Freetown in October 2019, involving Sierra Leonean Vice President Mohamed Juldeh Jalloh, and one of the leading opposition figures, Dr Samura Kamara.<sup>10</sup> During a Friday (Jumu’ah) prayer, both

leaders wanted to address the same congregation. When the Vice President started to speak, Samura’s followers protested. Even though the separation between religion and state is respected and the constitutional principle is well enforced, increasingly, political parties and politicians are appealing to people using religion in order to obtain their support.

In July 2020, the Church called for reconciliation and calm after social tensions increased as a result of clashes between security forces and protestors over “the transfer of an energy generator from Makeni to Lungi”.<sup>11</sup>

Due to the coronavirus pandemic, all places of worship were closed in Sierra Leone until July 2020.<sup>12</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Sierra Leone is one of the poorest countries in the world and suffers from high levels of inequality. Despite being rich in minerals, the wealth does not reach the population, and has actually been fuel for conflict in the country.

Marking a positive change from the past, President Bio set up a commission of inquiry into corruption under the government of his predecessor, President Ernest Bai Koroma, and suspended officials that were found guilty.

With regards to freedom of religion, prospects remain good and the situation is not likely to change in the near future.

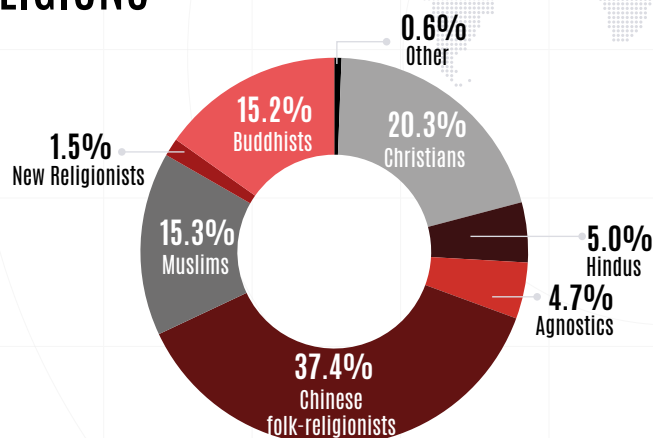
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# SINGAPORE

## RELIGIONS



Population  
**5,935,053**  
GDP per capita  
**85,535 US\$**



Area  
**719 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Singaporeans continue to enjoy a high degree of religious freedom, particularly within their own religious communities. Local law asserts this fundamental right and political institutions enforce it. Freedom of religion – understood as the freedom to profess, practise, and propagate religious beliefs – is fully protected as long as the activities that derive from it are not contrary to laws on public order, public health, or morality.

Singapore's 1963 Constitution established the principle of religious freedom. Article 15 defines it as the right of everyone "to profess and practise his religion and to propagate it."<sup>1</sup> Each "religious group" has the right "to manage its own religious affairs, to establish and maintain institutions for religious or charitable purposes; and to acquire and own property and hold and administer it in accordance with law."

Another key concept articulated in the constitution through amendment is the maintenance of religious harmony, although it has been implemented main-

ly through a law passed in 1990. This law authorises the Minister of the Interior to issue restraining orders against those within a religious group who incite hostility towards members of another religious group, or who promote political causes, carry out subversive activities, or encourage others to distance themselves from the government under the pretext of practising a religion. The restraining orders are discretionary. Refusing to submit to them can trigger legal action. Such orders must go before the chairman of the Council for Religious Harmony, a state body with the power to confirm, cancel or amend them. They have a theoretical duration of 90 days, although such orders can be extended at will by the council chairman.

The Penal Code<sup>2</sup> prohibits "wounding the religious or racial feelings of any person," as well as knowingly promoting "feelings of enmity, hatred or ill-will between different religious or racial groups." The penalties include fines and detention.

Any religious group of more than 10 people must inform the government of its existence, especially if the group desires official legal status. Muslims constitute a special case; the Islamic Religious Council of Singapore

(Majlis Ugama Islam Singapura, MUIS), established by the Ministry of Culture, administers all Islamic affairs in the city-state, including construction and management of mosques, halal certification, fatwas and pilgrimage to Mecca.

Religious instruction is prohibited in public schools, although it is allowed in government-subsidized religiously affiliated schools outside of regular curriculum time, and is allowed in private schools.<sup>3</sup>

Despite the constitutional provision of religious freedom, occasionally the principle and practice thereof butt up against the will of the authorities to maintain a high degree of control over civil society. The Maintenance of Religious Harmony Act of 1990 has been used against initiatives deemed likely to cause division and discord between religious communities, a laudable concern in a highly multicultural and multi-religious society.<sup>4</sup> However, problems arise when the authorities use this law to stifle any political expression they deem deviant. This act has also been used to limit speech that the state deems sensitive to another religious group. The state therefore assumes the authority to impose restrictions on expressions of religion that it deems inappropriate.

Singaporean authorities have especially kept a close eye on Jehovah's Witnesses. This group has been present in Singapore since the 1940s and registered since 1962, but their legal recognition was cancelled in 1972 as a result of their refusal to serve in the military (which was nationally mandated beginning in 1967). In 1996, however, a ruling restored Jehovah's Witnesses' right to profess, practise, and propagate their beliefs, but only as individuals. Since then, the government has not prevented private meetings of Jehovah's Witnesses but continues to ban all public meetings and to jail the group's members for refusing to fulfil their military service requirement. These "conscientious objectors" are initially sentenced to two years in prison, and then an additional two if they still refuse. They are released after this point since the duration of imprisonment has exceeded the required 24 months of national service.<sup>5</sup> The authorities are aware of the severity of this approach, but do not want to open the door to more exemption requests.

A report by the Pew Research Center published in November 2020 named in Singapore as country with "high religious restrictions" and therefore an "imperfect democracy" just as Malaysia and Indonesia, to be observed closely.<sup>6</sup>

Singapore is, however, a nation with numerous official structures seeking to establish interreligious understanding, including among others the Presidential Council for Minority Rights, the Islamic Religious Council (MUIS), the Sikh Advisory Board, the Hindu Endowment Board, Common Senses for Common Spaces, Inter-racial and Inter-religious Confidence Circles, the Harmony Center, and the BRIDGE initiative (Broadening Religious/Racial Interaction through Dialogue and General Education). The government also assigns land for construction of temples and regulates the profile of the occupants of social housing in order to prevent ethnic or religious community concentrations.<sup>7</sup>

Singapore has not lifted the 1972 organizational ban on Jehovah's Witnesses or the 1982 ban on the Unification Church, which the government labelled a "cult." As of January 19, 2020, 15 Jehovah's Witnesses are still detained in the armed forces' detention facility for objecting to compulsory military service.<sup>8</sup>

In June 2019, Singapore hosted the International Conference on Cohesive Societies,<sup>9</sup> with over 1200 participants from all over the world and an enthusiastically lived youth session, coming to declare their commitment to positive interreligious relations.

In October 2019, Singapore's Parliament passed changes to the Maintenance of Religious Harmony Act "to allow the authorities to move more swiftly against those who threaten the good relations among people of different religions."<sup>10</sup> The changes allow for higher maximum punishments and immediate restraining orders, and were deemed necessary in part due to the increasing amount globally of hate speech on social media.

A planned terrorist attack for 15th March 2021 was discovered timely by the Singaporean police. A young Indian man was planning to attack 2 mosques and murder civilians by machete, as he himself said was inspired by the New Zealand mosque attacks. Both Muslim and Christian leaders condemned the plans, and took the opportunity to denounce the high quantity of hate messages being spread in social media.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

## PROSPECTS FOR RELIGIOUS FREEDOM

Although Singaporeans continue to enjoy a high degree of religious freedom within the private confines of one's religious sphere, the State has been increasing its role restricting the public manifestation of the right to freedom of religion. In the name of religious harmony and state security, the government keeps grabbing control of ethno-religious matters in the country. The prospects indicate that this trend will continue so, the future of freedom of religion in Singapore has slightly worsened during the period under review.



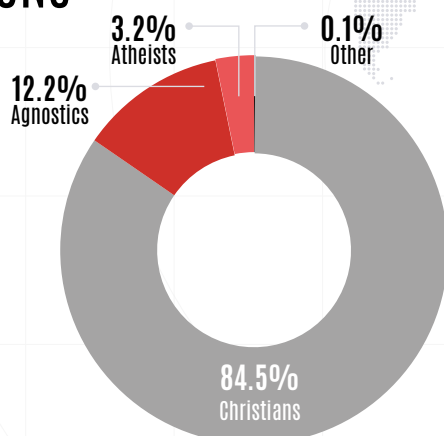
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# SLOVAKIA

## RELIGIONS



Population  
**5,451,400**



GDP per capita  
**30,155 US\$**



Area  
**49,035 Km<sup>2</sup>**



GINI INDEX\*  
**25.2**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 24 (1) of the Slovakian constitution guarantees freedom of “thought, conscience religious creed and faith”, as well as the right to change religions or to have no religious affiliation at all.<sup>1</sup> People have the right to practise their faith in private and in public, alone or with others (Article 24, 2). Churches and religious communities may manage their own affairs, including appointing clergy, establishing religious orders, and teaching religion (Article 24, 3). These rights may be restricted only “by law, if such a measure is necessary in a democratic society to protect public order, health, morals, or the rights and freedoms of others” (Article 24, 4). There is no state religion or ideology (Article 1, 1).

Discrimination on the basis of religion or faith is prohibited (Article 12, 2) and conscientious objection to military service is protected (Article 25).

The religious freedom law<sup>2</sup> reiterates many of the above rights (Sections 1 and 2) and outlines the registration procedure for religious societies and Churches. Groups are not required to register with the Ministry of Culture, but

the state only recognises registered groups (Section 4). The registration application must contain the organisation’s founding and operational documents, basic articles of faith, a statement that the organisation will respect the laws and will be tolerant of other religions, along with affidavits of at least 50,000 adult members who are citizens or permanent residents of Slovakia showing basic understanding of the religion and expressing their support for their group’s (Section 12).

The law governing state subsidies was amended in 2019 and went into effect on 1st January 2020.<sup>3</sup> Non-registered religious societies and churches may register as civic associations, but they are not officially identified as religious groups.<sup>4</sup> Clergy from unregistered religious groups cannot officially celebrate marriages or minister to their faithful in prisons or public hospitals.<sup>5</sup>

The 18 registered churches and religious societies are: the Apostolic Church, Bahá’í Community, The Brotherhood Unity of Baptists, Seventh-day Adventists, Brotherhood Church, Czechoslovak Hussite Church, The Church of Jesus Christ of Latter-day Saints, Evangelical Church of the Augsburg Confession, Evangelical Methodist Church, Greek Catholic Church, Christian Congregations, Jehovah’s Witnesses, New Apostolic Church, Orthodox Church,

Reformed Christian Church, Roman Catholic Church, Old Catholic Church, and Central Union of Jewish Religious Communities.<sup>6</sup>

Due to a small number of members, the Muslim community have not been able to legally register as a religious society.

In 2019, the law prohibiting burial earlier than 48 hours following death was amended, effective January 2020, to permit burial 24 hours after death.<sup>7</sup> The author of the amendment noted that adherents to some religions had to violate their religious rules to comply with the 48-hour rule.<sup>8</sup>

Religious education for children up to 15 years of age is determined by their parents or guardians.<sup>9</sup> Most schools teach Catholicism, but parents may request that teaching of other religions be included. All curricula must be consistent with the Ministry of Education's guidelines. Ethics classes are offered as an alternative to religious education.<sup>10</sup>

Religious slaughter of animals for meat is permitted.<sup>11</sup>

The Penal Code<sup>12</sup> prohibits the establishment, support, or promotion of a group, movement, or ideology that endorses religious hatred (Section 421) and expressions of sympathy for such a movement or ideology (Section 422). Denial, justification, or approval of the Holocaust, crimes of a fascist or communist regime or ideology are illegal (Section 422d). Public defamation of a group of persons based on their religion or non-religiosity (among other characteristics) is a crime (Section 423) and incitement to violence or hatred based on the same is also prohibited (Section 424).

## INCIDENTS AND DEVELOPMENTS

According to the Foundation for Political, Economic and Social Research (SETA), in 2019 "Islamophobia in Slovakia manifested itself mainly in social networks, political campaigns", and in the media. It also noted that the "legislative position of Muslims [did not] deteriorate."<sup>13</sup> In 2019, the Islamic Foundation reported two anti-Muslim hate crimes to the Organization for Security and Co-operation in Europe (OSCE): a Turkish Muslim woman carrying a baby was assaulted by a man who used her headscarf to strangle her, as well as an assault on a Syrian Muslim student on a bus.<sup>14</sup> There were four hate crimes reported to the OSCE in 2018, all of which involved attacks on women

wearing headscarves.<sup>15</sup>

In August 2018, high-level government officials, including President Andrej Kiska, publicly vowed to fight anti-Semitism and Holocaust denial with "zero tolerance for extremism", including on the Internet.<sup>16</sup>

In October 2020, Marian Kotleba, a leader of the People's Party – Our Slovakia (Ľudová strana – Naše Slovensko, ĽSNS), was sentenced to four years in prison after being convicted of illegal use of neo-Nazi symbols. In 2017, he donated 1,488 euros (a number with a symbolic meaning to neo-Nazis) to three families. The Supreme Court rejected the prosecutor general's request for a ban on the ĽSNS party as a neo-Nazi extremist group.<sup>17</sup>

On 9th September 2019, Prime Minister Peter Pellegrini participated in the annual Victims of the Holocaust and of Racial Violence memorial service at the Holocaust Memorial in Bratislava.<sup>18</sup> The commemoration in 2020 was attended by both government and opposition party officials.<sup>19</sup>

Two anti-Semitic incidents were reported to the OSCE in 2019.<sup>20</sup> In December 2019, two Jewish cemeteries were targeted by vandals who knocked over and damaged a total of 80 tombstones.<sup>21</sup> Restoration efforts took place in April 2020, supported by people from Israel, Austria, Germany, Australia, and Switzerland, as well as Slovakia.<sup>22</sup>

During the spring of 2020, because of the COVID-19 outbreak, the Slovakian government suspended public religious celebrations and imposed control measures on entry to places of worship for six weeks.<sup>23</sup> Due to a second surge of infections in September 2020, the government imposed new measures forbidding all public events, including religious ceremonies. Slovakia's Bishops Conference criticised the move as "disproportionate" and one that only the bishops should impose. "This is not something the state can do without their consent."<sup>24</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review. Anti-Semitic and anti-Muslim rhetoric remain a problem, particularly on the Internet, but the overall societal situation remains stable.

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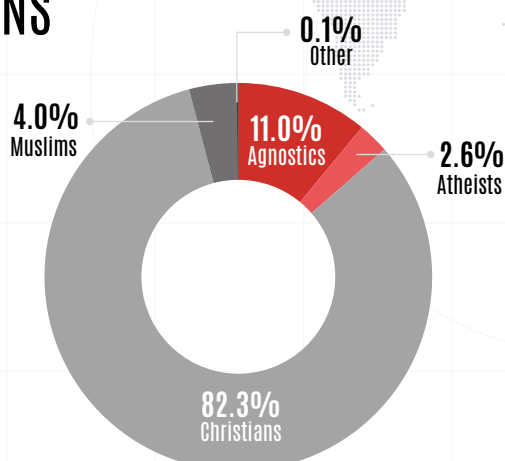
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# SLOVENIA

## RELIGIONS



Population  
**2,082,055**  
GDP per capita  
**31,401 US\$**



Area  
**20,273 Km<sup>2</sup>**  
GINI INDEX\*  
**24.2**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Slovenian constitution<sup>1</sup> guarantees freedom of religion and the separation of Church and state (Article 7). Everyone is equal before the law and guaranteed equal rights and freedoms (Article 14). Article 41 protects freedom of conscience, provides that “religious and other beliefs may be freely professed in private and public life”, and that parents have the right to raise their children in accordance with their beliefs. Incitement to religious discrimination or hatred and intolerance are prohibited under Article 63. Conscientious objection to compulsory military service is permitted under Article 123.

Slovenia’s Religious Freedom Act<sup>2</sup> reiterates constitutional protections, and further enumerates individual and collective religious freedoms, as well as the legal status and rights of religious communities. Article 3 prohibits “discrimination on the basis of religious belief, expression, or exercise of such belief”. Article 5 defines churches and religious communities as “organisations of general benefit”, and Article 29 stipulates that the state may give material support to registered religious communities because of the “general benefit” they provide. Churches and religious communities are not required to

register (Article 6); however, the same article requires that activities must not “conflict with the morals and public order”, while Article 12 prohibits violence, incitement, and profit-making. Article 13 states that in order to be registered, a religious community must have been operating in Slovenia for at least ten years and must have at least 100 adult members.

According to the Office for Religious Communities, in 2020 there were 56 registered religious communities in Slovenia, including the Roman Catholic Church, several Protestant Churches, Orthodox Churches (Serbian, Coptic, and Macedonian), the Jewish Community of Slovenia, as well as various groups of Muslims, Baha’is, Buddhists, and Hindus. Jehovah’s Witnesses and Scientologists were also registered.<sup>3</sup>

In 2004, Slovenia ratified a 2001 agreement with the Holy See regulating legal issues between the state and the Catholic Church.<sup>4</sup>

The Denationalisation Act of 1991 regulates the process of claims for the restitution of property seized after 1945 under Yugoslavia’s former Communist regime.<sup>5</sup> However, that law does not apply to Jewish-owned property confiscated by the Nazis, since they were seized before 1945 and most of the local Jewish population was either killed or fled the country during the Holocaust, thus rendering the properties “heirless”.<sup>6</sup> The World Jewish Restitution Organization and the Ministry of

Justice launched a joint project to determine the scope of potential claims<sup>7</sup> and delegations met in November 2019.<sup>8</sup>

In September 2020, the claim filed by the Archdiocese of Ljubljana under the Denationalisation Act for the return of properties in the Triglav Lakes Valley, Savic waterfall, and Lake Bohinj coastline was rejected after many years of litigation because the property was originally seized by the Nazis before 1945.<sup>9</sup>

Fifty years after the initial request was made, Ljubljana's first mosque opened on 3rd February 2020. After receiving permission to break ground in 2013, the project faced opposition, as well as financial difficulties. The six-part Islamic Cultural Centre cost €34 million (US\$ 41 million), of which 28 million was donated by Qatar.<sup>10</sup>

According to the U.S. Department of State, Muslim and Jewish groups continued to face difficulties in having infant boys circumcised and often opted to have the procedure performed in Austria.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

In 2019 police recorded two hate crimes committed with a "bias against members of other religions or beliefs", according to data provided to the Organization for Security and Co-op-

eration in Europe (OSCE).<sup>12</sup> The Holy See reported hate incidents, including repeated vandalism of churches and the destruction of roadside crosses with explosives.<sup>13</sup> Hate crimes against other religious groups were not reported by civil society organisations.

No hate crimes recorded by police were reported to the OSCE for 2018.<sup>14</sup> Muslim civil society organisations reported some incidents to the OSCE in 2018, all directed at a mosque, such as pig bones left at the entrance of the building in November 2018.<sup>15</sup> The Holy See reported two incidents in 2018, including death threats against a representative of the Slovenian Catholic Church.<sup>16</sup>

Restrictions on public religious gatherings due to the coronavirus pandemic in 2020 resulted in the suspension of services, including during Ramadan, Easter, and Passover. Leaders of the major religious groups encouraged believers to stay home.<sup>17</sup> The Islamic community's celebration of Eid in 2020 was modified to limit group ceremonies to 50 people.<sup>18</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review.

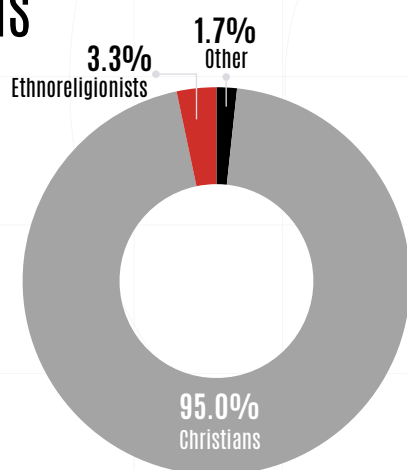
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# SOLOMON ISLANDS

## RELIGIONS



Population

**647,297**



GDP per capita

**2,206 US\$**



Area

**28,896 Km<sup>2</sup>**



GINI INDEX\*

**37.1**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Solomon Islands consists of six major islands and 900 smaller ones in Oceania to the east of Papua New Guinea.

Under the constitution, every person has the right “either alone or in community with others, and both in public and in private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.”<sup>1</sup> This includes the right to change religion. These constitutional rights may be qualified by law if that is reasonably required “in the interests of defence, public safety, public order, public morality or public health” or “for the purpose of protecting the rights and freedoms of other persons.” There are no indications that these rights were violated in the period under review.

The country is almost entirely Christian and the five largest denominations are: the Anglican Church of Melanesia (around 30 percent); the Catholic Church (around 20 percent); the South Sea Evangelical Church (around 17 percent); the Seventh Day Adventists (around 12 percent) and the United Church (around 10 percent). There are

also a number of smaller Christian Churches, as well as Baha'is, members of the Kwaio community (a form of animism) and Muslims.

According to the constitution, religious communities are entitled to establish, manage and maintain places of education, as well as provide religious instruction. No one who attends such places of education is required to receive instruction in a religion other than his or her own. The curriculum of public schools makes provision for an hour of religious instruction each day.<sup>2</sup> The Solomon Islands Christian Association (SICA), an ecumenical non-governmental organisation formed by Catholics, Melanesian Anglicans and United Methodists; the Seventh Day Adventists and the South Sea Evangelicals as associate members<sup>3</sup> agrees on the content of the religious element of the school curriculum. The five largest Christian denominations run schools and health services; they receive government subsidies in proportion to the services offered.<sup>4</sup> There have been no indications that subsidies are allocated on a discriminatory basis.

Religious groups are required to register with the Registrar of Companies and to complete the necessary formalities. There have been no reports that religious groups were denied registration.

Major Christian feast days are celebrated as public holidays, including Good Friday, Easter Saturday, Easter Monday, Whit Monday and Christmas Day.

## INCIDENTS AND DEVELOPMENTS

There have been no documented incidents of violence or discrimination that is religiously motivated. There was a diplomatic incident with a religious angle in Malaita, the most populous province of the Solomon Islands, where Malaitians are very strong Christians. Malaita was threatening to break away from the nation because the central government recognized China at the expense of Taiwan in its relations, and restarted flight connections with Beijing right in the middle of the Covid-19 pandemic. The Malaitians were unhappy also about the ill treatment of the faithful by the Chinese government.<sup>5</sup>

During electoral campaigns five men were arrested after they damaged a United Methodist church, alleging the congregation was demanding the faithful to support a candidate they disliked. The vandals were ordered to pay damages in full.<sup>6</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Although there have been reports of disagreements between different religious groups, there are no records of attacks on religious freedom in the period under review. There is no reason to believe that this situation will change in the foreseeable future.

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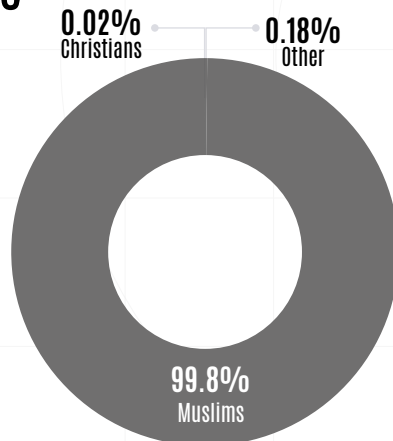
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# SOMALIA

## RELIGIONS



Population  
**16,105,174**  
GDP per capita  
**2,047 US\$**



Area  
**637,657 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Somalia has not had a single central government with control over its whole territory since 1991.<sup>1</sup> After a provisional constitution<sup>2</sup> was adopted in August 2012, the country became known internationally as the Federal Government of Somalia (FGS).<sup>3</sup>

The constitution enshrines the separation of powers, a federal system of government, and fundamental civil and human rights. This includes (Article 15, 4) the prohibition of female genital mutilation (FGM), which has historically been a widespread practice in Somalia.<sup>4</sup> Various reports suggest that practitioners of FGM frequently think - erroneously to a large degree - that the practice is grounded in religious scriptures.<sup>5</sup>

The country's security situation continued to be poor during the period under review; as a result, implementing the constitution has been difficult. The status of religion and religious life is governed by the constitution, though in the country's regions and sub-regions the legislation varies; for example, the constitution of the FGS recognises the equality of "All citizens, regardless of sex, religion,

social or economic status," etc., while Somaliland's constitution<sup>6</sup> does not include religion as grounds for equality among its citizens.

In the territory controlled by the FGS, Islam is the state religion (Article 2, 1) and the president must be a Muslim.<sup>7</sup> Under Somaliland's own constitution, Islam is also the state religion (Article 5, 1) though both the president and vice president (Article 82, 2) must be Muslim.

The FGS's provisional constitution guarantees equal rights to all citizens, regardless of their religion. At the same time however, Article 2 (3) stipulates that legislation must be in harmony with Shari'a (Islamic law). The same is the case in Somaliland (Article 5, 2).

The FGS's provisional constitution applies to all citizens, regardless of their religious affiliation. As a result, non-Muslims are also subject to laws that follow the principles of Shari'a. While conversion from Islam to another religion is not expressly prohibited by the FGS's provisional constitution, it is not accepted at a societal level. Under the constitutions of Somaliland and Puntland, on the other hand, conversion is expressly prohibited.<sup>8</sup> Non-Muslims are also prohibited from professing their faith in public.

Islamic religious instruction is mandatory in all public



and Muslim schools throughout the country. Only a few non-Muslim schools are exempt.<sup>9</sup> All religious communities must register with the Ministry of Religious Affairs. In practice, however, this tends to be haphazard, either because the criteria for registration are not clear, or because the authorities lack the means to enforce the law, especially outside the capital.<sup>10</sup>

Captured members of the Al-Shabaab terrorist group are tried by military courts, but human rights activists are critical of the court's procedures and judgements. The most severe form of punishment, the death penalty, is still practised.<sup>11</sup> Al-Shabaab was driven out of Mogadishu in 2011 with international assistance,<sup>12</sup> yet it continues to carry out numerous attacks in the city, the rest of the country and neighbouring nations.

In the wake of Somalia's long civil war, the human rights situation in the country is disastrous. People are summarily executed without trial, and often violent attacks are waged on groups and individuals.<sup>13</sup> In the areas under Al-Shabaab influence, a stricter form of Shari'a is imposed with serious human rights violations, including executions by stoning.<sup>14</sup>

Most Somalis are of Cushite descent and share the Somali language and Muslim faith.<sup>15</sup> Sunni Muslims are thought to make up nearly 100 per cent of the population but there are some Shia Muslims.

Tolerant Sufi Islam was once widespread in Somalia<sup>16</sup> and, for centuries, relations with other religions were good. However, as the country descended into chaos and civil war, Islamist extremism developed.<sup>17</sup> Islamists were no longer subject to state control, and the number of Salafist and other Islamist jihadist groups proliferated.<sup>18</sup>

Violence in the country continued during the period under review perpetrated by groups like the Islamic State group (Daesh), Al-Qaeda and Al-Shabaab.<sup>19</sup> According to Western intelligence, Somalia now harbours Daesh cells said to include former Al-Shabaab fighters. These joined up with foreign fighters from the Middle East, who have been coming to Somalia in the wake of Daesh's defeat in Syria and Iraq.<sup>20</sup> The Apostolic Administrator of Mogadishu, Bishop Giorgio Bertin of Djibouti, confirmed their presence in Somalia<sup>21</sup> as has Somali press. The extremist militants are thought to be active mainly in Puntland, the partially autonomous region in the north-east of the country.<sup>22</sup>

Somalia's few remaining Christians include immigrants from neighbouring countries. A small community of about

30 Somali Christians live in Mogadishu. They are in hiding, fearful of reprisals from militants and forced to practise their faith underground.<sup>23</sup> Christian converts face dangers and threats even from within their own families. The generation born after 1990 is less tolerant and no longer understand their older relatives who have become Christian. In response, older family members have left their children and grandchildren. Some Christians have even been killed by their own grandchildren.<sup>24</sup> The remaining few Somali Catholics do not receive regular spiritual assistance since the safety of clergy members in Mogadishu cannot be guaranteed.<sup>25</sup>

In most of the country, the courts rely on xeer, i.e. traditional customary law, Shari'a, and the penal code. The regulation and enforcement of religious practices are policed by each region, often inconsistently.<sup>26</sup>

## INCIDENTS AND DEVELOPMENTS

In the last few years, the Al-Shabaab group - estimated at about 10,000 members<sup>27</sup> - has terrorised the population through attacks, threats and persecution. In rural Somalia, "Al-Shabaab is in firm control and operates a parallel government. It has its own courts, road tolls and tax collection".<sup>28</sup> An October 2020 BBC report indicates that the revenue generation of the Islamist group is larger than that of the government.<sup>29</sup> According to the Hiraal Institute, "all major companies in Somalia give the jihadists money, both in the form of monthly payments and a yearly "zakat" (obligatory alms) of 2.5% of annual profits."<sup>30</sup>

In July 2018, five people died in Aad after residents clashed with Al-Shabaab militants who were trying to forcibly recruit local children. That same month, fighting between the terrorist group and the Somali military at the Baar Sanguni military camp ended with the death of four Somali National Army soldiers and seven Al-Shabaab militants.<sup>31</sup> In August 2018, a US citizen working for a Catholic relief organisation was arrested in Burao, Somaliland, on charges of proselytising. She was eventually released and left the country.<sup>32</sup>

In 2019, attacks by Al-Shabaab intensified. In January Al-Shabaab reportedly "kidnapped 100 civilians who refused to pay the zakat (tax)."<sup>33</sup> On 4th February 2019, militants shot dead the manager of the port of Bosaso in the region of Puntland. On the same day, a car bomb killed at least 11 in Mogadishu.<sup>34</sup> In March 2019, five people died in an Islamist attack on a government building in Mogadishu.

The dead included the country's deputy labour minister.<sup>35</sup> In May and June 2019, car bombs killed a total of 17 people and wounded 29 others in Mogadishu.<sup>36</sup> In July 2019, two separate attacks occurred. On 23rd July, 26 people died and 50 were wounded in an attack against a hotel in the port city of Kismayo where a political gathering was taking place.<sup>37</sup> On 25th July, an Al-Shabaab suicide bomber blew herself up inside the Mogadishu Mayor's Office,<sup>38</sup> claiming the lives of 11 people, including the mayor.<sup>39</sup>

By the end of October, according to media reports, 2019 was deemed "one of the deadliest years on record for fatalities from attacks by terrorist group al-Shabaab, with numbers already more than 1,200."<sup>40</sup>

On 28th December 2019, Al-Shabaab struck again with a truck bomb killing at least 90 people and wounding another 200.<sup>41</sup> The World Council of Churches condemned the attack<sup>42</sup> as did Pope Francis.<sup>43</sup>

On 19th January 2020, at least four people died and 15 others were wounded in a suicide car bombing by Al-Shabaab that targeted Turkish engineers working on a road project near Mogadishu.<sup>44</sup> In October 2020, the police in Somaliland arrested two Christian missionaries for preaching to Muslims.<sup>45</sup>

Bishop Giorgio Bertin of Djibouti explained that opening a church in the country is difficult due to the dangers that Christians have to face. Catholics in Somalia, he said, "are forced to pray and worship secretly because it's risky being identified as a Christian."<sup>46</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Somalia's turbulent recent history, from a failed state following a protracted civil war to a recovering state today, has greatly impacted the religious freedom of its people as well as every other aspect of Somali life. Tolerant Sufi Islam, once widespread, enabled good relations with other religions. The power vacuum in recent decades, however, has given rise to Islamist extremism with an increasing number of Salafist and other violent Islamist jihadist groups active in the territory today.<sup>47</sup>

While in principle the constitution of the Federal Republic of Somalia guarantees freedom of religion, it is severely limited in practice because of the strong social pressure to adhere to Sunni Islam; this leaves religious minorities vulnerable to harassment and marginalisation. Christians and other non-Muslim religious groups have reported their

inability to practise their religion openly, and there are no places of worship for non-Muslims in the country.

After the deadly attacks perpetrated by Al-Shabaab, particularly in 2019, the situation in the country has deteriorated further and the central government remains unable to guarantee security. This is complicated by the COVID-19 pandemic<sup>48</sup> and one of the worst locust infestations in 25 years.<sup>49</sup> The African Union Mission in Somalia (AMISON) - declared by Al-Shabaab to represent a Christian invasion of the country<sup>50</sup> - has been mandated to maintain its presence until 28th February 2021.<sup>51</sup>

In regional areas where state structures are weak, Al-Shabaab continues to impose its own interpretation of Islam and Shari'a on both Muslims and non-Muslims including the death penalty for Muslims for alleged apostasy.<sup>52</sup> In these districts, Al-Shabaab maintains a ban all forms of media, entertainment, smoking, and any behaviour deemed as un-Islamic, such as shaving beards. Women are also forced to wear head coverings. The armed group continued to harass non-governmental organisations, threatening their personnel and accusing them of Christian proselytising.

Prospects for human rights, including freedom of religion, are substantially negative for the foreseeable future.

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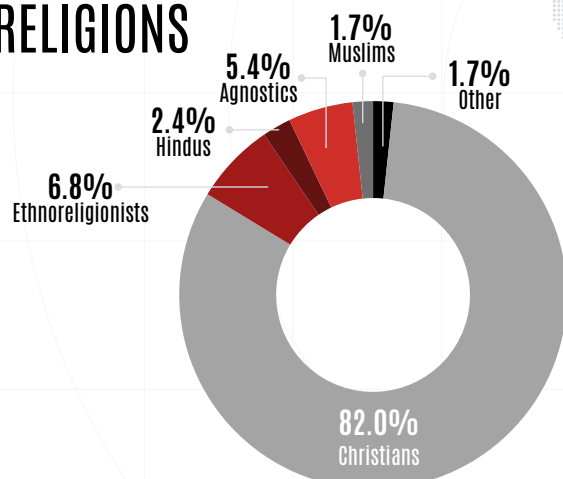
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# SOUTH AFRICA

## RELIGIONS



Population

**58,721,229**

GDP per capita

**12,295 US\$**

Area

**1,221,037 Km<sup>2</sup>**

GINI INDEX\*

**63**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 9 (2-5) of the South African Constitution of 1996 (as amended) prohibits all forms of discrimination, including discrimination on the grounds of religion.<sup>1</sup> Under Article 15 (1), “[E]veryone has the right to freedom of conscience, religion, thought, belief and opinion.” Under Article 31 (1, 5), members of particular religious communities have the right to practise their religion and to form or join religious associations.

Religious instruction is allowed but not compulsory in public schools; however, it cannot promote the views of any single religion.<sup>2</sup> The school calendar takes into account the holy days of the main religious communities. Christmas and Good Friday are among the religious festivities that are observed nationwide.

The South African Human Rights Commission (SAHRC) is the agency that supports “constitutional democracy” and promotes “respect for, observance of and protection of human rights for everyone without fear or favour”,<sup>3</sup> including religious freedom. Together with the courts, it is responsible for the prosecution of suspected violators.<sup>4</sup>

Religious communities are not required by law to register with the authorities, but those that do may benefit from tax benefits.<sup>5</sup>

South Africa also has a Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistics Communities (CRL Rights Commission), whose members include politicians, clergy and scholars.<sup>6</sup> Like the SAHRC, its mandate includes the protection of “constitutional democracy,” upholding “cultural, religious, and linguistic community rights” by providing “space for [. . .] cultural, religious and linguistic communities” while promoting “unity amongst” them.<sup>7</sup>

In 2016, following complaints and media stories about the commercialisation and abuse of religion and beliefs, the Commission launched an investigation into the matter, which produced a report released in 2017.<sup>8</sup> The report found that some religious organisations took advantage of legislative loopholes and poor law enforcement to engage in unethical advertising of religious and traditional healing services and abuse of people’s beliefs.<sup>9</sup>

In an effort to end this, the report issued a number of recommendations, such as encouraging religious communities to register so that the authorities might “know how many religious affiliations there are in the country,

and where they can be found, especially when we want to discuss matters of concern with them.” In the Commission’s view, there is “nothing invasive, unconstitutional and unworkable with this.”<sup>10</sup> At the same time, it “wants to promote and protect the above quoted constitutional freedoms further by ensuring that religious institutions run their own affairs without any interference from the state.”<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

Violence has affected South Africa’s Muslim communities during the reporting period.

In May 2018, a deadly attack was carried out against the Imam Hussein Mosque in Durban.<sup>12</sup> A month later, Islamic Sunni and Shi’a leaders met to sign the “Cape Accord”,<sup>13</sup> “a document meant to encourage peace and unity and to eradicate extremism in the country.”<sup>14</sup>

Despite the accord, violence continued. In June 2018, two men were stabbed to death after religious observances in Cape Town’s Sunni Malmesbury Mosque.<sup>15</sup> In Khayelitsha, also in Cape Town, a man was shot and an imam injured after religious observances in a local mosque in November 2018.<sup>16</sup> In Durban, two mosques suffered arson attacks, the Masjid-e-Mukhtar mosque in July 2018<sup>17</sup> and the Faizane Mariam Masjid mosque in February 2019.<sup>18</sup> A month later, another man was killed after a religious observances at the Taqwa Bakerton Mosque in Johannesburg’s East Rand region.<sup>19</sup> And lastly, in January 2019, a Muslim cleric was killed while visiting a patient at a Durban hospital.<sup>20</sup> For most of these crimes, the authorities have not found the culprits.

In August 2019, a case of discrimination was reported involving a teenager who was asked to shave his beard, which he was growing for religious reasons. His family tried to defend his right to have a beard, but the school did not revoke its decision.<sup>21</sup>

At the same time, there have also been positive developments in regard to the freedom of religion for the Muslim community. In August 2019, the South African National Defence Force announced that it would consider allowing women who serve in the military to wear a headscarf after a Muslim major refused to take hers off.<sup>22</sup> In Cape Town, a school changed its 2019 exam schedule to accommodate Muslim students and ensure that the exams did not fall on a Muslim holy day.<sup>23</sup>

Other religious groups have also experienced various

forms of hostility. The South African Jewish Board of Deputies (SAJBD) reported 62 cases of anti-Semitism in 2018 and 36 cases in 2019.<sup>24</sup>

In the first 10 months of 2019, the Johannesburg Metro Police closed down 16 Christian churches claiming that they did not comply with the bylaws that regulate noise and fire safety.<sup>25</sup>

In September 2019, the Inter-Regional Meeting of the Catholic Bishops of Southern Africa (IMBISA) bringing together the Bishops’ Conferences of Angola and Sao Tome, Mozambique, Lesotho, Namibia, Zimbabwe and that of South Africa, Botswana and Eswatini (Swaziland), condemned the surge in violence against foreigners, particularly against members of the Nigerian community.<sup>26</sup>

In January 2020, Belgian missionary Fr. Jozef Hollanders was killed in the parish of Bodibe during a robbery.<sup>27</sup>

On 18th April 2020, the Cathedral of Our Lady of the Flight into Egypt (also known as St Mary’s), in Cape Town, was vandalised. As South Africa’s oldest Catholic cathedral, it is considered to be “the mother church to all Catholics”.<sup>28</sup>

In July 2020, the Islamic State (IS) threatened South Africa with attacks on its territory should they support the Mozambique army to repel their attacks in Cabo Delgado.<sup>29</sup> The presence of a jihadist insurgency and international terrorism groups “at South Africa’s doorstep” prompted national reflection and concern.<sup>30</sup> In July 2020, State Security Minister Ayanda Dlodlo “admitted that South Africa’s intelligence services were having ‘sleepless nights’ because of the threat posed by IS in neighbouring Mozambique.”<sup>31</sup> Echoing Dlodlo’s words, the country’s Directorate for Priority Crime Investigation (DPCI) stated one month later that South Africans were aiding IS in Mozambique with “financial and material support.”<sup>32</sup> Some estimates indicated that as many as 100 South African citizens were found to be fighting in Mozambique alongside the Islamic State.<sup>33</sup>

In December 2020, The South African Catholic Bishops’ Conference, in an act of solidarity, visited the Cabo Delgado region of Mozambique bring aid to the internally displaced in ten camps set up in Pemba, the provincial capital.<sup>34</sup>

Due to the COVID-19 pandemic, places of worship were closed in late March 2020 to meet strict regulations imposed to contain the coronavirus. Reopening was allowed on 1st June 2020.<sup>35</sup> Social distancing measures were implemented and the number of attendees at Masses, marriages and baptisms was reduced.<sup>36</sup>

The Southern African Catholic Bishops' Conference condemned a surge in sexual and gender-based violence that took place during the lockdown.<sup>37</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Violence continued to affect some of South Africa's Muslim communities in the period under review. Various improvements were nevertheless achieved at government level and in schools.

Following a surge in violence against Nigerians, the Inter-Regional Meeting of Bishops of Southern Africa took a strong stance against xenophobia targeting migrants. The Catholic Church has continuously rejected xenophobia identifying social inequalities in the country and hate speech as the main drivers.<sup>38</sup>

Of concern to the authorities was the arrival of Islamist jihadist attacks, and the presence of international terrorist groups such as the Islamic State, in neighbouring Mozam-

bique - and a public soul searching following the discovery of South Africans fighting alongside the terrorists.

On an encouraging note, 2019 recorded the lowest number of anti-Semitic incidents in 15 years. It remains to be seen if this positive trend will continue in the future.

Religious freedom is guaranteed and respected by the state and the future prospect for this human right remains positive.

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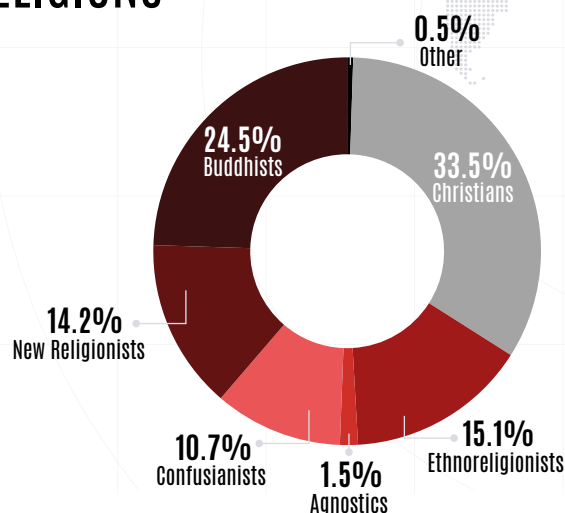
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# SOUTH KOREA

## RELIGIONS



Population  
**51,506,975**  
GDP per capita  
**35,938 US\$**



Area  
**100,284 Km<sup>2</sup>**  
GINI INDEX\*  
**31.6**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Republic of Korea (South Korea), first introduced in 1948 and revised in 1987, guarantees freedom of conscience (Article 19) and freedom of religion (Article 20) for all citizens. It stipulates that there shall be no discrimination in political, economic, social or cultural life on account of religion. There is no recognised state religion, and Article 20 officially upholds the principle of the separation of Church and state.<sup>1</sup>

Constitutional freedoms may only be restricted by law when necessary for national security, law and order, or public welfare, and any restriction must not violate the “essential aspect” of freedom (Article 37, 1).

The law does not require religious groups to register; from an organisational point of view, they are completely autonomous. Such groups can register as legal persons with permission from local authorities. Registration papers certifying the status of a religious group may vary depending on local bylaws.

To be recognised, religious groups with assets valued at over 300 million won (US\$260,000) must publish their internal regulations, define their purpose, describe their activities, release the minutes of their first meeting, and provide a list of their leaders and staff.<sup>2</sup>

Religion cannot be taught in public schools but there is total freedom in private schools.<sup>3</sup> The only religious statutory holidays are Christmas and the Buddha’s birthday.<sup>4</sup>

Under South Korean law, all able-bodied South Korean males were required to perform military service between the ages of 20 and 30, for 21 to 24 months depending on the service, with no exemption for conscientious objection. This was struck down in 2018 by the Supreme Court and the Constitutional Court, which ruled that an alternative service had to be offered. In December 2019, the country’s National Assembly passed legislation outlining an alternative.<sup>5</sup> The new law requires objectors to work for three years in a correctional facility.<sup>6</sup>

A week after parliament passed the law, President Moon Jae-in pardoned 1,879 conscientious objectors.<sup>7</sup> Despite this, individuals who refuse military or alternative service can still be jailed up to three years. In addition, according to the 2019 Report on International Religious Freedom by



the US State Department, while the government stopped all new cases involving conscientious objectors, it did not drop pending cases.<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

The National Human Rights Commission of Korea (NHRCK) reported 13 alleged cases of religious discrimination in 2019, down from 21 in 2018.<sup>9</sup>

In January 2019, 30,000 people from various civil society organisations and religious groups took part in a protest rally demanding the closure of the Christian Council of Korea (CCK) over allegations of corruption and coercive conversion.<sup>10</sup> In July 2019 a group of NGOs and academic organisations sent an open letter to President Moon Jae-in urging him to end “coercive conversion” in the country.<sup>11</sup>

Hundreds of Yemenis who arrived in 2018 as asylum seekers<sup>12</sup> continued to report incidents of discrimination, including in employment.<sup>13</sup>

Practitioners of the Buddhist-inspired spiritual movement Falun Gong have reported restrictions on their activities. According to the US State Department, the “Korean Falun Dafa Association” claimed that the Shen Yun Performing Arts group, a Falun Gong-affiliated troupe, was unable to book certain venues in the cities of Seoul and Busan because of opposition by municipal authorities “to avoid conflict with the Chinese government.”<sup>14</sup>

In August 2019 the application for refugee status by an Iranian Catholic convert was rejected, on the grounds that his conversion was not sincere. The applicant had arrived in the country with his then-six-year-old son, Kim Min-hyuk, in 2010, and both converted to Catholicism five years later. Kim received refugee status in 2018.<sup>15</sup> In August his father was granted a one-year extension to his humanitarian stay permit, to allow him to remain in the country with his underage son.<sup>16</sup>

### Covid-19

When the COVID-19 pandemic broke out, South Korea responded quickly and efficiently to the crisis.<sup>17</sup> After an initial spike in cases in January and February 2020, the number dropped significantly thanks to large-scale testing and contact tracing.<sup>18</sup> This changed by the summer when the number of coronavirus cases jumped considerably.<sup>19</sup>

In both cases, the blame fell largely on megachurches.

At the start of the pandemic, fingers were pointed at the Shincheonji Church of Jesus.<sup>20</sup> Reputed secretive,<sup>21</sup> half of all initial cases were linked to it.<sup>22</sup> The Church did apologise<sup>23</sup> and pledged to cooperate with the authorities. A petition to have the Church banned reached 1.3 million signatures.<sup>24</sup> Seoul municipal authorities filed a complaint with the Prosecutor’s Office against several Church leaders, including its leader, for wilful negligence.<sup>25</sup>

When a second outbreak occurred, a very high number of cases were associated with the Sarang Jeil Church in Seoul;<sup>26</sup> in this case however, the Church’s leader, Jun Kwang-Hun, opposed government health restrictions and is now the subject of separate criminal cases in connection with his opposition.<sup>27</sup>

In reporting the situation, the US Commission on International Religious Freedom (USCIRF) noted that South Korea’s Deputy Health Minister Kim Kang-Lip “publicly stated that the Shincheonji church had cooperated with authorities and that punitive measures against Church members could complicate efforts to contain the outbreak.”

Prime Minister Chung, Sye-kyun met on 24th September 2020 in his office with the members of the Korean Conference of Religion for Peace (KCRP), created in 1965, in order to agree on cooperation with the government’s quarantine measure. The official names of the members of the KCRP are: the National Council of Churches in Korea, the Jogye Order of Korean Buddhism Confucianism, the Catholics Bishops’ Conference of Korea, Won Buddhism, Chondogyo, and the Association for Korean Native Religions.

## PROSPECTS FOR RELIGIOUS FREEDOM

Korea is a well-established democracy with constitutional safeguards for freedom of religion or belief. Despite a few issues, the country’s track record on protecting freedom of religion or belief is good. Prospects for the foreseeable future are therefore positive.

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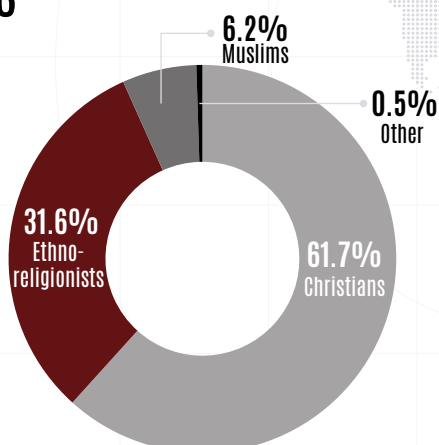
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# SOUTH SUDAN

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Peace Agreement signed in August 2015 by South Sudan President Salva Kiir Mayardit and rebel groups<sup>1</sup> stipulated that, 18 months after the establishment of the Transitional Government of National Unity, a new constitution would include points from an earlier agreement. A draft constitution, known as the Transitional Constitution Amendment Bill, was approved by the government in November 2017.<sup>2</sup> A year later, in November 2018, a bill was introduced in the legislative assembly in order to incorporate the 2018 “revitalised agreement” into the transitional constitution.<sup>3</sup>

The current transitional constitution, ratified on Independence Day (9th July 2011), and subsequently amended in 2013 and 2015, enshrines in Article 8 the separation between religion and state, and guarantees that all religious groups are treated equally. Article 23 details religious rights in the country.<sup>4</sup>

In general, there is a high degree of openness in South Sudanese society towards religion. Christian and Muslim groups take part in common initiatives. Religious groups

are able to register with the Ministry of Human Affairs through the Relief and Rehabilitation Commission<sup>5</sup>. In most public events, Christian and Muslim representatives read prayers, and the government usually provides translation from English to Arabic.<sup>6</sup>

Several religious groups are represented in government institutions. President Kiir Mayardit is a Catholic, while Sheikh Juma Saaed Ali, a leader of the Islamic community of South Sudan, is a high-level advisor on religious affairs.<sup>7</sup>

In general, religious education in public secondary schools and universities is included in the curricula, even though it is not government-mandated. Private schools are free to set their own religious curriculum.<sup>8</sup>

The security situation in different parts of the country has deteriorated significantly during the reporting period. Despite truces and peace agreements, lasting and meaningful peace is very far from the reality of most South Sudanese, with basic liberties at risk on a daily basis. Furthermore, political leaders and government officials are often accused of failing to protect the civilian population.

South Sudan’s precarious security situation over the last few years has had huge implications for the freedom of

faith-based groups. Numerous massacres and atrocities have been perpetrated in the country, with those responsible often enjoying total impunity. It is estimated that nearly 400,000 people have been killed since the end of 2013.<sup>9</sup>

Given the ethical concerns regarding South Sudan's government and political elite, with security forces suspected of being responsible for two thirds of human rights violations,<sup>10</sup> religious leaders are often the only social actors with the necessary credible moral authority to challenge those in power and denounce acts of violence and injustice. This quasi-prophetic role often jeopardises the personal safety of those faith leaders who speak out. Some religious leaders have shunned the celebration of the National Day of Prayer called by the President Kiir, accusing him of being one of the root causes of the armed conflict.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

The Catholic Church has been very actively engaged in peace initiatives in South Sudan. The country's bishops issued a statement in March 2019 saying that the revitalised agreement signed in September 2018 did not properly address the root causes of the ongoing conflict. They also emphasised that the hostilities continued, and that the agreement was not being implemented.<sup>12</sup>

A month later, in April 2019, the Pope invited the warring leaders to his residence in Casa Santa Marta for a retreat. The goal was to "heal bitter divisions".<sup>13</sup> Pope Francis knelt to kiss the feet of President Kiir and Vice President Machar as he encouraged the leaders to resolve their problems and form a unity government, as they had committed to. President Kiir said that he "trembled" at that moment and urged Machar to return to the country to "expedite the peace process".<sup>14</sup> Representatives of the South Sudan Council of Churches were also present at the retreat, as was the Archbishop of Canterbury and Primate of the Anglican Community, Justin Welby, who had proposed it.<sup>15</sup>

At the end of the year, in November 2019, the Pope declared that he wished to visit the country in 2020. However, this did not occur due to the situation caused by the COVID-19 pandemic.<sup>16</sup> The pontiff called on the international community to "not neglect" the South Sudanese as their leaders worked towards reconciliation.<sup>17</sup>

In his Christmas message, in December 2019, the Pope sent his wishes to the population of South Sudan and as-

sured them of his "spiritual closeness as you strive for a swift implementation of the Peace Agreements."<sup>18</sup> The South Sudan Council of Churches also issued a letter in which it called for forgiveness and reconciliation, and urged the parties who had not accepted the ceasefire agreement to do so. The prelates also thanked peacemakers and mediators to the conflict and called for an end to hostilities.<sup>19</sup>

Some international religious organisations are strongly involved in South Sudan's peace-building efforts. The Rome-based Community of Saint Egidio mediated a ceasefire agreement in early January of 2020, which became effective on the 15th of the same month. In an effort to move the peace process forward, representatives of the South Sudanese government and the country's opposition signed the 'Rome Declaration'.<sup>20</sup> The parties themselves thanked Pope Francis and other Church leaders for their involvement.<sup>21</sup> The agreement was also welcomed by the Association of Members Episcopal Conferences in East Africa (AMECEA).<sup>22</sup>

The Community of Saint Egidio again mediated talks that ended in a ceasefire agreement between the government and the Opposition Movement Alliance in October 2020.<sup>23</sup> A Comboni missionary Sister in the Diocese of Malakal, in the south of the country, complained about sporadic clashes between government forces and armed groups that had not signed the 2018 peace agreement. She emphasised that the crisis brought by the pandemic had increased poverty in the country.<sup>24</sup>

In June 2020, the South Sudan Council of Churches deplored the escalation of violence taking place in almost all of the country's states. The bishops also called on the government to honour the agreements it signed.<sup>25</sup> In September 2020, Archbishop Stephen Ameyu Martin Mulla of Juba and Bishop Barani Edward Kussala of Tombura-Yambio met with President Salva Kiir. They congratulated him for his efforts towards peace in the country, and expressed their "willingness to collaborate with him [...] for peace and growth."<sup>26</sup> On the International Day for Peace, 21st September 2020, Bishop Kussala called for peace and unity between ethnic communities.<sup>27</sup>

Throughout the period under review, religious institutions and communities continued to contribute to peace building and dialogue. The South Sudan Council of Churches (SSCC) held a series of grassroots talks aimed at promoting mutual understanding and respect between various groups, including religious groups. Along with the Islamic Council, the SSCC has served as a hub to coordinate



peace-building efforts.<sup>28</sup> Moreover, religious buildings often serve as places of refuge for people fleeing intense fighting.

The peace process in South Sudan has received support in the region. In September 2019, the African Council of Religious Leaders called for the implementation of the peace agreement and an end to the humanitarian crisis. It also warned that failure to do so would mean “collapsing back into war”.<sup>29</sup>

Despite all the peace-building efforts, violent attacks have persisted. On 7th November 2019, unidentified gunmen attacked the Rimenze Catholic Church and the neighbouring village, killing four people and displacing thousands. According to eyewitnesses, the gunmen looted and burnt homes. The government did not boost security in the area, forcing many residents to sleep in the forest or take refuge in a local church.<sup>30</sup>

To help the population affected by severe floods in November 2020, the SSCC appealed to international donors and the private sector, as well as faith communities. The Council delivered aid to various communities together with Caritas.<sup>31</sup>

Following the outbreak of the COVID-19 pandemic in March 2020, the SSCC set up a team to complement “the efforts of the country’s National High-level Taskforce”.<sup>32</sup> During the pandemic, places of worship remained open due to the low number of reported cases, but precaution-

ary measures were implemented.<sup>33</sup> Bishop Kussala of Tombura Yambio called on the population to “comply with the indications given by the government, in particular for the protection and health of the poorest.”<sup>34</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

According to the Office for the Coordination of Humanitarian Affairs (OCHA), there are approximately 1.6 million Internally Displaced Persons in South Sudan and 2.2 million South Sudanese are refugees elsewhere. Moreover, the humanitarian crisis caused by the armed conflict has left 8.3 million people in need of aid.<sup>35</sup> The efforts to move forward with the peace process and the signed ceasefires are encouraging, as is the formation of the unity government, but the situation on the ground continues to be dire for the population.

The Catholic Church, especially Pope Francis, has been active in promoting peace and reconciliation in South Sudan. Even though the conflicting parties seem committed to the peace process, clashes still occur. Furthermore, the tribunal established to judge those responsible for war crimes during the conflict is yet to be created, even though two years have passed since the Revitalised Agreement was signed. Prospects for religious freedom depend on the stakeholders to ensure that peace is achieved, and with it the possibility for human rights to prosper.

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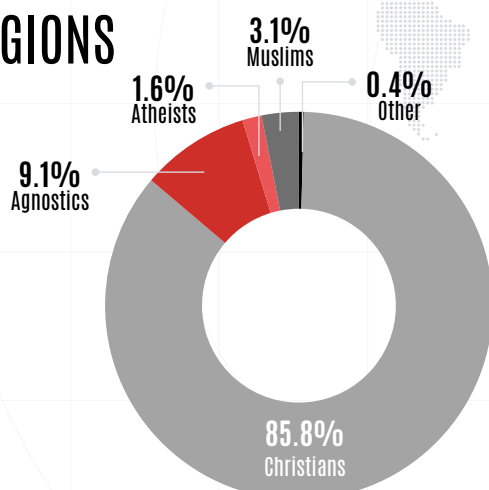
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# SPAIN

## RELIGIONS



Population

**46,459,219**

GDP per capita

**34,272 US\$**

Area

**505,944 Km<sup>2</sup>**

GINI INDEX\*

**34.7**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 16 of the 1978 Constitution of Spain<sup>1</sup> protects freedom of religion and worship. This fundamental right is regulated by Organic Law 7/1980 on Religious Freedom,<sup>2</sup> the Royal Decree 594/2015 (3rd July) on Religious Entities,<sup>3</sup> the Royal Decree 932/2013 (29th November) concerning the Religious Freedom Advisory Committee,<sup>4</sup> the Royal Decree 589/1984 (8th February) on the Religious Foundations of the Catholic Church,<sup>5</sup> and the Royal Decree 593/2015 (3rd July) regulating the Declaration of Juridical Status of Religious Confessions in Spain.<sup>6</sup>

Other laws that directly or indirectly affect religious freedom are Organic Law 1/2002 on the Right of Association,<sup>7</sup> Organic Law 2/2006 on Education,<sup>8</sup> Organic Law 10/1995 on the Penal Code,<sup>9</sup> Organic Law 8/2013 on the Improvement of Educational Quality,<sup>10</sup> and Organic Law 6/2001 on the Universities.<sup>11</sup>

On 28th July 1976, Spain and the Holy See began enhancing their relations, a process that culminated in the Accords of 3rd January 1979 on legal, economic and cultural matters, including religious assistance in the Armed

Forces and military service of members of the clergy.<sup>12</sup>

The Spanish government has also reached agreements with the country's other religions through the following pieces of legislation: Law 24/1992 approving the Cooperation Agreement with the Federation of Evangelical Religious Entities of Spain,<sup>13</sup> Law 25/1992 approving the Cooperation Agreement with the Federation of Israelite Communities of Spain,<sup>14</sup> and Law 26/1992 approving the Cooperation Agreement with the Islamic Commission of Spain.<sup>15</sup>

## INCIDENTS AND DEVELOPMENTS

In 2019 and 2020, a similar number of acts of vandalism against churches and properties of the Catholic Church was reported as in previous years, including, among others, desecrations, robberies and graffiti.

Physical attacks were not isolated incidents since they have occurred in practically every Spanish region, and under Spanish law they could be classified as hate crimes.

Offensive graffiti on the external walls and façades of churches and religious buildings were the most common offence, ranging from the largest or most archetypal

churches, such as the facade of the Cathedral of Santiago de Compostela<sup>16</sup> in March 2019, to smaller buildings including the convent of the Poor Clares in Almería.<sup>17</sup> In most cases, the perpetrators of such acts of vandalism remain unknown.

It is also important to note acts of desecration of the Blessed Sacrament, with consecrated hosts stolen or damaged in provinces like Cuenca<sup>18</sup> and Jaén,<sup>19</sup> just to name a few, as well as physical attacks against priests, albeit without serious consequences, as was the case in Palma de Mallorca in April 2019.<sup>20</sup>

Such acts of vandalism, as well as verbal insults in the media tended to increase significantly in connection with Christian holidays like Christmas,<sup>21</sup> Palm Sunday,<sup>22</sup> Easter Sunday, and Corpus Christi. Several acts of verbal attacks and vandalism<sup>23</sup> were reported on 8th March 2020, International Women's Day, against churches<sup>24</sup> and her representatives.<sup>25</sup>

The most significant development in the past few years has to do with ongoing educational reforms pursued by Spain's current coalition government (PSOE-Unidas Podemos) in which, for the first time in a democracy, civil society, most notably its community of educators, was excluded from the debates in parliament.<sup>26</sup>

The Minister of Education, Isabel Celaá, publicly denied that parents had a constitutional right to choose the religious education of their children,<sup>27</sup> despite the fact that this principle is enshrined in Article 27 (3) of the Constitution.<sup>28</sup>

Parents' organisations, employers' associations and private schools' associations and their main unions joined forces to directly oppose this new law because it violates freedom of choice and imposes a single model of education.<sup>29</sup>

The new education law also inhibits subsidised private education.<sup>30</sup> To date the notion of "social demand" took into account the discernment of families when choosing a certain school for their children,<sup>31</sup> from now on the state alone will determine agreements with educational establishments.

The bill also strips religion of its academic value as a subject, despite the fact that its teaching in schools is covered by the Agreement between Spain and the Holy See.<sup>32</sup> According to the draft law, religion will no longer be mandatory and its grades will no longer count for access to university or for scholarships.<sup>33</sup> In addition, students who do not choose this subject will not be required to enrol in a

comparable subject as is currently the case.

The Catholic Bishops' Conference of Spain (Conferencia Episcopal Española, CEE) spoke out on numerous occasions warning of setbacks to freedom of religion and freedom of education. The Secretary-General of the CEE, Archbishop Luis Argoello, stated that these proposals "close the freedom of parents to choose for their children an education that is in accordance with their moral and religious convictions."<sup>34</sup> Calling for an educational pact, the Conference presented a proposal on the subject of religion.<sup>35</sup> At the time this report was written, the bill was still before parliament.

Over the past two years, the Catholic Church has been the object of a political campaign in connection with an historical Real Estate Tax exemption (Impuesto de Bienes Inmuebles or IBI) on its property assets. Normally accorded all institutions, organisations, political parties and associations that have a social purpose, the Unidas Podemos party presented proposals in regional parliaments<sup>36</sup> and the city councils of Cádiz,<sup>37</sup> Zaragoza,<sup>38</sup> and Valencia,<sup>39</sup> among others, as well as in the European Parliament,<sup>40</sup> to force the Catholic Church to pay the IBI. To date the initiative is without success.

In a jointly agreed political platform the two ruling left-wing parties, the Spanish Socialist Workers' Party (PSOE) and the United We Can party (Unidas Podemos), continue to push for changes to this law purportedly to "facilitate the recovery of those assets improperly registered by the Church based on the privilege of registering assets in the Property Registry starting with simple declarations of its own members."<sup>41</sup> Despite repeated requests, the government has yet to publish the list of almost 35,000 properties registered by the Catholic Church between 1998 and 2015.<sup>42</sup>

In 2020, an interim report by the Court of Auditors (Tribunal de Cuentas) accused the Catholic Church of failing to comply with the law with respect to the way it used tax money received. Months later, the tribunal rectified its position.<sup>43</sup>

Regarding the effects of the coronavirus pandemic on religious freedom, the main issue has been the fact that more restrictive measures have been imposed on religious services than on other civic activities. For example, during the lockdown in Barcelona, the Catalan government (Generalitat) only allowed a maximum of ten people to take part in a funeral Mass in July 2020 at the Sagrada Família Basilica,



whilst a day earlier, tourists were allowed in up to 50% of its capacity. The Archdiocese of Barcelona celebrated the funeral at a 23% capacity.<sup>44</sup> After filing a case against the Church in Barcelona, Catalan authorities later increased the allowed capacity to a third for Eucharistic celebrations.

In Ibiza, health authorities shut down two parishes in a restricted area; the local diocese described the measure as an attack against religious freedom and filed an appeal.<sup>45</sup> In Salamanca and Valladolid, the number of participants allowed to attend religious services was limited to 25 people during the COVID-19 outbreak, which the Church considered disproportionate.<sup>46</sup> Eventually, participation was allowed up to one third capacity.

For the first time, instead of a religious state funeral for the more than 40,000 Spaniards who died from the coronavirus pandemic, the government held a “civil state ceremony,” a secular tribute in their memory.<sup>47</sup>

With respect to Islam, the latest report from the Andalusian Observatory of the Union of Islamic Communities of Spain<sup>48</sup> (Observatorio Andalusi, Unión de Comunidades Islámicas de España) highlighted the growth of “Islamophobia” on the Internet and even more so on social media, especially against women wearing hijabs. Generally, mass media continue stereotypes and biases allegedly using journalistic expressions that show “a lack of knowledge about Islam” or carry “negative overtones”.<sup>49</sup>

Muslims and their properties continued to be the target of violent attacks. In schools, critics noted, Islam was treated without proper clarity, whilst municipal authorities still failed to provide Muslims with space for their places of worship and cemeteries.

According to the Federation of Jewish Communities of Spain (Federación de Comunidades Judías de España), anti-Semitic actions continue unabated as in previous years. The Internet and social media have become platforms where hatred and rejection of Jews are expressed with greater frequency and impunity.<sup>50</sup> Still, police reported only one physical attack against a woman in 2019. On a positive note, Spain accepted the notion of anti-Semitism as defined by the International Holocaust Remembrance Alliance.<sup>51</sup>

Although religious freedom is guaranteed in Spain, there is great concern over the current government's interest in changing the a-confessional nature of the state, as recognised in the Constitution, to that of a secularist state.<sup>52</sup>

Proposals including reforming the education law impacting the freedom of parents to choose an education for their children in accordance with their religious convictions, and excluding religion as a subject matter from the academic curriculum, are conditions indicative of a restriction on freedom of religion and a lack of pluralism, both of which of concern in a mature democracy.

## PROSPECTS FOR RELIGIOUS FREEDOM



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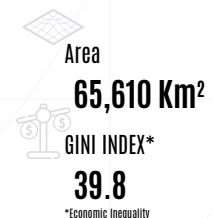
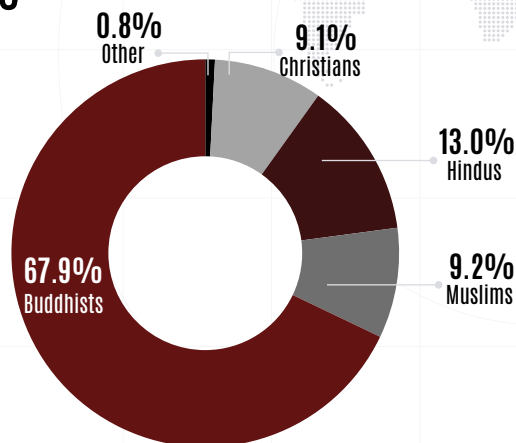
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# SRI LANKA

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution<sup>1</sup> of the Democratic Socialist Republic of Sri Lanka, revised in 1972 and 1978, provides for religious freedom and enshrines no preferential treatment on the basis of religion. According to Article 14 (1, e), every citizen is entitled to “freedom, either by himself or in association with others, and either in public or in private, to manifest his religion or belief in worship, observance, practice and teaching.” However, amendments that took effect in 1972 grant Buddhism a privileged constitutional status. According to Article 9, “The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the state to protect and foster the Buddha Sasana” (Buddhist teachings, practices and doctrine).

### Religious coexistence and identity

Notwithstanding this constitutional and legal framework, rising ethno-religious nationalism and the failure of successive governments to address the genuine and growing disaffection of religious and ethnic minorities now threatens to plunge the country into a prolonged period of religious repression and conflict. This is despite the fact

that Sri Lanka closed the door on a decades-long ethnic conflict that assumed the form of a destructive 30-year civil war only a little more than 10 years ago. Buddhist nationalist organisations are becoming more extremist even as they are becoming more numerous and powerful. Organisations promoting Buddhist supremacy include Bodu Bala Sena (“Buddhist Power Force”, BBS) Ravana Bala-va (Ravana Power), Sinhala Ravana (Sinhala Echo), and the Sinhale Jathika Balamuluwa (Sinhala National Force). As they expand their reach, they threaten to destroy Sri Lankans’ shared national identity, and they are provoking a reactive extremism among Muslim and Hindu minority communities.<sup>2</sup>

The BBS is the most prominent of these organisations and is led by a Buddhist monk, the Venerable Galagoda Athete Gnanasara whose rhetoric has prompted numerous attacks on houses of worship and businesses belonging to religious minorities. Often using social media, such as Facebook to disseminate hateful messaging, the BBS has targeted Muslims with particular viciousness and violence.

As hard-line Buddhists continue to press for dominance, there is a disturbing growth of militant Tamil Hinduism. Siva Senai is a radical Hindu Tamil group that operates in northern and eastern Sri Lanka. The emergence of an

extremist form of Tamil Hinduism is particularly alarming because it could portend the revival of the kind of violent Tamil militancy that fuelled the separatism of the Tamil Tigers, but in a religious and sectarian form. Radical groups like Siva Senai could become the minority counterparts of majoritarian groups, such as BBS, with each feeding off the other in a downward spiral of sectarian rivalry. The potential for Siva Senai to grow in militancy and capability is especially high because it enjoys the support of surging Hindu-nationalist groups, such as the Rashtriya Swayam Sevak Sangh (RSS), in nearby India. Militant Hindu Tamil groups are particularly active in Batticaloa, where they have organised numerous attacks against Christians.

Instances of interfaith violence represent the most dramatic threat to religious freedom in Sri Lanka. Such attacks, however, do not occur in a vacuum, but rather are carried out in the context of profound and growing interreligious tensions in Sri Lankan society.

Growing discrimination against minorities by the state, as well as non-state actors, especially against Muslims, coupled with widespread animus toward Muslims generally since the end of the civil war, have also contributed to Muslim radicalisation. The danger of radicalisation was most evident with the Easter Sunday attacks carried out by individuals affiliated with the Islamic State group, which resulted in the deaths of over 300 people.<sup>3</sup>

In addition to growing ethno-religious conflict, recent political crises have deepened the country's instability. In particular, a constitutional crisis lasted for almost two months after President Sirisena of the Sri Lanka Freedom Party (SLFP) dismissed Prime Minister Ranil Wickremesinghe (United National Party) in October 2018 and appointed instead his rival, Mahindra Rajapaksa, former president and head of the SLFP.<sup>4</sup> Chaos ensued when Sirisena dissolved parliament even after the UNP insisted it still commanded a parliamentary majority. Although the Supreme Court suspended the dissolution of Parliament, the UNP needed to woo the Tamil National Alliance (TNA) to establish a firmer majority. With the TNA as part of the ruling coalition, the arch-nationalist Rajapaksa, who presided over the decisive but bloody and controversial conclusion to the 30-year civil war with the Tamil Tigers, became the opposition leader.

This parliamentary chaos, combined with the Easter bombings and the failure of the political establishment to act on intelligence reports that attacks were imminent, further eroded the credibility of the country's political lead-

ership and strengthened extremist leaders and their organisations, such as Gnanasara and the BBS. Indeed, the calculation that Sirisena could instantly enhance his crumbling political authority by making himself the friend of Gnanasara – whose anti-Muslim stance was seemingly vindicated by the Easter bombings in the eyes of many Sri Lankans – no doubt led to his decision to pardon the extremist monk. The country held a historic presidential election on 16th November 2019, and Nandasena Gotabaya Rajapaksa, the brother of former President Mahinda Rajapaksa, came away victorious, winning 52 percent of the vote.<sup>5</sup>

In the midst of growing coronavirus infections, in March 2020, President Gotabaya Rajapaksa dissolved the opposition-controlled Parliament six months earlier than required in the hope that his party could win a majority in the new election. Rising levels of infection compelled the government to postpone the vote scheduled for 25th April to 20th June. The Sri Lanka constitution stipulates that a dissolved Parliament must be replaced within three months. Finally, after two COVID-19 induced postponements the parliamentary elections took place on 5th August 2020. Former two-term President Mahinda Rajapaksa, and the older brother of current President Gotabaya Rajapaksa, was sworn in as Prime Minister in August after the Sri Lanka Podujana Perumuna (SLPP) won a landslide victory across the island of 22 million, winning 150 out of a total of 225 seats in the unicameral legislature.<sup>6</sup>

While interreligious conflict and the rising democracy deficit in Sri Lanka have their own intricacies, many challenges are similar to those faced by other countries in the region. In particular, recent events in Sri Lanka have highlighted the dangers of a sectarian Buddhist nationalism that goes beyond Sinhalese ethno-linguistic chauvinism (which at least had the virtue of including non-Buddhists who were also ethnically Sinhalese) in that it casts all non-Buddhists of whatever ethnicity – Muslims, Hindus, and Christians – as existential threats to Buddhist survival. This specifically Buddhist nationalism tends to regard all non-Buddhist communities and institutions as alien and unwelcome on the island of Sri Lanka, which they believe the Buddha himself consecrated for the defence and propagation of Buddhism.

## INCIDENTS AND DEVELOPMENTS

Despite boasting legal protections for religious freedom, Sri



Lanka displays growing social intolerance and religiously motivated violence. Increasing attacks are an extreme example of a longer history of religious violence in the country. Recent years have seen riots against Christian and Muslim minorities, targeting both individuals and their homes and businesses.

According to a report by the National Christian Evangelical Alliance of Sri Lanka (NCEASL) and a Sri Lankan think tank, Verité Research, consistent failure to prosecute perpetrators for relentless violence against religious minorities has created an “environment of impunity,” which has given rise to a growing number of violent incidents against religious minorities.<sup>7</sup> In fact, NCEASL suggests that entrenched violence against religious minorities over many years reached its peak in April 2019 with the Easter Sunday attacks, which included a series of explosions at two Catholic churches, St Anthony’s in Kochchikade and St Sebastian Church in Katana, and one Protestant church, Zion Church in Batticaloa. Other explosions occurred at three high-end hotels in Colombo: The Cinnamon Grand, The Kingsbury, and the Shangri-La.<sup>8</sup>

Following the Easter bombings, then President Maithripala Sirisena used an emergency law to impose a nationwide ban on any face garment that “hinders identification.” Although the niqab and the burka were not specifically mentioned, the move was widely understood as targeting those particular articles of clothing worn by Muslim women.<sup>9</sup> Furthermore, in the immediate aftermath of the bombings, Muslim communities feared retaliation. In Negombo, a Muslim-majority neighbourhood outside Colombo, Muslim leaders stopped broadcasting prayer calls and shop owners closed their stores.<sup>10</sup> In May 2019, a top Buddhist monk, Sri Gnarathana Thero, called for violence against the Muslim community and some Buddhists spread rumours that a Muslim doctor had sterilised thousands of Buddhist women.<sup>11</sup>

After the Easter bombings, the leader of the Islamic State group, Abu Bakr al-Baghdadi, praised the attacks and claimed that the bombers had pledged their allegiance to his organisation. Al-Baghdadi urged militants in Sri Lanka to be a “thorn in the chest of the crusaders,” and spoke of the bombings as revenge for the fall of Baghouz in Syria, which was the last territory in Iraq held by the extremist group. Al-Baghdadi’s statements were met with significant concern in the Sri Lankan Catholic community, which bore the brunt of the Easter Sunday attacks. Cardinal Ranjith,

the Archbishop of Colombo, stated that if the government did not act to protect its people then the Church might not be able to stop them from taking the law into their own hands. Additionally, Catholic officials urged the government to make concerted efforts to identify Islamic extremists and go about such efforts “as if on [a] war footing.”<sup>12</sup>

Two days after his resounding victory on 16th November 2019, Gotabaya Rajapaksa, a former defence minister and brother of the former President Mahinda Rajapaksa, was sworn in as the eighth president of Sri Lanka. During the swearing-in ceremony the new head of state emphasised that he had won the election because of the support of the majority Sinhala people. His statements were interpreted to mean that he planned to reinforce Sinhalese Buddhist hegemony on the island.<sup>13</sup>

Controversy followed Gotabaya’s election campaign as allegations surfaced about his role in extrajudicial killings, abductions, and rape of Tamil separatists, particularly during the last four years of the civil war.<sup>14</sup> While Gotabaya denied all the charges against him, Tamil Catholic priests and intellectuals feared that his landslide victory and his presidency would exacerbate ethnic and religious tensions in the northern and eastern parts of the country which are home to a majority of the country’s Catholics and Muslims. Fr. Rohan Dominic, the coordinator of the Claretian missionary group at the United Nations, said that he was “saddened by the environment created by the election.” Many Catholic groups, including the Catholic Bishops’ Conference of Sri Lanka and Caritas, are involved in numerous peace and reconciliation activities, but Fr. Dominic feared that the positive outcomes of these programs would be lost as “racism and supremacy theories are surfacing again.”<sup>15</sup>

In August 2020, after winning parliamentary elections, the current president’s brother, Mahinda Rajapaksa, became the prime minister of Sri Lanka. For Christian Solidarity Worldwide’s Chief Executive, Mervyn Thomas, this might lead to a “further deterioration of the rights and treatment of religious minorities within the country.” These fears are fuelled by the unfortunate experiences of Catholics, particularly Tamil Catholics, during the civil war. In 2005, when Mahinda Rajapaksa first came to power, Roman Catholics, who make up a majority of Christians in Sri Lanka, began to face increasing pressure. Seven years later, in 2012, a group of 200 Tamil Catholics were forced into refugee camps because they were accused not only

of supporting Tamil separatists but also of “compromising the Buddhist identity of the area”<sup>16</sup> where they lived.

Over the past few years open threats and intimidation of Christians have continued unabated. At the end of December 2019, the NCEASL reported a total of 95 incidents against Christians, including 46 acts of intimidation, threats, and coercion. In some cases, mobs or groups of assailants, accompanied by religious leaders, usually Buddhist monks, tried to stop liturgical services. For example, on 8th December 2019 in Kalutara District, a group of 80 individuals led by a Buddhist monk demanded the pastor of the Pentecostal Assembly of Sri Lanka to stop conducting the service he was celebrating. The mob attempted to attack the pastor’s wife when she intervened on her husband’s behalf. Later that evening, the mob returned with the officer-in-charge (OIC) of the Dodangoda Police Station who threatened the clergyman and forbade him from holding any more services.<sup>17</sup>

In their report, “Inaction and Impunity”, Verité Research and NCEASL strongly suggest that, based on their research, “the state was a key perpetrator/the offending party by being complicit in incidents involving non-physical violence.”<sup>18</sup> In particular, the report singles out state-led discriminatory actions or practices through the use of the 2008 Circular on the Construction of New Places of Worship, which is used to harass Churches about their registration requirements.

According to a 2019 report by the World Evangelical Alliance (WEA), the “Circular has no founding in parliamentary legislature.” The WEA report adds that local government officials make decisions on whether or not to grant permission for the future of any place of worship based on “their own understanding or biases.”<sup>19</sup> Already in 2017, the NCEASL called on the Ministry of Buddha Sansana, Religious and Cultural Affairs and the Department of Christian Affairs to clarify when and how the circular might be used for Christian churches. Although the NCEASL was informed that the circular is only applicable to Buddhist places of worship, it is still being used to enforce registration requirements on churches across the country.<sup>20</sup>

While the state might not always be the driver of religious violence, there is increasing evidence that it plays a complicit role particularly if incidents involve, or are led, by Buddhist clergy.<sup>21</sup> In May 2020, a Christian businessman

was prohibited from opening an advertising agency in Uhana, a village in Ampara District. The man received a phone call from a Buddhist monk telling him that he could not open the shop in what the monk called a “Buddhist village.” When the businessman went to the police, the officer-in-charge agreed with the monk and told the businessman that if he persisted in opening his business and villagers set fire to it, there would be nothing the police could do to stop them.<sup>22</sup>

Finally, Hindu extremists, who are a part of Siva Senai, a new Hindu fundamentalist organisation, have been concerned with what they regard as “threats” from other religions. In 2005, when the former United Nations Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, arrived in Sri Lanka to examine the claim by both the BBS and Siva Senai that vulnerable populations were being induced to convert to Christianity, she found that such claims “had rarely been precise and had largely been overestimated.”<sup>23</sup> Some of the attacks on churches in north-eastern Sri Lanka have been perpetrated by Hindu extremists from the surrounding areas. For example, on the 19th July 2020, a Hindu extremist mob of around 40 people attacked the Jesus Witness Church in Chenkalady, a town in eastern Sri Lanka. The pastor and his wife were beaten and some of the congregants were assaulted.<sup>24</sup>

On 27th March 2020, the Ministry of Health issued a circular requiring mandatory cremation for the bodies of people who died or were suspected of dying from COVID-19. For Sri Lankan Muslims, full body burial is considered an essential part of the final rites of their tradition. Muslims make up close to 10 percent of the population on the island nation and fear that forced cremations are yet another way in which authorities are targeting their community.<sup>25</sup> Furthermore, it appears that Sri Lanka is the only country to implement this controversial practice while ignoring the World Health Organization (WHO) guidelines that allow cremation or burial for COVID-19 victims.<sup>26</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Given current trends, there is a strong likelihood that the conditions for religious freedom will further deteriorate in Sri Lanka in the coming years. In an increasingly politically and culturally toxic environment, it is imperative that all Sri Lankans of good will take strong and practical steps

to build on the country's traditions and institutions of tolerance and interreligious understanding.

In its 2020 Sri Lanka Landscape Report, the Religious Freedom Institute (RFI) maintains that "most Sri Lankans respect tolerance as a social ideal, which is enshrined in the preamble of Sri Lanka's Constitution."<sup>27</sup> Although this ideal is badly frayed, the RFI report suggests that there is still "an opportunity to build on this principle of tolerance through further constitutional reform, work toward transitional justice, and engagement in creative policy-making."<sup>28</sup>

In addition, an Inter-Religious Council established by the president to increase society's understanding of, and respect for, other religious traditions and institutions, can serve as a platform for discussions and mediations, as well as general peace-building activities, planning, and advising. To ensure that this body is inclusive and adequately represents all religious communities, it will be necessary, however, to include leaders of Sri Lanka's Evangelical Protestant community, who have thus far been excluded.<sup>29</sup>

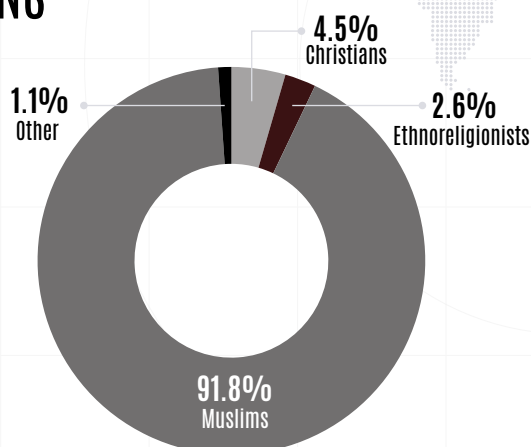
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# SUDAN

## RELIGIONS



Population  
**43,541,203**  
GDP per capita  
**4,467 US\$**



Area  
**1,886,068 Km<sup>2</sup>**  
GINI INDEX\*  
**34.2**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

After 30 years in power, Sudan's strongman Omar al-Bashir was ousted in April 2019. His downfall began in December 2018 when peaceful protests which broke out across Sudan, were violently suppressed. Al-Bashir's overthrow by the country's military put an end to a system sustained by corruption and authoritarianism. Already in 2009, the International Criminal Court (ICC)<sup>1</sup> had indicted him for ethnic cleansing and genocide in Darfur, where 500,000 civilians died.<sup>2</sup> After the new Sudanese government came to power, it agreed to hand al-Bashir over to the ICC for trial.<sup>3</sup>

Following the change in regime, the 2005 Interim National Constitution of Sudan was replaced by the Draft Constitution Declaration. This new charter was signed by the Transitional Military Council and the Forces of Freedom of Change coalition on 4th August 2019.<sup>4</sup> It sets the basis for a transition of three years towards civilian rule, culminating in elections. Currently, Sudan's governing body is called the Sovereign Council, and is composed of 11 members (both military and civilian). One of them is a Coptic Chris-

tian.<sup>5</sup>

Under the 2019 constitution, non-discrimination on the basis of religion is recognised in Article 4 (1). Article 43 establishes the obligation of the state to protect such a right. Article 56 focuses on "freedom of religion and worship", stating that everyone has the right to freely express their religion and no one can be forced to convert or practise any rituals that "they do not voluntarily accept."<sup>6</sup>

Despite the formal recognition of religious freedom expressed in the constitution, issues like conversion, apostasy, blasphemy, proselytising and other "religious offences" are areas of serious concern for Sudan's government and legislators.

There are strong penalties for blasphemy under the criminal code.<sup>7</sup> Apostasy, conversion from Islam, religious discrimination and other controversial religious matters rarely reach the Constitutional Court and are handled instead in lower courts in accordance with laws and procedures based on Islamic jurisprudence.<sup>8</sup> This leaves those suspected of acting against Islamic norms largely unprotected before the law and with little access to impartial courts.

The Ministry of Education requires a minimum of 15 students in any class in order to provide Christian instruction.



Since South Sudan's secession, this number is rarely attained, so Christian students have to resort to extra-curricular religious instruction provided by their own churches.<sup>9</sup> The government is also suspected of exploiting internal divisions or dissident tendencies within minority religious groups in order to weaken existing Churches and congregations, particularly in the case of conflicts over Church-owned properties.<sup>10</sup>

Sudan has been defined in the past as a "militia state",<sup>11</sup> notorious for its quick arrest of citizens on charges like indecency and disturbance of public order, easily filed against political dissidents, activists, journalists, religious or political leaders, etc. considered a threat to the government. Sudan's Armed Forces and security agencies have often been accused of arbitrary detentions, extrajudicial killings, torture, and ill-treatment of detainees.<sup>12</sup> Violations of human rights seem particularly flagrant in those states still affected by armed conflict, namely Darfur, Southern Kordofan, and Blue Nile.

Until the change of government in 2019, human rights organisations were unanimous in their criticism of Sudanese authorities for their discrimination and oppression of certain groups on religious grounds,<sup>13</sup> as though they were a threat to social cohesion or security. Christians were frequently targeted in the Nuba Mountains, a region in South Kordofan State that has been embroiled in insurgencies led by groups demanding independence. Some Muslim groups, especially Shi'a and Qur'anist congregations, are also under the close surveillance of security agencies.<sup>14</sup>

In July 2017, the Ministry of Education of Khartoum State issued an order preventing Christian schools from holding classes on Saturdays and imposing on them the "Muslim weekend" of Friday and Saturday instead of the usual weekend of Friday and Sunday permitted hitherto.<sup>15</sup> The country's bishops and various Christians complained, but it was not until the Transitional Military Council came to power that this order was rescinded. Now, Sunday is the official recess day for Christian schools in Sudan.<sup>16</sup>

The New Transitional Government of Sudan heralds a new era for religious freedom in the country. The Minister of Religious Affairs and Endowments, Nasredin Mufreh, issued a public apology to Sudanese Christians "for the oppression and harm inflicted on your bodies, the destruction of your temples, the theft of your property, and the unjust arrest and prosecution of your servants and confiscation of church buildings."<sup>17</sup> At present, the government has officially expressed its intention to re-establish the val-

ues of religious coexistence that existed before al-Bashir's Islamist regime.<sup>18</sup>

Under its new rulers, Sudan declared Christmas a national holiday which it hadn't been since the secession of South Sudan. Christians marked the occasion by taking to the streets in the capital for a "March for Jesus", singing and sharing the Gospel message on banners,<sup>19</sup> a tradition outlawed under Bashir's government.

The minister of Religious Affairs and Endowments asked religious leaders and preachers "to adopt a discourse that is moderate, [that] refrains from extremism, and focuses on what unites the people."<sup>20</sup> He added that he wanted to change the school's religious curriculum "to deepen the spirit of tolerance."<sup>21</sup> Furthermore, he also invited Sudanese Jews to come back to the country;<sup>22</sup> most left after independence in 1956.<sup>23</sup>

This shows a clear contrast with the previous government of Omar al-Bashir, who in 2011 stated that he wanted to adopt a "100 per cent" Islamic constitution after the secession of the South,<sup>24</sup> which has a Christian majority. Under the former strongman, "foreign missionaries have been expelled, churches confiscated or demolished, and leaders harassed and arrested."<sup>25</sup> As part of this full Islamisation policy, the minister of Guidance and Endowments had announced in 2013 that no new licences would be issued to build new churches.<sup>26</sup>

In July 2020, the apostasy law was abolished, but for several NGOs this did not go far enough; in their view, the new constitution is flawed since many personal freedoms are still not adequately protected.<sup>27</sup>

## INCIDENTS AND DEVELOPMENTS

During the period under review, Sudan went through a major transition. Omar Al-Bashir was ousted from power in April 2019 after months of protests and a violent response by the security forces. During the unrest, discrimination against Christians continued.

Before the protests, Christians reported violations of their freedom to worship, complained of pastors being arrested and Church properties systematically confiscated.<sup>28</sup>

In October 2018, 13 Christians were arrested by agents of Sudan's National Intelligence and Security Service in Darfur.<sup>29</sup> Three of them had a Christian background and were released, but the rest of them, who were converts from Islam, were freed only after they were beaten and

forced to promise that they would recant their new faith.<sup>30</sup> The ill-treatment during the detention was so severe that four had to be transferred to Khartoum for medical treatment.<sup>31</sup> The group's leader, Tajadin Idris Yousef, "refused to deny his faith" and was remanded for trial on apostasy charges.<sup>32</sup>

The Sudanese Church of Christ (SCOC) and the government have been involved in a long-standing dispute over the ownership and control of certain Church properties. In October 2018, the police in Omdurman instructed SCOC to "hand over leadership of the congregation" to a rival group.<sup>33</sup> In a different case that same month, the government lost in court against the Church, and was forced to return 19 SCOC properties that had been confiscated two years earlier.<sup>34</sup>

The Sudan Presbyterian Evangelical Church and the government are also at loggerheads over the ownership of properties. In the past, the Church has been fined and has had properties destroyed.<sup>35</sup>

After 2011 Christians faced a serious shortage of religious texts and teaching material because "government customs officials [. . .] delayed the clearing of several shipments of Arabic Bibles via Port Sudan, without explanation".<sup>36</sup> In October 2018, the authorities finally cleared a consignment of Bibles that had been held up for six years.

In December 2019, three churches (Orthodox, Catholic and Baptist) in Blue Nile State (south-eastern Sudan) were set on fire. After they were rebuilt, unidentified attackers burnt them down again on 16th January 2020. The police did not investigate the attacks even though the Minister of Religious Affairs said they would do so because of the government's "commitment to protecting religious freedoms" and "houses of worship from any threats."<sup>37</sup>

For the Catholic Church the past few years have been a challenging time. After the independence of South Sudan, there was a lack of priests in El Obeid, the capital of Sudan's North Kordofan State, after many of them returned to their homelands in what is now South Sudan. After civil war broke out in the new country in December 2013 (lasting until February 2020) around 200,000 South Sudanese fled to Sudan, more than half of them Catholics who needed "not only humanitarian but also spiritual assistance."<sup>38</sup>

In Sudan, the anti-government protests that broke out in December 2018 lasted seven months, until June 2019. During this period, human rights groups condemned the "use of excessive force, including live ammunition, against

peaceful protestors",<sup>39</sup> urging the government to stop using lethal force and killing the protestors. The African Council of Religious Leaders – Religions for Peace also criticised the suppression by the Transitional Military Council against the protests.<sup>40</sup>

During the unrest, several places of worship were the target of attacks. In February 2019, security forces fired tear gas at an important mosque in Khartoum after noon prayers on a Friday, injuring a number of worshippers.<sup>41</sup> Muslim clerics condemned these acts that "(violated) the sanctity of mosques".<sup>42</sup> Security forces also forced their way into another mosque, Beit el Mal, where they beat the imam and muezzin, carrying weapons and wearing shoes, which is considered a sacrilege.<sup>43</sup>

In June 2019, Pope Francis called for peace in the country and a cessation to the violence, inviting the parties to engage in dialogue.<sup>44</sup> The president of the Sudan Catholic Bishops' Conference, Bishop Edward Hiiboro Kussala of Tombura-Yambio, welcomed the peace agreement of August 2019 between the Sudanese military and the civilian opposition, and thanked the international community, especially the African Union, for mediating.<sup>45</sup>

A year later, Sudan's Churches welcomed the peace deal between the transitional government and various rebel groups.<sup>46</sup> Archbishop Michael Didi Adgum Mangoria of Khartoum declared that the peace agreement reached in August 2020 between the government and five rebel groups could only be comprehensive if all the armed groups joined it. The agreement provides for the creation of a national commission for religious freedom that would protect the rights of Christians in the country.<sup>47</sup> It also stipulates the separation of religion and the state. The deal will have an effect on education because the Qur'an will now be taught only in Islamic religious courses.<sup>48</sup>

During the measures implemented to halt the spread of coronavirus, Bishop Andali of El Obeid said that "Christians were considered on the same level as Muslims" in terms of the "precautions to be taken".<sup>49</sup> The number of people attending places of worship had to be reduced, including during Holy Week. The Bishop also stated that no clashes were reported because of the fear of COVID-19 and the peace talks taking place.<sup>50</sup>

Between 2018 and 2020, a freelance investigative journalist working for the BBC went undercover to probe allegations of ill-treatment in Qur'anic schools or "khalwas". He was able to visit 23 out of 30,000 that exist in Sudan. He

documented all sorts of abuse against very young boys, some of whom were chained to the ground. The government was informed of this before the airing of the documentary, and ordered legal action against the schools in question and quickly adopted a new law to prohibit the beating of students.<sup>51</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

At the end of December 2019, the United States removed Sudan from its list of “Countries of Particular Concern” and moved it to the “Special Watch List”. This is an acknowledgement that the new Sudanese government has taken steps in favour of greater freedom, including religious freedom.

Indeed, the Minister of Religious Affairs apologised to Christians for the oppression they suffered in the recent past and has invited Sudanese Jews to come back. Furthermore, the new government has repealed bans imposed during Bashir’s rule so as to enable Christians to practise again their traditions, and is promoting a spirit of tolerance among religious groups, in contrast to the previous regime.

Violations of religious freedom, however, continue to occur. The situation in the south-western region of Darfur is particularly worrying. Even though the government has taken positive steps towards religious freedom in the country, it remains to be seen how the situation will evolve during the ongoing transition.

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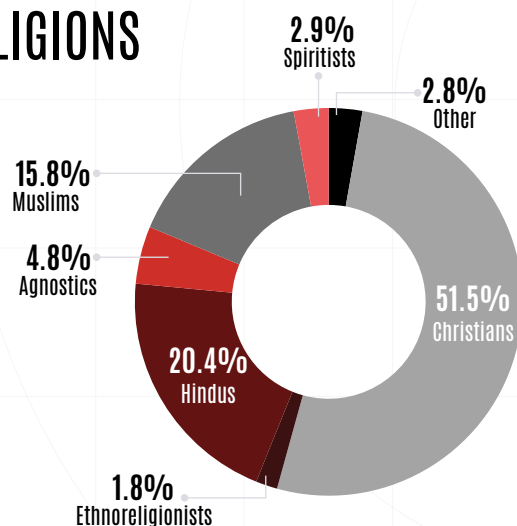
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# SURINAME

## RELIGIONS



Population

**577,752**



GDP per capita

**13,767 US\$**



Area

**164 Km<sup>2</sup>**



GINI INDEX\*

**57.6**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In the Preamble to the constitution,<sup>1</sup> the people of Suriname acknowledge that, inspired by the love for their country and the belief in “the power of the Almighty”, it is their “duty to honour and guarantee the principles of freedom, equality and democracy, as well as the rights and fundamental freedoms of man”.

Article 8 (2) of the constitution states that no one shall be discriminated against on the basis of birth, sex, race, language, religion, education, political opinion, economic position or any other status.

According to the constitution, everyone has the right to personal freedom and safety (Article 16, 1), freedom of religion and philosophy of life (Article 18), peaceful association and assembly (Article 20), and the protection of moral integrity (Article 9, 1) in the areas of public order, security, and health as provided by the law (Article 21, 2).

Under Article 10, people have the right to file a complaint before an independent and impartial judge if their rights

and freedoms are violated.

Workers’ rights are guaranteed by Article 28 without discrimination based on age, sex, race, nationality, religion, or political beliefs.

Conscientious objection is recognised by Article 180 (5) as acceptable grounds for refusing compulsory military service.

Religious organisations must register with the Ministry of the Interior if they want financial support from the government, including a government stipend for members of the clergy. To register, religious groups must provide contact information, group history and organisation, and the location of their places of worship.<sup>2</sup>

Religious education is not allowed in state schools. The government pays for teachers’ salaries and provides funding to cover the maintenance costs of schools run by religious groups.<sup>3</sup>

The Penal Code punishes those who publicly, and by any means, instigate or promote discrimination based on religion or creed.<sup>4</sup>

Good Friday, Easter, Diwali and Christmas are national

holidays.<sup>5</sup>

Government, Church and local media sources reported no episodes of intolerance or discrimination based on religion.

## INCIDENTS AND DEVELOPMENTS

In July 2020, in view of the COVID 19 pandemic, the Catholic Diocese of Paramaribo (Suriname) published a general protocol for Church activities, including the liturgy. Sacraments like the First Communion and Confirmation were postponed until further notice. Other Sacraments could continue to be administered within the established limitations.<sup>6</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The prospects for religious freedom in Suriname are good. No cases of religious intolerance were reported during the period examined for this report. The situation of freedom of religion has not changed since 2018.

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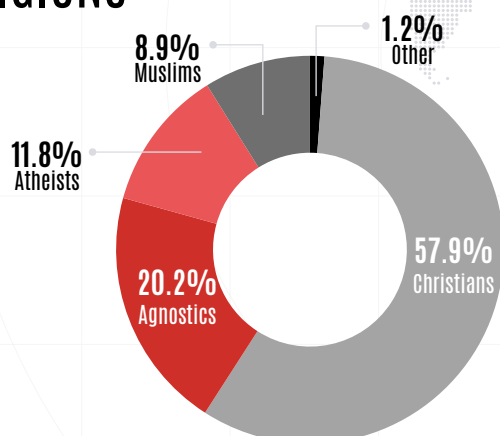
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# SWEDEN

## RELIGIONS



Population  
**10,121,686**  
GDP per capita  
**46,949 US\$**



Area  
**438,574 Km<sup>2</sup>**  
GINI INDEX\*  
**28.8**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Swedish Constitution guarantees freedom of worship, defined as “the freedom to practice one’s religion alone or in the company of others,” as a fundamental right.<sup>1</sup> It prohibits discrimination on the basis of religious affiliation (Article 2), as does the Swedish Discrimination Act.<sup>2</sup> Complaints may be filed with the Discrimination Ombudsman.<sup>3</sup>

The Church of Sweden has been separated from the state since 2000 and raises revenues by levying a tax on its members.<sup>4</sup> Recognition or registration of religious groups is not required to carry out religious activities and unregistered faith communities are taxed as non-profit organisations.<sup>5</sup> Registered groups may, however, raise revenues by collecting contributions through the tax agency<sup>6</sup> and receiving publicly funded grants.<sup>7</sup>

Freedom of expression may be limited for reasons of security, public order, and public safety, but “particular attention shall be paid to the importance of the widest possible freedom of expression” in “political, religious and cultural matters.”<sup>8</sup> The penal code prohibit threats

or expressions of contempt for persons based on religious belief.<sup>9</sup> Police maintain statistics on hate crimes, including religiously motivated hate crimes, and the National Council for Crime Prevention (BRÅ) is responsible for the production of hate crime data, such as hate crime reports published every other year.<sup>10</sup>

Instruction covering world religions is required in all public and private schools.<sup>11</sup> Religious groups are permitted to establish private schools, provided they meet state curriculum requirements. In January 2020, a governmental report submitted to the Education Ministry proposed new rules for denominational schools, including increased monitoring and a ban on the establishment of new religious schools after 2023.<sup>12</sup> Among the concerns raised in the report was the “lack of clarity regarding religious orientation and religious aspects; difficulties in distinguishing between teaching and education; and voluntariness” in the educational centres.<sup>13</sup> Commentators observed that politicians had previously admitted that such a “proposal is a proxy for addressing problems of radical Islam” in “certain Muslim schools, which are an exceedingly small minority of the already miniscule number of [mostly Christian] faith-based schools.”<sup>14</sup> Some critics of the proposal noted that establishing and running religious schools is a fundamen-

tal right under European law.<sup>15</sup>

Home schooling, including for religious reasons, is not permitted except under “extraordinary circumstances.”<sup>16</sup>

In 2019 two municipalities banned the wearing of headscarves in schools either by children or staff (or both), however, those bans were declared unconstitutional violations on religious freedom by an administrative court in November 2020. Both municipalities were planning to appeal at the time of writing.<sup>17</sup>

There are legal restrictions on animal slaughter, which provide that animals must be sedated prior to slaughter with no religious exceptions.<sup>18</sup> Circumcision of male individuals is regulated by law. In 2019, the Centre Party announced that it would work towards a ban on male circumcision. This was met with strong criticism from the chairman of the Jewish Central Council, who said “if the proposal is implemented, it will be completely impossible to live either as a Jew or as a Muslim in Sweden.” The chairman of the United Islamic Associations in Sweden denounced the plan saying it was “a restriction on religious freedom. It is a meaningless proposal. Muslims and Jews will not stop circumcising their boys. The only risk is that people will be forced to do so in the shadows.” The party leader later said that no legislation would be proposed.<sup>19</sup> In February 2020, the Church of Sweden issued a statement supporting the right to non-medical religious circumcision performed on boys.<sup>20</sup>

In 2019, the Discrimination Ombudsman investigated the Bromölla municipality’s ban on prayer during working hours. An administrative court ruled in September 2020 that such a ban violated the fundamental right to religious freedom enshrined in Swedish law and the European Convention on Human Rights.<sup>21</sup>

The Växjö police decision permitting the Muslim call to prayer over loudspeakers once a week for three minutes and 45 seconds was affirmed by the Court of Appeal in Gothenburg in April 2019.<sup>22</sup>

In June 2020, the government announced the adoption of “a number of measures to combat antisemitism and increase security,” including involvement and dialogue with Jewish community organisations and the Malmö International Forum on Holocaust Remembrance and Combating Antisemitism. Several of the measures were a continuation of the existing national plan against rac-

ism and hate crime. A special envoy for intercultural and interfaith dialogue, including for international efforts to combat anti-Semitism and Islamophobia at international level, is based at the Ministry for Foreign Affairs. The special envoy “works to enhance coordination of intergovernmental efforts and strengthen Sweden’s cooperation with key international stakeholders and international Jewish organisations.”<sup>23</sup> In 2020, the first municipal coordinator against anti-Semitism in schools was hired in Malmö.<sup>24</sup>

In March 2019, the Swedish government announced it would grant refugee status to all Uyghur Muslim asylum seekers from China, indicating that the religious minority was automatically considered at risk of persecution. Carl Bexelius, the deputy legal director at the Swedish Migration Board said that what “we have seen is that it is a fairly far-reaching state repression...where you can arrest and detain people without actual criminal charges”.<sup>25</sup>

## INCIDENTS AND DEVELOPMENTS

The security situation in Sweden was the subject of several news reports in 2018 and 2019, particularly relating to the stark rise in mostly gang-related violent crime in some areas, particularly low-income, vulnerable suburbs of the biggest cities: Stockholm, Gothenburg and Malmö and the use of explosives, including improvised devices, guns, and hand grenades. As reported by the BBC: “for criminologist Amir Rostami, who has researched the use of hand grenades in Sweden, the only relevant comparison is Mexico, plagued by gang violence. ‘This is unique in countries that pretty much don’t have a war or don’t have a long history of terrorism.’”<sup>26</sup>

The most recent hate crime data available covered the year 2018 and saw an 11 percent rise in overall hate crime from 2016, with the largest increases in xenophobic/racist and anti-Semitic crimes. The breakdown in hate crime motives for 2018 included 4 percent with an anti-Semitic motive, 4 percent with an anti-Christian motive, and 8 percent with an anti-Muslim motive.<sup>27</sup>

### Related to Anti-Semitism

According to a 2018 survey of 1,193 Jewish respondents in Sweden by the European Fundamental Rights Agency, 82 percent considered anti-Semitism to be “a

very big or a fairly big problem” in their country and 81 percent thought that it had increased over the past five years.<sup>28</sup> 40 percent of the respondents said that the perpetrator of the most serious incident they experienced in the past five years was “someone with a Muslim extremist view, 27% - as someone with a left-wing political view.” 81 percent of respondents believed that the government’s efforts to combat anti-Semitism were ineffective.<sup>29</sup>

In October 2018, a Jewish politician’s house was set on fire in Lund, a few months after another member of the Jewish community’s house had also been targeted. “There is strong suspicion that these attacks are targeted against these people because they are Jews. The [October 2018] incident has the extra dimension of an attempt to intimidate a politician into silence,” said the president of the Council of Swedish Jewish Communities.<sup>30</sup>

The Gothenburg synagogue was the victim of a Molotov cocktail attack in 2017 after the U.S. President recognised Jerusalem as the capital of Israel. Three men were convicted of the crime and in 2019, the Supreme Court upheld a Migration Agency decision to deport them to Palestine.<sup>31</sup>

#### Related to Islam

According to the chairman of the board of the Islamic Association Stockholm Mosque, mosques in Stockholm increased their security surveillance after the 2019 terrorist attack in Norway. He said mosques are regularly vandalised and that “Islamophobia is growing.”<sup>32</sup>

In August 2020, there were riots in the city of Malmö after a video circulated of followers of a far-right Danish politician setting fire to a copy of the Quran during a rally near one of the city’s mosques. The politician had been denied permission to hold an anti-Islamic protest and banned from entering the country.<sup>33</sup>

#### Related to Christianity

In 2018, there were six anti-Christian incidents reported by civil society groups to the Organisation for Security and Co-operation in Europe for inclusion in the annual hate crime report, including a physical attack against a Christian convert after attending a Pentecostal service, and the vandalism of churches.<sup>34</sup> One incident was reported in 2019: an arson attack on a Syrian Orthodox church with an explosive device. This was the second such attack on the church in one year.<sup>35</sup> The Observa-

tory on Intolerance and Discrimination against Christians in Europe reported graffiti with the words “jihad” spray painted on two churches in 2018,<sup>36</sup> and repeated arson attacks on Syrian Orthodox churches with incendiary devices in 2018, 2019, and 2020.<sup>37</sup>

In January 2021, a church in Spånga was hit with two arson attacks in four days, the first involving the use of Molotov cocktails. According to reports, the Spånga church is located between Tensta and Rinkeby, two of Stockholm’s most “socio-economically vulnerable” areas where a “majority of the residents have a foreign background.” The church’s pastor said “in these areas, people are more aware that this is a symbolically negative act. You are more sensitive to churches and holy places when you come from regions where religion plays a greater role.”<sup>38</sup>

In March 2019, the results of a study analysing the asylum claims from 2015-2018 of 619 Afghan converts to Christianity concluded that “the Swedish Migration Board has a weak understanding of religion and conversion which lacks scientific grounding. [Its] decisions show unreasonable differences between comparable entities, leading to arbitrary decisions. [Its] praxis is not based on reliable methodology, leading to inconsistent motivations for decisions. The Swedish Migration Board does not comply sufficiently with international law and human rights conventions, leading to a lack of legal security.”<sup>39</sup> The research revealed that 68 percent of the converts in the study were denied asylum on the grounds that their faith was “not judged to be genuine” despite “proven involvement in church life.” The study indicated that often the differences in negative or positive decisions by the Migration Board could “be traced to the convert’s intellectual ability to reflect on his or her faith, with the result that it is the intellectual capacity, rather than the faith, of the convert that is judged.”<sup>40</sup>

#### Related to Covid-19

The Swedish government limited religious gatherings to 50 people during much of the 2020 coronavirus pandemic. However, since November 2020, that number was reduced to eight people and many of the churches, synagogues and mosques voluntarily closed.<sup>41</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

While it appears there were no significant new or in-



creased governmental restrictions on religious freedom in Sweden during the period under review, there appears to be an increased risk of societal intolerance against both majority and minority religions, some of which may be as a result of global terrorism or geopolitical conflicts attributed to religious groups, as well as anti-immigration sentiments in Sweden. The prospects for the exercise of this fundamental right are challenging but remain positive.

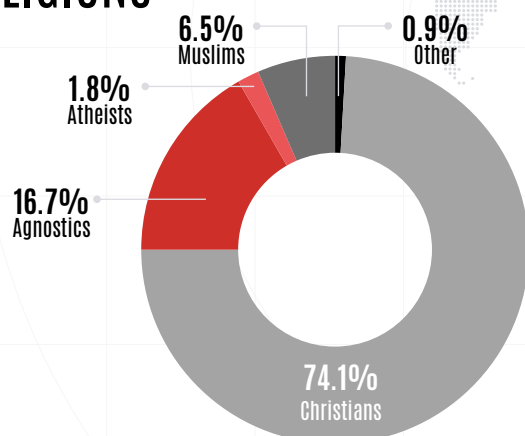
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# SWITZERLAND

## RELIGIONS



Population  
**8,670,535**  
GDP per capita  
**57,410 US\$**



Area  
**41,291 Km²**  
GINI INDEX\*  
**32.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Swiss Constitution guarantees freedom of religion and conscience, the right to freely choose one's religion, to join or belong to a religious community, but no one may be forced to do so (Article 15, 1-4).<sup>1</sup> Everyone is equal before the law, and discrimination based on religion or belief is prohibited (Article 8).

The relationship between Church and state is left to the country's 26 cantons (federated states). The Swiss Confederation and the cantons may "take measures to preserve public peace between the members of different religious communities" (Article 72). As a result of a 2009 referendum, the construction of minarets is prohibited by the Constitution (Article 72, 3). The four existing mosques with minarets were exempt.<sup>2</sup>

Religious groups are not required by law to register, but to be legally recognised as public entities they must fulfil certain criteria, including recognising the right to religious freedom, organising themselves along democratic lines, respecting cantonal constitutions and accepting financial

transparency.<sup>3</sup>

Religious communities may also register as private entities in the cantons of Basel, Zurich, and Vaud. This gives recognised religious communities the right to provide education about their faith in state schools.<sup>4</sup>

Registration in the cantonal commercial registry is not required for religious groups, but religious foundations (i.e. "institutions with a religious purpose that receive financial donations and maintain connections to a religious community") must do so.<sup>5</sup>

Rules allowing tax-exempt status for a religious group vary from canton to canton. It is common practice in most cantons for religious communities that receive cantonal financial support to obtain tax-exempt status automatically. Other religious communities usually need to apply for tax-exempt status with the cantonal government.<sup>6</sup>

With the exception of Geneva, Neuchâtel, Ticino, and Vaud, all other cantons provide financial support to at least one of four religious communities – Roman Catholic, Old Catholic, Reformed Evangelical, or Jewish – with church taxes collected from registered church members. The church tax is voluntary in Ticino, Neuchâtel, and Geneva. The Canton of Vaud does not collect a church tax; how-

ever, its budget provides direct subsidies for Reformed Evangelical and Roman Catholic communities.<sup>7</sup>

Proselytising by foreign religious groups is allowed if their members have met the requirements to enter the country. A religious worker visa is necessary for foreign missionaries from outside the European Union and the European Free Trade Association.<sup>8</sup> There are specific visa requirements, such as: applicants must not displace any Swiss from their job, they must have formal theological training, and they must receive financial support by the host organisation. Applicants must have adequate knowledge, understanding, and respect for Swiss national customs, culture, and at least one of its three main national languages; otherwise, they must attend mandatory integration courses. If an applicant is unable to meet these requirements, the government may refuse residency and work permits.<sup>9</sup>

The government may deny residency and work permits if a background check reveals that an individual has participated in “hate preaching” or has ties to a “radicalised” religious group, or is a cleric whom the government considers to be a “fundamentalist” and a risk to internal security or public order.<sup>10</sup>

Cantons are responsible for education.<sup>11</sup> Religious education is taught in most cantonal public schools, except in Geneva and Neuchâtel. Classes, which normally follow Catholic or Protestant doctrines, are either mandatory or voluntary depending on the canton; however, if they are mandatory, parents may request waivers, which are typically granted. Children may attend classes of their own faith during religious class hours. Religious minorities can offer religious instruction at their own expense off school premises. Private religious schools and home schooling are also allowed at parents’ expense.<sup>12</sup>

Swiss federal law requires that animals be stunned before slaughter, but kosher and halal meat may be imported.<sup>13</sup>

Two of the 26 cantons, Ticino and St. Gallen, prohibit wearing face coverings in public. In 2018, the Federal Court ruled that the Ticino ban must be adapted to make exceptions, such as allowing masks at public events. It did not address the issue of the ban’s impact on religious freedom because this was not raised on appeal. In 2018 the Ticino Department of Justice released figures indicating that the ban affected mostly masked football supporters, and not women wearing burkas or niqabs.<sup>14</sup>

In February 2019, an updated secularism law was passed in the Geneva Canton prohibiting public officials from

wearing religious symbols. In November 2019, the Constitutional Chamber of the Geneva Court of Justice annulled this ban for elected politicians, but retained it for government officials, judges, and other public servants who have contacts with the public.<sup>15</sup>

In September 2019, the Swiss Senate rejected a proposed nationwide ban on face covering. The proposal was the result of a citizens’ initiative that received the required 100,000 signatures in 2017.<sup>16</sup> The promoters of the proposal argued that it was not specifically directed at women wearing niqabs or burkas, but would target anyone covering their faces, “such as masked anarchists”.<sup>17</sup> The government submitted a counterproposal requiring stricter identity checks to which the House of Representatives agreed in principle. Parliament was expected to debate the counterproposal and in so doing it delayed the expected referendum to 2021, where the Swiss people will have the final say.<sup>18</sup>

In October 2019 the government announced financial support of up to 500,000 Swiss francs a year to boost security measures for at-risk minorities, like Muslims and Jews. The money would pay for fences, alarm systems, cameras, as well as risk assessment and awareness campaigns. The Cantons are expected to contribute an equal amount. For their part, Jewish communities in Switzerland spend an estimated seven million francs per year to protect synagogues, schools, and other community institutions.<sup>19</sup>

## INCIDENTS AND DEVELOPMENTS

In August 2018, a Muslim couple was denied Swiss citizenship for failing to integrate and respect gender equality after they refused to shake hands with people of the opposite sex. Although the couple was not asked about their faith, it was “apparent” what their religion was. For the authorities, the decision was nevertheless not related to religion, but based on the need to respect Swiss law. The mayor of Lausanne said that freedom of religion is enshrined in local laws, but “religious practice does not fall outside the law”.<sup>20</sup>

Anti-Semitic incidents are monitored annually by three foundations: in German-speaking Switzerland by the Schweizerischer Israelitischer Gemeindebund (SIG) and the Stiftung gegen Rassismus und Antisemitismus (GRA), and in French-speaking western Switzerland by the Coordination Intercommunautaire Contre l’Antisémitisme et la Diffamation (CICAD).



According to the SIG and GRA 2019 report, 523 anti-Semitic incidents were reported in 2019 (compared to 577 in the previous year), of which 485 were online (535 in 2018). Of those online, 190 are related to the dissemination of anti-Semitic conspiracy theories.<sup>21</sup>

The CICAD recorded 114 anti-Semitic acts in 2019, of which 100 were online. The figures for online incidents were higher in 2018 (168 incidents), but incidents targeting people or property were up from 2018 (6 in 2018; 14 in 2019). The CICAD report also indicated a surge in the online dissemination of anti-Semitic conspiracy theories.<sup>22</sup>

The incidents in 2019 targeting people or property include: in January, several cars thought to be owned by Jews were marked with graffiti featuring swastikas and Stars of David;<sup>23</sup> in April, an individual defecated in front of the Holocaust memorial in Geneva; in May, while religious Jewish children were on their way to school, a man passed by in his car and honked the horn before he mimed pointing a gun at them.<sup>24</sup> In June, a young man wearing a kippah was subjected to anti-Semitic insults at a bus stop in Zurich. In November, a man yelled at the Jews gathered in front of a house of prayer, saying among other things, "I am going to kill all Jews!"<sup>25</sup>

The Consulting Network for Racism Victims, a collaborative project of the Federal Commission against Racism (EKR) and humanrights.ch, reported 44 incidents directed against Muslims in 2018, the most recent reporting year.<sup>26</sup> In 2017, 54 incidents were reported. In both years, anti-Muslim incidents occurred most frequently in neighbourhoods, schools, and in the workplace. Most incidents involved verbal threats or insulting remarks.<sup>27</sup> An example depicted in the report was that of a Muslim woman being accused by her government unemployment counsellor of not wanting to work and told that she would have found a job "long ago" if she hadn't worn a headscarf.<sup>28</sup>

In February 2020, the Association of the Ar'Rahman Mosque in Biel removed Abu Ramadan as its imam due to his extremist preaching against "infidels", including Christians, Jews, Hindus, and Shias.<sup>29</sup> The government began criminal proceedings for racial discrimination against him in 2018.<sup>30</sup>

The Observatory on Intolerance and Discrimination against Christians in Europe reported 13 incidents during the reporting period, most of which were acts of vandalism of churches, including arson attacks and destruction of public Christian symbols.<sup>31</sup> The most serious incidents

involved arson in February 2020 at a church in Oetwil am See resulting in damage amounting to several hundred thousand Swiss francs,<sup>32</sup> and a series of eight attacks against Christian religious statues from April to October 2018 in Ticino.<sup>33</sup>

Restrictions on religious gatherings due to the coronavirus pandemic in 2020 instituted by the Federal Council were lifted in May 2020 so long as religious communities implemented protection and contact-tracing plans.<sup>34</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Switzerland remains a country that protects religious freedom while balancing humanistic and democratic values. The 2019 rejection of a proposed national face-covering ban, the subsequent counterproposal by the Swiss government, and the expected 2021 referendum will likely continue to fuel the public debate over religious freedom and public expressions of faith.

It will be essential for the government to continue to openly denounce anti-Semitic, anti-Muslim, and anti-Christian acts, as well as to ensure security at religious buildings and sites.

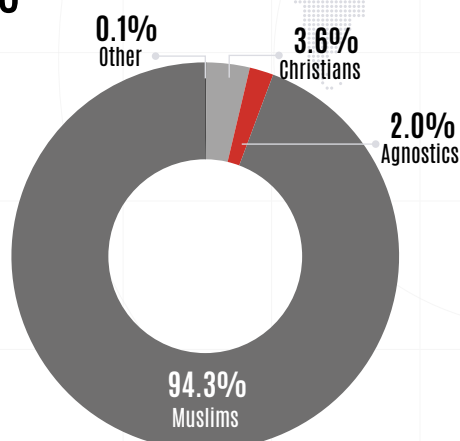
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# SYRIA

## RELIGIONS



Population

**18,924,442**

GDP per capita

**25,843 US\$**

Area

**185,180 Km<sup>2</sup>**

GINI INDEX\*

**35.8**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In March 2011, following anti-government demonstrations, protesters clashed with the security forces of President Bashar Al-Assad's government. By the summer, the violence had spiralled into a full-blown civil war and the opposition had begun to arm.<sup>1</sup> In addition, with the intervention of Iran, Turkey and Saudi Arabia, among others, as well as the United States and Russia, the conflict became, according to many observers, a proxy war.<sup>2</sup>

Most Syrians are Sunni Muslims. Alawites (or Alawis), Christians and Druze are also part of the country's traditional religious mosaic. Kurds are the most important non-Arab ethnic group.<sup>3</sup> Most Kurds follow Sunni Islam. Since 2011, the situation of religious freedom has sharply deteriorated. Before the war, Christians comprised about 10 per cent of the population.<sup>4</sup>

President Assad belongs to the Alawite community. Under Assad's father, President Hafez Al-Assad, Shia scholar Musa Al-Sadr issued a fatwa in 1974 recognising the Alawites as a branch of Shia Islam. Alawites are held in contempt by a number of majority Sunnis, many of whom

see them as heretics.<sup>5</sup>

According to Article 3 of Syria's constitution,<sup>6</sup> approved by a referendum in 2012, "The religion of the President of the Republic is Islam; Islamic jurisprudence shall be a major source of legislation; the State shall respect all religions, and ensure the freedom to perform all the rituals that do not prejudice public order; the personal status of religious communities shall be protected and respected." Article 8 forbids, "Carrying out any political activity or forming any political parties or groupings on the basis of religious, sectarian, tribal, regional, class-based, professional, or on discrimination based on gender, origin, race or colour". Article 33 states: "Citizens shall be equal in rights and duties without discrimination among them on grounds of sex, origin, language, religion or creed." Article 42 says: "Freedom of belief shall be protected in accordance with the law."

The government restricts proselytising and conversions. It prohibits the conversion of Muslims to other religions. Although conversion from Islam to Christianity is not allowed, the government recognises Christian conversions to Islam. The penal code prohibits "causing tension between religious communities".<sup>7</sup> Article 462 of Syria's Penal Code provides that anyone who publicly defames religious

practices is punishable with up to two years' imprisonment.<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

In July 2018 Daesh, also known as the Islamic State group (IS), abducted dozens of Druze women and children when the militant group attacked their villages in Sweida, a province in the south. "At least 36 Druze women and children were abducted after the attacks," the Syrian Observatory for Human Rights reported. Daesh considers the Druze to be heretics.<sup>9</sup>

In August 2018 the Orthodox monastery of St Tekla in Maalula announced that it would soon be open to visitors again after reconstruction was completed. The monastery was under Islamist occupation before it was liberated in 2014.<sup>10</sup>

After a temporary closure imposed by Kurdish forces, Christian schools in Qamishli, Hassaké province, reopened in September 2018.<sup>11</sup>

In November 2018 the Syriac Orthodox Church inaugurated the Antioch Syrian University (ASU) in the village of Maarat. "The inauguration ceremony was attended amongst others by the Syrian Minister of Higher Education, Atef Al-Naddaf, and by Cardinal Mario Zenari, Apostolic Nuncio to the Arab Republic of Syria," Fides reported.<sup>12</sup>

In November 2018 the Greek Orthodox Patriarchate of Antioch hosted a summit in Damascus with Syrian Sunni delegations and Russian Christians from the Moscow Patriarchate in attendance.<sup>13</sup>

In January 2019 Syrian President Bashar al Assad pledged state funding to rebuild the Armenian Genocide Memorial Church located in the city of Deir ez-Zor. The complex was blown up by Daesh forces in September 2014.<sup>14</sup>

In January 2019 a copy of the Icon of the Mysterious Supper was brought to the Greek Melkite Catholic shrine of St Sergius and Bacchus in Maalula. The original copy had been stolen in 2014 when al-Nusra forces occupied the Aramaic-speaking village.<sup>15</sup>

During a January 2019 visit to Moscow, Greek Orthodox Patriarch of Antioch Yohanna (John) X Yazigi thanked the Orthodox Patriarchate of Moscow for helping to reconstruct and Syrian shrines and monasteries.<sup>16</sup>

In March 2019 media reports indicated that the Syriac Orthodox Metropolitan of Aleppo, Mar Gregorios Yohanna

Ibrahim, was in the hands of Daesh in the Baghuz area of eastern Syria, and that "negotiations" for his release were under way. However, at the time of writing, the prelate is still missing.<sup>17</sup> Earlier reports claimed that Jesuit Father Paolo Dall'Oglio was also held by Daesh; his fate too remains unknown.<sup>18</sup>

In March 2019 Baghuz, Daesh's last stronghold in Syrian territory, fell. At least 3,000 jihadists surrendered to the Arab-Kurdish Syrian Democratic Forces (SDF) whose offensive was supported by US air strikes.<sup>19</sup>

In May 2019 the predominantly Christian town of Al-Sqaylabiyeh in the Governorate of Hama came under artillery and mortar fire from rebel forces, causing the death of at least four Christian teenagers and their teacher. The fighting was part of an escalation in the conflict between the government and rebel forces still in control in Idlib province.<sup>20</sup>

In May 2019, during a meeting with Aram I, the Armenian Apostolic Catholicos of the Grand House of Cilicia, President Assad invited Syrian Armenians to return to the country and rebuild their homes. As a result of the civil war, many Armenian Christians have left for Lebanon, Armenia or Western countries.<sup>21</sup>

In July 2019, during a meeting with Syrian Catholic youth at Mar Tuma Monastery in Saidnaya, Syrian President Assad stated that Christians in Syria "have never been foreigners," but have helped to build Syria's civilisation by bringing their message to the whole world, side by side with their "Muslim brothers".<sup>22</sup>

In July 2019 a Syriac Orthodox church in Qamishli was targeted by terrorists. According to reports, more than 10 persons were wounded, some of them seriously. Daesh claimed responsibility for the attack.<sup>23</sup>

In July 2019 Pope Francis, through his personal envoy, Cardinal Peter Turkson, sent Syrian President Assad a letter in which he "reaffirms support for the restoration of stability in Syria". In his letter, the Pope asks the President to "protect the lives of civilians" and "preserve the main infrastructures" of the country.<sup>24</sup>

In a report published in September 2019, the Syrian Network for Human rights blamed the Syrian government for 61 per cent of targeted attacks against Christian places of worship in Syria.<sup>25</sup> Reacting with caution, Catholic Chaldean Bishop Antoine Audo of Aleppo said that "it is difficult to give an objective answer" when faced with such information. "When armed groups lose ground, this kind of



propaganda gets cranked up again.”<sup>26</sup>

In October 2019, Daesh’s self-proclaimed caliph, Abu Bakr al-Baghdadi, was killed in Syria’s north-west Idlib province in a US special forces’ raid ordered by US President Donald Trump.<sup>27</sup>

In November 2019, Fr. Hovsep Hanna Petoyan, an Armenian Catholic priest, and his father, Hanna Petoyan, were killed by gunmen while travelling from Hassake province to Deir ez-Zor. Archbishop Boutros Marayati, the Armenian Catholic Archbishop of Aleppo, said: “For us, they are martyrs. And what happened to them is a confirmation that the war is not over here, as we had hoped”. Daesh claimed responsibility for the murder.<sup>28</sup>

In a November 2019 press conference with US President Donald Trump, Turkish President Recep Tayyip Erdoğan emphasised that the Turkish government is “particularly sensitive” to the situation facing Christian communities in the Middle East. With Turkey’s contribution, Syrian Christians will see “their sanctuaries come back to life and their churches will be rebuilt, so that they will be able to return to their lands and start praying there again.” Erdoğan reportedly sought to counter criticism that Turkey’s military intervention had negatively affected Christian communities in northeastern Syria.<sup>29</sup>

In January 2020, Russian President Vladimir Putin and his Syrian counterpart, President Assad, visited the Greek Orthodox cathedral of the Syrian capital, where the leaders were greeted by Greek Orthodox Patriarch Yohanna X Yazigi. Putin presented a Marian icon as a gift.<sup>30</sup>

In January 2020 an investigation led by a Syrian researcher put forward a theory that two abducted Syrian bishops had been killed in December 2016. Greek Orthodox Archbishop Boulos Yazigi and Syriac Orthodox Archbishop Gregorios Yohanna Ibrahim were abducted in April 2013.<sup>31</sup>

In February 2020 the Syrian parliament recognised the Armenian genocide in the Ottoman Empire, thus making Syria the first Arab country to do so.<sup>32</sup>

In April 2020 a source claimed that the Turkish-backed Free Syrian Army (TFSA) had destroyed the Sheikh Ali Yazidi shrine in the village of Basufan (or Basofan).<sup>33</sup> Another source blamed the act of desecration on the Faylaq al-Sham or Sham Legion, which partly destroyed the shrine as its fighters said the Takbir (“God is greater”), “claiming that the shrine belongs to atheists and infidels”.<sup>34</sup> Ostensibly, according to Ezdina.com (a Yazidi news Facebook page), the aim was to provoke a Yazidi exodus from

their villages or force them to convert to Islam. Armed groups had already stolen and destroyed its contents in January 2019.

In June 2020, the human rights organisation Christian Solidarity Worldwide (CSW) reported that more than 100 Christian families had returned to Kharraba in Syria’s Djebel Drus region. The city had been liberated in 2018 after it was occupied by Islamists in 2014.<sup>35</sup>

In July 2020, Aid to the Church in Need (ACN), a major contributor to the restoration, reported the official reopening and re-consecration of the Maronite Cathedral of Saint Elijah in Aleppo after years of reconstruction to repair major damage sustained during Syria’s civil war.<sup>36</sup> Between 2012 and 2016, the cathedral suffered at least three major mortar attacks, the worst one taking place in 2013 when jihadist rebels attempted to destroy all signs of Christianity in the cathedral’s neighbourhood.<sup>37</sup>

In September 2020 the former Holy Land College of Aleppo, a historic establishment belonging to the Custody of the Holy Land, was officially returned by the Syrian State to the Franciscan Fathers.<sup>38</sup>

In October 2020, Sheikh Mohammad Adnan al-Afiyuni, the Sunni Muslim Mufti for Damascus, was killed in a car bomb in the town of Qudsaya, state media reported.<sup>39</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The Syrian conflict that started in 2011 is not over. The Syrian government is still trying to regain control over certain areas such as Idlib province, the last jihadist stronghold in the country.<sup>40</sup> If the regime succeeds, religious freedom prospects are expected to improve for traditional faith communities.

However, human rights organisations have accused the government and its allies of egregious human rights abuses and war crimes during military operations in Sunni-majority areas<sup>41</sup> and some Christian regions.<sup>42</sup>

Given the sectarian nature of the Syrian conflict, it is often difficult, if not impossible, to identify whether an attack is motivated by religion or other factors such as financial gain.

North-east Syria remains a region of particular concern with respect to religious freedom. Until the Turkish invasion in October 2019, Kurds, Christians and other religious minorities felt protected. Since then, numerous reports have



been published about how the Turkish invaders and their Islamist allies have attacked religious minorities.<sup>43</sup>

Kurdish-Arab forces, which include Christian fighters, together with US troops, brought Daesh rule to an end.<sup>44</sup> However, despite claims by then US President Donald Trump, Daesh is not yet defeated. Although Daesh lost all its territory in Syria and its leader was killed, it has shown it still has the capacity to terrorise the country and its religious minorities, albeit on a much smaller scale.<sup>45</sup>

The effect of the war on the local Christian community has been immense. Despite reconstruction and resettlement efforts, the emigration of Christians continues<sup>46</sup> to the extent that their share of the Syrian population has fallen to around 2 per cent, down from 10 per cent before 2011.<sup>47</sup> The outlook for religious freedom in Syria remains dire.

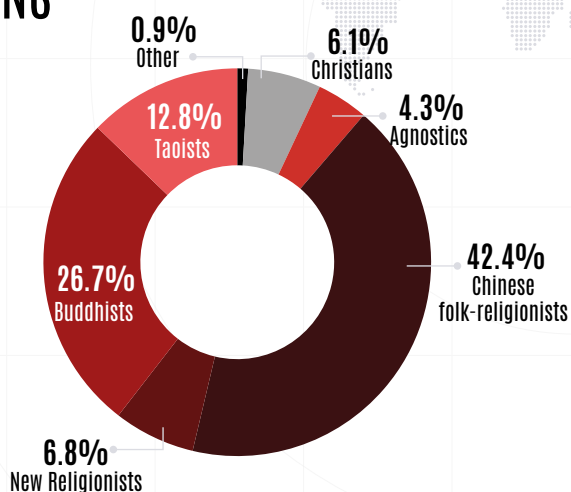
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# TAIWAN

## RELIGIONS



Population  
**23,817,905**  
GDP per capita  
**18,009 US\$**



Area  
**36,000 Km<sup>2</sup>**  
GINI INDEX\*  
**N/A**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Taiwan, officially known as the Republic of China, enjoys a higher degree of religious freedom than the People's Republic of China. The democratisation of its government institutions and political life during the presidency (1988-2000) of Lee Teng-hui, a Presbyterian, has led to genuine religious freedom.<sup>1</sup>

Religious freedom is enshrined in the constitution, which upholds freedom of worship and equal treatment of all religions. All religious activities are considered legal as long as they do not interfere with fundamental freedoms and do not jeopardise public welfare and the social order.<sup>2</sup> Both the constitution and Taiwanese law guarantee full freedom of religion, and this is generally upheld by the authorities and respected in society.

Although no religious tensions have been reported between religious groups or organisations, Taiwan's labour laws have had an impact on religious practice. Existing legislation does not address the issues of migrant workers (who come mostly from the Philippines and Indonesia) and their right to observe their religious practices, attend services, and celebrate holidays.<sup>3</sup> The absence of legal guarantees or protections leaves many migrant workers vulnerable to potential abuses in their workplace.

Taiwan is home to many dynamic religions, including Buddhism, Taoism, and Christianity. The Falun Gong movement has also found a place in Taiwan where its success is an important indicator of the country's respect for religious freedom. Falun Gong's popularity in mainland China in the 1990s frightened Chinese authorities and led to an extreme crackdown. Falun Gong was banned and thousands of its followers were imprisoned, tortured, and executed.<sup>4</sup> By contrast, in Taiwan, the local Falun Gong Society has experienced significant growth and has tried to inform Chinese tourists about their movement and the repression it has endured in mainland China.<sup>5</sup>

Recently, Taiwanese authorities have improved the religious freedoms enjoyed by Muslims by building prayer rooms in train stations, libraries, and tourist sites. The authorities have also held Eid al-Fitr celebrations and have increased "the number of restaurants and hotels" that "cater to Muslims' dietary requirements."<sup>6</sup> Such efforts are a strong indication of the government's commitment to religious freedom for all of the country's citizens and residents.

## INCIDENTS AND DEVELOPMENTS

During the period under review, there were no significant incidents or developments concerning the state of religious

freedom in Taiwan. For its part, the government has become increasingly supportive of efforts to promote religious freedom on a global level.

In a meeting with Pope Francis in October 2018, Vice President Chen Chien-jen stated, “As a beacon of religious freedom and tolerance, Taiwan is committed to further strengthening ties with the Holy See via substantive initiatives spanning democracy, religious freedom and human rights.”<sup>7</sup>

Even more significantly, in response to similar initiatives in other countries, President Tsai Ing-wen in March 2019 appointed Pusin Tali, president of the Yu-Shan Theological College and Seminary, as the country’s first ambassador-at-large for religious freedom. According to the official statement of the Taiwanese Ministry of Foreign Affairs, “Ambassador Tali will be tasked with representing the Taiwan government in working with like-minded countries and civic groups worldwide to strengthen international links and cooperation for religious freedom.”<sup>8</sup>

In that same month, the Taiwan Ministry of Foreign Affairs joined with the US State Department in sponsoring A Civil Society Dialogue on Securing Religious Freedom in the Indo-Pacific Region. The event was held in Taipei with some 80 participants from more than 10 countries, and featured discussions on how to promote religious liberty in the Indo-Pacific region.<sup>9</sup>

On 21st January 2020, Taiwanese President Tsai Ing-wen appealed to Pope Francis in a letter in which she describes China’s

“aggression and persecution of religion as ‘obstacles to peace,’” and details “the Communist regime’s ‘abuses of power.’”<sup>10</sup> The president’s letter went on to highlight China’s treatment of Hong Kong protesters and “the persecution of religious believers seeking to follow their conscience.”<sup>11</sup> President Tsai’s efforts to promote peace and open dialogue and her rejection of the “exclusion and manipulation” of religious groups are further indications of Taiwan’s political and geopolitical goals and commitments to religious freedom.<sup>12</sup>

The US Department of State excluded Taiwan from its 27-country Religious Freedom Alliance.<sup>13</sup> Beijing was responsible for putting “pressure on multiple countries involved [ . . . ] to make sure Taiwan was not included.” Despite the exclusion from full membership, Taiwan was invited to join the US-led alliance as an observer.<sup>14</sup> Why Taiwan was excluded from formal membership in the Alliance remains unclear.<sup>15</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Given Taiwan’s encouraging trajectory towards greater democratisation and respect for the rights of its citizens, the overall prospects for religious freedom in the coming years are positive. Furthermore, the country appears poised to exercise greater international influence in the near future both through its own example as well as through its recently created ambassadorship for religious freedom, and its formal adoption of religious liberty as a foreign policy priority.

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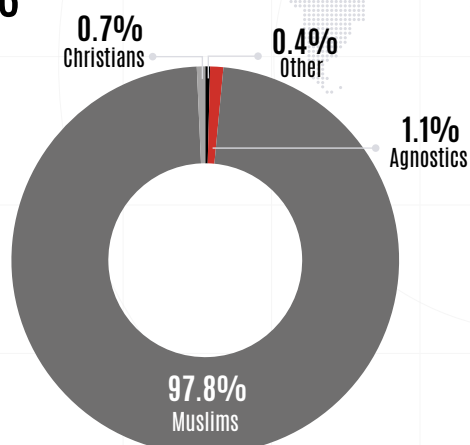
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# TAJIKISTAN

## RELIGIONS



Population  
**9,475,246**  
GDP per capita  
**2,897 US\$**



Area  
**142,600 Km<sup>2</sup>**  
GINI INDEX\*  
**34**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Tajikistan recognises the right to religious freedom (Article 26).<sup>1</sup> However, a 2009 law restricts freedom of conscience by criminalising unregistered religious activity, private religious education and proselytising. As a result, the legal context of religious freedom has considerably deteriorated.<sup>2</sup>

Under this law, the Hanafi school of jurisprudence is granted a “special status”, but specific limits are imposed on the number, size and location of mosques. The legislation also gives the state the power to appoint imams and control the content of sermons, as well as censor religious publications and imported religious literature.<sup>3</sup> More legal obstacles to the exercise of religious freedom were introduced with a 2011 law on parental responsibility that banned minors under 18 from taking part in organised religious activities, except funerals.<sup>4</sup>

In July 2019, the upper house of Tajikistan’s parliament amended the census law, introducing a question on re-

ligious affiliation.<sup>5</sup>

In January 2020, following amendments to the administrative code, the penalties for participating and financing illegal public or religious associations were increased, with fines quadrupled, which can rise 14 times if people are involved in such activities.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

Traditional Christian communities operate without too much state interference. The Catholic Church has about 100 members, in two parishes, in Dushanbe and Qurğonteppa. In addition to providing pastoral care, the Church undertakes projects through Caritas aimed at helping the most disadvantaged.<sup>7</sup>

The same cannot be said for non-traditional communities, which are active in evangelisation and live under constant pressure from the authorities. This is particularly true for Jehovah’s Witnesses, who were banned in 2007. In Dushanbe and Khujand, about 40 members of the community were taken into custody between October 2018 and March 2019 and questioned for up to 14 hours.<sup>8</sup>

One of the Jehovah's Witnesses held in Khujand was Shamil Khakimov. After five months of detention, the 68-year-old man was convicted in September 2019 for inciting religious hatred, based on analysis of the religious texts found in his flat. He was sentenced to seven and a half years, confirmed on appeal, in a maximum-security prison.<sup>9</sup>

Jovidon Bobojonov, another Jehovah's Witness, was sentenced to two years in prison in April 2020 for refusing to do his military service. In October 2019 he was forced to take an oath of allegiance and, because he refused to wear a uniform, he was violently attacked by fellow soldiers.<sup>10</sup>

Tight control over the distribution of religious literature led to the confiscation of 5,000 Christian calendars in December 2018, seized at Dushanbe International Airport and subsequently burnt because they contained "propaganda of an alien religion". The Baptist Church that placed the order was fined 4,000 somoni (about US\$420, or a four-month average salary in Tajikistan).<sup>11</sup> Between August 2019 and January 2020, the leaders of four Protestant churches were each fined 7,000 to 11,000 somoni (US\$735 to US\$1,160) for trying to get the Bible translated into modern Tajik.<sup>12</sup>

The government has maintained strict control over the Muslim clergy and Islamic practices. An edict issued by the Ulema Council that prohibits women from praying in Hanafi Sunni mosques continues to be in force. About 2,000 mosques have been closed in the last three years. In 2018, the government closed 56 mosques in Isfara and 67 in Bobojon Ghafurov District.<sup>13</sup> In 2019, the only madrassa in the Khovalinsk Region was turned into a music school<sup>14</sup> and Khujand's large Nuri Islom mosque became a cinema.<sup>15</sup>

But, in what would represent a U-turn, a commission established in February 2019 to evaluate the possible reopening of mosques, indicated that some 594 could resume activities.<sup>16</sup>

Bearded men and women wearing hijabs continued to raise suspicions. Although these signs of Islamic devotion are not expressly forbidden, they are still strongly discouraged. In January 2019, for example, some government officials refused the release of passports of bearded applicants.<sup>17</sup> In December, a Muslim woman, Nilufar Rajabova, was insulted and threatened because she and 20 other women wore hijabs at a police station

in Dushanbe. Rajabova was fined US\$56 for hooliganism.<sup>18</sup>

A number of major terrorist attacks, claimed by or linked to the Islamic State group, like the killing of four foreign cyclists and two violent prison riots,<sup>19</sup> have provided the government with more arguments to justify taking coercive actions against forms of Islam not authorised by the state, in the name of national security and the fight against terrorism. Scores of people were arrested between 2018 and 2019 on suspicion of being linked to extremist groups, despite denials stating all they were doing was simply disagreeing with the president's policies.

Speaking before Parliament in March 2020, Tajik Chief Prosecutor Yusuf Rahmon said that 154 alleged members of the Muslim Brotherhood had been arrested over the past year, including about 20 university professors.<sup>20</sup>

During the same period, criminal proceedings were initiated against 314 people suspected of being members of the aforementioned group.<sup>21</sup> In April 2020, Daler Sharipov, a journalist who frequently criticised the government's policies on human rights and religious freedom, was sentenced to one year in prison for inciting religious hatred.<sup>22</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Tajikistan, the poorest country in Central Asia, has been dominated by President Emomali Rahmon since 1992, amid a generalized lack of respect for civil liberties, including religious freedom. Since 2016, Tajikistan has been designated a "Country of Particular Concern" under the US International Religious Freedom Act.<sup>23</sup> Respect for religious freedom is not expected to improve in the short run for those considered "non-traditional" religions under the current level of control exerted on almost all expressions of religiosity.

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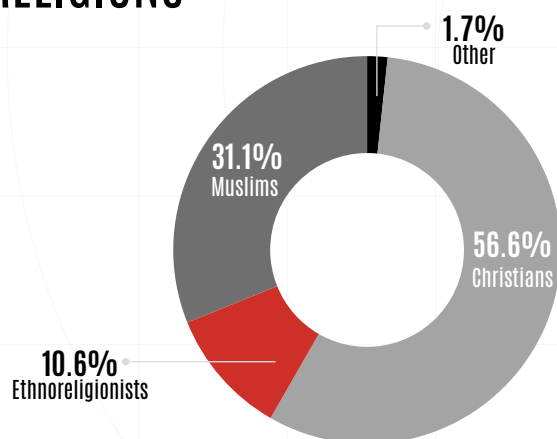
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# TANZANIA

## RELIGIONS



Population  
**62,774,619**  
GDP per capita  
**2,683 US\$**



Area  
**947,303 Km²**  
GINI INDEX\*  
**40.5**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the United Republic of Tanzania dates from 1977. It has been amended several times, and in 2014 a nationwide consultation process started in order to explore its reform. As of 2020, this process is still on hold and therefore the 1977 document is still in force.

Article 19 of the constitution states that “Every person has the right to the freedom to have conscience, or faith (sic), and choice in matters of religion, including the freedom to change his religion or faith.”<sup>1</sup> The document also upholds the principles of equality and non-discrimination with respect to religion (Article 13, 5), and prohibits political parties that aim “at promoting or furthering the interests of [ . . . ] any religious faith or group” (Article 20, 2, a, i).

The new draft constitution contains details about the extent and limits of the right to freedom of religion. In particular, Article 40 contains detailed provisions protecting the right to freedom of conscience and faith, the right to celebrate and propagate freely one’s religion so long as it does not violate the law, and the right to organise religious communities independent of government. At the same

time, freedom of worship is regulated by law, and cannot be used to disrupt peace, spread hatred or stir social confusion. Religion cannot also be used to foster hostility or division among citizens.<sup>2</sup> Article 209 (2, d, iii) also says that elections must be free from “pronouncements which indicate tribalism, provincialism, religious bias,”<sup>3</sup> among other things.<sup>4</sup>

The Constitution of Zanzibar<sup>5</sup> - a self-governing archipelago that has been a part of the United Republic of Tanzania since 1964 with its own president and parliament - contains the same guarantees to religious freedom as the Constitution of Tanzania.

All religious organisations are required to register with the Home Affairs Ministry on mainland Tanzania and with the General Register Office on Zanzibar.<sup>6</sup> For registration, the names of at least 10 members are required, together with written statutes, CVs of the leaders and a letter of recommendation from the district commissioner. In addition, on mainland Tanzania, Muslim organisations must be approved by the National Muslim Council of Tanzania (BAKWATA); on Zanzibar, the application must be approved by the local mufti.

On Zanzibar the government appoints the mufti, a professional jurist who interprets Shari’a (Islamic law) and



oversees Muslim organisations. Some Muslims have argued that this practice represents excessive government interference. On the mainland, the BAKWATA chooses the mufti.<sup>7</sup>

On 27th June 2019, the Tanzanian National Assembly adopted the so-called Written Laws Bill, consisting of a series of amendments to existing laws concerning non-governmental organisations, companies and societies (among others).<sup>8</sup> These amendments were criticised for introducing, “sweeping restrictions on the country’s already precarious human rights”.<sup>9</sup> According to Amnesty International, the bill “would restrict the rights to freedom of expression and peaceful assembly and association, including placing impermissible restrictions on civil society organisations and entrenching censorship”.<sup>10</sup>

The new legislation would give the government broad powers to evaluate, investigate and suspend civil society organisations. According to Jebra Kambole, a Tanzanian legal expert cited by Deutsche Welle, “the registrar can refuse to register some institutions like churches, mosques, or companies without giving any valid reason.” The Government stated that these new laws were merely filling a gap in existing legislation to monitor businesses and civil society organisations and that surrounding countries had similar regulations.<sup>11</sup>

A year later, in June 2020, Tanzanian lawmakers approved the Written Laws (Miscellaneous Amendments Act) No. 3 of 2020, which critics view as a threat to the autonomy of civil society groups.<sup>12</sup> Among other things, they say it abolishes public interest litigation and grants immunity to top officials in the executive, legislative and judicial branches of government.<sup>13</sup>

Concerning religious education, teaching religion in state schools is permitted, but only as an extracurricular subject. Lessons must be approved by the school management or teachers’ associations and by the parents, and are offered free of charge by parents or other volunteers.<sup>14</sup> Religious schools and universities are legal, and there are many of them, whether Christian (both Catholic and Protestant) or Islamic. Christian organisations are required to present the Interior Ministry with a letter of accreditation from senior Church officials.

The recognised national religious holidays include the Christian feasts of Good Friday, Easter Monday and Christmas Day, and the Muslim feasts of Mawlid, Eid al-Fitr, and Eid al-Adha.<sup>15</sup>

## INCIDENTS AND INCIDENTS

Tanzania has a long tradition of peaceful coexistence between different religious denominations, particularly between Christians and Muslims, and freedom of religion is generally respected. Religion is generally not seen as a factor of disunity, and conflicts and social tensions over the period under review are typically understood as being caused by disputes among political parties, not religions.<sup>16</sup> However, a few incidents have affected the Christian community in Zanzibar, a Muslim-dominated region.

In May 2018, Bishop Daniel Kwileba Kwiyea of the Pentecostal Evangelistic Fellowship of Africa (PEFA) and his daughter were arrested as he was preaching. They were released the next day, but the incident was followed by an order to close his church. This resulted from complaints by local Muslim clerics that Christian services were too loud.<sup>17</sup>

Later that year, the Pentecostal Assemblies of God (PAG), found itself at odds with local Muslims over its desire to build a church. Since 2004, PAG had been attempting to secure its own place of worship but the last attempt was thwarted by a court in 2017.<sup>18</sup> In an interview in September 2018, Rev. Amos Kanula (PAG leader in Zanzibar) said: “Our freedom of worship has been violated by Muslims who have an upper hand in the judicial system of Zanzibar”.<sup>19</sup> The clergyman also reported threats against his community from some Muslims for having appealed the court’s decision.

On 4th November 2018, President John Magufuli, Church leaders and dignitaries gathered with thousands of Christians to celebrate the 150th anniversary of the Catholic faith in Tanzania.<sup>20</sup>

In February 2019, police arrested Pius Luhende, Itigi town council executive director, and two game rangers, on charges of shooting and killing a Seventh-day Adventist church member. Allegedly, the three men had gone to the Seventh-day Adventist church in Singida to collect taxes when, according to congregation members, after the service the three accused fought with some church adherents outside the building before killing the victim.<sup>21</sup>

Apart from these cases, no other major incident has been reported regarding religious freedom over the period in review. In fact, in contrast to previous years, no serious attacks by radical Islamists against Christian targets were reported. However, Christians in Tanzania - and, to a less-

er extent, Muslims - have been increasingly concerned about rising Islamist violence at home and in the East African region.

Confirmation of these fears was brought home in late 2020, when Tanzanian authorities stated on October 23, 2020, that approximately 300 Mozambique-based Islamists affiliated with the Islamic State group attacked Kitaya, a border village in the Mtwara region inside Tanzania.<sup>22</sup> To meet the threat, Tanzania has joined its southern neighbour, Mozambique, to jointly patrol their shared border. An Islamist insurgency has been raging in the former Portuguese colony since 2017.<sup>23</sup>

Despite the coronavirus pandemic, churches remained open but had to limit their services and reduce their capacity in order to comply with social distancing measures. Most missionary work, however, stopped.<sup>24</sup> In order to respect social distancing measures, the Catechetical Office of the Tanzanian Episcopal Conference launched a catechism program for children on the radio.<sup>25</sup> In April 2020, Tanzanian President Magufuli, who is Catholic, called for a three-day prayer following the outbreak of the pandemic.<sup>26</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Generally, the long-standing tradition of respect for religious freedom in Tanzania continues. Concerns remain, however, regarding the respect for democratic principles and the eventual impact on human rights. Local and international observers state that the October 2020 re-election of President John Magufuli was flawed and fraudulent.<sup>27</sup>

In July 2020, United Nations experts criticised a crackdown against the opposition and dissent, urging the government to “immediately drop legislative and other measures that further curb civic space”.<sup>28</sup> Back in February 2018,<sup>29</sup> the Catholic Church of Tanzania had already called for respect for the rule of law and denounced “violations of the Constitution and national laws”.

There are some concerns about restrictions to religious freedom for the Christian community on the island of Zanzibar, but it remains to be seen if the situation gets worse.

Regarding radical Islamist violence, the situation had improved until the recent spill over from Mozambique’s Cabo Delgado Province (which borders Tanzania), where an Islamist insurgency that began in 2017 intensified in 2020. The prospects for religious freedom remain stable.

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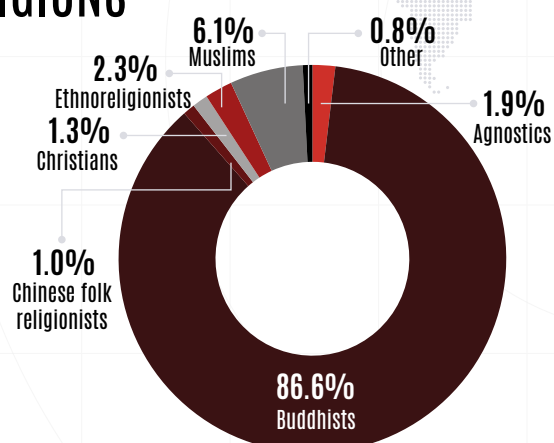
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# THAILAND

## RELIGIONS



Population

**69,410,868**

GDP per capita

**16,278 US\$**

Area

**513,120 Km<sup>2</sup>**

GINI INDEX\*

**36.4**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Political power in Thailand has been in the hands of the military junta led by General Prayuth Chan-O-Cha since May 2014, which drafted a new constitution, the twentieth in a century, approved by referendum on 7th August 2016.<sup>1</sup>

On 13th October of that year, King Bhumibol (Rama IX) passed away after 70 years of reign. His successor, Maha Vajiralongkorn, was crowned king on 4th May 2019, taking the name Rama X. In the meantime, the new constitution was promulgated on 6th April 2017, including several amendments allowing the new king to boost his powers.<sup>2</sup>

Although the document is clearly aimed at ensuring continued military dominance, the document still offers important guarantees for freedom of religion while granting Buddhism a special status.

In a country where Theravada Buddhism profoundly structures social life, Section 7 of the constitution makes it clear that the king can only be a Buddhist;<sup>3</sup> while religious freedom is clearly defined in Section 31: “A person shall enjoy

full liberty to profess a religion, and shall enjoy the liberty to exercise or practise a form of worship in accordance with his or her religious principles, provided that it shall not be contrary to the duties of all Thai people: neither shall it endanger the safety of the state, nor shall it be contrary to public order or good morals.”

During the drafting process of the new constitution, debate focused again on the place of Buddhism and whether a constitutional clause should make it “the national religion of the country”. Already in 1997, 2007, and 2014, during the elaboration of previous constitutions, there had been talk of promoting Buddhism,<sup>4</sup> but this time anxiety arose among religious minorities, particularly about Section 67 of the new text,<sup>5</sup> which declares that the state should “support and protect Buddhism and other religions.” The original constitutional draft stipulated that the state “shall establish measures and mechanisms to prevent the desecration of Buddhism in any form and encourage the participation of all Buddhists in the application of such measures and mechanisms”.<sup>6</sup> In the adopted text it is no longer a question of defending Buddhism against all “desecration,” or preventing Buddhism from being “undermined,” but rather of giving the state the positive mission of supporting and protecting Buddhism, “which is the religion observed by the majority of Thai people for a long period of

time.” In particular, the state must “support education and [the] dissemination of [the] dharmic principles of Theravada Buddhism”.<sup>7</sup>

Even in this diluted version, Section 67 still raised concerns among religious minorities because it does not refer to the importance of “religious harmony” as previous constitutions did. This has been a major issue among members of Thailand’s Muslim minority. Not surprisingly, in the referendum of 7<sup>th</sup> August 2016, the three southern provinces with a Muslim majority (Yala, Pattani and Narathiwat) largely voted against the new constitution.<sup>8</sup>

For decades, an ethno-nationalist insurgency against the central state has been going on in these provinces whose population is 80 percent Muslim and culturally Malay. Indeed, a major issue directly affecting religious freedom in Thailand is the situation in this part of Thailand where the central government is pitted against the local majority, which has demanded recognition of their distinctive characteristics. The conflict, which restarted in 2001, has worsened since 2004, claiming about 7,000 lives, both Buddhist and Muslim.<sup>9</sup>

The question is whether Bangkok will fully accept the existence and respect the rights, including the right to religious freedom, of a community that does not want to be assimilated into the dominant Thai and Buddhist culture. This minority claims the right to speak another language, a Malay dialect, practise another religion, Islam, and be rooted in a different, Malay, culture.

Bangkok’s security-focused response has shown its limits. A force of 60,000 soldiers and police agents has not been sufficient to control a population of about two million people, nor stop violent militants. After the murders of Thai teachers and Buddhist monks, government forces retaliated justifying the use of violence in the name of a state of emergency in the three provinces.<sup>10</sup> With each episode of violence in the south of the country, petitions circulate around the kingdom, signed by lay people roused by the sermons of extremist Buddhist monks warning of the “future eradication” of Buddhism in the south.<sup>11</sup>

In 2016, the concerns about Section 67 expressed by Thai Muslims and other minorities were heard, and on 22<sup>nd</sup> August 2016 the ruling junta quickly issued a decree to “complete” this section so as to “prevent acts that threaten Buddhism and other religions” (a committee was set up to do this) reiterating the traditional call for “religious harmony.” Thai Muslims reacted with some scepticism, while acknowledging that the decree was a gesture of good will

on the part of the military regime to put things right.<sup>12</sup>

Controversy concerning the 2017 constitution notwithstanding, respect for religious freedom in Thailand is, by and large, real and robust. Through the Religious Affairs Department of the Ministry of Culture, the government recognises five religious groups – Buddhists, Muslims, Hindus, Sikhs and Christians – and the religious organisations connected to these five groups can obtain certain government benefits such as tax exemptions, expedited visa applications and state subsidies. The state allocates US\$ 160 million each year to the country’s temples in four areas (building upkeep, religious education, promotion of religious activities, and salaries of Buddhist temples’ superiors). The largest share of these grants (US\$ 148 million) goes to Buddhism through the National Buddhism Bureau, a body that is separate from the Religious Affairs Department.

Belonging to a religious group that is not registered with the authorities does not seem to be an obstacle to getting benefits. Many Christian organisations use Thailand as a base for their operations in South-East Asia since it is relatively easy to obtain a tourist visa to enter the country and carry out missionary activities without complaints from the authorities.

On 29<sup>th</sup> December 2016, the National Legislative Assembly, a 250-member parliament wholly appointed by the junta, unanimously passed an amendment to the 1962 Monastic Law, which governs the appointment of the Supreme Patriarch of Thai Buddhism.<sup>13</sup> The amendment stripped the Sangha Supreme Council (the governing body of the monastic community) of the power to appoint the patriarch. The law’s new article stipulated that “the king appoints the supreme patriarch, and this choice is then countersigned by the prime minister”.<sup>14</sup> In practice, the king chooses the new supreme patriarch from a list of names provided by the prime minister. The measure was designed to ensure that the highest post in Thai Buddhism did not go to a specific individual on the basis of the old method of appointment. The high-ranking monk in question, 91-year-old Somdet Chuang, was seen by the military and their conservative allies as too close to the Wat Phra Dhammakaya, a financially and politically influential temple which advocates a heterodox and materialistic version of Buddhism. On 7<sup>th</sup> February 2017, another monk, 90-year-old Somdet Phra Maha Munivong, was appointed by the king as the head of Thai Buddhism.<sup>15</sup>



The Wat Phra Dhammakaya Temple's former superior, Abbot Dhammachayo, was suspected of financial malpractice and money laundering. In order to arrest him, the junta mobilised some 4,000 police agents and hundreds of soldiers for three weeks, from mid-February to 10th March 2017, to go through the immense Buddhist temple complex, which covers 320 hectares north of Bangkok. The junta stripped the main temple officials of their clerical functions.<sup>16</sup> To this day, Dhammachayo has never been found, and his disappearance remains a mystery. The military regime would like to place Dhammakaya Temple under their own control because the ruling generals are convinced that it has close ties with the political clan of former Prime Minister Thaksin Shinawatra.

## INCIDENTS AND DEVELOPMENTS

In January 2020, government peace negotiators and representatives of the National Revolutionary Front (Barisan Revolusi Nasional, BRN), an Islamic separatist movement, met in the hope of finding a peaceful solution to the ongoing conflict in the southern border provinces. In the meeting, both the BRN and Thai officials discussed their shared goal of resolving the conflict through the peace process by strengthening their commitment to terms of reference that they had framed before.<sup>17</sup>

According to the NGO Deep South Watch,<sup>18</sup> a total of 29 violent incidents occurred in the month of August 2020 alone with 10 deaths and eight wounded. From 2004 to 2020, 7,162 people died and 13,348 were injured since the insurgency started in the south. Despite the initial peace talks in January, no ceasefire or negotiated solution is currently in sight.

In April 2020, the BRN announced a unilateral ceasefire to combat the spread of COVID-19. In a statement, it said that it would take "measures to cease all activities for the purpose of providing humanitarian access bearing in mind that the principal enemy of the human race right now is COVID-19."<sup>19</sup> The military did not reciprocate the ceasefire pledge because it views violence in the south as a law and order issue in need of greater policing, not a civil conflict rooted in legitimate grievances. As a result, violent clashes between the military and the BRN have continued, though monthly casualties have dropped in recent months. The tit-for-tat violence between the insurgents and the Thai government has affected people in all southern communities as insurgents tend to target Thai Buddhists, while Thai

security forces conduct raids and inflict brutal treatment (including torture) on suspected militants in counter-insurgency operations.<sup>20</sup>

One particular issue that has affected the right to religious freedom of minority religious groups is the fate of persecuted communities who have sought refuge in Thailand. These communities include Christians from Pakistan and members of Falun Gong from China.

Taking advantage of relatively easy access to Thailand, thousands of Pakistani Christians have claimed refugee status in the country. However, the Thai government is not a signatory to the 1951 Convention Relating to the Status of Refugees, hence it has no formal process for refugees seeking asylum. Instead the authorities have gone after asylum seekers, and placed them in detention centres. There are credible allegations that the rights of detainees are not fully respected in these facilities. Those held are only given four hours a week outside their cells, which can be crammed with up to 100 people.<sup>21</sup>

As a rule, authorities do not recognise Pakistani Christians as refugees who have fled discrimination and persecution in their homeland deserving of legal protection. In general, local law enforcement officials regard these and other asylum seekers as illegal immigrants.<sup>22</sup> In July 2019 for example, Thai authorities arrested 51 Pakistani Christian asylum seekers in Bangkok. The incident raised fears among Pakistani Christians in the city that the Thai government was planning further immigration crackdowns on people staying illegally in the country, including asylum seekers with no proper refugee status. Pakistani Christians, along with the members of other persecuted minorities from other countries, are routinely arrested and detained in prison-like conditions. To avoid detention centres, Pakistani Christian asylum seekers spend their time hiding from authorities in small, low-rent apartments. They say they will not or cannot return to Pakistan because of the persecution they would face as a result of their religious beliefs.<sup>23</sup> In another incident in December 2019, Thai immigration authorities detained some 36 asylum seekers in an early morning raid on Bangkok apartments.<sup>24</sup>

Vietnamese refugees also fear deportation. Many of them are Catholic who fled to Thailand because of religious repression in their own country. In November 2018, more than 180 Montagnard refugees from Vietnam were detained, many of whom were Christians. While some have been able to obtain refugee status, several of them are still being held.<sup>25</sup> Some of the refugees took the risk of

deportation in order to see Pope Francis during his visit to Thailand on the 20th-23rd November 2019.<sup>26</sup>

The case of an 18-year-old Saudi woman named Rahaf Mohammed Al-Qunun generated worldwide media attention. Thai authorities detained Al-Qunun at Bangkok airport in January 2019 while she was on her way from Kuwait to Australia. Her intention was to claim asylum in Australia in order to escape her family who had threatened to kill her for leaving Islam. Al-Qunun appealed for help on social media platforms, gaining international attention. Canada later granted her asylum. As a result of the international attention and outcry this incident generated, the Thai government promised to address the issue of indefinite detention and deportation of asylum seekers. Immigration police chief Surachate Hakparn announced a review of the country's detention policy, noting no one would be deported "involuntarily."<sup>27</sup>

In 2020, Thailand celebrated the 142nd anniversary of the Edict of Religious Tolerance. To mark the occasion, United States Ambassador to Thailand, Michael George DeSombre, hosted a round table on 30th September 2020, with

approximately 15 leaders from various fields. According to Ambassador DeSombre, the Edict, first announced by King Chulalongkorn in 1878, declared "that whoever wishes to embrace any religion, after seeing that it is true and proper, can do so without any restriction, and that the responsibility rests on the individual." The Ambassador added that "[t]his powerful idea has been included in every subsequent constitution of Thailand."<sup>28</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

The military regime and the recent protests calling for systematic political reform have not affected religious freedom in Thailand, which is likely to remain robust for the foreseeable future. However, the situation in southern Thailand remains volatile and the crisis is unresolved; religion-related violence and religiously motivated Islamist terrorism targeting non-Muslims, particularly majority Buddhists, can be expected to continue.

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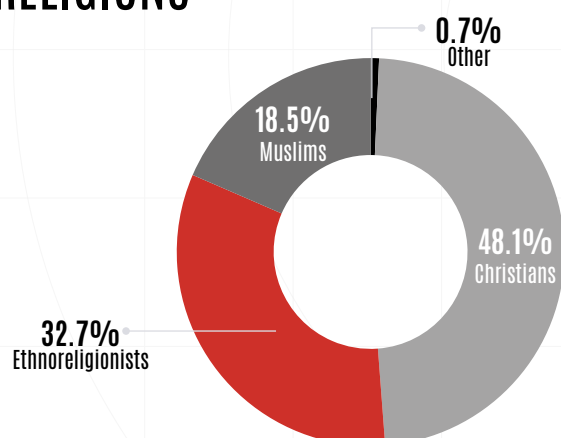
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## TOGO

## RELIGIONS



Population  
**8,384,291**  
GDP per capita  
**1,430 US\$**



Area  
**56,785 Km<sup>2</sup>**  
GINI INDEX\*  
**43.1**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Togolese Republic assures equality before the law for all, regardless of religion (Article 2).<sup>1</sup> It enshrines freedom of religion and this principle is generally respected by the authorities. It also prohibits political parties based on a specific religious identity (Article 7).<sup>2</sup>

Like many other countries in West Africa, Muslims are concentrated in the north of the country,<sup>3</sup> whilst the south is predominantly Christian. Catholicism, Islam and Protestantism are “official” religions.<sup>4</sup> Even though registration is not compulsory for religious groups, registering entitles them to receive benefits from the government, such as duty-free imports for development and humanitarian projects.<sup>5</sup> To register, a religious association must submit its statutes, together with an explanation of its teachings, the names and addresses of its spiritual leaders, the religious and general qualifications of its clergy, a map with the location of its places of worship, and an overview of the community’s financial situation. Registration remains provisional until the authorities have satisfied themselves that the group meets the standards of ethics and public order. This process can take several years to complete.<sup>6</sup>

Public celebrations that might cause a disturbance or constitute

a nuisance – e.g. loud festivities at night – require special permission from the Directorate of Religious Affairs.<sup>7</sup> Formal religious instruction is not offered in state schools. However, there are many Catholic, Protestant and Islamic schools to which the government provides additional teaching staff.<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

During the reporting period, there were no institutional changes affecting religious freedom or reports of significant incidents that restricted freedom of religion in Togo. Relations between the government and religious groups are generally good and do not constitute a reason for conflict in the country.

Religious organisations play a prominent role in the country’s current political crisis. On 29th April 2019, Pope Francis and the President of Togo Faure Gnassingbe Essozimna held a meeting in which they stressed the need for a joint action for peace.<sup>9</sup>

During the election campaign for president in early 2020, Archbishop Emeritus of Lomé Philippe Fanoko Kpodzro called for the suspension of the election process so that electoral reforms demanded by the population since 2017 could be implemented.

Indeed, already in 2018, the Catholic Bishops’ Conference of Togo, a powerful force in the country, criticised the government. On 16th November 2018, it issued a statement saying: “It is obvious that the conduct of the elections without the necessary re-



forms will not solve the challenges facing the Togolese people but will, in fact, exacerbate tension and violence.”<sup>10</sup>

The archbishop emeritus publicly endorsed one of the opposition candidates, Agbéyomé Kodjo.<sup>11</sup>

On election day, 22nd February 2020, some news reports suggested that Kodjo was leading in the polls, which led the army to place both the main opposition candidate and Archbishop Kpodzro under de facto house arrest.<sup>12</sup>

When opposition leader Agbéyomé Kodjo was arrested in April 2020, Togolese bishops called for peace and respect for human rights.<sup>13</sup>

In August 2020, researchers at the University of Toronto announced that some members of Togo’s clergy had been the victims of espionage from spyware software found on their mobile devices.<sup>14</sup> A group of six Church groups and associations released a communiqué denouncing the intrusion, demanding accountability from the government. According to the investigation, among the people spied upon were Bishop Benoît Comlan Messan Alowonou of Kpalimé, who is also President of the Catholic Bishops’ Conference of Togo, and the National Director of Catholic Education, Marie Pierre Chanel Affognon.<sup>15</sup>

Due to regulations regarding the noise at religious celebrations, the Ministry of Territorial Administration (MTA) suspended six churches for failing to respect the measure. The churches had to demonstrate that they had resolved the issue in order to reopen.<sup>16</sup>

With regards to the COVID-19 crisis, Archbishop Barrigah-Bénissan of Lomé stated that the country’s Catholic Church decided to observe the measures recommended by the government and closed all churches for public celebrations. Nevertheless, in the same statement, the Archbishop denounced some acts of violence by the security and defence forces during the curfew hours.<sup>17</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Togo currently finds itself in a turbulent period of its history. President Faure Gnassingbé, who has held this position since 2005, has come under great pressure to step down, despite his re-election on 22nd February 2020 with 71% of the vote.

The Economic Community of West African States (ECOWAS) finally declared that the elections had been free and transparent,<sup>18</sup> but failure to uphold the two-term limit stipulated in the constitution has driven popular unrest for more than two years, with tens of thousands of people taking to the streets calling for government reforms.

Such social turmoil has also made Catholic Church leaders, who usually shy away from politics, more vocal. This has made the role of Mgr Philippe Fanoko Kpodzro, Archbishop Emeritus of Lomé, especially relevant. However, relations between religious communities and the government have remained peaceful, and will likely continue to be so.

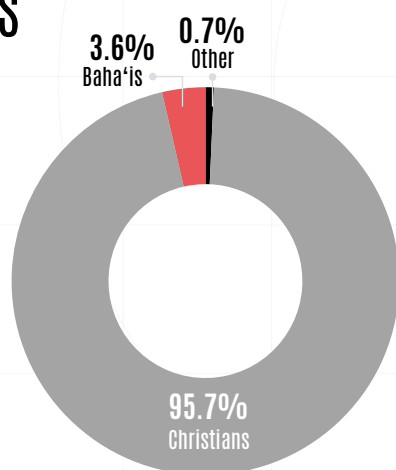
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## TONGA

## RELIGIONS



Population

**111,037**

GDP per capita

**5,426 US\$**

Area

**747 Km<sup>2</sup>**

GINI INDEX\*

**37.6**

\*Economic Inequality

LEGAL FRAMEWORK ON FREEDOM OF RELIGION  
AND ACTUAL APPLICATION

Tonga is an archipelago in Oceania about two thirds of the way between Hawaii and New Zealand.

Under Article 5 the Constitution,<sup>1</sup> all persons are “free to practise their religion and to worship God as they may deem fit in accordance with the dictates of their own worship consciences and to assemble for religious service in such places as they may appoint.” The Constitution specifies, however, that it is unlawful to use this freedom “to commit evil and licentious acts or, under the name of worship, to do what is contrary to the law and peace of the land.” Article 6 provides that “the Sabbath Day shall be kept holy in Tonga” and that no business transactions are permitted on Sundays, except those allowed by the law. Any legal agreements made on the Sabbath are not valid.

There is no requirement for religious groups to register with the authorities. However, registration is needed to conduct legally binding marriages and to obtain other benefits, such as tax exemptions.<sup>2</sup>

Religious communities are permitted to have their own

schools and offer religious education for an hour, once a week. Students are not required to attend religious education different from their own; otherwise, religious education is compulsory.<sup>3</sup>

The constitutional provisions about religious freedom are generally respected by the Tongan government. Missionaries are allowed to enter the country and proselytise.<sup>4</sup>

Under the guidelines set by the state-owned Tonga Broadcasting Commission (TBC), preaching on TV Tonga and Radio Tonga must follow mainstream Christianity. The TBC has reportedly not turned down any application to broadcast.<sup>5</sup>

## INCIDENTS AND DEVELOPMENTS

The Church of Jesus Christ of Latter-day Saints (LDS) has grown rapidly in recent years. Due to its missionary zeal and ability to adapt to local customs, Tonga has perhaps become the most “Mormon” country on earth.<sup>6</sup> Indeed, the Church claims to have surpassed Catholics,<sup>7</sup> and to represent more than 60 percent of the country’s population.<sup>8</sup> Other non-Church sources, however, put the proportion at under 20 percent.<sup>9</sup>

The government continued to enforce a 2016 ban against bakeries operating on Sunday to comply with the Constitution's prohibition of business activity on the Sabbath. By special permit, the government continued to allow hotels and resorts to operate on Sunday for tourists.<sup>10</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Freedom of religion is generally protected by the state and society in Tonga and the outlook for this human right is positive. There are no indications that this will change in the near future.

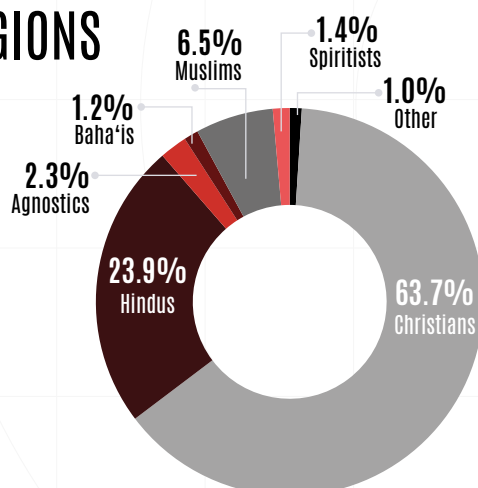
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# TRINIDAD AND TOBAGO

## RELIGIONS



Population  
**1,377,729**  
GDP per capita  
**28,763 US\$**



Area  
**5,127 Km<sup>2</sup>**  
GINI INDEX\*  
**40.3**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the constitution<sup>1</sup> of Trinidad and Tobago states that the country was founded on principles that acknowledge the supremacy of God, the dignity of the human person, and the inherent rights of the individual. It emphasises that these rights have been endowed by the Creator.

Article 4 of the constitution recognises the right to freedom, equality before the law, the protection of the law, the right of parents to choose their children's education, freedom of conscience and worship, freedom of thought and expression, freedom of association and the prohibition of discrimination based on race, origin, colour, religion or sex.

Article 29 of the Education Act<sup>2</sup> stipulates that no one can be refused admission to a state school on religious grounds. Religious education is allowed in state schools. In case parents request religious instruction for their children, time must be found in the school timetable during which educators of their faith can impart it. Participation is

strictly voluntary.

Muslim marriage and divorce are regulated by law.<sup>3</sup> Christians can take judicial oaths on the New Testament, and Jews can do the same on the Old Testament. For people who do not belong to these religions, the oath can be administered in other ways.<sup>4</sup>

Religious groups must be registered with the government and show that they are active. Such groups must register as charitable organisations in order to obtain tax exemption status and be authorised to register civil marriages. Missionaries belonging to registered religious groups are allowed into the country.<sup>5</sup>

The government subsidises activities carried out by the Inter-Religious Organisation (IRO), which represents most religious groups. Both nondenominational state schools and religiously affiliated state schools receive government grants.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

In July 2018, a Hindu spiritual leader, speaking out after some temples (Mandir) were the subject of thefts and acts

of vandalism, said that that people should respect the sanctity of different places of worship. One devotee noted that “it is becoming increasingly difficult to express one’s faith without humiliation and hate.”<sup>7</sup>

In January 2020, a number of religious leaders said that certain “policies and structures [are] in place to ensure accountability in churches” and that “proper accounting is vital”.<sup>8</sup>

In March 2020, the Catholic and Anglican Churches suspended their religious services due to the health emergency caused by COVID-19.<sup>9</sup>

In August 2020, the government updated its regulatory restrictions concerning COVID-19, authorising the celebration of funerals, weddings and baptisms or other religious gatherings, as long as they did not exceed 10 people.<sup>10</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

In the 2018-2020 period, no acts of religious intolerance were reported in the country and the prospects for religious freedom are positive.

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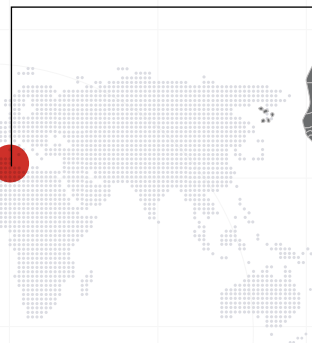
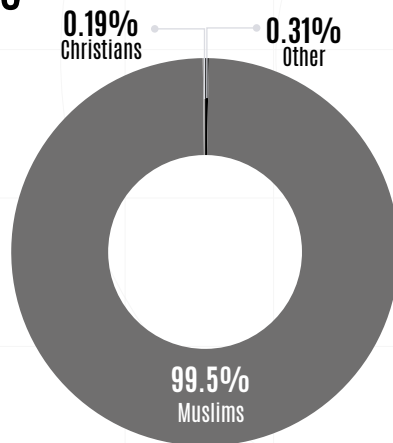
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# TUNISIA

## RELIGIONS



Population  
**11,903,136**  
GDP per capita  
**10,849 US\$**



Area  
**163,610 Km<sup>2</sup>**  
GINI INDEX\*  
**32.8**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The post-revolutionary constitution<sup>1</sup> promulgated in January 2014 stresses the Tunisian people's commitment "to the teachings of Islam" and the protection of the country's "cultural heritage". According to Article 1, "Tunisia is a free, independent and sovereign state; its religion is Islam, its language is Arabic, and its system is republican." Article 2 states that "Tunisia is a civil state based on citizenship, the will of the people and the supremacy of the law."

Article 6 reads as follows: "The state is the guardian of religion. It guarantees freedom of conscience and belief, the free exercise of religious practices and the neutrality of mosques [...]. The state undertakes to disseminate the values of moderation and tolerance and the protection of the sacred, and the prohibition of all violations thereof. It undertakes equally to prohibit and fight against calls for Takfir and the incitement of violence and hatred."<sup>2</sup> Critics see this article as contradictory.<sup>3</sup> Although the current government has emphasised the importance of religious freedom, that same liberty is - according to critics - undermined by the Constitution, which they see

as legitimising restrictions. According to Fadhel Achour, Secretary General of the Union of Imams, secularism in Tunisia is impossible because Tunisia is historically "a Muslim Nation".<sup>4</sup>

Although Article 74 restricts the presidency to Muslims,<sup>5</sup> the Constitution guarantees freedom of belief and conscience for all believers as well as non-believers. Attempts by Islamists in the Constitutional Assembly to criminalise apostasy have failed. Conversion from Islam to another religion is not illegal under the Constitution.

The Constitution bans campaigns against apostasy and inciting hatred and violence on religious grounds. However, blasphemy remains illegal and police may invoke it as a pretext to arrest people. Islamic education remains a required component of the public education curriculum.<sup>6</sup>

Shari'a (Islamic law) is not mentioned as a source of legislation but it is partly incorporated in the laws that regulate personal status (marriage and inheritance).

Under an agreement between the Holy See and Tunisia, dating from 1964, the Catholic Church is officially recognised and allowed to operate churches and social institutions. A local anonymous Catholic source said: "[The agreement] gives us legal certainty, but also brings restric-

tions. According to this *modus vivendi*, we are not allowed to make public expressions of the Catholic faith such as processions or the like. On the whole, this agreement prohibits any form of proselytising.”<sup>7</sup>

The vast majority of Tunisian citizens are Sunni Muslims but a number have converted to Christianity, with some sources citing figures as high as 12,000. According to the World Religion Database, there are 25,414 Christians living in Tunisia. The majority of foreign Christians are Catholic, with local sources suggesting there may be 22,000.<sup>8</sup> In addition, there are Orthodox and Protestant communities. Most Christians from abroad work or study in Tunisia or are migrants, many of them sub-Saharan Africans.

Tunisia is home to an ancient Jewish community now numbering around 1,900 people.<sup>9</sup> Most Jews left Tunisia after the establishment of the State of Israel. The Tunisian Jews who remain are mainly in Tunis and on the island of Djerba. The Chief Rabbi is paid by the Tunisian government. Although Jewish communities are still exposed to threats, they enjoy relative freedom and police protection.<sup>10</sup>

Although it is not formally illegal for non-Muslims to proselytise Muslims, it is usually viewed as “disturbing the public order,”<sup>11</sup> and can be prosecuted. What is more, “The penal code criminalises speech likely ‘to cause harm to the public order or morality,’ as well as acts undermining public morals in a way that ‘intentionally violates modesty.’”<sup>12</sup>

The late President Beji Caid Essebsi<sup>13</sup> declared a state of emergency in 2015 as a result of extremists’ attacks and fear of foreign infiltration. To the date of this writing, it is still in effect.<sup>14</sup>

## INCIDENTS AND DEVELOPMENTS

In September 2017, the 1973 ban on marriage between a Muslim woman and a non-Muslim man was lifted.<sup>15</sup> However, this has been met with opposition. On 16th August 2018, Fathi Laayouni, the Mayor of El Kram, Tunis Governorate, from the Ennahda party, stated that his municipality would not validate such unions. He cited Articles 1 and 6 of the Constitution stipulating that the State religion is Islam and that the government is the guardian of religion. The then Minister of Local Affairs, Riadh Mouakher, promised “sanctions” against Laayouni.<sup>16</sup> Civil society groups reported that this was not the only case of a mayor refusing to officiate marriages between Muslim women and non-Muslim men. In at least one case, a mayor’s office

also reportedly refused to marry two Christians.<sup>17</sup>

In November 2018, President Essebsi’s cabinet approved a bill on equal inheritance rights for women. The bill was severely criticised by the Islamist party Ennahda<sup>18</sup> and Muslim clerics<sup>19</sup> as ‘contrary to the Quran’.<sup>20</sup> It has not yet been approved by the Parliament.<sup>21</sup>

On 1st March 2019, Ahmed Shaheed, UN special rapporteur on freedom of religion or belief, presented the report of his 2018 visit to Tunisia to the Human Rights Council.<sup>22</sup> The document recommends, among other things, to “ensure that the Baha’i community is able to secure legal personality to enable them to manifest their faith in accordance with Article 18 of the ICCPR.”<sup>23</sup>

The question of not fasting in public during Ramadan is a recurrent issue. Although no law forbids it, social pressure against it is strong. Various groups have defended the right to eat, drink or smoke in public.<sup>24</sup>

On 29th May 2019, Kairouan’s “Damascus” café owner Imed Zaghouani spent ten days in jail, before receiving a one-month suspended sentence in prison and a fine of 300 dinars (US\$100). Although it is not forbidden to keep a café or restaurant open during Ramadan, authorities used a “vague provision of the penal code on ‘publicly offending morality’ to convict” the café owner.<sup>25</sup>

On 6th November 2019, the counterterrorism prosecutor of the First Instance Court in Tunis opened an investigation against Mounir Baatour, a lawyer and a former presidential candidate, for reposting on “his own page content from a Facebook page called ‘The Untold in Islam’, in which the Prophet Mohamed was accused of being a rapist and a killer, and crudely deriding his sexual life.”<sup>26</sup>

Although apostasy is not punishable under Tunisian law, Baatour, who heads Shams, a group that defends sexual minorities,<sup>27</sup> was charged with “incitement to hatred and to animosity between races, doctrines, and religions,”<sup>28</sup> as well as “incitement to hatred, violence, and segregation toward persons or groups of persons based on racial discrimination,”<sup>29</sup> and for “directly calling for hatred between races, religions, and populations”.<sup>30</sup> Mr Baatour also received several anonymous threats and a well-known preacher called for his death under Islamic law against apostasy. He has since fled to France.<sup>31</sup>

In May 2020, Moroccan blogger Emna Charqui was arrested and interrogated after having posted a message on Facebook in which appears a Quran style message, ‘The

Sura of the Corona<sup>32</sup> in which she was asking people to follow hygiene rules in the style of the Quran. She was found guilty of “inciting hatred between religions”, sentenced to six months in prison and was planning to appeal.<sup>33</sup>

In August 2020, Tunisian President Kais Saied, who had already publicly declared his opposition to gender equality in inheritance issues, reiterated his position, arguing that the Koranic text is “clear and sufficient” enshrining the principle of justice before that of equality.<sup>34</sup>

Since 2015, the Tunisian State has been able to avoid new large-scale terrorist attacks, especially against tourist sites. However, pressure from jihadist groups continues, and small terrorist attacks have taken place over the last two years.<sup>35</sup> In September<sup>36</sup> and October<sup>37</sup> 2019, Tunisian security forces killed two Al Qaeda members.

According to local sources, some Muslim converts to Christianity have been harassed or ostracised by their own families.<sup>38</sup>

#### Covid-19

The day after a meeting between the minister of health, the minister of religious affairs, the Tunisian Grand Mufti and the president of Ez-Zitouna, and a religious higher education institution, the Tunisian government decided in mid-March to suspend all prayers inside mosques. The

president of Ez-Zitouna mosque declared in a communiqué that he objected to this decision, and that it was not the decision taken upon during the meeting. The fundamentalist and pan-Islamist movement, Hizb ut-Tahrir, declared that the decision was an offence against Islam, asking the authorities to end its “siege” on religious houses of worship.<sup>39</sup>

Mosques remained closed through Ramadan and Eid El-Fitr (end of May) and reopened at the beginning of June.<sup>40</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

Overall, official statements and decisions represent positive steps towards religious freedom. But societal and official pressure as well as ambiguous legal texts still present a threat.

How freedom of religion will evolve is likely to depend on President Saied, who has been in office for less than six months at the time of writing this report. Some measures, like adopting the bill for equal inheritance rights for women, might be an indicator of things to come.

The evolution of the economic, political and security situation among Tunisia’s neighbours (Libya, Algeria, Sahel) is a cause of concern for Tunisia, and more broadly, for freedom of religion.

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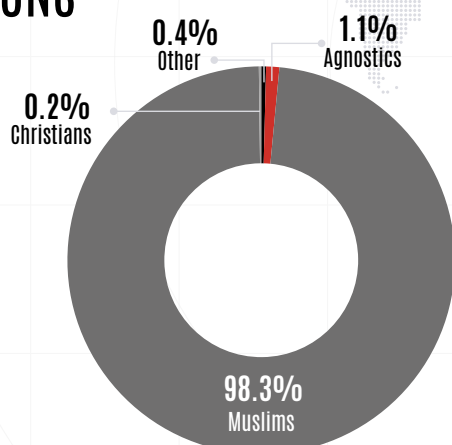
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# TURKEY

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Turkish constitution defines the country as a secular state (Article 2).<sup>1</sup> It guarantees freedom of conscience, religious belief, conviction, expression and worship. Article 24 prohibits discrimination on religious grounds and the exploitation or abuse of “religious feelings, or things held sacred by religion.”

Religious matters come under the jurisdiction of the Presidency of Religious Affairs (Diyanet),<sup>2</sup> a state agency established in 1924 (Article 136) to replace the Ottoman-era religious authority (Shayk al-Islam) after the abolition of the Caliphate.<sup>3</sup> The agency operates under the President's Office, promoting the teachings and practices of Sunni Islam. For 2020, the Turkish government allocated TRY 11.5 billion (US \$1.7 billion) in state funds to the Presidency of Religious Affairs agency, which is more money than six other major ministries and most state institutions receive.<sup>4</sup>

The new national identity cards contain no overt reference nor specific section for religious affiliation. Religious groups are not required to register with the authorities but the places of worship of unregistered groups are not rec-

ognised by the state.<sup>5</sup>

Religious instruction is mandatory in state-maintained primary and secondary schools, where only Sunni Islam is taught. Only Christian or Jewish students may apply for an exemption from Sunni teaching upon the request of their parents. The government continues to refuse to exempt Alevi or other faiths from compulsory Sunni Islamic education. The government interprets the 1923 Lausanne Treaty restrictively, which refers to “non-Moslem minorities,”<sup>6</sup> and so has granted special legal minority status to only three recognised groups: Armenian Apostolic Orthodox Christians, Greek Orthodox Christians and Jews. Despite their special status, they, like other minority groups (such as Catholics, Syriacs, Protestants, Alevi, etc.) have no legal identity and cannot as a group buy or own properties or seek legal redress. Currently, these groups can only own property through separate foundations.<sup>7</sup>

The state allows the training of Sunni clerics only while restricting that of other religious groups. The lack of Christian seminaries in Turkey has prevented the Greek Orthodox and Armenian Orthodox Patriarchates from training the next generation of clerics. The Greek Orthodox Theological Seminary on Halki island near Istanbul was closed in 1971.<sup>8</sup> The Turkish government has justified its action



by claiming that the Greek government has failed to guarantee the religious freedom of its Turkish Muslim minority.<sup>9</sup>

Turkey's Jewish community is able to practise its religion freely. Synagogues are under government protection. However, anti-Semitism, especially in print and social media, still remains an issue in Turkey.<sup>10</sup> Nevertheless, Turkey is the only Muslim majority country that actively contributes to the International Holocaust Remembrance Alliance.<sup>11</sup>

Waves of refugees have come to Turkey, especially as a result of the Syrian civil war: close to 4.1 million refugees and asylum-seekers (3.7 million Syrians and nearly 400,000 of other nationalities).<sup>12</sup> Turkish legislation provides people in need of international protection with a broad range of rights when they register with the authorities.<sup>13</sup> However, the existing legal framework has some shortcomings, largely due to the scale of the refugee problem. Since 2014, thousands of Arabic-speaking Catholics (mainly Chaldeans and Syriacs) and Orthodox Christians have entered the country. Distributed in more than 80 Turkish cities, these refugees must remain where they registered in order to receive government financial aid.<sup>14</sup> They are permitted to work, but only where they are registered. The exact number of non-Muslim refugees in cities is unknown. Christian refugees struggle to maintain their faith as most churches are in Istanbul and in a few of the larger cities. The few Arabic-speaking Christian ministers are obliged to travel from city to city, renting (sometimes at very high prices) locations to celebrate multiple baptisms, confirmations and weddings, often on the same day.<sup>15</sup>

## INCIDENTS AND DEVELOPMENTS

Incidents have been reported against a background of growing religious tensions.

On the new national ID cards introduced in 2017, religious affiliation appears in the electronic chip but not on the document itself. This is considered as a very positive step as it will reduce the risk of discrimination.<sup>16</sup> However, those who wish the complete removal of religion from their records must request it. For those students seeking to be exempted from the required Islamic religious culture and moral knowledge courses, this creates a problem as non-Muslim students have to prove their religion in order to opt out.

In 2018, hate speech against Churches and their mem-

bers increased in the media especially during the Pastor Andrew Brunson case.<sup>17</sup> This was a cause for great concern among Christian communities as a similar trend was observed leading up to the Malatya Zirve Publishing House Massacre in 2007.<sup>18</sup> Examples of this were the critical publication in national and local newspapers and the broadcast on TV channels of pictures of churches and individuals, the publication of false claims by false witnesses, and the failure by the media to allow those affected the opportunity to rebut, which is a constitutional right.<sup>19</sup>

After Pastor Brunson's release in October 2018, hate speech against Christians decreased, but not for long. Around Christmas time and after New Year, anti-Christian campaigns resumed with billboards, posters, leaflets distributed on the streets, news reports and television shows, sowing fear among Christians during the celebrations.<sup>20</sup>

After Sunni Muslims, Alevi, the term for a large number of heterodox Muslim Shi'a communities, is the second largest religious group in Turkey with about 20 to 25 million members.<sup>21</sup> Despite a Supreme Court of Appeals decision officially recognising the Alevi houses of worship (cemevis) as legitimate places of worship<sup>22</sup> they are not recognised as a distinct religion resulting in a continued source of tension. The Alevi practice of Islam is fundamentally different from that of the Sunni and although officially a denomination of Shia Islam, here too their interpretation varies with Shia communities in other countries.

It is their variance in practice with Sunni Islam, however, which results in the latter shunning them, describing them as a cult or a sect, or a brotherhood, and refusing to grant them official status.<sup>23</sup>

The Alevi do not adhere to the ritual of praying five times a day and are not required to make the pilgrimage to Mecca. Men and women pray side by side in houses of prayer (cemevi), and their ritual includes a sacred dance (semah). Their attitude is more open towards women, who, for example, are not obliged to wear a headscarf. What is more, their spiritual leaders can be both men (dede) and women (ana). Cemevis do not receive any subsidy from the state, whilst mosques do. Unlike Sunni imams (who lead the Islamic prayer), Alevi religious leaders are not recognised as civil servants.<sup>24</sup>

Most Protestant communities do not have churches and consequently have to establish associations or become the representatives of existing associations or foundations. This is the only way for them to rent or buy stores,

office space or warehouses for religious services. However, municipal authorities usually refuse to change zoning regulations to meet the needs of these communities.<sup>25</sup> Therefore, the places used for Protestant worship are not recognised by municipalities and come with none of the benefits granted to places of worship (like exemption from electricity and water bills).<sup>26</sup>

For decades the Catholic Church has been asking for legal recognition, the restitution of properties registered both with the Treasury and the Directorate General of Foundations (religious endowments) after the establishment of the Turkish Republic, and the registration of these properties under the name of the proprietary congregations. Furthermore, the demand to register properties currently in use, dating back to the time of the Ottoman Empire, is still pending.<sup>27</sup>

Several Christian churches have been the target of a number of incidents in 2018 and 2019.<sup>28</sup> In June 2018, signs pointing to a Protestant church in the city of Mardin were torn down; an official with the Erbakan Foundation had described the presence of the signs near a mosque as an insult. In January 2019, the same church was targeted by a sound bomb during Sunday services; the perpetrators were caught but later released. A month later, threatening graffiti appeared on a wall of the Surp Hresdagabet Armenian Church in Balat, a district in Istanbul district. In March 2019, a Molotov cocktail was thrown at a synagogue in Izmir. A suspect was arrested, claiming he wanted to protest against Israel.

In 2020, incidents resulting from political decisions increased tensions with non-Muslim communities. On 11 July 2020, after the Council of State reversed a 1934 decision by then President Mustafa Kemal Atatürk to transform the ancient Byzantine Basilica of Hagia Sophia (Holy Wisdom), later the Aya Sofya mosque, into a museum, President Recep Erdoğan announced that the building would become a mosque again and that the first prayers would be conducted in it on 24 July,<sup>29</sup> causing a global uproar.<sup>30</sup> Hagia Sophia was the Seat of the Patriarchate of Constantinople from 537 to 1453, except for an interlude of 57 years (1204 to 1261) when it was the Catholic cathedral of the Latin Empire of Constantinople. In 1453, Sultan Mehmed II conquered the city and converted the church into the Aya Sofya mosque.

A second similar political decision was taken concerning the Byzantine Church of the Holy Saviour in Chora (Kariye in Turkish). The mediaeval church was converted into a

mosque in the early 16th century and designated a museum by Turkey's government in 1945. In late 2019, following Turkey's Council of State ruling that the decision designating the Kariye a museum was unlawful because a mosque "cannot be used except for its essential function",<sup>31</sup> President Erdoğan reversed the 1945 decision by decree on 22 August 2020.<sup>32</sup>

After fighting broke out between Armenian and Azeri forces in late September 2020, anti-Armenian and anti-Christian demonstrators protested in Turkish cities, and hate messages saturated Turkish social media.<sup>33</sup> In the first days of the conflict, cars with Azeri flags filled the street across from the Armenian Patriarchate of Turkey<sup>34</sup> in Istanbul, including Istanbul's Balat district<sup>35</sup> where the Ecumenical Greek Orthodox Patriarchate is located, sending a threatening message to local Armenians and Greeks and obliging security officers to be positioned in front of all the Armenian churches in Istanbul.<sup>36</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

There are ominous signs for religious freedom in Turkey. For atheists, agnostics, Alevis, non-Sunni Muslims, Bahais, and Yezidis<sup>37</sup> - those not recognized under the government's interpretation of the 1923 Lausanne Treaty, which includes only Armenian Apostolic Orthodox Christians, Jews, and Greek Orthodox Christians<sup>38</sup> - there is no sign of relief from their victimisation and limiting of rights.

For those included the Lausanne Treaty, there is a worrying trend of intolerance and hate speech towards these religious minorities in news media, for example against Jews, "portrayed as a 'hidden power' in 'conspiracy theories' and presented as 'a threat against Turkey'".<sup>39</sup>

For Christians, attacks against places of worship; the inability of the Catholic and Protestant Churches to achieve full legal recognition; the lack of, and impossibility to build, seminaries for the Armenian, Catholic and Greek Orthodox Churches to train clerics; and the insulting of Christian culture on state media especially at Christmas and on New Year's Eve,<sup>40</sup> culminate to engender an environment of fear and insecurity.

A significant issue for all non-Sunni Muslims lies in the state education system in which the only religious instruction offered is that of Sunni Islam.<sup>41</sup> Application for exemption from this compulsory schooling is only possible if students reveal their religion on the identity card electronic

chips to show that they are Christian or Jewish.

A new level of interreligious tension was reached in the summer of 2020 with the conversion of Hagia Sophia and the church in Chora from museums into mosques<sup>42</sup> and the recent escalation of violence between Azerbaijan and Armenia in September 2020<sup>43</sup> provoking anti-Armenian and anti-Christian rhetoric.

Notwithstanding the challenges, there were nevertheless two positive developments. First, the authorities made progress in returning confiscated properties to non-Muslim foundations.<sup>44</sup> Secondly, they authorised the construction in Istanbul of the first-ever Syriac Church in modern times.<sup>45</sup> The ground-breaking ceremony was attended by President Recep Erdoğan.<sup>46</sup>

At the time of writing, the President of Turkey has entered into a verbal conflict with his French counterpart following a newly announced policy in France to counter “Islamist separatism”.<sup>47</sup> President Erdogan stated: “A lynching campaign similar to that against the Jews of Europe before World War II is being waged against Muslims”, accusing France of islamophobia and calling for a commercial boycott of French products in Turkey.<sup>48</sup>

The prospects for the right to freedom of religion in Turkey are strongly negative.

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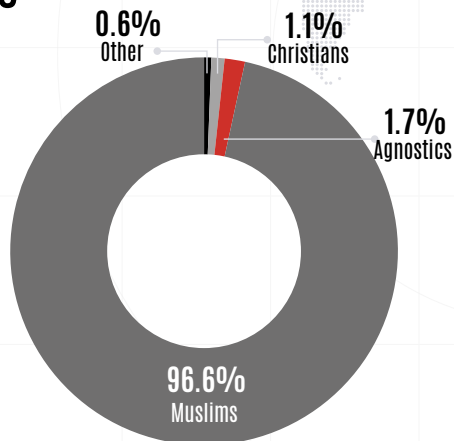
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# TURKMENISTAN

## RELIGIONS



Population

**6,031,195**



GDP per capita

**16,389 US\$**



Area

**488,100 Km<sup>2</sup>**



GINI INDEX\*

**40.8**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In Turkmenistan, freedom of worship is formally protected by the constitution (Articles 18 and 41).<sup>1</sup> However, the country ranks among the world's worst violators of religious freedom.

The law on religious organisations and religious freedom, which came into effect in 2016, significantly tightens the conditions for free religious practice by: requiring religious groups to register every three years, respecting cumbersome and complex criteria (such as having a minimum of 50 adult resident members), and banning any activity by unregistered groups.<sup>2</sup> Worshipping in private homes as well as private religious instruction are equally prohibited.

Through the State Commission on Religious Organisations, the government oversees various religious activities, such as approving the appointment of leaders, the construction of places of worship, and the importation, publication and distribution of religious literature. By law, Ministry of Justice officials can attend any event of a registered religious community and question members about the nature of their activities.<sup>3</sup>

Aside from basic education in some Sunni mosques and Russian Orthodox churches, formal religious instruction is almost entirely banned. The one exception is a small Sunni Muslim theological section in the Faculty of History at Ashgabat State University, which is authorised to train imams.<sup>4</sup>

As of October 2018, 131 religious organisations were registered; of these, 107 are Muslim (102 Sunni and five Shia), 13 are Russian Orthodox, whilst the remaining 11 include Baha'is, Protestants, Roman Catholics and the International Society for Krishna Consciousness. No other religious groups appear to have been able to register in the last two years.<sup>5</sup>

Polygamy was banned on 1st September 2018.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

The lack of an independent press<sup>7</sup> and the religious believers' fear of government retaliation make it hard to find news about, and hinder the reporting of, abuse. In 2019, there were no signs of improvement for religious freedom in Turkmenistan, which remains one of the worst offenders in the world.

The government continues to be wary of any independent religious activity, which is monitored via an extensive surveillance apparatus. Overt religious practice is viewed with suspicion, and many people have suffered significant repercussions for openly expressing their faith at work in both the public and private sectors.<sup>8</sup> For some the penalties are harsh; mainly Muslims who were convicted and sent to prison on vague charges of religious extremism because of unconcealed expressions of religiosity.

One of the country's most infamous prisons is Oavadan-Depe, which holds more than a hundred Muslim prisoners of conscience. Little is known about their conditions or even if they are still alive.<sup>9</sup> Akmyrat Soyunov and Eziz Hudayberdiyev, two of 18 Gülenist<sup>10</sup> prisoners held in the facility, died in custody under unknown circumstances in October 2018 and June 2019 respectively,<sup>11</sup> whilst the health of a third prisoner, Alysher Muhametgulyev, is reported as seriously deteriorated.<sup>12</sup>

On a more positive note, relatives of prisoners "missing" in Oavadan-Depe were given for the first time the opportunity to visit their loved ones in June 2018.<sup>13</sup> Likewise, between September and November 2019, the Ministry of Justice organised meetings with the leaders of registered and non-registered religious organisations, in order to open a channel of communication and answer the questions of certain religious groups. Although viewing such meetings positively, many groups received few or no answers.<sup>14</sup>

In the capital Ashgabat, the small Catholic community of about 250 members, mostly expatriates working in the construction or oil industries, can meet discreetly in the Chapel of the Transfiguration of the Lord. As is the case for Orthodox Russians, Mass for Catholics requires a discretionary authorisation from the authorities as do processions and other group liturgical services, as well as charitable activities.<sup>15</sup>

Over the past two years, police have repeatedly raided private homes and places of worship where believers gather for services, which tend to end with the seizure of religious literature and the temporary detention of participants.

Christian churches are the main targets of these raids, as they are viewed with suspicion by the population and deemed a potential source of destabilisation by the state. In February 2020, officers broke into two homes in the northern region of Dashoguz during Protestant meetings; one of the owners was fined 200 Manats (US\$ 55), equal to about a week's wages.<sup>16</sup>

Police raided a meeting of Protestant women who had gathered in December 2019 to celebrate Christmas in a village in the Lebap Region. The flat was searched, phones seized, and participants questioned and registered at the local police station. The owner was fined 200 Manats (US\$ 55).<sup>17</sup>

Since September 2018, Jehovah's Witnesses have also denounced increased government interference in their activities, complaining of harassment and threats as well as the government's denial of their right to own religious material.<sup>18</sup> In most cases, the raids included house searches, seizures of personal effects, intimidation and sometimes physical violence by police.

At least eight Jehovah's Witnesses were fined the equivalent of a week's average salary, whilst one of them was also detained for three days on hooliganism charges. Officials forcibly seized some Jehovah's Witnesses at work and at home to question them and induce them to abandon their faith.<sup>19</sup>

After a four-year moratorium, during which conscientious objectors only received suspended sentences or were forced to perform corrective labour (with the state keeping part of their salary), Turkmenistan in 2018 resumed the incarceration of people who refuse to perform military service.

This practice not only continued in 2019 and 2020, but the sentences became more severe, with up to four years in prison. Bahtiyar Atahanov, a 19-year-old Jehovah's Witness, was convicted in July 2019 after he was forcibly enlisted and then not tried as a conscientious objector but as a soldier on active duty. Serdar Dovletov was given a three-year sentence in November 2019 for fraudulently trying to avoid military service.

From early 2018 to September 2020, 24 people were convicted for conscientious objection, most of them sentenced to two years in prison. For three Jehovah's Witnesses, this was a second conviction since they had received a suspended sentence or had been forced to perform corrective labour in 2016 and 2017 for the same crime.<sup>20</sup>

Although permitted by law, importing religious literature is subject to arcane procedures that govern the process of authorisation. Despite this, some churches have been successful in importing a small number of texts. One Christian church, for example, successfully brought in 50 copies of the Bible, 25 in Russian and 25 in Turkmen.<sup>21</sup> In December 2018, the authorities detained a Turkmen

woman for 24 hours; she was coming from Turkey (where she lived and worked) carrying copies of the Qur'ān as a gift for relatives. The books were confiscated and she was not allowed to return to Turkey at the end of her holiday in Turkmenistan.<sup>22</sup>

The relationship between the state and Islam is characterised by a clear dichotomy. On the one hand, there is a symbiotic relationship with Islam as a pillar around which to build national identity allowing the president to use the clergy as a tool to increase his own influence and gain popular support; on the other hand, strict control is applied to active Islamic religious practice, which is strongly discouraged and constantly monitored.

In Turkmenistan, the only form of Islam allowed must operate under the supervision of the state-controlled Muslim Board (Muftiate). The latter appoints imams and controls the content of sermons and prayers,<sup>23</sup> which must in any case praise the president and wish him health and success. In one case, in May 2020, an imam at an Ashgabat mosque called upon the Almighty to “punish all [the president’s] enemies and foes” so that they may “grovel at his feet”.<sup>24</sup>

Recently, Turkmen authorities have intensified their efforts to prevent visible expressions of Islamic religious practice. For example, in 2019, unlike previous years, the Muslim Board did not make any official announcement at the start of Ramadan, nor did the country’s mainstream media mention it.<sup>25</sup> Fearing the label of “extremist”, many people also choose not to fast during Ramadan or in any case not to talk about it publicly.<sup>26</sup> In early 2019, police in Ashgabat and the eastern region of Lebap stepped up their campaign to prevent men under 40 from wearing beards, a practice treated as a sign of excessive devotion. Some of those arrested were forcibly shaved whilst others were also pressured to do the same; in one case, officers forced a young man not only to shave but to drink an alcoholic beverage.<sup>27</sup> Also in Lebap, state employees cannot participate in Friday prayers (namaz) in mosques or the workplace, on pain of dismissal. The ban came into effect in February 2020 on the same day that President Berdymukhamedov, attending the inauguration of a new mosque in Turkmenabat, Lebap’s capital, was quoted as saying that, “the government secures all the necessary conditions to protect freedom of conscience”.<sup>28</sup> Also in the Mary region, the police intensified a campaign against women wearing the hijab and bearded men.<sup>29</sup>

Turkmen students abroad are often monitored by Turkmen

diplomatic officials, who regularly summon them to warn them against getting involved in religious communities in host countries, instructing them on the correct behaviour to follow, and sometimes questioning them about the religious practices of fellow Turkmen students. Parents of students studying abroad have also received warnings. During meetings held in Ashgabat in early 2019, government officials instructed them on how they should supervise their children.<sup>30</sup>

The Turkmen government continues to restrict the movement of its citizens abroad, especially if it suspects that religious activity is the purpose of the trip.<sup>31</sup> Since 2000, Turkmenistan has limited the number of people allowed to travel to Makkah for the annual pilgrimage (Hajj) to 160 individuals (no more than the number of seats available on its domestic carrier’s largest plane), this despite the fact Saudi Arabia’s quota for Turkmenistan is 5,000 people.<sup>32</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Turkmenistan is one of the most repressive and authoritarian countries in the world, with negative records in every area of human rights particularly religious freedom.

In the absence of any real opposition or an independent judiciary, President Gurbanguly Berdymukhamedov, in power since 2006, exercises total control. Under the circumstances, significant political change is not anticipated and the country’s extreme isolation vis-à-vis the outside world makes it relatively impervious to international pressures. The various religious communities live, and will likely continue to live in the foreseeable future, under constant surveillance and pressure with little chance to improve their difficult situation.

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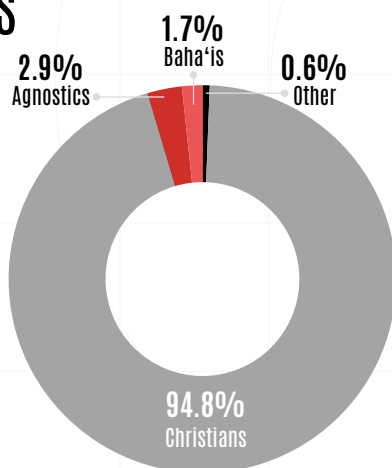
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# TUVALU

## RELIGIONS



Population

**11,499**



GDP per capita

**3,575 US\$**



Area

**26 Km<sup>2</sup>**



GINI INDEX\*

**39.1**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Located in the southern-western part of the Pacific Ocean, the independent state of Tuvalu is the fourth smallest country in the world.

According to the Preamble to the Constitution,<sup>1</sup> Tuvalu is “an independent state based on Christian principles, the Rule of Law, and Tuvaluan custom and tradition.”

Article 23 (1) stipulates that “no-one shall be hindered in the exercise of his freedom of belief.” This includes the freedom to change belief and to proselytise (Article 23, 2, a and b). The right may however be limited by law for reasons of defence, public order, safety, morality and health (Article 24, a), but also if its exercise is “divisive, unsettling or offensive” to the “rights or feelings” of other people (Article 29, 3, 4 a).

The protection given to freedom of religion includes the right not to have a particular religion (Article 23, 8).

Religious groups with adult members who represent more than 2 percent of the population must register with the state and can be prosecuted for failing to do so.<sup>2</sup> The ap-

proval of the traditional Assembly of Elders (falekaupule) is needed in order to register.<sup>3</sup>

Further restrictions are included in the Religious Organisation Restriction Act 2010,<sup>4</sup> which requires that any religious group, regardless of size, must gain the approval of the falekaupule of each island in order to conduct services there. The falekaupule may prevent religious groups from holding public meetings if they are believed “to threaten the values and culture” of the island.<sup>5</sup> Groups that gather for unauthorised religious activities can be fined.

Under the same Act, individuals and families may still worship freely within their own residences.

Some 90 percent of the Tuvaluan population belongs to the Congregational Christian Church of Tuvalu (Te Ekalesia Kelisiano Tuvalu, EKT), which exercises significant influence on Tuvalu’s social and political life. However, traditional culture and the EKT are so closely aligned that it can be hard to say whether such influence is religious or cultural.

Over the past decade, members of minority religions have successfully gone before Tuvalu courts proving that their constitutional right to freedom of religion was violated in certain instances, and that they were discriminated



against on account of their religion.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

In recent years, reports have indicated that on some islands religious groups other than the EKT have met with opposition from the local traditional Assembly of Elders (falekaupule) and were compelled to leave.<sup>7</sup>

On smaller islands, residents tend to perceive minority religious groups as outside traditional norms. Fearful that new groups might undermine traditional societal structures, local leaders have tried to hinder their activities.<sup>8</sup>

On certain islands however, missionaries have proselytised without restrictions. On the main island of Funafuti,

religious minorities said they did not face any restrictions regarding their constitutional rights. Other religious groups continued to practise without formal approval nor penalty in some of the outer islands.<sup>9</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Although constitutionally protected, there are signs that religious freedom is being inhibited by both the government and a conservative society. This infringement is neither egregious nor violent in any way, but it does show that Tuvalu has some progress to make when it comes to acceptance of religious minorities and true respect for freedom of religion.

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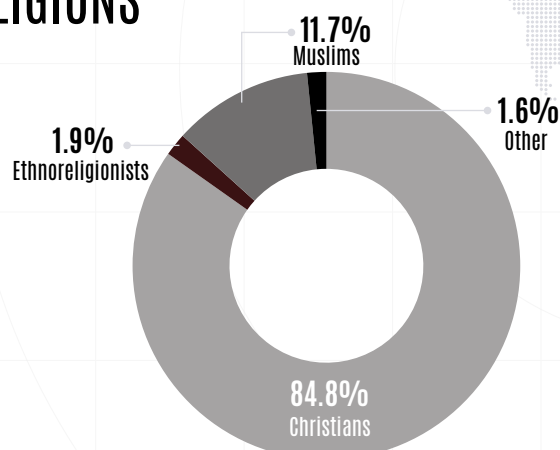
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# UGANDA

## RELIGIONS



Population  
**47,187,703**



GDP per capita  
**1,698 US\$**



Area  
**241,550 Km<sup>2</sup>**



GINI INDEX\*  
**42.8**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Ugandan constitution bans any form of religious discrimination, and states that there shall be no state religion. Article 29 (1, c) of the constitution gives Ugandans the “freedom to practise any religion and manifest such practice, which shall include the right to belong to and participate in the practices of any religious body or organisation in a manner consistent with this Constitution.”<sup>1</sup> Although Ugandan citizens can enjoy freedom of thought, conscience and belief, the government can limit these rights with “measures that are reasonably justifiable for dealing with a state of emergency” (Article 46, 2).<sup>2</sup> It is forbidden to create political parties based on religion (Article 71, 1, b). Religious groups are required to register as non-profit organisations with the Uganda Registration Services Bureau in order to obtain legal status; in order to operate, they must also obtain a licence from the Ministry of Internal Affairs. Large religious groups, such as “the Catholic, Anglican, Orthodox, Seventh-day Adventist churches, and the UMSC” (Uganda Muslim Supreme Council) are exempt from this requirement.<sup>3</sup>

Religious education is optional in public schools. If a school chooses to teach religion, it must follow the curriculum approved by the state.<sup>4</sup>

In mid-2017, the Religious Affairs Department of the Directorate for Ethics and Integrity (under the Office of the President) proposed a draft bill to expand the department’s vetting powers and allow it to regulate existing religious groups more broadly. The bill was aimed at tackling the alleged lack of transparency of, and disharmony among, various faith-based groups.<sup>5</sup> It was also intended to stop corrupt and fraudulent practices carried out by some rogue clerics. Many “born-again” Churches claimed that the draft was an attack on freedom of worship, while other religious leaders and the Interreligious Council of Uganda welcomed the new legislation. At the time of writing, the bill has not yet been passed into law.

In an unprecedented move, the Kampala Capital City Authority (KCCA) issued an order in April 2017 under the Maintenance of Law and Order Ordinance of 2006, banning all kinds of street preaching, especially preachers using loudspeakers.<sup>6</sup> Offenders are liable to a fine of 400,000 shillings (US\$110), two months of imprisonment or both. Some Christian groups saw this decision as an attack against Christianity.<sup>7</sup> Other observers noted that

the KCCA had no authority to make such a move without the prior approval of the Ugandan Parliament.<sup>8</sup>

## INCIDENTS AND DEVELOPMENTS

Government practices do not seem to meaningfully curtail the religious freedom of Ugandan citizens. The constitution is upheld according to expectations. Nevertheless, tensions between religious groups often arise, especially in public events.

For Muslims conversion to Christianity is a very controversial issue, and can result in individuals being shunned or even persecuted by their families and communities.<sup>9</sup> In August 2019, a group of extremist Muslims burnt down the house of Ali Nakabele, a Christian who had converted from Islam in 2018. The attack, which took place near Kampala, killed his two children, as well as his mother and stepfather.<sup>10</sup> In another case, on 10th November 2019, Ronal Nayekuliza was poisoned by his extended family because of his conversion from Islam to Christianity.<sup>11</sup>

In December 2018, the government introduced a bill that would require all religious leaders to acquire certified qualifications in theology. The policy was also aimed at “enforc[ing] transparency and financial accountability in religious and faith-based organizations.”<sup>12</sup> President Yoweri Museveni met with religious leaders in September 2019 in order to address their concerns regarding the proposed bill.<sup>13</sup>

Brother Norbert Emmanuel Mugarura, Superior General of the Brothers of St. Charles Lwanga, was killed in July 2019 in Kampala where he had gone to attend several meetings. Bishop Emeritus John Baptist Kaggwa of Masaka requested an investigation into the circumstances of his death.<sup>14</sup>

During the National Day of Prayer in February 2020, the Uganda Joint Christian Council, a Christian ecumenical organisation, called on the population to pray for peaceful elections in 2021.<sup>15</sup>

In June 2018, Uganda’s Catholic Bishops announced that they would establish a Catholic television channel once they obtained the licence from the Uganda Communications Commission.<sup>16</sup> The new TV station began broadcasting in February 2020.<sup>17</sup>

In November 2020, ahead of general elections on 14th January 2021, several opposition candidates were arrested under the pretext that they had breached COVID-19

lockdown rules. They were released on bail. Nonetheless, the incident sparked two days of demonstrations that left at least 37 people dead. The Catholic Church and other religious groups protested against these actions. Previously, in 2019, the Church publicly opposed a draft bill proposed by the incumbent President Museveni – then 76 and running for the sixth time – eliminating the age limit to run for president.<sup>18</sup>

As elections approached, rioting and violence increased prompting Catholic Church leaders to address a long and detailed message to all the stakeholders in the elections. In unequivocal language, they lamented the deterioration and pleaded for the protection of human rights, for the security of journalists, and for the elections to deliver positive outcomes for the people. “The link between elections in our country and human rights has been worrisome. We wonder how a democratic process should be a breeding ground for violation of rights provided for in our national Constitution.”<sup>19</sup> The victory of incumbent president Museveni did not appease the population, and the opposition leader Robert Kyagulanyi, also known as Bobi Wine, announced he would challenge the results through all available legal means.<sup>20</sup>

All places of worship were closed in March 2020 to contain the spread of COVID-19.<sup>21</sup> The Catholic Church sought means to proceed with evangelisation during the pandemic “through radio and digital media”<sup>22</sup> and to help fight the virus.

## PROSPECTS FOR FREEDOM OF RELIGION

President Museveni, who has been in power since 1986, was re-elected in the January 2021 presidential elections amid allegations of fraud.<sup>23</sup> As the Church warned, tensions rose in the months leading to election day.

According to the Armed Conflict Location & Event Data Project, 2020 saw the highest level of violence in the country in over a decade, mostly related to repressive actions by the security forces.<sup>24</sup> Meanwhile, it is unclear whether the bill requiring religious leaders to certify their qualifications will ever be approved.

Although human rights are guaranteed and generally exercised in Uganda, these rights, including the right to religious freedom, face an uncertain future.

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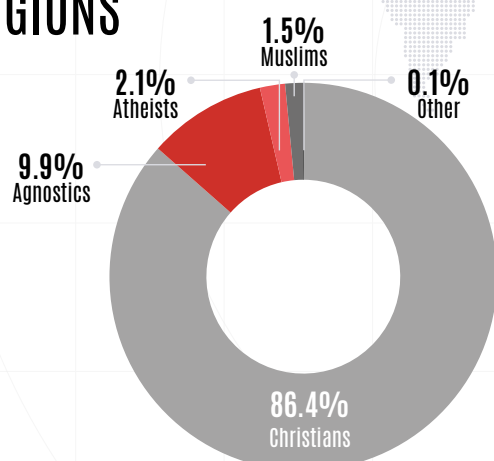
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# UKRAINE

## RELIGIONS



Population  
**43,579,234**  
GDP per capita  
**7,894 US\$**



Area  
**603,500 Km<sup>2</sup>**  
GINI INDEX\*  
**26.1**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In February 2014, Ukraine's Crimean Peninsula was invaded by Russia and annexed. As per the 27th March 2014, United Nations General Assembly Resolution 68/262 titled, "Territorial Integrity of Ukraine"<sup>1</sup>, this report considers that the Autonomous Republic of Crimea remains, as internationally recognized, within Ukraine's borders, and that the regions of Luhansk and Donetsk as illegitimately occupied by Russian supported proxy authorities.

The 1996 Constitution of Ukraine guarantees freedom of religion and worship, as well as the separation of Church and state. Article 35 states: "Everyone has the right to freedom of personal philosophy and religion. This right includes the freedom to profess or not to profess any religion, to perform alone or collectively and without impediment religious rites and ceremonial rituals, and to conduct religious activity. The exercise of this right may be restricted by law only in the interests of protecting public order, the health and morality of the population, or protecting the rights and freedoms of other persons. No religion shall be recognised by the State as mandatory."<sup>2</sup>

Article 3 states: "Human rights and freedoms and their guarantees determine the essence and orientation of the activity of the State. The State is answerable to the individual for its activity. To affirm and ensure human rights and freedoms is the main duty of the State."<sup>3</sup>

Article 15 states: "Social life in Ukraine is based on the principles of political, economic and ideological diversity. No ideology shall be recognised by the State as mandatory. Censorship is prohibited. The State guarantees freedom of political activity not prohibited by the Constitution and the laws of Ukraine."<sup>4</sup>

The constitution guarantees the rights and freedoms of citizens of Ukraine. Article 21 states: "All people are free and equal in their dignity and rights. Human rights and freedoms are inalienable and inviolable."<sup>5</sup>

Article 34 states: "Everyone is guaranteed the right to freedom of thought and speech, and to the free expression of his or her views and beliefs."<sup>6</sup>

The constitution also guarantees the right to conscientious objection on religious grounds. No-one shall be relieved of his or her duties before the State or refuse to perform the laws for reasons of religious beliefs. In the event that the performance of military duty is contrary to the religious

beliefs of a citizen, the performance of this duty shall be replaced by alternative (non-military) service.”<sup>7</sup> However, it is worth noting that the “alternative service” lasts one and a half times longer than the term of military service in the Armed Forces of Ukraine.<sup>8</sup>

The 1991 Law on Freedom of Conscience and Religious organisations, which has been the object of numerous amendments, serves as the main legal framework for the functioning of churches and religious organizations, and religious freedom. It reaffirms article 35 of the constitution establishing that the limits to the exercise of freedom of religion or belief may be restricted only in a few cases - when they are necessary “to protect public security and order, life, health and morality, as well as the rights and freedoms of other citizens established by law and in accordance with Ukraine’s international obligations.”<sup>9</sup>

The most recent changes were introduced on January 17, 2019, by the Law of Ukraine on Amendments to Some Laws of Ukraine Concerning the Subordination of Religious Organizations and the Procedure of State Registration of Such Organizations with the Status of Legal Entities.<sup>10</sup> The Law amended Articles 8, 14, and 18. The changes mainly concern the new registration procedures for religious organizations. The intent was to simplify registration by eliminating the so-called “double” registration in central and local institutions. All religious organizations were required to adapt their statutes to the new law within one year. As the Institute for Religious Freedom pointed out, changes in this law were introduced very quickly and without consultations.<sup>11</sup>

Religious organizations whose leading centres are located outside Ukraine, may be guided in their actions by the directions of these centres, but only if the legislation of Ukraine is not violated. However, when the organization is part of the structure of a religious association and the centre is in Russia, then it is necessary to change the name of the organization so that the name expresses this relationship with the Russian centre.<sup>12</sup>

The law requires a religious institution to obtain official legal entity status. While a non-religious group must have at least three members to qualify for registration, the minimum number required for religious organizations is 10. Religious groups must also provide local authorities with a copy of their statutes.<sup>13</sup>

The Draft Law on Amendments to Certain Legislative Acts of Ukraine (Concerning the Harmonization of Legislation

in the Sphere of Prevention and Counteraction of Discrimination with the Law of the European Union) caused a lot of controversy, especially among religious organizations.<sup>14</sup> The subject of the dispute is primarily the right of Churches to freely proclaim their truths. The draft anti-discrimination law is recognized by representatives of various Churches as a significant threat in this regard. The Ukrainian Council of Churches and Religious Organizations (UCCRO) appealed to President Volodymyr Zelensky for changes in the draft law. UCCRO postulated that the law should include the following provision: “The act or omission of a person and / or group of persons in the exercising of one’s personal rights to freedom of thought and freedom of expression, freedom of conscience, religion or belief is not discrimination.”<sup>15</sup> Similar appeals were sent to various factions in Parliament by the leaders of the following Churches and religious organizations: the Orthodox Church of Ukraine, the Ukrainian Greek Catholic Church, the Roman Catholic Church in Ukraine, the All-Ukrainian Union of Evangelical Baptist Churches, the Ukrainian Pentecostal Church, the Seventh-day Adventist Church, the Union of Jewish Religious Organizations of Ukraine, and the Spiritual Administration of Muslims of the Autonomic Republic of Crimea.<sup>16</sup> The appeal excluded the Ukrainian Orthodox Church (Moscow Patriarchate), due to its connection to the Russian state.

The Church and religious organisations in Ukraine are separated from the State and, for example, state schools are secular. Until 2015 religious institutions were not able to run schools, however, in June 2015, following the adoption of the Law on Amendments to Some Laws of Ukraine Regulating the Establishment of Educational Institutions by Religious Organizations by the Ukrainian Parliament, registered religious organisations were allowed to establish educational institutions (primary, secondary, after-school, vocational and higher institutions).

In Ukrainian state schools, children learn Christian ethics, but only as an optional subject. Opponents to the Christian ethics courses, referring to the constitutional separation of state and church and the principle of “secular education”, seek to remove this subject. In a 2019 petition, they called on President Zelensky to ban Christian ethics courses in schools. As a consequence of these activities, the contemporary curriculum of the Ukrainian school system does not provide for the subject of Christian ethics, but also does not forbid inviting a priest or another person to teach this subject at the decision of a given community (group).

In the period under review, the Roman Catholic Church continued to request from the government the restitution of several Church buildings located predominantly in western Ukraine confiscated at the time by the Soviet regime.<sup>17</sup>

## INCIDENTS AND DEVELOPMENTS

The many violations of religious freedom in Ukraine are related to two problems: a) the discriminatory policy of the Russian authorities occupying Crimea and the so-called People's Republics of Luhansk and Donetsk occupying part of eastern Ukraine; and b) the ecclesiastical independence of the Orthodox Church of Ukraine.

In March 2014, Russia annexed Ukraine's Crimean Peninsula and began "providing military, economic, and political support to separatist formations in parts of eastern Ukraine." The conflict "has killed more than 13,000 people."<sup>18</sup>

According to the US Department of State, violations of religious freedom in the Russian part of the Donbas region of Ukraine - controlled by armed groups commanded by Russia - have included: detention and imprisonment, torture, confiscation of property, including churches and meeting halls, physical assaults and threats of violence, vandalism, fines, and restrictions on missionary activities, religious services, ceremonies, gatherings, and literature, and banning of peaceful religious groups. Targeted religious groups have included the Orthodox Church of Ukraine, formerly the Ukrainian Orthodox Church-Kyiv Patriarchate, the Ukrainian Greek Catholic Church, Protestant Christians, and Jehovah's Witnesses.<sup>19</sup>

According to the 16th May 2014 constitution of the People's Republic of Donetsk, it is specified that the dominant religion is Orthodox Christianity (from Moscow).<sup>20</sup> The Church of Jesus Christ of Latter-day Saints (Mormons) suffered a number attacks from the authorities of the so-called Donetsk People's Republic. Incidents included taking over religious buildings and changing them to secular buildings. For example, the separatist authorities announced on 26th July 2018, the transformation of the Mormon house of worship in Donetsk into a wedding palace (Department of Marriage Registration).<sup>21</sup>

Occupying Donetsk authorities carried out similar attacks on Pentecostal Christians. In Makiivka of the Donetsk region in June and July of 2018, the occupation authorities closed and sealed houses of worship without any expla-

nation including the "New Life" Evangelical Christian Baptist Church. According to the leaders of the All-Ukrainian Union of the Churches of Evangelical Christian-Baptists, some of their houses of worship in the Donetsk region were closed only because they were not registered as religious buildings.<sup>22</sup>

In the case of the Luhansk People's Republic, the main tool of repression of religious organizations was the manipulation of the discretionary registration procedure. Religious organizations that were not registered by 15th October 2018, became the target of an administrative attack.<sup>23</sup> In 2019, for example, gas supplies were cut to unregistered buildings serving religious functions with threats to expand the cuts to restrict access to electricity and water.<sup>24</sup> Later, on 26th November, 12 Baptist books were added to a state list of extremist materials, including the Gospel of John. This action has not been explained in any way.<sup>25</sup>

Religious leaders, who carry out religious activities in spite of not having registered, face harassment and persecution. This affects primarily the Greek Catholic Church, the Orthodox Church of Ukraine, Protestant Churches and Jehovah's Witnesses.<sup>26</sup>

Before the Russian occupation of Crimea, about 50 religious organizations operated on the peninsula. In 2019, their number dropped to 9.<sup>27</sup> The Russian authorities are taking decisive action against some religious organizations, especially those not supporting the new authorities. In the capital of Crimea - Simferopol, on March 27, 2019, the Russian occupation authorities arrested 24 Crimean Tatars for alleged terrorist activities. The detainees were active members of Crimean Solidarity, a secular human rights group.<sup>28</sup>

The cause of numerous conflicts between the faithful and the clergy of the Orthodox Church of Ukraine (OCU) and the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP) was the gaining of autocephaly, or ecclesiastical independence, of the OCU on December 15, 2018 from UOC-MP. The decision provoked a profound rift within the Eastern Churches including that between the Russian Orthodox Patriarchate of Moscow and the Ecumenical Patriarchate of Constantinople, which granted the autocephaly. Today, over "520 UOC-MP churches have switched to the OCU, which now registers 7,000 parishes, 77 monasteries, and 47 dioceses, or ecclesiastical districts."<sup>29</sup>

In addition to this tension, other religious attacks took

place in Ukraine.

During the period covered by the report, numerous attacks were directed against the Jehovah's Witnesses in Ukraine, including one attack with a knife (Kremenchuk, 7th July 2019) 30 and two (both in June 2019: one in Kiev<sup>31</sup> and one in Vinnytsia),<sup>32</sup> in which literature church members were carrying was destroyed.

On 25th November 2019, the monument to the Jewish writer Sholem Aleichem in Kyiv was destroyed.<sup>33</sup> In response, The Ukrainian Council of Churches and Religious Organizations issued a statement that strongly condemned the acts of vandalism.<sup>34</sup>

On 20th April 2020, in Kherson, criminals tried to set fire to the historic synagogue. A Molotov cocktail was thrown into the building, however, the attack did not cause significant damage.<sup>35</sup>

Restrictions related to the Covid-19 epidemic strongly affected the possibilities for religious worship. Due to cases of non-compliance with certain restrictions by several religious places during Easter, there were numerous strongly worded attacks on churches by Ukrainian officials of the Ministry of Health via the media. In response, the Institute for Religious Freedom issued a statement saying that less than 2% of believers visited places of worship during Easter.<sup>36</sup>

The enduring the restrictions imposed by the Covid-19 epidemic raised concerns among some religious organizations, primarily about the various requirements for maintaining social distance in cultural institutions and in churches. In cultural institutions, the requirement was to

assign 5 square meters per person, while in religious institutions it was 10 square meters per person.<sup>37</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

By far the biggest challenge to religious freedom is the situation in the occupied territories. With the imposition of new legal restrictions and other forms of discrimination, the trend shows no sign of improvement. There is hope for change, however, with the implementation of the US Ukraine Religious Freedom Support Act. In December 2019, the act was introduced to the US House of Representatives and Senate. The bill requires the President to consider the numerous religious freedom violations that Russia continues to authorize in Russia-occupied Crimea and Russia-controlled Donbas.<sup>38</sup>

Under the Act, special sanctions will relate to: (1) any person who, while serving as an official of the Government of Russia, was responsible for or directly or indirectly carried out particularly severe violations of religious freedom in the territory of Ukraine that Russia occupies and controls, or controls through non-state armed groups it commands; and (2) the spouse and children, if any, of such person.<sup>39</sup>

In the area controlled by the Kiev authorities, cases of religious discrimination are primarily incidents perpetrated against individuals, and not systemic violations of religious freedom.



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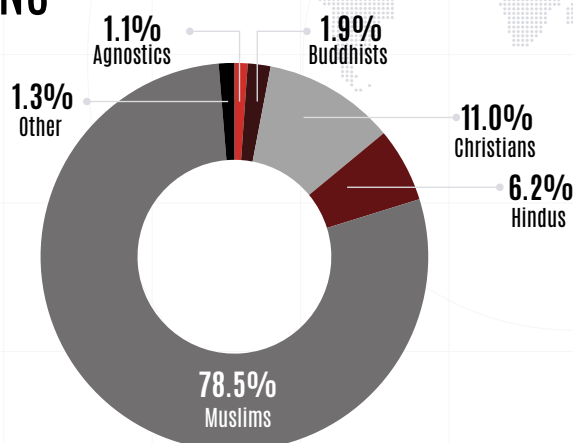


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# UNITED ARAB EMIRATES

## RELIGIONS



Population

**9,813,170**



GDP per capita

**67,293 US\$**



Area

**83,600 Km<sup>2</sup>**



GINI INDEX\*

**32.5**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The United Arab Emirates (UAE) is a federation of seven emirates situated in the Persian Gulf. Dubai is politically and economically the most important of them.

According to the constitution of 1971,<sup>1</sup> Islam is the official religion of the federation. Article 7 reads: "Islam is the official religion of the UAE. Islamic Shari'a is a main source of legislation in the UAE." Article 25 excludes discrimination based on religion. It states: "All persons are equal in law. There shall be no distinction among the citizens of the UAE on the basis of race, nationality, faith or social status." Article 32 states: "Freedom to exercise religious worship is guaranteed in accordance with the generally accepted traditions provided that such freedom is consistent with the public policy or does not violate the public morals."

Muslim citizens cannot change religion, an act that is treated as a capital offence. Apostasy is criminalised as a hudud offence, which is based on Islamic law (Shari'a) and is incorporated in the country's penal code. Hudud crimes include "adultery, apostasy, murder, theft, highway robbery that involves killing, and a false accusa-

tion of committing adultery."<sup>2</sup> Article 1 of the penal code provides that Islamic law applies in hudud cases, including the payment of blood money in cases of murder. Article 66 states that the "original punishments" under the law apply to hudud crimes, including the death penalty. No one, however, has been prosecuted or punished by a court for such an offence.

The law criminalises blasphemy and imposes fines and imprisonment in these cases. Insulting other religions is also banned. Non-citizens face deportation in case of blasphemy.

While Muslims may proselytise, penalties are in place for non-Muslims doing the same among Muslims. If caught, non-citizens may have their residency revoked and face deportation.

Shari'a is applied in matters of personal status for Muslim citizens and residents. Muslim men may marry non-Muslim women "of the book" i.e., Christians or Jews, and the children of such unions will be Muslim. Muslim women can only marry Muslim men. In the case of a mixed marriage between a Muslim man and a non-Muslim woman, child custody is granted to the father. Non-Muslim wives are not eligible for naturalisation.

Muslims and non-Muslims are required by law to respect the hours of fasting during Ramadan.

The government controls content preached in almost every Sunni mosque. Textbooks and curricula in both private and public schools are censored by the Ministry of Education.<sup>3</sup>

Christian churches may not have bell towers or crosses on the exterior of buildings.

In July 2015, the UAE announced new legislation for crimes related to religious hatred and extremism. Punishments include the death penalty. A presidential decree bans any act that stirs up religious hatred as well as discrimination “based on religion, caste, creed, doctrine, race, colour or ethnic origin.”<sup>4</sup> According to the decree, offenders risk up to 10 years in prison or the death penalty if convicted of “takfirism” (declaring other Muslims infidels) or Sunni Muslim extremism.

Sheikh Mohammed bin Rashid Al Maktoum, Vice President and Prime Minister of the UAE and Emir of Dubai, said the law “guarantees the freedom of individuals from religious intolerance ... and underpins the UAE’s policy of inclusiveness.”<sup>5</sup>

Non-citizen residents come mainly as guest workers from South and South-East Asia, but also from the Middle East, Europe and North America.

With no path to citizenship possible, religious minorities are not allowed to own land. “This makes building houses of worship difficult but not impossible. Several religious groups have been granted land by government officials, but the expansion of non-Muslim houses of worship is tightly controlled.”<sup>6</sup>

The Catholic Church is present through the Apostolic Vicariate of Southern Arabia (AVOSA) with its representation office in Abu Dhabi, and is currently headed by Bishop Paul Hinder.<sup>7</sup> Nine Catholic parishes<sup>8</sup> and 10 schools operate in the UAE.<sup>9</sup> In total, more than 40 churches operate as well as two Hindu temples, a small Sikh gurdwara<sup>10</sup> and a small synagogue.<sup>11</sup>

The authorities have also provided land for non-Islamic cemeteries and cremation facilities, used mainly by the country’s large Hindu community.

Islamist movements and activists are heavily targeted as threats to national security, especially in the wake of the 2011 Arab Spring uprisings. The Muslim Brotherhood remains officially banned since 2014 and blasphemy and

anti-terrorism laws in the UAE are presented by officials as being effective at stopping the progress of extremist Islamism, whichever form it takes.<sup>12</sup>

The UAE imposes strict state control on the practice of Islam. Preachers and imams must carefully word their sermons during Friday prayers. According to the Associated Press, organising Qur’anic study circles, collecting Islamic donations, distributing books or audio tapes in mosques or preaching outside mosques, requires a permit.<sup>13</sup>

## INCIDENTS AND DEVELOPMENTS

The UAE declared 2019 as the “Year of Tolerance”<sup>14</sup> which was symbolised among other events by the historic visit of Pope Francis to Abu Dhabi in February 2019.<sup>15</sup> The “Ministry of Tolerance” was created in 2017 to promote the country’s model of tolerance in the region.<sup>16</sup>

The three-day historic visit by Pope Francis to the UAE in February 2019 – the first time a Catholic pope set foot on the Arabian Peninsula – was highly symbolic of a desired greater understanding among religions and faiths in this part of the world. As media outlets reported, the first ever Mass celebrated by the pontiff on Emirati soil was historic and “complicated”, given the controversy it raised between hard-line Islamists and more tolerant public figures.<sup>17</sup>

During the visit, the Pope and Sheikh Ahmed al-Tayeb, Grand Imam of al-Azhar, Sunni Islam’s most prestigious seat of learning, signed the “Abu-Dhabi Declaration”. The latter states: “We resolutely declare that religions must never incite war, hateful attitudes, hostility and extremism, nor must they incite violence or the shedding of blood.”<sup>18</sup>

Since early 2019, the stance of the UAE in favour of the Chinese government against the Uyghurs remains in line with that of many Muslim countries.<sup>19</sup> The silence of these Muslim governments in the face of Chinese oppression of Muslim Uyghurs has received widespread international criticism. In July 2019, the UAE – along with a number of other Muslim nations – blocked a UN motion asking for “independent international observers” to be sent to the Xinjiang region.<sup>20</sup> The UAE silence over the breaches of human rights in Xinjiang has been heavily criticised by much of the international community as “providing cover for this persecution”.<sup>21</sup> On 21st August 2019, only Qatar broke ranks with the decision taken by other Muslim nations and the Gulf Cooperation Council (GCC) to ignore the oppression of Uyghurs in China.<sup>22</sup> This is in stark contrast with the

outcry of the Muslim world against the persecution of Rohingya in Myanmar, which reached the UN Human Rights Council in Geneva.<sup>23</sup>

In December 2019, a joint UAE-UN counterterrorism conference held in Abu Dhabi titled “Empowering Youth and Promoting Tolerance: Practical Approaches to Preventing and Countering Violent Extremism Conducive to Terrorism” provided fresh insight into ways to prevent violent extremism, also focusing on the role of “community and religious actors to promote the values of tolerance and strengthen resilience to terrorist narratives.”<sup>24</sup> The final press release spoke of working on two important elements: a “more meaningful and action-oriented engagement between governments and civil society” and further involvement of the community, religious, and non-traditional actors in “promoting dialogue, mutual understanding, and peaceful co-existence in ‘full respect’ of human rights.”<sup>25</sup>

In February 2020, Pope Francis called for an end to terrorism reminding the world of the Abu Dhabi Declaration on Human Fraternity signed during his 2019 visit to the UAE.<sup>26</sup>

In April 2020, the Church of Jesus Christ of Latter-day Saints opened its first temple in Dubai.<sup>27</sup> For the US Embassy, “The presence of the temple in the Dubai District 2020 is an outstanding legacy of Expo 2020.”<sup>28</sup>

On 22nd April, the UAE held an unprecedented virtual online interfaith conference in cooperation with the World Muslim Communities Council on the theme of “Protecting Humanity. Interfaith Solidarity and Joint Action to Combat Coronavirus”. The final declaration ended on a positive note.<sup>29</sup>

On 13th May 2020, senior UAE diplomatic and cultural officials joined Emirati and US faith leaders for an online free discussion on faith and community.<sup>30</sup>

Also in May, the US Ambassador to the UAE praised the noticeable progress in freedom of religion achieved by the UAE in the wake of the COVID-19 pandemic: “I would like to commend the Government of the United Arab Emirates for leading in this time of crisis, and for its close partnership with the United States of America.”<sup>31</sup>

After closing places of worship to help stem the COVID-19 pandemic on 16th March 2020, the UAE reopened them on 1st July,<sup>32</sup> but only at 30 percent of capacity.<sup>33</sup> Intense efforts by all religious communities have been made to maintain social distancing, impacting religious gatherings and sometimes delaying the reopening date.<sup>34</sup>

Ramadan and rituals related to fasting and Bairam feast celebrations were heavily impacted by the COVID-19 pandemic. Although curfew times were reduced, these were maintained during Ramadan in order to avoid large family gatherings.<sup>35</sup> Mosques remained closed. From the beginning of Ramadan, the Emirates Fatwa Council stated that both COVID-19 patients and medical workers were not required to fast if it “could lead to weakening their immunity or to losing their patients.”<sup>36</sup>

On 1st August 2020, the UAE witnessed their first ever virtual celebration of the Adha Feast, an unexpected event in the history of the nation. Exceptionally, no public prayers were held and only home prayers took place.<sup>37</sup>

Due to the suspension of air travel and an increasing demand for cremations because of COVID-19 deaths, there were increasing calls for more crematoriums in the UAE.<sup>38</sup> Meanwhile, the different faiths had to adapt their last rites to fit the new circumstances.<sup>39</sup>

On 6th August 2020, Pope Francis extended the jurisdiction of the Eastern Catholic Patriarchs over the entire Arabian Peninsula, which includes the Apostolic Vicariates of Northern and Southern Arabia. It concerns six Eastern Catholic Patriarchal Churches: Alexandria of the Copts, Antioch of the Maronites, Antioch of the Syrians, Antioch of the Greek-Melkites, Babylon of the Chaldeans and Cilicia of the Armenians.<sup>40</sup>

On 8th August 2020, the UAE government marked another first by helping a Jewish family with members in Yemen and the UK to meet. The family reunion has been lauded by the world press and the West as the realisation of an “impossible dream”.<sup>41</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

With social inclusion efforts towards non-Muslim believers in the UAE dating back to the founding of the state in 1971, the UAE continues to be a relative haven for freedom of worship among GCC countries. Laws curbing religious hatred and uncompromising efforts to counter extremism, as exemplified by the renewal in 2020 of the 2013 anti-extremism regulations, have helped institutionalise deeper changes supporting limited religious freedoms.<sup>42</sup>

Internationally too, the UAE – notwithstanding its principal interest to curb threatening Islamist movements and to project a moderate face to the West – has taken, and continues to take, important steps towards greater religious tolerance. In the period under review, these have been

exemplified by the 2019 Year of Tolerance, unprecedented diplomatic openings including the first ever papal Mass on the Arabian Peninsula (in the face of hardline criticism), the signing of the “Abu-Dhabi Declaration” and the presence of an Israeli pavilion at Expo 2020.<sup>43</sup>

Despite these, the constitution only guarantees freedom of worship “provided that such freedom is consistent with the public policy”<sup>44</sup> — “a vague designation that critics say

gives the government wide berth to interpret what acceptable forms of worship are.”<sup>45</sup>

The prospect for religious freedom in the United Arab Emirates remains positive.



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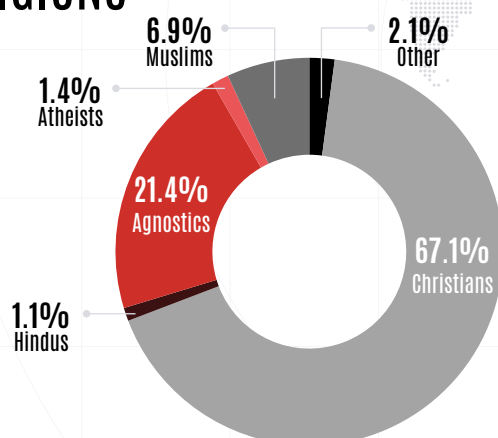
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# UNITED KINGDOM

## RELIGIONS



Population  
**67,334,208**  
GDP per capita  
**39,753 US\$**



Area  
**2,424,952 Km<sup>2</sup>**  
GINI INDEX\*  
**34.8**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The UK is signatory to international conventions on human rights, such as the European Convention on Human Rights, which hold it to commitments regarding religious freedom and belief. The European Convention, which outlines the right to freedom of thought, conscience, and religion (Article 9), was incorporated into UK law in the Human Rights Act (1988), although it only fully came into force in 2000.

The Church of England, as the established church in England, has dominated public religious life for more than 450 years and enjoys a small number of legal privileges, for example 26 Anglican bishops sit in the UK parliament's House of Lords. The presbyterian Church of Scotland is also legally established.<sup>1</sup> Although the majority of the UK population still broadly identify with Christianity – according to the last census 59.3 percent self-described as Christian<sup>2</sup> – regular Church attendance fell dramatically during the late 20th century.<sup>3</sup> Immigration and demographic changes have contributed to the growth of other faiths, most notably Islam.

With the exception of Scotland, where “religious observance” must be held six times per annum, by law all state schools must hold a daily assembly. In England, the majority of assemblies must be of “a broadly Christian character” but it is not necessary for every assembly to be so, and assemblies may broadly reflect other religious traditions.<sup>4</sup> Parents have the right to remove their children from these activities, and in England and Wales Sixth Form students (those aged 16-18 studying for A-Levels or similar qualifications) may also absent themselves. Despite these opt outs, schools have been challenged in this area. In November 2019 Humanists UK supported Lee and Lizianne Harris when they took Burford Primary School, Oxfordshire to the High Court. They argued that their children's attendance at school assemblies amounted to indoctrination because of the inclusion of Christian prayers, dramatisations of Bible stories, and addresses by members of the clergy. They maintained that all this, coupled with the school's failure to provide alternative activities of equal educational worth, had breached their freedom of religion or belief. Mr and Mrs Harris had exercised their right to withdraw their children from the assemblies prior to the hearing. Burford Primary School subsequently agreed to provide alternative assemblies for those opting out.<sup>5</sup>

State schools are also legally required to provide Religious

Education (RE) - which involves the study of Christianity and other world religions - although again parents may remove their children from lessons. In England and Wales, students aged 14 and above can currently exempt themselves.<sup>6</sup> However, the Welsh Government put forward plans to remove the rights of parents and older learners to withdraw from lessons,<sup>7</sup> as part of proposals to introduce a new syllabus. The updated curriculum, which is set to be renamed “Religion, Values and Ethics”, will “encompass both religious and non-religious beliefs”.<sup>8</sup> A January 2020 impact assessment noted that “a decision to not to include a right to withdraw in the new curriculum will have a negative impact on some religious groups.”<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

While government restrictions on religious freedom are low, according to the Pew Forum’s latest assessment, social hostilities remain high - even though levels of social hostilities fell from the previous analysis. The UK is one of only five democratic states to show this level of violence against religious groups and their members.<sup>10</sup> According to Home Office data, 56 percent of hate crimes in England and Wales were “recorded as... racially or religiously aggravated offences”, equating to approximately 58,850 offences between March 2019 and March 2020; an increase of 4,280 compared with the previous twelve months. The Home Office also published data on provisional trends in racially or religiously aggravated offences occurring under COVID-19 restrictions for up to July 2020. While the level of such offences was lower than 2019 during March-May, the period covered by the UK’s first lockdown, both January-February 2020 and June-July saw a rise in offences of this type compared with the same periods in 2019.<sup>11</sup> In Scotland, there were 660 religiously aggravated charges reported in 2019-20, an increase of 24 percent compared to 2018-19.<sup>12</sup> The problem of sectarianism is still an issue in both Scotland and Northern Ireland. The Police Service of Northern Ireland reported 888 sectarian motivated incidents in the 12 months to the end of March 2020 - and another 46 non-sectarian incidents recorded as being religiously motivated.<sup>13</sup>

The UK government has taken a number of steps to address freedom of religion or belief during the period under review. In September 2019, Member of Parliament (MP) Rehman Chishti was appointed as the Prime Minister’s Special Envoy on Freedom of Religion or Belief,<sup>14</sup> follow-

ing Lord Ahmad of Wimbledon who was the first appointee to the role. Part of Mr Chishti’s remit included overseeing the implementation of the Bishop of Truro’s Independent Review for the UK Foreign Secretary of Foreign and Commonwealth Office [FCO] Support for Persecuted Christians (see section C below). The UK government also appointed Lord John Mann as its independent advisor on anti-Semitism in July 2019.

Concerns were raised by both religious and secular organisations that the Scottish Government’s proposed Hate Crime and Public Order (Scotland) Bill would end up restricting a number of liberties, including areas of religious freedom. Fears were expressed that the definitions of “abuse” and “hate” could see traditional teaching on marriage, gender and sexual ethics falling into these categories. Critics of the bill raised the possibility that literature containing such material, including the Bible, could potentially be seized and destroyed under the proposed plans.<sup>15</sup>

### Related to Judaism

For 2019 the Community Security Trust (CST) recorded 1,813 anti-Semitic incidents - the highest annual total reported by the organisation.<sup>16</sup> It represented a seven percent increase from the 2018 figure of 1,690. One indicator of the rise in such incidents in recent years is that 2018 saw CST recording more than 100 incidents every month for the first time, which was repeated throughout 2019.<sup>17</sup> This trend continued into 2020, when CST also recorded 789 anti-Semitic incidents during the first six months - and in only one of those months did the number of incidents dip below 100 (April 2020, when 98 incidents were recorded).<sup>18</sup>

Among the physical assaults recorded during this period: in May 2020, a man was walking with his mother in a London park when a jogger verbally abused them the first two times he passed them as he ran. When he came past on his third lap, the man asked the reason for his abuse, only to receive the reply “You are f\*ck\*ng selfish,” before receiving a punch that floored him. The jogger then kicked the man as he lay on the ground, and called them “F\*ck\*ng Jewish c\*nts,” before running away. The offender was later identified following a police investigation.<sup>19</sup>

However, while there was a decrease in incidents such as physical threats, assaults and abusive behaviour in the first half of 2020 compared with 2019, probably due to the COVID-19 lockdown, there was an increase in online in-



cidents.<sup>20</sup> This included ten reports of online events, such as prayer services and study sessions, being targeted with anti-Jewish content. Incidents included hate speech or images being posted in the chat function.<sup>21</sup> In January 2020, which marked the 75th anniversary of the liberation of Auschwitz, the most common anti-Semitic rhetoric referred to Hitler, the Nazis, etc. This peaked around 27th of the month, when the UK marks Holocaust Memorial Day.<sup>22</sup>

A number of allegations of anti-Semitism in the Labour Party were made during the period that Jeremy Corbyn was leader (2015-2020). 87 percent of Jewish adults polled in March 2019 expressed the view that Jeremy Corbyn was anti-Semitic. In the lead-up to the December 2019 general election, Chief Rabbi Ephraim Mirvis wrote in *The Times* that the community was anxious about a Labour victory, because Mr Corbyn had failed to address anti-Semitism. This prompted the Archbishop of Canterbury Justin Welby to tweet: "That the Chief Rabbi should be compelled to make such an unprecedented statement at this time ought to alert us to the deep sense of insecurity and fear felt by many British Jews."<sup>23</sup>

On 28th May 2019, the Equality and Human Rights Commission (EHRC) launched an investigation into anti-Semitism in the Labour Party, following formal complaints. In October 2020, they concluded that there had been "serious failings in leadership and an inadequate process for handling anti-Semitism complaints across the Labour Party... there were unlawful acts of harassment and discrimination for which the Labour Party is responsible." This included instances where the party had not investigated complaints about hate speech on social media.<sup>24</sup> Within a sample of 70 cases, they also found 23 instances of political interference in the complaints process.<sup>25</sup> There were also examples of the party suggesting that complaints of anti-Semitism were untrue. The EHRC recommended setting up an independent complaints process, putting in place clear guidance to prevent political interference from happening again. The commission served the Labour Party with an Unlawful Act Notice, giving Labour until 10th December 2020 to draw up an action plan.<sup>26</sup> Mr Corbyn, who stepped down as party leader in April 2020, was suspended after saying that the extent of anti-Semitism had been "overstated". But he was reinstated in late November after issuing a statement expressing regret for any pain caused by his remarks. At time of writing (early December 2020) he had not had his parliamentary whip restored - meaning that he was not officially a Labour Party MP.<sup>27</sup>

It was noted in the 2018 edition of the Religious Freedom in the World report that a number of Jewish schools that were ranked as outstanding in previous years had been downgraded to inadequate.<sup>28</sup> The Office for Standards in Education, Children's Services and Skills (OFSTED) downgraded faith schools where their religious views conflicted with what are often perceived to be current societal norms on gender and sexuality.<sup>29</sup> OFSTED maintained that a failure to provide in-depth teaching on LGBT+ matters meant pupils were not adequately taught about the importance of treating LGBT+ people equally - even though it noted that at one school which was downgraded "pupils are taught the importance of respecting and appreciating all people as part of their Jewish faith".<sup>30</sup> Members of the Jewish community spoke out against such measures, with Tottenham MP David Lammy referring to "what many regard as the escalating offensive on Jewish education".<sup>31</sup> King David High School in Crumpsall, Manchester was downgraded from "outstanding" to "inadequate" in a 2019 inspection on the grounds that teaching boys and girls in separate streams amounted to "discrimination".<sup>32</sup> After the school submitted an application for a judicial review, OFSTED reversed their assessment and was ordered to pay all "reasonable costs" incurred by the school in applying for the judicial review.<sup>33</sup>

### Related to Islam

There was a spike in anti-Islamic activity the week following the March 2019 shooting at a mosque in Christchurch, New Zealand, when incidents in the UK were reported to have risen by 593 percent.<sup>34</sup> Attacks included serious vandalism at five mosques in Birmingham, where windows were smashed with a sledge hammer.<sup>35</sup> Following the New Zealand attack, the UK government massively increased the amount of funding for security measures at places of worship during 2019-20 to £1.6 million. 27 mosques, 13 churches, 5 Sikh gurdwaras and 4 Hindu temples that were considered vulnerable to hate crime were given grants for CCTV, fencing, gates, alarms and lighting.<sup>36</sup> £3.2 million has been earmarked for 2020-21.<sup>37</sup> However, members of the Muslim community in Northern Ireland raised concerns that they were ineligible for support as the scheme only covered England and Wales.<sup>38</sup> For 2019-20 a new £5 million scheme was also put in place to provide security training to protect religious buildings in England and Wales.

Members of the Muslim community were assaulted because they were identifiable by their distinctive dress.



Sheffield Schoolgirl Redena Al-Hadi, 14, and her sister Wida, 13, were on a bus home on 4th December 2019 when a man began screaming abuse at them. A boy who spoke up for them was pushed and punched by a woman. As the girls tried to get off the bus, the woman told Redena that her hijab made her sick. The woman then dragged the schoolgirl off the bus, strangled her with her own hijab, and punched her in the eye. Redena was rendered temporarily unconscious after her head hit the ground. Despite police arresting the woman responsible for the GBH, she was let off with a caution because “this was her first offence”.<sup>39</sup> In late July 2020, a Muslim woman and her young daughter were barged into by a woman walking two dogs while they were waiting to cross the road in east London. The daughter fell into the road after trying to get away from the dogs. The woman with the dogs shouted abuse, including “f\*ck \*ff, get back to work”.<sup>40</sup> On 17th August, a Muslim woman wearing a niqab was spat at by a middle-aged man as she left a chemist’s shop in Tooting, south London.<sup>41</sup>

After a definition of Islamophobia drawn up by the All-Party Parliamentary Group on British Muslims - a cross-party group of MPs - was rejected by the government in May 2019, following concerns that it was too vague, Imam Qari Asim MBE, Deputy Chair of the UK government’s Anti-Muslim Hatred Working Group, was appointed to lead work producing a definition of Islamophobia. Imam Asim said: “I am deeply committed to working across Muslim communities and with relevant stakeholders to formulate a legally robust, comprehensive and workable definition of Islamophobia.”<sup>42</sup>

In 2019, 43 members of the Conservative Party were suspended for Islamophobia including Tory councillors.<sup>43</sup> In December 2019 Prime Minister Boris Johnson appointed Professor Swaran Singh, a former EHRC commissioner, to look into the party’s handling of complaints. However, the Muslim Council of Britain expressed disappointment that the investigation was to broadly examine “discrimination”. The body’s General Secretary Harun Khan said: “We were promised an independent inquiry into Islamophobia specifically.” The council had been calling for an independent investigation into alleged Islamophobia in the party since 2018. They had also asked the EHRC to launch an inquiry. In March 2020 the Conservative Party suspended 23 more party members.<sup>44</sup> A November 2020 poll by the Labour Muslim Network, also found that more than half of the party’s Muslim members do not “trust the leadership of the Labour party to tackle Islamophobia effectively”.<sup>45</sup>

## Related to Christianity

During the period under examination, there were attacks on churches across the UK. During the last week of April 2019, two Catholic churches in Scotland - St Simon’s, in the Partik area of Glasgow and Holy Family, Mossend, North Lanarkshire - were targeted by vandals. At the former, a shrine to Our Lady of Czestochowa was desecrated and a statue of the Sacred Heart smashed.<sup>46</sup> In June 2019, the 175-year-old St John’s Church, Stratford suffered three attacks in 24 hours - during which time two other places of worship in east London, St Matthew’s Church, West Ham and Cann Hall Road Baptist Church, Leytonstone had “666” and pentagrams scratched into woodwork. Attempts were made to torch Cann Hall and St John’s.<sup>47</sup> Bramshaw Church in the New Forest was also marked with “666” as well as an inverted cross, daubed during what were described as occult-inspired attacks between 16th and 20th November 2019. These mostly involved livestock being killed and symbols including stars and pentagrams being spray painted on them.<sup>48</sup> In Rhyl, north Wales, parish priest Father Charles Ramsay suffered injuries after confronting vandals at St Mary’s Church in June 2020.<sup>49</sup> Indeed, across the UK there were reports of sporadic attacks on Catholic priests.<sup>50</sup> However, the most significant problems occurred in Northern Ireland. According to a study by the charity CARE, between 2014/15 and 2019/20, there were 601 attacks on places of worship - the vast majority of which were churches. Churchyards and cemeteries were also vandalised.<sup>51</sup>

Some Christians still seem to be experiencing problems when their religious views conflict with what are perceived to be current societal norms. One example would be school administrator Kirstie Higgs, who was dismissed in 2020 after complaints that she had posted material on her personal Facebook page objecting to classroom teaching that equated heterosexual and homosexual genital activities.<sup>52</sup> The Liberal Democrats dropped Robert Ffello as their prospective parliamentary candidate for Stoke-on-Trent South, less than 48 hours after announcing he would stand, because “his values diverge from ours”. The media reported that the Catholic candidate was deselected because of his voting record as the Labour MP for the same constituency from 2005-17. He supported an amendment to ban sex-selective abortion as well as abortion up to birth, and voted against introducing physician-assisted suicide, and redefining legal marriage to include same-sex couples.<sup>53</sup>

On Boxing Day (28th December) 2018, the then Foreign Secretary Jeremy Hunt announced that there would be an independent report into FCO responses to the persecution of Christians around the world. The Anglican Bishop of Truro, Philip Mounstephen, oversaw the project, the final report of which was released on 8th July 2019. The review concluded that there was an “apparent paucity of awareness of the challenges facing the Christian community [within the FCO, which] reveals a lack of religious literacy that undoubtedly impacts the full exercise of all FoRB [Freedom of Religion or Belief] rights” and made recommendations to the FCO on steps it could take to tackle these problems.<sup>54</sup> At the 2019 Ministerial Conference to Advance Religious Freedom in Washington DC, Lord Ahmad stated that the UK Government would implement all the review’s recommendations.<sup>55</sup>

The lack of religious literacy within governmental organs was apparently verified by incidents such as the denial of asylum to an Iranian convert to Christianity in March 2019 after a Home Office official rejected his claim that he became Christian because it was a peaceful religion. The official’s rejection letter, which cited several violent acts in biblical narratives, said: “These examples are inconsistent with your claim that you converted to Christianity after discovering it is a ‘peaceful’ religion, as opposed to Islam, which contains violence, rage, and revenge.” The Home Office subsequently reconsidered the application, saying it had not followed proper procedure.<sup>56</sup>

#### Related to other faith groups

Members of other religions and their places of worship also faced various attacks. Examples include:

- Several statues of Hindu deities had their faces smashed by a hooded man during an attack on the outside of the Gujarati Hindu Social and Cultural Centre in Walsall on 19th June 2019. The attack was caught on CCTV.<sup>57</sup>
- Vaneet Singh, a Sikh taxi driver, was slapped and the back of his seat pushed and kicked by four passengers he was driving home from Grosvenor Casino in Reading in September 2020. One passenger tried to remove his turban and asked: “Are you Taliban?”<sup>58</sup>

There are also incidents where reasonable accommodation was not made for religious practices. Neo-Pagan inmates serving sentences in Her Majesty’s Prison (HMP) Hull were told they could not buy candles and incense

for small altars set up in their cells for “safety reasons”. This was despite the Faith and Pastoral Care for Prisoners Prison Service Instruction issued to jails stating that “Incense must be available through the Prison Facilities List for those prisoners registered Buddhist, Hindu, Orthodox Christian, Pagan, Sikh and Chinese religions, such as Taoist.” Prison governors can ban incense from the cells of individual prisoners if they consider it represents a “risk to health, safety, security, good order or discipline”. HMP Hull has around 30 prisoners belonging to different pagan traditions.<sup>59</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The high level of social hostilities against members of religious groups remains deeply concerning, and data for these incidents - such as the increase of anti-Semitic incidents from 123 to 1,813 between 2018 and 2019 - highlight how serious such problems are. Increased state aid for protecting religious premises and more concern for these issues within the UK government is timely and welcome. Nevertheless, while it is likely that assaults and violent attacks will have declined in 2020 due to the COVID-19 pandemic, there is no indication of a longer-term fall in the level of such incidents, and it is a reasonable inference from the data that they will continue to climb.

There also continues to be discomfort in some parts of society when religious views are manifested which conflict with current, progressive norms on gender and sexuality. It was noted in the 2018 Religious Freedom in the World report that “individuals and institutions are being penalised for expressing traditional religious views of morality, even when done objectively and with no intention of causing offence”. As debates about gender and sexuality move further away from traditional models, there seems to be every indication that those expressing these views will find themselves increasingly censured, or subjected to other punitive measures (e.g., the Jewish schools downgraded by OFSTED).

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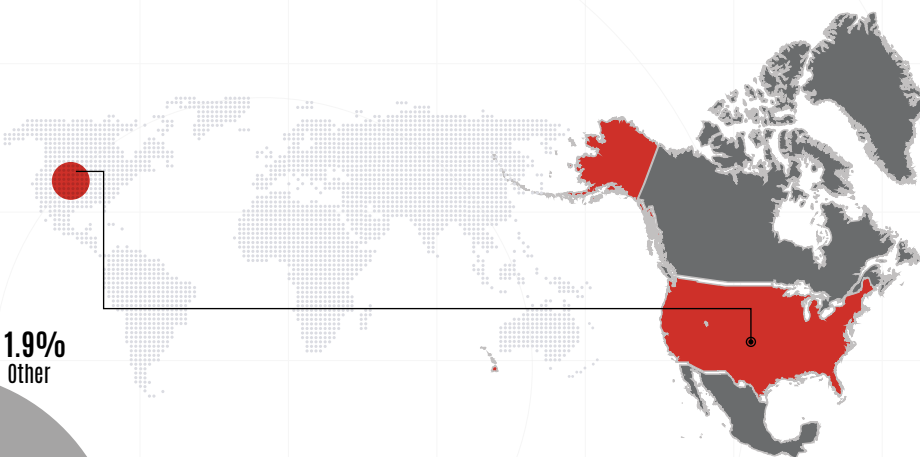
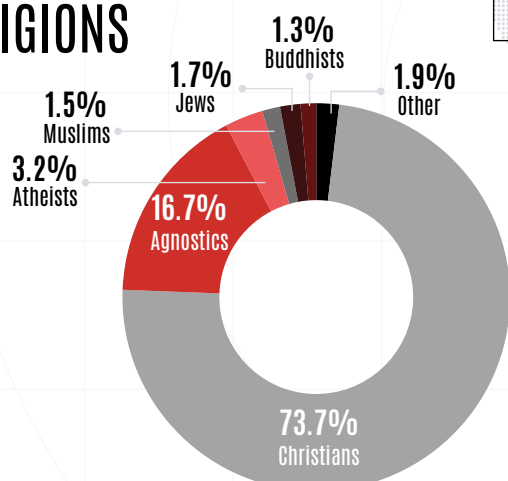
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# UNITED STATES OF AMERICA

## RELIGIONS



Population  
**331,431,534**  
GDP per capita  
**54,225 US\$**



Area  
**9,833,517 Km<sup>2</sup>**  
GINI INDEX\*  
**41.4**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The First Amendment to the US constitution guarantees religious freedom, stating that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof”.<sup>1</sup> The Fourteenth Amendment to the US constitution guarantees the equal protection of the laws and the right to due process to “All persons born or naturalized in the United States, and subject to the jurisdiction thereof,” including all religious and non-religious believers.<sup>2</sup> Article VI of the US constitution mandates that “no religious test shall ever be required as a qualification to any office or public trust under the United States.”<sup>3</sup> The constitutions of the 50 states have similar mandates.

Collectively, these state and federal constitutional provisions guarantee the free exercise of religion for all individuals and religious communities and prohibit an established religion. The federal Bill of Rights and various states’ Declarations of Rights serve the same purpose: to ensure that individuals and groups will have legal remedies when governments encroach on specified fundamental rights that exist prior to the state, and therefore are not created by

the state. The first of those rights is the free exercise of religion. The role of government is to recognise, protect, and encourage the free exercise of religion in public life, in part by forbidding a state establishment of religion.

In addition to the constitutional provisions identified above, the following statutes are included in the legal framework for religious freedom in the United States:

- The Civil Rights Act of 1964 prohibits discrimination “on the basis of race, colour, religion, national origin, or sex”. Title Seven of the Act “requires that employers reasonably accommodate applicants’ and employees’ sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer’s business”.<sup>4</sup>
- The Religious Freedom Restoration Act of 1993 states that “Government shall not substantially burden a person’s exercise of religion even if the burden results from a rule of general applicability”.<sup>5</sup> The only cases where the government is permitted to “substantially burden a person’s exercise of religion” is if “the application of the burden to the person (1) is in furtherance of a compelling government interest; and (2) is the least restrictive means of furthering that compelling government interest”.<sup>6</sup> Twenty-one states have also enacted their own Religious Freedom Resto-

ration Acts.<sup>7</sup>

– The Religious Land Use and Institutionalized Persons Act of 2000 prohibits discriminatory land use regulation against “a person, including a religious assembly or institution”, and guarantees free exercise of religion to institutionalised persons.<sup>8</sup>

In the past two years there have been a number of significant court rulings at the United States Supreme Court that have reaffirmed the primacy of religious freedom in American law, but some significant fault lines have emerged.

In *Espinoza v. Montana Department of Revenue*, the Supreme Court ruled on 30th June 2020 against the Montana Department of Revenue and in favour of parents who sent their children to a religious school that the state deemed could not benefit from tax credits under the Montana Tax Credit Scholarship Program.<sup>9</sup> The state cited a nineteenth-century anti-religious statute known as the Blaine Amendment that forbids the state from providing indirect or direct aid to religious schools. Blaine amendments were in force in 37 state constitutions and had their origin in nineteenth-century anti-Catholic prejudice and campaigns, held throughout the United States, to ensure that no public funding went to Catholic schools.<sup>10</sup> The Supreme Court’s ruling in *Espinoza* effectively rendered Blaine amendments dead letters and was a significant victory for religious freedom.

The decision in *American Legion v. American Humanist Association* dealt with the American Humanist Association’s 2014 campaign to have a war memorial in the form of a Christian cross removed from a site in Bladensburg, Maryland. The case was a test of the non-establishment clause in the First Amendment of the United States Constitution. In its 20th June 2019 ruling in favour of the American Legion, which defended the Bladensburg Cross and quashed a Fourth Circuit court decision, the justices argued that “destroying or defacing the Cross that has stood undisturbed for nearly a century would not be neutral and would not further the ideals of respect and tolerance embodied in the First Amendment”.<sup>11</sup>

The joint decision by the Supreme Court in *Our Lady of Guadalupe School v. Morrissey-Berru* and in *St. James School v. Biel* dealt with what is referred to as the “ministerial exception” which ensures that church schools have a right to determine whom they employ as teachers. The two cases involved teachers whose contracts had not been renewed by the two Catholic primary schools in question

due to poor performance. The teachers sued the schools but in their 8th July 2020 ruling, the justices overturned lower court decisions in favour of the teachers and upheld the ministerial exception whereby the government cannot control whom religious schools hire to teach their students.<sup>12</sup> This upheld the principle of freedom of religious schools.

In a long-running court saga involving the Little Sisters of the Poor, a Catholic religious order that ministers to the poor, the sick, and the dying, the Supreme Court ruled on 8th July 2020 in a landmark 7-2 decision in favour of the free exercise of religion.<sup>13</sup> In it, the justices ruled that the Little Sisters should not be compelled under the federal Department of Health and Human Services (HHS) mandate to provide funding for contraceptive services through employer-provided health coverage. The Little Sisters have fought repeated legal battles in various states for a religious exemption, a right which was ultimately upheld by a Supreme Court ruling in 2016 and affirmed through a change to the HHS mandate in 2017.<sup>14</sup> Pennsylvania sued the federal government to take away the Little Sisters religious exemption. In the ensuing court battles, two decisions went against the Little Sisters, until their right to freedom of religion was upheld in July 2020 at the Supreme Court.<sup>15</sup> In commenting the decision, the Becket Fund, a religious rights advocacy group, stated that “Winning the HHS mandate cases sets an important precedent, confirming that federal agencies cannot unnecessarily force religious people to violate their beliefs in order to further a government goal”.<sup>16</sup>

In *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, the United States Supreme Court ruled on a highly publicised case that pitted the free exercise rights of a devout Christian baker, Jack Philips, against the civil rights of a same-sex couple in Colorado. The couple had requested that Philips bake a cake for their same-sex wedding ceremony reception; Philips refused stating that it went against his beliefs as a Christian. The couple filed a charge of discrimination based on sexual orientation, a prohibited ground, through the Colorado Human Rights Commission. Following the Commission and Colorado Court of Appeals findings that the civil rights of the couple were violated, the Supreme Court ruled that religious objections to same-sex marriage are protected views and that “under the Free Exercise Clause, a State had a duty not to base laws or regulations on hostility to a religion or a religious viewpoint. The Free Exercise Clause barred even

subtle departures from neutrality on matters of religion”.<sup>17</sup>

The Masterpiece Cakeshop decision was widely portrayed as a victory in the so-called Culture War between religious conservatives and liberal progressives that has gripped American politics and culture for much of the past 40 years. This conflict found further judicial expression in the Supreme Court ruling in *Bostock v. Clayton County* which addressed whether the term “sex” in the 1964 Civil Rights Act incorporates sexual orientation as a prohibited ground of discrimination.<sup>18</sup> The court ruled that the Act should be interpreted as such and thus overturned lower court decisions ruling against Gerald Bostock, a man with same-sex attraction who challenged his dismissal from his position with Clayton County, Georgia.<sup>19</sup> The case was widely seen among liberal progressives as a victory for the LGBTQ movement and among many religious commentators as opening the door to imposing a particular anthropology and ideology on faith institutions.<sup>20</sup>

## INCIDENTS AND DEVELOPMENTS

The Federal Bureau of Investigation’s 2018 Hate Crimes Statistics Report shows that 1,419 incidents of “hate crimes motivated by religious violence” were reported by police in 2018.<sup>21</sup> This is an increase from the 1273 incidents reported in 2016.<sup>22</sup> About 59 percent of the crimes were classified as anti-Jewish, while approximately 13 percent were classified as anti-Islamic, an increase and significant decrease respectively over 2016 figures.<sup>23</sup>

These figures illustrate a deeply concerning trend in the United States, namely the growing number of anti-Semitic incidents, many of them violent. Indeed, anti-Semitic hate crimes come first after anti-Black hate crimes.<sup>24</sup> According to data from the Anti-Defamation League (ADL), anti-Semitic attacks in 2019 were the most ever recorded since records were first kept starting in 1979.<sup>25</sup> The ADL reported 2,100 incidents of assault, vandalism, and harassment against Jews and Jewish institutions in 2019 – a 56 percent increase in assaults and a 12 percent increase in overall incidents since 2018.<sup>26</sup>

On 27th October 2018, a man entered the Tree of Life Synagogue in Pittsburgh, Pennsylvania during Saturday morning Sabbath services; after shouting “All Jews Die”, he opened fire on the congregation, killing eleven and wounding six others.<sup>27</sup> On 27th April 2019, a young man entered the Chabad Poway Synagogue in Poway, California and opened fire, killing one person and injuring three

on the last day of Passover.<sup>28</sup> On 20th November 2019, an Orthodox Jewish man was stabbed repeatedly by an assailant as he walked to morning prayers in Monsey, NY, an area with a large Hasidic population.<sup>29</sup>

On 10th December 2019, two members of a Black Hebrew Israelite group that professes anti-Semitic beliefs entered the JC Kosher Supermarket in Jersey City and fired shots, killing three people. The assailants barricaded themselves inside the store and after engaging in a gun battle with police were later found dead.<sup>30</sup>

On 28th December 2019, a Hanukkah party at a local Hasidic rabbi’s home in Monsey, NY was interrupted by a man wielding a large knife. The man stabbed randomly and injured five people.<sup>31</sup>

The “American Muslim Poll 2019” by the Institute for Social Policy and Understanding reported that the Islamophobia Index, which measures the level of endorsement of five negative public stereotypes of Muslims, saw a rise from 24 to 28.<sup>32</sup> In its tracking of hate groups in the United States, the Southern Poverty Law Center identified 84 anti-Muslim groups operating in 2019.<sup>33</sup>[FYI -- SPLC, according to many, is a biased and untrustworthy source.]

On 24th March 2019, an arsonist dabbed graffiti on a mosque in Escondido, California referencing the mosque attack in Christchurch, New Zealand and then set a fire that burnt part of the mosque’s exterior.<sup>34</sup> On 12th May 2019, at the beginning of the Islamic month of Ramadan, an arsonist set a fire that badly damaged a mosque in New Haven, Connecticut, leaving it unusable.<sup>35</sup> On 28th April 2020, police in Cape Girardeau, Missouri charged a man in connection with a fire at a local mosque at the beginning of Ramadan on 24th April. The man in question already had a record of vandalising mosques. The mosque was declared “a total loss”.<sup>36</sup>

The first half of 2020 saw a spate of attacks on Catholic churches and religious sites. In the wake of the Black Lives Matter and related protests against alleged systemic racism in the United States, numerous statues of St. Junipero Serra, the eighteenth-century Franciscan missionary in California, were vandalised. On 13th August 2020, a statue of the saint was smashed in front of the Serra Retreat Center in Malibu.<sup>37</sup> On 4th July 2020, another statue of the saint was torn down by protestors in Capitol Park in front of the California state capitol.<sup>38</sup> During the week of 10th August 2020, the statue of the saint located across from the San Fernando Mission in Mission Hills was de-

faced with red paint on the hands and the word “murderer” spray-painted on the monument.<sup>39</sup> During a 10th June 2020 protest through the streets of Santa Cruz, protesters vandalised the 230-year-old Mission of Santa Cruz by spray-painting profanities on the walls of the mission and a nearby historical plaque.<sup>40</sup>

Additional attacks on Catholic churches at the height of the Black Lives Matter movement and related protests include the spray-painting of the word “IDOL” on a statue of the Virgin Mary in front of the Cathedral Preparatory School in Queens, New York on 10th July 2020.<sup>41</sup> On 11th July 2020 in Ocala, Florida, a man drove his van through the front of the Queen of Peace Church, spread gasoline in the lobby and lit it causing extensive fire damage.<sup>42</sup> Also on 11th July the Mission San Gabriel Arcángel founded in 1771 in Los Angeles was the victim of arson which destroyed the timber roof and caused further damage to the building.<sup>43</sup> Again, on 11th July, the statue of the Virgin Mary at St. Stephen’s Church in Chattanooga, Tennessee was knocked off its pedestal and the head struck off. On 15th July 2020, the front doors of St. Joseph’s Church in New Haven, Connecticut were spray-painted with various satanic and anarchist symbols.<sup>44</sup>

### COVID-19

The COVID-19 pandemic brought various forms and levels of restrictions on public worship across the United States, beginning in March 2020. These restrictions were enforced at the municipal, county, and state levels with agencies of the U.S. government playing a leading role at the national level. However, the Trump Administration placed very few (if any) restrictions on worship. The severity of restrictions was dependent on a variety of factors, including the number of cases in a given area, health care system capacity, etc.

There are numerous documented and undocumented cases of government overreach in restricting religious practice, even when faith communities were respecting public health restrictions. There are also numerous examples of inequity between how places of worship were treated vis-à-vis other public indoor spaces, and inequity across jurisdictions.

Faith communities have responded in a variety of ways to the restrictions, including legal action and, in some cases, civil disobedience. Below are just a small sample of COVID-19-related incidents impacting religious freedom. A number of NGOs have begun documenting these cases.

On 24th April 2020, the Alliance for Defending Freedom, a Christian advocacy NGO, challenged Wake County, North Carolina after it amended its COVID-19 safety restrictions on 15th April banning drive-in services, tithing (even if dropping contributions into buckets for later retrieval), and the reception of communion. As a result of the protest, Wake County agreed to allow churches to receive tithe monies and provide pre-packaged communion.<sup>45</sup>

On 13th May 2020, Minnesota Governor Tim Walz issued an executive order that permitted the reopening of retail businesses, restaurants, and bars at 50 per cent capacity, but limited gatherings for public worship to 10 people with no clear plan for when those restrictions would be relaxed.<sup>46</sup> In response to what they deemed unreasonable restrictions on public worship and a lack of equity, the Roman Catholic bishops of Minnesota announced on 20th May that they would defy the executive order and resume public Masses across the state with a one-third capacity limit on worshippers. On 23rd May, Governor Walz issued an order allowing the resumption of public worship.<sup>47</sup>

On 3rd June 2020, the Center for Disease Control, a US federal agency, changed its health advisory, advising the state and local government to take into account First Amendment rights regarding in-person worship, and to ensure greater equity in restrictions on all entities, including places of worship.<sup>48</sup>

On 4th June 2020, in the midst of Black Lives Matter protests, Mayor Bill de Blasio of New York City declared that the right to attend religious services is not equal to addressing “400 years of racism.”<sup>49</sup> Also, on 4th June 2020 Nevada Governor Steve Sisolak permitted businesses such as pools, spas, gyms, and marijuana dispensaries to open at 50 percent capacity, while limiting houses of worship to 50 people, regardless of size.<sup>50</sup>

As of June 2020, Washington State Governor Jay Inslee allowed businesses to open at 50 percent capacity while keeping churches at 25 per cent; he also threatened to file more serious civil and criminal charges against churches than against breweries or marijuana dispensaries if they failed to respect restrictions.<sup>51</sup>

On 22nd September 2020, the Capitol Hill Baptist Church filed a lawsuit against the Mayor of Washington, D.C. for encouraging large protest gatherings while denying the church’s request for a waiver of the 100-person rule, despite the many safety precautions it implemented.<sup>52</sup> On 9th October 2020, Judge Treavor McFadden finally accepted



the church's motion for injunctive relief, allowing it to hold socially distanced outdoor services with compulsory mask wearing.<sup>53</sup>

On 6th October 2020, Jewish groups in Rockland County sued New York Governor Andrew Cuomo, alleging a "streak of anti-Semitic discrimination" in relation to the way the governor established COVID "red zones" aimed at reducing the spread of the virus. The targeted areas are predominantly Orthodox Jewish areas with in-person meetings restricted to a maximum of 10 people.<sup>54</sup>

On 12th October 2020, Governor Cuomo and New York City Mayor Bill de Blasio blamed Orthodox Jews for a rise in COVID-19 cases and used physical scare tactics and threats of complete closure of synagogues if they celebrated the festival of Sukkot.<sup>55</sup>

On 25th November 2020, the Supreme Court ruled in *Roman Catholic Diocese of Brooklyn v. Cuomo* that the New York Governor's executive order violated a "minimum requirement of neutrality" by "singling out houses of worship for especially harsh treatment," while allowing secular businesses categorized as "essential" to function. For this reason, the Court ruled that the restrictions must meet a test of "strict scrutiny." The Justices noted "the loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." Lastly, the Court determined that the government did not claim that attendance at the worship services resulted in the spread of disease and therefore had not demonstrated that the injunctive relief would harm the public. Therefore, the Court held that enforcement of the restrictions on the religious services must not be imposed.

## PROSPECTS FOR RELIGIOUS FREEDOM

Religious freedom remains a fundamental right in the United States. The recent aforementioned Supreme Court decisions demonstrate this. However, the tragic politicisation of this freedom between conservatives, many of whom are members of faith communities, and progressive liberals has the potential of causing profound harm to Americans' collective life and inflicting deep wounds on American democracy.

The major fault lines are cultural-political, around same-sex marriage, gender ideology, LGBTQ claims, individual freedoms and state power. If there is no new and broader recognition across ideological lines that well-founded,

non-violent, and sincerely held differences in theology, anthropology, and politics can co-exist in the public square, then religious freedom is threatened.

Another significant concern is the increasing violence and harassment targeting Jews, especially visibly religious Jews. Such resurgent anti-Semitism and growing anti-Catholicism and anti-Muslim sentiments should be viewed as symptomatic of growing intolerance in American society. Concerted public action must be taken at all levels of American public life, especially at the level of local communities, to foster renewed respect for religious freedom as a marker of human dignity.



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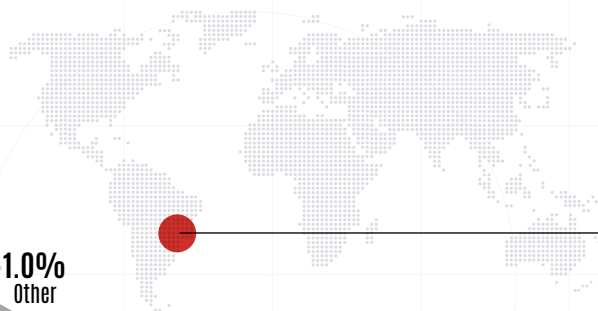
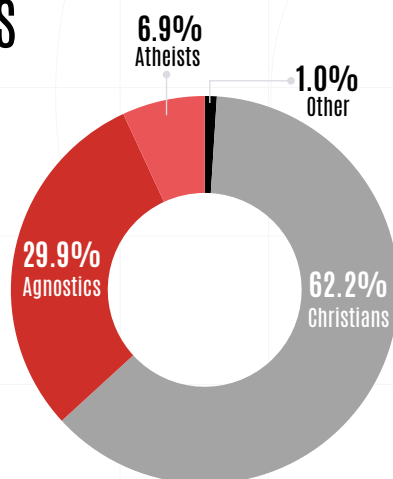
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# URUGUAY

## RELIGIONS



Population  
**3,494,387**  
GDP per capita  
**20,551 US\$**



Area  
**173,626 Km<sup>2</sup>**  
GINI INDEX\*  
**39.7**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 5 of Uruguay's constitution provides for religious freedom and maintains a strict separation between religious organisations and the state.<sup>1</sup> The same article recognises the ownership of the Catholic Church to all places of worship "which have been built wholly or partly from funds of the National Treasury, with the sole exception of chapels dedicated for use by asylums, hospitals, prisons, or other public establishments." Article 5 also exempts various religious groups "from all forms of taxes" that would otherwise apply to their places of worship as long as they submit an application for such exemptions to the Ministry of Education and Culture, and it is granted. Law 12802 also provides tax exemptions to Catholic dioceses.<sup>2</sup>

The Penal Code criminalises incitement to hate, showing contempt or engaging in any kind of moral or physical violence as well as carrying out such violence against one or more individuals because of their religion. The same applies to anyone who attacks a place of worship or destroys religious objects or hinders or disturbs a religious

ceremony.<sup>3</sup>

Article 68 of the constitution guarantees freedom of education and provides that every parent or guardian has the right to choose the school of their children. Law 15739 stipulates that public education must respect "the independence of the morals and civic conscience of students." The National Board of Public Education must assert, among other things, the principles of secularism, defend moral values and human rights, and promote respect for the convictions and beliefs of others.<sup>4</sup>

Article 10 of the Abortion Law (No. 18.987) recognises that institutions may object to the practice of termination of pregnancies. Article 11 also defends the right of doctors and healthcare workers to refuse to participate in procedures on the basis of conscientious objection.<sup>5</sup> Articles 40 and 41 of the Code of Medical Ethics, which has the force of law, also recognises the right to conscientious objection on the grounds of personal belief.<sup>6</sup>

## INCIDENTS AND DEVELOPMENTS

In January 2019, after a meeting between a presidential pre-candidate and Cardinal Daniel Sturla, the latter noted that it is not good to mix God with a political option, or for

a Church to support a specific party.<sup>7</sup>

The results of a survey conducted in December 2018 were released in February 2019. They show that six out of 10 Uruguayans claim to have a belief in a higher being. Depending on age, the number of atheists has increased at the expense of the Catholic community.<sup>8</sup>

In April 2019, Uruguayan bishops pointed out that some levels of government are involved in a process of “deconstruction” or destruction, “that the state is appropriating the primary right and duty of parents to educate their children with their own set of values.”<sup>9</sup>

In September 2019, an out-of-court settlement was reached in a case involving a lawsuit launched by a sect against a group of researchers studying cultism. This specific sect came under investigation after a complaint was filed against it for human trafficking.<sup>10</sup>

In November 2019, an Evangelical pastor filed a complaint against the Minister of Education and Culture “for discrimination and xenophobia due to religious status.” In a private WhatsApp conversation, the minister referred to Evangelicals as a “scourge”.<sup>11</sup>

In January 2020, the Holy See declassified and made available files relating to people who went missing between 1968 and 1985 for political reasons.<sup>12</sup>

In February 2020, the feast of Yemoja (Lemanjá), a goddess revered by members of the Umbanda, a religion of African origin, was celebrated at Playa Ramírez, a popular beach in Montevideo. People brought offerings, and, following a ritual on the beach, placed them in the sea.<sup>13</sup>

In March 2020, Uruguay’s new president, Luis Lacalle Pou, inaugurated his mandate with an interreligious prayer for the Fatherland at the Metropolitan Cathedral with the participation of Christian religious leaders as well as a rabbi. The country’s opposition parties criticised the president for taking part in a religious service. For his part, President Lacalle Pou said that the separation of state and religion “does not mean an intolerant or unwelcome attitude towards religions”.<sup>14</sup>

During the period under review, some draft bills affecting religious freedom were introduced.

In March 2019, a bill was introduced to regulate sex education in relation to “moral and/or religious beliefs”.<sup>15</sup>

In March 2020, a bill was introduced to “decriminalise religious marriage”, repealing a 19th-century law punishing

priests or pastors for performing a religious marriage without a prior civil marriage. According to a senator, the bill applies only to Christian marriage since its wording refers to the priest of “the Catholic Church or pastor of the country’s different dissenting communions”.<sup>16</sup>

A bill was introduced in July 2020 to guarantee the right of all religious groups and minorities to celebrate religious festivities and days of religious observance.<sup>17</sup>

After the outbreak of the COVID-19 pandemic, the government met with religious leaders from different Churches and religious communities, with everyone agreeing on the need to suspend public religious celebrations.<sup>18</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In the period under review, the status of freedom of religion did not change significantly. The country’s level of secularism did become, from time to time, a topic of discussion. Several bills affecting religious freedom also took centre stage. With respect to the pandemic, it should be noted that the authorities did not act unilaterally, but sought instead a shared decision with religious stakeholders. Consequently, future prospects for freedom of religion are positive.

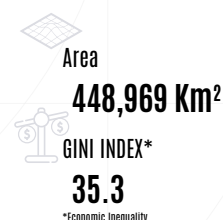
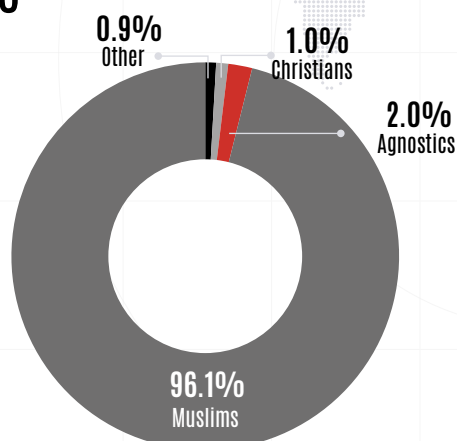


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# UZBEKISTAN

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Although the Constitution of Uzbekistan<sup>1</sup> protects freedom of religion (Article 31) and provides for the non-interference of the state in the affairs of religious communities (Article 61), various regulations limit it being exercised effectively.

The main restrictions were introduced in 1998 with the Law on Freedom of Conscience and Religious Organisations.<sup>2</sup> The latter criminalises all unregistered religious activities, bans missionary activities and proselytising, and gives the authorities the power to approve the content, production, distribution and storage of religious publications. The law allows religious instruction only in government-sanctioned schools; any religious schooling in private homes is banned.<sup>3</sup> Religious groups are not allowed to operate outside the areas where they are registered and must seek government approval for all religious activities not included in formal worship.<sup>4</sup>

On 15th September 2020, a draft bill came before the Uzbek parliament (Supreme Assembly).<sup>5</sup> It was meant to align the country with international standards, but it has disappointed various religious groups since it keeps many

of the repressive features of the existing law. In fact, it includes censorship of religious materials and still requires religious groups to register (but the minimum number of believers required to set up a religious entity dropped from 100 to 50).<sup>6</sup>

The bill still bans missionary activities. It requires religious groups to notify the authorities of any event they plan to hold outside their normal premises, providing reasons, address, date, funding, expected participants, including foreigners, plus material that will be used. The bill bans private religious instruction, but does allow parents to teach their children the basics of ethics and religion.<sup>7</sup>

On the positive side, the bill removes the ban on wearing religious clothes in public and gives the decision to close a religious organisation to the courts rather than the administration.<sup>8</sup>

On 30th July 2018, the law “On countering extremism” was approved.<sup>9</sup> Many international organisations have criticised it because it is too broad and vague, and does not differentiate between nonviolent religious beliefs and ideologies that support violence. The new legislation could be used to unduly limit freedom of religion, expression and association.<sup>10</sup>

On a positive note, Interior Ministry spokesman Nulifar Turakhonova said that once coronavirus-related restrictions are lifted, minors will also be allowed to pray in mosques “in the company of fathers, brothers and other close relatives.”<sup>11</sup> This ends a ban introduced during the Karimov era.

## INCIDENTS AND DEVELOPMENTS

Many steps have been taken in the past two years towards greater protection of religious freedom. Thousands of people have been removed from the “black lists” of religious extremists and some religious prisoners have been released or their sentences reduced. Raids against religious communities have gradually decreased, almost to zero.<sup>12</sup>

The Catholic Church was finally able to organise a summer camp for young Catholics in the Fergana Valley.<sup>13</sup> Currently the small Uzbek Catholic community is made up of about 3,000 members and is trying to register a sixth parish in Angren. During the countrywide lockdown caused by the coronavirus, the Catholic Church managed to carry out its apostolate using social media to keep in touch with its members by online broadcasting of Masses, prayers and Bible meetings.<sup>14</sup>

Another extremely positive development in terms of religious freedom is the registration of eight Christian churches in 2018 and 2019, eight years after the last time this happened.<sup>15</sup> Yet, despite improvements, some groups continue to complain that the path towards registration remains an uphill battle. Among them are Jehovah’s Witnesses, who only have one recognised congregation in Chirchik. In September 2018, they tried to register seven more communities,<sup>16</sup> but their applications were rejected by local authorities (mahalla committees), whose approval is required. Different grounds were cited, such as a general disapproval of the religious group, to possible conflict and division within the community.<sup>17</sup>

Compared to previous years, police raids against religious groups decreased. The number dropped considerably in 2018, to practically zero in 2019.<sup>18</sup> This is likely a consequence of a directive issued in December 2018 by President Shavkat Mirziyoyev banning secret services and law enforcement agencies from conducting raids on religious communities.<sup>19</sup>

In September 2018, police raided a group of 40 Protestants who were meeting in the Tashkent region. Some of

the participants were charged hefty fines, in one case up to 20 times the minimum monthly wage, whilst four South Koreans were deported. A woman and a five-year-old girl had to seek hospital treatment because of the psychological pressure put on the faithful during interrogation, which lasted more than 12 hours.<sup>20</sup>

For the first time, soldiers took part in a raid in November 2018 against a Baptist community during Sunday worship in Yashnobod, a district of the capital Tashkent. 14 believers were forcibly taken to the local police station, registered and questioned for over nine hours.<sup>21</sup>

In November 2018, eight Protestants were subjected to extremely long interrogations after being detained in a police raid at a flat where they had gathered to read the Bible. Although duly approved and purchased from the Bible Society of Uzbekistan, the religious literature was confiscated, along with a laptop and a personal computer.<sup>22</sup>

That same month, after a raid on a house in Urgench, the Protestants gathered there came under intense pressures. One of the people present, Lolakhon Umarova, was asked to publicly accuse the host and the pastor of holding “unauthorized religious meetings”.<sup>23</sup> When she refused, she was threatened with prosecution. Police also put pressure on Pastor Ahmadjon Nazarov, who developed heart problems and had to be consequently hospitalised. This was not the first time that he was a target of police attention.<sup>24</sup>

In August 2018, the Chust City Court, in the Namangan region, sentenced Pastor Alisher and his assistant Abror to 10 days of administrative detention, after he and other confreres were caught at his home drinking tea. Six women present at the event were also found guilty of “illegal religious activity” and fined US\$120 each, a sum that represents more than five months’ salary at the minimum wage.<sup>25</sup>

Uzbekistan censors all printed and electronic religious literature, and the mere possession or use of religious material outside registered religious buildings is considered a violation of the Administrative Code.<sup>26</sup> On 25th December 2019, the Religious Affairs Committee updated its list of banned Islamic texts, over 200 books, including texts by Ahmadi Muslims and the late Turkish theologian Said Nursi.<sup>27</sup>

Baptists complained that some of their religious material was seized in July and November 2019. In July, airport authorities found German Baptist Viktor Klassen in possession of 44 copies of a book titled “Learn the Bible” in

Uzbek. After being questioned for several hours, he was fined US\$400 because the books were deemed intended for missionary work.<sup>28</sup>

Although the government has adopted a more relaxed approach to religious freedom, social pressures against conversion from Islam remain strong. In one case, on 9th February 2019, a man killed his wife because she had become a Christian. When he found her at the Tashkent airport trying to flee the country, he slit her throat.<sup>29</sup>

The authorities, like elsewhere in Central Asia, have struggled to find the right balance in their relationship with Islam, caught between the need to control the potential risk of radicalism and their own long-standing secularism.

The Muslim Board of Uzbekistan (Muftiate) ensures that the country's various Islamic communities express the "proper" religiosity.<sup>30</sup>

Sunni Hanafi Islam is a key component to nation-building. President Mirziyoyev has sought to promote the revival and knowledge of Islam,<sup>31</sup> encouraging Qur'ānic recitation competitions, allowing the azan, the call to prayer, to be heard again after ten years of silence, and expanding the offer of Qur'ānic courses.<sup>32</sup>

Still, anti-religious rhetoric intensified in 2019, directed in particular at Islamic practices that promote a more conservative interpretation of Islam, deemed not in line with national traditions.<sup>33</sup> In August 2018, Prime Minister Abdulla Aripov signed an order to impose a secular dress code, explicitly banning religious clothing or symbols in schools, including hijabs, yarmulkas and crosses.<sup>34</sup>

In September 2018, an unknown number of female students were expelled from the Tashkent International Islamic Academy for refusing to remove their hijabs. Some of the students tried unsuccessfully to get the decision overturned in court.<sup>35</sup> In April 2019, the government granted female students the right to wear a headscarf in the traditional Uzbek style, known as ikat.<sup>36</sup> In the wake of this controversy, various bloggers who criticised the government for its religious policies were arrested in August and September 2018; many were subsequently fined and sentenced to 15 days in jail.<sup>37</sup>

In September 2018, the Muslim Board of Uzbekistan fired the imam of the Omina mosque in Tashkent, Fazliddin Parpiev, who in a video asked President Mirziyoyev to

push further his reforms and lift the ban on women wearing hijabs and men sporting beards;<sup>38</sup> in late 2018, Parpiev and his family left Uzbekistan for fear of retaliation.<sup>39</sup>

In August 2019, police arrested about 100 men in a Tashkent market, forcing them to shave their beards so that they would look like the picture in their biometric passports, this out of alleged "security concerns". A similar incident occurred in Namangan the following month.<sup>40</sup>

In September 2019, high-level government officials summoned imams from across the country to Tashkent for a meeting where they were instructed to discuss only general moral issues in Friday prayers, avoiding overtly religious issues.<sup>41</sup> Discussing Islamic issues, especially if outside authorised venues, has caused problems for some believers, accused of proselytising or even extremism.

In mid-August 2020, a Tashkent court sentenced eight Muslims who discussed their faith on social media to prison terms of up to 11 and a half years, on charges of down-loading extremist sermons and other terrorist offences. In a previous case, on 13th March 2020, the same court sentenced four young men, who were trying to learn more about Islam, to up to six years in prison.<sup>42</sup>

Uzbekistan closely monitors Muslims who want to go to Makkah. To travel to the holy city, pilgrims must meet a number of personal, financial and religious requirements. The complexity of the process and the uncertainty over the outcome induce many would-be pilgrims to resort to bribes to facilitate their applications.<sup>43</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Under the leadership of President Shavkat Mirziyoyev, who took over from Islam Karimov in 2016, Uzbekistan has developed a comprehensive plan of reforms to modernise state institutions and government policies, prioritising economic liberalisation and an end to regional isolationism.

In December 2018, the US State Department announced its decision to move Uzbekistan out of the list of Countries of Particular Concern (CPC), to which it was added in 2006, to its Special Watch List.<sup>44</sup> The Economist chose Uzbekistan as the "Country of the Year"<sup>45</sup> for 2019 since "no other country travelled as far" in terms of reforms.<sup>46</sup>

Last year also saw genuine actions to expand religious freedom particularly steps such as the 2018 decision by



President Mirziyoyev banning the secret service and law enforcement from conducting raids on religious communities.<sup>47</sup> Although the Uzbek government is still very authoritarian and has yet to take significant steps to enable the development of a free civil society, there are some important signs of hope that it will increasingly recognise the

value of a more tolerant approach to religion, if for no other reason than to persuade international public opinion (and foreign investors) that Uzbekistan is profoundly changing.

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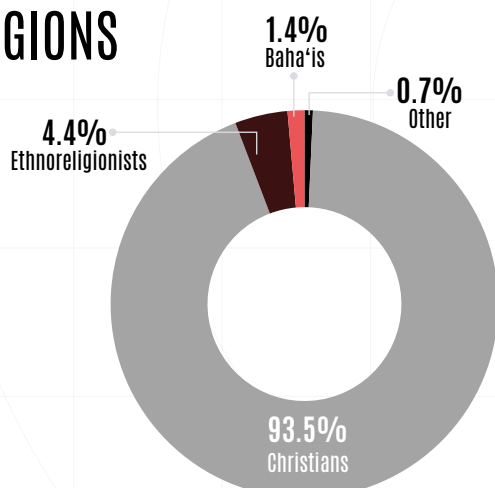
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# VANUATU

## RELIGIONS



Population

**293,934**

GDP per capita

**2,922 US\$**

Area

**12,189 Km<sup>2</sup>**

GINI INDEX\*

**37.6**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Vanuatu is a group of over 80 islands in the South Pacific. Around 65 of these are inhabited.

The Preamble to the Constitution states that Vanuatu is “founded on traditional Melanesian values, faith in God, and Christian principles.”<sup>1</sup> Article 5 (1) of the Constitution recognises that “subject to any restrictions imposed by law on non-citizens, all persons are entitled to [...] freedom of conscience and worship.” This right is “subject to respect for the rights and freedoms of others and to the legitimate public interest in defence, safety, public order, welfare and health.” According to Article 6 (1), a person who believes that this constitutional right has been infringed upon is entitled to appeal to the Supreme Court. This judicial remedy exists “independently of any other possible legal remedy.” The Supreme Court may “issue such writs and give such directions, including the payment of compensation, as it considers appropriate to enforce the right” (Article 6, 2).

The Vanuatu Christian Council (VCC) is a non-governmental organisation comprising the Presbyterian Church, the Catholic Church, the Church of Christ, the Apostolic

Church and the Church of Melanesia; the Assemblies of God and the Seventh-day Adventists are observer members.<sup>2</sup>

Events of national significance are celebrated with Christian prayer led by the member Churches of the VCC.

Since August 2016, the government has paid 10 million vatu (US\$88,700) per annum to the VCC.<sup>3</sup>

According to the law, children may not be refused admission to a school or treated less favourably because of their religion. Secondary state schools provide religious education for an hour a week, which is overseen by the VCC.<sup>4</sup> The government pays the salaries of teachers at church schools, which were opened before 1980, and makes grants to Church schools.<sup>5</sup>

Under the Education Act of 2014, parents may excuse their children from religious education.<sup>6</sup>

Registration of religions with the government was introduced in 1995 but the law was repealed two years later. The reintroduction of compulsory religious registration has been considered at various points since then. Religious groups may register as charitable organisations.

The Government of Vanuatu generally respects the principles of religious freedom as they are articulated in the

country's constitution and laws.

The country is a party to the International Covenant on Civil and Political Rights.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

In the period under review, the VCC reportedly still sought a government amendment to the Constitution to recognise Vanuatu as a Christian country.<sup>8</sup> Initially proposed during an April 2016 meeting<sup>9</sup> between the VCC and the then Prime Minister the proposal was not, and still has not, been implemented. Notwithstanding this, the VCC continued to develop its partnership with the government, noting that an explicit declaration of its Christian identity would be fitting for the country.

Should the Constitution be amended to implement this goal, members of other religions would be able to visit, but the construction of non-Christian places of worship would be illegal.<sup>10</sup>

During the reporting period, there were no incidents nor any other developments related to Christianity's constitutional status, or any other issue regarding religious freedom in the country.

## PROSPECTS FOR RELIGIOUS FREEDOM

The prospects for religious freedom in Vanuatu are positive with no significant changes anticipated in the coming years.

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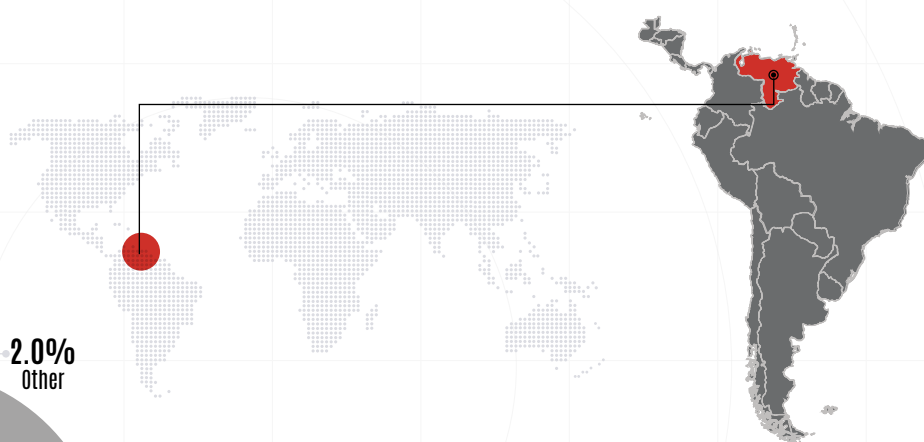
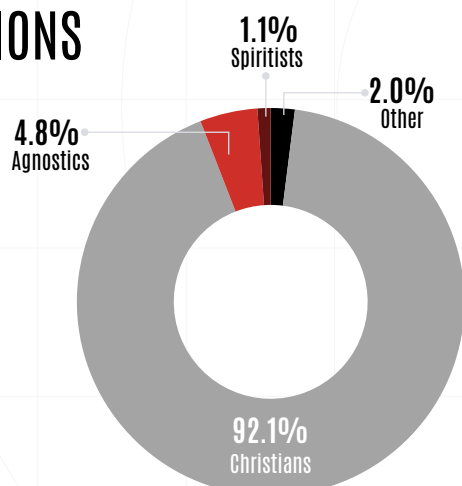
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# VENEZUELA

## RELIGIONS



Population  
**33,172,392**  
GDP per capita  
**16,745 US\$**



Area  
**921,050 Km<sup>2</sup>**  
GINI INDEX\*  
**46.9**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Venezuelan Constitution<sup>1</sup> invokes God's protection with regard to the establishment of a democratic society that upholds rights, including freedom from discrimination.

Under Article 59 of the Constitution, the state guarantees freedom of worship and religion. The same article states that everyone has the "right to profess their religious faith and cults," as well as "to express their beliefs in private or in public, by teaching and other practices, provided such beliefs are not contrary to moral[ity], good customs and public order." The article goes on to guarantee the independence and autonomy of Churches and religious denominations, and recognise the right of parents to educate their children in accordance with their beliefs.

Article 61 upholds freedom of conscience and expression. It also stipulates that conscientious objection cannot be invoked to avoid complying with the law.

According to Article 89 (4), all forms of discrimination in

the workplace are prohibited.

The state recognises the rights of indigenous peoples under Article 119 of the Constitution, including their right to their religions. According to Article 121, indigenous people also have the right to maintain and develop their customs and values, including their spirituality and places of worship. These rights are not only protected by the country's Constitution but also by other laws.

Article 97 of the 2005 Organic Law on Indigenous People and Communities<sup>2</sup> recognises the spirituality and creed of indigenous communities as fundamental components of their worldview. Imposing religious beliefs on indigenous peoples is not allowed, nor is denying their practices and beliefs (Article 98). The religious education of indigenous children and adolescents is the responsibility of their parents, relatives and members of their community (Article 100). Indigenous people have the right to protection from political and religious fanaticism (Article 107).

Other laws<sup>3</sup> recognise the right of children and adolescents to freedom of thought, conscience, and religion. Their parents or guardians have the right and duty to guide them in the exercise of this right. Minors

have the right to their own cultural life, to profess and practise their own religion or beliefs, and use their own language, especially those who belong to ethnic, religious or indigenous minorities.

In the field of education,<sup>4</sup> the state declares itself to be secular, independent from all religions. Parents are given the right to choose their children's religious education.

In accordance with the tax reform of 2014,<sup>5</sup> tax exemptions for institutions dedicated to religious, artistic, scientific and other activities have been eliminated. Such exemptions are now restricted to charities and social welfare organisations.

The Penal Code of Venezuela<sup>6</sup> categorises various types of conduct that threaten freedom of worship. Article 168 concerns the punishment of people who attempt to prevent or disturb religious services or ceremonies or intentionally damage items used in worship.

Churches are recognised as legal entities.<sup>7</sup> Under an agreement with the Holy See, signed in 1964, the Catholic Church is recognised as an international and public legal entity.<sup>8</sup> In 1994, another agreement was signed with the Holy See regarding the provision of spiritual assistance in the Armed Forces.<sup>9</sup>

In 2017, the Constituent National Assembly (Asamblea Nacional Constituyente, ANC) adopted the Constitutional Law against Hate, for Peaceful Coexistence and Tolerance,<sup>10</sup> which imposes penalties of up to 20 years in prison for anyone who disseminates hateful messages – by radio, television, social media – on account of a person's affiliation with certain groups defined, among others, by their social status, ethnicity, religion, political views, or sexual orientation.

The law is broad and imprecise and is highly discretionary in its application. In the opinion of the NGO Espacio Público, it is a means to limit freedom of expression, especially any dissenting opinion.<sup>11</sup>

## INCIDENTS AND DEVELOPMENTS

### Repression, Violence and Religious Freedom

In January 2019, a group of 20 people stormed Our Lady of Guadalupe de Maracaibo parish during Mass. Carrying sticks, firearms, and grenades, they dese-

crated the Blessed Sacrament and attacked the parish priest and the worshippers present. The archbishop denounced the lack of police action and protection.<sup>12</sup> That same month, amid anti-government demonstrations, army troops surrounded the Cathedral of Maturín, where more than 700 people had taken refuge, including seminarians and priests.<sup>13</sup> The Dulce Nombre de Jesús church in Petare, Caracas, was besieged for days in February 2019, including besiegers using horns and playing music; it was vandalised with graffiti painted on its façade denigrating its priest because he had criticised the government.<sup>14</sup>

In May 2019, members of Venezuela's Bolivarian National Guard attacked Nuestra Señora de Fátima parish in the city of San Cristóbal during Mass. They stormed into the church on a motorcycle, throwing tear gas canisters inside the church.<sup>15</sup> In October and November 2019, two churches in the State of Miranda saw the Eucharist desecrated and a number of items stolen.<sup>16</sup> In October, the General Directorate of Military Counter-intelligence (Dirección General de Contrainteligencia Militar, DGIM) arrested Pastor José Albeiro Vivas, an officer in the Venezuelan Air Force. At the beginning of the traditional March for Jesus he said: "Venezuela, your time for freedom has come". He was charged with misusing military decorations and insignia.<sup>17</sup>

The practices of the government of Nicolás Maduro against the Catholic and Evangelical Churches are listed in the reports on religious freedom in Venezuela prepared by the US State Department. They are so numerous and of various nature that we present only representative cases. The 2018 report cites insults, threats, the expulsion of foreign religious workers, and bureaucratic obstacles that make it harder to obtain recognition as religious entities.<sup>18</sup> The 2019 report includes interrupted religious services, attacks on churches, and the arrest of a Protestant pastor while he was leading a prayer service.<sup>19</sup> Notably, in April 2019, due to orders from "higher up", the Bishop of San Cristóbal was not allowed to enter the Occidente Prison, where he was to celebrate Mass on Holy Thursday.<sup>20</sup> In July 2019, Cardinal Baltazar Porras noted that in Venezuela the Church is persecuted for its positions on the country's social, political, and economic crisis. Schools are blocked, priests' homilies are monitored, and social outreach is hindered, among other limitations.<sup>21</sup>

### Political Crisis and the Church

The Catholic Church has been critical of the Venezuelan government, pointing to the humanitarian crisis and the displacement of millions of Venezuelans caused by the country's deep social, political and economic crises. In January 2019, the Church said that Venezuela was "in a tragic and extremely serious situation" due to growing poverty and the ills that afflict it: "policies of hunger, political persecution, military and police repression, political prisoners, torture, corruption".<sup>22</sup> In addition, Church leaders denounced the new presidential mandate, saying that it was illegitimate in origin and lacked democratic support. In relation to popular protests, the Church called on the government to respect the rights of protesters and avoid repression and arbitrary arrests. Various bishops took part in peaceful demonstrations.<sup>23</sup>

In May 2019, the Bishop of San Cristóbal said that senior government officials asked the Church to grant them asylum in the event of the fall of the Maduro regime.<sup>24</sup> He noted that the Church has the right to give sanctuary to the persecuted. That same month, the Catholic Bishops' Conference of Venezuela condemned the deaths during a riot in the General Police Command jail in Acarigua as a result of security forces intervening to reimpose order.<sup>25</sup>

In October 2019, the Bishop of Carúpano said that the country is in a situation similar to that of Europe after World War II, with people suffering, children dying from malnutrition, medical drugs in short supply, and violent groups allowed to control people. In the prelate's words, the situation was so extreme "that families do not even have money to bury their dead in a dignified way." All of this has forced people to leave, displacing almost 15 percent of the population by the end of 2019.<sup>26</sup>

In January 2020, the Catholic Bishops' Conference of Venezuela criticised the illegal election of the speaker of the National Assembly. For the bishops, by preventing Members of the Assembly from entering the legislative building, the military engaged in abuse of power, evidence of the government's totalitarian and undemocratic ideology.<sup>27</sup> In May 2020, the Bishops' Conference called for an inclusive national accord to allow the country to overcome its serious crisis and recover socially, politically and economically.

Following the outbreak of the COVID-19 pandemic, the Church called on the authorities to pay more attention to the opinion of doctors and specialists as well as to

guarantee the media's right and duty to inform. Church leaders also highlighted the solidarity that emerged from the population and the work of social outreach of the Catholic Church together with other Churches and religious groups.<sup>28</sup> In September 2020, Cardinal Porras spoke about the country's profound crisis, noting that Venezuelans have been denied the right to express opinions or to show dissent, and that people are suffering a lot.<sup>29</sup>

Like in other Latin American countries, popular expressions of religiosity are an important feature of life in Venezuela. For example, in August 2019 the pilgrimage of the Santo Cristo de la Grita took place, with priests of the Diocese of San Cristóbal carrying the cross on their shoulders.<sup>30</sup>

#### Other Developments

In December 2019, President Maduro decreed that the 15th January be the National Day of the Evangelical Pastor. In making his announcement, he said: "I am a Christian of Christ and the people of Christ can count on me, Nicolás Maduro, the Christian president and worker!" He also established the Vice Presidency of Religious Affairs within the United Socialist Party of Venezuela, created the first Evangelical University and the "Pastoral Government Councils", and gave land to religious groups. For some, this is part of a political strategy to gain the support of Evangelical groups.<sup>31</sup>

In April 2020, the creation of the Interreligious Social Council was announced. It includes a number of Churches (Catholic, Evangelical, Anglican, Seventh-day Adventist), the Jewish community, as well as a number of social organisations. The purpose was to engage in joint work on understanding and peace.<sup>32</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The situation of religious freedom has not changed significantly in Venezuela since the previous report. The country is still going through a deep social, political and economic crisis, with a government whose legitimacy is questioned by broad sectors of society, the Church and the international community. The Church has denounced the shortages of food and medicines, as well as the tragedy of displaced people.

According to media reports, state actors and pro-government armed groups are responsible for the vio-

lence, as they act against anyone who disagrees with the regime or criticises it. With attacks on churches and acts of aggression and harassment of members of the clergy, upholding religious freedom is a big challenge. In view of the situation of the past few years, the future can be expected to be more negative.

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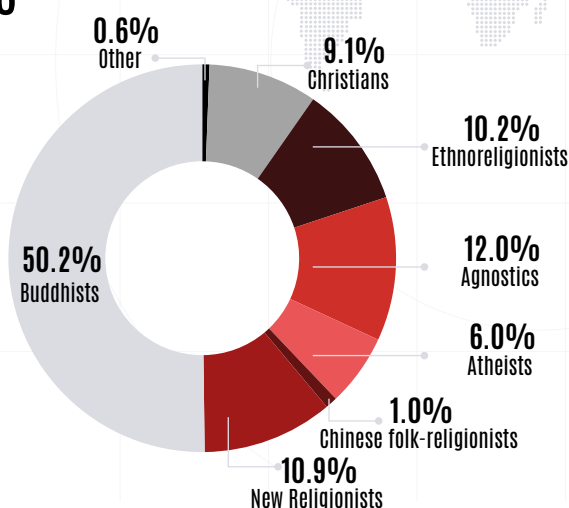


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# VIETNAM

## RELIGIONS



Population

**98,360,145**

GDP per capita

**6,172 US\$**

Area

**330,967 Km<sup>2</sup>**

GINI INDEX\*

**35.7**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In common with every communist regime, Vietnam's Constitution and laws could suggest that, on paper at least, the country respects religious freedom.

The Constitution<sup>1</sup> of the Socialist Republic of Vietnam in fact formally recognises that every "citizen shall enjoy the right to freedom of opinion and speech, freedom of the press," (Article 25), and that everyone "shall enjoy freedom of belief and of religion" to "follow any religion or follow none. All religions are equal before the law. The State respects and protects freedom of belief and of religion. No one has the right to infringe on the freedom of belief and religion or to take advantage of belief and religion to violate the laws" (Article 24, 1-3).

At the same time, the Constitution defines Vietnam as "a socialist rule of law State" (Article 2) and describes the ruling Communist Party of Vietnam as "the vanguard of the Vietnamese working class" and "Vietnamese nation" and "the leading force of the State and society" (Article 4, 1).

Under Article 70 (5), Vietnam's National Assembly has a

number of duties and powers, including the power, "To decide on the State's policies on nationalities and policies on religions". Article 9 (1) also recognises the Vietnam Fatherland Front as "a political alliance and a voluntary union" of various groups, including religions.

In addition to the constitution, religious matters are governed by various laws. On 1st January 2018 a "Law on Beliefs and Religion" came into force.<sup>2</sup> Before its approval by the National Assembly on 16th November 2016, the bill went through a long vetting process. To everyone's surprise, the government's Office for Religious Affairs submitted it to the country's religious communities for comment. In their submission, on 1st June 2017, the Catholic bishops put forward their "sincere and frank remarks",<sup>3</sup> saying that the proposed law represented a step backwards as compared with the 2004 Ordinance on Beliefs and Religion. The Church expressed regret that Vietnamese authorities were still wedded to the concept of the so-called "demand-and-grant" system.<sup>4</sup> This obliges religious organisations to act as supplicants rather than as citizens with secure rights and entitlements; as such, they are forced to plead with the authorities to approve and authorise on an ad hoc, case-by-case basis, any particular activities they wish to undertake.<sup>5</sup>

Still, generally speaking, these and other Vietnamese government decrees and regulations over the last twenty years reflect a change in orientation towards religion. Effectively, the Vietnamese Communist Party has largely abandoned a strict Marxist-Leninist doctrine on religion. Religion is no longer expected to decline or wither away, but is increasingly seen as a positive part of the country's national culture and traditions, and capable, at least in principle, of contributing to its well-being and development.

As the Report of the Party's 12th Congress in January 2016 affirmed, "All activities, from the preservation and promotion of historical and cultural heritage; development of literature, art, press and publication, to the conservation and promotion of ethnic minorities' cultures, religious culture and the formation of culture institutions are to [be] aimed at rendering practical service for cultural and human formation and development."<sup>6</sup>

One finds a similar openness to the positive contributions and potential of religion even in Vietnam's military. A February 2016, *Journal of National Defence* article titled, "Religions in Vietnam and their mission: to build and defend the homeland", assessed the impact of religion and faith on the country's defence policy and strategy, noting that Vietnam's diverse religious communities are well integrated into Vietnamese culture and largely function in ways that contribute to the health and strength of the nation. The author observed, however, that this is possible thanks to the effective oversight and management of the Vietnamese Communist Party.<sup>7</sup>

Despite such positive attitudes, religion is still seen as a double-edged sword, capable of contributing to society, but also of fuelling unrest and undermining national unity. What is more, as much as Vietnamese authorities give the impression that the religious situation in Vietnam is smooth and harmonious under their management, there is no denying that their monitoring and control of the country's rich religious life is invasive and coercive.

On 11th September 2017, a top Public Security official, General Vu Chiên Thang, was appointed chairman of the Government Committee for Religious Affairs, the administrative entity responsible for managing religious activities and organisations in the country.<sup>8</sup> His predecessor, Lieutenant General Pham Dung, was also a senior Public Security official, closely monitoring religious affairs. The Catholic bishops of Vietnam believe that Public Security agencies have a fundamentally hostile attitude towards

religious organisations, and consider them as "opposition forces".<sup>9</sup>

The 2018 "Law on Beliefs and Religion" recognises religious organisations as legitimate "non-commercial legal persons". In August 2016 the Catholic Bishops' Conference of Vietnam stated that previously "the term 'juridical person' [had] been used in different ways for the recognition of religious organisations" and proposed that Vietnamese law articulate more "clearly" the status and rights of non-commercial legal entities such as religious organisations.<sup>10</sup> Ostensibly, the 2018 law responds to those concerns, and could empower religious organisations to secure and defend some of their legal claims, including property claims, especially in land disputes between civil authorities and religious organisations.

However, the actual law, as passed by Vietnam's National Assembly, may fall well short of providing adequate protection for the autonomy of religious organisations in other ways. For example, it leaves unclear the extent to which religious organisations enjoy the freedom to undertake activities conducted in the fields of education and health. This issue is particularly sensitive since it has been a constant concern of the Catholic Church and other religions since the unification of the country in 1975. In August 2016, the Bishops' Conference interpreted the original draft bill as "an authorisation" granted to religious organisations to get involved in health and education "at all levels: kindergartens, primary and secondary schools, and universities."<sup>11</sup>

For Catholic bishops, the version of the bill that was ultimately passed by the National Assembly is vague. Article 54 of the law states that religious organisations may participate in educational, training, health, social assistance, charity and humanitarian activities, but the detail of how religious organisations may "participate" in these activities remains imprecise. In particular, it is unclear if religious organisations will enjoy any meaningful freedom to open, host, and manage educational and health institutions in accordance with their core religious convictions.

The latest legal obstacle to religious freedom in Vietnam was the passing of a draconian cybersecurity law in January 2019, which gives the government sweeping control over Internet communications, including greater surveillance and censorship powers. For example, the AsiaNews Catholic news agency has been blocked in the past by the government; now under the new law, users who bypass the restriction by visiting anonymous sites can be punished by law. This has led Mgr. Paul Van Chi Chu, spokesman

for the Federation of Catholic Mass Media, to state that it now appears that the “Communist Party considers unacceptable that the Catholic social doctrine on human dignity and the common good in society address oppression, the role of the state, subsidiarity, social organisation, concerns for social justice, and issues of wealth distribution.”<sup>12</sup>

## INCIDENTS AND DEVELOPMENTS

Conflicts between the Catholic Church and the Communist Party over land and property continue unabated ever since Vietnam’s one-party state launched its *Doi Moi* (renovation) economic reforms in the 1980s. These have resulted in a vast amount of private property - including Catholic Church property - being seized to build state-owned infrastructure like government schools and highways.<sup>13</sup> In early 2019, the government demolished one hundred buildings near Ho Chi Minh City, including one owned by the Catholic Church. The Catholic property destroyed included a Redemptorist-owned home that housed eighteen disabled war veterans who had lost their limbs in the Vietnam war.<sup>14</sup> Speaking to the Reuters news agency, Bishop Vincent Long Van Nguyen insisted that such incidents reflect “a pattern of behaviour” on the part of the government vis-à-vis Church land and property.<sup>15</sup>

The incident in Ho Chi Minh City followed an attack on Church property in June 2018. Nuns from the Lovers of the Holy Cross Congregation and the Thu Thiem Church were asked to cede their property to the government so it could develop the Thu Thiem New Urban Project. While the government said that it fully expects to rebuild the religious facilities and relocate the community, Sr. Maria Nguyen Thi Ngoan, the Superior General, said that the sisters did not want their convent to be moved from the area because “this is sacred land where our first sisters built the congregation.”<sup>16</sup>

In August 2020, government-led land grabbers in Central Vietnam’s Thua Thien Hue Province attacked a Benedictine monastery as part of a planned campaign to harass members of the monastery and force them to leave the property. The assailants broke into the complex and assaulted Benedictine Father Antony Vo Van Giao. The government plans to turn the nearby Thuy Tien Lake into a tourist destination with the help of a tourism company; for this reason, the authorities wanted the monks to sell their property to the company. The disputed area included a forest that the Benedictines had planted in 1940, which

thirty-five years later, 57 hectares of this land was “borrowed” by the government and handed over to the Tien Phong forestry company.<sup>17</sup>

Although the rights of the Catholic Church in Vietnam over its property and land continue to be violated around the country, Archbishop Joseph Vu Van Thein of Hanoi presided over the ground-breaking ceremony of a new pastoral centre in the capital on 5th August 2020. The Archdiocese of Hanoi, established in 1679, serves over 300,000 Catholics and has 161 parishes.<sup>18</sup> The government has also allowed the Diocese of Thai Binh to begin construction of the Sacred Heart Major Seminary, which will house up to 300 seminarians. The new and expanded facility in northern Vietnam comes at a time when priestly vocations are increasing across the country. In December 2019, Bishop Nguyen ordained 26 new deacons and 11 new priests.<sup>19</sup>

While the Law on Belief and Religion that came into effect on 1st January 2018 promised to bring change to the religious freedom landscape in Vietnam, many Christian leaders and those who advocate for religious freedom have observed that the religious freedom of individuals and religious organisations has seen few, if any, concrete improvements.<sup>20</sup> In fact, the religious freedom of members of independent and unregistered religious groups has worsened over the past few years. In March 2019, a court in Gia Lai Province placed Pastor Ksor Ruk, a Montagnard Christian leader, on trial and sentenced him to 10 years in prison. Pastor Ksor Ruk had already served a six-year prison sentence (2005-2011). Six months later, in August 2019, another Montagnard Christian, activist Rah Lan Hip was convicted and sentenced to seven years in prison.<sup>21</sup> Like Pastor Ksor Ruk, Rah Lan Hip was accused of being involved with Dega Protestantism, which is an unregistered independent religious community and is classified as an evil religion or “Gie Sua” by government officials.<sup>22</sup>

The government considers Montagnard and Hmong Christians a threat to “national security” and “national unity”. These Christians have been heavily persecuted including being coerced, threatened, and forced to publicly recant their religious faith. In addition, many of them are denied the necessary legal documents to secure citizenship, obtain ID cards, or own property. Such discrimination on the basis of religion has resulted in around 10,000 individuals being left without proof of citizenship and thus rendered essentially “stateless”.<sup>23</sup>

Concerns regarding the heavy crackdown on individuals and groups who do not belong to government-controlled

religious groups is repeatedly voiced by Nguyen Bac Truyen, a religious freedom advocate.<sup>24</sup> A member of the Hoa Hao Buddhist community and a staunch defender of the rights of religious minorities, Mr. Truyen was arrested in 2017 and convicted in 2018 on the grounds that he was “acting to overthrow the people’s government.”<sup>25</sup> In August 2020, 62 parliamentarians from around the world wrote an open letter demanding the release of Mr. Truyen. The letter also condemned the ongoing campaign of intimidation, physical violence, destruction of property, and imprisonment the Vietnamese government is directing against religious minorities, including Hmong and Montagnard Christians, Catholics, and other groups.<sup>26</sup>

Amidst the growing persecution of Montagnard and Hmong Christians, there have been some positive changes in Subdivision 179 in Dam Rong District. In July 2002, local authorities released an infrastructure development plan, which, if implemented, would provide a road, a community centre, and a clinic for the local Christian community.<sup>27</sup>

In March 2020, at the beginning of the current COVID-19 pandemic, the Vietnamese government arrested and convicted three leaders from the unregistered Ha Mon religious community. The men were hiding in the Jo Mong mountains in Gai Lai Province. Having lived in hiding for eight years, the three men now face eight years in prison on charges of “sabotaging [the] implementation of solidarity policies.”<sup>28</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The prospects for freedom of religion in Vietnam remain uncertain. On the one hand, an overwhelming majority of Evangelical Christians, particularly from certain ethnic minority groups, experience sustained religious repression at both the individual and the institutional level. On the other hand, the Catholic Church has seen a rise in vocations and the government has slowly started granting permits for the construction of a few new religious facilities.<sup>29</sup> In general, it appears that religious groups registered with the government fare far better than independent groups.<sup>30</sup> Overall, prospects for religious freedom in Vietnam will improve significantly only if the government revises its intrusive and restrictive policies concerning independent and unregistered religious institutions.<sup>31</sup>



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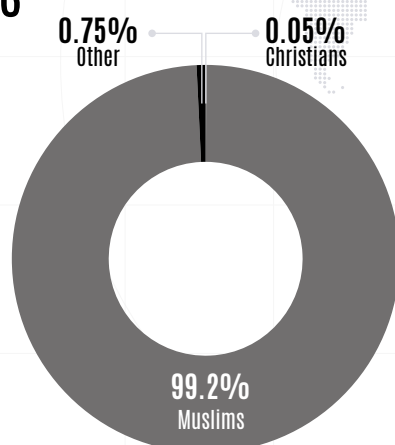
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# YEMEN

## RELIGIONS



Population

**30,245,305**

GDP per capita

**1,479 US\$**

Area

**527,968 Km<sup>2</sup>**

GINI INDEX\*

**36.7**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 1 of the Constitution of Yemen of 1994<sup>1</sup> declares the country to be an independent Arab state. Article 2 names Islam as the state religion. Article 3 states that “Islamic Shari’a is the source of all legislation”. Freedom of thought is protected in Article 42 “within the limits of the law” and the constitution declares that the state adheres to international human rights law.

In practice, neither the constitution nor other laws protect freedom of religion. Proselytising is forbidden as well as conversion from Islam to another religion. Mockery of religion is also prohibited.<sup>2</sup> In general, the construction of new buildings requires government approval, which implicitly includes places of worship even though they are not specifically mentioned.<sup>3</sup>

Islamic religious education is compulsory in state-run schools, which are expected to provide the same curriculum to both Sunni and Shi’a pupils. In Houthi-controlled areas, educational material indicates that Zaydi principles are taught. Other forms of religious education are not provided in public schools. Private schools too must teach the

same curriculum to Sunni and Shi’a students.<sup>4</sup>

Certain restrictions were lifted on various non-Sunni religious practices and religious speech, including the ban on public commemorations of the Shi’a holidays of Ashura and Ghadir. In the past, public commemoration of Shi’a holidays have occasionally resulted in clashes with Sunni groups.<sup>5</sup>

Yemen held three parliamentary elections after the unification of North Yemen and South Yemen in 1990, the last in 2003.<sup>6</sup> Planned elections in 2009 were cancelled because of a legal dispute over election reform. Then President Ali Abdullah Saleh stepped down in 2012. He was replaced by Abd Rabbuh Mansur Hadi, who was elected for a two-year transitional period at the helm of a national unity government. This solution proved short-lived when Shi’a Houthi rebels from the former North Yemen, backed by former President Saleh, staged an armed takeover against the government in 2014. Hadi resigned in January 2015 and fled to Aden. Consequently, the rebels took over the capital, Sanaa, and the presidential palace.<sup>7</sup>

In recent years, Shi’as, Sunnis, jihadists and tribal groups have frequently engaged in fighting, leaving the poorest country in the Middle East in a state of permanent civil war.

In March 2015, a Saudi-led military coalition<sup>8</sup> intervened in Yemen to stop the Houthi rebels. Despite several ceasefire agreements, fighting between government troops, rebels and other factions continued. In June 2015, the European Union imposed a travel ban on Houthi leader Abdulmalik Al-Houthi and Ahmed Ali Abdullah Saleh, son of the former president, and froze their assets for their role in undermining Yemen's peace and stability.<sup>9</sup>

In November 2020, the US administration announced that it would designate Yemen's Iran-backed Houthi insurgents as a terrorist organisation before January 2021.<sup>10</sup>

In November 2020, Saudi Arabia informed Yemen's Houthis that it would agree to a UN ceasefire proposal on the condition that the Houthis agreed to stronger security measures. One of the measures consisted of "setting a buffer zone along the borders with northern Yemen until a UN-backed transitional government is formed."<sup>11</sup>

The ongoing war between the Saudi-led coalition and Iran-backed Houthis has caused a major humanitarian crisis, including a cholera outbreak. According to the World Health Organisation, the total number of suspected cholera cases reported from January 2018 to May 2020 is 1,371,819 with a fatality rate of 0.1 percent.<sup>12</sup>

Minority religious groups such as Baha'is, Christians, Hindus and Jews have reported increasing levels of harassment, especially in Houthi-controlled areas. Houthis have arrested numerous Baha'is, raiding their homes and religious centres. Jews, the only indigenous non-Muslim group, face increasing anti-Semitism including anti-Semitic material, attempts at forced conversion to Islam, and closing roads leading to Jewish communities. Ismaili Muslims also continue to face discrimination.<sup>13</sup>

Yemen's internationally recognised government was weakened by the Houthi takeover and lacks the capacity to enforce laws against human rights abuses. According to the US Office of International Religious Freedom, this has resulted in a number of arbitrary killings, disappearances, kidnappings, and other acts of violence committed by various groups.<sup>14</sup> The report also lists violations of privacy rights and limits on freedom of speech, press, assembly, association, religion and movement.

## INCIDENTS AND DEVELOPMENTS

In September 2018, more than 20 Baha'is were put on trial before a court in Houthi-controlled Sanaa for espionage and apostasy.

According to the Baha'i International Community (BIC), the second court hearing was presided by judge Abdu Ismail Hassan Rajeh, who had already sentenced another Baha'i to death. During the trial, he requested the prosecutor to publish the names of the indicted in a newspaper. In October, Baha'i spokesperson Abdullah Al-Olofi was arrested by armed soldiers in Sanaa,<sup>15</sup> and detained for three days.<sup>16</sup>

At the end of November 2018, the US Department of State designated the Houthis as "entities of particular concern" for religious freedom, in accordance with the US International Religious Freedom Act of 1998.<sup>17</sup>

A compulsory course called "The Arab-Israeli Conflict" was added to the university curriculum. Among other things, it glorifies Hezbollah and its leader Hassan Nasrallah for fighting against Israel, while Sunni countries are described as mercenaries.<sup>18</sup>

According to an article published in January 2019 in the Middle East Monitor, the Islamic State group executed four people for "atheism".<sup>19</sup>

In February 2019, the Al-Nafeer bulletin, which is linked to the Al-Qaeda-affiliated al-Shahab Media Foundation, condemned the papal mass held in Abu Dhabi. It furthermore called upon the Arabian Peninsula to embrace jihad and support Al-Qaeda in the Arabian Peninsula and Al-Shabab in Somalia.<sup>20</sup>

In January 2020, a Holy See diplomat spoke to the UN Security Council to denounce the grave situation of internally displaced people (IDPs) and refugees in Yemen.<sup>21</sup>

Houthis repeatedly use anti-Semitic rhetoric inciting violence against Jews. In May 2020, Houthi leader Abdulmalik Al-Houthi said that "the Jews are moving towards ensuring that the nation does not have the right vision."<sup>22</sup> In Houthi-controlled areas, Jews face constant threats to their lives and security and are subjected to tough restrictions, most notably on their freedom of movement.

In July 2020, Hamed Kamal Muhammad bin Haydara, and five other members of the Baha'i community, were released from prison and expelled from Yemen. Detained in December 2013, Haydara had been tried and condemned to death. Charges included spying for Israel, offering literacy classes that followed a curriculum incompatible with Islam, and attempting to convert Muslims to the Baha'i faith.<sup>23</sup> This sentence was confirmed by a court in March

2020 and charges against the released Baha'is are still in place. In September 2019, the prosecutor in Haydara's appeal case called to "immediately deport [...] all who are considered Baha'is" and to "ban their entry" into Yemen.<sup>24</sup>

The Group of Eminent Experts and Regional Experts on Yemen – established in September 2017 by the UN Human Rights High Commissioner upon the request of the Human Rights Council<sup>25</sup> – received credible reports that the lawyers representing Baha'i detainees received threats and had been detained.<sup>26</sup>

In summer 2020, following the normalisation of relations between the United Arab Emirates and Israel, around 40 Yemeni Jews moved to the UAE.<sup>27</sup> The decreasing number of Yemeni Jews and the country's ongoing civil war had made the situation even harder for them.

According to several media outlets, many Yemeni Jews chose to move to a culturally similar country rather than emigrating to Israel or the United States fearing not being able to adapt.<sup>28</sup> If Jewish emigration continues apace, their departure will mark an end to 3,000 years of Jewish presence in the country.

Although very little information is available about the impact of COVID-19 on religious practice, it seems that the beginning of Ramadan in 2020 was not affected by pandemic-related restrictions.<sup>29</sup> Nonetheless, measures were eventually introduced as the number of cases increased.<sup>30</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

The ongoing civil war puts the cohesion of Yemeni society and the safety of its people at great risk. The length and intensification of the armed conflict make talks at a national level increasingly difficult. Taking advantage of the country's social, political and security instability, radical Islamist groups from different geographical areas and political and ideological tendencies, have turned Yemen into a base for their operations. The continuous fighting and high tensions remain a cause for concern as they affect human rights and freedoms, including religious freedom.

At the time of writing, the prospect of a policy change by the new US Administration seems to have encouraged Saudi Arabia to seek a peaceful settlement with Iran-backed Houthis, starting with a ceasefire.

However, because of the circumstances, characterised among other things by the rapidly deteriorating situation for IDPs,<sup>31</sup> even if a long-term deal is struck, prospects for

freedom of religion are likely to remain bad or get even worse in the foreseeable future.



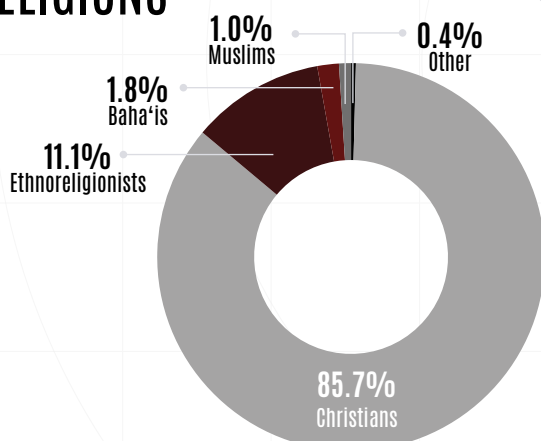
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# ZAMBIA

## RELIGIONS



Population  
**18,679,273**  
GDP per capita  
**3,689 US\$**



Area  
**752,612 Km<sup>2</sup>**  
GINI INDEX\*  
**57.1**  
\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 19 (1) of Zambia's constitution enshrines freedom of religion. This includes the right to change one's religious faith, to express it publicly and propagate it.<sup>1</sup> In 1996, the Preamble was changed to make Zambia a Christian nation. Even though this makes Zambia a Christian confessional state, the constitution guarantees freedom of conscience and belief (Article 19) and protects non-Christians, who have the right to follow their religion. No laws in the country curtail religious freedom.

People are free to convert to the faith of their choice. Churches can openly evangelise, build places of worship, carry out pastoral and catechetical work and raise funds at home and abroad. Zambian legislation bans discrimination in the workplace, including on the basis of religion.<sup>2</sup>

Religious instruction is mandatory from Grade 1 to 9, with the curriculum centred on Christianity but including elements of other religions.<sup>3</sup> Under Article 19 (3) of the constitution, religious groups can provide their own religious education and run their own schools.<sup>4</sup>

The Ministry of National Guidance and Religious Affairs (MNGRA) is authorised to supervise religious affairs and promote Christian values. New regulations were announced which should be applied from early 2020. At the time of this writing, however, it was unclear whether this regulation was in application already. According to the new regulation, religious groups must: register with the Office of the Registrar of Societies in the Ministry of Home Affairs; are obliged to form or join a single umbrella organisation, "which gathers individual churches and denominations under one administrative authority", and requires formal training for clergy.<sup>5</sup> Registration can be revoked by the minister of home affairs based on failure to pay registration fees or a finding that the group has, or intends to, take actions that run counter to the interests of "peace, welfare, or good order."<sup>6</sup> According to the MNGRA, the aim is to increase transparency and accountability, reduce the phenomenon of self-ordination, control the rapid growth of new churches, and assure compliance of religious groups with the law.<sup>7</sup>

Religious groups can also obtain tax exemptions, which normally apply to "public benefit" organisations, including those affiliated with religious groups.<sup>8</sup>

After Christians and ethno-religionists, Baha'is are Zam-

bia's largest religious community. The country is also home to a small Muslim community, centre mostly in Lusaka and the Eastern and Copper belt provinces, both naturalised immigrants (from South Asia, Somalia, and the Middle East) and some native-born Zambians. There are also about 10,000 Hindus, mostly of South Asian origin.<sup>9</sup>

## INCIDENTS AND DEVELOPMENTS

During the period covered by this report, the government has generally respected religious freedom and Zambian society has been tolerant in religious matters. The Ministry of National Guidance and Religious Affairs (MNGRA), however, has come under increasing criticism for undertaking actions "that blur the separation of church and state, including backing an annual National Day of Prayer and building an interdenominational church".<sup>10</sup>

Isolated incidents have been reported against people suspected of involvement in witchcraft, especially older

people who practise certain ethno-religionist customs. In mid-August 2018, police arrested a 22-year-old man for killing his 86-year-old grandfather, whom he suspected of practising witchcraft.<sup>11</sup> In the same month, a mob killed a man also on suspicion of witchcraft.<sup>12</sup>

While religious and civil society organisations work well together, police have reported that some pastors have inappropriately used their authority to engage in economic, emotional and sexual abuse.<sup>13</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

The right to religious freedom is respected in Zambia, and this is likely to continue for the foreseeable future. Even though the country finds itself at a political crossroad, nothing indicates that religious tolerance will be affected. The cases of intolerance reported are isolated incidents.

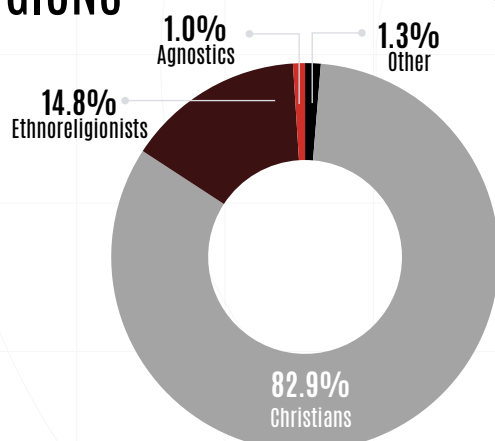
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# ZIMBABWE

## RELIGIONS



Population

**17,680,465**

GDP per capita

**1,900 US\$**

Area

**390,757 Km<sup>2</sup>**

GINI INDEX\*

**44.3**

\*Economic Inequality

## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Religious freedom and the right to practise religious beliefs are enshrined in Zimbabwe's 2013 constitution.<sup>1</sup> In its preamble, the document recognises “the supremacy of Almighty God, in whose hands our future lies” and asks for his “guidance and support”. Article 3 (1, d) acknowledges “the nation's diverse cultural, religious and traditional values” and the rights associated with these. Article 60 (1, a and b) guarantees to all citizens “freedom of thought, opinion, religion or belief” as well as the “freedom to practise and propagate and give expression to their thought, opinion, religion or belief, whether in public or in private and whether alone or together with others.” Article 60 (4) goes on to say: “No person may be compelled to take an oath that is contrary to their religion or belief or to take an oath in a manner that is contrary to their religion or belief.” Article 60 also covers religious education. Section 3 states: “Parents and guardians of minor children have the right to determine, in accordance with their beliefs, the moral and religious upbringing of their children, provided they do not prejudice the rights to which their children are entitled under this Constitution, including their rights to education,

health, safety and welfare.”<sup>2</sup> Article 60 (4) also recognises the right of religious communities to “establish institutions where religious instruction may be given, even if the institution receives a subsidy or other financial assistance from the State.”<sup>3</sup>

Formally, the Zimbabwean constitution considers human rights and freedoms as fundamental, but they are limited whenever the role of the ruling party, ZANU-PF,<sup>4</sup> is called into question. For instance, the Public Order and Security Act (POSA)<sup>5</sup> of 2002 places restrictions on freedom of assembly and association. The authorities have used this law to treat any kind of gathering, including religious ones, as “political”. Human rights organisations allege that police have frequently used POSA in the past to suspend religious meetings.<sup>6</sup>

In 2019, the new Zimbabwean government, which took office in 2017 under Emmerson Mnangagwa, a former Mugabe loyalist, replaced POSA with the Maintenance of Peace and Order Act (MOPA).<sup>7</sup> Zimbabwe's opposition parties are strongly critical of MOPA<sup>8</sup> accusing the government of using democratic reforms to institute a law that is hardly less repressive than POSA.<sup>9</sup> Critics state that both the 2002 and 2019 laws are comparable to the Law and Order Maintenance Act (LOMA)<sup>10</sup> enacted by the pre-independence white racist Rhodesian regime led by



Ian Smith<sup>11</sup> to suppress the country's African nationalist opposition.<sup>12</sup>

## INCIDENTS AND DEVELOPMENTS

In 2020, Zimbabwe marked 40 years of independence. Traditionally, religion and the living observance of faith have deep roots in Zimbabwean society. In addition to the Anglican Church and various Protestant communities, the Catholic Church plays a special role. Around 8 percent of the population identifies as Catholic.<sup>13</sup>

Following independence in 1980, the Church's position towards the Zimbabwean government was relatively untroubled, however, this did not prevent Catholic bishops from issuing pastoral letters critical of the government's increasingly authoritarian style. The government and the ruling party, in turn, attempted to manipulate the Church and use her for their own purposes.<sup>14</sup> Under Robert Mugabe, government representatives on occasion assumed centre stage at large Church events seeking influence with Catholic voters, but in an environment of increasing human rights violations, the promises rang hollow.

The Church's position today continues to remain precarious. The bishops are obliged to cooperate with the government because the Church operates an important network of schools and hospitals filling a sorely needed gap in public services. Yet, the bishops, dedicated to truth, peace, reconciliation and justice are repeatedly thrust into conflict with the authoritarian state, colliding over issues like freedom of assembly, intolerance, and discrimination. With deepening poverty, inflation running at over 800 percent, and food insecurity, anti-corruption protests erupted resulting in a government crackdown on 31 July 2020.<sup>15</sup> Since then, President Emmerson Mnangagwa has sought to intimidate protesters through terror. The violence against peaceful demonstrations gave rise to a countermovement that used the hashtag #ZimbabweanLivesMatter inspired by the global #BlackLivesMatter movement.<sup>16</sup>

The rift in the relationship between the Church and state deepened with the issuing of a pastoral letter by the Zimbabwe Catholic Bishops' Conference (ZCBC) on 14 August 2020 addressing the social ills and government crackdown.<sup>17</sup> "Fear runs down the spine of many of our people today. The crackdown on dissent is unprecedented,"<sup>18</sup> said the bishops. Further the letter, read out to all parishes, stated, "Our government automatically labels anyone thinking differently as an enemy of the country: that is an abuse."<sup>19</sup> The Apostolic Nuncio in Harare, the Catholic superiors of religious orders of Zimbabwe and the

South African Catholic Bishops' Conference immediately voiced their solidarity with the Zimbabwean bishops,<sup>20</sup> as did the Zimbabwe Anglican Church, which released a similarly critical pastoral letter.<sup>21</sup>

The government's reaction was harsh. The head of the ZCBC, Archbishop Robert Christopher Ndlovu of Harare, was subjected to a severe personal attack by the Information Minister, Monica Mutsvangwa, who criticised the Catholic bishops' communication as being "an 'evil message' that would fuel a 'Rwanda-type genocide'."<sup>22</sup>

According to the Zimbabwean missionary, Father Oskar Wermter SJ, there is no room today for the Church in state media and that it is presently difficult for Catholic bishops to freely and impartially address the public in their pastoral letters. The situation is such that a well-known German-born Zimbabwean journalist writing for a party newspaper recently published slanderous articles about the Church, accusing it of racism.<sup>23</sup>

The current situation, observes Fr. Wermter, represents a step backwards compared to the 1980-2000 period, when the Church had a far greater freedom and presence in the media. Advertising space, for example, can no longer be purchased in the state media, not even for pastoral letters, and priests run afoul of the ruling party if they read critical pastoral messages, or have others read them.<sup>24</sup>

In its latest attempt to justify this renewed crackdown on the population, the government claims the repressive measures are necessary to control the spread of COVID 19. However, a growing number of Church leaders view these measures not only as a means to counter the pandemic, but also as an attempt by the government to keep critical voices in check.<sup>25</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

In theory, freedom of religion is protected in Zimbabwe, but in practice it is not. State authorities respect religious freedom until religious leaders question the state and any potential abuse of power. In this regard, little has changed since the end of the Mugabe era and no improvements can be expected. On the contrary, drawing from the pastoral letter<sup>26</sup> released in August 2020 by the Catholic bishops in defence of human rights, a stance backed by other churches,<sup>27</sup> there are many reasons to anticipate a further deterioration in relations between state and Church.



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