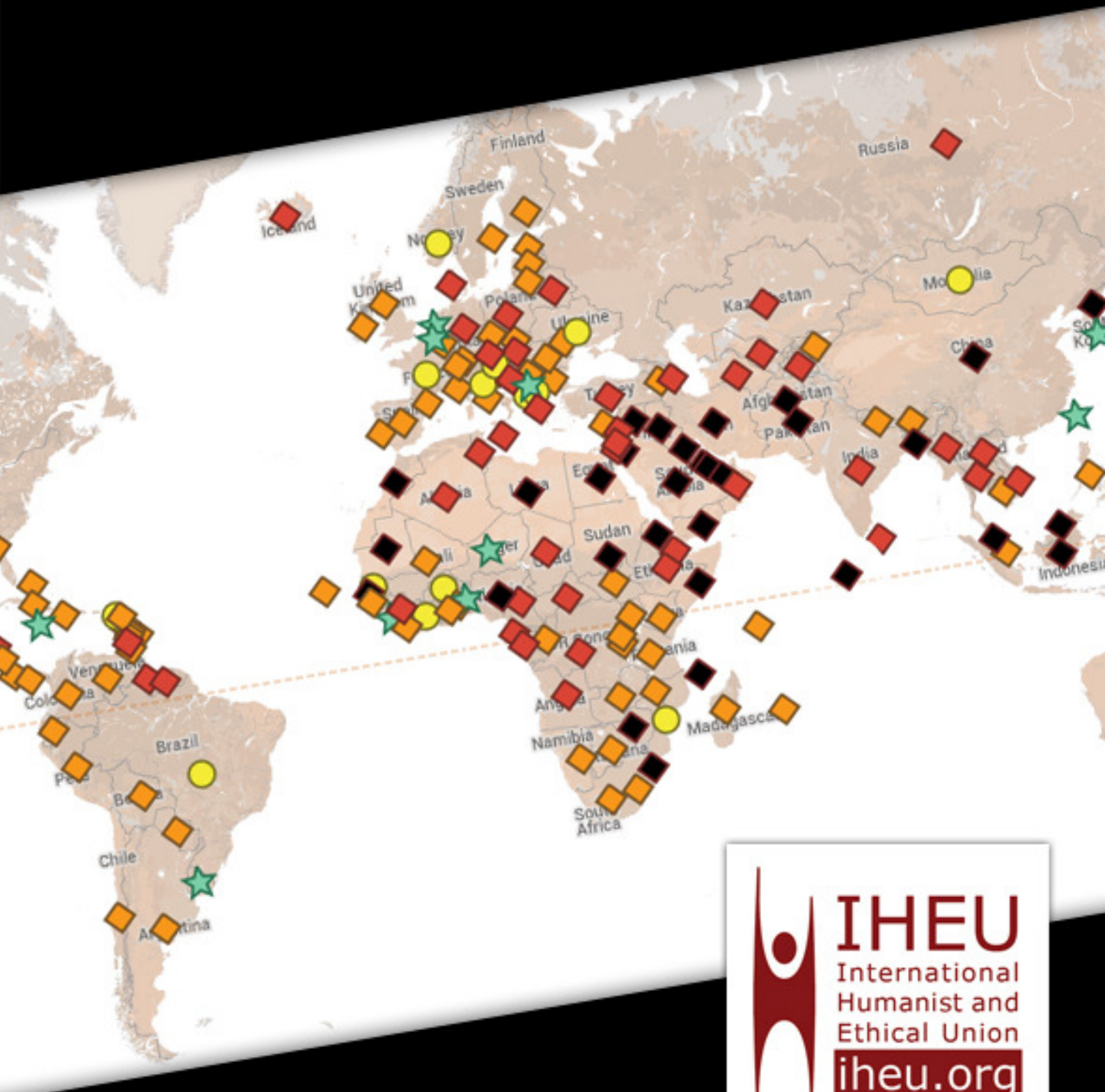
FREEDOM OF THOUGHT 2013

A Global Report on the Rights, Legal Status, and Discrimination Against Humanists, Atheists, and the Non-religious



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The International Humanist and Ethical Union is the world union of more than 120 Humanist, atheist, rationalist, secular, ethical culture, and freethought organizations from more than 40 countries. Its mission is to represent and support the global Humanist movement, with the ultimate goal of building a Humanist world in which human rights are respected and all can live a life of dignity.

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The cover image features a detail from a map produced using the data from this report..

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"Freedom of thought and belief must not be compromised. When regimes violently attack people for their ideas and beliefs, all human rights suffer. Oppression of thought by the state is a sign, not of strength, but of egomania and cowardice.

In spite of international treaties and conventions, many states discriminate in subtler but important ways. And this has a global impact. Laws against "insulting" religion in relatively secure, relatively secular countries, for example, are not only analogues of the most vicious blasphemy laws anywhere in the world, but help to sustain the global norm under which thought is policed and punished.

We welcome this report. The world cannot fix these problems until they are laid bare."

— Kacem El Ghazzali
— Alber Saber

Kacem and Alber are both victims of anti-blasphemy laws and their cases are featured in this report under Morocco and Egypt respectively.

Introduction

Freedom of Thought 2013 is the first report to look at the rights and treatment of the non-religious in every country in the world. Specifically, it looks at how non-religious individuals—whether they call themselves atheists, or agnostics, or humanists, or freethinkers or are otherwise just simply not religious—are treated because of their lack of religion or absence of belief in a god. We focus on discrimination by state authorities; that is systemic, legal or official forms of discrimination and restrictions on freedom of thought, belief and expression.

In building this survey we have used the global human rights agreements that most affect freethinkers as freethinkers: the right to freedom of thought, conscience, or religion; the right to freedom of expression; and, to some extent, the rights to freedom of assembly and association.

Our results show that the overwhelming majority of countries fail to respect the rights of atheists and freethinkers. There are laws that deny atheists' right to exist, revoke their right to citizenship, restrict their right to marry, obstruct their access to public education, prohibit them from holding public office, prevent them from working for the state, criminalize their criticism of religion, and execute them for leaving the religion of their parents. In the worst cases, the state denies the rights of atheists to exist, or seeks total control over their beliefs and actions.

Atheists (those who do not believe in any god), and humanists (those who embrace a morality centered on human welfare and human flourishing that does not appeal to any supernatural source), and others who consider themselves non-religious, are a large and growing population across the world. A detailed survey in 2012 revealed that religious people make up 59% of the world population, while those who identify as "atheist" make up 13%, and an additional 23% identify as "not religious" (while not self-identifying as "atheist"). The report by the Gallup International Association (available at http://www.wingia.com/web/files/news/14/file/14.pdf) is in line with other recent global surveys. It shows that atheism and the non-religious population are growing rapidly—religion dropped by 9% and atheism rose by 3% between 2005 and 2012—and that religion declines in proportion to the rise in education and personal income, which is a trend that looks set to continue.

Atheist Rights

The right to freedom of thought, conscience, religion or belief protects the individual conscience of every human being. This right was first stated by the global community in 1948 in Article 18 of the Universal Declaration of Human Rights. It states:

> "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."
> *--Article 18, Universal Declaration of Human Rights*

This simple but powerful statement of the right to freedom of religion or belief was given the force of international law by Article 18 of the International Covenant on Civil and Political Rights in 1966. Then in 1981 it was given broader application and detail by the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Just as freedom of thought, conscience, religion or belief protects the right of the individual to follow a religion, it also protects the right to reject any religion or belief, to identify as humanist or atheist, and to manifest non-religious convictions through expression, teaching and practice. As the United Nations Human Rights Committee explains (General Comment 22):

1. *The right to freedom of thought, conscience and religion (which includes the freedom to hold beliefs) in article 18.1 is far-reaching and profound; it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others….*
2. *Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms 'belief' and 'religion' are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions.*

(Thus, it is not necessary to describe atheism as a religion, or as analogous to religion, to guarantee atheists the same protection as religious believers. On the contrary, atheism and theism are protected equally as manifestations of the fundamental right to freedom of thought and conscience.)

Religious believers and non-believers are equal in human rights because they are all human, irrespective of their religion or beliefs. Just as the profession of religion is protected as a manifestation of belief and conscience, so is the atheist's criticism of religious beliefs and practices. Just as speaking in support of one's religious convictions and moral values can be of fundamental meaning and importance to the individual, so can advocating core humanist values of democracy, freedom, rationalism, and human rights, or advocating secularism, or speaking out in opposition to religious beliefs,practices and authorities, or in support of atheist beliefs. After all, as the United Nations says, "religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life" (UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief).

Article 18 protects atheists *qua* atheists: it protects atheists' right to be atheist and to manifest their atheist beliefs—and non-beliefs—in public as well as in private, in teaching as well as in practice. The right to freedom of religion or belief is therefore central to our examination of the status of atheists and other non-religious people around the world. But there are other rights that are necessary for people to express their conscience, thoughts and beliefs.

The right to freedom of expression is, obviously, necessary for people to express their beliefs, but also to explore and exchange those ideas. As stated by Article 19 of the Universal Declaration of Human Rights, the right to freedom of expression includes the right to share ideas and, crucially, the freedom of the media that is necessary for the free exchange of opinions as well as news:

> "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."
>
> --*Article 19, Universal Declaration of Human Rights*

In addition to expressing their thoughts through private discussion—or public media—people also have the right to associate with others who share those beliefs, and to express their thoughts at meetings, including public assemblies and demonstrations. These rights are protected by Article 20 of the Universal Declaration of Human Rights: "Everyone has the right to freedom of peaceful assembly and association" –*Article 20, Universal Declaration of Human Rights*.

It's no coincidence that these three rights are stated together in the Universal Declaration of Human Rights: Articles 18, 19, and 20 are intertwined with each other, and generally stand or fall together. Our survey therefore looks at violations to the freedoms of expression, assembly and association, as well as freedom of religion or belief, to show how non-religious people are prevented from, or persecuted for, expressing their atheist ideas or humanist values.

The countries with the worst records on freedom of thought are usually the countries with the worst records on all human rights. This is no coincidence: when thought is a crime, no other freedom can long survive.

Atheist Wrongs

In some countries, it is illegal to be an atheist. For example, every citizen of the Maldives is required to be a Muslim and the penalty for leaving Islam is death. Many other countries, while not outlawing people of different religions, or no religion, forbid leaving the state religion. And in these countries the punishment for apostasy—leaving the faith—is often death. In fact, 19 countries punish their citizens for apostasy, and in 12 of those countries you can be put death for leaving religion.

More common than crimes relating to simply *being* an atheist, are the criminal measures against expressing atheist beliefs. Many countries have blasphemy laws that outlaw criticism of protected religions or religious figures and institutions. For example, Pakistan has prosecuted more than a thousand people for blasphemy since introducing its current anti-blasphemy laws in 1988. And in the month of publication of this report, December 2013, the highest Islamic court in Pakistan declared that life imprisonment was no longer an acceptable punishment for blasphemy: only death would fit the crime of insulting Islam and its prophet.

"19 countries punish their citizens for apostasy, and in 12 of those countries you can be put death for leaving religion"

The crime of criticizing a religion is not always called blasphemy; sometimes it is categorized as hate speech (even when it falls well below any sensible standard of actually inciting hatred or violence) because it supposedly insults the followers of a religion. These crimes—of expressing 'blasphemy' or offending religious feelings—are still a crime in 55 countries, can mean prison in 39 of those countries, are punishable by death in 6 countries, and in practice most of the countries which punish apostasy with death also sometimes treat 'blasphemy' as evidence of apostasy.

Other laws that severely affect those who reject religion include bans on atheists holding public office, and some governments require citizens to identify their religion—for example on state ID cards or passports—but make it illegal, or do not allow, for them to identify as an atheist or as non-religious. Sometimes the purpose of citizens identifying their religion is not to discriminate against atheists—or any religion—but to ensure government benefits are given to people in accordance with their faith.

In fact discrimination against the non-religious is often caused by the desire, not to hurt atheists, but to help one or more religion. Religious privilege is one of the most common forms of discrimination against atheists. Freedom of religion or belief, requires equal and just treatment of all people irrespective of their beliefs. But when states start to define citizens not by their humanity but by their membership in a religious group, discrimination automatically follows. For example, in Lebanon the entire system of government is based on sectarian quotas—with different rights and roles available to Sunni Muslims than to Shiite Muslim than to Maronite Christians , etc. This practice not only codifies and encourages religious discrimination but it also discourages people from leaving the religion of one's birth, because they will lose all the state privileges that come with belonging to that religion.

"Freeedom of religion or belief, requires equal and just treatment of all people irrespective of their beliefs. But when states start to define citizens not by their humanity but by their membership in a religious group, discrimination automatically follows."

Religious privilege is also seen in many countries' public services and public education. The most common and substantial of these privileges is religious control of state-funded schools. For example, in Northern Ireland 94% of state funded schools are religious in character. This not only reinforces sectarianism beyond the school gate, but also excludes the non-religious. In England and Wales, 16% of state-funded school places (or 1.2 million children), are subject to admission policies that discriminate against atheists.

In compiling this report, we also found that religious privilege is not only a form of anti-religious discrimination in and of itself, but that it is also a signifier of more general societal discrimination against atheists. When a religion is singled out as special, then it generally follows that the members of that religion receive advantages not available to others. Even when there is just a vague state preference for generic religion, or belief in a god, we see it reinforcing societal prejudice and discrimination against the non-religious.

For example, the US has a range of laws and practices that equate being religious with being an American, and vice versa. Sometimes these are dismissed as mere "Ceremonial Deism." But when every court and every dollar has "In God We Trust" prominently displayed, and when children start their day in the state school by pledging their allegiance to "One Nation under God," it inculcates a conviction that to be American is to believe in God. The only mention of religion in the US constitution is the statement that "no religious test shall ever be required as a qualification to any office"; yet the idea that only religious Americans can be good Americans is so powerful that not one out of the 535 members of the US Congress publicly admits to being non-religious.

Therefore, we also include religious discrimination, or religious privilege, in this report even when its supporters claim it is merely ceremonial or symbolic. We agree it sometimes is symbolic: but what it symbolizes is the state's preference for religion and the second class status of the non-religious.

There are too many other forms of discrimination against atheists to cover in this introduction. It would take a xxx page report to cover them all! And the preface by Bob Churchill explains many of the categories of discrimination and how they applied to countries in this report. But there is one major form of religious power that is often overlooked and yet affects the daily lives of billions of people around the world: religious family law.

Family law, also known as “personal status law,” is the set of laws that control marriage, divorce, inheritance, child rearing and child custody—all of family life. More than that, personal status law also determines the individual’s relationship with the community and state: for example, a wife has different legal rights and legal relationships than an unmarried woman. Many Muslim countries give control of family law to the Sharia courts operating Muslim, not civil, law. Other countries, usually those with historically large religious minorities, have voluntary religious family courts for the different religious communities. Unfortunately for freethinkers who may have left, or want to leave, the religion of their family, these “optional” religious family courts can become a trap that is far from voluntary, where opting out may raise suspicions of apostasy or threats of social exclusion or abandonment by one's family.

Secular Tyrannies

It’s not just religious discrimination that hurts atheists and humanists for exercising their freedom of thought. In fact, some of the world’s worst violators of freedom of thought are secular tyrannies. Totalitarian states like North Korea that (notwithstanding the quasi-divine leadership cult of personality) impose a state ideology that is as all-controlling and as intolerant as that of any theocracy. Submission to the state and its ideology is enforced through an extensive government network of control, including secret surveillance and informants, which intrudes upon virtually every aspect of life. Any hint of independent thought—including lack of enthusiasm for the state ideology, complaints, or “wrong thoughts”—is liable to be met with the severest punishment.

This report assesses all countries for freedom of thought, and finds several secular countries wanting. Even in states that do not persecute atheists because of their atheism nor religious people because of their religion the rights to freedom of expression and freedom of assembly and association, are often severely violated.

A Shifting World

We also assess a few countries that are in the midst of civil turmoil or even war. These may be the hardest countries to grade because of the contrast between the rule of law, when or where that holds sway, and the state of conflict. Where possible we try to do justice to both states: the human rights situation in peace, as well as the lack of human rights in a war zone. The reality of extra-legal violence must also be counted in our assessment of the freedom of thought in a country

Unfortunately, the same concern for extra-legal violence applies in many countries without a civil war. Some countries have a relatively low level of government discrimination, and yet freethinkers face the threat of vigilante violence or other forms of extra-legal discrimination.

Indeed, a regrettable feature of the report for 2013 was the presence of atheist leaders and activists who were attacked or even murdered during the year. For example, in February, the Bangladeshi blogger Ahmed Rajib Haide was murdered because of his secularist activism. A month previously, Muslim extremists had tried to kill his fellow atheist blogger, Asif Mohiuddin. (The Bangladesh government responded not by arresting the attackers but by charging Mohiuddin and three other bloggers with the crime of “offending Islam and its Prophet”.) In August, one of India’s leading humanist activists, Dr. Narendra Dabholkar, was gunned down after his anti-superstition campaign outraged Hindu nationalists (the murder was clearly an ideologically motivated assassination, but no suspects have been charged and the police, while quick to promise action, have been accused of prematurely ruling out some parties). The reality of extra-legal violence is also counted in our assessment of the freedom of thought in a country, and we attempt to assess the systematic failure of some states to hold violent non-state actors to account.

A focus for change

Surveying the rights and treatment of atheists, humanists, and the non-religious in every country in the world is a huge task. But it is also a task with a relativley narrow focus. As humanists we support the full panoply of human rights for all human beings; but for this report we focused on just a few interconnected rights—the freedom of thought and its expression—for only those people who consider themselves atheist, or non-religious, or humanist.

We make no apologies for that narrow focus. (And it's not really that narrow, since it encompasses billions of people who are atheist, or not religious, or doubters and dissenters.) There are many excellent studies of the global state of human rights—all human rights for everyone. And there are also some outstanding surveys of the right to freedom of religion of belief for everyone—religious and non-religious alike.

Yet there is an urgent need for a survey that focuses on the rights of the non-religious. This survey shows the severe and widespread discrimination against people without religion.

However, while we may hope the report is a spur to action, it is not intended as a prompt for despair. It also shows that many countries have very positive records for their treatment of the non-religious, and that some of the best countries share many of the same circumstances as the worst offenders: not just geographical proximity, but the same cultural and religious background, the same levels of poverty and social development. If we look at the difference between North Korea (given our most severe rating, Grave Violations) and South Korea (Free and Equal), or the difference between Liberia ten years ago (would have been most severe) and Liberia today (Mostly Satisfactory), we can see that no country is destined to be intolerant because of its demography, or geography or even its history. We see that rewriting laws, fighting discrimination and deliberately fostering tolerance can change a society from severely abusive to free and equal. Change is possible. Tolerance and equality is always within reach.

We hope that this report will help people working to change their societies, working for tolerance and equality for all non-religious people. But the fight for the rights of the non-religious in inextricable from the fight for the rights of the religious; as Article 18 of the Universal Declaration acknowledges, the right to believe and the right not to believe, is one and the same right: "the right to freedom of thought, conscience and religion". More fundamentally, we all must recognize and work for the principle of humanity embodied in Article 1 of the Universal Declaration: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

-– Matt Cherry
Lead Author of the Report
International representative for the International Humanist and Ethical Union
President of the NGO Committee on Freedom of Religion or Belief at the United Nations

History and Acknowledgements

The idea for a global report on anti-atheist discrimination was first suggested by the **US State Department Office for International Religious Freedom**. In the spring of 2012 the **American Humanist Association** (AHA) met with the Office to raise concerns about discrimination and human rights violations directed against people because of their Humanism, atheism or lack of religion. The Office responded by asking the AHA to submit a detailed international report on such discrimination.

The AHA invited the **Center for Inquiry**, **International Humanist and Ethical Union** , **Richard Dawkins Foundation for Reason and Science**, and **Secular Coalition for America** to work together on a joint report. These organizations drew on their expertise, and their global networks of groups and contacts, to create a 40 page report, covering nearly 40 nations around the world. This report was submitted to the US State Department in August 2012.

Soon after, one the contributors to the original report, Matt Cherry of the International Humanist and Ethical Union (IHEU), worked to expand the report's depth and range. The report , now updated and expanded and covering an additional 20 countries, this was renamed the **Freedom of Thought 2012** report and launched on December 10, 2012, World Human Rights Day.

The far-reaching publicity and interest in the Freedom of Thought Report 2012, made clear the need for it to be made an annual report. The interest, inquiries and complaints from countries not included in the report made clear the need and possibility to expand the report. So the **Freedom of Thought Report 2013** is the first report on freedom of thought for the non-religious to cover every country in the world.

Sources for this report include humanist activists and organizations in countries around the world. Some, notably **Michael DeDora** at the Center for Inquiry, helped with more than one country.

In addition, the foundation for this report came from the same people who inspired it in the first place: the **US State Department Office for International Religious Freedom** . The US State Department's annual **International Religious Freedom Report** was the starting point for most of our country reports. We also relied on reports from many of the human rights groups working in the fields of freedom of belief and freedom of expression. Amongst the human rights groups with an international focus, especial praise must go to **Freedom House**, the **Committee to Protect Journalists**, **Forum 18**, **Reporters Without Borders,** and **Index on Censorship**. **Human Rights Watch** and **Amnesty International** were as always vital sources of on the ground reporting on human rights abuses.

While the thanks for information and reporting belongs to all these groups and individuals, the blame for any mistakes and omissions belongs to us. As the first ever report to look at the rights and treatment of the non-religious in every country in the world we faced many challenges. We not only had to find information and assess its accuracy and relevance, we also had to create a system for grading its relative importance. We learned a great deal in the process.

We are delighted to share the product of that learning process. But we also hope to learn a lot more after publishing this report. The first report on freedom of thought in every country in the world must not and will not be the last. We rely on our readers and supporters to help us improve for the next edition. Please go to *www.freethoughtreport.com* to submit complaints, reports and new information.

Matt Cherry and Bob Churchill

Preface: How to Use this Report

This report documents major developments with respect to freedom of thought in every country.

It focuses on current laws that discriminate against atheists, humanists and other nonreligious people and groups. It also highlights some recent cases that show the impact of these laws on specific individuals.

The countries are grouped by region and are listed alphabetically within their region.

The Rating System

Every country in this report is assigned a **"Freedom of Thought" status**. The status classifications are, in increasing order of severity: "Free and Equal", "Mostly Satisfactory", "Systemic Discrimination", "Severe Discrimination", and "Grave Violations".

Based on the pertinent information we have, the country is checked against each of **44 boundary conditions**. Each boundary condition is attached to one of the five classifications.

If a country meets one or more boundary conditions associated with a classification then this is triggered. The status assigned to the country is whichever is the most severe classification that is triggered. The country is then listed in the report with its assigned status. The contributing boundary conditions that broke the threshold of that status are emphasized in bold in the listed.

For example if the boundary condition "Official symbolic deference to religion" is met (perhaps because state occasions are routinely opened with a prayer) then the status "Mostly Satisfactory" has been triggered. However, if the boundary condition "It is illegal or unrecognised to identify as an atheist or as non-religious" is met, then the status "Grave violations" has been triggered and the country will be classed with the latter, more severe category. Both conditions may be listed under the Grave violations status box, but in this case "It is illegal or unrecognised to identify as an atheist or as non-religious" would be in bold.

It is common for a condition on the freer end of the spectrum to be implied by a condition on the more severe end of the spectrum. In this case the earlier met condition may be allowed to remain implicit, and not listed against the country in the report. For example, if blasphemy is punishable by a maximum sentence of "death", then there is little point listing the less severe condition for blasphemy that is punishable by "imprisonment".

The Conditions and Classifications in Detail

The following list shows each classification marker, followed by its boundary conditions (bulleted) with comments on how they were applied in italics.

Free and Equal

- Freedom of religion or belief is upheld and there are no known cases of discrimination against non-religious individuals
  This condition cannot co-exist with any other condition in the current schema.

Mostly Satisfactory

- **Anomalous discrimination by Local or state government or provincial authorities**
  This conditions marks off certain anomalous conditions of federated states so that genuine anomalies, usually historical legacies with no power over the state or peculiar laws that are certainly unconstitutional. However a country with such anomalies cannot receive the "Free and Equal" status.

- **There is a state church but privileges are small or progress toward church-state separation is being made**

- **Official symbolic deference to religion**
  This condition is usually applied for state-mandated prayers or other symbolic acts recognising a religion, if marginalization of the religious or non-religious is possible but minimal.

- **State-funded schools offer religious instruction without secular alternatives but it is optional**
  This condition captures the common peculiarity whereby states recognise that students should not be forced into confessional or instructive religious classes, but do not provide a secular alternative (such as Secular Ethics or Citizen classes).

- **Religious courts rule directly on some family or 'moral' matters resulting in discriminatory treatment**
  This condition reflects that some countries may operate arbitration tribunals connected to religion and that in principle these might be voluntary. However in practice they are always likely to rule on cases involving people who would rather have a secular, civil court if possible; many religious courts are also unequal toward men and women or discriminatory between religions and against the non-religious. This condition is only a "Satisfactory" condition because it can be trumped by later conditions if the courts are coercive, for example.

- **Some concerns about political or media freedoms, not specific to the non-religious**

- **Concerns that secular or religious authorities interfere in specifically religious freedoms**

Systemic Discrimination

- **Expression of core Humanist principles on democracy, freedom and human rights is somewhat restricted**
  This condition is crucial to measuring freedom of thought and expression on vital matters such as universal human rights. Given the remit of this report it is phrased in terms of humanist values, but if freedom of thought and expression is being restricted for the non-religious then it is almost certainly being restricted for everyone

- **There is an established church or state religion**
  This condition can be trumped by the analogous "Satisfactory" condition: "There is a state church but privileges are small or progress toward church-state separation is being made". This condition reflects the fact that church-state integration at constitutional levels tends to marginalize and lead to feelings of disenfranchisement. In practice it usually gives rise to further conditions under "Systemic Discrimination".

- **Systematic religious privilege / Preferential treatment of religion**
  The "Systematic religious privilege" and "Systematic religious privilege results in significant social discrimination" conditions are broad by design. They often in effect act as a summary of other conditions under the same classification, but they may also serve to cover some more complex situations. Bosnia and Herzegovina is a good example of the latter, where over-complex regulation encompassing various religious/ethnic communities is not otherwise captured in the boundary conditions, but results in heavy church-state entanglement and religious privilege.

- **Legal or constitutional provisions exclude non-religious views under freedom of belief**
  Most countries claim to constitutionally protect "belief", which under international human rights standards includes non-religious views. However some explicitly include it, meaning that even minimal constitutional protections are lacking.

- **Some religious courts rule in civil or family matters on a socially coercive or discriminatory basis**
-
- **Discriminatory prominence given to religious bodies, traditions or leaders**
  This condition may apply, for example, when business owned and perhaps frequented by non-religious people are forced to close for religious festivals, or if religious leaders are exceptionally consulted by secular political leaders

- **Religious groups control some public or social services**
  If religious groups are given control of public services there is often scope for disenfranchisement and further prejudice. Non-religious and religious people in countries with religiously-run health care may face "moral" restrictions on contraception or abortion; adoption services may discriminate against same-sex couples, and so on.

- **State-funding of religious institutions or salaries, or discriminatory tax exemptions**
  This condition covers a broad range of ways in which numerous states insist on lining the pockets of religious groups with public funds, and is applied when religious groups benefit, but no secular equivalents are eligible.

- **State-funding of religious schools**

- **Religious schools have powers to discriminate in admissions or employment**
  If religious schools make up some proportion of the total school population and are allowed to discriminate, for example against non-religious teachers, or teacher not of the same religious denomination, then this reduces job opportunities for those teachers, and risks further entrenching the kind of social selection that can occur in religious schools.

- **Religious instruction is mandatory in at least some public schools without secular alternatives**

- **Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect**

- **There is a religious tax or tithing which discriminates by precluding non-religious groups**
  Some countries have inherited a Church Tax or tithing system and, instead of abolishing it as the country secularized, have opened it up for humanist or other groups with a secular worldview. If there is a fair and equitable provision for secular groups to take part then, although there is still a church-state relationship active in the collection and distribution of the tax, it is not "discriminatory" as such. However, this condition applies when no such alternative provision for non-religious groups is made.

- **Coercive tithing or a discriminatory religious tax is compulsory**

- **Expression of core Humanist principles on democracy, freedom and human rights is severely restricted**

- **The non-religious are barred from some government offices**
  This often applies if the president or other senior posts in a government can only be held by members of one religion or one sect. While such a circumstance is unlikely to have a direct

effect on the lives of ordinary people on a day to day basis, this condition always happens to coincide with other forms of discrimination and may propagate a sense of disenfranchisement or exclusion from the nation among the non-religious and other precluded groups.

- **Prohibitive interreligious social control**
  This condition applies when, for example, there are rule about which combinations of which sex and which religion can marry. Many religious systems attempt to prevent some kind of "marrying out". This may be personally heartbreaking. It may also mean that people are forced to conform to a religious identity that they do not hold.

- **Religious control over family law or legislation on moral matters**

- **Systematic religious privilege results in significant social discrimination**

- **State legislation is partly derived from religious law or by religious authorities**

- **'Apostasy' is outlawed and punishable with a prison sentence**

- **'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence**

- **It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization**

- **Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed**
  This condition reflects a state of oppression of universal human rights.

- **Complete tyranny precludes all freedoms of thought and expression, religion or belief**
  This condition is obviously broad, but applies in one or two countries in addition to the various forms this tyranny may take, as express in other conditions under "Grave Violations".

- **Quasi-divine veneration of a ruling elite is enforced subject to severe punishment**
  This condition applies if a government attempts to maintain control by deifying or erecting a semi-religious "cult of personality" around its leaders

- **Religious authorities have supreme authority over the state**
  It is possible for many of the conditions under "Grave violations" to occur without this condition - religious authorities may have no authority over the state, or secular authorities

may be in control. In practice it always occurs with other forms of discrimination.

- **State legislation is largely or entirely derived from religious law or by religious authorities**
  If this condition is met, the non-religious and religious minorities will usually have very little sense that the law is rational or represents their interests. By the nature of religion in particular such systems are usually prone to huge inertia against reform.

- **There is a pattern of impunity or collusion in violence by non-state actors against the non-religious**
  If for example a mere accusation of blasphemy regularly leads a vigilante to harass or even murder the accused and the state is disinterested or unable to face the attackers, or sides with the attackers then this condition will apply.

- **'Apostasy' or conversion from a specific religion is outlawed and punishable by death**

- **'Blasphemy' or criticism of religion is outlawed and punishable by death**

- **The non-religious are barred from government office**
- *This condition applies when all or most posts in government are open only to members of one religion.*

- **It is illegal or unrecognised to identify as an atheist or as non-religious**

- **Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious**

- **It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed**

- **It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities**

- **Fundamentalist religious indoctrination is utterly pervasive in schools**

Cautions

It should be noted that this report cannot claim to be exhaustive. While all sovereign nations are recorded in this report, some "overseas territories" are not detailed and are not necessarily without systematic discrimination on freedom of thought. Likewise, the highlighted cases listed in this report are examples, not exhaustive lists.

In some countries the secrecy of courts, or state control of media, or lack of reporting, make it impossible to produce a complete account of individual cases. In some countries vague laws or

broad legal powers delegated to local authorities make it difficult to ascertain exactly how laws are applied (or not applied) on the ground.

In some countries very recent events or transitional arrangements make the overall status of the country difficult to assess. Most reports where this is the case describe the situation in the report, and outline what considerations have been taken into account in assigning the status.

Bob Churchill
Report Editor

AFRICA

Eastern Africa

Burundi

The constitution and other laws and policies protect freedom of thought, conscience, religion or belief, and prohibit discrimination on the basis of religious conviction.

Systemic Discrimination

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED

However **these freedoms are not consistently respected in practice and may be deteriorating, with new restrictions on media.** In 2013, President Pierre Nkurunziza has proposed a new press law which would seriously increase restrictions on media freedoms.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression as well as the freedoms of assembly and association. However, **broad and ill-defined press laws continue to restrict and intimidate journalists, for example by imposing harsh fines and imprisonment for "insults". The media are largely under the control of the government, although more independent media outlets are emerging.**

Extrajudicial killings are reported regularly, but the government rejected recommendations to fight impunity on such accusations at its Universal Periodic Review at the UN Human Rights Council in June 2013.

The government does not generally restrict access to the internet, **however the website of the main independent newspaper was suspended for 30 days in May, over unspecified comments.**

Comoros

The constitution and other laws and policies protect freedom of religion or belief. However, the constitution also states that **citizens will draw governing principles and rules from Islamic tenets**.

A constitutional referendum passed in May 2009 states **"Islam is the state religion". The legal system is based on Sharia and on the French legal code.**

Proselytizing for any religion except Islam is illegal, and foreigners caught proselytizing for religions other than Islam are subject to deportation.

Individuals who leave Islam, whether for another religion or no religion, may be prosecuted for apostasy.

Wider issues on thought and expression and other human rights

GRAVE VIOLATIONS

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'APOSTASY' IS OUTLAWED AND PUNISHABLE WITH A PRISON SENTENCE
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution guarantees freedom of expression and freedom of assembly and association. While the government generally allows the rights to freedom of assembly and association, freedom of the press is less apparent.

Djibouti

Although the constitution and other laws and policies protect freedom of religion or belief, and freedom of expression, **these rights are not always respected in practice**.

More than 99% of the population identifies as Sunni Muslim. **Citizens officially are considered Muslims if they do not specifically identify with a faith; there are consequently no figures available on the number of atheists in the country.**

However, the law does not impose sanctions on those who do not observe Islamic teachings or practice other religious beliefs. Nor does the constitution specifically prohibit proselytizing.

SEVERE DISCRIMINATION

- **PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL**
- **RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

Muslims (and all citizens counted as Muslims!) are required to marry in an Islamic ceremony. Non-Muslims must marry in accordance with the rites of the religion with which they are registered. The government allows **civil marriage only for non-Muslim foreign residents**; so if there were atheist Djibouti who wanted to marry, they would not be able to do so (unless they hid their atheism and

registered with a religion). This **interreligious control** goes further: a non-Muslim man may marry a Muslim woman only after converting to Islam. According to the family code, "impediment to a marriage occurs when a Muslim woman marries a non-Muslim."

The president is required to take a religious oath at inauguration; other government employees are also required to do so, such as magistrates, the presidents of Constitutional Court, Supreme Court, Chamber of Accounts, and the inspector general of state. While there is no penalty established by law, it remains an official custom written in the Constitution for the president of the country and required by law for others. **No legal provision exists for non-religious oaths or affirmation.**

The state school system is secular, although there are private Muslim schools. State-run schools do not teach religion.

Wider issues on thought and expression and other human rights

Although freedom of expression is protected by the constitution, **the media are owned and controlled by the state.**

Freedoms of assembly and association are nominally protected under the constitution, but are **not respected in practice.**

Eritrea

Eritrea wrote a constitution in 1997 that guarantees rights broadly in line with international standards on freedom of religion or belief, as well as freedom of expression and press freedom. Unfortunately, this constitution has never been implemented: **Eritrea remains a repressive one-party state that has never held elections. It violates basic human rights habitually and with impunity.**

In the past decade, there has been an increase in grave government violations of freedom of belief and freedom of expression. Extreme persecution of journalists has left Eritrea ranked as the worst country in the world in the Reporters Without Borders press freedom index for the past six years. **Minority belief groups have been subject to mass arrests, often resulting in torture and death.**

In 2002 the government decreed that all religious groups must either register or cease all religious activities. Four religious groups are now registered: the Eritrean Orthodox Church, the Evangelical (Lutheran) Church of Eritrea, Islam, and the Roman Catholic Church. **Religious facilities that did not**

GRAVE VIOLATIONS

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY REPRESSED**
- **IT IS ILLEGAL OR UNRECOGNISED TO IDENTIFY AS AN ATHEIST OR AS NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION WHICH DEFENDS FREEDOM OF THOUGHT AND EXPRESSION**
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

belong to the four officially recognized religious groups were forced to close. The government retains significant control over the four registered religious groups, in most cases controlling their leadership, finances and sermons.

Many places of worship have closed because of government intimidation and the mass conscription of religious workers and parishioners. The government routinely harasses and detains members of registered and unregistered religious groups, some of whom die as a result of torture and lack of medical treatment while in detention. By the end of 2012, many estimated that the population of religious prisoners remained at 2,000 to 3,000. Some arrestees reported that they were only released after they signed statements recanting their religious beliefs and agreeing to join an officially registered religion as a condition of their release.

The application for an exit visa requires a designation of religious affiliation, and members of unregistered religions or no religion require additional permission from the Office of Religious Affairs, which has been reported to grant permission, deny permission, or arrest applicants on the spot for practicing an unrecognized faith or being non-religious.

Wider issues on thought and expression and other human rights

The government closed down all independent media in 2001, and the law does not allow any privately owned print or broadcast media to operate in Eritrea. The government directly controls all broadcasting outlets. Journalists who try to work independently of the government are subject to extreme persecution. The last accredited foreign news reporter was expelled in 2007. The government also jams the signals of international and exile media broadcasting into Eritrea. The government controls the Internet infrastructure and is believed to monitor online communications.

A group of 11 journalists arrested in 2001 have never been charged or released. In 2013 Reporters Without Borders (RWB) confirmed that only four of those journalists were still alive; the other seven died in detention as a result of the appalling conditions or because they took their own lives. Around 30 journalists were in prison in Eritrea as of June 2013, according to RWB.

Freedoms of assembly and association are not recognized. The government directs unremitting hostility towards civil society: independent NGOs operating in Eritrea have been persecuted to extinction, with the last ones closing or leaving the country in 2011.

Ethiopia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **in practice the government ignores and violates many of these rights.**

Article 11 of the constitution requires that "(1) State and religion are separate. (2) There shall be no state religion.(3) The state shall not interfere in religious matters and religion shall not interfere in state affairs."

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- PREFERENTIAL TREATMENT OF RELIGION
- CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT

The government largely respects these requirements. In addition, Article 27 guarantees the rights to freedom of religion, belief or opinion, while Article 29 guarantees the right to freedom of thought, opinion and expression. **Although both these articles are fully in line with international human rights standards, in practice they are completely ignored by the government.**

A 2008 media law criminalizes defamation, including defamation of religious groups, and allows prosecutors to seize material before publication in the name of national security.

The constitution guarantees freedom of religion or belief, but **the government have discriminated against the Muslim community with increasing intensity** as Muslims have grown to rival the Ethiopian Orthodox Church as the country's largest religious group.

Wider issues on thought and expression and other human rights

The media are dominated by state-owned broadcasters and pro-government newspapers. One of the most popular independent newspapers, Addis Neger, closed in 2009, claiming harassment by the authorities. The few remaining privately-owned newspapers avoid political comment.

In 2009 the government issued a far-reaching Antiterrorism Proclamation that has been used to harass journalists reporting on opposition activities. Many journalists have been imprisoned under the Antiterrorism powers. In July 2012, six reporters were convicted of terrorism. Five were convicted in absentia, but the the sixth, Eskinder Nega, was sentenced to 18 years in prison. The Committee to Protect Journalists reports that Ethiopia has driven 79 journalists into exile in the past decade, more than any other nation.

In 2012 new legislation made it a crime to use telecommunications devices to transmit any "terrorizing message." Critics argued that the vaguely worded law would be used to stifle the use of mobile social media, and would effectively outlaw the use of Skype and other voice-over-internet protocol services that cannot be easily tapped by the state surveillance agencies.

The government maintains a network of paid informants, creating **an atmosphere of fear that inhibits debate and dissent.**

Freedoms of assembly and association are guaranteed by the constitution but limited in practice. Organizers of large public meetings must request permission from the authorities 48 hours in advance, but requests by opposition groups are usually denied.

Kenya

A new constitution adopted in 2010 guarantees freedom or thought, conscience and religion, as well as freedom of opinion and expression, and the freedoms of assembly and association. However, **some laws and government policies restrict these rights in practice**.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **SOME RELIGIOUS COURTS RULE IN CIVIL OR FAMILY MATTERS ON A SOCIALLY COERCIVE OR DISCRIMINATORYBASIS**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The constitution provides for *kadhis* courts to adjudicate certain types of civil cases based on Islamic law, including questions relating to personal status, marriage, divorce, or inheritance in cases in which "all the parties profess the Muslim religion." About ten percent of Kenyans are Muslim. The secular High Court has jurisdiction over civil or criminal proceedings, including those in the *kadhis* courts, and will consider appeals of any *khadhis* court decision.

Wider issues on thought and expression and other human rights

The new constitution strengthened protections for freedoms of speech and of the press; however, **several laws restrict these rights in practice**. In addition to an existing hate speech law, in 2012 the government announced plans to begin monitoring text messages and internet communications for hate speech; anyone caught expressing these views could face a fine of up to five million shillings ($58,100). **Journalists report occasional harassment by security forces, especially when they cover topics such as corruption.**

Madagascar

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. However, **the constitution has not been in force since a military** coup in 2009.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**

In practice, the right to freedom of religion or belief is generally respected, whereas the right to freedom of expression is generally ignored by the dictatorial regime of Andry Rajoelina.

The law protects freedom of religion against abuse, either by governmental or private actors.

Wider issues on thought and expression and other human rights

The constitution protects the right to freedom of speech and of the press. However, the regime of Rajoelina has largely ignored these protections, and **the independent outlets that have remained in operation are subject to government censorship, harassment, and intimidation, and practice varying levels of self-censorship.**

Since the 2009 coup, **freedom of assembly has been severely restricted**. The government and security forces routinely deny permission for demonstrations or forcibly repress gatherings, sometimes with lethal force.

Malawi

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

Systemic Discrimination

- **CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

Religious instruction is available but not mandatory in public schools. Christian-oriented "Bible Knowledge" courses and "Moral and Religious Education" courses that include Muslim, Hindu, Baha'i, and Christian material are available, but Muslim courses are not available. Individual parent-teacher associations or school committees decide which religion courses to offer.

The law guides regulation of all broadcasting and states that, **with regard to religious broadcasting, "broadcasting licensees shall not broadcast any material which is indecent or obscene or offensive to public morals (including abusive or insulting language) or offensive to the religious convictions of any section of the population** or likely to prejudice the safety of the Republic or public order and tranquility."

Wider issues on thought and expression and other human rights

The rights to freedom of expression and freedom of the press are legally protected, and they are generally respected in practice.

Mauritius

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS

A parliamentary decree recognizes religious groups that were present prior to independence, including Catholics, Anglicans, Presbyterians, Seventh-day Adventists, Hindus, and Muslims. **These religious groups receive an annual lump sum payment from the finance ministry based on the number of their adherents as determined by the census.** The registrar of associations registers new religious groups, which must have a minimum of seven members. **The finance ministry grants these new groups tax-exempt privileges.**

The government allows foreign missionary groups to operate on a case-by-case basis. Although no regulations restrict their presence or limit proselytizing activities, religious groups must obtain both a residence permit and a work permit for each missionary.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression and press freedom. Several private daily and weekly publications criticize both the ruling and opposition parties, but the **state-owned Mauritius Broadcasting Corporation's radio and television services generally reflect government viewpoints**.

Freedoms of assembly and association are honored, though police have occasionally used excessive force in response to riots.

Mozambique

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. The right to freedom of belief is generally respected in practice, but **the right to freedom of expression, and especially freedom of the press, is less respected by the government.**

Mostly Satisfactory

- **SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS**

Political parties are governed by a law that expressly prohibits them from identifying exclusively with any religious or ethnic group.

Wider issues on thought and expression and other human rights

While press freedom is legally protected, journalists are sometimes harassed or threatened and often practice self-censorship.

Although the right to peaceful assembly is constitutionally protected, public demonstrations must obtain official approval.

Rwanda

The constitution and other laws protect freedom of religion or belief, and these rights are generally respected in practice. However, laws and practices on freedom of expression allow **government repression of independent media**.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The constitution protects the rights of individuals to choose or change their religion and prohibits discrimination based on religion, which under the penal code signed into law in 2012 is punishable by five to seven years in prison and fines of 100,000 to one million Rwandan francs (US$160 to $1,590).

The new penal code also establishes fines of 20,000 to one million Rwandan francs (US$30 to $1,590) and imprisonment from eight days to five years for anyone who hinders free practice of religion, publicly humiliates rites, symbols, or objects of religion, or insults, threatens, or physically assaults a religious leader.

All students in public primary school and the first three years of secondary education must take a religion class that covers various religions. The law does not include opt-out provisions for students who do not wish to take the religion class (though nor does the law specify penalties for not taking part in the class).

The constitution prohibits the formation of political organizations based on religion or other identifying factors that could give rise to discrimination.

Wider issues on thought and expression and other human rights

The government has imposed various legal restrictions and informal controls on the media, and press freedom groups have accused the government of intimidating independent journalists. The government justifies its repressive media control by invoking the role of "hate media" in inciting the 1994 Rwandan genocide. The authorities use laws against "genocide ideology" and "divisionism" to punish criticism of the government.

In the run-up to the 2010 presidential election, in which incumbent Paul Kagame was re-elected with an official 93% of the vote, the country's two main newspapers at the time (both anti-government), *Umuseso* and *Umuvugizi*, were shut down for six months by the regime-controlled Media High Council.

In February 2011, Umurabyo newspaper journalists Agnès Uwimana Nkusi and Saïdati Mukakibibi were sentenced to 17 and 7 years, respectively, for denying the genocide, inciting civil disobedience, and defaming public officials based on a 2009 article criticizing President Paul Kagame. Nkusi and Mukakibibi appealed their case in January 2012, and in April, the Supreme Court reduced their sentences to four and three years, respectively. In July 2012, Idriss Gasana Byiringiro, a reporter for the private weekly Chronicles, was detained for 30 days shortly after he submitted a police request to investigate an incident of state security agents interrogating him about his reporting and confiscating his telephone and laptop.

Rwanda's repressive media environment has led many journalists to flee the country and work in exile. In November 2011, Charles Ingabire, editor of the Uganda-based online publication Inyenyeri News and an outspoken critic of the Kagame regime who had fled Rwanda in 2007 due to threats, was shot dead in Uganda. His murder remained unsolved at the end of 2012. Self-censorship is common among journalists who remain in Rwanda.

Freedom of assembly is protected in theory, but subject to heavy government regulation in practice. The 2012 penal code regulates public meetings and establishes fines of 100,000 to five million Rwandan francs (US$160 to $7,935) and imprisonment of eight days to three years for unauthorized public meetings, including assemblies for religious reasons.

Seychelles

The constitution and other laws protect freedom of religion or belief and this right is generally respected in practice.

The government provides broadcast time to religious groups on the national radio broadcasting service (but no Humanist or secular equivalent).

Wider issues on thought and expression and other human rights

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The right to freedom of expression and freedom of assembly are also guaranteed by the constitution. **However, the government controls much of the nation's print and broadcast media**, including the daily Seychelles Nation newspaper. **Strict libel laws are sometimes used to harass journalists**, leading to self-censorship. In October 2012, the chief editor of Le Nouveau Seychelles Weekly was convicted of contempt for discrediting a judge in a 2011 article, and was sentenced to apologize to the judge.

The government can restrict the broadcast of material considered to be objectionable.

Somalia

Somalia has lacked an effective central government for decades. The resulting anarchy enabled extremist Islamist groups to impose harsh forms of Sharia (Islamic law) that included death for apostasy, blasphemy and other expressions of the freedom of belief and expression. In August 2012, in an effort to established greater centralized authority, the government of Somalia adopted a provisional constitution that claims to provide for some freedom of religion, as well as some freedom of expression. However, **the provisional constitution enshrines Islam as the state religion and prohibits proselytism for any religion other than Islam.**

Puntland State and Somaliland, a self-declared independent republic, have their own constitutions that also claim to provide some protection for religious freedom, although both documents prohibit apostasy, conversion from Islam, and propagation of religions other than Islam.

In addition, the violent Islamist group Al-Shabaab retained control of some rural areas of the south and central regions.. **Al-Shabaab harasses and kills persons suspected of converting from Islam, and maims and kills those who failed to adhere to its edict.**

The provisional federal Somali constitution adopted in 2012 established **Islam as the state religion** and **prohibits laws that do not comply with Sharia principles**. It states that all citizens, regardless of religion, are afforded equal rights and duties before the law and that each person is free to practice his or her religion, but **prohibits propagation of religions other than Islam**. **The provisional federal constitution does not explicitly prohibit apostasy or denouncing one's religion.**

GRAVE VIOLATIONS

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- ***[IN AREAS CONTROLLED BY AL-SHABAAB]* 'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- ***[IN AREAS CONTROLLED BY AL-SHABAAB]* 'BLASPHEMY' OR CRITICISM OF RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **THE NON-RELIGIOUS ARE BARRED FROM GOVERNMENT OFFICE**
- **IT IS ILLEGAL OR UNRECOGNISED TO IDENTIFY AS AN ATHEIST OR AS NON-RELIGIOUS**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'APOSTASY' IS OUTLAWED AND PUNISHABLE WITH A PRISON SENTENCE
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- IT IS MADE DIFFICULT TO REGISTER OR OPERATE AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS

The Puntland constitution, adopted by a constituent assembly in 2012, states that no one can be forced to adhere to a faith different from one's own beliefs. It **prohibits apostasy for Muslims and propagation of any religion other than Islam**. The Puntland authorities interpret this section of the Puntland constitution to mean that conversion from Islam to other religions is prohibited.

The Somaliland constitution protects the right of freedom of belief. However, it states that **Islamic law does not accept Muslim apostasy**, prohibits preaching in a mosque on "matters that would divide the nation," and **prohibits the promotion of any religion other than Islam**. Somaliland

authorities interpret this portion of the Somaliland constitution to mean that conversion from Islam to other religions is prohibited.

The penal code developed in 1963 applies to all regions of the country. It does not prohibit conversion from Islam, but **criminalizes blasphemy and defamation of Islam, which carry fines of up to two years in prison.**

The provisional federal constitution requires that the president be Muslim. The Somaliland constitution requires that candidates for president, vice president, and the house of representatives be Muslim. The Puntland state constitution requires that its president be Muslim. The provisional federal constitution and Puntland state constitution make no such requirement for ministerial, parliamentiary, or prime ministerial positions.

The provisional federal constitution describes the Federal Republic of Somalia as a Muslim country. **The Somaliland constitution declares that its laws must derive from and not contradict Islam. The Puntland constitution stipulates that all laws be based on Islamic law.**

The judiciary in most regions relies on *Xeer* (traditional and customary law), Islamic law, and the 1963 penal code. Legal frameworks vary considerably because each community individually regulates and enforces religious expression, often inconsistently.

Wider issues on thought and expression and other human rights

The new constitutions in Puntland, Somalia and Somaliland call for freedoms of speech and the press, but these rights are not respected in practice. **Somalia remains one of the most dangerous countries in the world for journalists, with dozens of journalists murdered every year.**

South Sudan

Achieving full independence in 2011, South Sudan is still in a state of transition. The transitional constitution and other laws and policies protect freedom of religion. The transitional constitution states, "All religions shall be treated equally, and religion or religious beliefs shall not be used for divisive purposes."

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- **LEGAL OR CONSTITUTIONAL PROVISIONS EXCLUDE NON-RELIGIOUS VIEWS FROM FREEDOM OF BELIEF**
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

However, there is no reference to non-religious beliefs or to the equal treatment of atheists. It remains to be seen whether this will be improved before the adoption of a permanent constitution, or whether the omission will influence the creation of similarly unequal laws.

The transitional constitution serves as the country's legal framework until the adoption of a permanent constitution. It provides the right to freedom of worship; the right to write, issue, and disseminate religious publications; the right to communicate with individuals and communities in

matters of religion and beliefs at national and international levels; and the right to teach religion or beliefs in places suitable for these purposes.

The transitional constitution specifies the regulation of religious matters within each state as the executive and legislative responsibility of the state government. The government does not require religious groups to register.

The law prohibits discrimination on grounds of religion against public servants, officials, and employees with respect to remuneration, terms, conditions, benefits, and privileges of services.

Wider issues on thought and expression and other human rights

While the transitional constitution protects freedom of expression, in practice there have been **significant government restrictions on media freedom.** Government interference with the media has included censorship of stories deemed critical of the government, as well as the harassment and detention of journalists.

Uganda

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However**, in practice the government violates some of these rights, especially the freedom of the press.**

There is no state religion, and freedom of worship is constitutionally protected and respected in practice. There is little or no interreligious conflict between the Christian majority and the Muslim minority. The law prohibits the creation of political parties based on religion.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The religious education curriculum is comparative in theory, but in practice aims at inculcation. There is considerable latitude for schools to offer what amounts to religious instruction (usually Christian or Islamic) with no practicable opt-outs.

There are a small number of Humanist schools operating without impediment (the International Humanist and Ethical Union and other humanist groups have supported these schools).

In recent years the office of Minister for Ethics has been criticised in many quarters for the promotion of an Anti-Homosexuality Bill, citing religious and traditional "moral" grounds for increasing the penalties (homosexuality is already illegal). **It is not unusual for MPs to tout their religious (in particular Christian) beliefs and many MPs have backed the new anti-homosexuality legislation each time it has been brought before parliament, though it has never come into force.**

Wider issues on thought and expression and other human rights

The constitution provides for freedom of speech, but **the media have faced substantial, escalating government restrictions and intimidation in recent years. Freedom of assembly is officially recognized but often restricted in practice.**

Tanzania

The constitution protects freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **while freedom of religion or belief is generally respected in practice, the authorities show little respect for freedom of assembly and freedom of expression, especially press freedom.**

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **SOME RELIGIOUS COURTS RULE IN CIVIL OR FAMILY MATTERS ON A SOCIALLY COERCIVE OR DISCRIMINATORYBASIS**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

Government policy prohibits discrimination against persons based on religious affiliation, belief, or practice. Zanzibar is a semi-autonomous archipelago within Tanzania. While Zanzibar has its own president, constitution, court system, and legislature, it is also subject to the Tanzanian constitution and its religious freedom provisions. The Zanzibar constitution also contains religious freedom provisions.

On the mainland, secular laws govern Christians and Muslims in both criminal and civil cases except for family-related cases. **In family law, or personal status, cases—involving inheritance, marriage, divorce and adoption—Christians may choose civil law and Muslims may choose Islamic law. The use of Islamic law for Muslims may cause problems for people who have left, or are leaving, their Islamic faith or the faith of their family.**

State schools may teach religion, but it is not a part of the national curriculum. School administration or parent and teacher associations must approve such classes, taught on an occasional basis by parents or volunteers.

The government does not designate religion on passports or records of vital statistics. **Police reports must state religious affiliation if an individual will have to give sworn testimony. School registration forms must specify a child's religious affiliation so administrators can assign students to the appropriate religion class if one is offered.** Applications for medical care also must specify religious affiliation so that any specific religious custom may be observed.

Wider issues on thought and expression and other human rights

Although the constitution provides for freedom of speech, it does not specifically guarantee freedom of the press. **Current laws allow authorities broad discretion to restrict media on the basis of national security or public interest, which is frequently interpreted in ways beneficial to the ruling party. Much of the media is state-owned and biased towards the government. The authorities monitor websites that are critical of the government.**

The constitution guarantees freedoms of assembly and association. However, these rights are not always respected. Organizers of political events are required to obtain advance permission from the police, and **permission is routinely denied**.

Zambia

The constitution and other laws and policies protect freedom of religion or belief, and freedoms of expression and assembly. However, **these rights have not been fully respected in the recent past, with government harassment of media critics being a particular problem**.

Since 2011 a new government has made some moves to improve this situation. Nonetheless, **a strong Christian bias remains in government policy and looks unlikely to change**, even with a proposed new constitution currently nearing completion.

The government requires Christian instruction in public schools. The classes are conducted in both the Catholic and Protestant traditions and are mandatory for all students through grade seven.

Systemic Discrimination

- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- LEGAL OR CONSTITUTIONAL PROVISIONS EXCLUDE NON-RELIGIOUS VIEWS UNDER FREEDOM OF BELIEF
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The current constitution declares Christianity the official religion of the country, while upholding the right of all persons to enjoy freedom of conscience or religion. The constitution provides for freedom of thought and religion for all citizens; freedom to change religion or belief; and freedom to manifest and propagate religion or belief in worship, teaching, practice, and observance. Other laws address religious freedom violations.

The draft of a new constitution was circulated during 2013, although by December it had yet to be finalized, let alone ratified. In line with the current constitution, **the proposed new constitution opens by saying the people of Zambia "acknowledge the supremacy of God Almighty; declare the Republic a Christian Nation, but uphold the right of every person to enjoy that person's freedom of conscience or religion."**

However, the draft constitution goes on to single out "anti-Christian" views as not protect; it states the freedoms of conscience, religion, thought, belief and opinion, but then immediately and explicitly notes that such freedoms do "not extend to - (a) anti-Christian teaching and practice...". It is readily conceivable, but remains to be seen, whether the primacy given to Christianity, and the prohibition on "anti-Christian teaching" will be used to curtail a broad range of criticism of Christian teachings and practice.

Wider issues on thought and expression and other human rights

The draft constitution does guarantee the right to freedom of expression and freedom of information, as well as the right to a free and independent media. In addition the right to freedom of association and peaceful assembly are also guaranteed.

Zimbabwe

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

A new constitution in 2013, renewed Zimbabwe formal commitment to freedom of belief, expression and assembly, however it did little to stop **President Robert Mugabe's authoritarian regime from systematically abusing these rights, especially the right to criticize the government**.

The new constitution and most other laws and policies protect religious freedom. The old and new constitutions protect the right of individuals to choose and change their religion as well as privately or publicly to manifest and propagate their religion through worship, teaching, practice, and observance.

Many of the country's political elites are affiliated with the churches.

The education ministry sets curricula for public primary and secondary schools. Many public primary schools require a religious education course focusing on Christian religious groups, though it also covers other religious groups, emphasizing the need for religious tolerance. Religious education is generally optional in secondary schools.

School assemblies and functions routinely opened and closed with Christian prayer. The government does not regulate religious education in private schools but approves employment of headmasters and teachers.

Wider issues on thought and expression and other human rights

The new constitution's Bill of Rights also guarantees the right to freedom of expression and media freedom. However, **the 2002 Public Order and Security Act (POSA) severely restricts freedom of assembly, expression, and association.**

In addition, state-sponsored political violence is a serious and chronic problem for journalists and critics of the government.

Middle Africa

Angola

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. The constitution also provides for freedom of conscience, religion, and worship, and provides the right to be a conscientious objector.

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The constitution defines the country as a secular state, separating religion and state. The state recognizes and respects different religious groups, which are free to organize and carry out their activities if they abide by the constitution and laws.

Religious organisations are required to apply for legal recognition to gain the right to construct schools and places of worship. In the largely Catholic country **all 83 currently "legalised" religious groups are Christian**. The Muslim minority of around 90,000 is somewhat below the threshold of 100,000 members present in 12 of the 18 provinces to apply for legal status. This has created some tensions and **there are disputed reports in late 2013 of the state cracking down on unlicensed mosques.**

During and after the August 2011 presidential elections there were complaints that the ruling MPLA party gave **preferential treatment, including government funding, to the Catholic Church in return for Church support** of the MPLA.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression, freedom of the press, and the right to peaceful assembly. However, since the constitution was ratified in 2010, **Angolan authorities have regularly restricted citizens' right to free expression. Pro-democracy demonstrators have been beaten by police and their rallies violently disrupted.** Several journalists have also been beaten in an attempt to prevent media coverage of anti-government demonstrations.

Cameroon

The constitution mandates a secular state, and the constitution and other laws and policies protect freedom of religion or belief. However, **there are widespread government privileges for religion, especially Christianity and Islam, and routine bias against the nonreligious.**

The government gives an annual subsidy to all private primary and secondary education institutions, including those operated by religious denominations. **State-sponsored television station and radio stations broadcast Christian and Islamic religious services on a regular basis**, as well as religious ceremonies on national holidays and during national events.

Wider issues on thought and expression and other human rights

SEVERE DISCRIMINATION

- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution guarantees free speech, but **government officials have the power to ban newspapers based on a claimed threat to public order**. The rights to freedom of assembly and freedom of association are guaranteed subject to seeking prior official approval for public meetings; however **this requirement is often used to restrict the right to peaceably assemble.**

Central African Republic

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as the right to the freedoms of expression, association and assembly. However, in March 2013 rebels overthrew President Francois Bozizé, starting an on-going civil conflict in the Central African Republic. Since then **the nation has descended into a downward spiral of lawlessness, human rights violations and humanitarian crises**. With a complete breakdown in government, **inter-communal tensions between Muslim and Christian populations erupt into frequent violence and atrocities.** As the end of 2013 approached, the African Union was to lead a peacekeeping force into CAR to try to prevent genocide and restore governance.

Prior to the civil breakdown in 2013, the constitutional protection of freedom of belief and expression was generally respected in practice. The constitution

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES
- CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A *DE FACTO* 'BLASPHEMY' LAW IS IN EFFECT

NOTE: GIVEN THE WIDESPREAD SECTARIAN CONFLICT IT SHOULD BE NOTED THAT THE SECURITY OF EVERYONE IN CAR IS CURRENTLY SEVERELY THREATENED. THIS RATING REFLECTS THE TECHNICAL STATE OF TH LAW.

prohibits religious intolerance, as defined by the courts, but also **gives the government broad powers to ban activities that it considers "fundamentalist" or "subversive".**

The government of President Bozizé generally respected the right to free expression, including freedom of the press. However, **it is illegal to broadcast information that is "false" or that could incite ethnic or religious tension**. The state dominates the broadcast media, but private radio stations exist in addition to several private newspapers. There are no government restrictions on access to the Internet.

The government grants religious groups one day of their choosing each week to make free broadcasts on the state radio station. Outside this regular time, religious groups must pay fees for broadcast time, as must nonreligious organizations.

Chad

The constitution and other laws and policies protect freedom or thought, conscience and religion. **Although the constitution provides that the country shall be a secular state, in practice some policies favour Islam.**

SEVERE DISCRIMINATION

- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES

A committee composed of members of the High Council for Islamic Affairs (HCIA) and the Directorate of Religious and Traditional Affairs in the Ministry of the Interior (MOI) organized trips to Mecca for the Hajj (pilgrimage during the 12th month of the Islamic calendar) and Umrah (pilgrimage).

The Director of Religious and Traditional Affairs oversees religious matters. The HCIA oversees Islamic religious activities, including the supervision of some Arabic-language schools and higher institutions of learning, and the representation of the country in international Islamic meetings. **The HCIA, in coordination with the president, appoints the grand imam, a spiritual leader for Muslims, who oversees each region's high imam and serves as head of the council. In principle, although not consistently in practice, the grand imam has the authority to restrict proselytizing by Islamic groups, regulate the content of mosque sermons, and exert control over activities of Islamic charities.**

Religious leaders are involved in managing the country's wealth. A representative of the religious community sits on the Revenue Management College, the body that oversees use of Chad's oil revenues. **The seat rotates between Muslim and Christian leaders every four years.**

While the government is legally obligated to treat all religious groups or denominations equally, **some non-Muslims allege that Muslims receive preferential status, particularly concerning use of public lands for building places of worship.**

Wider issues on thought and expression and other human rights

The constitution provides for freedom of expression and freedom of the press. However, both are **severely restricted in practice**. **Broadcast media are controlled by the state.** The government does not restrict access to the Internet.

Congo

The constitution and other laws and policies protect freedom of religion or belief. The constitution specifically forbids discrimination based on religion.

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**

Wider issues on thought and expression and other human rights

While the constitution provides for freedom of speech and of the press, the government's respect for these freedoms is limited. **The government systematically censors and harasses journalists, and uses government-owned media to counter critical reports in the independent media.** There are no government restrictions on internet access, though sites that "radically criticize" the government are only permitted to operate outside of the country.

Freedoms of assembly and association are provided for in the constitution but not allowed by the government when there is any perceived challenge to the ruling elite.

Democratic Republic of Congo

The constitution and other laws and policies protect freedom of religion or belief and, in practice, the government generally respects this freedom. However, **armed conflict in Congo (formerly Zaire) continues to damage the exercise of fundamental human rights, especially in Eastern regions where the conflict is on-going.**

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**

Wider issues on thought and expression and other human rights

Freedom of expression and freedom of the press are guaranteed by the constitution. But the **media are not well developed in Congo. In recent years there have been multiple reports of security forces threatening, detaining, and assaulting journalists critical of government officials.** The government has also **banned broadcasters who reported on the on-going armed conflict in Eastern Congo**. The government does not monitor or censor online communications or restrict access to the internet, but few people have access.

Equatorial Guinea

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS ARE SEVERELY RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The constitution and other laws and policies protect religious freedom, and these are generally respected in practice. The constitution also guarantees freedom of expression and freedom of the press, as well as freedom of association and assembly; however **these rights are not respected in practice.**

A 1991 law establishes religious freedom and outlines the procedures for registering a religious group with the government. A 1992 presidential decree provides additional regulations, including **official preference for the Roman Catholic Church and the Reformed Church of Equatorial Guinea**.

The 1992 decree regulates registration of religious groups. Religious groups must submit a written application to the Ministry of Justice, Religious Affairs, and Penitentiary Institutions. The ministry's director general oversees compliance with the decree and the registration process. The Catholic and Reformed churches are not required to register. **Unregistered groups can be fined. Religious groups must obtain permission for any activities outside of places of worship.**

The law states that each person is free to study his or her religion and may not be forced to study another faith. Religious study is optional in public schools and can be replaced by a course in social or civic education.

Government practice demonstrates the preference for the Catholic and Reformed churches. Catholic masses are a normal part of all major ceremonial functions, such as the October 12 National Day and the President's Birthday on June 5.

Wider issues on thought and expression and other human rights

The dictatorial regime of President Teodoro Obiang Nguema Mbasogo is not democratic and does not tolerate criticism or political dissent. Although the constitution guarantees media freedom, the government controls most of the media directly and a 1992 press law authorizes government censorship of state and independent media. Freedom of assembly and freedom of association are severely restricted. Political gatherings may only take place with official authorization.

Gabon

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, in practice there is **oppressive censorship and harassment of any criticism of the government.**

Wider issues on thought and expression and other

human rights

Press freedom is guaranteed by law but restricted in practice. **State-controlled outlets dominate the media, and are routinely biased in favour of the governing party. There are some independent media and journalists, but they are sometimes threatened with legal and physical harassment.**

The government-controlled National Communication Council frequently suspends news outlets following critical reporting. In January 2012, the broadcaster TV+ was suspended for three months for broadcasting a national address by opposition politician Mba Obame. TV+ , which is closely associated with Mba Obame, has also been pushed off the air by repeated acts of sabotage. Also in 2012, the newspaper Echos Du Nord was suspended for two months, while the newspapers, Embozolo and La Une, were suspended for six months over articles criticizing the president.

Journalists have also been arrested and harassed for reporting on alleged criminal activity by politicians and government officials, including the alleged role of politicians in widespread ritual killings in Gabon.

São Tomé and Príncipe

Free and Equal

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

Article 8 of the constitution state that São Tomé and Príncipe is a secular state with a separation of religion and state. Article 14 goes on to affirm that "All citizens are equal before the law, enjoy the same rights and are subject to the same obligations without distinction as to social or racial origin, sex, political tendency, religious belief or philosophical conviction."

Article 26 of the constitution spells out the right to freedom of religion or belief in more detail, stating, "Freedom of conscience, religion and worship is inviolable. No one may be persecuted, deprived of right or exempted from civic obligations or duties because of his convictions or practice of religion. No one may be questioned by any authority about his convictions or religious practices except for the collection of statistical data not individually identifiable nor be prejudiced for refusing to answer. Religious confessions are free in worship, in education and in their organisation."

Wider issues on thought and expression and other human rights

The constitution goes on to guarantee the rights to freedom of expression and of assembly and of association, defining them in full accordance with international human rights norms.

There are no reported cases of the government not respecting these rights in practice.

Northern Africa

Algeria

The constitution provides for religious freedom, but **other laws, policies, and practices sometimes restrict freedom of belief**. The law provides for freedom of belief and opinion and permits citizens to establish institutions to defend fundamental liberties. However, **these rights are not always respected in practice.**

Algeria's constitution makes Islam the official religion and prohibits institutions from engaging in behavior incompatible with Islamic "morality".

The penal code criminalizes insulting religious sentiments, inciting hatred against religion, or "offending the Prophet Muhammad." Algeria also has a Ministry of Religious Affairs that works to ban any publishing and broadcasting content deemed blasphemous.

Ordinance 06-03 prohibits discrimination on the basis of religion and guarantees state protection for non-Muslims and for the "toleration and respect of different religions." However, **the constitution prohibits non-Muslims from running for the presidency**. Non-Muslims may hold other public offices and work within the government.

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES**
- **PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL**
- **RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- **STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The family code, which draws on Sharia (Islamic law), treats women as minors under the legal guardianship of a husband or male relative, regardless of the woman's age. There are also significant interreligious controls: The family code prohibits Muslim women from marrying non-Muslim men unless the man converts to Islam (although this regulation is not consistently enforced). The code does not prohibit Muslim men from marrying non-Muslim women, but it prohibits men from marrying a woman of a non-monotheistic religious group.

Following 2005 revisions to the family code, women no longer need the consent of a male guardian to marry and revisions to the nationality code allow women to transmit Algerian nationality to their children. **Under the law, children born to a Muslim father are considered Muslim regardless of the mother's religion. Non-Muslim religious groups may suffer in inheritance claims when a Muslim family member lays claim to the same inheritance.**

The MRA provides financial support to mosques and pays the salaries of imams. Imams are hired and trained by the state. Muslim services, with the exception of daily prayers, can take place only in state-sanctioned mosques. **The law also provides for the salaries of non-Muslim religious leaders; however, few non-Muslim religious leaders have applied for this compensation. Mosque sermons are generally written by the government, or must receive government approval.**

Conversion and apostasy are not illegal. However, under ordinance 06-03, proselytizing by non-Muslims is a criminal offense and carries a maximum punishment of one million dinars (US$12,845) and five years' imprisonment for 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." Making, storing, or distributing printed documents, audiovisual materials, or the like with the intent of "shaking the faith" of a Muslim may also be punished in this manner. The government does not always enforce these restrictions.

The Ministries of National Education and Religious Affairs strictly require, regulate, and fund the study of Islam in public schools. The Ministry of National Education requires that private schools bring their curricula in line with national standards, particularly regarding the teaching of Islam and the use of Arabic as the primary language of instruction, or risk being closed.

Wider issues on thought and expression and other human rights

There is a range of restrictions on freedom of expression, and media freedom, but the situation has improved since the peak of the Algerian civil war in the mid-1990s.

A new press law adopted in December 2011 was criticized by journalists and human rights activists for containing vague language that reinforces the government's ability to block reporting on certain sensitive topics, including those deemed to undermine the country's security or economic interests. Both government officials and private entities use criminal **defamation laws** to pressure independent newspapers. Journalists and human rights activists are often arrested on charges of libel; they may also be the target of assaults by police officers.

A July 2009 cybercrime law gives authorities the right to block websites "contrary to the public order or decency". The government monitors Internet traffic. In February 2011, amid protests against the regime, activists in Algiers and the northwestern city of Annaba accused the government of shutting down the internet and disrupting social-networking activities. In May 2012, a blogger who posted videos to the internet calling for Algerians to boycott the parliamentary elections was arrested and given an eight-month suspended jail sentence.

The government continued to forcibly disrupt and discourage public gatherings and protests in 2012, despite the repeal of emergency law in February 2011. International human rights groups criticized the suppression of demonstrations in advance of the May 2012 elections. Activists protesting government policies also face arrest, often on vague charges.

Egypt

Egypt remains in a state of flux, with an army-backed regime seizing power from the increasingly autocratic Muslim Brotherhood-backed government of President Morsi in the summer of 2013. **The army regime formally banned the Muslim Brotherhood, in September 2013.**

Liberal secularists experienced discrimination before and after the army takeover, with serious infringements on the rights to freedom of religion or belief, freedom of expression, and freedom of association and assembly.

- **THERE IS A PATTERN OF IMPUNITY OR COLLUSION IN VIOLENCE BY NON-STATE ACTORS AGAINST THE NON-RELIGIOUS**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS

The Mubarak-era constitution is still technically the law of the land, and this and other laws and policies protect freedom of religion or belief. However, Article 98(f) of the country's penal code, as amended by law 147/2006, states that "**whoever makes use of religion in propagating, either by words, in writing, or in any other means, extreme ideas for the purpose of inciting strife, ridiculing or insulting a heavenly religion or a sect following it, or damaging national unity" should be punished with between six months and five years imprisonment, and/or a fine between five hundred and one thousand pounds. This law continues to be used against freethinkers.**

There was a marked increase in blasphemy charges in 2012 directed at atheist and Coptic Christians. This increase followed the election of the Morsi government, but was also fueled by the Muslim outrage over the YouTube video "Innocence of Muslims" (produced by Coptic emigrants from Egypt). Blasphemy cases dropped off in 2013, even before the Morsi government was overthrown.

The political situation remains unclear, unstable and repressive, with continuing political conflict.

Earlier drafts of a new constitution under Muslim Brotherhood government would have laid the foundations for a religious state, specifically a Sunni Muslim state. **As of early December 2013 the latest draft new constitution bans religious parties (a move condemned by the Muslim Brotherhood) and removes a number of other articles that would have strengthened the role of Islam and Islamism in the state, however, Al-Azhar remains the "primary reference" for Islamic issues, and the conformity of legislation to the principles of Islamic Shari'a law is still enshrined.**

Highlighted Cases:

On February 22nd, 2007 An Egyptian court sentenced a blogger, **Abdel Kareem Soliman**, to four years' prison for insulting Islam and the president. Soliman's trial was the first time that a blogger had been prosecuted in Egypt. He had used his web log to criticise the country's top Islamic institution, al-Azhar university and President Hosni Mubarak, whom he called a dictator.

On Oct. 27, 2007, blogger **Kareem Amer** was sentenced for Facebook posts deemed offensive to Islam, along with being seditious toward Hosni Mubarak. He was released on Nov. 17, 2010, upon which he was re-detained by security forces and allegedly tortured.

On Oct. 12, 2011, a court gave **Ayman Yusef Mansur**, 24, a three-year prison sentence with hard labor because he allegedly intentionally insulted the dignity of the Islamic religion with criticism on Facebook. The court did not make available what exactly Mansur posted on Facebook to draw the sentence.

In February 2012, a Christian school secretary named **Makram Diab** was sentenced to six years in prison for "insulting the Prophet Mohammed." A mob of 2,500 Muslims rallied outside the courthouse and demanded Diab be sentenced to death. Diab was apparently convicted on the testimony of Muslim colleagues, who stated he had made offensive remarks.

On 4 April 2012, An Egyptian court sentenced 17-year-old Christian boy, **Gamal Abdou Massoud**, to three years in jail for publishing cartoons on his Facebook page that "mocked" Islam and the Prophet Mohammad. Massoud was also accused of distributing some of his cartoons to his school friends in a village in the southern city of Assiut, home to a large Christian population. The child's court in Assiut sentenced Gamal Abdou Massoud to three years in prison "after he insulted Islam and published and distributed pictures that insulted Islam and its Prophet".. The cartoons, published by Massoud in December, had already prompted some Muslims to attack Christians, with several Christian houses burned and several people injured in the violence.

September 2012 also **saw riots across Egypt over the YouTube video "Innocence of Muslims"**, which offended Muslims with its portrayal of the Prophet Mohammad. As a result, in November an Egyptian court convicted, in absentia, **seven Coptic Christians**, allegedly involved in the production of the movie, for "insulting the Islamic religion through participating in producing and offering a movie that insults Islam and its prophet." At the same time, the court convicted an American Christian pastor, Terry Jones, for burning the Quran on YouTube. All eight were sentenced to death, but they are all living abroad in countries that are not expected to extradite them to Egypt.

On September 14, 2012, during the riots over the "Innocence of Muslims", **Alber Saber** was arrested after a mob formed outside his home and demanded his arrest for insulting religion. Saber is a twenty-seven-year-old prominent activist for secular democracy in Egypt. Raised in a Coptic Christian household, Saber is an atheist who reportedly operates the Egyptian Atheists page on Facebook and has been a vocal critic of fundamentalist Islam. Saber was reportedly beaten after a prison guard announced his charges to others in Saber's cell. On December 12, 2012, Saber was sentenced to three years in prison. Upon being released on bail, Saber was able to escape Egypt, and is now living abroad in hiding.

In late July 2012 a Coptic Christian teacher, **Bishoy Kamel**, 32, was arrested in the southern governorate of Sohag over an accusation that he posted images "insulting" to Islam on his Facebook page. Police were reported by al-Ahram newspaper as saying Kamel could be charged with blasphemy and would face up to five years in prison if convicted. The images he allegedly posted were cartoons depicting the Prophet Mohamed and Egypt's new President Mohamed Morsi. Mohamed Safwat, who filed the charges against Kamel, reportedly argued that that the teacher had also "insulted members of his own family." Kamel admitted to managing the Facebook page under investigation but denied the charges, claiming his account had been hacked. In September 2012 Kamel was sentenced to six years in prison for blasphemy.

Libya

The interim constitution provides limited protection of freedom religion or belief, as well as freedom of expression, but other laws and policies restrict these rights.

A new, permanent constitution was supposed to have been finalized by the end of 2013, but the process was only just beginning by year's end. **Leading political parties disagree on whether Libya should become a secular state or an Islamic state under the new constitution.**

Following the overthrow of the Qadhafi regime, and the civil war, an interim constitutional declaration was issued and will remain in force until a formal constitution is drafted and approved by referendum. **The interim constitution states that Islam is the state religion and Islamic law is the principal source of legislation, but that non-Muslims are accorded the freedom to practice their beliefs.** Article 6 of the interim constitution states "there shall be no discrimination among Libyans on the basis of religion or sect" with regard to legal, political, and civil rights.

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT

There is no law providing for an individual's right to choose or change his or her religion or to study, discuss, or promulgate one's religious beliefs. There is also no law prohibiting conversion from Islam to another religion; however, **in practice the government prohibits proselytizing to Muslims**.

Religious instruction in Islam is required in public schools and in private schools that admit citizens, but there is no in-depth instruction on other religions available in the curricula. The government does not issue information on the religious affiliation of children in public schools, but there are no reports of children transferring to private schools for alternative religious instruction.

Sharia (Islamic law) governs family matters for Muslims, including inheritance, divorce, and the right to own property. Under this body of law, a non-Muslim woman who marries a Muslim man is

not required to convert to Islam, although many do so; however, **a non-Muslim man must convert to Islam to marry a Muslim woman**. Citizens must be at least 40 years old to perform the Hajj. The Ministry for Awqaf and Islamic Affairs administers non-Muslim family law issues, although without a parallel legal framework. The ministry draws upon neighboring countries' family law precedents for non-Muslims.

Wider issues on thought and expression and other human rights

There has been a blossoming of free media, and open public debate, since the overthrow of the Qadhafi. In June 2012, Libya's Supreme Court struck down a law that would have restricted any speech deemed insulting to the country's people and institutions.

However, media freedom advocacy groups have reported an increase in restrictions on journalists since the early days of the revolution. On-going sectarian and political violence has seen rising violence and murder whose targets include journalists and other public figures.

While freedom of assembly has also increased since Qadafi, the continuing street violence, and threats from more organized militias, often deter peaceful assemblies and the public expression of dissenting views.

Morocco (including Western Sahara)

The constitution and other laws guarantee freedom of religion or belief. However, **in practice there are significant limitations on freedom of religion or belief, as well as on free expression.**

The constitution also stipulates that **Islam is the official state religion**, and designates the King as Commander of the Faithful and Defender of the Community and the Faith in the country.

All citizens, including members of parliament who are normally immune to arrest, may be prosecuted on charges of expressing opinions injurious to Islam.

Apostasy is not a crime under civil or criminal law, however there is plenty of scope under blasphemy laws (see below) for apostates to be punished. In April 2013 the Supreme Ulema Council of Morocco, the religious authority appointed by the government, was agitating for a death penalty for apostasy.

The law permits Sunni Muslims of the Maliki school to proselytize, but **prohibits others from attempting to convert Sunni Muslims of the Maliki School to other religions**. Voluntary conversion is not a crime under the criminal or civil codes.

According to Article 220 of the Penal Code, any attempt to stop one or more persons from the exercise of their religious beliefs or from attendance at religious services is unlawful and may be punished by 3 to 6 months' imprisonment and a fine of 115 to 575 dirhams (US$16 to $79). **However, article 220 applies the same penalty to "anyone who employs incitements to shake the faith of a Muslim or to convert him to another religion", which has been used in practice to justify social persecution of those expressing atheist criticism of religion (see Highlighted Cases below).**

GRAVE VIOLATIONS

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **THERE IS A PATTERN OF IMPUNITY OR COLLUSION IN VIOLENCE BY NON-STATE ACTORS AGAINST THE NON-RELIGIOUS**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

There is a separate set of laws and courts with authority over personal status matters for Jews covering issues such as marriage, inheritance, and other family matters. Rabbinical authorities, who are also court officials, administer Jewish family courts.

The government gives preferential treatment to Islam of the Maliki School and to Judaism.

Judges trained in the country's interpretation of Sharia (Islamic law) administer the courts for personal status matters for those of all other religious groups. However, Christians inherit

according to civil law. **There are no other legal mechanisms recognizing the Christian community (or other non-Muslims) in the same way the state recognizes its Muslims or the Jewish community.** Non-Muslims must formally convert to Islam before they can become guardians of abandoned children. Pursuant to a 2012 Ministry of Justice circular, guardianship is restricted to qualified individuals who permanently reside in Morocco. **According to the law, a Muslim man may marry a non-Muslim woman. However, a Muslim woman may not marry a non-Muslim man unless he converts to Islam.**

The public assembly law states that any association that seeks to undermine Islam is invalid.

The government does not require the designation of religion on passports or national identity documents. There are no prohibitions on religious clothing or symbols in either the public or private sphere.

The government's annual education budget funds Islamic religious instruction in all public schools and Judaism in some public schools. By law, all educational institutions may teach only Sunni Islam in accordance with the teachings of the Maliki School. These include international schools such as the French and Spanish schools. However, foreign-run schools have the option of not including any religious instruction within the school's curriculum.

Wider issues on thought and expression and other human rights

Moroccan authorities seem to be growing **increasingly intolerant of social and religious diversity.** Recent years have seen arrest campaigns against Shiites, Muslim converts to Christianity, and those opposed to a law enforcing the Ramadan fast.

A 2002 law restricting media freedom prohibits expression deemed critical of "Islam, the institution of the monarchy, or territorial integrity." Such expression may be punishable by imprisonment. The government does not otherwise restrict the print media or satellite and Internet programming.

The government harasses and occasionally prosecutes journalists and other writers (see the case of the well-known secularist blogger Mohamed Sokrate, below). The authorities occasionally disrupt websites and internet platforms, while bloggers and other internet users are sometimes arrested for posting content that offends the monarchy.

Media freedom is particularly severely limited in Western Sahara, a region under Morocco's control that has waged a long struggle for independence.

Highlighted Cases:

On June 14, 2012, well-known secularist blogger **Mohamed Sokrate** was jailed on drug-charges that were dismissed as fabrications by his lawyers and human rights organizations. One of his lawyers, Taher Abouzaid, said the proceedings against him were marked by many procedural errors. He also criticized the court's refusal to hear testimony from those who witnessed the arrest of his father and brother. Several sources said they were arrested just to get Sokrate to sign a police statement

Ref: *http://en.rsf.org/morocco-blogger-gets-two-year-jail-15-06-2012,42803.html*

Kacem El Ghazzali was a Moroccan atheist still at high school when he started an anonymous secularist blog in 2010. Critics tracked him down revealing his identity and threatening his life for "apostasy" and "blasphemy". He then appeared the Arabic language version of the international news network France 24 to talk about his atheism. After the TV interview the principal of Ghazzali's school accused him of violating the law against "shaking the faith" of a Muslim and physically assaulted him. Other students at the school threw rocks at him. The imam in his village of Bouderbala denounced him from the pulpit, and his extended family stopped talking to him. After a period in hiding because of the threats to his life, in 2013 Ghazzali was able to gain asylum in Switzerland.

Subsequent to his ordeals, Kacem El Ghazzali has been a guest representative of the International Humanist and Ethical Union at the United Nations Human Rights Council on multiple occasions, where he was able to formally confront the Morocco delegation over discrimination against atheist in the country.

Ref: *http://www.spiegel.de/international/world/moroccan-blogger-champions-freedom-in-swiss-exile-a-891561.html*
Ref: *http://iheu.org/story/why-must-i-be-killed-asks-moroccan-atheist*

Sudan

The Interim National Constitution and other laws and policies establish Islam as the source of all legislation, and restrict freedom of religion or belief, freedom of expression, and freedom of assembly and association.

In practice, the government not only enforces these restrictions, but also uses extra-legal violence to violate the rights of it citizens.

The Interim National Constitution ((INC) was adapted in 2005, and remains in force at the end of 2013. Progress towards a permanent constitution appears stalled, but, in any, **government leaders are seeking to further strengthen Islamic rule in any new constitution**.

Apostasy or conversion to a religion other than Islam, and blasphemy are all outlawed and may be punishable with a death penalty. By law, a person convicted of conversion has an opportunity to recant.

The law does not explicitly ban proselytizing, but **the vaguely worded apostasy law criminalizes both apostasy and acts that encourage apostasy**.

The penalty for blasphemy and "defamation" of Islam is up to six months in prison, flogging, and/or a fine.

All these laws are actively enforced: for example, in 2011, 129 Darfuris were charged with apostasy, which carries a maximum sentence of death, although they were released after agreeing to follow the government's interpretation of Islam.

There is discriminatory interreligious control. Muslim men may marry Christian or Jewish women, but a Muslim woman cannot marry a non-Muslim man unless he converts to Islam.

GRAVE VIOLATIONS

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

Public order laws, based largely on the government's strict interpretation of Islamic law, are in force in Khartoum State and **prohibit indecent dress** and other **"offences of honor, reputation, and public morality."** The vaguely worded law grants the special public order police and judges wide latitude in arresting and passing sentence on accused offenders.

By law, the justice minister can release any prisoner who memorizes the Quran during his prison term, in conjunction with a recommendation for parole from the prison director-general and a religious committee that consults with the Ministry of Guidance and Social Endowments to ensure that decisions comply with Islamic legal regulations.

Criminal and civil laws include some limited aspects of Islamic law, with penalties dependent on the religion of the accused. For example, the penalty for a Muslim or a non-Coptic Christian convicted of distribution of alcohol to Muslims is 40 lashes, but the authorities typically do not punish Christians for producing or consuming alcohol within their homes. Coptic Church officials handle all legal proceedings related to Copts, including alcohol-related issues, under the terms of Coptic Church-provided laws approved by the justice ministry.

The state-mandated curriculum requires all schools, including private schools operated by Christian groups, to teach Islamic education classes from preschool through to the second year of university. Public schools must provide religious instruction to non-Muslims, but some public schools excused non-Muslims from Islamic education classes. Private schools, including Christian schools, must hire a special teacher to teach Islamic subjects, but non-Muslim students are not required to attend those classes.

Tunisia

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES**
- **RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS**
- **STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT

The constitution and other laws and policies largely provide for freedom of religion or belief, and freedom of expression and assembly, but, in practice, **the government enforces some restrictions on these freedoms. However, the situation remains fluid, with secularists and Islamists battling for influence in the wake of the Arab Spring.**

Since the Arab Spring revolution, there has been a democratic process to create a new constitution that will better protect international human rights standards. However, continuing disagreement between Islamists and secularists meant that a new constitution had yet to be agreed by the end of 2013.

The 1959 constitution, which remains in force, stipulates that the official religion is Islam and the state seeks to "remain faithful to the teachings of Islam." Only a Muslim can serve as president.

The constitution provides for freedom of conscience and free practice of religion when it "does not disturb public order." **It is illegal for non-Muslims to proselytize Muslims, as the government views such efforts as "disturbing the public order."** Citizens have the right to sue the government for violations of religious freedom.

The penal code criminalizes speech likely "to cause harm to the public order or public morals." Another provision of the penal code criminalizes undermining public morals by "intentionally disturbing other persons in a way that offends the sense of public decency." The telecommunications code criminalizes "harming others or disrupting their lives through public

communication networks." Speech that is deemed offensive to traditional religious values, including speech deemed blasphemous, is prosecuted under these provisions.

Codified civil law is based on the Napoleonic code, although **judges often use Sharia (Islamic law) as a basis for customary law in family and inheritance disputes.**

The government subsidizes mosques and pays the salaries of imams. The government allows the Jewish community to worship freely and **pays the salary of the grand rabbi**. It also provides some security for all synagogues and partially subsidizes some restoration and maintenance costs.

The government recognizes all Christian and Jewish religious organizations established before independence in 1956. The government permits Christian churches to operate freely, and formally recognizes the Roman Catholic Church through a 1964 concordat with the Holy See.

Islamic religious education is mandatory in public schools. The religious curriculum for secondary school students also includes the history of Judaism and Christianity.

In August 2012, the ruling party, the Islamist party *Ennahdha* , filed an anti-blasphemy bill which would criminalise "curses, insults mockery, and desecration" of numerous religious concepts, including Allah, the Prophets, the three Abrahamic books, the Sunnah (the practices of the Prophet Muhammad), churches, synagogues and the Kaaba (the most sacred building in Islam). The bill also banned pictorial representation of God and Prophet Muhammad. **However, this blasphemy bill did not have enough support to become law.**

In 2012, Islamists inserted a clause against blasphemy in the draft constitution, which read: "The state guarantees freedom of religious belief and practice and criminalises all attacks on that which is sacred." However, **after protests against this blasphemy law, the clause was later dropped**.

The right to freedom of expression, including media freedom, was declared a foundational principle for the country at the dawn of the Arab Spring. **In practice, this freedom remains contested, with more conservative and religious groups opposing expressions that criticize Islam or traditional social conventions.** It remains to be seen whether the new constitution will provide the legal and institutional framework to better protect freedom of expression.

Highlighted Cases:

On 28 March, 2012, two atheist friends**, Jabeur Mejri** and **Ghazi Beji** were sentenced to seven and a half years in prison, and to a fine of 1200 Tunisian Dinars (around US $800) each, for posting images on Facebook deemed blasphemous. Mejri and Beji were put on trial following a complaint lodged by a group of residents in Mahdia. While Jabeur Mejri is in prison, his friend Ghazi Beji sought refuge in Europe. Mejri and Beji were convicted under Article 121 (3) of the Tunisian Penal Code, which states that:"The distribution, putting up for sale, public display, or possession, with the intent to distribute, sell, display for the purpose of propaganda, tracts, bulletins, and fliers, whether of foreign origin or not, that are liable to cause harm to the public order or public morals is prohibited."

On May 3, 2012, **Nabil Karoui** was convicted for disrupting public order and violating moral values by airing *Persepolis* an animated film that some religious leaders say insults Islam. Karoui, the head of Nessma TV a private television station, was ordered to pay a 2,400 dinar (US$1,500) fine.

In 2012, when **Sofiene Chourabi**, a democracy activist and journalist, called for a protest against the explicit blasphemy law proposed by *Ennahdha*, he was arrested the next day for "drinking alcohol during Ramadan", which is not a crime under Tunisian law.

Southern Africa

Botswana

The constitution and other laws mandate a secular state and protect freedom of religion or belief. However, there are **widespread state privileges for Christianity and routine bias against the non-religious.**

Government meetings often begin with a Christian prayer.

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

Even though the constitution prohibits forced religious instruction, there is some forced participation in religious ceremonies, or taking oaths that run counter to an individual's religious beliefs.

Religious education is part of the curriculum in public schools. This public education emphasizes Christianity but also addresses other religious groups in the country, while **excluding humanists and other non-theists**. Additionally, **the constitution provides that every religious community may establish places for religious instruction at the community's expense.**

Wider issues on thought and expression and other human rights

The constitution protects freedom of expression and freedom of association. Botswana has a free and vigorous press. The government does not restrict internet access.

Lesotho

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. **These rights are generally respected in practice, except some journalists report suffering legal and illegal harassment for criticizing the government.**

Systemic Discrimination

- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**

The constitution states that "Every person shall be entitled to, and (except with his own consent) shall not be hindered in his enjoyment of, freedom of conscience, including 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."

The government has no established requirements for religious group recognition. By law, any group may register with the government, regardless of its purpose. The requirements for

registration are a constitution and a leadership committee. Most religious groups register, but there is no penalty for not registering.

The education ministry pays and certifies all teachers, and requires a standard curriculum for both secular and religious schools. Churches own and operate nearly 90 percent of all primary and secondary schools. The Catholic Church operates an estimated 40 percent of all primary and secondary schools. The Lesotho Evangelical Church, the Anglican Church, and to a lesser extent the Methodist Church also operate schools.

Wider issues on thought and expression and other human rights

Freedoms of speech and the press are guaranteed by the constitution, but are not always respected in practice. Media outlets and journalists face **severe libel and defamation penalties when criticizing or reporting on political leaders**, and reporters are occasionally harassed, threatened, and attacked.

Freedoms of assembly and association are guaranteed by the constitution, but sometimes demonstrations are broken up violently by police.

Namibia

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

There is no state religion, and individuals are free to exercise their right to freedom of belief.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**

Wider issues on thought and expression and other human rights

The constitution guarantees free speech, and Namibia's media have generally enjoyed a relatively open environment.

However, **government and party leaders at times issue harsh criticism and even threats against the independent press**, usually in the wake of unflattering stories. The government has also been know to use its influence, and advertising budget, to try to **bully the media into toeing the government line.**

The right to freedom of assembly is legally protected and generally respected in practice.

South Africa

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. **These rights are generally respected in practice.**

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**

The Republic of South Africa's bill of rights states that the government may not discriminate directly or indirectly against any individual based on religion; in addition, no one may deny members of a religious group either the right to practice their religion, or to form, join, and maintain religious associations with other members of that group. Cases of discrimination against persons on the grounds of religious freedom may be taken to the Constitutional Court.

The law prohibits discrimination on grounds of religion.

The government allows, but does not require, religious education in public schools and **prohibits advocating the tenets of a particular religion in public schools**.

Wider issues on thought and expression and other human rights

Freedoms of expression and the press are protected in the constitution and generally respected in practice, though **the government has shown increasing hostility to media criticism under current president Jacob Zuma.** Most South Africans receive the news via radio outlets, a majority of which are **controlled by the state-run broadcaster** South African Broadcasting Corporation (SABC). The SABC also dominates the television market. **The government is highly sensitive to media criticism and has increasingly encroached on the editorial independence of the SABC.** In addition, government officials have used **gag orders to block reporting on alleged corruption, and journalists are occasionally subject to harassment and legal action**.

Freedoms of association and peaceful assembly are secured by the constitution and are generally respected in practice.

Swaziland

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. However, **under the absolute monarchy of King Mswati III, these rights are frequently violated in practice**.

GRAVE VIOLATIONS

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The constitution states that individuals have a right to freedom of thought, conscience, and religion. **Traditional laws and customs, interpreted by traditional courts and approximately 360 chiefs, provide less protection to minority religious groups.**

Chiefs may direct community pressure against a religious group if the chiefs determine that the group's practices conflict with tradition and culture.

Religious instruction is mandatory in primary school and an elective subject in secondary schools. Although schools teach religion predominantly from a Christian perspective, the education ministry includes a multi-religion component in the religious curriculum. The only organized religious youth clubs reportedly permitted to operate in schools are Christian. **Voluntary school clubs conduct daily prayer services in many public schools.**

Wider issues on thought and expression and other human rights

Constitutional rights to free expression are severely restricted in practice and can be suspended by the king.

Publishing criticism of the ruling family is banned. Self-censorship is widespread, as journalists are routinely threatened and attacked by the authorities.

The government restricts freedoms of assembly and association, and permission to hold political gatherings is frequently denied. Demonstrators routinely face violence and arrests by police.

Western Africa

Benin

The constitution states that the country is secular, and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. **The constitutional court determines rules on religious matters as part of its mission to guarantee respect for religious freedom.** The court has determined that it is illegal to block access of any group to its religious premises and that discussion and debate regarding religious belief is a protected right of free speech.

Free and Equal

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

NOTE: THIS RATING REFLECTS THE TECHNICAL STATUS OF THE LAW ON FREEDOM OF THOUGHT AND EXPRESSION. IT DOES NOT MEAN THAT THERE ARE NO CONCERNS ABOUT OTHER HUMAN RIGHTS OR PRACTICES, BUT THE CONDITIONS TO MAKE PROGRESS ON SUCH ISSUES ARE GOOD.

Article 14 of the constitution sates, "Religious institutions and communities shall be able to cooperate equally in the education of the youth. Private schools, secular or parochial, may be opened with the authorizations and control of the State." In practice this provision seems to uphold the equality of non-religious views and organizations.

In a country of significantly mixed religious affiliation, including 7% of no religious affiliation according to the country's own most recent census, there **are no serious religious or sectarian conflicts and no known cases of non-religious individuals persecuted *qua* non-religion.**

Wider issues on thought and expression and other human rights

There remain concerns over slow progress on child labour and some reports of human rights violations by security services. Homosexuality is criminalized. Benin has a low but improving literacy rate. The country has **generally been applauded for a steady transition into democracy**.

Burkino Faso

Burkino Faso is a secular state and its constitution and other laws and policies protect freedom or thought, conscience and religion.

The constitution guarantees the right to choose and change one's religion and to practice the religion of one's choice.

Mostly Satisfactory

- **SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS**

Wider issues on thought and expression and other human rights

Freedom of expression is constitutionally guaranteed and there is strong, independent media. However, **journalists occasionally face criminal libel prosecutions, death threats, and other forms**

of harassment and intimidation. In October 2012, two journalists at the private weekly L'Ouragan were sentenced to 12 months in prison for defamation, and their paper was suspended for six months, for publishing allegations of corruption against the state prosecutor's office. The government does not restrict internet access.

The constitution guarantees the right to assemble as well as freedom of association.

Cabo Verde

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as the right to the freedoms of expression, association and assembly.

The constitution provides for separation of church and state and prohibits the state from imposing religious beliefs and practices.

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**

Although there is no state religion, most inhabitants of the Cape Verde islands identify as Roman Catholic and **the government grants privileges to the Catholic Church that other groups do not receive; for example, the government provides the Catholic Church with free television broadcasting time for religious services.**

Wider issues on thought and expression and other human rights

Freedoms of assembly and association are legally guaranteed and observed in practice. Freedom of expression is legally guaranteed and there is a lively independent media sector. The government does not restrict access to the Internet.

Cote d'Ivoire

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression.

Mostly Satisfactory

- **SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS**

The country is divided, politically as well as geographically, between its predominantly Muslim North and predominantly Christian South. Although this religious and ethnic has fuelled **sectarian political conflict**, the governments of Cote d'Ivoire have generally respected freedom of religion or belief.

Wider issues on thought and expression and other human rights

Political turmoil and civil conflict arising from a disputed presidential election in December 2010 **infringed some freedoms**, including freedom of the press and freedom to peaceably assemble. The situation has been improving since 2011. However some concerns remain that the government has failed to investigate some other serious human rights violations.

Gambia

Although the constitution and other laws protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association, **in practice the government frequently violates all these rights.**

Although the constitution guarantees the right to freedom of religion or belief, **the government promotes and controls religion, especially the Sunni Islam of more than 90% of the population.**

The constitution establishes Qadi courts to administer traditional Islamic law. Their jurisdiction applies to family law ("personal status law") for Muslims: marriage, divorce, and inheritance questions.

Article 25 of the Constitution establishes a Muslim judge trained in Islamic legal tradition as chief justice.

The government funds religious instruction in schools, which includes both Biblical and Quranic studies.

In 2009, state forces led mass hunts for those accused of witchcraft. Nearly 1,000 people were kidnapped, with many brought to secret government detention centers, beaten, and forced to drink hallucinogens, resulting in two deaths. The New York Times reported that the witch-hunting campaign had been sparked by President Jammeh's belief that the recent death of his aunt was caused by witchcraft.

In July 2010, President Jammeh stressed that people should believe in God, saying that "If you don't believe in God, you can never be grateful to humanity and you are even below a pig."

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- 'APOSTASY' IS OUTLAWED AND PUNISHABLE WITH A PRISON SENTENCE
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

Wider issues on thought and expression and other human rights

President Yahya Jammeh's dictatorial regime does not tolerate media freedom. The government uses laws on sedition to silence and punish dissent. Independent journalists and media are subject to harassment, arrest, and violence. The government runs the main radio station and leading newspaper as well as Gambia's only TV station. However, there are several private radio stations and newspapers, and foreign broadcasts are available. Although Internet access is generally not restricted by the government, some websites critical of the regime, including that of the U.S.-based newspaper Gambia Echo, have been blocked.

In 2012 President Jammeh abruptly announced that all 47 inmates on death-row would be executed within the month—after 27 years without any executions. Following international protests, the executions were halted after nine prisoners were shot, but the **uproar against the executions in the Gambian media—as well as criticism from religious leaders—was harshly repressed**. Two independent papers, the Daily News and The Standard, that criticized the executions were ordered by security officials to cease publication. Imam Baba Leigh, a popular Muslim leader who preaches his own sermons instead of those issued by the government, was arrested and **tortured** because he preached against the death penalty.

Ghana

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. These rights are largely respected in practice.

Ghana is officially a secular state, although the **government tends to favour the majority Christian religion in practice.**

The Education Ministry includes religious and moral instruction in the national school education curriculum, tending to promote Christian teachings, but also including Islamic perspectives in those parts of the country where Muslims predominate

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

Wider issues on thought and expression and other human rights

Freedom of expression is constitutionally guaranteed and generally respected in practice. There are many independent radio stations and publications. However, the **government occasionally restricts press freedom through harassment and arrests of journalists**. A law prohibiting "publishing false news with intent to cause fear or harm to the public or to disturb the public peace" is sometimes used to prevent or punish reporting on politically sensitive issues.

Access to the Internet is not restricted by the government, and the rights to peaceful assembly and association are constitutionally guaranteed and generally respected

Guinea

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However **some of these rights are repressed in practice, most notably demonstrations and media coverage that criticize the government.**

The constitution provides for the right of individuals to choose, change, and practice the religion of their choice. However, **the US Office for International Religious Freedom has reported some rare cases of discrimination against non-Muslims in government employment, as well as social constraints on Muslims' freedom to convert to other religions**.

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- PREFERENTIAL TREATMENT OF RELIGION
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The compulsory primary school curriculum does not include religious studies. **Islamic schools are prevalent throughout the country and are the traditional forum for religious education. Some Islamic schools are private, while others receive local government support; other religious schools do not.**

Islamic schools, particularly common in the Fouta Djalon region, teach the compulsory government curriculum along with additional Quranic studies. Christian schools, which accept students of all religious groups, exist in the nation's capital and most other big cities. Christian schools are private and include prayers before school. Although they do not receive government support, Christian schools teach a curriculum that fulfills the government's compulsory primary school education requirement.

There are several madrassahs, usually associated with a mosque. Unlike Islamic schools, they do not teach the national primary school curriculum, teach in Arabic rather than French, and focus on Quranic studies. The government does not recognize madrassahs, which are not linked with the public school system and do not fulfill compulsory curriculum requirements. Funds from Saudi Arabia, Kuwait, and other Gulf states support some madrassahs.

The imams and administrative staff of the principal mosque in Conakry, the national capital, are government employees.

Wider issues on thought and expression and other human rights

The 2010 constitution guarantees media freedom, as well as freedom of expression. While the state controls the national radio station and the main TV broadcaster, there are more than 30 independent radio stations, including 16 community radio stations. In 2013, after delays in government approval, Guinea's first privately owned TV station, Espace TV, began broadcasting. With low literacy rates, most Guineans receive their news through radio and TV.

The government occasionally pressures or suspends independent broadcasters that publicize opposition to the ruling party. In the run up to the September 2013 presidential election, there was

an increase in government suppression of the media, as well as violence against broadcasters perpetrated by the supporters of the ruling party. In July 2013, the communications minister closed *Liberté FM*, a radio station based in N'Zérékoré, a southeastern city that was the scene of inter-ethnic clashes at the time. Bowing to pressure, the minister allowed the station to resume broadcasting after five days. On August 18, 2013, government supporters ransacked *Batè FM*, removing all of its equipment. One of the most popular radio stations in the Upper Guinea region, *Batè FM* was attacked by supporters of the ruling party after it reported that President Alpha Condé got a hostile reception when he visited Kankan just weeks ahead of the 24 September elections. *Batè FM*'s manager fled after the attack, fearing for his safety. "Freedom of expression is an essential part of democracy, which clearly does not exist in Guinea," he told Reporters Without Borders.Two days before the attack, President Condé's security forces temporarily shut down the station following Condé's arrival in the region. The same security forces also beat an *Espace TV* cameraman and smashed his camera during the president's visit to the regional capital of Labé. Journalists have also occasionally been harassed or assaulted for criticizing the government or covering opposition demonstrations.

Respect for freedom of assembly is enshrined in the constitution but sometimes repressed in practice. In May and September 2012, security forces violently dispersed opposition supporters protesting ongoing delays in holding parliamentary elections, resulting in dozens of injuries and arrests. Security forces dispersed further protests in April and August 2012 with tear gas. In September 2012 police fired tear gas at protestors calling for the departure of a South African company hired to re-construct the country's voter registry and which was regarded as potentially biased in favor of the administration.

Freedom of association is generally respected. However 2013 saw **further episodes of the security forces violently suppressing opposition demonstrations, especially during the presidential campaign**.

Guinea-Bissau

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However **these rights are often repressed, especially during the frequent military coups that plague the nation.**

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**

There state is secular and freedom of religion or belief is legally protected and usually respected in practice.

Wider issues on thought and expression and other human rights

Although the constitution provides for freedoms of expression and of the media, these freedoms are currently not respected. Television and radio stations and newspapers were shut down during the 2012 military coup, and when they were allowed to reopen shortly afterwards they were ordered not to criticize the coup or report on protests. **Journalists regularly face harassment and**

intimidation, especially regarding the military's participation in drug trafficking and its role in the coup. Antonio Aly dos Santos, Guinea-Bissau's most popular blogger, was arrested and violently beaten in April 2012 and forced to leave the country under threat in November 2012.

Freedom of assembly is also guaranteed by the constitution but was sharply curtailed following the 2012 coup. **Demonstrations, including by the National Front Against the Coup, have been banned, and protesters threatened, arrested, and violently assaulted.** A month after the 2012 coup a transitional government was agreed, with new elections planned for late November 2013. The transitional government eased some of the media repression. But in early November 2013 it announced that the elections would be postponed until March 2014.

Liberia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. In practice, these rights are generally respected, although **concerns remain over the draconian libel laws used against journalists who report government corruption.**

Systemic Discrimination

- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The constitution (adopted in 1986) begins by "Acknowledging our devout gratitude to God for our existence as a Free, Sovereign and Independent State, and relying on His Divine Guidance for our survival as a Nation." However, Article 14 states that "All persons shall be entitled to freedom of thought, conscience and religion and no person shall be hindered in the enjoyment thereof except as may be required by law to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. All persons who, in the practice of their religion, conduct themselves peaceably, not obstructing others and conforming to the standards set out herein, shall be entitled to the protection of the law. No religious denomination or sect shall have any exclusive privilege or preference over any other, but all shall be treated alike; and no religious tests shall be required for any civil or military office or for the exercise of any civil right. **Consistent with the principle of separation of religion and state**, the Republic shall establish no state religion."

Government ceremonies commonly include opening and closing prayers. The prayers were usually Christian but occasionally, in areas with many Muslims, were both Christian and Muslim. **The law requires high-level government officials to take an oath when assuming office**: Christians kiss the Bible and Muslims the Quran on those occasions.

The government subsidizes private schools, most of which are affiliated with either Christian or Muslim organizations. Public schools offer religious education as an elective at all levels of school, but do not require it.

Wider issues on thought and expression and other human rights

Following the end of civil war in 2003, and the introduction of a Liberian media have enjoyed wide-ranging freedom. The 2010 Freedom of Information Act promotes unhindered access to public

information and is considered a model for the region. The country hosts a variety of newspapers, which publish mainly in the capital; numerous radio stations also operate across the country. The government does not restrict internet access, but poor infrastructure and high costs limit usage to a small fraction of the population.

In 2012, Liberia's president, Ellen Johnson Sirleaf, became only the second African head of state, to sign the Table Mountain Declaration, which aims to abolish insult and criminal libel laws in Africa. However, by late 2013, Liberia had still not abolished its harsh laws against defamation.

In September 2013, a judgement imposing grotesquely excessive libel damages (US$1.5 million in damages in a nation where average income is under US$300 a year) forced the closure of the leading independent newspaper FrontPageAfrica and the imprisonment of its managing editor and publisher, Rodney Sieh. **Liberia has a history of such punitive libel convictions against journalists reporting on government corruption.**

Freedoms of assembly and association are guaranteed by the constitution and fully respected in practice.

Mali

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. These rights had been generally respected before 2012, when the country descended into civil war following an armed rebellion and coup.

Systemic Discrimination

- PREFERENTIAL TREATMENT OF RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS

In 2012 a rebellion by Tuareg tribesmen and an Islamist takeover of the north, followed by a military coup by officers seeking a more militant response to the uprising, led to a **drastic deterioration in the human rights situation in Mali**. **In the north during 2012, Islamist militants brutally imposed Sharia (Islamic law) and destroyed Sufi Muslim shrines and other sacred sites that they deemed un-Islamic.** However, following foreign military intervention and peace-building efforts, Mali held successful presidential elections in August 2013 and parliamentary elections at the end of November 2013. The resulting democratic government appears committed to the restoration of peace and human rights.

The constitution defines the country as a secular state and allows for religious practices that do not pose a threat to social stability and peace. However, **Mali's High Islamic Council has a significant influence over government in the predominantly Muslim nation.**

State schools do not offer religious instruction. There are many private, parochial, and other religious educational institutions, both Muslim and Christian.

Passports and national identity documents do not designate religious identity.

Wider issues on thought and expression and other human rights

Mali's media were considered among the freest in Africa before the conflict and coup. Criminal libel laws had not been invoked by authorities since 2007, and there were no reports of harassment or intimidation of journalists in 2011. During 2012, however, an unprecedented number of journalists were illegally detained and tortured by the military and Islamist militants.

Freedoms of assembly and association were respected prior to the coup, but were violently suppressed during the civil war.

By the end of 2013, it looks like the former rights and freedoms may have been restored in Mali.

Mauritania

The constitution and other laws and policies restrict freedom of religion or belief, as well as freedom of expression.

The 1991 constitution defines the country as an Islamic republic and recognizes Islam as the sole religion of its citizens and the state. Due to this stance, all non-Muslims are restricted from being citizens of the country, and Mauritanians who leave Islam for another religion or no religion lose their citizenship

In addition, Article 306 of the penal code outlaws apostasy: anyone found guilty of converting from Islam will be given the opportunity to repent within three days and if the person does not repent, the individual will be sentenced to death and the person's property will be confiscated by the Treasury.

Sharia (Islamic law) provides legal principles upon which the law and legal procedures are based. The government and citizenry consider Islam to be the essential cohesive element ostensibly unifying the country's various ethnic groups. There is a cabinet-level Ministry of Islamic Affairs and Traditional Education. **The High Council of Islam, consisting of six imams, advised the government on conformance of legislation to Islamic precepts. The judiciary consists of a single system of courts that uses principles of Sharia in matters concerning the family and modern legal principles in all other matters.**

The government requires members of the Constitutional Council and the High Council of

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **THE NON-RELIGIOUS ARE BARRED FROM GOVERNMENT OFFICE**
- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- IT IS MADE DIFFICULT TO REGISTER OR OPERATE AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

Magistrates to take an **oath of office that includes a promise to God to uphold the law of the land in conformity with Islamic precepts**.

Both public schools and private Islamic schools include classes on Islam, and attendance at these religious classes is mandatory.

Despite constitutional guarantees for press freedom, **private newspapers face closure for publishing material considered offensive to Islam or threatening to the state**. Many journalists practice self-censorship.

Niger

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

Free and Equal

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

The 2010 constitution provides for the separation of religion and state. The state guarantees the free exercise of religion and expression of beliefs. The law states that each person shall have the right to freedom of thought, opinion, expression, conscience, religion, and belief. The law bans political parties based on ethnic, regional, or religious affiliation.

Wider issues on thought and expression and other human rights

Freedom of expression and media freedom are guaranteed by the 2010 constitution and generally respected in practice. In 2010, the National Assembly adopted a new press law that eliminated prison terms for journalists, and removed the threat of libel cases against journalists. In 2012, Niger's president became the first head of state to sign the Table Mountain Declaration, which calls on African governments to promote press freedom.

The rights to freedom of assembly and freedom of association are protected by the constitution and respected in practice.

Nigeria

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **these rights are frequently violated by federal, state and local governments, as well as by non-state militias and terrorist groups, such as the violent Islamist group Boko Haram.**

The constitution mandates that local, state and federal government "shall not adopt any religion as State Religion." However, **some state governments have a record of abusing freedom of religion or belief. There is significant hostility and violence between religious communities, especially Christians and Muslims, in many parts of the country.**

Some outbreaks of communal violence have resulted in hundreds of deaths. Yet, **a climate of impunity exists, as authorities rarely prosecute and punish those responsible for violent attacks.**

The Sharia statutes in force in twelve northern states impose severe penalties for alleged press offenses, such as "blasphemous" criticism of Islamic beliefs, practices and leaders. Information is scant but it is highly likely that in some areas over statements considered blasphemous or indicative of apostasy would be punished with death.

Terrorist group Boko Haram campaigns for an Islamist state and has killed hundreds of people it accuses of "collaborating" against it, including school children.

GRAVE VIOLATIONS

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY REPRESSED**
- *[UNDER SOME ISLAMIST-CONTROLLED AREAS]* 'APOSTASY' IS OUTLAWED AND PUNISHABLE BY DEATH
- *[UNDER SOME ISLAMIST-CONTROLLED AREAS]* 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE BY DEATH
- **THERE IS A PATTERN OF IMPUNITY OR COLLUSION IN VIOLENCE BY NON-STATE ACTORS AGAINST THE NON-RELIGIOUS**
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- IT IS MADE DIFFICULT TO REGISTER OR OPERATE AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

Media outlets have also been the victims of terrorist attacks. In June 2012, Boko Haram bombed the offices of a major newspaper, This Day.

The constitution provides that states may establish courts based on the common law or customary law systems. Twelve northern states—Sokoto, Kebbi, Niger, Kano, Katsina, Kaduna, Jigawa, Yobe, Bauchi, Borno, Zamfara, and Gombe—maintain **Sharia courts, which adjudicate both criminal and civil matters, along with common law and customary law courts.** Non-Muslims had the option to try their cases in the Sharia courts if involved in disputes with Muslims. If non-Muslims did not agree to go to Sharia courts, common law courts would hear their cases. Although the constitution does not explicitly allow Sharia courts to hear criminal cases, they have done so in the past. **In Zamfara State, the first state to adopt Sharia, a Sharia court must hear all criminal cases involving Muslims.**

No laws barred women or any groups from testifying in common law courts or gave less weight to their testimony; however**, Sharia courts usually accorded less weight to the testimony of women and of non-Muslims.**

Both federal and state governments regulate mandatory religious instruction in public schools; (however, the constitution mandates that students do not receive religious instruction in any religion other than their familial assigned religion). In theory students can request a teacher of their own beliefs to provide alternative instruction, but in practice many schools lack teachers capable of doing so.

Although the jurisdiction of Sharia technically does not apply to non-Muslims in civil and criminal proceedings, certain social mores inspired by Sharia, such as the separation of the sexes, affected non-Muslim minorities in the north. **Many non-Muslims perceive that they lived under the rule of a Muslim government and often feared reprisals for their religious affiliation**. The *Hisbah*—Sharia enforcement groups funded by state governments in Bauchi, Zamfara, Niger, Kaduna, and Kano—enforce, sometimes violently, some Sharia statutes.

Wider issues on thought and expression and other human rights

Freedom of speech and expression is constitutionally guaranteed, and Nigeria has diverse and vigorous independent media. However, **state security agents occasionally arrest journalists, confiscate newspapers, and harass vendors, notably when journalists are covering corruption or separatist and communal violence**. Local authorities frequently condemn those who criticize them, and cases of violence against journalists often go unsolved.

The government does not restrict internet access.

Freedoms of assembly and association are guaranteed by the constitution and generally respected in practice. However, **protests are often suppressed by state and private security forces**, especially demonstrations organized by youth groups or in the Niger Delta. **Human rights groups report that dozens of activists have been killed in recent years and hundreds have been detained.**

Highlighted Cases:

For more than a decade, the government of Nigeria has refused to allow the **Nigerian Humanist Movement** to register as a legal corporation, rejecting the application on arbitrarily changing criteria.

Ref: *http://dialogueseriesnew.blogspot.co.uk/2011/10/usa-africa-dialogue-series-humanism-and.html*

Senegal

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. The right to freedom of belief is generally respected in practice. **The rights to freedom of expression and assembly are widely respected, however, in recent years the government has shown greater intolerance towards criticism in the media and also to some public demonstrations.**

Mostly Satisfactory

- RELIGIOUS COURTS RULE DIRECTLY ON SOME FAMILY OR 'MORAL' MATTERS RESULTING IN DISCRIMINATORY TREATMENT
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The constitution defines the country as a secular state and provides for the free practice of religious beliefs, provided that public order is maintained.

Muslims may choose either the civil Family Code or Islamic law to adjudicate family conflicts, such as marriage and inheritance disputes. Civil court judges preside over civil and customary law cases, but religious leaders informally settle many disputes among Muslims, particularly in rural areas.

Wider issues on thought and expression and other human rights

Freedom of expression is generally respected. **There is a diverse and lively independent media that is often highly critical of the government despite the risk of criminal defamation charges.** However, in recent years, several journalists have been targeted for expressing opposition to the government. **In the run-up to the 2012 presidential election, at least a dozen incidents of security or other government officials harassing, threatening, or physically harming journalists were documented.**

In an August 2013 libel case, a Dakar criminal court closed the newspaper *Le Quotidien* for three months and sentence its editor, Madiambal Diagne, to a month in prison and a damages of 10 million CFA francs (c.US$20,000) for an article criticizing a former foreign minister.

Access to the internet is not restricted.

Freedoms of association and assembly are legally guaranteed. While peaceful public demonstrations have been common in the past**, in the run-up to the 2012 presidential elections police used forced to disperse opposition rallies, resulting in at least six deaths.**

Sierra Leone

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

Free and Equal

- FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS

The constitution guarantees all citizens the freedom to observe their own religious practices and to change religions without interference from the

government or members of other religious groups. There is little or no interreligious violence in this majority Muslim country with a sizeable Christian minority.

The government requires a standard Religion and Morals Education (RME) curriculum in all state schools through high school, which is comparative and covers Christianity, Islam, and other religions. Instruction in a specific religion is permissible only in private schools organized by religious groups.

Togo

The constitution protects freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. While the right to freedom of belief is generally respected, **the authorities show far less respect for the right to criticize the government through media or public demonstrations.**

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS**

The government recognizes Catholicism, Protestantism, and Islam as official religions. The government requires all other religious groups, including indigenous groups, to register as religious associations. Official recognition as a religious association affords them the same rights as those afforded to Catholic, Protestant and Muslim groups.

The state school curriculum does not include religion classes; however, **there are many Catholic, Protestant, and Islamic schools, and the government provides them with teachers and other staff, and pays their salaries.**

The constitution explicitly prohibits the establishment of political parties based on religion, ethnic group, or region.

Wider issues on thought and expression and other human rights

Freedom of expression is guaranteed by law. However, **criticism of the government is often not tolerated. Impunity for crimes against journalists and frequent defamation suits encourage self-censorship.** A 2009 law gives the state broadcasting council, the High Authority of Broadcasting and Communications (HAAC), the power to impose **severe penalties**—including the suspension of publications or broadcasts and the confiscation of press cards—if journalists are found to have made "serious errors" or are "endangering national security." **These provisions have been used to suppress criticism of the government.**

Freedom of assembly is sometimes restricted. A 2011 law requires that demonstrations receive prior authorization and only be held during certain times of the day. **Demonstrations are often dispersed by security forces, sometimes violently.**

AMERICAS

Latin America and the Caribbean

Antigua and Barbuda

The constitution and other laws and policies of the twin-island state of Antigua and Barbuda protect freedom or thought, conscience and religion, as well as freedom of opinion and expression.

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- **CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT**

The government is secular; however, **the government maintained a close relationship with the Antigua Christian Council**. **The prime minister is responsible for the Ministry of Ecclesiastical Affairs, whose role is to coordinate greater interaction among churches, other religious organizations, and the government. The ministry is also charged with facilitating the entry of religious workers into the country.**

The constitution explicitly protects freedom of speech and of the press, and these rights have generally been respected.

According to the Ministry of Ecclesiastic Affairs, there are no laws directly related to blasphemy. **However, the Small Charges Act does mention "blasphemous" language. This law has not been enforced for blasphemy.**

Public schools are secular; religious education is not part of the curriculum.

Bahamas

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. The constitution specifically forbids infringement of a person's freedom to choose and change religion and provides for the right to practice the religion or belief of one's choice. **However, the constitution also requires the government to respect Christian values. And political and public discourse often invokes the country's strong Christian heritage and Christian values.**

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The government meets regularly with Christian leaders, both publicly and privately, to discuss societal, political, and economic issues.

Religion is recognized as an academic subject at government schools and is included in mandatory standardized achievement and certificate tests. **The country's Christian history has a strong influence on religion classes in government-supported schools, which focus on the study of Christian philosophy and Biblical texts**, and, to a lesser extent, comparative and non-Christian religions presented in a Christian context. **The constitution allows students, or their guardians in the case of minors, to decline to participate in religious education and observance in schools.**

Wider issues on thought and expression and other human rights

Freedom of expression is well protected in the Bahamas. The small island nation has a well-developed and diverse media, including state-run radio as well independent broadcasters and newspapers. Access to the internet is unrestricted.

Barbados

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression.

However, 'blasphemy' remains a crime. There have been no prosecutions in recent history.

Wider issues on thought and expression and other human rights

Systemic Discrimination

- CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT

Freedom of expression is respected, and the media is free of censorship and government control. Access to the internet is not restricted.

Cuba

The constitution states that freedom of religion is protected, although **in practice the government restricts this right**.

The 1992 constitution abolished atheism as the state ideology, declaring the country a secular state, with the right to practice religion. Catholics and other religious believers now have the right to join the ruling Communist Party of Cuba (PCC).

Systemic Discrimination

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED

Wider issues on thought and expression and other human rights

The regime forbids any political organizing outside of the PCC, and effectively prohibits freedom of expression, assembly and association.

The news media are owned and controlled by the state. **Independent media is illegal, aside from a few Catholic Church magazines**, and the independent journalists and news agencies that do exist are infiltrated and persecuted by the government. Scores of bloggers are arrested and imprisoned every year.

The regime severely restricts access to the internet, with less than 3 percent of Cubans able to access the Internet.

The government restricts academic freedom. Teaching materials must contain ideological content that supports the communist regime.

The constitution grants limited rights of assembly and association, but these may not be "exercised against the existence and objectives of the Socialist State."

Dominica

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression.

The public school curriculum includes Christian education, and **students are led in Christian prayer during morning assembly. While, non-Christian students are not required to participate, opting out may expose them to discrimination. There are Catholic, Methodist, and Seventh-day Adventist schools, and the government subsidizes teacher salaries at these religiously affiliated schools.**

Systemic Discrimination

- STATE-FUNDING OF RELIGIOUS SCHOOLS
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression and freedom of the press. The media operate without government restrictions and are often critical of reigning administrations.

Grenada

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. These rights are generally respected in practice.

The law does not prohibit spoken blasphemy but **the Criminal Code prohibits written blasphemous vulgar language. Conviction for such an act carries up to two years of imprisonment, although this appears never**

SEVERE DISCRIMINATION

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

to be enforced.

The government funds secular schools and **public schools administered by "traditional" Christian denominations**. Students at government-funded schools are not obliged to attend religion classes.

Wider issues on thought and expression and other human rights

In July 2012, Grenada became the first Caribbean country to decriminalize defamation.

Haiti

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **the government gives special privileges and support to the Roman Catholic Church**. In addition, the practice of many rights declared by the constitution is restricted in practice because of the weakness of government institutions, including a corrupt and ineffectual police force and judiciary.

Systemic Discrimination

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- SYSTEMATIC RELIGIOUS PRIVILEGE
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

Roman Catholicism's status as the official religion ended with the enactment of the 1987 constitution, but **an 1860 Concordat between the Catholic Church and the state remains in effect. Under the Concordat, the government provides a monthly stipend to Catholic priests: in 2011 the government provided $1.4 million to pay priests' salaries.**

The government also provides financial support to some Catholic schools. This system of financial support is not available to other organized religion or belief groups.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression but freedom of the press has been constrained by the **absence of a viable judicial system and widespread insecurity**. Violence against journalists remains a problem, and media outlets tend to practice self-censorship.

The 1987 constitution guarantees freedoms of assembly and association, but these rights are often not respected in practice. **Popular demonstrations against the government are sometimes met by violent police responses.**

Jamaica

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression.

Free and Equal

- FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS

Religious schools are not subject to any special restrictions and do not receive special treatment from the government. Most religious schools are affiliated with either the Catholic Church or Protestant denominations; there is also at least one Jewish school and at least two schools run by the Islamic Council of Jamaica.

Wider issues on thought and expression and other human rights

The constitutional right to free expression is generally respected, as is the right to freedom of assembly and association.

Saint Kitts and Nevis

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

Mostly Satisfactory

- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

There is no state religion. Section 3 of the constitution declares "Freedom of conscience, of expression and of assembly and association" as "fundamental rights and freedoms". Sections 11, 12 and 13 of the constitution define these rights and freedoms in full accordance with international human rights norms.

State schools can conduct morning Christian prayers and hymns at the discretion of the principal, but there is no policy specifically addressing other religions. Religious groups may, and do, run private schools, but they do not receive any financial contribution from the government for these schools.

Saint Lucia

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

Although the constitution does not establish any religion, it begins by invoking "faith in the supremacy of the Almighty God".

There is an anti-blasphemy law in place, but there is no record of it being enforced.

Systemic Discrimination

- **CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The school curriculum includes Christian education; however, non-Christian students are not required to participate.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of speech, which is respected in practice. Libel offenses were removed from the criminal code in 2006. The media carry a wide spectrum of views and are largely independent. Internet access is not restricted.

Saint Vincent and the Grenadines

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

Although the constitution does not establish any religion, it begins by affirming "that the Nation is founded on the belief in the supremacy of God".

There is an anti-blasphemy law in place, but there is no record of it being enforced.

Systemic Discrimination

- **CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

Students in public schools receive nondenominational religious instruction based on Christianity and Christian prayers generally take place at school assemblies; however, attendance and participation are not mandatory. Students wishing to opt out of Christian prayer or religious education classes may be excused from participation in religious activities. Teachers may provide information on other religious groups.

Trinidad and Tobago

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

The government subsidizes both non-denominational public schools and religiously affiliated public schools (for example, Catholic, Hindu, and Islamic)**.**

Systemic Discrimination

- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The government permits religious instruction in non-denominational public schools, allocating time each week when any religious organization with an adherent in the school may provide an instructor. Humanist or atheist education is not an option for secular children, though attendance at religious instruction classes is voluntary.

Wider issues on thought and expression and other human rights

Freedom of speech is constitutionally guaranteed. Print and broadcast media are independent, diverse and vibrant. Internet access is unrestricted.

The law prohibits acts that would offend or insult another person or group on the basis of race, origin, or religion, or which would incite racial or religious hatred. Judicial review is available to those who claim to be victims of religious discrimination.

Central America

Belize

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. There is no state religion; however, **the preamble to the constitution states, "The nation of Belize shall be founded upon principles which acknowledge the supremacy of God."**

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The governor general appoints one of the 13 members of the Senate in accordance with the advice of the Belize Council of Churches and the Evangelical Association of Churches.

Although there is no state religion, **the educational system maintains by statute a strong religious curriculum. The curriculum ties "spirituality" with social studies courses. Students in both public and church-run schools from kindergarten through sixth grade must receive one class period per week of religious instruction**, and some schools offer religion classes daily. **Most primary and elementary schools, high schools, and colleges are church-affiliated.** The constitution prohibits any educational institution from compelling a child to receive religious instruction or attend any religious ceremony or observance.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of the press, but there are exceptions in the interest of national security, public order, and “morality”.

Costa Rica

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **the constitution establishes Catholicism as the state religion and requires that the state contribute to its maintenance.**

Systemic Discrimination

- **THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION**
- SYSTEMATIC RELIGIOUS PRIVILEGE
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

In 2009, a bill backed by then president Oscar Arias proposed to declare Costa Rica a “secular state” rather than a Roman Catholic state. However, the bill has not yet been adopted.

The constitution prohibits the state from impeding the free exercise of other religions that do not impugn “universal morality or proper behaviour”. The Ministry of Foreign Affairs and Religion is

responsible for managing the government's relationship with the Catholic Church and other religious groups. **The ministry includes funding in its annual budget for maintenance and repairs of some Catholic churches. The Catholic Church receives exemptions from income and real estate taxes. The law allows the government to provide land to the Catholic Church.** Government-to-church land transfers typically are effected through periodic legislation.

Public schools provide Catholic religious instruction. Students may obtain exemptions with the permission of their parents.

Wider issues on thought and expression and other human rights

Freedom of expression is respected, and the media is free of censorship and government control. Access to the internet is not restricted. The constitution provides for freedoms of assembly and association, and Costa Rica is home to a vibrant civil society with many active nongovernmental organizations (NGOs).

El Salvador

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**

Systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions

The constitution and other laws and policies guarantee freedom of religion or belief, as well as freedom of expression, freedom of assembly, and freedom of association. The constitution states that all persons are equal before the law and prohibits discrimination based on nationality, race, gender, or religion.

The penal code imposes criminal sentences of six months to two years on those who publicly offend or insult the religious beliefs of others, or damage or destroy religious objects. If such acts are carried out with and for the purpose of publicity, sentences increase to one to three years in prison. Repeat offenders face prison sentences of three to eight years. There have been no prosecutions under this law.

The constitution grants official recognition to the Catholic Church and states that other religious groups may also apply for official recognition. **The law grants tax-exempt status to all officially recognized religious groups.** Regulations also make donations to officially recognized religious groups tax-deductible.

By law, the Ministry of Governance has authority to register, regulate, and oversee the finances of nongovernmental organizations (NGOs), non-Catholic churches, and other religious groups. **The law specifically exempts the Catholic Church from the registration requirement.**

Public education is secular. Private religious schools operate freely. All private schools, whether religious or secular, must meet the same standards to obtain Ministry of Education approval.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression and media freedom, and these rights are generally respected in practice. However, **the power of violent criminal gangs in El Salvador has sometimes resulted in threats and violence against journalists who reported on gang activities, including alleged connections between gangs, politicians and business leaders**. There is unrestricted access to the internet, and the government and business have worked to expand internet access to underserved communities.

Guatemala

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association.

There is no state religion; however, the constitution recognizes explicitly the distinct legal personality of the Catholic Church, providing it with a presumption of legitimacy and a bureaucratic advantage for example in applying for tax exemptions.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **PREFERENTIAL TREATMENT OF RELIGION**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**

Wider issues on thought and expression and other human rights

While freedom of speech is protected by the constitution, journalists often face threats and practice self-censorship when covering drug trafficking, corruption, organized crime, and human rights violations. **Threats frequently come from public officials**, drug traffickers, energy companies, and local security forces in communities where police are absent. **A number of journalists have received death threats, been physically assaulted, and been murdered in recent years.**

Honduras

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **military coups and social strife, including the world's highest murder rate, mean that in practice many of these rights cannot be safely exercised.**

SEVERE DISCRIMINATION

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- SYSTEMATIC RELIGIOUS PRIVILEGE
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT

Although Honduras has been a secular state since 1880, **the legislature recognizes only the Roman Catholic Church and the Evangelical Confederation of Honduras as legally recognized churches**. The constitution allows other religious bodies to register as non-profit associations with the benefits of non-profit status. And all citizens are free to practice the religion or belief of their choice. But **the two official churches receive a range of additional**

privileges and benefits available to them alone, such as tax exemption for clergy salaries and state recognition of religious marriages.

Wider issues on thought and expression and other human rights

Although the constitution guarantees freedom of expression and press freedom, these rights have been systematically violated since the most recent coup in 2009. **Most large broadcasters and publishers are owned by powerful businessmen and politicians who supported the coup.** Opposition and community media that dare to report human rights violations or land conflicts are exposed to serious reprisals, with the direct complicity of the police, armed forces and private militia controlled by businessmen and politicians. Harassment includes police surveillance, assaults, threats, blocked transmissions, and power outages. This has been seen in the persecution of opposition media such Radio Uno, Radio Globo and Canal 36, and community radio stations such as Radio Coco Dulce and La Voz de Zacate Grande.

Honduras is considered the second most dangerous country in the world for journalists, with at least 27 killed since the 2009 coup, according to Reporters Without Borders. The government has ignored the crimes. Many journalists practice self-censorship, particularly since the coup. Other journalists, such as Dina Meza and Fidelina Sandoval, have fled abroad.

Internet use is generally unrestricted, but access was impaired following the coup by multiple politically-motivated power outages and cuts in telephone service.

Constitutional guarantees of freedoms of assembly and association have been violated since the coup, with violent suppression of peaceful demonstrations.

Endemic violent crime, resulting in the world's highest murder rate, suppresses freedom of expression and the work of human rights activists. Approximately 80 percent of crimes committed in Honduras are never reported, according to the government, and only 3.8 percent of reported crimes are investigated by police. Freedom House reported, at the end of 2012, that as many as 74 lawyers and more than 70 LGBT activists had been murdered since the 2009 coup.

General elections held on November 24, 2013 brought to power a party that backed the 2009 coup. It remains to be seen whether it will uphold the rights guaranteed by the constitution.

Mexico

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

The government is secular. The constitution states that all persons are free to profess their chosen religious belief and to engage in ceremonies and acts of worship. Congress may not enact laws that establish or prohibit any religion. The constitution

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

also provides for the separation of church and state.

In March 2013 a wide spectrum of religious and non-religious groups supported the formal addition of the adjective 'secular' (*laico*) to the definition of the Mexican Republic in Article 40 of the constitution. The constitution prohibits any form of discrimination, including on the basis of religion or belief.

The constitution states that public education must be secular, but religious groups are free to maintain private schools. The law takes no position on primary level homeschooling for religious reasons, but to enter a secondary school, one must have attended an accredited primary school. Homeschooling is allowed at the secondary level after completion of schooling at an accredited primary school.

The constitution bars members of the clergy from holding public office, advocating partisan political views, supporting political candidates, or opposing the laws or institutions of the state.

Religious groups may not own or administer broadcast radio or television stations. Government permission is required for commercial broadcast radio or television to transmit religious programming.

Wider issues on thought and expression and other human rights

Legal and constitutional guarantees of free speech have been gradually improving, but **the security environment for journalists has deteriorated markedly.**

Since a sharp increase in violence in 2006, reporters probing police issues, drug trafficking, and official corruption have faced a high risk of physical harm. The National Human Rights Commission (CNDH) reported 82 journalists killed between 2005 and 2012, making Mexico one of the world's most dangerous countries for media workers. **Self-censorship has increased, and many newspapers in high-violence zones no longer publish stories involving in-depth reporting on organized crime**.

Press watchdog groups celebrated the June 2012 ratification of a constitutional amendment federalizing crimes against journalists.

Nicaragua

The constitution and other laws and policies protect freedom of religion or belief, freedom of, and freedom of assembly and association. The right to freedom of belief is generally respected in practice, but **the rights to freedom of expression and assembly are often infringed by the government**. In particular, the media are subject to frequent government harassment.

Systemic Discrimination

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED

The constitution states that no one "shall be obligated by coercive measures to declare his ideology or beliefs." The constitution prohibits discrimination on the basis of religion.

Wider issues on thought and expression and other human rights

The constitution calls for a free press but allows some censorship. Although democratically elected, **the government of Daniel Ortega engages in systematic efforts to obstruct, bully and discredit media critics. Journalists have received death threats, with several killed in recent years. Although the government has condemned these threats and assaults, they have often been in response to articles exposing government corruption, and are attributed to supporters of the ruling party.** In addition, members of the ruling elite have acquired stakes in media outlets and used their ownership influence to sideline independent journalists.

Freedoms of assembly and association are recognized by law, but their observance in practice has come under mounting pressure. While public demonstrations are generally allowed, **opposition members have accused the police of partisan behavior and failing to protect demonstrators.**

Panama

The constitution and other laws and policies protect freedom of religion or belief, and freedom of expression and freedom of assembly. However, **Catholicism has certain state-sanctioned advantages over other faiths.**

The constitution provides for freedom of religion, provided that "Christian morality and public order" are respected. The constitution recognizes Catholicism as "the religion of the majority" of citizens but does not designate it as the official state religion.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **PREFERENTIAL TREATMENT OF RELIGION**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The constitution required teaching Catholicism in public schools; however, parents have the right to exempt their children from religious instruction.

Wider issues on thought and expression and other human rights

Freedom of expression is guaranteed by the constitution and generally respected in practice. While media freedom is guaranteed by law, **the government has been accused of creating a hostile environment for independent media**.

Freedom of assembly and association are protected by law and respected in practice.

South America

Argentina

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, by constitutional and legal obligation, **the government "sustains the apostolic Roman Catholic faith" and provides tax-exempt subsidies to the Catholic Church** (supposedly to compensate for expropriation of church property back in the colonial era prior to 1810). In addition, **the Catholic Church receives institutional privileges such as school subsidies, a large degree of autonomy for parochial schools, and licensing preferences for radio frequencies.**

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

Wider issues on thought and expression and other human rights

Although the constitution guarantees freedom of expression and freedom of the press, in recent years there have been concerns expressed about **government harassment of journalists and media companies.** In 2013 at least 18 journalists covering peaceful demonstrations , and more than 50 demonstrators, were injured when police fired rubber bullets and charged the crowd.

Bolivia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. **In 2009, Bolivia voted in a new constitution that no longer declared the Roman Catholic Church as the official state religion, and instead established a secular state that guarantees "religious liberty and spiritual beliefs, in accordance with its worldview."**

Systemic Discrimination

Religious groups control or have highly privileged access to some public or social services

- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

However, government policy encourages the Catholic Church to carry out its social welfare projects. Written agreements between the government and the Catholic Church, including a 2009 framework agreement, formalize the Catholic Church's extensive involvement in education, health, and social welfare.

The constitution provides both individual and collective religious and spiritual rights and allows public and private religious services. The constitution gives educational centers the right to teach religion and indigenous spiritual belief classes to encourage mutual respect between religious

communities. It **prohibits religious discrimination in access to educational institutions**, and protects the right of access to public sport and recreational activities without regard to religion.

The penal code prohibits defamation against individuals or collective groups, although it does not specifically mention religious groups. The penalty for defamation is 20 to 240 days imprisonment.

By law, religion classes are optional and school curriculum materials promote religious tolerance. All teachers, including those in private religious schools, must receive their training in government-run academies.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression and freedom of the press. However**, in a highly polarized political environment, some journalists report intimidation by opponents, criminals, and the ruling party.**

Brazil

The constitution and other laws and policies protect freedom of conscience, religion or belief, which is guaranteed under Article 5 of the constitution.

Mostly Satisfactory

- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The law provides penalties of up to five years in prison for crimes of "religious intolerance" and enables courts to fine or imprison for two to five years anyone who displays, distributes, or broadcasts "religiously intolerant" material. **This does not appear to have been used to prohibit legitimate expression of religious criticism.**

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression, and there is a vigorous and independent print and broadcast media. The government does not limit access to the Internet. In 2009 libel and slander were decriminalized. And in 2012, a freedom of information law went into effect, covering all branches of government at all levels.

However, journalists—especially those who focus on organized crime, corruption, or military-era human rights violations—are frequently the targets of violence. And the judiciary often prevent media outlets from covering politically sensitive stories.

Chile

Systemic Discrimination

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as the right to the freedoms of expression, association and assembly. The constitution guarantees the separation of religion and state, but **some government practices favour the Roman Catholic Church.**

- **PREFERENTIAL TREATMENT OF RELIGION**
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The celebration of Catholic mass frequently marked official and public events. At military events, all members of participating units were obliged to attend.

Publicly subsidized schools are required to offer religious education two teaching hours per week through high school; although parents may decide to have their children omit religious education. **Religious instruction in public schools is almost exclusively Catholic, although the Ministry of Education approved curricula for 14 other religious groups. Schools must teach the religion requested by the parents, but enforcement of this requirement is weak.**

An Anti-Discrimination Law approved in 2012 gives civil legal remedies to victims of various types of discrimination, including those based on religion or belief. The law also increases criminal penalties for acts of violence based on discrimination.

A 2002 law on freedom of expression and information and the press prohibits the use of any means of social communication to publish or transmit information designed to promote hatred of or hostility towards persons or groups based on religion and establishes fines for infractions.

Wider issues on thought and expression and other human rights

Freedom of expression is legally guaranteed and there is a lively independent media sector. Some laws barring defamation of state institutions remain from the time of military rule in the 1970s and 80s. The government does not restrict access to the Internet.

The rights to freedom of assembly and association are guaranteed are largely respected by the authorities.

Colombia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as the right to the freedoms of expression, association and assembly. The constitution specifically prohibits religious discrimination. However, **the Roman Catholic Church retains a privileged position with the Colombian state.**

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

A 1973 concordat between Colombia and the Vatican replaced the clause in the Constitution of 1886 that had established the Catholic Church as the official religion with one stating that "Roman Catholicism is the religion of the great majority of

Colombians." In its own explanation of this change, the Colombian government said that it was not establishing an official religion but merely declaring that it regards the Catholic religion as being of "fundamental importance to the public welfare and the full development of the community."

Subsequently, the 1991 constitution mandated separation of church and state, stating that there is no official church or religion, but added that the state "is not atheist or agnostic, nor indifferent to Colombians' religious sentiment." **Some observers interpret the constitutional assertion that the state "is not atheist or agnostic, nor indifferent to Colombians' religious sentiment" to mean that the state unofficially endorses a privileged position for Catholicism—the predominant "religious sentiment" of Colombians—even though a 1994 Constitutional Court decision declares unconstitutional any official government reference to a religious characterization of the country.**

The constitution recognizes the right of parents to choose the type of education that their children receive, **including religious instruction**. It also states that no student shall be forced to receive religious education in public schools.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression, and the media are free and diverse. The constitution also protects the rights to freedom of assembly and freedom of association. **However all these rights are restricted in practice by violence. Dozens of journalists have been murdered since the mid-1990s, many for reporting on drug trafficking and corruption.** Most of the cases remain unsolved, and threats of violence remain commonplace. The government does not restrict access to the internet or censor websites.

Ecuador

The constitution and other laws and policies protect freedom or religion or belief, as well as freedom of expression, freedom of association and freedom of assembly. However, the current president, Rafael Correa, has had **a confrontational relationship with independent media**, using defamation lawsuits, new media laws, and government patronage and boycotts, to intimidate government critics. **A new media law in 2013 may increase government attacks on the independence of the press.**

Systemic Discrimination

State-funding of religious schools

State-funded schools offer religious instruction without secular alternatives but it is optional

- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The constitution grants all citizens and foreigners the right to practice publicly and freely the religion of their choice and prohibits discrimination based on religion.

By law, state schools do not provide religious instruction. Private schools may provide religious instruction. The government partially funds some private schools.

Wider issues on thought and expression and other human rights

A new media law was passed in 2013, which forbids government censorship of the media, while also creating a new government regulator. However, **critics have raised concerns that the new law's requirement that "information of public interest received through the media should be verified, balanced, contextualized and opportune" may allow government interference in media.** The prosecution of the newspaper *Hoy* for failing to publish a correction to an article quoting the president as calling same-sex marriage a "novelty", which the ombudsman claimed was "out of context", seems to confirm the fear that the new media regulator will force publications and broadcasters to run stories that "rectify" criticism of the government or promote the government "in the public interest".

In February 2011, Guayaquil's leading newspaper, El Universo, published an opinion column suggesting that Correa could be held accountable in the future for the use of lethal force during the 30-S episode. In response, Correa lodged a lawsuit against the author, Emilio Palacio, and the owners of the newspaper. All four defendants were found guilty of aggravated defamation and sentenced to three years in prison and an unprecedented fine of $40 million. International human rights and press freedom organizations, the Organization of American States (OAS), and the United Nations denounced the court decision as a clear effort to intimidate the press.

In May 2011, Correa promoted and won a national referendum that included controversial reforms to the judiciary and the media. One provision that created a government-controlled media oversight body was a particular source of concern. Critics also argued that the judicial overhaul was unconstitutional because it violated the system prescribed in 2008.

Guyana

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. There is no state religion.

However, the law requires a prison term of one year for a blasphemous libel conviction, with an exemption for religious expression made in "good faith and decent language". The government does not appear to enforce the law, and there were no prosecutions for blasphemous libel during at least 2013.

SEVERE DISCRIMINATION

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- STATE-FUNDING OF RELIGIOUS SCHOOLS

The law generally protects the right of individuals to choose and change their religion and to interpret religious beliefs for themselves. Members of all religious groups worship freely.

There are both public and private religiously-affiliated schools. Parents are free to send their children to the school of their choice.

Wider issues on thought and expression and other human rights

Freedom of expression and media freedom are guaranteed by the constitution and generally respected in practice. However, **opposition party leaders complain that they lack access to state media which dominate broadcasting**. **In 2009, the Guyana Press Association denounced a government initiative to license media professionals as an attempt to impose control over the profession. Government officials occasionally use libel lawsuits to suppress criticism.**

The government largely respects freedoms of assembly and association. However, on June 16, 2012, police reportedly shot and killed three men who were part of a political protest against rising electricity prices in the town of Linden. An additional 20 people were injured as a result of the police firing live ammunition and teargas into the crowd of protesters. The subsequent official inquiry eventually issued a report blaming the police for the fatalities, but exonerated the Minister of Home Affairs of responsibility.

Paraguay

The constitution and other laws and policies protect freedom of religion or belief, and freedom of expression. The right to freedom of belief is generally respected in practice, but **the right to freedom of expression has seen recent infringements by the government. In particular, the media are subject to frequent government harassment.**

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The constitution recognizes the historic role of the Catholic Church. But there are no restrictions on religious expression or speech. The constitution prohibits discrimination of any kind and Article 63 specifically guarantees the religious freedom of indigenous communities. The constitution and other laws protect the right of individuals to choose, change, and freely practice their religion. The constitution provides protection against discrimination and persecution and offers remedies for violating religious freedom.

The government permits political parties to form based on a specific faith, but requires that the president, vice president, and members of congress be laypersons. Non-Catholic religious groups are required to register annually with the Ministry of Education and Culture's Vice Ministry of Worship. **The Catholic Church is not subject to this re-registration requirement.**

The government permits, but does not require, religious instruction in public schools, and allows parents either to educate their children at home, or to send their children to the school of their choice without sanction or restriction.

Wider issues on thought and expression and other human rights

The constitution provides for freedoms of expression and the press, but in practice government respect of these rights deteriorated with the arrival of a new president in June 2012. For example, 27 journalists and other employees were fired from the state broadcaster in September 2012. Reporters investigating corruption and organized crime, as well as journalists who are outspoken in criticizing the government, may be subjected to threats and violent attacks by drug cartels and government officials. **Paraguay does not have a right to information law and continues to use**

defamation laws against the press. The government does not restrict internet use, nor does it censor its content.

The constitution guarantees the right to freedom of assembly and association, and the government generally respects these rights in practice.

Peru

The constitution and other laws and policies protect freedom of religion or belief, as well as freedom of expression and assembly. These rights are generally respected by the government, with the **notable exception that the Roman Catholic Church receives substantial preferential treatment from the government which disadvantages non-Catholic groups and citizens.**

The constitution establishes separation of church and state but recognizes the Roman Catholic Church's role as "an important element in the historical, cultural, and moral development of the nation."

A December 2010 religious freedom law recognizes an individual's fundamental right of freedom of religion, as stated in the constitution and international treaties the country has ratified. **Under the law, registered religious groups gain many of the same tax benefits previously granted only to the Catholic Church.**

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

In accordance with a 1980 agreement with the Holy See, the Catholic Church receives preferential treatment in education, taxation, immigration of religious workers, and other areas. The new law codifies this arrangement. **All work-related earnings of Catholic priests and bishops are exempt from income taxes. The government pays stipends to Catholic Church officials, including the cardinal and six archbishops. These stipends total approximately 2.6 million nuevo soles (US$923,700) annually. Some Catholic clergy and laypersons employed by the church receive remuneration from the state in addition to the church stipends.** This applies to the 44 active bishops, as well as to some priests along the borders, representing approximately one-eighth of the clergy and pastoral agents. **The government also provides each diocese with a monthly institutional subsidy.**

By law the military may employ only Catholic clergy as chaplains.

All state and private schools must provide religious education as part of the curriculum through the primary and secondary level, which amounts to instruction, despite the requirement being qualified with the phrase "without violating the freedom of conscience of the student, parents, or teachers." State schools may teach only Catholicism. (The government in practice exempts many

non-Catholic private schools from this requirement.) **The Ministry of Education mandates that the presiding Catholic bishop of an area approve religious education teachers in all state schools.** Parents may request that the principal exempt their children from mandatory public school religion classes. **In the past, children who opted out of religious instruction lost academic credit, but the government claims that a 2012 reform has ended this disadvantage.**

Wider issues on thought and expression and other human rights

Freedom of expression is guaranteed by the constitution. The media are vibrant and independent. However, **officials and non-state actors sometimes intimidate or even attack journalists in response to negative coverage.** The local press watchdog Institute for Press and Society registered 95 violations of press freedom during 2012. Defamation remains criminalized, and journalists are often prosecuted for libel.

Suriname

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

However, a law remains which prohibits blasphemy in various forms and penalizes it with fines and imprisonment. The law is rarely used or not used recently but remains on statute.

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- STATE-FUNDING OF RELIGIOUS SCHOOLS

The constitution and other laws and policies protect religious freedom. The constitution permits individuals to choose or change their religion. The constitution categorizes the right to religious freedom as a "personal right and freedom" and states that any violation can be brought before a court of justice. The constitution provides that no individual shall be discriminated against on the grounds of religion. **The government does not favor a particular religion, and no tenets of a particular religion are codified in criminal or civil laws.**

The government does not permit religious instruction in state schools, but does allow religious instruction in private schools, many of which are run by religious institutions.

The government provides **limited subsidies to a number of public elementary and secondary schools established and managed by various religious groups**. While the teachers are civil service employees and the schools are public, religious groups provide all funding, with the exception of teachers' salaries and a small maintenance stipend for the schools. Government-subsidized private schools run by religious groups accept students of all ethnicities and religions.

Wider issues on thought and expression and other human rights

The constitution provides for freedoms of expression and the press, and the government generally respects these rights in practice. The constitution provides for freedoms of assembly and association, and the government respects these rights in practice.

Uruguay

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

Free and Equal

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

Uruguay is a secular state and its constitution and other laws and policies protect freedom of religion or belief. The constitution and law prohibit discrimination based on religion, and there is strict separation of religion and state dating back to the constitution of 1917. Article 5 of the Constitution states: "All religious groups are free in Uruguay. The State supports no religion whatsoever."

Uruguay has a large non-religious population—more than a third of the country—that flourishes without reports of any discrimination.

The penal code prohibits mistreatment of ethnic, religious, and other minority groups. The National Institute of Human Rights, an autonomous branch of Congress, and the Ministry of Education and Culture's Honorary Commission against Racism, Xenophobia, and All Forms of Discrimination require government compliance with the laws.

Religious instruction in public schools is prohibited. Public schools allow students belonging to minority religious groups to miss school for religious holidays without penalty.

Muslims may obtain an optional identity card that identifies their religious affiliation to employers and allows them to leave work early on Fridays.

Wider issues on thought and expression and other human rights

Constitutional guarantees regarding free expression are respected, and there is a diverse, vigorous and independent media sector. The government does not place restrictions on internet usage.

Rights to freedom of assembly and association are guaranteed by the constitution, and these rights are respected in practice.

Venezuela

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, while the right freedom of belief is generally respected in practice, **there is continuing government intolerance towards freedom of expression and assembly.**

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **PREFERENTIAL TREATMENT OF RELIGION**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**

The constitution and other laws and policies protect religious freedom. The constitution provides for

freedom of religion on the condition that the practice of a religion does not violate public morality, decency, or public order.

A 1964 concordat governs relations between the government and the Vatican and provides the basis for government subsidies to the Roman Catholic Church.

The Directorate of Justice and Religion (DJR) in the Ministry of Interior and Justice is charged with maintaining a registry of religious groups, disbursing funds to religious organizations, and promoting awareness and understanding among religious communities.

Groups that criticize the government are subject to harassment and intimidation.

Wider issues on thought and expression and other human rights

Although the constitution provides for freedom of the press, **the media climate is permeated by intimidation, sometimes including physical attacks, and strong anti-media rhetoric by the government is common. The 2004 Law on Social Responsibility of Radio and Television gives the government the authority to control radio and television content.**

North America

Canada

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as the right to the freedoms of expression, association and assembly.

Systemic Discrimination

- STATE-FUNDING OF RELIGIOUS SCHOOLS
- **RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**

Six of the ten provinces provide partial or full funding to religious schools. Most of these publicly funded religious schools are Roman Catholic, although five provinces allow other denominations to run publicly funded schools. **Publicly funded religious schools can discriminate on religious grounds in hiring and in accepting students.** Around 16 percent of the Canadian population claims no religious affiliation, yet in the vast low-population expanses of Canada, the **religious school may well be the only public school within a reasonable distance for many non-religious students**.

Ontario province funds Catholic religious education while providing no funding for other religious schools. One third of Ontario's public schools (around 1,400) are Catholic schools receiving 100% of their funding from the government. **Catholic schools discriminate against non-Catholics in hiring staff. Catholic schools can also exclude non-Catholic children.**

United States of America

Mostly Satisfactory

- **ANOMALOUS DISCRIMINATION BY LOCAL OR STATE GOVERNMENT OR PROVINCIAL AUTHORITIES**
- **OFFICIAL SYMBOLIC DEFERENCE TO RELIGION**

The United States of America has strong federal protections for freedom of thought, religion or belief, and for freedom of expression, freedom of assembly and freedom of association. These protections are outlined in the First Amendment to the U.S. Constitution, which reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Historically, the First Amendment is considered to have two clauses specifically relating to religion: the Establishment Clause, and the Free Exercise Clause. The Establishment Clause is **"Congress shall make no law respecting an establishment of religion"**, protecting citizens from the government officially endorsing or supporting one religion over another, or religion over non-religion (as explained by the Supreme Court in Everson v. Board of Education, 1947). The Free Exercise Clause is

“or prohibiting the free exercise thereof”, protecting citizens from the government infringing upon their right to believe and practice their religion so long as no harm is done to other citizens.

The Constitution also includes, in Article 6, Paragraph 3, that **no religious test shall ever be required as a qualification to any office or public trust under the United States.**

Just as important as these clauses and the religious text measure are the clauses found later in the First Amendment, which fully protect freedom of speech (“abridging the freedom of speech”) and freedom of association (“or the right of the people peaceably to assemble”). Broadly speaking, these clauses combine to create an exceptionally open society in which all people are afforded the same legal rights to practice religion or not; convert from one religion to another, or reconvert altogether; to express one’s beliefs regarding religion; and to participate in all areas of public life.

Yet while the rights of all Americans to freedom of religion and speech are protected, the U.S. has long been home to a social and political atmosphere in which atheists and the non-religious are made to feel like lesser Americans or non-Americans. This is due to **a range of laws that limit the role of atheists in regards to public duties, or else entangle the government with religion to the degree that being religious is equated with being an American, and vice versa**. Court rulings and later legislative actions have made many of these laws void. However, they continue to exist due to a lack of political power to repeal them. This serves to feed the social idea that to be American is to be religious, which in turn creates an atmosphere in which elected officials feel the need to play into that idea. In other words: in America, you might have the right to be an atheist, but being public about it can have debilitating consequences for your chances of success in life, especially in certain states. For example, there are several Congress members who refuse to list their religious affiliation, but exactly zero of the 535 members of Congress claim to be non-religious.

In 2011 the House of Representatives approved a resolution reaffirming “In God We Trust” as the nation’s motto and encouraging its placement in all public buildings by a vote of 396-9 (with two abstentions).

The prevailing social prejudice against atheists and the non-religious reinforces, and is reinforced by, the political support for religious, especially Christian, privilege. While there is some legal remedy for clear religious discrimination by the government, it can often go unchallenged in situations where it is difficult, or personally disadvantageous or hazardous, to take a stand against authority, for example in prisons, the military, and even some administrative contexts.

Examples of laws and government practices that favour theists over atheists include: The 1954 addition of **the phrase "under God" to the Pledge of Allegiance**, the recitation of which is widely required by law in most states at the start of each school day; In 1956, Congress adopted **“In God We Trust” as the country’s official motto**, which is now posted on U.S. money and in courthouses at every level of government; Despite being ruled unconstitutional and effectively struck down by the Supreme Court with the case of Torcaso v. Watkins (1961), a t least seven states–Arkansas, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, and Texas–still have in place **constitutional provisions that bar atheists from holding public office**; The state of Arkansas even has **a law that bars an atheist from testifying as a witness at a trial**; A 2006 law in Kentucky requires the state Office of Homeland Security to post plaques acknowledging that Almighty God has been integral to keeping the state safe on penalty of up to 12 months in prison (the Kentucky state

Supreme Court has refused to review the constitutionality of the law); While there are no laws pertaining to this, through tradition both houses of Congress, most state legislatures, and most city and local council meetings begin with prayer.

In 2013, several states considered legislative or ballot measures that would greatly expand the rights of its citizens to invoke religious justifications to be excluded from laws that otherwise apply to everyone equally. For instance, a proposal in Wisconsin would allow children to opt out of bona fide schoolwork that conflicts with their religious beliefs. Voters in North Dakota rejected a similar measure. **However, at least three states -- Colorado's, Nevada's, and Kentucky – are still considering similar measures.**

In a win for the nonreligious, District of Columbia Mayor Vincent Gray in 2013 signed the Marriage Officiant Amendment Act of 2013, which creates under law the position of "Civil Celebrant," who is given the authority to solemnize a marriage between two persons who opt not to be married under the auspices of a church, or default to a mere "city hall" union.

Highlighted Cases:

Newton Correctional Facility in Iowa conducts a state-funded program that provides literature to prisoners stating, ""Criminal behavior is a manifestation of an alienation between the self and God. Acceptance of God and Biblical principles results in cure through the power of the Holy Spirit. Transformation happens through an instantaneous miracle; it then builds the prisoner up with familiarity of the Bible." Active participants in the program receive nicer cells, more privacy, greater access to relatives, and lessened prison requirements.

Ref: http://www.washingtonpost.com/wp-dyn/content/article/2007/02/24/AR2007022401230.html

In 2011, **prisoners at Berkeley County Detention Center in South Carolina** were denied all reading materials except for the Christian Bible.

Ref: *http://www.guardian.co.uk/books/2011/may/10/us-prisoners-refused-books-bible*

In late 2012, an **Oklahoma teenager** who pled guilty of drunk driving was sentenced to 10 years deferred jail time provided he graduates from high school, passes regular drug and alcohol tests, performs community service, and goes to church every Sunday for a decade.

Ref: *http://www.salon.com/2012/12/03/go_to_church_or_go_to_jail/*

In speaking about chaplaincy activities among service members, the **US Air Force Deputy Chief of Chaplains** stated "We reserve the right to evangelize the unchurched."

Ref: http://www.nytimes.com/2005/07/12/national/12chaplains.html?pagewanted=all
Ref: http://www.airforcetimes.com/news/2008/08/airforce_chaplain_080708/

Atheist soldier **Jeremy Hall** faced legal and professional threats after filing a lawsuit alleging retaliation for refusing to attend an overtly-Christian Thanksgiving service and for convening meetings of atheist and other non-religious soldiers at Camp Speicher in Iraq. An officer physically broke up the meetings and threatened to block Hall's re-enlistment if he continued organizing them.

Ref: http://archive.truthout.org/article/jason-leopold-soldier-who-sued-army-facing-threats

Ref: http://militaryreligiousfreedom.org/press-releases/jeremy_hall_harassed.html

A mandatory suicide-prevention presentation at the **US Air Force base in Lakenheath, England**, included material from Pastor Rick Warren's "Purpose Driven Life." The presentation lauded religiously-motivated living "as the most beneficial, because if you love God (in a majority of world religions), you'll love man and yourself." It also equated atheism and naturalism with life under the totalitarian Soviet Union and argued that "FAITH is Foremost."

Ref:
http://www.talk2action.org/story/2008/11/30/11914/687/Front_Page/Creationism_The_Latest_In_Military_Suicide_Prevention

80 Soldiers at US Army's Ft. Eustis were punished with punitive maintenance work for refusing to attend the base-endorsed "Commanding General's Spiritual Fitness" Christian rock concert.

Ref: http://www.huffingtonpost.com/chris-rodda/us-soldiers-punished-for-_b_687051.html
Ref: http://current.com/community/92621350_soldiers-punished-for-not-attending-christian-concert.htm

The **US Army's Comprehensive Soldier Fitness Tracker and Global Assessment Tool**, a mandatory, biennial online evaluation, includes a "Spiritual Fitness" section that when completed honestly by professed atheists and the nonreligious, ranks them as deficient in "spiritual fitness" and directs them to religious chaplaincies for counselling and required remedial activities. A poor score can also impact promotion and professional development.

Ref: http://www.npr.org/2011/01/13/132904866/armys-spiritual-fitness-test-angers-some-soldiers

The **United States Army Chief of Chaplains** denies soldiers the right to be listed as "Humanist" in official personal records and military identification tags.

Ref: http://militaryatheists.org/news/2012/01/army-chaplains-deny-soldier-right-to-identify-as-humanist/
Ref: http://www.kxxv.com/story/16773546/soldiers-want-to-add-humanist-to-religious-preference

A **cadet at the US Military Academy at West Point** filed a petition to stop mandatory prayer event attendance. He has now resigned over pervasive institutionalized proselytization and unyielding and tolerated culture of Christian evangelism.

Ref: http://www.military.com/daily-news/2012/12/04/west-pointer-quits-over-proselytizing.html
Ref: http://www.huffingtonpost.com/blake-page/west-point-religious-freedom_b_2232279.html

In 2013, it was found that **Myrtle Grove Christian School**, a religious school in North Carolina that is eligible for taxpayer funds through the state's school voucher program, will require students' families to promise they won't support or participate in "homosexual activity."

Ref: *http://www.starnewsonline.com/article/20131115/ARTICLES/131119829?p=1&tc=pg*

In 2013, a **Mississippi high school** reportedly held a mandatory religious service that promoted Christianity to the students. The American Humanist Assocation filed a lawsuit.

Ref: *http://thinkprogress.org/justice/2013/04/26/1926221/mississippi-church-state/*

ASIA

Central Asia

Kazakhstan

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **other laws and policies restrict freedom of belief, and, in practice, the government generally enforces these restrictions**. Freedom of expression is limited by government control of much of the media and harassment of journalists and bloggers who criticize the government.

SEVERE DISCRIMINATION

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE

Freedom of speech on religious issues is limited by Criminal Code Article 164, Part 1, in terms that are unclear and wide-ranging: Article 164 criminalises, "Deliberate actions aimed at the incitement of social, national, clan, racial, or religious enmity or antagonism, or at offence to the national honour and dignity, or **religious feelings of citizens**, as well as propaganda of exclusiveness, superiority, or inferiority of citizens based on their attitude towards religion, or their genetic or racial belonging, if these acts are committed publicly or with the use of the mass information media." **Punishments for violating Article 164 range from a fine to imprisonment of up to seven years and have been used in practice to prosecute the non-religious ostensibly for "religious hatred"** (see Highlighted Cases below).

Wider issues on thought and expression and other human rights

The government also severely limits freedom of expression. Major broadcast media, especially national television networks, are at least partly owned by the state or by members or associates of the president's family. The same is true for major newspapers. The independent media that does survive is heavily regulated, and frequently censored and harassed.

A 2009 law classified websites as mass media outlets, giving the authorities more powers to arbitrarily shut them down under vaguely worded extremism statutes or in the interests of state security. Since the introduction of this law, dozens of websites have been closed every year.

Highlighted Cases:

On March 14, 2013, atheist writer and anti-corruption campaigner **Aleksandr Kharlamov** was arrested for "inciting religious hatred". The indictment against him claimed that Kharlamov "in his articles on newspapers and the internet put his personal opinions above the opinions and faith of the majority of the public and thus incited religious animosity". In a step reminiscent of Soviet-

era abuses of the psychiatric system, Kharlamov was confined to a psychiatric hospital for "psychiatric evaluation" of his opinions and writings on religion. Kharlamov reportedly lost 20 kgs during just the first three months of his incarceration. He faces up to seven years in prison if convicted.

Ref: *http://www.odfoundation.eu/en/publications/1222/kazakhstan_civic_activist_prosecuted_for_his religious_beliefs*

Kyrgyzstan

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **these rights are somewhat restricted in practice**.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS**

The constitution guarantees separation of religion and state and freedom of religion or belief. It also prohibits discrimination based on religion or belief. **The constitution prohibits the establishment of religious political parties and the pursuit of political goals by religious groups. It also prohibits the establishment of any religion as a state or mandatory religion.**

The Religion Law allows public schools to teach religion courses that the state deems "mainstream", largely Russian Orthodox or Muslim Board texts, if such lessons do not otherwise conflict with the country's laws.

The Religion law also allows for intrusive state controls on religious literature deemed "non-traditional" (that is, mainly literature other than Muslim Board and Russian Orthodox texts) as well as on other materials. For example, in September 2012 the Dutch film "I am Gay and Muslim" was banned.

Wider issues on thought and expression and other human rights

Freedoms of speech and of the press are guaranteed in the Kyrgyz constitution and in the nation's laws, but **observance of those rights is inconsistent**. In particular, the government routinely suppresses and harasses Russian language and Uzbek language media, while allowing far great freedom for Kyrgyz language media.

Tajikistan

The constitution protects freedom or thought, conscience and religion, as well as freedom of expression, assembly and association; however, **other laws, policies and practices restrict and violate these freedoms**. **There is no official state religion, but the government recognizes the "special status" of Hanafi Islam.**

The law tightly regulates and restricts how religious organizations may operate. The government tightly controls the publication, importation, and distribution of religious literature.

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- PREFERENTIAL TREATMENT OF RELIGION
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The law against "inciting national, racial, regional, and religious hatred" is used by the government to prosecute unauthorized speech.

Wider issues on thought and expression and other human rights

Despite constitutional guarantees of freedom of speech and the press, **independent journalists face harassment and intimidation**. **The act of publicly insulting the president remains punishable by a jail term of up to five years. The government controls most printing presses, newsprint supplies, and broadcasting facilities, and most television stations are state-owned or only nominally independent. The government blocks some critical websites and online news outlets, as well as sometimes blocking social media.**

The authorities restrict freedom of assembly and association. Public meetings and demonstrations must receive prior approval from local authorities, and **approval is routinely denied**.

Turkmenistan

The authoritarian regime of Turkmenistan provides for freedom of religion or belief and freedom of expression in its constitution, but in practice **systematically and severely violates these rights**.

While the former Soviet republic of Turkmenistan has lost most of its formal Marxist ideology, it has kept most of its totalitarian practices. **Turkmenistan is still a one party state, with the communist party rebranded as the Democratic Party of Turkmenistan (DPT).** Its ideology is a mishmash of nationalism and personality cult, with Islam thrown in as part of the Turkmen cultural identity.

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The government does not officially favor any religion, and in fact subjugates all religions to the ideology and control of the ruling party. But, in a religious twist on the bombastic traditions of Stalinist architecture, the government has funded the construction of huge mosques in the country's major cities as part of its program to promote a national identity. The mosques' imams are required to preach the party line.

The government does not promote religious education, and there is no official religious instruction in public schools.

Wider issues on thought and expression and other human rights

Freedom of the press is severely restricted by the government, which controls nearly all broadcast and print media. Turkmenistan's main internet service provider, run by the government, blocks undesirable websites and monitors users' activity.

The constitution guarantees freedoms of peaceful assembly and association, but in practice, these rights are **severely restricted**.

Uzbekistan

The authoritarian regime of Uzbekistan systematically and severely violates the rights to freedom of religion or belief, freedom of expression, including press freedom, and freedom of association and assembly.

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- PREFERENTIAL TREATMENT OF RELIGION
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The constitution establishes the principle of separation of church and state. The government prohibits religious groups from forming political parties and social movements. However, **other laws and policies restrict religious freedom**.

The population is predominantly Muslim, mostly "nondenominational" and **the state creates fewer problems for these Muslims that for other religion or belief groups. The government permits approved religious groups, which in practice operate under the control of the authorities. All other religious groups are strictly prohibited and any participation in unregistered religious activities can be severely punished.** The authorities have aided "unregistered" religious services, the Bible is routinely confiscated and destroyed, and Jehovah's Witnesses have been jailed for teaching religion.

The administrative code punishes "illegal production, storage, import, or distribution of materials of religious content" with a fine of 20 to 100 times the minimum monthly salary of 79,590 soum ($40) for individuals or 50 to 150 times the minimum monthly salary for officials, together with confiscation of the materials and the "corresponding means of producing and distributing them." The criminal code also imposes a fine of 100 to 200 times the minimum monthly salary or corrective labor of up to three years for these offenses.

Wider issues on thought and expression and other human rights

Despite constitutional guarantees, freedoms of speech and the press are severely restricted. Open and free private discussion is limited by the mahalla committees, traditional neighborhood organizations that the government has turned into an official system for public surveillance and control.

The state controls major media outlets and related facilities, and state-run television has aired "documentaries" that smear perceived opponents of the government. Although official censorship was abolished in 2002, it has continued through semiofficial mechanisms that strongly encourage self-censorship. **Foreign reporters are generally excluded from the country.** In March 2012, independent journalist Viktor Krymzalov was convicted of slander for an anonymous article, despite a lack of evidence that he was the author. In April, independent journalist Elena Bondar was convicted and fined for "inciting ethnic, religious, or national hatred," similarly without evidence that she had written the articles in question. Under pressure from authorities, Bondar subsequently fled the country.

The government systematically blocks websites with content that is critical of the regime. Mainstream news, information, and social-media sites based outside the country are sometimes blocked as well.

Despite constitutional provisions for freedom of assembly, the authorities severely restrict this right in practice, breaking up virtually all unsanctioned gatherings and detaining participants.

Eastern Asia

China (including Tibet, Macau and Hong Kong)

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

China remains a dictatorial one-party communist state that systematically denies the rights to freedom of religion or belief, freedom of expression, including press freedom, and freedom of association and assembly. Tens of thousands of Chinese are believed to be in prison because of their beliefs, whether political or religious.

The constitution states that Chinese citizens have "freedom of religious belief," but **limits protections for religious practice to "normal religious activities." The constitution does not define "normal" but in practice it refers to activities with religious groups under the control of the state.**

The government has signed, but not ratified, the International Covenant on Civil and Political Rights (ICCPR), which provides all individuals the right to "adopt a religion or belief" of choice and manifest belief through "worship, observance, and practice." The constitution provides for the right to hold or not hold a religious belief and states that state organs, public organizations, and individuals may not discriminate against citizens "who believe in, or do not believe in, any religion." However, **it is not possible to take legal action against the government on the basis of the religious freedom protections afforded by the constitution**. Criminal law allows the state to sentence government officials to up to two years in prison if they violate religious freedom. There were no reported cases of such prosecutions recently.

All religious groups must register with the government, which regulates their activities, makes personnel decisions, and guides their theology. Even then, only religious groups belonging to one of the five state-sanctioned "patriotic religious associations" (Buddhist, Taoist, Muslim, Roman Catholic, and Protestant) are permitted to register with the government. **Some groups, including certain Buddhist and Christian sects, are forbidden, and their members face harassment, imprisonment, and torture.**

The ruling Chinese Communist Party continues to devote considerable resources to suppressing the Falun Gong spiritual group and coercing adherents to renounce their beliefs.

CCP members are required to be atheists and are forbidden from engaging in religious practices. Members who belong to religious organizations are subject to expulsion. **The vast majority of public office holders are CCP members.**

The law states that job applicants shall not face discrimination in hiring based on factors including religious belief.

Wider issues on thought and expression and other human rights

Whereas the constitution states that “citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration”, **these freedoms are not allowed in practice (outside of Hong Kong)**.

All media are owned by the CCP or the state. All media outlets are required to follow regularly issued CCP directives to avoid certain topics or publish content from party mouthpieces. Media outlets that disobey official guidance risk closure, and journalists face dismissal and sometimes imprisonment.

China has the world’s largest population of Internet users, with more than half a billion. **The government maintains an elaborate apparatus for censoring and monitoring internet and mobile-phone communications. The authorities block websites or force the deletion of content they deem politically threatening, and sometimes detain those who post such information.**

Freedoms of assembly and association are tightly controlled. Citizens risk punishment for organizing demonstrations without prior government approval, which is rarely granted.

North Korea (or DPRK)

There is no freedom of religion or belief in the Democratic People’s Republic of Korea (“North Korea”). All freedom of thought, conscience, religion or belief is systematically and severely violated by the North Korean government.

The complete denial of freedom of thought is enforced through the regime’s totalitarian control of almost every aspect of life.

The state imposes a compulsory veneration of the ruling Kim family and its ideology of nationalist self-reliance (*Juche*). (A quasi-religious mythology and 'cult of personality' attaches to the hereditary Kim rulers. In 2011 the state news agency KCNA reported that strange phenomena were witnessed and that "nature is in mourning", following the death of former leader Kim Jong-il. The supposed reports included unusual snow storms, a mysterious glow on a revered mountain top, and the cracking of ice on a famous lake "so loud, it seemed to shake the Heavens and the Earth". The regime had previously declared Kim Jong-il a "genius".)

- COMPLETE TYRANNY PRECLUDES ALL FREEDOMS OF THOUGHT AND EXPRESSION, RELIGION OR BELIEF
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED
- QUASI-DIVINE VENERATION OF A RULING ELITE IS ENFORCED SUBJECT TO SEVERE PUNISHMENT
- IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

Submission to the state and its ideology is enforced through an extensive **government network of control**, including secret surveillance and informants, which intrudes upon virtually every aspect of life in North Korea. **Any hint of independent thought—including lack of enthusiasm for the state ideology, complaints, or “wrong thoughts”—is liable to be severely punished. Punishments include life imprisonment in labour camps, torture and death.**

With no freedom of expression, and no independent press or access to the Internet, North Koreans are denied any opportunity to explore ideas or news from outside government sources, while the outside world is denied access to opinions and news from any individuals or non-government sources in North Korea.

Japan

Free and Equal

- FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. These rights are respected in practice.

The state is secular with freedom of belief guaranteed for all. Article 20 of the constitution states: "Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority."

Wider issues on thought and expression and other human rights

The constitution also guarantees freedom of expression and Japan has a large array of independent media. However, its press clubs, or kisha kurabu, ensure **homogeneity of news coverage** by fostering close relationships between the major media and bureaucrats and politicians. Government officials often give club members exclusive access to political information.

Internet access is not restricted.

Freedom of assembly and association are guaranteed by the constitution and in practice are exercised freely.

Mongolia

Mostly Satisfactory

- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The constitution and other laws and policies protect religious freedom, and the constitution explicitly recognizes the separation of church and state. Freedom of expression and freedom of assembly are also guaranteed in the constitution and **generally protected in practice.**

Although there is no state religion, the law asserts the government shall grant "proper respect" to Buddhism as the predominant religion of the country for the sake of national unity and the maintenance of cultural and historic traditions.

All private religious schools are entitled to state funding but only for their secular curricula. The government is prohibited by law from giving state funds to religious schools for religious education. This policy applies equally to all religious groups.

A Ministry of Education directive bans religious instruction in public schools. The government may deny the request for an extension of registration of a religious group if the group violates the ban by teaching religion in a public school. The ministry may also recommend that employers fire teachers who teach religion in the classroom.

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression and media freedom. While the government generally respects press freedom, **many journalists and independent publications practice a degree of self-censorship to avoid legal action under the State Secrets Law or libel laws that place the burden of proof on the defendant. Journalists who do criticize powerful business interests and politicians are often charged in defamation suits.**

Freedoms of assembly and association are protected in law and in practice.

South Korea

The constitution and other laws and policies of the Republic of Korea protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are **generally respected in practice, with the notable exception of discussion about North Korea.**

Free and Equal

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

There is no state religion, and the government does not subsidize or favor any religion. The constitution states that church and state shall be separate.

Wider issues on thought and expression and other human rights

Freedom of expression and media freedom are protected by the constitution and respected in practice except for discussion of North Korea. Under the **National Security Law, enacted in 1948 to prevent espionage and other threats from the North**, listening to North Korean radio is illegal. Posting pro-North messages online is also treated as illegal and authorities have deleted tens of thousands of web posts that they judged as too sympathetic to North Korea.

Taiwan

Free and Equal
no systematic violations

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. These rights are generally respected in practice.

Compulsory religious instruction is not permitted in any Ministry of Education (MOE)-accredited public or private elementary, middle, or high school. High schools accredited by the MOE are not allowed to require religious instruction, but may provide elective courses in religious studies, provided such courses do not promote certain religious beliefs over others. Religious organizations are permitted to operate private schools.

[The independence and sovereign limits of Taiwan are disputed.]

Southern Asia

Afghanistan

The constitution and other laws often contradict themselves about freedom of religion or belief, and freedom of expression. But overall, **these rights are severely restricted and frequently violated by the government as well as by regional and local chiefs, and non-state actors.** For example, despite constitutional guarantees of freedom of religion, **apostasy is still punishable by death**.

Effective enforcement of the constitution is a continuing challenge due to its contradictory commitments and the lack of a tradition of judicial review.

Article 2 of the constitution explicitly states that followers of religions other than Islam are "free to exercise their faith and perform their religious rites within the limits of the provisions of the law." Article 7 specifically obligates the state to abide by the Universal Declaration of Human Rights, which includes commitments to religious freedom and the right to change one's religion, as well as the right to freedoms of expression and assembly.

However, Article 3 of the constitution also declares that Islam is the official "religion of the state," that "no law can be contrary to the beliefs and provisions of the sacred religion of Islam," and that "the provisions of adherence to the fundamentals of the sacred religion of Islam and the regime of the Islamic Republic cannot be amended."

Although the constitution expressly protects free exercise of faith for non-Muslims, **in situations where the constitution and penal code are silent, such as apostasy and blasphemy, the constitution also instructs courts to rely on the Hanafi School of Sunni Islamic jurisprudence**. The Office of Fatwa and Accounts within the Supreme Court interprets Hanafi jurisprudence when a judge needs assistance in

GRAVE VIOLATIONS

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY REPRESSED**
- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **'BLASPHEMY' OR CRITICISM OF RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **IT IS ILLEGAL OR UNRECOGNISED TO IDENTIFY AS AN ATHEIST OR AS NON-RELIGIOUS**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- **FUNDAMENTALIST RELIGIOUS INDOCTRINATION IS UTTERLY PERVASIVE IN SCHOOLS**
- THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- LEGAL OR CONSTITUTIONAL PROVISIONS EXCLUDE NON-RELIGIOUS VIEWS UNDER FREEDOM OF BELIEF
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS SCHOOLS

understanding its application. **Courts continue to rely on Hanafi interpretations of Islamic law, even in cases which conflict with the country's international commitments to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.**

The constitution also grants that Shia law may be applied in cases dealing with personal matters where all parties are Shia. But there is also no separate law applying to non-Muslims.

The constitution requires that the president and vice president be Muslim. This requirement is not explicitly applied to government ministers or members of Parliament, but each of their **oaths includes swearing allegiance and obedience to the principles of Islam**.

The criminal code makes no specific references to religious conversion. However, in the absence of a provision in the constitution or other laws, Article 130 of the constitution instructs that court decisions should be in accordance with constitutional limits and Hanafi religious jurisprudence to achieve justice. **Under some interpretations of Islamic law, active in practice under Article 130, converting from Islam to another religion is deemed apostasy and considered an egregious crime. Male citizens over age 18, or female citizens over age 16 of sound mind, who convert from Islam have three days to recant their conversions or possibly face death by stoning, deprivation of all property and possessions, and/or the invalidation of their marriage. Some reports suggest execution should be by hanging, not stoning.**

The criminal code also makes no specific references to blasphemy; courts therefore rely on Islamic law to address this issue. **Blasphemy – which can include anti-Islamic writings or speech – is a capital crime under some interpretations of Islamic law. For males over age 18 and females over age 16 of sound mind, an Islamic judge may impose a death sentence for blasphemy. Similar to apostates, those accused of blasphemy are given three days to recant or face death.**

The government does not designate religion on national identity cards and does not require individuals to declare belief in Islam in order to receive citizenship; however, **the state, including the courts, conventionally considers all citizens to be Muslim**. **Therefore some basic citizenship rights of non-Muslims are not explicitly codified. As a result, non-Muslims can be tried under Hanafi jurisprudence.**

In practice, and in accordance with Muslim personal law, courts do not always accord Muslims and non-Muslims the same rights. This includes significant interreligious control: for example, non-Muslims can be married to each other as long as they do not publicly acknowledge their non-Muslim beliefs. In addition, a Muslim man may marry a non-Muslim woman, but the woman must first convert if she is not an adherent of one of the other two Abrahamic faiths (Christianity or Judaism). Moreover, a Muslim woman is not allowed to marry a non-Muslim man.

The penal code addresses "Crimes against Religions" and states that a person who physically attacks a follower of any religion shall receive a short-term prison sentence of not less than three months and a fine of between 3,000 and 12,000 Afghanis (US$60 to $240); **physical attacks on non-religious are by exclusion from this law not technically as serious**.

The constitution protects freedom of expression and of the press; however, the media law includes articles detrimental to freedom of religion and expression. Among other prohibited categories, **Article 45 prohibits production, reproduction, printing, and publishing of works and materials**

contrary to the principles of Islam, works and materials **offensive to other religions** and denominations, **publicizing and promoting religions other than Islam**, and articles and topics that **harm the physical, spiritual, and moral well-being of persons**, especially children and adolescents.

Many authorities and most of society view proselytizing by adherents of other faiths as contrary to the beliefs of Islam.

The ambiguity surrounding what constitutes offensive and un-Islamic material offers the potential for restrictions on and abuse of press freedom and intimidation of journalists. These rules also apply to non-Muslims and foreign-owned media outlets. An amendment to the media law instructs National Radio and Television Afghanistan (RTA), the state-run media outlet, to provide balanced broadcasting that reflects the culture, language, and religious beliefs of all ethnic groups in the country. **The law, however, also obligates RTA to adjust its programs in light of Islamic principles and national and spiritual values.**

The Ulama Council is a group of influential Sunni and Shia scholars, imams, and Muslim jurists from across the country. Its senior members meet regularly with the president and advise him on Islamic moral, ethical, and legal problems. The council is nominally independent of the government, but its members receive financial support from the state. Through contacts with the presidential administration, the parliament, and ministries, **the council or its members advise on the formulation of new legislation or the implementation of existing law**.

Although it is well-represented in provincial capitals, the council has much less reach further out. **In villages and rural areas decisions are made based on tradition and local interpretations of Islamic law.** The council has urged individuals to avoid conduct that could be perceived as insulting local traditions and religious values on the grounds that "safeguarding our national honor and Islamic values is the obligation of every citizen.

The main emphasis of all schooling is instruction in Islam. According to the constitution, the "state shall devise and implement a unified educational curriculum based on the provisions of the sacred religion of Islam, national culture, and in accordance with academic principles, and develop the curriculum of religious subjects on the basis of the Islamic sects existing in Afghanistan." **In government controlled schools, the curriculum is 60 percent religious education and 40 percent general education. In non-government run madrassahs, the schooling is even more skewed, the instruction being almost entirely religious, and these madrassahs are in fact the vast majority of schools in the country.**

Reports in 2001 suggested that departments of education at the district level had **made agreements with the Taliban to revise the curriculum in provincial schools in return for halting attacks against students and teachers, including attacks on girls' schools**. **This curriculum allegedly includes teaching of Taliban-influenced principles. The Afghanistan Ministry of Education has denied those reports.**

While government policies strongly favour Islam, often in its most conservative interpretations, **government control is very limited outside of major cities**. **In the rest of the country the situation is far worse.** Violence, insecurity, and repression continue to deny and violate human rights nationwide, particularly outside urban areas. **Unfortunately, the government of President Hamid**

Karzai seems intent on moving central government policy closer to the harsh Taliban-style rule of the regions, rather than bringing local law and enforcement closer to the human rights standards espoused by the national constitution.

Increasingly, the central government is re-introducing the harshest aspects of sharia into the legal system. For example, in November 2013 Human Rights Watch reported that the Karzai government planned to reintroduce death by stoning as a punishment for adultery. The draft provisions, devised by a working group led by the justice ministry, provide that if a couple is found by a court to have engaged in sexual intercourse outside a legal marriage, both the man and woman shall be sentenced to "[s]toning to death if the adulterer or adulteress is married." The provisions state that the "implementation of stoning shall take place in public in a predetermined location." If the "adulterer or adulteress is unmarried," the sentence shall be "whipping 100 lashes."

Highlighted Cases:

In January 2008, the Afghan Senate supported the death penalty for the 23-year old journalist **Sayed Pervez Kambaksh** for blasphemy. He downloaded and distributed an article (written by Arash "The Atheist" Bikhoda) that critically discussed certain Qu'ran verses about women. In October 2008, Kambaksh's sentence was commuted to 20 years imprisonment. In August 2009, Kambaksh left Afghanistan after a grant of amnesty by President Hamid Karzai.

Ref: *http://news.bbc.co.uk/2/hi/south_asia/7204341.stm*

Bangladesh

The constitution and other laws and policies provide for freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **some laws and policies restrict freedom of religion or belief, as well as freedom of expression and media freedom.**

Communal violence and political dysfunction remain significant problems in Bangladesh.

In 2013, several atheist and freethought bloggers were the victims of physical assaults, as well as government prosecutions for blasphemy, with one critic of Islam murdered by machete.

An amendment to the constitution passed in 2011 established Islam as the state religion yet reaffirmed the country is a "secular state" and guaranteed "freedom of religion". The tension between Islamism and secularism in Bangladesh has resulted in **the legal persecution of freethinkers and minority belief groups, which occasionally erupts into violence.**

- **THERE IS A PATTERN OF IMPUNITY OR OF COLLUSION IN VIOLENCE BY NON-STATE ACTORS AGAINST THE NON-RELIGIOUS**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

Section 295A of the penal code states that any person who has "deliberate" or malicious" intent to "hurt religious sentiments" can be imprisoned and this has been used in practice to prosecute and imprison atheist and secularist activists.

Similarly, the Code of Criminal Procedure includes several clauses (99a-f) that states "the government may confiscate all copies of a newspaper if it publishes anything subversive of the state or provoking an uprising or anything that creates enmity and hatred among the citizens or **denigrates religious beliefs**."

Family law has separate provisions for Muslims, Hindus, and Christians.

Islamic law plays some role in civil matters pertaining to the Muslim community; however, there is no formal implementation of Islamic law, and it is not imposed on non-Muslims. Alternative dispute resolution is available to individuals for settling family arguments and other civil matters not related to land ownership. With the consent of both parties, arbitrators rely on principles found in Islamic law for settling disputes.

Family laws concerning marriage, divorce, and adoption differ significantly depending on the religious beliefs of the persons involved. Muslim and Hindu family laws are codified in the legal system. For example, a Muslim man may marry as many as four wives, although he must get his first wife's signed permission before marrying an additional woman. A Christian man may marry only one woman. Under Hindu law in the country there are limited provisions for divorce, such as impotency, torture, or madness. Hindu widows can legally remarry, and marriage registration for Hindus is optional. The family law of the religion of the two parties concerned governs their marriage rituals and proceedings; however, marriages also are registered with the state. There are no legal restrictions on marriage between members of different religious groups.

Under the Muslim family ordinance, females inherit less than males, and wives have fewer divorce rights than husbands. Laws provide some protection for women against arbitrary divorce and polygamy without the consent of the first wife, but the protections generally apply only to registered marriages. In rural areas, couples occasionally do not register their marriages. Under the law, a Muslim husband is required to pay his former wife alimony for three months, but the authorities do not always enforce this requirement.

Religious studies are part of the curriculum in government schools. Students attend classes in which their assigned religious beliefs are taught. Schools with few students from minority religious groups often make arrangements with local churches or temples to hold religious studies classes outside school hours.

Violence against Ahmadi Muslims (considered heretical by other branches of Islam) and Buddhists has increased in recent years. The Buddhists mostly belong to indigenous hill tribes in south eastern Bangladesh (Chittagong Hill Tracts). In September 2012, following the posting of a photograph of a burnt Koran on Facebook, more than 20 Buddhist temples, along with homes and shops, were attacked and set on fire by Muslim protestors.

Also in September 2012, the government blocked the video-sharing site YouTube following a global uproar over "The Innocence of Muslims" video produced in the United States.

Bangladesh guarantees freedom of expression, with some restrictions for "public order" concerns (such as "The Innocence of Muslims" uproar mentioned above), and its media are vibrant and diverse. However, **not only does the government show some intolerance of media criticism, but journalists continue to be threatened and attacked with impunity by political and religious groups**. This in turn leads to self-censorship on some religious and political topics.

Various forms of artistic expression by freethinkers— including blogs, books and films—have been banned or censored. **The feminist author and atheist activist Taslima Nasrin remains in exile from Bangladesh because of the threat of death or government persecution should she return to her homeland.**

Highlighted Cases:

In February, 2013, the atheist blogger **Ahmed Rajib Haide** (**aka Thaba Baba)**, was murdered in a machete attack at his home. His head was hacked open with a machete the day after he took part in the Shahbag movement, a major rally against leaders of the country's largest Islamic party. He was associated with secularist views in line with Shahbag.

Ref: *http://www.google.com/hostednews/afp/article/ALeqM5gvgXRcLgESI9K6wFCyhmT32zJswg*
Ref: *http://www.hindustantimes.com/world-news/Bangladesh/Militant-atheist-blogger-stabbed-in-Bangladesh/Article1-989966.aspx*

The month before Ahmed Rajib Haide was killed, Islamist militants had attempted to murder another atheist blogger, **Asif Mohiuddin.Mohiuddin**. Mohiuddin survived that attack, thanks to emergency surgery, only to be arrested for blasphemy on April 3, 2013, and charged with "offending Islam and its Prophet".

At the same time, three other secularist bloggers—**Subrata Adhikari Shuvo**, **Mashiur Rahman Biplob**, and **Rasel Parvez**—were arrested on similar charges. The arrests came after Islamists gave the government a list of 84 bloggers they wanted charged with blasphemy. The blogs of all four secularists were shut down by the government.

Subrata Adhikari Shuvo, Mashiur Rahman Biplob, and Rasel Parvez were quickly released, but Asif Mohiuddin was kept in jail until he was released in late July on health grounds, only to be imprisoned again a month later. As of December 2013, all four bloggers are out on bail awaiting trial.

The International Humanist and Ethical Union has called for their release, and for the government not to bring prosecutions at the behest of Islamists demanding "death to atheists".

Ref: *http://iheu.org/story/arrests-atheist-bloggers-shows-bangladesh-authorities-are-walking-trap-set-fundamentalists*

On January 4, 2012, the principal of a technical college, **Yunus Ali**, was arrested for keeping a copy of Taslima Nasrin's book *Shame* in the school library. The book tells the story of a Hindu

family persecuted in Bangladesh. It was deemed blasphemous and banned by the Bangladeshi government in 1993 and Dr. Nasrin was forced to flee abroad to escape blasphemy charges and death threats.

On March 21, 2012, the Dhaka High Court ordered five **Facebook pages and a website** to be shut down after Dhaka University professors claimed the pages contained remarks and cartoons about the Prophet Muhammad, the Holy Qu'ran, Jesus, Buddha, and the Hindu Gods that insulted religious sentiments.

Bhutan

The constitution and other laws and policies guarantee the right to freedom of religion or belief. But **the Kingdom of Bhutan officially recognizes only Buddhism and Hinduism**, and proclaims **Buddhism is the "spiritual heritage" of Bhutan**. Furthermore, the government imposes some restrictions on freedom of expression, and an independent media is only just beginning to emerge.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **PREFERENTIAL TREATMENT OF RELIGION**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The constitution stipulates, "A Bhutanese citizen shall have the right to freedom of thought, conscience, and religion. No person shall be compelled to belong to another faith by means of coercion or inducement." It also states, "No one shall be discriminated against on the grounds of race, sex, language, religion, politics, or other status."

However, **the government supports the Drukpa Kagyupa school of Mahayana Buddhism. It subsidizes its monasteries and shrines and provides aid to its monks and nuns. The government does not provide aid to clerics of other religions.**

The National Security Act (NSA) prohibits "words either spoken or written, or by other means whatsoever, that promote or attempt to promote, on grounds of religion, race, language, caste, or community, or on any other ground whatsoever, feelings of enmity or hatred between different religious, racial, or language groups or castes and communities." Violating the NSA is punishable by up to three years in prison. There have been no reports of prosecutions under the act in recent years.

The government asserts there is no religious curriculum in educational institutions, but **local nongovernmental organizations (NGOs) report students must take part in a compulsory Buddhist prayer session each morning**. Religious teaching is forbidden in all schools except monastic institutions.

Wider issues on thought and expression and other human rights

A 1992 law prohibits criticism of the king and the political system. A 2006 media law has allowed the creation of a small but growing number of independent radio stations and newspapers.

The penal code states that a defendant shall be found guilty of promoting civil unrest by committing an act that is "prejudicial to the maintenance of harmony between different nationalities, racial groups, castes, and religious groups and that disturbs the public tranquility." The punishment is five to nine years in prison. There were no reports of prosecutions under this law in recent years.

India

India is a secular republic and its constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **some state-level laws and policies restrict this freedom, and there continues to be some violence between religious groups and organized communal attacks against religious minorities.**

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE

In 2013 a prominent leader of the Indian Humanist movement was assassinated, apparently because of his work combating superstition or Hindu nationalism (see Highlighted Cases below)**.** The authorities were quick to promise action but have not yet filed any charges and have been accused of prematurely ruling out extremist Hindu nationalist parties.

Section 295 of the Indian Penal Code criminalises insult to religion; it allows up to three years imprisonment and fines for "whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or otherwise, insults or attempts to insult the religion or the religious beliefs of a class."

In addition, in 2011 the Indian Ministry of Communications and Information Technology issued new rules requiring operators of social media networks to screen and remove blasphemous content within 36 hours of receiving a complaint.

Wider issues on thought and expression and other human rights

Freedom of expression is protected by the constitution and there is a vigorous and diverse range of media outlets. Independent television and print sectors have grown substantially over the past decade. **However, radio remains dominated by the state** and private radio stations are not allowed to air news content.

Despite this vibrant media landscape, **journalists continue to face a number of constraints. The government has used security laws, criminal defamation legislation, hate-speech laws, and contempt-of-court charges to curb critical voices.**

Internet access is largely unrestricted, although some states have passed legislation that requires internet cafés to register with the state government and maintain user registries. **Under Indian internet crime law, the burden is on website operators to demonstrate their innocence. Potentially inflammatory books, films, and internet sites are occasionally banned or censored.**

There are some restrictions on freedoms of assembly and association. Section 144 of the criminal procedure code empowers the authorities to restrict free assembly and impose curfews whenever "immediate prevention or speedy remedy" is required. State laws based on this standard are often abused to limit the holding of meetings and assemblies. Nevertheless, protest events take place regularly in practice.

Highlighted Cases:

In April 2012, the Catholic Church filed a complaint under Section 295 of the country's penal code against Sanal Edamaruku, president of the Indian Rationalist Association. Edamaruku had reportedly exposed a supposed "miracle" by revealing that a weeping Jesus on the cross was actually the result of a leaky drain. The local police requested Edamaruku turn himself in and face the charges. He now lives in exile in Finland.

Ref: *http://www.patheos.com/blogs/friendlyatheist/2012/06/10/indian-rationalist-faces-jail-for-exposing-miracle/*

On August 20, 2013, leading anti-superstition campaigner Dr. Narendra Dabholkar was shot and killed by two men on a motorbike. The murder came just days after the state government pledged to re-introduce an anti-superstition bill closely associated with Dabholkar's work and opposed by many rightwing and Hindu nationalist groups as "anti-Hindu." Dabholkar was a long-time activist in India's rationalist movement and a leader of the Federation of Indian Rationalist Association, a member organization of the International Humanist and Ethical Union. The anti-superstition bill was passed into law soon after his death. It makes it an offence to exploit or defraud people with 'magical' rituals, charms and cures.

Ref: *http://iheu.org/story/leading-indian-rationalist-assassinated-gunmen*

Iran

There is no freedom of religion or belief in the Islamic Republic of Iran, and the freedoms of expression, association and assembly are severely restricted by the theocratic regime. Iranian law bars any criticism of Islam or deviation from the ruling Islamic standards. Government leaders use these laws to persecute religious minorities and dissidents.

Article 110 of the Constitution lists all the powers granted to the Spiritual Leader (a Muslim religious and political leader), appointed by his peers for an unlimited duration. **Among others, the Spiritual Leader exercises his control over the judiciary, the army, the police, the radio, the television, but also over the President and the Parliament, institutions elected by the people.**

Article 91 of the Constitution establishes a body known as the "Guardian Council" whose function is to examine the compatibility of all legislation enacted by the Islamic Consultative Assembly with "the criteria of Islam and the Constitution" and who can therefore veto any and all legislation. Half of the members of the Guardian Council are appointed by the Spiritual Leader and the other half are elected by the Islamic Consultative Assembly from among the Muslim jurists nominated by the Head of the Judicial Power (who is, himself, appointed by the Spiritual Leader).

The Guardian Council exercise a double control of any draft legislation, with two different procedures: conformity with the Constitution (all 12 elected members vote, a simple majority recognizes the constitutionality) and conformity with Islam (only the six religious leaders elected personally by the Spiritual leader vote, and a simple majority is required to declare the compatibility of a draft legislation with Islam).

Consequently, **four religious leaders may block all draft legislation enacted by the Parliament**. The Guardian Council and the Supreme Leader thus centralize all powers in Iran.

GRAVE VIOLATIONS
clear and dangerous persecution

- **RELIGIOUS AUTHORITIES HAVE SUPREME AUTHORITY OVER THE STATE**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **THE NON-RELIGIOUS ARE BARRED FROM GOVERNMENT OFFICE**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **'BLASPHEMY' OR CRITICISM OF RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES

Articles 12 and 13 of the Constitution divides citizens of the Islamic Republic of Iran into four religious categories: Muslims, Zoroastrians, Jews and Christians. **Nonbelievers are effectively left out and aren't afforded any rights or protections. They must declare their faith in one of the four officially recognized religions in order to be able to claim a number of legal rights, such as the possibility to apply for the general examination to enter any university in Iran.** Other belief groups outside of the four recognized religions, such as Bahá'ís, also suffer from this discrimination—for example, Bahá'ís are actively prevented from attending any university.

Only Muslims are able to take part in the Government of the Islamic Republic of Iran and to conduct public affairs at a high level. According to the Constitution, non-Muslims cannot hold the following key decision-making positions: President of the Islamic Republic of Iran, who must be a Shi'a Muslim (Article 1156); Commanders in the Islamic Army (Article 1447);Judges, at any level (Article 163 and law of 1983 on the selection of judges 8).

Moreover, **non-Muslims are not eligible to become members of the Parliament (the Islamic Consultative Assembly)** through the general elections and **non-Muslims cannot become members of the Guardian Council—the most powerful governing body in Iran**.

Iran operates harsh form of Sharia—Islamic law—that punishes a wide range of political, social and moral offenses with flogging, amputation, and execution. Amendments to Iran's penal code in 2013 eliminated execution by stoning. However, Iran still carries out **hundreds of executions by hanging every year**. Many executions are for the crime of "enmity against God"(moharebeh). Although this crime is framed as a religious offense, and may be used against atheists and other religious dissenters, it is most often used as a punishment for political acts that challenge the regime (on the basis that to oppose the theocratic regime is to oppose Allah).

A study of the Penal Code of the Islamic Republic of Iran reveals that, for a number of offences, the punishment differs in function of the religion of the victim and/or the religion of the offender. The fate of Muslim victims and offenders is systematically more favourable than that of non-Muslims, showing that the life and physical integrity of Muslims is given a much higher value than that of non-Muslims. This institutionalized discrimination is particularly blatant for the following crimes:

- *Adultery*: The sanctions for adultery vary widely according to the religion of both members of the couple. A Muslim man who commits adultery with a Muslim woman is punished by 100 lashes (Article 8811). However, a non-Muslim man who commits adultery with a Muslim woman is subject to the death penalty (Article 82-c12). If a Muslim man commits adultery with a non-Muslim woman, the Penal Code does not specify any penalty.
- *Homosexuality*: Likewise, homosexuality "without consummation" between two Muslim men is punished by 100 lashes (Article 12113) but if the "active party" is non-Muslim and the other Muslim, the non-Muslim is subject to the death penalty.
- *Crimes against the Deceased*: Article 49418 stipulates penalties for crimes against a deceased Muslim but the Penal Code does not edict any penalties for the violation of the corpse of a non-Muslim.

The Press Court has extensive power to prosecute journalists and control print media. It uses this power to prevent publication of anything that could be seen as critical of the regime or contrary to

its strict interpretation of Shi'a Islam. Numerous periodicals are closed for morality or security offenses every year. In 2012, even the head of the state news agency, Ali Akbar Javanfek, was jailed for six months for publishing content "contrary to Islamic standards."

Books can only be published after receiving approval from the Ministry of Culture. Books deemed critical of the regime, or contrary to its strict interpretation of Shia Islam, cannot be published, and their authors are liable to be prosecuted. In 2010, authorities banned the sale of any books that had received a publishing license prior to 2007. Some 250 "subversive" books were banned ahead of the 2012 Tehran International Book Fair.

Wider issues on thought and expression and other human rights

Freedom of expression is severely restricted by the regime. The government directly controls all television and radio broadcasting, and outlaws the reception of independent media, for example by making it illegal to own a satellite dish. Cooperation with Persian-language satellite news channels based abroad is banned; for example, a leading economist, Fariborz Raisdana, was arrested in December 2010 for criticizing Iranian economic policies on the Persian service of the British Broadcasting Corporation (BBC). Professor Raisdana began serving a one-year prison term in May 2012. In addition, Iranian journalists living abroad have been intimidated by the Iranian government, for example by the harassment of family members who still live in Iran.

Iran ranks second in the world for the number of jailed journalists, according to the Committee to Protect Journalists. In December 2012, there were 45 journalists in jail because of their writing. In July 2013, following the election of a new president of Iran, widely seen as more moderate than his predecessor, Iranian authorities jailed seven more journalists (see individual case below) and arrested several others in a renewed media crackdown.

Access to the Internet has soared over the last five years in Iran. As with the "Arab Spring" uprisings, in 2009 many Iranians used mobile phones and social media to organize and publicize widespread protests—the "Green Movement" against the regime. In fact the use of social networking technology was so central to the popular protests that the democratic uprising became known as "The Twitter Revolution." **The government responded by creating draconian new laws to restrict access to communication tools, persecute dissidents for their online activity, and strengthen the government's already powerful censorship system.** The major social-media sites—such as Facebook, Twitter, and YouTube—were blocked after the 2009 election. In 2012, the authorities unveiled new regulations that require cybercafés to record the personal information and browsing histories of every customer. The first phase of a national intranet, aimed at disconnecting the population from the WorldWideWeb, was launched in September 2012.

Iranian filmmakers are subject to tight restrictions. In January 2012, the government ordered the closure of the House of Cinema, an independent association that supported around 5,000 Iranian filmmakers and artists.

Freedom of association and assembly are severely limited in Iran. The constitutional prohibition against public demonstrations that "are detrimental to the fundamental principles of Islam" is used to ban any demonstration the authorities may not like. The government condones violent groups of vigilante, and extra-legal paramilitary groups—such as the Basij and Ansar-i Hezbollah—that are

used to break up demonstrations by assaulting the protestors, often resulting in permanent injuries and even death. Even peaceful, non-political protests are put down with brutal force.

Highlighted Cases:

On July 13, 2013, **seven members of the Dervish religious minority** were sentenced to a total of 56 years for running a news website.

Ref: *http://cpj.org/2013/07/iran-jails-at-least-10-journalists-in-two-week-spa.php*

On Jan. 17, 2012, the country's Supreme Court confirmed the previously handed down death sentence for 35-year-old web designer and Canadian resident **Saeed Malekpour**. He had returned to Iran in 2008 to visit his dying father and was arrested for "insulting and desecrating Islam" for creating a computer program used by others to download pornography.

Ref: *http://www.springboardbath.org.uk/news/1460-amnesty-bath-urge-us-to-appeal-against-web-programmers-execution-in-iran.htm*

Maldives

The constitution and other laws do not permit freedom of religion or belief. While freedom of expression is guaranteed by the constitution, it is not respected in practice. **The constitution designates Islam as the official state religion, and the government and many citizens at all levels interpret this provision to impose a requirement that all citizens must be Muslims.**

The government follows civil law based on Islamic law. Civil law is subordinate to Islamic law. In a situation not covered by civil law, and in certain cases such as divorce and adultery, Islamic law is applied.

The law prohibits public statements that are contrary to Islam and violators face penalties ranging from two to five years in prison or house arrest.

Mosques are required to register with the government. **The government maintains and funds most mosques.**

Several articles in the constitution make the practice of Islam mandatory. Article 36 states that it is imperative for parents and the state to provide children with primary and secondary education and section (c) of that article states **schools are required to "inculcate obedience to Islam" and "instill love for Islam."** According to the international non-governmental organization (NGO) Forum 18, this is understood to mean that parents must educate their children as Muslims, whether they are Muslim or not.

The Ministry of Islamic Affairs mandates Islamic instruction in schools and funds salaries of religious instructors. It also certifies imams, who are responsible for presenting government-approved sermons. **By law, no one may publicly discuss Islam unless invited to do so by the government, and imams may not prepare sermons without government authorization.**

The constitution stipulates that the president must be Sunni. The constitutional language on the fundamental rights and duties of citizens does not provide for the right to freedom of religion or belief. Furthermore, **the**

GRAVE VIOLATIONS

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- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **IT IS ILLEGAL OR UNRECOGNISED TO IDENTIFY AS AN ATHEIST OR AS NON-RELIGIOUS**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
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- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
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- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
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- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

constitution precludes non-Muslims from voting and holding public positions.

The constitution does not prohibit discrimination based on religious preference. It excludes religion from a list of attributes for which people should not be discriminated against.

By law, a Maldivian woman cannot marry a non-Muslim foreigner unless he converts to Islam first. A Maldivian man, however, can marry a non-Muslim foreigner, if the foreigner is from a religion that is allowed under Islamic Shariah, i.e., Christianity and Judaism. A Maldivian man cannot marry a non-Muslim foreigner from a religion not allowed under Islamic Sharia unless that person converts to Islam prior to marriage.

Wider issues on thought and expression and other human rights

The constitution guarantees freedoms of expression and the press. However, journalists and media outlets routinely face legal harassment and physical assault for reporting anything critical of the government.

Highlighted Cases:

In June 2010, **Mohammed Nazim** asked a Muslim preacher, at a large public event, how Islam viewed people such as himself who had tried to believe in Islam but could not. The preacher replied that Islam requires the death penalty for those who leave Islam. Several members of the enraged crowd attempted to attack Nazim and he was hustled away by the police. The Islamic Ministry arranged for Nazim to receive “religious counseling” before determining if he should be executed for apostasy. During this prison counseling, Mohammed saved his life by assenting to embrace Islam.

One month later, **Ismail Mohamed Didi** faced the same choice as Mohamamed Nazim: believe or die. He chose death. On July 13 2010, the 25 year-old air traffic controller was found hanged from the control tower of the Maldives international airport, after killing himself to escape persecution for his rejection of religion. Shortly before his death, Ismail Mohamed Didi wrote that he had "foolishly admitted my stance on religion" to work colleagues and the news had "spread like wildfire." He added that "A lot of my close friends and girlfriend have been prohibited from seeing me by their parents. I have even received a couple of anonymous phone calls threatening violence if I do not repent and start practicing Islam… Maldivians are proud of their religious homogeneity and I am learning the hard way that there is no place for non-Muslim Maldivians in this society."

Nepal

The 2007 interim constitution guarantees freedom of religion or belief as well as the rights to freedom of expression and assembly. These rights are generally respected, although **there are some significant exceptions in practice,** due to non-state actors as well as the government, as Nepal continues a difficult transition to a rights-based democracy.

The interim constitution declares the country a secular state, signaling a stark break with the Hindu monarchy that controlled the state before 2007.

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

There are no specific laws favoring the Hindu majority, nor does the government control the expression of Hinduism.

However, the law prohibits the killing or intended killing of cows. Penalties for violating this law include twelve years in prison. Non-Hindus have protested that the legal prohibition on killing cows as discriminatory.

The law allows personal conversion to a different religion, but the interim constitution and criminal code **prohibit proselytizing, which is punishable by fines, imprisonment, or, for foreigners, expulsion.**

Although public schools did not teach religious beliefs, most had a statue of Saraswati, the Hindu goddess of learning, on their grounds. Some began the day with a Hindu prayer to the goddess.

Wider issues on thought and expression and other human rights

The interim constitution provides for press freedom and specifically prohibits censorship, although these rules can be suspended during an emergency. Many restrictions on the press were lifted after Parliament was restored in 2006. However, **journalists frequently face physical attacks, death threats, and harassment by armed groups, security personnel, and political cadres, and the perpetrators typically go unpunished.**

Pakistan

The constitution and other laws and policies restrict freedom of religion or belief, and in practice national and local government enforces these restrictions. The right to freedom of expression, including media freedom, is also frequently violated by state and non-state actors.

The widespread prosecution of cases of alleged blasphemy, which is punishable by death, remains a severe violation of freedom of thought in Pakistan.

The constitution establishes Islam as the state religion. Although it also declares that adequate provisions shall be made for minorities to profess and practice their religious beliefs freely, **other provisions of the constitution and laws severely limit freedom of religion or belief**. Government policies do not afford the same protections to members of minority religious groups, or to the non-religious, as they do to the Muslim majority.

The penal code incorporates a number of Islamic legal provisions. The judicial system encompasses several different court systems with overlapping and sometimes competing jurisdictions that reflect differences in civil, criminal, and Islamic jurisprudence. The Federal Shariat Court (FSC) and the Sharia bench of the Supreme Court serve as appellate courts for certain convictions in criminal courts under the Hudood Ordinances (ordinances enacted in 1979 to implement Islamic law), including those for rape, extramarital sex, alcohol, and gambling. The FSC exercises "revisional jurisdiction" (the power to review of its own accord cases in lower courts) that applies to Muslims and non-Muslims, in cases relating to Hudood laws.

GRAVE VIOLATIONS

- **THERE IS A PATTERN OF IMPUNITY OR COLLUSION IN VIOLENCE BY NON-STATE ACTORS AGAINST THE NON-RELIGIOUS**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **'BLASPHEMY' OR CRITICISM OF RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- IT IS MADE DIFFICULT TO REGISTER OR OPERATE AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- THERE IS A RELIGIOUS TAX OR TITHING WHICH DISCRIMINATES BY PRECLUDING NON-RELIGIOUS GROUPS
- COERCIVE TITHING OR A DISCRIMINATORY RELIGIOUS TAX IS COMPULSORY

Chapter XV of Pakistan's Penal Code contains several sections regarding blasphemy or religious defamation laws. Article 295-A outlaws "deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs." Article 295-B outlaws the defiling of the Holy Qu'ran. Article 295-C bans the use of derogatory remarks in respect of the Holy Prophet. Article 298 bars uttering words with the deliberate intent to wound religious feelings. And article 298-B punishes any misuse of epithets, descriptions, or titles reserved for certain holy personages or places.

Prosecutions for blasphemy are widely thought to be brought against those wishing to eliminate competitors or those against whom they have a feud or grudge. The mere accusation may result in the accused's life being endangered in prison, and such is the power of the mullahs who often come to court to intimidate the judiciary in such cases, that obtaining a lawyer, and even a judge to try the case fairly is often impossible. **An accusation, however false, can therefore become a sentence of death.**

According to the National Commission for Justice and Peace (NCJP), **the authorities prosecuted a total of 1,170 blasphemy cases between 1987 and 2012, with scores of new cases being brought every year. According to Human Rights Watch, at the end of 2012, at least 17 people remained on death row for blasphemy, while another 20 served life sentences.**

In addition to the blasphemy laws, under the Anti-Terrorism Act (ATA), any action, including speech, intended to incite religious hatred is punishable by up to seven years' imprisonment.

On December 5, 2013, the Federal Shariat Court issued orders to remove the provision of life-imprisonment from the blasphemy law, stating that the death penalty is the only punishment for blasphemy. The FSC has demanded a report from the government for implementation of the order within a couple of months.

Starting in 2010 the government became more aggressive in blocking "blasphemous" websites. In 2012 the social-networking website Twitter was blocked briefly in May, and in September, in response to protests sparked by a video concerning the prophet Muhammad, the Supreme Court ordered a block of the video-sharing website YouTube.

The government provides funding for construction and maintenance of mosques and for Islamic clergy. The government collects a 2.5 percent tithe on all Sunni Muslims and distributes the funds to Sunni mosques, madrassahs, and charities. The government does not tithe other religious groups, nor of course any secular groups.

Islamiyyat (Islamic studies) is compulsory for all Muslim students in state-run schools. By law students of other religious groups, or no religion, cannot be forced to study Islam, but in general they are not offered parallel studies in their own religious beliefs and by default are required to take the Islamic studies class. However, in some schools, non-Muslim students may study ethics.

The government does not prohibit, restrict, or punish parents for raising children in accordance with religious teachings and practices of their choice and does not prohibit religious instruction in the home.

There is no legal requirement for individuals to practice or affiliate nominally with a religious group; however, **the constitution requires that the president and prime minister be Muslims**. **All senior officials, including members of parliament, must swear an oath to protect the country's Islamic identity.**

In accordance with the Anti-Terrorism Act, the government bans several groups it judges to be "extremist" or terrorist. The act allows the government to use special streamlined courts to try cases involving violent crimes, terrorist activities, acts, or speech designed to foment religious hatred

(including blasphemy cases), and crimes against the state; however, many banned groups remain active, and some others avoid the law by changing their names once banned.

The government does not recognize either civil or common law marriage. Marriages generally are performed and registered according to one's religious group; however, **there is no legal mechanism for the government to register marriages of Hindus and Sikhs**. The marriages of non-Muslim men remain legal upon conversion to Islam. If a non-Muslim female converts to Islam and her marriage was performed according to her previous religious beliefs, the marriage is considered dissolved. Children born to Hindu or Christian women who convert to Islam after marriage are considered illegitimate. The only way to legitimize the marriage and render the children legitimate and eligible for inheritance is for the husband to convert to Islam. The children of a Muslim man and a Muslim woman who both convert to another religious group are considered illegitimate, and the government can take custody of the children.

The government designates religious affiliation on passports and requests religious information in national identity card applications. When applying for a passport, applicants must state their religion. **"No Religion" is not accepted as an answer.**

Wider issues on thought and expression and other human rights

Despite all the restrictions on free expression, Pakistan has a diverse and vibrant media sector. However, **the government routinely uses blasphemy laws and other laws to justify censorship**. The constitution and other laws authorize the government to curb speech on subjects including the armed forces, the judiciary, and religion.

Powerful figures, including military officials and judges, as well as politicians, routinely try to silence critical reporting, and there is a very high level of violence against journalists. According to the Committee to Protect Journalists, 48 journalists have been killed in Pakistan since 1992. About 60% of those deaths were murders that targeted the journalists because of their work. Impunity in cases concerning murdered journalists remains the norm. Intimidation by the security forces—including verbal threats, physical attacks, and arbitrary, incommunicado detention—continues to occur, as do **harassment and attacks by Islamic fundamentalists and hired thugs working for feudal landlords or local politicians.**

Highlighted Cases:

On November 8, 2010, **Asia Bibi**, a Christian farm worker and mother of five was convicted of blasphemy and sentenced to death for allegedly making blasphemous remarks following a disagreement with a Muslim co-worker who refused to drink from a container of water she carried, believing it was tainted. Several prominent Pakistani politicians have been assassinated for supporting her freedom (more below).

On January 4, 2011, **Salman Taseer**, the Governor of Punjab, was assassinated by his bodyguard, Mumtaz Hussein Qadri. Qadri was unhappy with Taseer's commitment to reforming the country's

blasphemy laws. Taseer had been fighting for a presidential pardon for Asia Bibi, whose case is mentioned above.

On March 2, 2011, **Shabaz Bhatti**, Minister for Minority Affairs, was assassinated at his home in retaliation for his opposition to blasphemy laws. His assassins left leaflets threatening opponents of blasphemy laws with a similar fate. Despite the fact that members of the Tehrik-e-Taliban have taken responsibility for the murder, no one has yet been charged in Bhatti's death. Bhatti had been fighting for a presidential pardon for Asia Bibi, whose case is mentioned above.

On Oct. 13, 2012, a retired schoolteacher named **Ameer Ali Wahocho** was sentenced to three years in prison for allegedly making insulting remarks about the Prophet Mohammed and his family. Wahocho was originally sentenced to one month, which he appealed. While out on bail, his accuser also petitioned–for a stricter sentence. The accuser's petition was granted and Ameer Ali Wahocho's prison sentence was extended to three years.

Sri Lanka

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. However, **the government often interferes with media independence, and the Buddhist population has often shown hostility, occasionally violence, towards non-Buddhists.**

SERIOUS DISCRIMATION
systematic and severe prejudice

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- **IT IS MADE DIFFICULT TO REGISTER OR OPERATE AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION**
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The constitution and other laws and policies protect freedom of religion or belief. According to the constitution, every person is "entitled to freedom of thought, conscience, and religion, including the freedom to have or to adopt a religion or belief of his choice." The constitution gives a citizen "the right 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, or teaching." However, **the constitution also accords Buddhism the "foremost place" and commits the government to protecting it, but does not recognize it as the state religion.**

The Ministry of Buddha Sasana and Religious Affairs has four departments working specifically with Buddhist, Hindu, Muslim, and Christian groups. By law, each department is mandated to formulate and implement programs to inculcate religious values and promote a "virtuous society."

Matters related to family law, including divorce, child custody, and inheritance, are adjudicated according to the customary law of the applicable ethnic or religious group. In order to solemnize marriages, religious groups must register with the Ministry of Buddha Sasana and Religious Affairs.

Religion is a mandatory subject in the state school curriculum. Parents may choose for their children to study Buddhism, Islam, Hinduism, or Christianity. Students belonging to other religious groups may pursue religious instruction outside the public school system.

Tensions between the Buddhist majority and the Christian minority—particularly evangelical Christian groups, which are accused of forced conversions—sporadically flare into attacks on churches and individuals by **Buddhist extremists**. Muslims have also faced harassment: **in April 2012, Buddhist monks stormed a mosque in Dambulla and the government complied with their demands to destroy the mosque, ordering that the mosque would be demolished and relocated.**

Wider issues on thought and expression and other human rights

Although freedom of expression is guaranteed in the constitution, a number of laws and regulations restrict this right, including the Official Secrets Act, the Prevention of Terrorism Act (PTA), additional antiterrorism regulations issued in 2006, and laws on defamation and contempt of court. **Journalists throughout Sri Lanka, particularly those who cover human rights or military issues, encounter considerable levels of intimidation, which has led over the past several years to increased self-censorship.** A number of journalists received death threats in 2012, while others were assaulted.

In June 2012, police raided the joint office of two opposition news websites, the *Sri Lanka Mirror* and *Sri Lanka X News*, for publishing anti-government material. Eight journalists and an office assistant were arrested and their equipment confiscated. In July 2012 the editor of the *Sunday Leader*, Federica Jansz, received death threats directly from Defense Secretary Gotabaya Rajapaksa following a story alleging he misused his authority to divert a passenger jet to pick up a puppy. Two months later, Jansz was fired after the paper was sold to an associate of the president's family. **Past attacks on journalists and media outlets, such as the murder of Lasantha Wickrematunga in 2009 and the disappearance of Prageeth Eknaligoda in 2010, have not been adequately investigated, leading to a climate of complete impunity.**

The government continues to censor the internet, temporarily blocking access to the independent news site Colombo Telegraph in 2012, as well as the websites of Tamil language news sites. In May 2012, the Free Media Movement, a press advocacy group, brought a case to the Supreme Court on behalf of five websites that had been shut down in 2011, but the case was quickly dismissed.

South-Eastern Asia

Brunei

Though the constitution guarantees freedom of religion or belief, other laws and policies restrict this right. **The constitution states, "The religion of Brunei Darussalam shall be the Muslim religion according to the Shafi'i sect of that religion."**

The government continues its longstanding policies to promote the Shafi'i school of Sunni Islam and discourage other religions.

Anyone who teaches or promotes any "deviant" beliefs or practices in public may be charged under the Islamic Religious Council Act and punished with three months incarceration and a fine of BND 2,000 (US$1,550).

Visitors to the country are asked to identify their religion on their visa applications.

Since the early 1990s the government has worked to reinforce the legitimacy of the hereditary monarchy and the observance of traditional and Islamic values by **promoting a national ideology known as the Melayu Islam Beraja (MIB), or Malay Islamic Monarchy, claiming its superiority over other religious and social belief systems.** MIB principles are the basis of civic life. All government meetings and ceremonies commence with a Muslim prayer. When attending citizenship ceremonies, non-Muslims must wear national dress, including head coverings for men and women.

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- RELIGIOUS GROUPS CONTROL SOME PUBLIC OR SOCIAL SERVICES

The Compulsory Religious Education Order of 2012 mandates that **all Muslim children aged seven to fifteen residing in the country must be enrolled in Islamic religious education. The law propagates the officially recognized Shafii sect of Sunni Islam and does not make accommodations for Muslims who have non-Shafii beliefs. The Ministry of Education also requires all schools to teach the Malay Muslim Monarchy.**

Marriage between Muslims and non-Muslims is not permitted, and non-Muslims must convert to Islam if they wish to marry a Muslim. The Jawi (Arabic script used for writing the Malay language) is mandatory in all schools, public or private. **The teaching of all other religions is prohibited.**

Wider issues on thought and expression and other human rights

The Sultan of Brunei declared a state of emergency in 1962, which is still in effect. Emergency rule severely restricts freedom of expression, freedom of the press and the right to free assembly and freedom of association.

Journalists in Brunei face significant restrictions. Officials may close newspapers without cause and fine and imprison journalists for up to three years for reporting deemed "false and malicious." The national sedition law was amended in 2005 to strengthen prohibitions on criticizing the sultan and the national "Malay Muslim Monarchy" ideology. There is very limited independent media. The country's internet practice code stipulates that content must not be subversive or encourage illegitimate reform efforts.

Cambodia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **Buddhism is the official state religion, and is strongly favoured by government practice.**

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION**
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**

The constitution prohibits discrimination based on religion. However, **the government promotes Buddhist holidays, provides Buddhist training and education to monks and others in pagodas**, and modestly supports an institute that performs research and publishes materials on Khmer culture and Buddhist traditions.

The government permits Buddhist religious instruction in public schools. Other forms of religious instruction are prohibited in public schools; however, non-Buddhist religious instruction may be provided by private institutions.

Wider issues on thought and expression and other human rights

The government does not fully respect freedom of expression and exerts significant control over the media. The internet is mostly free of government control.

Indonesia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **in practice these rights are often severely restricted and they are non-existent for non-religious citizens or anyone who does not believe in a god.**

Indonesia recognizes only six official religions—Islam, Catholicism, Protestantism, Confucianism, Buddhism, and Hinduism—and requires its citizens to adhere to one of these. **Persons who do not identify with one of the six official religions, including people with no religion, continue to experience official discrimination. This discrimination occurs often in the context of civil registration of marriages and births and other situation involving family law.**

Official ID cards must list one of the six official religions; therefore "atheism" or "Humanism" are not permitted options. However, since 2006 "-" has been a permitted option under the category of religion. The minus "-" category covers all other non-recognized religions, sects, and local traditional beliefs. It could, at least in theory, be used by atheists, although its actual use may depend on the attitude of the bureaucrat processing the application for an ID card.

Applicants for government jobs must also identify as belonging to one of the six official religions.

GRAVE VIOLATIONS

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **IT IS ILLEGAL OR UNRECOGNISED TO IDENTIFY AS AN ATHEIST OR AS NON-RELIGIOUS**
- **THE NON-RELIGIOUS ARE BARRED FROM GOVERNMENT OFFICE**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

To register an organization in Indonesia, the organizers must declare their allegiance to the Basic Ideology of the State (called Pancasila); the first principle of Pancasila is 'Belief in the one and only God'. That means no atheist group can legally register itself.

The country's blasphemy law makes it illegal to promote other faiths, or atheism. Article 156(a) of the country's criminal code also punishes "disseminating information aimed at inciting religious hatred or hostility" with up to five years in prison.

Although the constitution guarantees freedom of expression, criticism of religion is severely restricted and **support for atheism is effectively banned**.

Freedom of expression is generally upheld, though **censorship and self-censorship of books and films for allegedly obscene or blasphemous content is fairly common. Since 2011, authorities in Aceh have cracked down on "punks" for supposedly insulting Islam.** Those rounded up by police are subjected to "reeducation," which includes the forcible shaving of their punk-rock hairstyles and a traditional cleansing ceremony.

Wider issues on thought and expression and other human rights

Indonesia has quite diverse media, but **press freedom is hampered by a number of legal and regulatory restrictions**. **Strict but unevenly enforced licensing rules mean that thousands of television and radio stations operate illegally.** Foreign journalists are not authorized to travel to the restive provinces of Papua and West Papua without special permission. Reporters often practice self-censorship to avoid running afoul of civil and criminal libel laws.

In addition to legal obstacles, reporters sometimes face violence and intimidation, which in many cases goes unpunished. The Alliance of Independent Journalists recorded 56 cases of violence against journalists in 2012, in addition to 12 separate incidents against journalists in Papua. In January 2012, the Supreme Court reversed the 2011 acquittal of three men in the killing of journalist Ridwan Salamun in 2010. However, the convicted men escaped due to prosecutors' failure to act promptly on the new ruling. In October 2012, five journalists were apparently attacked by soldiers while covering a plane crash; a video recording of the incident was posted on the video-sharing website YouTube.

The 2008 Law on Electronic Information and Transactions (ITE) extended libel and other restrictions to the internet and online media, criminalizing the distribution or accessibility of information or documents that are "contrary to the moral norms of Indonesia" or related to gambling, blackmail, or defamation.

Cases of discrimination:

In January 2012, Alexander Aan, an Indonesian civil servant in the province of West Sumatra, was arrested after being attacked by a mob of Muslim militants. The mob was reacting to statements Aan made on Facebook which criticized Islam and said he had left Islam and become an atheist. The police charged Aan on three separate counts: insulting religion (which has a maximum sentence of five years jail), the electronic transmission of defamatory comments (six years jail), and false reporting on an official form (six years jail). The charges of blasphemy and defamation related to his criticism of Islam on Facebook. The final charge claimed that his application for his civil service job falsely stated he was Muslim when he was in fact an atheist.

On June 14, 2012, a district court sentenced atheist Alexander Aan to two years and six months in prison for "spreading information inciting religious hatred and animosity." Aan was also reportedly fined 100 million rupiah (US $10,600). As of December 2013, he remains in prison. He is due to be released in 2014.

Laos

Freedom or thought, conscience and religion, and especially freedom of opinion and expression, are significantly restricted in the Marxist republic of Laos.

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The constitution and some laws and policies protect religious freedom; however, other contradictory laws and policies restrict this right. Article 43 of the constitution provides for freedom of religion, but **Article 9 discourages all acts that create divisions among religious groups and persons. The government interprets this clause as justifying some restrictions on religious practice by members of all religious groups.**

Wider issues on thought and expression and other human rights

Freedom of the press is severely restricted. Any journalist who criticizes the government or discusses controversial political topics faces legal punishment. The state owns all media.

The government severely restricts the rights to freedom of assembly and freedom of association. **It is illegal to participate in organizations that engage in public protests or that in any other way cause "turmoil or social instability." Violators can receive sentences of up to five years in prison.**

Malaysia

The constitution protects freedom of religion or belief, as well as freedom of expression. However, **portions of the constitution as well as other laws and policies restrict these freedoms.**

Every Malaysian citizen over the age of 12 must carry an identification card, a 'MyKad', which must state the bearer's religion. This requirement alone appears to breach the International Covenant on Civil and Political Rights (ICCPT) under which States have no right to demand to know the religion of any of their citizens; a point reinforced by Section 3 of General Comment 22 of the Human Rights Committee: 'In accordance with articles 18.2 and 17, no one can be compelled to reveal his thoughts or adherence to a religion or belief.' In addition, **the government has a history of limiting how citizens can identify their religion.**

The constitution defines ethnic Malays as Muslim. Authorities at the state level administer Sharia laws through Islamic courts and have jurisdiction over all Muslims. Sharia laws. The degree of their enforcement vary by state. State governments impose Sharia law on Muslims in some cultural and social matters but generally do not interfere with the religious practices of non-Muslim communities; however, **debates continue regarding incorporating elements of Sharia law, such as *khalwat* (being in close physical proximity with an unrelated member of the opposite sex), into secular civil and criminal law.** Although specific punishments for violation of *khalwat* vary from state to state, it is typically punishable by some combination of imprisonment up to two years, a fine of RM 3,000 ($940), or several strokes of the cane.

GRAVE VIOLATIONS
clear and dangerous persecution

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS

Amending the penal code is the exclusive prerogative of the federal government. **Despite contradicting federal law, the state governments of Kelantan and Terengganu passed laws in 1993 and 2002, respectively, making apostasy a capital offense.** Apostasy is defined as the conversion from Islam to another faith. No one has been convicted under these laws and, according to a 1993 statement by the Attorney General, the laws cannot be enforced absent a constitutional amendment. **Nationally, Muslims who seek to convert to another religion must first obtain approval from a Sharia court to declare themselves "apostates." This effectively prohibits the conversion of Muslims, since Sharia courts seldom grant such requests and can impose penalties (such as enforced "rehabilitation") on apostates.**

Articles 295-298A of the penal code allow up to three years in prison and a US $1,000 fine penalties for those who "commit offenses against religion".

Wider issues on thought and expression and other human rights

Freedom of expression is constitutionally guaranteed but restricted in practice. Parliament reformed the restrictive Printing Presses and Publications Act in April 2012. However, the revised law retained the home minister's authority to suspend or revoke publishing licenses but allowed such decisions to be appealed to judicial review. The amendments also eliminated the requirement that publications and printers obtain annual operating permits. Another legal change in 2012, made owners and editors of websites, providers of web-hosting services, and owners of computers or mobile devices used to publish content online accountable for information published on their sites or through their services.

State broadcasters and publishers reflect government views. Most private publishers and broadcasters are controlled by parties or business groups allied with the government, and they generally censor programming according to government guidelines. Books and films are directly censored or banned for profanity, violence, and political and religious material.

The internet has emerged as a primary outlet for free discussion and for exposing cases of political corruption. The government has responded in recent years by engaging in **legal harassment of critical bloggers**. The Malaysian Communication and Multimedia Commission (MCMC), an agency responsible in part for regulating the internet, has been known to monitor online content and order outlets or bloggers to remove material it views as provocative or subversive.

Freedoms of assembly and association are limited on the grounds of maintaining security and public order. The Peaceful Assembly Act, passed in late 2011, lifted a rule requiring police permits for nearly all public gatherings. However, other provisions were seen as a bid to restrict rather than safeguard freedom of assembly, including a prohibition on street protests and the levying of excessive fines for noncompliance with this rule.

Highlighted Cases:

In 2001, Lina Joy, a Malaysian who converted to Christianity 10 years before, applied to have the religious status 'Islam' removed from her identification card. On application to the Sharia courts, the judge ruled against her with the claim that "as the plaintiff is a Malay, she is subjected to the laws of Islam until she dies". After further appeals and rejections, Joy's lawyer appealed to Malaysia's highest court, the Court of Appeals, arguing that her conversion be considered a right protected under the Constitution, not a religious matter for the Sharia courts. Her appeal was rejected. According to the Court's judgment, the law does not officially recognize Lina Joy's conversion from Islam to Christianity. According to Sharia law within most Malaysian states, apostasy or conversion is a punishable offence; either with a fine, a jail sentence or both.

Myanmar

SEVERE DISCRIMINATION

- **PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
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- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

Burma, controversially renamed Myanmar by its military regime, is emerging from decades of repressive military rule under emergency powers. Its constitution grants **limited rights to freedom of religion and freedom of expression; however, some articles in the constitution, as well as other laws and policies, restrict those rights, and the government continues to enforce those restrictions.** Burma's liberalization continues apace, with new laws recognizing human rights coming before almost every month.

Although the country has no official state religion, Article 361 of the constitution notes that the government "recognizes the special position of Buddhism as the faith professed by the great majority of the citizens of the Union." The government favours Theravada Buddhism through official propaganda and state support, including donations to monasteries and pagodas, encouragement of education at Buddhist monastic schools, and support for Buddhist missionary activities.

State-controlled media frequently depicts government officials and family members paying homage to Buddhist monks; offering donations at pagodas; officiating at ceremonies at new or restored pagodas; and organizing "people's donations" of money, food, and uncompensated labor to build or refurbish Buddhist shrines nationwide. **The government publishes books on Buddhist religious instruction.**

The government discourages Muslims from enlisting in the military and Christian or Muslim military officers who aspired to promotion beyond the rank of major were encouraged by their superiors to convert to Buddhism. **In effect, adherence or conversion to Buddhism is an unwritten prerequisite for promotion to most senior government and military ranks.**

Whilst favouring Theravada Buddhism, the government also tightly controls it, forbidding political activity by Buddhist monks, and keeping Buddhist temples and monasteries under close surveillance.

Article 362 of the constitution "also recognizes Christianity, Islam, Hinduism, and Animism as the religions existing in the Union at the day of the coming into operation of this Constitution." Most adherents of government-recognized religious groups are allowed to worship as they choose; however, **the government imposes restrictions on certain religious activities and frequently limits religious freedom. Antidiscrimination laws do not apply to ethnic groups not formally recognized under the 1982 Citizenship Law, such as the Muslim Rohingya in northern Rakhine State.**

Article 34 of the constitution states, "Every citizen is equally entitled to freedom of conscience and the right to freely profess and practice religion subject to public order, morality or health and to the other provisions of this Constitution." Article 354 states that "every citizen shall be at liberty…if not

contrary to the laws, enacted for Union security, prevalence of law and order, community peace and tranquility or public order and morality…to develop…[the] religion they profess and customs without prejudice to the relations between one national race and another or among national races and to other faiths."

Some local government officials in Rakhine State reportedly took part in communal violence against the largely Muslism Rohingya ethnic group. Longstanding social tensions between Rohingya Muslims and Rakhine Buddhists in the state erupted in communal violence in June and October 2012 that claimed an estimated 250 lives and resulted in more than 100,000 displaced persons and the segregation of the two groups. Villages of Kaman people, an officially recognized Muslim "national race" group distinct from the Rohingya, were burned to the ground during the second wave of violence in October. An estimated 3,000 Kaman Muslims were attacked, indicating that some of the violence was aimed not only against the Rohingya, but against Muslims in general. There are reports of continued tension between the Buddhist majority and the Christian and Muslim minorities, specifically in ethnic minority states. Many of the affected internally displaced persons have been resettled in segregated camps with no ability to pursue livelihoods.

The government continues to deny citizenship status to Rohingya, claiming that they did not meet the requirements of the 1982 citizenship law, which required that their ancestors reside in the country before the start of British colonial rule in 1824. As a result, Rohingya are denied secondary and tertiary education, and employment as civil servants. Rohingya couples needed to obtain government permission to marry and faced restrictions on the number of children they could have legally. Authorities also restricted their access to healthcare.

Citizens and permanent residents are required to carry government-issued National Registration Cards (NRCs), also known as Citizenship Scrutiny Cards, which permit holders to access services and prove citizenship. These identification cards often indicate religious affiliation and ethnicity, but **there appears to be no consistent criteria governing whether a person's religion is indicated on the identity card**. Citizens also are required to indicate their religion on certain official application forms for documents such as passports, although passports themselves do not indicate the bearer's religion. **Members of many ethnic and religious minorities, particularly Muslims, face problems obtaining NRCs.**

Buddhist doctrine remains part of the state-mandated curriculum in all government-run elementary schools. Students at these schools can opt out of instruction in Buddhism and sometimes do, but all are required to recite a Buddhist prayer daily. Some schools or teachers may allow Muslim students to leave the classroom during this recitation, but there does not appear to be a centrally mandated exemption for non-Buddhist students.

Wider issues on thought and expression and other human rights

Freedoms of association and assembly have increased during the transition from the emergency rule of the military junta. However, **a new legal system guaranteeing the right to peaceably assemble has yet to emerge**. The government has relaxed some restrictions on the free operation of the media, gradually removing prepublication censorship protocols. Restrictions on internet access have also been loosened.

A new media law was passed in 2013 that greatly liberalized the draconian censorship laws and granted new rights to journalists and citizens. The new law guarantees, for the first time, Burmese citizens' right to express opinions and convictions. However, **the new law imposes some restrictions on journalists and the media which may prove problematic.**

Philippines

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are **generally respected in practice, with the notable exception that the intimidation, assault and murder of journalists remains a serious problem.**

There is no state religion and the constitution guarantees the separation of church and state. However, **the Catholic Church does exert significant political influence.**

The Code of Muslim Personal Laws recognizes Sharia (Islamic law) as part of national law: it applies only to Muslims, who make up a little over ten percent of the population, for family law (not criminal cases).

Systemic Discrimination

- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- RELIGIOUS COURTS RULE DIRECTLY ON SOME FAMILY OR 'MORAL' MATTERS RESULTING IN DISCRIMINATORY TREATMENT
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The government permits religious instruction in public schools with written parental consent provided there is no cost to the government. Based on a traditional policy of promoting moral education, local public schools give religious groups the opportunity to teach moral values during school hours. **Attendance is not mandatory and the various groups share classroom space**. The government also allows interested groups to distribute religious literature in public schools.

Wider issues on thought and expression and other human rights

The constitution protects freedom of expression and media freedom. These rights are generally protected although libel is a criminal offense, and libel cases have been used frequently to silence criticism of public officials. In 2012, the president signed the Cybercrime Prevention Act, which would extend criminal libel law to online content, potentially criminalizing not just written opinion and reporting, but also on-line actions such as forwarding or recommending material created by others. The maximum penalty for online libel would be 12 years in prison, twice as long as for libel in off-line publications. However, the Supreme Court suspended implementation of the law pending a review of its constitutionality, and the Department of Justice responded in May 2013 by revising the law to remove the online libel provisions of the law.

Journalists frequently receive death threats or other attempt to bully them into silence. In November 2009, 29 journalists and three other media workers were murdered during a massacre of 58 people in Maguindanao. The massacre targeted an opposition political candidate. According to

the Committee to Protect Journalists, in the four years since the Maguindanao massacre, between 2 and 6 journalists a year have been killed in the Philippines.

Singapore

The constitution and other laws and policies guarantee freedom of religion or belief, freedom of expression, and freedom of assembly and association; however, **the constitution also allows the government to restrict these freedoms when it deems it to be in the public interest to do**. The government of Singapore has an **authoritarian disposition** and frequently restricts rights in practice. In particular, the **media is mostly under government control and there is only limited tolerance for criticism of the government and its social policies.**

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **PREFERENTIAL TREATMENT OF RELIGION**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- RELIGIOUS COURTS RULE DIRECTLY ON SOME FAMILY OR 'MORAL' MATTERS RESULTING IN DISCRIMINATORY TREATMENT

There is no state religion. The constitution states that every person has a constitutional right to profess, practice, or propagate religious belief as long as such activities do not breach any other laws relating to public order, public health, or morality.

The Societies Act requires all associations of 10 or more persons, including religious groups, to register with the government. Registered societies are subject to potential deregistration by the government on a variety of grounds, such as having purposes prejudicial to public peace, welfare, or good order. Deregistration makes it impossible to maintain a legal identity, with consequences related to owning property, conducting financial transactions, and holding public meetings. A person who acts as a member of or attends a meeting of an unlawful society may be punished with a fine, imprisonment, or both.

The Maintenance of Religious Harmony Act, passed in 1990, establishes the Presidential Council for Religious Harmony. The president appoints its members on the advice of the Presidential Council for Minority Rights. Two-thirds of the members are required to be representatives of the major religions in the country. The Council for Religious Harmony reports on matters affecting the maintenance of religious harmony and considers cases referred by the minister for home affairs or by parliament.

The Maintenance of Religious Harmony Act authorizes the minister for home affairs to issue a restraining order against any person in a position of authority within a religious group if the minister is satisfied that the person was causing feelings of enmity or hostility between different religious groups, promoting political causes, carrying out subversive activities, or exciting disaffection against the government under the guise of practicing religion. Any restraining order must be referred to the Council for Religious Harmony, which recommends to the president that the order be confirmed, cancelled, or amended. Restraining orders lapse after 90 days, unless confirmed by the president. The minister must review a confirmed restraining order at least once every 12 months and may revoke such an order at any time. The act prohibits judicial review of restraining orders issued under its authority.

The Administration of Muslim Law Act provides Muslims with the option to have their family affairs governed by Islamic law, "as varied where applicable by Malay custom." Under the act, a

Sharia court has nonexclusive jurisdiction over the marital affairs of Muslims, including maintenance payments, disposition of property upon divorce, and custody of minor children. Orders of the Sharia court are enforced by the ordinary civil courts. Sharia rulings can be appealed to a Muslim appeals board, but cannot be appealed to a secular civil court.

The government does not permit religious instruction in state schools, although it is allowed in the country's government-aided, religiously affiliated schools. Religious instruction is provided outside of regular curriculum time; students have a right to opt out and be given alternatives.

Wider issues on thought and expression and other human rights

The government may prohibit the importation of publications under the Undesirable Publications Act. A person in possession of a prohibited publication can be fined up to S$2,000 (US $1,500 U.S.) and jailed up to 12 months for a first conviction

Singapore's media remain tightly constrained. All domestic newspapers, radio stations, and television channels are owned by companies linked to the government. Although editorials and news coverage generally support state policies, newspapers occasionally publish critical pieces. Self-censorship is common among journalists.

The Sedition Act, in effect since the colonial period, **outlaws seditious speech**, the distribution of seditious materials, and acts with "seditious tendency." Popular videos, music, and books that reference sex, violence, or drugs are also subject to **censorship**. Foreign broadcasters and periodicals can be restricted for engaging in domestic politics, and all foreign publications must appoint legal representatives and provide significant financial deposits.

The internet is widely accessible, but **authorities monitor online material and block some content through directives to licensed service providers.** Singaporeans' increased use of social-networking websites has sparked interest in social activism and opposition parties.

Public assemblies must be approved by police. A 2009 law eliminated a previous threshold requiring permits for public assemblies of five or more people, meaning political events involving just one person could require official approval. Permits are not needed for indoor gatherings as long as the topic of discussion does not relate to race or religion.

Thailand

The constitution protects freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **the state favours Buddhism in several ways, and there is strict enforcement of punitive laws against criticism of the monarchy.**

SERIOUS DISCRIMATION
systematic and severe prejudice

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

There is no official state religion; however, **Theravada Buddhism receives significant government support, and the 2007 constitution retains the requirement that the monarch be Buddhist**. The constitution specifies the state shall "patronize and protect Buddhism as the religion observed by most Thais for a long period of time, as well as other religions, and shall also promote a good understanding and harmony among the followers of all religions as well as encourage the application of religious principles to create virtue and develop the quality of life."

The 2007 constitution protects religious liberty in Section 37 and states that unjust discrimination against a person on the grounds of differences in "religious belief" shall not be permitted (Constitution Section 30).

The 2007 constitution generally provides for freedom of speech; however, **laws prohibiting speech likely to insult Buddhism and other religions remain in place. The 1962 Sangha Act (amended in 1992) specifically prohibits the defamation or insult of Buddhism and the Buddhist clergy. Violators of the law can face up to one year's imprisonment or fines of up to 20,000 baht (approximately $667). The 1956 penal code's sections 206 to 208 (last amended in 1976) prohibit the insult or disturbance of religious places or services of all officially recognized religious groups. Penalties range from imprisonment of one to seven years or a fine of 2,000 to 14,000 baht ($67 to $467).**

The law requires religious education at both the primary and secondary levels. In 2003 the Ministry of Education introduced a course called "Social, Religion, and Culture Studies," which students in each grade study for one to two hours each week. The course contains information about all of the recognized religious groups in the country.

The 2007 constitution required that the government "patronize and protect Buddhism and other religions." In accordance with this requirement, the government subsidized activities of all five primary religious communities. The government allocated 4.3 billion baht (approximately $143 million) for fiscal year 2012 to support the National Buddhism Bureau, an independent state agency. The bureau oversees the Buddhist clergy and approves the curriculums of Buddhist teachings for all Buddhist temples and educational institutions. In addition, **the bureau sponsored educational and public relations materials on Buddhism** as it relates to daily life. During the year the government budgeted 365 million baht ($12.2 million) for the Religious Affairs Department

(RAD) of the Ministry of Culture, **providing support for the officially recognized religious groups for Buddhism, Islam, Christian, Hindu and Sikh organizations.**

Wider issues on thought and expression and other human rights

The 2007 constitution restored freedom of expression guarantees that were eliminated by the 2006 coup, though **the use of laws to silence critics is growing**.

In recent years, the government has blocked very large numbers of websites for allegedly insulting the monarchy. Aggressive enforcement of the country's *lèse-majesté* laws since the 2006 coup has created widespread anxiety and stifled freedom of expression in the media. Due to the secrecy surrounding most such cases, it is unclear exactly how many charges of insulting the monarch go to trial but previous estimates suggest that there are several hundred cases a year. **In some cases, people accused by personal enemies of defaming the king in private conversation, have been held without bail for extended periods –almost a year in one case in 2013—before their case was heard in court**. Although the laws prohibit defamation of the monarchy, the authorities have also used them to target more general critics of the government, exacerbating self-censorship. **Defendants can face decades in prison for multiple counts.**

The 2007 constitution restored freedom of assembly guarantees, though the government may invoke the Internal Security Act (ISA) or declare a state of emergency to curtail major demonstration.

Timor Leste

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. By law, the country is secular, and there is therefore no official state religion, however **the Roman Catholic Church is prominent in the political life of the country.**

The law at all levels protects religious freedom against abuse, either by governmental or private actors.

Religious education is compulsory in state schools and is dominated by the Catholic Church.

The government provides some funding to religious organizations to support activities and help in the construction or rehabilitation of places of worship.

Systemic Discrimination

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS**

Wider issues on thought and expression and other human rights

Freedom of expression is guaranteed. However **the media is weak and easily bullied by the government.**

Freedoms of association and assembly are constitutionally guaranteed. However, **a 2004 law regulates political gatherings and prohibits demonstrations aimed at "questioning constitutional order" or disparaging the reputations of the head of state and other government officials.** The law requires that demonstrations and public protests be authorized in advance.

Viet Nam

Vietnam is a dictatorial one-party state that systematically denies the rights to freedom of religion or belief, freedom of expression, including press freedom, and freedom of association and assembly.

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The constitution, legal code, and a 2003 Communist Party Central Committee resolution on religion provide for freedom of belief and worship, as well as for nonbelief; however, **restrictions exist in policy.**

The penal code, as amended in 1997, establishes penalties for vaguely defined offenses such as "attempting to undermine national unity" by promoting "division between religious believers and nonbelievers." **The government continues to limit the organized activities of independent religious groups and of individuals who are regarded as a threat to Communist Party of Vietnam (CPV) authority.**

Under the Ordinance on Religion and Belief (2004), the government has control and oversight of religious organizations, which must be officially registered or recognized.

Decree 22, issued in 2005, states, "Acts to force citizens to follow a religion or renounce their faith...are not allowed."

The government recognizes 37 religious organizations affiliated with 11 recognized religions, including: Buddhism, Islam, the Bahai Faith, Catholicism, Protestantism.

The government does not permit religious instruction in public schools, but Catholic, Protestant, Muslim, Bahai, and Buddhist groups are allowed to provide religious education to adherents in their own facilities. Religious groups are not permitted to operate independent schools beyond the preschool and kindergarten levels. Atheism is not taught officially in public schools.

Religious affiliation is indicated on citizens' national identification cards and in "family books," which are household identification documents. However, there are no reports of discrimination against individuals with a listed religious preference.

Wider issues on thought and expression and other human rights

The government tightly controls the media, silencing critics through the courts and other means of harassment. A 1999 law requires journalists to pay damages to groups or individuals found to have been harmed by press articles, even if the reports are accurate. A 2006 decree imposes fines on journalists for denying revolutionary achievements, spreading "harmful" information, or exhibiting

"reactionary ideology." The Communist Party of Vietnam (CPV) or state entities control all broadcast media. Although satellite television is officially restricted to senior officials, international hotels, and foreign businesses, many homes and businesses have satellite dishes. **All print media outlets are owned by or are under the effective control of the CPV, government organs, or the army.**

The government restricts internet use through legal and technical means. A 2003 law bans the receipt and distribution of antigovernment e-mail messages, websites considered "reactionary" are blocked, and owners of domestic websites must submit their content for official approval. Internet cafés must register the personal information of and record the sites visited by users. Internet-service providers face fines and closure for violating censorship rules. In 2012, the government drafted a new Decree on Management, Provision, and Use of Internet Services and Information on the Network that **tightens restrictions on online criticism of the party and government**. Internet monitoring organizations expressed concern that the decree, if enacted, would force internet companies, both Vietnamese and foreign, to cooperate in identifying users who could then be prosecuted. **Vietnamese bloggers and writers report that the government's firewalls and other obstructions were becoming more sophisticated**, making them harder to evade through proxy servers than in previous years.

Freedoms of association and assembly are tightly restricted.

Western Asia

Armenia

The constitution guarantees freedom of thought, conscience and religion; however, some laws and policies restrict this freedom. The constitution and the law establish separation of church and state, but recognize **"the exclusive mission of the Armenian Apostolic Church as a national church in the spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia."**

The law grants privileges to the Armenian Apostolic Church not available to other religious groups. For example, the church may have permanent representatives in hospitals, orphanages, boarding schools, military units, and places of detention, while other religious groups may have representatives in these places only upon request.

Systemic Discrimination

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS

The law prohibits but does not define "soul hunting," a term describing both proselytism and forced conversion. The prohibition applies to all religious groups, including the Armenian Apostolic Church.

The law mandates that public education be secular. However, courses in the history of the Armenian Apostolic Church are part of the public school curriculum and are taught by public school teachers. **The church has the right to participate in the development of the syllabus and textbooks for this course and to define the qualifications of its teachers.** The church may also nominate candidates to teach the course. **The class is mandatory; students are not permitted to opt out of the course, and no alternatives are available to students of other religions or no religion. Critics say the law focuses more on inculcating Church doctrine than on teaching the history of the Church.** Public schools are required to display portraits of the head of the Armenian Apostolic Church alongside those of the president.

In addition, the law grants the Armenian Apostolic Church the right to organize voluntary extracurricular religious classes in state educational institutions. Other religious groups may provide religious instruction to members only in their own facilities.

Wider issues on thought and expression and other human rights

There are limits on press freedom. The authorities use informal pressure to maintain control over broadcast outlets, the chief source of news for most Armenians. **State-run Armenian Public**

Television is the only station with nationwide coverage, and the owners of most private channels have close government ties.

Azerbaijan

SEVERE DISCRIMINATION

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- IT IS MADE DIFFICULT TO REGISTER OR OPERATE AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The constitution and other laws and policies provide for freedom of thought, conscience and religion, as well as freedom of opinion and expression. Azerbaijan is constitutionally secular and in fact calls itself a "humanist" state, but this is self-assigned and nominal. Azerbaijan in fact contravenes core humanist values; it **restricts democracy, freedom and human rights. In practice the authoritarian regime of Heydar Aliyev restricts freedom of religion or belief, and severely violates freedom of expression and media freedom.**

Under the constitution, persons do have the right to choose and change religious affiliation and beliefs, including atheism, to join or establish the religious group of their choice, and to engage in religious practice. The law on religious freedom expressly prohibits the government from interfering in the religious activities of any individual or group; however, there are significant exceptions.

But in practice, only a few religions are allowed to operate, and they are subject to significant government oversight and control.

Secularist critics of the government not only face the threat of government repression, but also the threat of Islamist violence. (See Highlighted Cases below.)

There is no religious curriculum at elementary and high schools.

Hate speech laws prohibit threats or expressions of contempt for persons based on religious belief.

Wider issues on thought and expression and other human rights

While the constitution guarantees freedom of the press, **the authorities severely restrict the media in practice. There are few media outlets not controlled by the government. The few independent media outlets are subject to government harassment. In 2009, broadcasts of the major international news services—including the BBC, Radio Free Europe/Radio Liberty (RFE/RL), and Voice of America—were banned in Azerbaijan.**

The government has repeatedly blocked some websites that feature opposition views. Authorities monitor internet use and punish critical bloggers.

The government restricts freedom of assembly, especially for opposition parties. The authorities routinely deny permission for public protests , and violently disperse protests that do take place.

2013 saw further repression in the run-up and aftermath of the re-election of Azerbaijani President Ilham Aliyev for a third consecutive term. Amnesty International branded the attacks a "ruthless and relentless attack on any dissenting voices in the media."

Highlighted Cases:

In late 2011, the secularist writer **Rafiq Tagi** was stabbed six times in downtown Baku by an unknown assailant, and died four days later in a Baku hospital. In a hospital interview shortly before his death, Tagi, claimed that the attack was revenge by unidentified Iranian agents and Muslim fundamentalists for his secularist writing.

Another secularist, Khazar University professor **Agalar Mammadov**, responded to Tagi's murder by initiating a letter attacking extremism in Islam. As a result, Mammadov received death threats from extremist Muslims, and fled Azerbaijan for asylum in Sweden in April 2012.

Bahrain

The constitution does not explicitly protect freedom of religion or belief, but it does make some provision for the freedom of conscience, the inviolability of places of worship, and the freedom to perform religious rites and hold religious parades and meetings, in accordance with the customs observed in the country. The constitution stipulates that there shall be no discrimination in the rights and duties of citizens on grounds of religion**. However, the constitution also states that Islam is the official religion and that Islamic law is a principal source for legislation.**

Freedom of expression, including freedom of the press, is severely restricted by the Bahrain government, as is freedom of association. In February 2011, during the "Arab Spring", Bahraini activists, mostly from economically and politically disadvantaged Shiite communities, organized peaceful demonstrations to call for political reform and an end to sectarian discrimination. The government responded violently, declaring martial law. While martial law has since been lifted, the government crackdown against pro-democracy and Shiite protestors continues to perpetrate widespread and severe human rights violations.

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- 'APOSTASY' IS OUTLAWED AND PUNISHABLE WITH A PRISON SENTENCE
- 'BLASPHEMY' OR CRITICISM OF RELIGION IS OUTLAWED AND PUNISHABLE WITH A PRISON SENTENCE
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

By declaring Islam as the state religion and Islamic law as the source of legislation, the constitution implies that Muslims are forbidden to change their religion (since Sharia outlaws apostasy).

The constitution imposes no restrictions on non-Muslims' right to choose, change, or practice their religion or belief, including the study, discussion, and promulgation of those beliefs. **The constitution prohibits discrimination in the rights and duties of citizens on the basis of religion or belief; however, there are no further laws to prevent discrimination, nor procedures to file a grievance.**

The civil and criminal legal systems consist of a complex mix of courts based on diverse legal sources, including both Shiite and Sunni schools of Islamic jurisprudence, tribal law, and other civil codes. Sharia governs personal status, and **a person's rights can vary according to Shiite or Sunni interpretation**, as determined by the individual's faith or by the courts.

In May 2009, the government adopted the country's first personal status law, which regulates family matters such as inheritance, child custody, marriage, and divorce. The law is only applicable to the Sunni population as Shiite clerics and lawmakers opposed legislation that would have applied to Shiite courts.

The press and publications law prohibits anti-Islamic media, and mandates imprisonment for "exposing the state's official religion for offense and criticism." The law states that "any publication that prejudices the ruling system of the country and its official religion, public morals or any faith in a manner likely to disturb the peace, can be banned from publication by a ministerial order." The law allows the production and distribution of religious media and publications. Islamic studies are a part of the curriculum in government schools and mandatory for all public school students.

Bahrain has experienced prolonged unrest in recent years. In 2011 protestors, predominantly from the majority Shia community, demanded political reform and an end to the **political hegemony of the Sunni minority**. The sectarian dimension of the political uprising resulted in substantial intra-Muslim conflict, including government attacks on Shiite religious buildings and the violent oppression of Shiite protestors.

Wider issues on thought and expression and other human rights

Throughout 2011 and into 2012, the Bahrain authorities arrested hundreds of Shiite activists and pro-democracy demonstrators. Many were **tortured** and tried by military courts. Leaders including Hasan Mushaima, Abduljalil al-Singace, Ibrahim Sharif, and Abd al-Hadi al-Khawaja were sentenced to life in prison.

The government crackdown also extended to journalists and bloggers who reported on the reform movement and the **brutal government response**. The government also arrested medical personnel who treated injured protesters. Thousands of people were fired from their jobs for supporting the protests.

The government owns all television and radio broadcasters. The government also bans and blocks access to websites deemed critical of government policy.

Following the 2011 Arab Spring protests, the authorities have done everything in their power to control the flow of information about the protests. **Suppression of free expression and the media**

include: the interrogation and expulsion of foreign journalists; intimidation of those willing to be interviewed by the foreign media; harassment and prosecution of those who campaign for freedom of expression; and arrests of photographers, bloggers and netizens. Karim Fakhrawi, a founder of the opposition *Al-Wasat* newspaper and a member of its board, was taken in for questioning and died in custody a week later. The exact cause of his death has yet to be established.

Violence and persecution has diminished somewhat in 2012, but the simmering sectarian tensions remain alongside the demands for political reform.

Highlighted cases:

In August, 2012, a Bahraini court sentenced a man to two years in prison for making insulting comments about one of the Prophet Mohammad's wives. The man reportedly insulted Aisha in comments online.

Ref: *http://www.reuters.com/article/2012/08/12/us-bahrain-insult-idUSBRE87B0C020120812*

Cyprus

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **the constitution gives special privileges to the Church of Cyprus.**

Cyprus remains divided between the south of the island, with an internationally-recognized government, and the north of the island, which is under the control of Turkish Cypriots. The division restricts freedom of travel, and other exchanges, between the two areas.

Systemic Discrimination

- SYSTEMATIC RELIGIOUS PRIVILEGE
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT**
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution specifies that the (Greek Orthodox) Church of Cyprus has the exclusive right to regulate and administer its internal affairs and property in accordance with its holy canons and charter. By law, the Church of Cyprus is exempt from taxes on religious activity and pays taxes only on strictly commercial activities.

The constitution also gives guidelines for the Vakif, a Sunni Muslim institution that regulates religious activity for Turkish Cypriots. The Vakif is tax-exempt and has the exclusive right to regulate and administer its internal affairs and property in accordance with its laws and principles. No legislative, executive, or other act may contravene or interfere with the Church of Cyprus or the Vakif. However, the Vakif operates only in the area administered by Turkish Cypriots and does not administer mosques located in the government-controlled area. **Mosques in government-controlled areas receive financial support from the government.**

The constitution recognizes three other religious groups: Maronite Catholics, Armenian Orthodox, and Roman Catholics. All are exempt from taxes and eligible for government subsidies for their religious institutions. Religious groups that are not among the five recognized in the constitution may operate freely as nonprofit organizations, but they are not eligible for government subsidies.

The government requires Greek Orthodox religious instruction in all state schools. The Ministry of Education may excuse primary school students of other religious groups from attending religious services and instruction at the request of their parents/guardians. Secondary school students may be excused by the ministry from religious instruction on grounds of religion or conscience, and they may be excused from attending religious services on any grounds at the request of their guardians, or at their own request if over the age of 16.

Wider issues on thought and expression and other human rights

Freedom of speech is constitutionally guaranteed and respected in practice. Access to the internet is unrestricted.

Freedom of association and assembly are also constitutionally guaranteed and generally respected in practice.

Georgia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, the constitution, and government policy, does confer **special status and privileges to the Georgian Orthodox Church (GOC)**.

The constitution recognizes the role of the GOC in the country's history, but stipulates the independence of church from state. The law provides for freedom of religious belief, denomination, and conscience, including the right to choose and change religious affiliation.

Systemic Discrimination

- **THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION**
- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

A concordat between the government and the GOC confers unique status upon the GOC; the government does not have a concordat with any other religious group. The concordat grants rights not given to other religious groups, including legal immunity for the GOC patriarch, the exclusive right to staff the military chaplaincy, exemption of GOC clergy from military service, and a consultative role in government, especially in the sphere of education. Some of the concordat's provisions, including the GOC's consultative role in education, require implementing legislation yet to be adopted by parliament.

The GOC is the only religious group with a line item in the government budget, receiving 22.8 million lari ($13.75 million) during 2012.

The tax code grants religious groups partial tax exemptions, and applies them unequally. Taxes paid by all religious groups except the GOC include a profit tax on the sale of religious products, value added taxes on the provision or importation of religious products, and taxes on all activities related to the construction, restoration, and painting of religious buildings.

By law, religious education may take place only after school hours and cannot be controlled by the school or teachers. Outside instructors, including clergy, cannot regularly attend or direct student extracurricular activities or student clubs and their meetings. GOC lay theologians, rather than priests, lead such activities.

Iraq

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **these rights are frequently violated in practice by the government and also as a result of sectarian violence.**

The constitution recognizes Islam as the official religion, mandates that Islam be considered a source of legislation, and states that no law may be enacted that contradicts the established provisions of Islam. However, it also states that no law may contradict principles of democracy or the rights and basic freedoms stipulated in the constitution. The constitution also guarantees freedom from intellectual, political, and religious coercion. Apparent contradictions between the constitution and other legal provisions remain, although some court decisions in the past couple of years have upheld the constitutional protection of religious freedom.

Government laws and regulations prevent the conversion of Muslims to other religions, require conversion of minor children to Islam if either parent converts to Islam, outlaw the practice of some faiths, and override religious tenets of individuals adhering to non-Muslim faiths. The country's civil and penal codes do not contain legal remedies or penalties for conversion from Islam.

GRAVE VIOLATIONS

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- 'APOSTASY' IS OUTLAWED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution guarantees citizens the right to choose which court will adjudicate matters of personal status, including marriage, divorce, custody of children, inheritance, endowments, and other personal matters. Until parliament enacts implementing legislation, the 1959 Personal Status Law remains the de facto legal authority. It stipulates that **cases of all citizens will be adjudicated in accordance with Islamic legal principles unless they are specifically exempted by a special law. It also stipulates that civil courts must consult the religious authority of a non-Muslim party for its opinion under the applicable religious law and apply that opinion in court.**

The constitution requires the government to maintain the sanctity of holy shrines and religious sites and guarantee the free practice of rituals. The penal code protects members of minority religious groups by criminalizing disruption or impedance of their religious ceremonies and desecration of

their religious buildings. Members of all religious groups are free to practice religious rites and manage religious endowments, endowment affairs, and their religious institutions.

National identity cards denote the holder's religion, but do not differentiate between Shia and Sunni Muslim. Passports do not specify religion. **Baha'is and Kakais may only receive identity cards if they self-identify as Muslims. Without an official identity card, Baha'is and Kakais cannot register their children for school or acquire passports.**

The government maintains three *waqfs* (religious endowments): the Sunni; the Shia; and the Christian, Yezidi, Sabean-Mandaean, and Other Religions Endowments. Operating under the authority of the prime minister's office, **the endowments disburse government funding to maintain and protect religious facilities**.

The government provides support for Muslims desiring to perform the Hajj, organizing travel routes and assisting pilgrims with obtaining immunization documents for entry into Saudi Arabia. The government also provides funding to Sunni and Shia waqfs, which accept Hajj applications from the public and submit them to the Supreme Council for the Hajj. The council is attached to the prime minister's office. It organizes a lottery process that selects pilgrims for official Hajj visas.

The government requires Islamic religious instruction in public schools, but non-Muslim students are not required to participate. In most areas of the country, primary and secondary school curriculum includes three class periods per week of Islamic education, including study of the Quran, as a graduation requirement for Muslim students. However, under the Kurdistan Regional Government (KRG) , the curriculum does not contain religion or Quranic studies.

According to the US Office on International Religious Freedom there were reports of government abuses of religious freedom, including arrests and detentions, as well as reports of restrictions and discrimination based on religion by both the central government and the KRG. Sectarian misuse of official authority continued to be a concern. However, the government and the KRG continued to respect the religious freedom of the vast majority of citizens.

Wider issues on thought and expression and other human rights

Terrorist groups continued to victimize citizens of all ethnicities and religious groups, as well as religious pilgrims and pilgrimage sites, including through suicide bombings and attacks with improvised explosive devices. Terrorists also committed acts of harassment, intimidation, robbery, kidnapping, and murder

Freedom of expression is protected by the constitution, but in practice it has been seriously impeded by sectarian tensions and fear of violent reprisals. Over a dozen private television stations are in operation, and major Arab satellite stations are easily accessible. Hundreds of print publications have been established since 2003 and are allowed to function without significant government interference. Internet access is not currently restricted.

Legislation passed in 2006 criminalized the ridicule of public officials, who often file suits when journalists report on corruption allegations. Iraq's media regulatory body, the Communication and Media Commission, threatened in 2012 to close 44 radio and television outlets accused of lacking official permits before deciding to delay those efforts. The move raised tensions between media and

the government. **Continuing insecurity has hindered journalists' ability to report widely and objectively**, with intimidation and violence against journalists increasing since the U.S. troop withdrawal. The Committee to Protect Journalists (CPJ) estimates that over 140 journalists have been killed since 2003, while Reporters Without Borders (RSF) puts the number closer to 230.

Journalists previously operated more freely in the Kurdish region, but conditions there have deteriorated in recent years. A 2008 press law imposed fines for creating instability, spreading fear or intimidation, causing harm, or violating religious beliefs. Journalists who offend local officials and top party leaders or expose high-level corruption remain subject to physical attacks, arbitrary detention, and harassment.

Israel

- **RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- **STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES / NON-RELIGIOUS VIEWS ARE PRECLUDED FROM RELIGIOUS EDUCATION
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

While there is no formal constitution, Israel's Supreme Court has repeatedly held that the Basic Law on Human Dignity and Liberty protects freedom of religion or belief, and freedom of expression.

The Basic Law describes the country as a "Jewish and democratic state" and references the Declaration of the Establishment of the State of Israel, which promises religious freedom and full social and political equality, regardless of religious affiliation. However, **governmental and legal discrimination against non-Jews, and non-Orthodox streams of Judaism including secular or Humanistic Judaism, continues. As a "Jewish State" some laws and policies promote certain Orthodox Jewish values over those of other religious beliefs.** For example pig farming is restricted and some establishments like Jewish hotels are obliged to cater exclusively Kosher food.

Each officially recognized religious community has legal authority over its members in matters of marriage, divorce, and burial, limiting the freedom of many individuals who may not otherwise subject themselves to the authority of those religious communities.

Orthodox Jewish control of family law for all those identifying as Jews continues to create problems for non-Orthodox Jewish families. For example practicing Jews who are not Orthodox must leave the country to marry, in case they want to get married without an Orthodox Rabbi or in case the Orthodox law prohibits the union. **The government does not allow civil marriages, such as secular ceremonies performed by state or municipal authorities**, or any

marriages performed by non-Orthodox rabbis. Secular marriages, non-Orthodox marriages of Jews, or interfaith marriages must take place abroad to be recognized by the government. **As a result, several hundred thousand citizens cannot marry within their own country due to either a lack of eligibility or their desire to wed outside of the rabbinic system.**

There is also no same-sex marriage. In 2010, a bill was passed that allows a limited right to an alternative form of civil marriage ("couplehood union" status) for Israelis who declare a non-religious status. However, **religious parties have regularly prevented the state from enacting anti-discrimination laws for sexual minorities**, including proposals to introduce same-sex marriage and gay adoption rights, and in November 2013 Jewish Home attempted to veto equal child benefits for same-sex parents fearing a "silent revolution" that would upset what is known as the "status quo" (the tense balance of secular and religious authorities in the country).

Freedom of expression, and media freedom, is guaranteed in the Basic Law and protected in practice. The Israeli media are vibrant and independent and freely criticize government policy and religious issues. However, **the religious freedom Article 173 of the country's penal code allows for one year imprisonment if "One publishes a publication that is liable to crudely offend the religious faith or sentiment of others,"** or if "One voices in a public place and in the hearing of another person any word or sound that is liable to **crudely offend the religious faith or sentiment of others**." There is also censorship of anything touching on security issues.

Jordan

Jordan allows significantly limited freedom of religion, belief, and expression. The constitution, and government policy and practice, strongly favours Islam and punishes criticism of Islam as well as criticism of the ruling family and system of government.

The Constitution, in Article 14, provides for the freedom to practice the rites of one's religion and faith in accordance with the customs that are observed in the Kingdom, unless they violate public order or morality. **According to the Constitution, the state religion is Islam and the King must be Muslim.**

The Constitution, in Articles 103-106, also provides that matters concerning the personal status of Muslims are under the exclusive jurisdiction of Sharia courts which apply Sharia in their proceedings. Personal status, or "family law", includes religion, marriage, divorce, child custody, and inheritance. Personal status law follows the guidelines of the Hanafi school of Islamic jurisprudence, which is applied in cases that are not explicitly addressed by civil status legislation. Matters of personal status of non-Muslims whose religion is recognized by the Government are under the jurisdiction of Tribunals of Religious Communities, according to Article 108.

The Government prohibits conversion from Islam and efforts to proselytize Muslims. The Jordanian Penal Code makes insulting Islam, the Prophet Mohammed, or any Muslim's feelings, a crime punishable by up to three years in prison.

Atheists must associate themselves with a recognized religion for purposes of official identification. Employment applications for government positions occasionally contain questions about an applicant's religion.

GRAVE VIOLATIONS

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **IT IS ILLEGAL OR UNRECOGNISED TO IDENTIFY AS AN ATHEIST OR AS NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'APOSTASY' IS OUTLAWED AND PUNISHABLE WITH A PRISON SENTENCE
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

Freedom of expression is restricted. Some subjects are explicitly forbidden, such as criticism of Islam and the royal family. In addition there are other unwritten rules against the expression of critical opinion on religious and social issues. Even reporting of facts that may cast a negative light on the institutions of religion and state can result in arrest. Although imprisonment was abolished as a penalty for press offenses in 2007, journalists can still be jailed under the penal code. Self-censorship is common.

Wider issues on thought and expression and other human rights

Arrests are quite frequent for insulting or criticizing the king, his cabinet, or Jordan's system of government. Most broadcast news outlets remain under state control. There are dozens of private newspapers and magazines, but the government has broad powers to close them. Websites are subject to similar restrictions, and police have considerable discretion in monitoring and sanctioning online content.

In September 2012, parliament amended the Press and Publications Law, which **further restricts the freedom of expression of electronic publications**, requires journalists to join a union, requires that websites register with the government, and holds website owners responsible for all content posted to their sites, even by visitors. **Activists from Jordan and international human rights organizations argued that the law was an unprecedented assault on freedom of expression and could lead to greater persecution of regime critics. Events in 2013 proved these fears to be well founded.**

In June 2013, Jordan's Telecommunications Regulatory Commission issued orders to the country's internet servies providers (ISPs) to **block access to almost 300 websites**. The sites, which are mostly news outlets, were blocked because they do not comply with the 2012 Press and Publications Law. The websites blocked by Jordan were as varied as Al Jazeera, Penthouse magazine, and the site of the Muslim Brotherhood in Jordan.

Freedom of assembly is generally restricted, though a March 2011 amendment to the Public Gatherings Law allowed demonstrations without prior permission. However, **police continue to use force to disperse peaceful protests**. **Protestors are arrested on charges of disturbing public order, insulting the king, or incitement against the regime.** The government also uses a provision prohibiting unlawful gatherings for the purpose of committing crime as a way to penalize peaceful assembly and freedom of expression.

Kuwait

The Constitution of Kuwait makes Islam the state religion, and Sharia a primary source of legislation, making blasphemy illegal.

The 1961 Press and Publications Law prohibits the publication of any material that attacks religions or incites persons to commit crimes, create hatred, or spread dissension. This has been used in practice to prosecute and imprison individuals for criticism of religion.

Wider issues on thought and expression and other human rights

Freedoms of assembly and association are guaranteed by law, though **the government restricts these rights in practice**. Kuwaitis must notify authorities of a public meeting or protest, but do not need a permit. In October 2012, the government declared that public assemblies of more than 20 people were illegal. When huge crowds of protestors defied the new rule, the police violently dispersed them, injuring hundreds.

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'APOSTASY' IS OUTLAWED AND PUNISHABLE WITH A PRISON SENTENCE
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
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Highlighted Cases:

Hamad Al-Naqi is a Shia Muslim who in February and March 2012 allegedly made a series of posts on Twitter critical of the Sunni rulers of Saudi Arabia and Bahrain, the Prophet Muhammad, his wife Aisha, and his followers. Several members of the National Assembly of Kuwait called for his death.

Al-Naqi pled not guilty, arguing that he had not posted the messages, and that his account had been hacked. In June 2012, Al-Naqi was found guilty of "insulting the Prophet, the Prophet's wife and companions, mocking Islam, provoking sectarian tensions, insulting the rulers of Saudi Arabia and Bahrain and misusing his mobile phone to spread the comments" and sentenced to ten years in prison. Al-Naqi was attacked within weeks of entering prison and has been put in solitary confinement for safety reasons.

Ref: *http://content.usatoday.com/communities/ondeadline/post/2012/06/kuwait-blogger-gets-10-years-for-insulting-prophet-mohammad/1*

Lebanon

The constitution and other laws and policies guarantee freedom of religion or belief, and freedom of expression. However, **these laws are not always respected in practice.**

Furthermore, the entire system of government is based on sectarian quotas, which in practice encourages religious discrimination and discourages leaving one's familial assigned religion. Most non-religious people in practice must conform to a religious identity.

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRITED
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- IT IS MADE DIFFICULT TO REGISTER OR OPERATE AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS

The constitution requires the state to respect all religious groups and denominations and declares respect for the personal status and religious interests of persons of every religious group. The constitution declares equality of rights and duties for all citizens without discrimination or preference but stipulates that there be a balance of power among the major religious groups. **A constitutional provision apportions political offices according to religious affiliation.**

The constitution provides that Christians and Muslims be represented equally in parliament, the cabinet, and high-level civil service positions. It also provides that these posts be distributed proportionally among the recognized religious groups. The constitutional provision for the distribution of political power and positions according to the principle of religious representation is designed to prevent a single group from gaining a dominant position. **The 1943 "National Pact" stipulates that the president, prime minister, and speaker of parliament be Maronite Christian, Sunni Muslim, and Shia Muslim, respectively.** This distribution of political power operates at both the national and local levels of government.

The 1989 Taif Agreement, which ended the country's 15-year civil war, reaffirms this arrangement while mandating equal Muslim and Christian representation in parliament and reducing the power of the Maronite Christian presidency. In addition, **the Taif Agreement endorses the constitutional provision of appointing most senior government officials according to religious affiliation**. This practice exists in all three branches of government. The agreement also stipulates a cabinet with power allocated equally between Muslims and Christians.

There were until 2013 no procedures for civil marriage. However in early 2013 the ratification of a civil marriage between Kholoud Sukkarieh and Nidal Darwish has been a step toward secularizing family law. Caretaker interior minister Marwan Charbel signed the couple's marriage contract in April 2013, making them the first couple in Lebanon and the Arab world to get a civil marriage in their home country. Prior to 2012 the government of Lebanon did recognize civil marriage ceremonies performed outside the country, irrespective of the religious affiliation of each individual,

and those wanting a civil marriage were forced to marry outside the country; those wanting an interreligious marriage would also have to convert or have a civil marriage outside the country.

Although not required by law, religion is generally encoded on national identity cards and noted on "*ikhraaj qaid*" (official registry) documents. Citizens have the right to remove their religion or change the religion on their identity cards and official registry documents. The government does not require religious affiliation on passports.

In most cases the government permits recognized religious groups to administer their own family and personal status laws, such as marriage, divorce, child custody, and inheritance.

Unrecognized groups may own property and assemble for worship without government interference; however, they may not perform legally recognized marriage or divorce proceedings, and they have no standing to determine inheritance issues. An individual may change religions if the change is approved by the head of the religious group the person wishes to join.

The government permits the publication of religious materials of every religious group in different languages.

The government does not officially recognize some religious groups such as Bahais, Buddhists, Hindus, and unregistered Protestant groups. Members of these groups do not qualify for certain government positions, but they are permitted to perform their religious rites freely. Government records list some members of unregistered religious groups as belonging to recognized religious groups.

The penal code stipulates a maximum prison term of one year for anyone convicted of "blaspheming God publicly."

Wider issues on thought and expression and other human rights

The constitution guarantees freedom of expression and Lebanon has a long tradition of press freedom**. While there is some government interference in reporting on politically sensitive issues, a greater threat comes from the threat of violence against reporters.**

Freedom of assembly is protected by the constitution and has generally been unrestricted in practice.

Oman

Oman imposes substantial restrictions on freedom of religion or belief and the freedoms of expression, assembly and association.

The Basic Law declares that Islam is the state religion and that Sharia is the basis of legislation, however legislation is largely based on civil code and civil courts replaced Sharia courts in 1999.

The Basic Law prohibits discrimination based on religion and protects the right to practice religious rites on condition that doing so does not disrupt public order.

However, apostasy is harshly punished; though it is not a criminal or civil offense per se, **the Personal Status and Family Legal Code prohibits a father who converts from Islam from retaining paternal rights over his children.**

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- **STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS

It is a criminal offense to defame any faith. The law prescribes a maximum three-year sentence and fine of 500 rials (US$1,300) for anyone who "publicly blasphemes God or His prophets," commits an affront to religious groups by spoken or written word, or breaches the peace of a lawful religious gathering.

Using the Internet in a way that "might prejudice public order or religious values" is also a crime, with a penalty of between one month and a year in prison, and fines of not less than 1,000 rials (US$2,600). The law also provides for a maximum 10 years imprisonment for inciting religious or sectarian strife.

The law prohibits public proselytizing by all religious groups, although the government allows religious groups to proselytize privately within legally registered houses of worship and Islamic propagation centers.

The country's civil courts adjudicate cases governed by the Personal Status and Family Legal Code. However, the code exempts non-Muslims from its provisions in matters pertaining to family or personal status, allowing them to seek adjudication under the religious laws of their faith.

Shia Muslims may resolve family and personal status cases according to Shia jurisprudence outside the courts, and retain the right to transfer their case to a civil court if they cannot find a resolution within Shia religious tradition.

Although the government records religion on birth certificates, it is not printed on other official identity documents.

Islamic studies are mandatory for Muslim students in public school grades K-12. Non-Muslim students are exempt from this requirement, and many private schools provide alternative religious studies.

Wider issues on thought and expression and other human rights

Freedom of expression is limited, and criticism of the sultan is prohibited. The 2004 Private Radio and Television Companies Law allows for the establishment of private broadcast media outlets. The government permits private print publications, but many of these accept government subsidies, practice self-censorship, or face punishment for crossing political red-lines. In September 2011, Youssef al-Haj and Ibrahim Ma'mari of the newspaper Al-Zaman were convicted of "insulting" the minister of justice and sentenced to five months in prison after reporting in May on allegations of corruption at the ministry. In January 2012, an appeals court upheld the convictions, but suspended their sentences.

Omanis have access to the internet but **the government censors politically sensitive content** and pornographic content. The sultan issued a decree in 2008 **expanding government oversight and regulation of electronic communications**, including on personal blogs. Starting in 2012, authorities increased the monitoring of social media and **arrested several Omanis for posting "negative" or "insulting" material, spreading rumors about national security, or inciting protests**. Thirty-two activists received prison sentences ranging from 6 to 18 months for posting comments on social media that were considered slanderous to Sultan Qaboos.

The right to peaceful assembly within limits is provided for by the Basic Law. However, all public gatherings require official permission, and **the government has the authority to prevent organized public meetings without any appeal process**. In 2012, a dozen activists were fined and sentenced to one year in prison for participating in protests held in support of writers and bloggers who had been arrested for libeling the Sultan.

Qatar

The constitution and other laws provide for freedom of association, public assembly, and worship, within limits based on public order and "morality concerns." However, **in practice freedom of religion or belief, and freedom of expression and assembly, are tightly proscribed**.

Capital punishment is still on the books for apostasy and blasphemy is punishable by up to seven years in prison.

Islam is the state religion, and Sharia is the main source of legislation. The law does not recognize religions or belief systems outside the three Abrahamic faiths of Islam, Christianity, and Judaism.

The constitution prohibits discrimination based on religion. **However, custom outweighs government enforcement of non-discrimination laws, and legal, cultural, and institutional discrimination is prevalent.**

Converting to another religion from Islam is considered apostasy and is a capital offense. However, since the country gained independence in 1971, there has been no recorded punishment for apostasy.

A 1973 law punishes proselytizing on behalf of an organization, society, or foundation of any religion other than Islam with up to 10 years in prison. **Proselytizing on one's own accord for any religion other than Islam can result in a sentence of up to five years. However, in practice, the government's policy is to deport suspected proselytizers without formal legal proceedings.**

The law imposes a prison sentence of up to seven years for defaming, desecrating, or committing blasphemy against Islam, Christianity, or Judaism. The law stipulates a one-year prison term or a fine of QR 1,000 ($275) for producing or circulating material containing slogans, images, or symbols defaming those three religions. The law also prohibits publication of texts provoking social discord or religious strife.

A unified civil court system has jurisdiction over both Muslims and non-Muslims. National law incorporates both secular legal traditions and Sharia, with the exception of a separate limited

GRAVE VIOLATIONS

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY REPRESSED**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- LEGAL OR CONSTITUTIONAL PROVISIONS EXCLUDE NON-RELIGIOUS VIEWS UNDER FREEDOM OF BELIEF
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

dispute resolution system for financial service companies managed under the Qatar Financial Center.

The unified court system applies Sharia in family law cases, including inheritance, marriage, divorce, and child custody. Non-Muslims are subject to Sharia in cases of child custody. In these proceedings, the testimony of men can be given more credence than that of women. There are significant interreligious controls: While a non-Muslim woman is not required by law to convert to Islam when marrying a Muslim, their children are required to be Muslim. A non-Muslim man and a Muslim woman cannot marry each other. There are also certain criminal cases, such as drunkenness, in which Muslims are tried and punished under Sharia. In matters involving religious issues, judges have some discretion to apply their respective interpretations for Shia and Sunni groups.

Convicted Muslims may earn a sentence reduction of a few months by memorizing the Quran while imprisoned.

The government regulates the publication, importation, and distribution of all religious books and materials but permits individuals and religious institutions to import holy books and other religious items for personal or congregational use.

Religious groups with at least 1,500 members in the country may apply to open places of worship in the country. The government permits adherents of religions that fall below this membership threshold to worship privately in their homes and with others.

Islamic instruction is compulsory for Muslims attending state-sponsored schools. While non-Muslims may provide private religious instruction for their children, most foreign children attend secular private schools. Muslim children may attend secular and coeducational private schools.

Wider issues on thought and expression and other human rights

Although the constitution guarantees freedom of expression**, both print and broadcast media are mostly under the control of the ruling family and its allies. Journalists practice a high degree of self-censorship and face possible jail sentences for slander if they criticize the government.** As noted above, blasphemy or writing that provokes social discord or religious strife is punishable by prison.

Qataris have access to the Internet, but the government censors content and blocks access to sites that are deemed pornographic or politically sensitive.

While the constitution grants freedoms of assembly and association, these rights are very limited in practice. Protests are rare, with the government restricting the public's ability to organize demonstrations.

Saudi Arabia

There is no freedom of religion or belief, or freedom of expression, in the Kingdom of Saudi Arabia. Punishment for any perceived criticism of the ruling family or ruling form of Islam is swift and severe, but also often secret, making it impossible to accurately report on the full extent of Saudi repression.

There is no separation between state and religion, and the **deep connection between the royal family and the religious establishment** results in significant pressure on all citizens to adhere to the official government interpretation of Islam.

The country's laws rely on an interpretation of Sharia law, which treats blasphemy–or, in other words, any deviation from Sunni Islam–as apostasy, an offence usually met with a death sentence.

The "crimes" of "witchcraft" and "sorcery'" are also punishable by death, usually by beheading and crucifixion.

The Commission for the Promotion of Virtue and Prevention of Vice (the religious police) are especially intolerant of minority religions and disbelief.

Due to the secrecy and obscurantism of the Saudi legal system, many cases and convictions for forbidden beliefs or speech are hidden from view or reported with only minimal details. To give just one of numerous examples, Amnesty International reported that in July 2013 "A special security court in Saudi Arabia has sentenced seven men to prison sentences of between five and 10 years for Facebook posts", but no further details of the men or their alleged crimes are available.

The government has banned journalists and editors who publish articles deemed offensive to the religious establishment or the ruling authorities. In April 2011, King Abdullah issued a royal decree amending the country's press law, criminalizing any criticism of the country's grand mufti, the Council of Senior Religious Scholars, or government officials; violations could result in fines and forced closure. This

GRAVE VIOLATIONS
clear and dangerous persecution

- **COMPLETE TYRANNY PRECLUDES ALL FREEDOMS OF THOUGHT AND EXPRESSION, RELIGION OR BELIEF**
- **QUASI-DIVINE VENERATION OF A RULING ELITE IS ENFORCED SUBJECT TO SEVERE PUNISHMENT**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **RELIGIOUS AUTHORITIES HAVE SUPREME AUTHORITY OVER THE STATE**
- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **'BLASPHEMY' OR CRITICISM OF RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **IT IS ILLEGAL OR UNRECOGNISED TO IDENTIFY AS AN ATHEIST OR AS NON-RELIGIOUS**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

decree appears to have been enforced with the imprisonment of journalists deemed guilty of criticizing the government.

Academic freedom is restricted, and informers monitor classrooms for compliance with curriculum rules, such as **a ban on teaching secular philosophy and religions other than Islam**. Despite changes to textbooks in recent years, **the propagation of religious hatred in the classroom remains a significant problem**, as some teachers continue to espouse discriminatory and hateful views of non-Muslims and Muslim minority sects.

Wider issues on thought and expression and other human rights

The government tightly controls domestic media content and dominates regional print and satellite-television coverage, with members of the royal family owning major stakes in news outlets in multiple countries.

The regime has taken steps to limit the influence of new media, blocking access to over 400,000 websites that are considered immoral or politically sensitive. A January 2011 law requires all blogs and websites, or anyone posting news or commentary online, to have a license from the Ministry of Information or face fines and/or the closure of the website. There has been a resulting **surge in arrests and convictions for social media comments or postings**, or even forwarding or recommending postings, which are deemed unacceptable by the Saudi authorities. Though, as always in Saudi Arabia, this surge in punishments remains shrouded in secrecy, with details only occasionally escaping to the outside world.

Freedoms of assembly and association are not allowed in practice. The government frequently detains political activists who stage demonstrations or engage in other civic advocacy.

Highlighted Cases:

In February 2012, journalist **Hamza Kashgari**, 23, was accused of blasphemy and apostasy for posting messages on Twitter in which he imagined himself in conversation with the Prophet Mohammed, expressing a conflicted, sceptical relationship with Islam. Soon after, Saudi King Abdullah ordered that Kashgari be arrested "for crossing red lines and denigrating religious beliefs in God and His Prophet." Attempting to flee to New Zealand, Kashgari was arrested when changing planes in Malaysia and sent back to Saudi Arabia. He faced possible charges including apostasy that could result in the death penalty. His family pleaded for Kashgari's freedom and released a poem by him in late 2012 in effect acting as an apology.

After nearly two years in jail without trial, Kashgari was released in October 2013 and tweeted "Mornings of hope...souls that live and never die. Thanks to God". His lawyer confirmed the release.

Ref: *http://www.ifex.org/saudi_arabia/2012/02/15/kashgari_deported/*
http://gulfnews.com/news/gulf/saudi-arabia/saudi-blasphemy-prisoner-hamza-kashgari-tweets-for-first-time-after-release-1.1248548

In June 2012 authorities arrested **Raef Badawi**, creator of a website for the discussion of religion, and the promotion of religious and other freedoms, called Free Saudi Liberals, and charged him with apostasy and blasphemy. He was acquitted of the charge of apostasy, and a possible death sentence, after stating his devotion to Islam during the trial. But he was eventually convicted in July 2013 of maintaining a website that "violates Islamic values and propagates liberal thought" and sentenced to 600 lashes and 7 years in prison. His lawyer said Badawi had been found guilty of criticizing the religious police and calling for “religious liberalization” through his website. The court ordered the website closed. The International Humanist and Ethical Union condemned the "gratuitous, violent sentence".

Ref: *http://iheu.org/story/iheu-protests-gratuitous-violent-sentence-handed-saudi-liberal-activist*

Palestine, State of

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- **STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **‘BLASPHEMY’ IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- **IT IS MADE DIFFICULT TO REGISTER OR OPERATE AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION**
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- RELIGIOUS COURTS RULE DIRECTLY ON SOME FAMILY OR 'MORAL' MATTERS RESULTING IN DISCRIMINATORY TREATMENT

Freedom of religion or belief and freedom of expression in various parts of the "Palestinian Territories" fall under the jurisdiction of the Palestinian Authority (in much of the West Bank), or Israel, or Hamas (in the Gaza Strip). The “Basic Law” that functions as a constitution for the Palestinian Authority recognizes international human rights standards, which include freedom of thought and expression, as well as freedom of association and assembly. However, **these are only selectively enforced and are frequently violated by the various governing authorities.**

The Palestinian Authority (PA)—a quasi-sovereign entity created by the 1993 Oslo Accords—is effectively fractured in two halves—the West Bank controlled by the Fatah-dominated PA, and the Gaza Strip controlled by Hamas.

Freedom of religion or belief faces significant government restrictions in both territories. The PA Basic Law declares Islam to be the official religion of Palestine and states that “respect and sanctity of all other heavenly religions (Judaism and Christianity) shall be maintained.”

In the West Bank territories governed by the Palestinian Authority, **the old Jordanian law against “defaming religion” is still in force and may result in a maximum penalty of life imprisonment.**

Hamas authorities in Gaza have enforced orthodox Sunni Islamic practices and conservative dress, and have regularly harassed worshippers at non-Hamas-affiliated mosques.

Wider issues on thought and expression and other human rights

The media are not free in the West Bank. Under a 1995 PA press law, journalists may be fined and jailed, and newspapers closed, for publishing "secret information" on PA security forces or news that might harm national unity or incite violence. **Journalists who criticize the PA or Fatah face arbitrary arrests, threats, and physical abuse.** Since 2007, both the PA and Israeli forces have shut down most Hamas-affiliated radio and television stations in the West Bank. Media outlets that are not under the control of Fatah are routinely harassed, when they are not shut down altogether.

There is **very limited freedom of assembly in the West Bank**. The PA requires permits for demonstrations, and those against PA policies are usually denied a permit and forcibly dispersed if they still take place. **The Israeli Defense Force also routinely breaks up demonstrations in the West Bank, often with force, occasionally with deadly force.**

Freedom of association and assembly are severely restricted in Gaza, with the authorities frequently using force to disperse peaceful demonstrations.

The media are not free in Gaza. In 2008, Hamas replaced the PA Ministry of Information with a government Media Office and banned all journalists not accredited by it. The authorities also closed down all media outlets not affiliated with Hamas.

Highlighted Cases:

On Oct. 31, 2010, a 26-year-old blogger was arrested in the West Bank for posting allegedly blasphemous comments on Facebook and his blog. Waleed Hasayin, who used the named Waleed al-Husseini online, described himself as "an atheist from Jerusalem-Palestine" and wrote that God is "a primitive Bedoiun and anthropomorphic" and that "people are free to think and believe in whatever suits them." He was charged with "defaming religion". Hasayin was released in 2012 and fled to Europe, where he is seeking asylum.

Syria

Syria is in the throes of a civil war with a strong sectarian religious dimension. Even the limited freedoms granted by its constitution are therefore being violated on a massive scale by all sides in the conflict.

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- THE NON-RELIGIOUS ARE BARRED FROM SOME GOVERNMENT OFFICES
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- RELIGIOUS COURTS RULE DIRECTLY ON SOME FAMILY OR 'MORAL' MATTERS RESULTING IN DISCRIMINATORY TREATMENT

The state is often referred to, and described by the Assad regime, as "secular" prior to the conflict, and there is no official state religion. However, **in fact the constitution requires that the president be Muslim and stipulates that Islamic jurisprudence is a principal source of legislation**.

Prior to the civil war, the Syrian constitution, law and other policies provided **some limited freedom or religion or belief, but very little freedom of expression, especially with regard to the media**.

For issues of personal status, or family law, the government requires citizens to be affiliated nominally with Christianity, Judaism, or Islam. Religious affiliation is documented on the birth certificate and is required on legal documentation when marrying or traveling for a religious pilgrimage. The government does not require the designation of religion on a passport or national identity card.

Members of religious groups are subject to their respective religious laws concerning marriage and divorce. A Muslim woman cannot marry a Christian man, but a Christian woman can marry a Muslim man. The personal status law on divorce for Muslims is based on Islamic law, and **government-appointed religious judges interpret some of its provisions in a manner that discriminates against women.**

In the case of interreligious disputes, Islamic law takes precedence.

All state schools are officially government-run and non-sectarian, although in practice the Christian and Druze communities operate some schools. There is **mandatory religious instruction in public schools for all religious groups, with government-approved teachers and curriculums**. Religious instruction is provided for Islam and Christianity only, and courses are divided into separate classes for Muslim and Christian students.

By the end of 2013, the UN estimated that more than 100,000 Syrians had been killed in the civil war. Some of these killings had a sectarian motivation: Muslims killing secularists and Christians, Christians killing Muslims, Shias killing Sunnis...

Turkey

SEVERE DISCRIMINATION

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- PREFERENTIAL TREATMENT OF RELIGION
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS

The Constitution protects freedom of religion or belief, guaranteeing equal protection before the law, irrespective of 'philosophical belief, religion and sect'. It also lists secularism as one of the fundamental characteristics of the republic. However, **there are a few constitutional provisions which infringe on freedom of religion or belief and go against the principle of secularism**. Freedom of expression is also protected by the constitution, but not always respected in practice.

The prosecution of world-renowned Turkish pianist Fazil Say in 2013 (see Highlighted Cases below) was the latest in **a series of legal actions against Turkish artists, writers and intellectuals for statements they have made about religion and Turkish national identity**.

The state allocates substantial funds to provide religious services for Sunni Muslims: to pay the salaries of imams, construct mosques and oversee pilgrimage.

Religion classes at primary and secondary schools are compulsory. Article 42 requires this education to be conducted under the 'supervision and control of the state'. While these classes cover basic information about other religions, they are **predominantly about the theory and practice of Sunni Hanefi Islam**.

Wider issues on thought and expression and other human rights

The right to free expression is guaranteed in the constitution, but legal **impediments to press freedom remain**. A 2006 antiterrorism law reintroduced **jail sentences for journalists**. An October 2012 report from the Committee to Protect Journalists (CPJ) noted that **more journalists were incarcerated in Turkey than in any other country**. According to CPJ, by the end of 2012, 49 journalists were behind bars, compared to 8 a year earlier. **The harsh legal environment has also encouraged self-censorship.**

Nearly all media organizations are owned by giant holding companies with ties to political parties, contributing to self-censorship.

The Internet is subject to the same censorship policies that apply to other media. An internet filtration system was introduced in November 2011, with optional settings designed to protect minors. A September 2012 report from European Digital Rights noted an increase in prosecutions of people who share "illegal content" on social-networking sites. That month, a man was sentenced to a year in prison for insulting President Abdullah Gül on Facebook.

Freedoms of association and assembly are protected in the constitution, but not always protected in practiced. In October 2012, the government banned celebrations of Republic Day, citing security concerns. In recent years Republic Day had served as a rallying point for secularists and other supporters of Atatürk, the secularist founder of modern Turkey. Police subsequently clashed with

secularists who went ahead with a Republic Day rally in Ankara, and Prime Minister Recep Tayyip Erdoğan labeled the protesters “terrorist hooligans.”

Highlighted Cases:

On May 26, 2009, the Turkish court case began against **Nedim Gursel** for his description of Muhammad and his family in the book *Allah’s Daughters*, which allegedly insults religion and incites hatred. He was acquitted in June 2009.

On June 1, 2012, Turkish authorities charged **Fazil Say**, an atheist and world-renowned classical and jazz pianist, with insulting Islamic values in Twitter messages. The cited message echoed the words of famous 11th-century Persian poet, Omar Khayyam, poking fun at afterlife beliefs. Say denied the charge, but was handed a suspended 10-month jail term on 15 April 2013.

United Arab Emirates

The UAE constitution and other laws and policies do not protect freedom or thought, conscience and religion, nor do they protect freedom of opinion and expression.

The constitution declares that Islam is the official religion of all seven constituent emirates of the federal union and defines all citizens as Muslims.

The law also denies Muslims the freedom to change religion or leave Islam.

The constitution stipulates that all citizens are equal before the law, without discrimination between citizens on grounds of religious belief; however, **all citizens are required to be Muslim**. **Conversion from Islam to another religion is forbidden. The legal punishment for conversion from Islam is death, although there have been no known prosecutions for apostasy in court.**

Fewer than 15% of UAE residents are UAE nationals, with foreign expatriates making up the vast majority of the population. The constitution guarantees the "freedom to exercise religious worship... in accordance with established customs, provided that it does not conflict with public policy or violate public morals." **Foreign nationals are generally able to follow their own religions or beliefs without government interference.**

Muslims from the Shia minority are allowed to worship in their own mosques and various non-Muslim religious groups have been allowed to build and operate places of worship: there are more than 35 churches, two Hindu temples, and one Sikh temple in the Emirates.

Immigration authorities require foreigners applying for residence permits to declare their religious affiliation on residence applications. Although the government claims this data is collected solely for demographic statistics, there have been claims that visas have been denied on the grounds of religious affiliation.

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **THE NON-RELIGIOUS ARE BARRED FROM GOVERNMENT OFFICE**
- **GOVERNMENT FIGURES OR STATE AGENCIES OPENLY MARGINALIZE, HARASS, OR INCITE HATRED OR VIOLENCE AGAINST THE NON-RELIGIOUS**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- STATE LEGISLATION IS PARTLY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- LEGAL OR CONSTITUTIONAL PROVISIONS EXCLUDE NON-RELIGIOUS VIEWS UNDER FREEDOM OF BELIEF
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The judicial system applies two types of law, depending on the case. Courts apply Shari'a (Islamic law) for most family law matters, e.g., marriage, divorce, and inheritance, and on rare occasions for criminal matters. Courts apply civil law for all other matters. When Islamic law courts try non-Muslims for criminal offenses, crimes are generally not punishable by Islamic law penalties. Of course, **there is no such exception for "apostate" or ex-Muslims**. In cases punishable by an Islamic law penalty, non-Muslims generally receive civil penalties at the discretion of the judge. Higher courts may overturn or modify Islamic law penalties imposed on non-Muslims.

Because Shari'a is applied in family law cases, Muslim women are forbidden to marry non-Muslim men. And since Islam does not consider marriage between a non-Muslim man and a Muslim woman valid, both parties to such a union are subject to arrest, trial, and imprisonment on grounds such as fornication (i.e. sex out of wedlock), which carries a minimum of one year in jail.

There is significant interreligious control and discrimination against women. A Muslim man is allowed to marry a non-Muslim woman as long as she belongs to another "Abrahamic faith"—i.e. Christianity or Judaism. By law, a non-Muslim woman who marries a Muslim citizen without converting to Islam is ineligible for naturalization as a citizen. In addition, the law grants custody of children of a non-Muslim woman to the Muslim father in the event of a divorce, and forbids a non-Muslim woman from inheriting her husband's property unless she is named as a beneficiary in his will.

The government funded or subsidized almost 95 percent of the approximately 5,000 Sunni mosques and employed all Sunni imams. Imams must adhere to government guidance on the content of sermons and other teachings.

The law prohibits blasphemy, swearing, profanities, insults, and all types of vulgar language and behavior. Offenders are subject to fines, imprisonment, and deportation. The law provides penalties for using the Internet to preach against Islam, proselytize Muslims, "abuse" a holy shrine or ritual of any religion, insult any religion, and incite someone to commit sin or contravene "family values."

The country's two Internet service providers, Etisalat and Du, occasionally block websites containing religious and secular information. These sites included information on human rights, freedom of expression, atheism, the Bahai Faith, Judaism, negative critiques of Islam, and testimonies of ex-Muslims. Furthermore, **Internet users can be imprisoned for "opposition to Islam", "insult to any religion recognised by the state" or "contravening family values and principles", under articles 15 and 20 of the law on cyber-crime.**

Islamic studies are mandatory in public schools and in private schools serving Muslim children. The government does not permit instruction in any religion other than Islam in public schools; however, religious groups may conduct religious instruction for their members at their dedicated religious facilities. Private schools found to be teaching subjects that offend Islam, defame any religion, or contravene the country's ethics and beliefs, face potential penalties including closure. Private religious schools are free to teach their religion within the bounds of government guidelines and to practice religious rituals.

The government permits many hotels, stores, and other businesses to sell alcohol and pork to non-Muslim residents and tourists. But **the law requires Muslims and non-Muslims to refrain from eating, drinking, and smoking in public during fasting hours in the month of Ramadan**.

The law prohibits black magic, sorcery, and incantations, which are punishable by a prison term ranging from six months to three years and deportation. Charges of sorcery , or witchcraft, remain common, especially against non-Muslim foreign workers. The government reported that Dubai Customs inspectors confiscated Wiccan literature, talismans, and similar items 121 times during the first half of 2012, compared to a total of 92 confiscations in 2011.

Wider issues on thought and expression and other human rights

Although the UAE's constitution provides for some freedom of expression**, the government restricts this right in practice**. The 1980 Printing and Publishing Law applies to all media and prohibits criticism of the government, allies, and religion. Consequently, **journalists commonly practice self-censorship**, and the leading media outlets frequently publish government statements without criticism or comment. However, Dubai has a "Media Free Zone," where print and broadcast media is produced for audiences outside of the UAE with relatively few restrictions.

In November 2012, the UAE passed a cyber law giving authorities more latitude to crack down on activists using the internet or social media to criticize the government or to organize demonstrations. The law allows for the imprisonment of anyone who publishes material to the internet in which they insult the state, organize antigovernment protests, or publicize information deemed a threat to national security. Offenders can also be fined as much as US $272,000.

The government places restrictions on freedoms of assembly and association. Public meetings require government permits.

Individual Cases:

In 2009, the owner of the website *Hetta.com*, **Inas al Bourini**, and his editor, **Ahmed Mohammed bin Gharib**, were fined for "defaming", "insulting" and "humiliating" the state-run Abu Dhabi Media Company. The website was also blocked for a month. It followed the posting of an article on 4 May 2009, headlined "Abu Dhabi TV: a UAE television by name only" in which the journalists exposed "official corruption" and "embezzlement" within the company.

Ref: *http://en.rsf.org/united-arab-emirates-court-closes-independent-website-14-01-2010,36104.html*

In November, 2012, a maid in the sheikhdom of **Ras Al Khaimah** was charged with trying to kill her employer's two children with witchcraft. (The arrest came just a week after local police warned about an "increase in sorcery" by foreign women working in the skeikhdom.) The accused apparently admitted to owning some amulets to provide good fortune. She was acquitted of the murder charges but sentenced her to one year in prison for practicing witchcraft

Ref: *http://www.7daysindubai.com/Employer-accuses-maid-attempting-kill-children/story-17301068-detail/story.html*
http://www.emirates247.com/crime/local/maid-acquitted-of-attempt-to-kill-two-kids-2013-01-10-1.490595

Yemen

Yemen imposes substantial restrictions on freedom of religion or belief and the freedoms of expression, assembly and association. The constitution does not specifically protect religious freedom, and other laws and policies restrict it.

The constitution declares that Islam is the state religion and that Islamic law is the source of all legislation. The local interpretation of Islamic law serves as a basis for all law, although Islamic jurisprudence coexists with secular common law and civil code models in a hybrid legal system.

The government prohibits proselytizing directed at Muslims.

The law punishes public "ridicule" of any religion; the maximum sentence is higher if the ridiculed religion is Islam.

Denouncing Islam or converting from Islam to another religion is considered apostasy, which is a capital offense, although the government does not enforce the death penalty: the law allows those charged with apostasy three opportunities to repent, which absolves them from the death penalty.

Family law prohibits marriage between a Muslim and an apostate; by law, apostates have no parental or child-custody rights.

A non-Muslim can run for parliament, although **the constitution restricts candidates for president to those who practice their "Islamic duties."** The law does not prohibit a political party based on religion, but states that a party cannot claim to be the sole representative of a religion, to be against Islam, or to restrict its membership to a particular religious group.

GRAVE VIOLATIONS

- **STATE LEGISLATION IS LARGELY OR ENTIRELY DERIVED FROM RELIGIOUS LAW OR BY RELIGIOUS AUTHORITIES**
- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS BRUTALLY SUPPRESSED**
- **'APOSTASY' OR CONVERSION FROM A SPECIFIC RELIGION IS OUTLAWED AND PUNISHABLE BY DEATH**
- **THE NON-RELIGIOUS ARE BARRED FROM GOVERNMENT OFFICE**
- **IT IS ILLEGAL TO ADVOCATE SECULARISM OR CHURCH-STATE SEPARATION, OR SUCH ADVOCACY IS SUPPRESSED**
- **IT IS ILLEGAL TO REGISTER AN EXPLICITLY HUMANIST, ATHEIST, SECULARIST OR OTHER NON-RELIGIOUS NGO OR OTHER HUMAN RIGHTS ORGANIZATION, OR SUCH GROUPS ARE PERSECUTED BY AUTHORITIES**
- PROHIBITIVE INTERRELIGIOUS SOCIAL CONTROL
- RELIGIOUS CONTROL OVER FAMILY LAW OR LEGISLATION ON MORAL MATTERS
- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS

The government does not maintain records of an individual's religious identity. Religious groups need not register with the state. Government officials state that such records are not kept in order to avoid sparking sectarian rivalries.

Some local customs, codified in various laws and policies, discriminate against women and persons of non-Muslim religious groups.

This includes **significant interreligious discrimination**. By law, Muslim women may not marry non-Muslims; Muslim men may not marry women who are not Muslim, Jewish, or Christian, or who have renounced Islam.

Public schools provide instruction in Islam and not in any other religion. Muslim citizens may attend private schools that do not teach Islam. Almost all non-Muslim students are foreigners and attend private schools.

Wider issues on thought and expression and other human rights

The government does not respect freedoms of expression and the press. Article 103 of the Press and Publications Law **bans direct personal criticism of the head of state and publication of material that "might spread a spirit of dissent and division among the people"** or that "leads to the spread of ideas contrary to the principles of the Yemeni Revolution, [is] prejudicial to national unity or [distorts] the image of the Yemeni, Arab, or Islamic heritage." **The state maintains a monopoly over terrestrial television and radio.** Yemen's most popular newspaper, *Al-Ayyam*, was forcibly closed by the government in 2009 and remains closed.

Yemeni sources, including the Yemeni Journalist Syndicate and the Center for the Rehabilitation and Protection of Freedom of the Press, estimated nearly 500 cases of government harassment against local journalists during Arab Spring uprising in the first half of 2011. Access to the internet is not widespread, and **the authorities block websites they deem offensive**.

EUROPE

Eastern Europe

Belarus

SEVERE DISCRIMINATION

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES

The constitution protects freedom of religion or belief and freedom of expression, but **other laws and policies significantly restrict these freedoms.**

The constitution affirms the equality of religions and denominations before the law; however, the law stipulates that cooperation between the state and religious groups "is regulated with regard for their influence on the formation of spiritual, cultural, and state traditions of the Belarusian people."

A 2002 religion law recognizes the "determining role" of the Belarus Orthodox Church (BOC) in the development of the traditions of the people. A 2003 concordat between the BOC and the government provides the BOC with autonomy in its internal affairs, freedom to perform religious rites and other activities, and a **special relationship with the state**. **The concordat also serves as the framework for at least 12 other agreements between the BOC and various state agencies. The concordat recognizes the BOC's "influence on the formation of spiritual, cultural, and national traditions of the Belarusian people."** Although it states that the agreement does not limit the religious freedom of other religious groups, **the concordat calls for the government and the BOC to combat unnamed "pseudo religious structures that present a danger to individuals and society."**

The Office of the Plenipotentiary Representative for Religious and Nationality Affairs (OPRRNA) regulates all religious matters. It does so in a restrictive manner that favours the BOC and especially discriminates against religions that have been active in Belarus for fewer than 20 years.

School administrators may invite BOC priests to lecture to students, organize tours to BOC facilities, and participate in BOC festivities, programs, and humanitarian projects. **A program of cooperation between the Ministry of Education and the BOC calls for joint projects for the spiritual and moral education of students based on BOC traditions and history.**

Wider issues on thought and expression and other human rights

The authoritarian regime of president Alyaksandr Lukashenka systematically suppresses freedom of expression, freedom of the press and freedom of association.

Belarusian national television is completely under the control of the state and promotes the regime's official line to the exclusion of any alternative viewpoint. The state-run press distribution monopoly limits the availability of private newspapers. The **authorities routinely harass and censor the remaining independent media outlets**, including by confiscating equipment, denying or revoking journalists' credentials, and using physical assaults and intimidation.

As more Belarusians turn to the Internet seeking to express themselves or find independent sources of news and information, t**he government is seeking greater control over Internet access and content. A 2008 media law subjects Internet outlets to the same restrictions as traditional media, and the government owns the country's sole internet-service provider**. The authorities have repeatedly blocked access to social-networking sites, such as Twitter, Facebook and its Russian equivalent VKontakte. Some opposition websites, run from outside the country, have been blocked by cyber-attacks, while the KGB secret police harass on-line opposition activists.

Bulgaria

The constitution and other laws and policies protect religious freedom. However, **the constitution stipulates that Eastern Orthodox Christianity is the "traditional" religion of Bulgaria.**

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- **OFFICIAL SYMBOLIC DEFERENCE TO RELIGION**
- NON-RELIGIOUS VIEWS ARE PRECLUDED FROM RELIGIOUS EDUCATION

Public schools at all levels offer an optional religious education course that covers Christianity and Islam. The course examines the historical, philosophical, and cultural aspects of religion and introduces students to the moral values of different religious groups. **All officially registered religious groups can request that their religious beliefs be included in the course's curriculum. However, Humanist, atheist or other philosophical alternatives to religion are not included.**

Wider issues on thought and expression and other human rights

Bulgaria guarantees freedom of expression, association and assembly. It has a strong and independent media. The government does not restrict media access.

Czech Republic

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. **Government provides some funding for religious groups.**

Systemic Discrimination

- SYSTEMATIC RELIGIOUS PRIVILEGE
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The Department of Churches in the Ministry of Culture is responsible for religious affairs. It maintains a **two-tier system of rights and benefits for religious groups**: **all religious groups registering with the ministry are eligible to receive tax benefits, while groups with**

second-tier registration are also eligible for government subsidies. Only clergy of registered second-tier religious groups may perform officially recognized marriage ceremonies and serve as chaplains in the military and at prisons. The main criterion to qualify for the second-tier registration is size of membership. All groups, including unregistered religious groups, are free to assemble, worship and publicize their beliefs.

The Ministry of Culture permits nine of the 33 registered religious groups to teach religion classes in state schools. **Although religious instruction is optional in state schools, school directors must introduce religious education choices if seven or more students of the same religious group in a class request such instruction.**

The constitution guarantees freedom of speech, but the penal code restricts some forms of hate speech. Holocaust denial, and speech that approves or defends the Nazi genocide, is forbidden, as is the defence or denial of the crimes of the former Soviet government of Czechoslovakia. Incitement of hatred based on religion or belief is also outlawed. The maximum punishment for such hate speech is three years imprisonment.

Czechs are guaranteed the right to freedom of expression, assembly and association. There is a vibrant and independent media, and unrestricted access to the Internet.

Hungary

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **many new laws and constitutional changes introduced by the government elected in 2010 have raised concerns about how well these rights will be preserved and protected.**

Although the state is officially secular, considerable government support, including hundreds of millions of dollars, is given to the main Christian churches.

The constitution provides for freedom of thought, conscience, and religion, including the freedom to choose or change one's religion. The constitution separates church and state and stipulates that churches are autonomous, but that the state will cooperate with churches on community goals. The constitution's preamble expresses gratitude to the nation's first king who united the country with "Christian Europe" 1,000 years ago.

The criminal code has a provision on the "Violation of the Freedom of Conscience and Religion," which states that whoever restricts another person by violence or threats, or prevents another person from freely exercising his or her religion by violence or by threats, commits a crime. This crime is punishable by up to three years in prison. Public incitement of hatred against any national, ethnic, racial, or religious group is a felony punishable by imprisonment for up to three years. (These

restrictions do not appear to have been used as a de facto blasphemy law to prohibit legitimate criticism of religion.)

The law prohibits public denial, expression of doubt, or minimization of the Holocaust, genocide, and other crimes committed by the National Socialist and Communist regimes; there is a maximum sentence of three years in prison for such offenses.

The rightwing "Fidesz" party, which took power in 2010 with prime minister Victor Orbán at its head, has a parliamentary supermajority that allows it to change the constitution by itself. In the past three years the governing party has made **significant changes to the laws affecting religious organizations and the media.**

A new religion law, which took effect on January 1, 2012, changed the registration process for religious groups from one led by the courts to one requiring the approval of parliament, thereby deregistering more than 350 previously registered religious groups. These groups therefore lost many financial and administrative benefits they had previously received as registered religions. Many religious groups' attempts to reregister were refused without explanation.

The four "historic" religious groups (Roman Catholic, Reformed, Lutheran, and Jewish) continued to receive more than 90 percent of state financial support provided to religious groups. All registered religious groups also receive advantageous tax treatment. In addition to taxpayer contributions, the government allocates public funds to registered religious groups. Additional government funding to religious organizations is provided for a range of activities, such as the maintenance of public art collections; support for religious instruction, education, and culture; annual compensation for religious property that was confiscated by the Communist regime but never restituted; and assistance to church personnel serving the smallest villages. In 2011 this financial assistance significantly increased to 34 billion forints ($154 million) as compared with 23.5 billion forints ($106 million) in 2010.

The new religion law continues to help both churches and religious associations to take control of public schools through a formal transfer agreement with the central government. Municipalities, religious groups, or school boards can initiate such transfers, but they can only be executed if the designated religious group is able to collect the signatures of at least 50 percent of the parents and adult students. Churches and religious associations operating public education institutions receive the general "normative subsidy" provided to educational institutions by the state, but **officially registered churches are also entitled to a "supplementary subsidy" as well.**

Wider issues on thought and expression and other human rights

Under new media legislation that took effect in 2011, media outlets must register with the new National Media and Infocommunications Authority (NMHH), which has the power to revoke licenses. **A new Media Council under the NMHH can close outlets or impose fines of up to $950,000 for violating vaguely defined content rules.** Fidesz, with its parliamentary supermajority, controlled appointments to the Media Council, whose members serve nine-year terms. The council's president, who is directly appointed by the prime minister, nominates the heads of all public media outlets for approval by a Fidesz-dominated board of trustees. Despite minor amendments to the legislation made in March 2011 and again, following a December 2011 Constitutional Court ruling, in May 2012,

international press freedom organizations insist that **the laws do not adequately protect media independence**. European Commission vice president Neelie Kroes stated in June 2012 that the May amendments had addressed only 11 of 66 recommendations made by the Council of Europe.

Domestic ownership of Hungarian media is highly concentrated in the hands of Fidesz allies. The government is the country's largest advertiser and has withdrawn most advertising from independent media since the 2010 elections. According to Freedom House, there is anecdotal evidence that private companies withhold advertising from independent media to avoid losing government contracts. In 2011, Dániel Papp, co-founder of the far-right race-baiting political party Jobbik, was named as editor in chief of the news office at the MTVA media fund, which is responsible for the management of all public media. Extensive layoffs followed. In 2011 the Media Council prevented Klubradio, a radio station that is critical of the Fidesz government, from renewing its broadcasting license for five frequencies.

Poland

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SOMEWHAT RESTRICTED
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. **These rights are generally respected in practice, except for active use of a blasphemy law to prosecute artists who offend Christians.**

In addition, the Catholic Church exerts considerable influence in politics and government services, including education and health care.

Poland's penal code states "Whoever offends religious feelings of other people by publicly insulting an object of religious cult or a place for public holding of religious ceremonies, is subject to a fine, restriction of liberty or loss of liberty for up to 2 years."

By law all schools teach religion to students. All religious education instructors, about half of whom are Catholic clergy or nuns, receive salaries from the state for teaching religion in public schools. Religious education classes are designed for specific religions, and by law a school must provide a class for an individual religion if at least seven students in the school are interested in attending a class on that subject. Each religious group has the right to determine the content of its classes. Students may also request to take a secular ethics class instead of a religion class, and the school must provide an ethics class if at least seven students request it. **Students in smaller schools, particularly in rural areas, often do not have access to an alternative to Catholic classes**. When an alternate class is not available, students may opt to spend the class time in supervised study.

Highlighted Cases:

In January 2012, **Dorota Rabczewska**, a popular musician better known as Doda, was fined US $1,450 for “offending religious feelings” when she said in an interview that the Bible is full of "unbelievable tales" and that "it's hard to believe in something written down by someone drunk on wine and smoking some kind of herbs."

Ref: *http://rationalist.org.uk/articles/4168/poland*

In October 2012, Poland’s Supreme Court opened the way for a blasphemy verdict against another musician, **Adam Darksi**. The charges could be punished by a maximum of two years in prison. Darski, who uses the stage name Nergal, is the lead singer of a heavy metal group named Behemoth. During a concert in 2007 Darski ripped up a Bible and called it a "book of lies" and the Catholic Church was "the most murderous cult on the planet." He was tried for “offending religious feelings”.

A lower court dismissed the charges, but the Supreme Court was then asked to rule on the legal arguments arising from the case. The Supreme Court ruled that Darski could be convicted of the crime of “offending religious feelings” even if he did not act with the "direct intention" of offending those feelings. That interpretation closed off an argument used by lawyers for Darski, who said he had not committed a crime because he did not intend to offend anyone. The case therefore returned to a lower court. In January 2013, a district court finally found him guilty of offending religious feelings by “intentionally insulting the Holy Bible”. However, on appeal, the judge invoked the statute of limitations to overturn the charges because of the time elapsed since the alleged offence.

Ref: *http://rationalist.org.uk/articles/4168/poland*

Moldova (and Transnistria)

Some Discrimination
restrictions; religious privilege

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. While these rights are generally respected in practice, **there is preferential treatment Moldovan Orthodox Church (MOC)**.

In a report based on his September 2011 visit, the UN Special Rapporteur on Freedom of Religion or Belief noted that the government’s respect for the freedom of religion improved in recent years. However, the report noted the **“overly predominant” position of the MOC, which had a privileged status at variance with the constitutional provisions of a secular state**. The report noted that the predominance and attitude of the MOC also existed in the Transnistria region, with **negative consequences for minority religious groups.**

There is no official state religion, and it is illegal to discriminate on the grounds of religion. However, **the law on religion describes the "exceptional importance and fundamental role of the Christian Orthodox religion, particularly that of the MOC, in the life, history, and culture of the people of the Republic of Moldova."** The Metropolitan of Chisinau and all Moldova, the highest-ranking cleric in the MOC, holds a diplomatic passport and is the only religious leader known to be accorded such treatment.

According to the law on education, "moral and spiritual instruction" is mandatory for primary school students and optional for secondary school and university students. However, the instruction does cover a wide range of topics and issues, including moral, spiritual, artistic, aesthetic, and ethical standards, with the aim of providing students with a broad understanding of human values. Topics covered include truth, goodness, peace, patriotism, faith, wisdom, tolerance, justice, team spirit, and trust in virtues. There are three optional courses: "Christian-Orthodox Education," "Religion," and the "History of Religions," which are taught from manuals developed by the Ministry of Education and the MOC and include teaching guidelines developed with the support of the BOC.

The separatist region of Transnistria, also has formal freedom of religion, but **Transnistrian law affirms the role of the Orthodox Church in the region's history, and favours that Church in practice.**

Wider issues on thought and expression and other human rights

The constitution protects freedom of expression and assembly and the current Moldovan government has generally protected those rights. However, **the government in separatist Tansnistria significantly restricts media freedom**.

Romania

The constitution and other laws and policies protect freedom of religion or belief, and freedom of expression and assembly. However, **the government strongly favours the Romanian Orthodox Church and places some impediments on the freedom of minority religions and the non-religious to practice and promote their beliefs.**

The government formally recognizes 18 religions, each of which is eligible for state funding. Under the religion law, state funding is determined by the number of adherents of each recognized religious community reported in the most recent census and "the religion's actual needs," **a vague provision leaving room for interpretation**. **The Romanian Orthodox Church receives the large majority of these funds.**

Systemic Discrimination

- There is an established church or state religion
- Systematic religious privilege
- Discriminatory prominence given to religious bodies, traditions or leaders
- State-funding of religious institutions or salaries, or discriminatory tax exemptions
- State-funding of religious schools
- Religious instruction is mandatory in at least some public schools
- Religious groups control some public or social services

Recognized religions also have privileged right to establish schools, teach religion classes in public schools, receive government funds to build places of worship, partially pay clergy salaries with state funds, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, receive tax-exempt status, and own cemeteries.

Public schools conduct religious instruction. To be excused from religion classes, students must submit requests in writing. The 18 recognized religions are entitled to hold religion classes in public schools. The law entitles students to attend religion classes in their faith irrespective of their number. The instruction is based on the religious affiliation of the students' parents. The constitution and the law allow the establishment of state subsidized educational institutions administered by recognized religions.

In September 2012, the Romanian Secular Humanist Association, *Asociația Secular-Umanistă din România* (ASUR), urged the Education Ministry to immediately withdraw from schools all **religion textbooks that promote intolerance** and to take all necessary steps to prevent **religious indoctrination**. The association expressed concern about the persistent inclusion of **such themes as sin, hell, and the devil in religious textbooks for primary schools**. ASUR also criticized automatic enrolment in religion classes, and began a campaign to inform parents and schools that parents had the right to withdraw children from religion classes. **The right to withdraw from religious instruction is not otherwise widely publicised, some schools make it very difficult to apply in practice, and there are social pressures not to opt out.**

Russia

- EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED
- 'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression and freedom of assembly. However, **in practice the government has been known to violate all these rights with relative impunity. In particular, Orthodox Christianity is given a privileged position within the state, and criticism of the regime can be met with fines, imprisonment or extra-judicial killings.**

By law the country is a secular state without a state religion, and all religious groups are equal. The preamble to the principal law on religion acknowledges Christianity, Islam, Judaism, and Buddhism as the country's four "traditional" religions, constituting an inseparable part of the country's historical heritage. The law also recognizes the "special contribution" of Russian Orthodox Christianity to the country's history and to the establishment and development of its spirituality and culture. **The Russian Orthodox Church, but no other religious body, is allowed to review draft legislation pending before the State Duma.**

In 2013 Russia has been strongly criticised by many western countries and human rights organisations for a new law on distributing "propaganda" about homosexuality among young people, a move backed by religious authorities. The law is widely interpreted as **a crackdown on free**

expression in particular on LGBT rights, and part of a government trend toward a **tighter church-state relationship**. The law has also been blamed for a spate of violent and degrading homophobic attacks.

The right is provided in law to profess, or not to profess, any religion individually or with others, the right to spread religious and other convictions, and the right to act in accordance with those convictions. The government may restrict these rights only to the degree necessary to protect the constitutional structure and security of the government; the morality, health, rights, and legal interests of persons; or the defence of the country. It is a violation of the law to force another person to disclose his or her attitude toward religion, or to participate or not participate in worship, other religious ceremonies, the activities of a religious association, or religious instruction.

The law states that those who violate religious freedom will be "punished to the fullest extent possible," but does not specify the penalty nor under what circumstances it is to be imposed. The administrative violations code and the criminal code both punish obstruction of the right to freedom of conscience and belief.

Although the Federal Law on the Freedom of Conscience puts maintaining secular education in state and municipal educational institutions as the duty of the State, **a September 2013 law on education grants religious organizations a degree of control over religion-related courses in state schools, colleges and universities**. According to the new law educational standards and textbooks on school courses of history and culture of religions, as well as college courses of theology, are required to obtain a clearance from a corresponding religious organization. Moreover, teachers and professors on these courses are required to obtain a "recommendation" (i.e. clearance) from a corresponding religious organization.

Parents can choose between courses on one of the four "traditional" religions, world religions in general, or a course on the fundamentals of secular ethics.

The law entitles individuals and organizations to take religious freedom cases to the European Court of Human Rights (ECHR) in Strasbourg, which rules based on violations of the European Convention on Human Rights. According to the Constitutional Court, "Decisions by the European Court of Human Rights are binding for Russia. The State must pay compensation to a person whose rights were violated as determined by the European Court and ensure his/her rights are restored in as far as possible." The government complies with this ruling and continues to pay compensation in line with ECHR decisions.

Wider issues on thought and expression and other human rights

Although the constitution provides for freedom of speech, **the government controls, directly or through state-owned companies, all of the national television networks**. Only a handful of radio stations and publications with limited audiences offer independent news and opinions. **At least 19 journalists have been killed since Putin came to power in 2000, and in no cases have the organizers of the murders been prosecuted.**

Vague laws on extremism make it possible to crack down on any speech, organization, or activity that lacks official support.

Discussion on the Internet is largely unrestricted, but **the government devotes extensive resources to manipulating online information and analysis**. In November 2012, a broadly worded new law, ostensibly targeting information that is unsuitable for children, created **a blacklist of internet outlets** that initially led to the shuttering of more than 180 sites.

The government has consistently reduced the space for freedoms of assembly and association. Overwhelming police responses, the use of force, and routine arrests have discouraged unsanctioned protests, though pro-Kremlin groups are able to demonstrate freely.

Highlighted Cases:

On Jan. 18, 2008, **Aleksander Sdvizhkov**, the editor of the White-Russian magazine *Zgoda,* is sentenced to three years in a labor camp for reprinting the Danish *Jyllands-Posten* Muhammad cartoons.

On June 13, 2010, two Russian gallerists, **Jury Samadurov and Andrei Jerefeyev**, are given large fines for organizing an exhibition called “Prohibited Art” at the Sakharov Center, which included portrayals of Jesus as Mickey Mouse and as Lenin.

On August 17, 2012, three members of **Pussy Riot**, **Nadezhda Tolokonnikova**, **Maria Alyokhina**, and **Yekaterina Samutsevich**, a feminist group that spreads its freethinking message, and pro-church-state separation protest, through punk rock and performance art, were convicted of "hooliganism motivated by religious hatred" and sentenced to two years hard labor. Their offense was to stage an impromptu protest performance (which was itself disrupted after only a few moments) called "Punk Prayer: Mother of God, Chase Putin Away!" at Moscow's Cathedral of Christ the Saviour. The Russian authorities were widely condemned by human rights organisations around the world for over-zealous prosecution and harsh sentencing of Pussy Riot. The judge cited what she regarded as Christianity's dissent from the principles of women's equality (contra the band's explicit feminist values) to back the prosecution claim that the performance was motivated by "religious hatred".

Slovakia

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS**
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

However, **the government has been criticized for policies that favour the Roman Catholic Church, and, to a lesser extent, other religious groups with historic or large followings in Slovakia**, over newer or minority religions or beliefs. In particular, an **extensive concordat between Slovakia and the Vatican**, signed in 2000 and subsequently expanded in 2002 and 2004, increased **Catholic influence in state schools and the armed forces**, as well as **increasing government funding to Catholic institutions**.

The government avoided some criticism of this agreement by then extending **similar, but lesser, benefits to eleven other religious groups. Total government funding to religious groups was €37.19 million (c. US $50million) in 2009.**

All public elementary school students must take a religion class or ethics class, depending on personal or parental preferences.

Wider issues on thought and expression and other human rights

Freedoms of speech and of the press are protected by the constitution, but **media outlets sometimes face political interference. Journalists continue to face verbal attacks and libel suits by public officials, though these have decreased in frequency in recent years.** A September 2011 amendment to the controversial Press Act reduced pressure on editors by removing a requirement that media publish responses or corrections from public officials if they are criticized for their performance in office.

Freedoms of assembly and association are constitutionally guaranteed and generally respected in practice.

Ukraine

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. These rights are generally respected in practice, although there is **increasing government intolerance towards freedom of expression and assembly.**

Mostly Satisfactory

- **SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS**

There is no state religion. The constitution and the 1991 Law on Freedom of Conscience and Religion define the right to freedom of religion or belief in Ukraine. According to the law, the objective of domestic religious policy is to "restore full-fledged dialogue between representatives of various social, ethnic, cultural, and religious groups to foster the creation of a tolerant society and provide for freedom of conscience and worship."

The law limits the teaching of religion as part of the public school curriculum. "Ethics of Faith" courses are part of the curriculum.

Wider issues on thought and expression and other human rights

In the days before this report is published, a political crisis has gripped Ukraine, with thousands of protesters taking to the streets and toppling a statue of Lenin. They object to the President Viktor Yanukovych pulling back from closer ties with the European Union, in favour of Russia, after Russia opposed earlier steps toward the EU. Other political issues such as corruption are also involved. Protests have so far been relatively peaceful and the state response has been relatively restrained, but there is a history of undue restrictions on protest.

The constitution guarantees freedoms of speech and expression, although **the media is largely under the control of the government and its allies**. TVi, one of the last independent television channels with national reach, faces **constant harassment from the authorities**, including charges of tax evasion, fines, and denial of access to advertisers and cable networks. **Journalists continue to face the threat of violence in the course of their work. Vasyl Klymentyev, a journalist who investigated local corruption in Kharkiv, disappeared in August 2010 and is presumed dead.**

The constitution guarantees the right to peaceful assembly but requires organizers to give the authorities advance notice of any demonstrations. **The authorities appear increasingly hostile to opposition demonstrations.** While 2013 closed with massive opposition rallies of more than quarter of a million Ukrainians in Kiev, it is worth noting that these were not only unlawful, but were also sparked in part to protest the forceful dispersal of a much smaller protest crowd.

Northern Europe

Denmark

SEVERE DISCRIMINATION

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution and other laws and policies protect freedom or religion or belief, as well as freedom of expression, association and assembly. However, **the constitution also states that the Evangelical Lutheran Church (ELC) is the state church.**

The state provides the ELC with financial support of about US$135 million (€100 million) a year and other benefits and privileges not available to other religious or belief groups. The constitution also requires that the head of state, the reigning monarch, must be a member of the ELC.

The ELC is the only religious group that receives state subsidies or funding directly through the tax system. General revenues fund approximately 14 percent of the church's budget; the balance comes from a **state-run church tax** that only members pay. Among the nonreligious activities that the government mandates the ELC to run are the management of nonsectarian cemeteries and the registration of civil unions, births, deaths, and other vital statistics.

The constitution states that "No person can, because of his religious belief or descent, be deprived of access to the full enjoyment of civil and political rights."

The criminal code prohibits "blasphemy", defined as public mockery of or insult to the doctrine or worship of a legally recognized religion. The maximum penalty for a violation of this provision is a fine and up to four months in prison, but the provision has not recently been enforced. Attempts to bring cases of alleged blasphemy to court have been dismissed by prosecutors as protected free speech. The law also prohibits hate speech and penalizes public statements that threaten, insult, or degrade individuals on the basis of their religion or belief.

All public and private schools, including religious schools, receive government financial support. Evangelical Lutheran theology is taught in public schools in accordance with the law; however, a student may withdraw from religion classes with parental consent, and about half of all students do in fact withdraw. Additionally, the law requires that a Christian studies course also covering world religions be taught in public school. The course is compulsory, although students may be exempted if a parent presents a request in writing. If the student is 15 years old or older, the student and parent must jointly request the student's exemption. The law allows Muslim, Jewish, and Christian prayers to be substituted for collective prayer in such venues as school assemblies as long as preaching is not included.

Estonia

The constitution and other laws and policies protect freedom of religion or belief, as well as freedom of expression, association and assembly. **The government supports these rights in policy and practice.**

Systemic Discrimination

- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

Two laws regulate the activities of religious associations. Churches, congregations, and unions of congregations are registered with city courts. Church congregations or unions of congregations are required to have a management board. Citizens and legal residents may be members of the board. In order to register formally, the management board of a religious association must submit an application signed by all its members. A congregation must have at least 12 adult members. The minutes of the constitutive meeting, a copy of statutes, and a notarized copy of signatures of the board members serve as supporting documents for the registration application. **The government treats registered churches and religious organizations as non-profit entities which receive a tax benefit.**

Basic instruction on religious themes is available in public schools. A school must offer religious studies at the primary or secondary level if at least 12 students request it. Comparative religious studies are available in public and private schools on an elective basis.

Finland

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression, and the freedoms of assembly and association. The government respects these rights in practice. However**, Finland has two state churches: the majority Evangelical Lutheran Church and the much smaller Orthodox Church. Everyone has the right to belong, or to decline to belong, to a religion, and the constitution prohibits discrimination based on religion or belief.**

Systemic Discrimination

- **THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION**
- **PREFERENTIAL TREATMENT OF RELIGION**
- **THERE IS A RELIGIOUS TAX OR TITHING WHICH DISCRIMINATES BY PRECLUDING NON-RELIGIOUS GROUPS**
- SOME RELIGIOUS INSTRUCTION IN STATE-FUNDED SCHOOLS

The Evangelical Lutheran Church and Orthodox Church are autonomous. All citizens who belong to either the ELC or the Orthodox Church pay a church tax set at 1 to 2 percent of income, varying by congregation, as part of their income tax. **Those who do not want to pay the church tax must terminate their ELC or Orthodox congregation membership.** Membership can be terminated by contacting the official congregation or the local government registration office. **Church and municipal taxes help defray the cost of running the churches.**

Registered religious communities other than the ELC and the Orthodox Church are also eligible to apply for state funds. Registration as a nonprofit religious community allows a community to form a legal entity that may employ persons, purchase property, and make legal claims. The law provides

that registered religious communities that meet the statutory requirements (number of members and other income through donations) may receive an annual subsidy from the government budget in proportion to the religious group's percent of the population.

The ELC can register births, marriages, and deaths in collaboration with the Population Register Center, the national registry under ministry of finance purview. State registrars do this for other persons. The ELC also maintains the country's cemeteries.

Parents may determine the religious affiliation of their children under 12 years of age. A child between the ages of 12 and 17 must express in writing his or her desire to change or terminate religious affiliation.

All public schools provide religious teaching in accordance with the religion of the majority, as well as broader philosophical instruction; adult students (18 years of age) may choose to study either subject. Students who do not belong to any religion may choose either religious education or philosophical instruction. If a student belongs to more than one religious community, the parent decides in which religious education the student participates.

Iceland

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **the state financially supports and promotes Lutheranism as the country's official religion.**

The country's general penal code establishes fines and imprisonment of up to three months for those who publicly deride or belittle the religious doctrines or the worship of a lawful religious association active in the country. The general penal code also establishes penalties of fines and up to two years in prison for verbal or physical assault on an individual or group based on religion.

The Evangelical Lutheran Church of Iceland (ELCI), which is the state church, enjoys some advantages not available to other religion and belief groups. Members of religious communities are allowed to designate part of their income tax to go to their church. Citizens can choose to direct this "church tax" to the state treasury instead. A new law passed on January 30, 2013 guarantees equal legal status and funding for secular life stance organizations. *Sidmennt* –the Icelandic Ethical Humanist Association (an IHEU member organization)—applied for and was granted such status on May 3, 2013.

A 2008 law requires the teaching of Christian theology in grades 1 through 10. By law, the education minister may exempt pupils from instruction in compulsory subjects such as Christianity, ethics, and theology, and individual school authorities issue exemptions informally. School authorities need not offer other religious or secular instruction in place of these classes. The absence

of alternative classes may discourage students or their parents from requesting exemptions and potentially isolates students seeking exemptions or puts them at risk of bullying in schools.

In 2011 the Reykjavik City Council prohibited religious groups from conducting any activities, including the distribution of proselytizing material, in the municipal public schools (grades one through ten) during school hours. Any student visits to the gathering places of religious groups during school hours are under the guidance of a teacher as part of a class on religion. Any such instruction cannot involve the active participation of students in a religious service.

Wider issues on thought and expression and other human rights

The constitution guarantees freedoms of speech and the press. In June 2010, parliament unanimously passed the Icelandic Modern Media Initiative, which mandates the establishment of **stringent free speech and press freedom laws** and focuses on the protection of investigative journalists and media outlets.

The rights to freedom of association and peaceful assembly are guaranteed by the constitution and protected in practice.

Ireland

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. However, **anti-blasphemy laws and state sponsorship of religion are in place.**

Section 36 of Ireland's Defamation Act of 2009 criminalizes the publishing or utterance of "blasphemous matter" and imposes a maximum fine of €25,000. That is "matter that is grossly abusive or insulting in relation to matters held sacred by any religion, thereby causing outrage among a substantial number of the adherents of that religion…" Protection exists if "a reasonable person would find genuine literary, artistic, political, scientific, or academic value in the matter to which the offence relates."

Systemic Discrimination

- SYSTEMATIC RELIGIOUS PRIVILEGE
- CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

Most public and private primary and secondary schools are religiously based. At the primary level, 90 percent of schools are Roman Catholic, 6 percent Church of Ireland, 2 percent multidenominational, and 1 percent other religious groups. Under the constitution, the Department of Education provides equal funding to all public schools.

Religious instruction is integral to the curriculum of most schools. Parents have a constitutional right to exempt their children from religious instruction in schools, but **parents who do not wish to**

have their children attend religious classes in school are routinely asked to supervise them personally during school hours because schools will not do so.

Publicly funded schools run by religious groups are permitted to refuse admission to a student not of that religious group if the school can prove the refusal is essential to the maintenance of the "ethos" of the school. By law, a religious school may select its staff based on their religious beliefs.

The privileged status of religion in society, especially the Roman Catholic Church, has allowed government to cede control of education and various social services to religious institutions. These religious institutions have often been accorded unwarranted deference by police and state authorities in the face of reports of physical, psychological and sexual abuse. Reports released by the Commission to Inquire into Child Abuse in 2009 documented decades of widespread sexual, physical and emotional abuse against children in state institutions and by Catholic priests, as well as collusion to hide the abuse. The 2011 Cloyne report revealed similar abuse and subsequent police cover-ups in the diocese of Cloyne. The government has taken steps to address the abuse, which has reportedly declined in recent decades. The government has also moved to end the Catholic Church's virtual monopoly on Ireland's primary education system, although more than 3,000 schools currently remain under the Church's control.

There is still a requirement for holders of public office—including judges and the state president—to take a religious oath.

Latvia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**

There is no state religion, **but the law gives eight religious groups a number of rights and privileges not given to other religious groups**. Lutherans, Catholics, Orthodox Christians, Old Believers, Baptists, Methodists, Seventh-day Adventists, and Jews are the only religious groups represented on the government's Ecclesiastical Council.

Other privileges include the right for these eight groups to teach courses about their religion in state schools and at public expense. Other religions, and humanists, are not allowed to teach classes about their beliefs in state schools. Religion-specific laws define relations between the state and each of these eight groups. Other religious groups are covered by a general law dealing with religious organizations.

Wider issues on thought and expression and other human rights

Freedom of expression and media freedom are guaranteed in the constitution and respected in practice, as is freedom of assembly and association.

Lithuania

Some Discrimination
restrictions; religious privilege

- SYSTEMATIC RELIGIOUS PRIVILEGE
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. **These rights are generally respected in practice.**

The constitution provides that a person's freedom to profess and propagate a religion may be limited only when necessary to protect health, safety, public order, or the fundamental rights and freedoms of others.

The criminal code contains three provisions to protect religious freedom: It prohibits discrimination based on religion and provides for up to two years in prison for violations. The code penalizes interference with religious ceremonies of "traditional" religious groups by imprisonment or community service, and penalizes inciting religious hatred by imprisonment of up to three years.

There is no state religion, but **by law "traditional" religious groups enjoy benefits not available to others, including government funding, the right to teach religion in public schools, and the right to register marriages.** The law allows all registered religious groups to own property for prayer houses, homes, and other uses and permits construction of facilities necessary for their activities.

By law the government acknowledges as "traditional" only those religious groups able to trace their presence in the country back at least 300 years. Those groups receive an array of benefits and privileges not available to other religions and belief groups, including secular or non-religious groups. For example, only "traditional" religious groups may register marriages, establish joint private/public schools, provide religious instruction in public schools, and receive government funding.

The constitution establishes public educational institutions as secular. However, **the law permits and funds religious instruction in public schools for traditional and other state-recognized religious groups.** Parents may choose either religious instruction or secular ethics classes for their children. Schools decide which of the traditional religious groups will be represented in their curricula on the basis of requests from parents for children up to age 14, after which students present the requests themselves.

The number of wholly private religious schools is relatively small. There are 30 schools with ties to Catholic or Jewish groups, although students of different religious groups often attend these schools. All accredited private schools (religious and nonreligious) receive funding from the Ministry of Education and Science through a voucher system based on the number of pupils. This system covers only the program costs of school operation. Founders generally bear responsibility for covering capital outlays; however, **the ministry funds capital costs of traditional religious private schools where there is an international agreement to do so. To date, the Catholic Church is the only religious group with such an international agreement. Under this concordat, the government funds both the capital and operating costs of private Roman Catholic schools.**

Wider issues on thought and expression and other human rights

Freedom of expression and of the press is guaranteed by law and respected in practice.

Norway

Mostly Satisfactory

- THERE IS A STATE CHURCH BUT PRIVILEGES ARE SMALL OR PROGRESS TOWARD CHURCH-STATE SEPARATION IS BEING MADE
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The constitution and other laws and policies protect freedom of religion or belief, as well as freedom of expression and the freedoms of association and assembly. However, **the Evangelical Lutheran Church (ELC), the state church, enjoys some benefits not available to other religious and Humanist groups, even though 2012 saw a move towards greater separation between state and church.**

The state supports the Evangelical Lutheran Church financially. Other religion or belief communities may register with the government to receive state financial support, which is provided to all registered life-stance groups in proportion to their formally registered membership, included non-religious organizations. The largest such group after the state church is the Norwegian Humanist Association, a non-religious life-stance organization with around 80,000 members.

All schools students for grades 1 through 10 (normally ages 6 to 16) must take a course on religion and ethics. The course reviews world religions and philosophy comparatively while promoting tolerance and respect for all religious beliefs. However, citing the country's Christian history (and the stated importance of Christianity to society), the course devotes an extensive amount of time to studying Christianity. This course is mandatory; there are no exceptions for children of other religious groups, or Humanists or other non-religious students. Students may only be exempted from participating in or performing specific religious acts, such as church services or prayer.

Sweden

Systemic Discrimination

- THERE IS A RELIGIOUS TAX OR TITHING WHICH DISCRIMINATES BY PRECLUDING NON-RELIGIOUS GROUPS

The constitution and other laws and policies protect freedom or religion or belief, as well as the freedoms of expression, association and assembly.

The Church of Sweden ceased to be the established state church in 2000, and Sweden is a highly secular country (a Eurobarometer Poll in 2010 found just 18% of Swedish citizens agreed to the proposition "there is a god").

However, the state collects a "church tax" from citizens who are listed as belonging to a religious group which is then distributed back to the religious bodies.

Non-religious citizens do not have to pay the church tax, but non-religious Swedes have consistently been refused the right to designate their Humanist Association to take part in the same system.

Wider issues on thought and expression and other human rights

Freedom of speech is guaranteed by law and respected in practice. Chapter 16 Section 8 of the penal code criminalizes "A person who, in a disseminated statement or communication, threatens or expresses contempt for a national, ethnic or other such group of persons with allusion to race, colour, national or ethnic origin or religious belief".

United Kingdom

UK laws and policies protect freedom or religion or belief, as well as freedom of expression, association and assembly. However, **the Church of England's status as the established church in England and the Church of Scotland's status as the established church in Scotland grants those Churches a privileged constitutional status and position in official ceremonies and informally lends them many other advantages.**

The Church of England (C of E) is granted privileged access to the UK Parliament. The 26 most senior C of E Bishops are automatically granted membership in the House of Lords – the upper chamber of Parliament – where they have the right to speak and vote on all legislation. They acquired this right solely by virtue of their position in the hierarchy of one particular denomination of one particular Church. They are unaccountable to the public.

Systemic Discrimination

- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS GROUPS CONTROL SOME PUBLIC OR SOCIAL SERVICES
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

34% of state-funded schools in England, 14% in Scotland, 15% in Wales and 94% in Northern Ireland are designated with a religious character, and outside of Northern Ireland their proportion is increasing.

With the exception in Scotland, these schools are allowed to discriminate against students in their admission policies, favouring those of the faith over those of other faiths and of no faith, or even favouring those of other faiths over those of no faith. In December 2013 the Fair Admissions Campaign has mapped this problem and established that 16% of state-funded places in England and Wales, or 1.2 million, are subject to such admissions policies.

Such schools are also allowed to discriminate against teachers in hiring, discipline and firing, even in subjects that do not relate to the religious mission of the school—based on their religion (either because they are not religious or belong to a different religion or denomination than the school authorities). Typically they are allowed to do so for all teaching staff, regardless of whether there is a genuine occupational requirement. The British Humanist Association (an IHEU member) complained to the European Commission that in allowing such discrimination beyond where just a genuine occupational requirement can be shown, this is a breach of the European Employment Directive; the Commission has taken this complaint up as a formal investigation. Where there is a genuine occupational requirement, teachers may be fired, or simply not hired, because they have sexual

relationships outside of marriage, because they get married in a church different to that of the school, or because they get divorced. In 2006 the right to discriminate in employment where a genuine occupational requirement can be shown was extended to non-teaching posts in England.

In addition, a large number of these schools have **statutory obligations to provide confessional religious teaching which, again, is entirely publicly funded.** Students can opt out of this religious instruction but the decision rests with parents until the child is 16.

In England and Wales, every state-funded school (which are 100% funded by public monies) is legally required to hold a daily act of collective worship. In the 66% of schools which are not designated with a religious character, this worship must be wholly or mainly of a broadly Christian character. Schools can apply to have this changed to another faith for some or all of their students, but **they cannot have this changed to be secular**. Students can be opted out of worship, however the opt-out is rarely used because it singles out students from their peers and is likely to mean they miss out on school notices.

Every year, local government bodies hear a number of appeals from parents who have had their children turned down from the local state-funded school because of their religion or non-religious views. **The Fair Admissions Campaign and British Humanist Association are frequently contacted by parents facing this discriminatory situation.** The BHA is also frequently contacted by parents whose children have experienced **proselytising in school**, either because their child attends a religiously designated school, or because of the Christian collective worship that every English and Welsh school has to hold.

Religious organizations have important exemptions from the Equality Act 2010 that allow them to discriminate in various ways, even when working under contract to provide a public service. For example, the exemptions from employment equality legislation allow religious employers to **discriminate against potential applicants for jobs on grounds of religion or belief and of sexual orientation**, where a genuine occupational requirement can be shown, and to discriminate against current employees on those same grounds in ways such as barring the employee from opportunities for promotion or by dismissing them.

In 2012, places of worship were singled out for preferential treatment following the removal of the zero Value Added Tax (VAT) rating concession for alterations to listed buildings announced in the budget. The government set aside £30 million per annum to compensate places of worship for the extra VAT resulting from the withdrawal of the concession.

The government also helps fund the repair and maintenance of all listed places of worship for religious groups nationwide and contributes to the budget of the Church Conservation Trust, which preserves disused Church of England buildings of architectural or historic significance.

UK law protects freedom of expression and freedom of association and assembly, and the UK is known for its strong and diverse media and active civil society. Freedom of speech has sometimes been curtailed by laws that restrict religiously “insulting” expressions and by the chilling effect of the UK’s far-reaching libel laws, however, the libel laws of England and Wales were reformed in 2013 to make it more difficult to use them to suppress free speech.

Wider issues on thought and expression and other human rights

For many years the UK's claimant-friendly laws against defamation discouraged and punished news and criticism about the rich and powerful. Indeed, in recent years, so-called "libel tourists" from other countries were using UK courts to sue for libel against statements that were published outside the UK-- a suit was possible as long as the allegedly libelous material was accessed in the UK. The libel law placed the burden of proof on the defendant, which makes a defence much more difficult and more expensive. Because mounting a defence against libel charges was often prohibitively expense, many authors and publications would avoid, withdraw or apologize for allegedly libelous statements without going to court. Even when alleged libelers did fight the charges, they lost 90% of cases.

However, the Defamation Act of 2013 significantly reformed England and Wales's libel laws. **The new law makes it harder to sue for defamation, by requiring claimants to show actual or probable serious harm, and also makes it easier to defend against a defamation charge by allowing defences of truth, honest opinion, and 'publication on a matter of public interest' .** Additional safeguards were put in place to protect scientific publications from libel charges. Other reforms to the law included much greater limits on the law's jurisdiction, including its geographic scope.

Unfortunately, **the new law was not adopted in Northern Ireland, which may mean that the frivolous libel suits the new law aimed to end will instead continue, but will now be brought in Belfast instead of London.**

Following a **series of media scandals**, including phone hacking and other illegal activities by journalists, in 2013 the UK government introduced new legislation to set up a formal press complaints commission. The legislation is controversial among journalists and campaigners for freedom of expression, and it remains to be seen whether it will restrict legitimate journalistic activity and expression.

Highlighted Cases:

In 2008 a Christian charity, **Prospects**, which receives public money for its work with people with learning disabilities, was found to have acted illegally when it began – in 2004 – recruiting only practising Christians for almost all posts, and told existing non-Christian staff that they were no longer eligible for promotion. Although the practice was found to be unlawful, religious organizations in analogous positions are probably still operating the same discriminatory rules.

In June 2012, **John Roberts**, a retiree in the county of Lincolnshire, was warned by police, referencing cases brought under Section 5 of the Public Order Act, that he could be arrested if he did not take a sign down from his window saying "religions are fairy stories for adults". (Section 5 is now being reformed.)

Southern Europe

Albania

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association.

By law, the country is secular. According to the constitution, there is no official religion and all religions are equal before the law.

Mostly Satisfactory

- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

The Office of the Commissioner for Protection from Discrimination receives and processes discrimination complaints, including those concerning religious practice.

According to the Ministry of Education, public schools are secular and the law prohibits ideological and religious indoctrination. Religion is not taught in public schools. **Religious groups, including Muslims and Catholic and Orthodox Christian, run numerous state-licensed private schools. These private schools may teach religion, but their curricula must comply with national education standards.**

Wider issues on thought and expression and other human rights

While the constitution guarantees freedom of expression, **Albania lacks strong, independent media. Most media outlets are seen as proxies for one or other of the two main political parties**. Reporters have little job security and are v**ulnerable to lawsuits, intimidation, and even physical attacks by those facing media scrutiny**. **Journalists critical of the government have experienced official harassment, physical attacks, death threats, and other forms of intimidation.**

There are no government restrictions on internet access.

Andorra

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. **However, the constitution grants a special status to the Catholic Church "in accordance with Andorran tradition" and recognizes the "full legal capacity" of the bodies of the Catholic Church, granting them legal status "in accordance with their own rules."**

Systemic Discrimination

- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS

The Catholic Bishop of Urgell (a diocese that is mostly in Spain but also includes Andorra) automatically serves as one of the two princes of the country (the Bishop of Urgell serves equally as joint head of state with the president of France).

The Catholic Church also receives some special privileges not available to other religious groups; for example, the government pays the salaries of the Catholic priests.

Bosnia and Herzegovina

- SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. The law provides for freedom of religion and outlines the legal status of churches and religious communities. The law prohibits any form of discrimination against any religious community.

However, following ethnic-sectarian conflict, subsequent attempts to stabilize relations between the state and religious communities, and religious communities with each other, have **ingrained endemic church-state relations and privileges which entirely overlook the non-religious and may only make some forms of sectarian identity and power worse**.

In detail, consequent to Bosnia and Herzegovina's recent history of brutal conflict between ethnic/religious communities, the new nation formed as a loose knit confederation composed of the Bosniak-Croat Federation of Bosnia and Herzegovina (the Federation) and the predominantly Serb Republika Srpska. To balance the competing demands of its religiously distinct component communities, the state developed **a complex system of state support for the major ethnic/religious groups.**

This system provides financial and political privileges and benefits for Bosniaks/Muslims, Croats/Catholics, and Serbs/Orthodox Christians. As with any system of ethnic and religious privileges, it operates to the disadvantage of other ethnic /religious groups, including those people who do not belong to any religion.

By tying ethnic identification with religious affiliation, it may also increase the political power of those religions, stigmatize those who reject the dominant religion of their community, and serve harden religious and ethnic identities.

Individuals continue to face religious and ethnic discrimination in employment, housing, and social services in regions that are not dominated by their own ethnic group. In December 2009, the European Court of Human Rights ruled that **the Bosnian constitution is discriminatory** for allowing only Bosniaks, Croats, and Serbs to run for the presidency or serve in the upper house of parliament, excluding candidates from the Jewish, Romany, and other minorities. However, no remedies have been implemented to date.

A concordat with the Holy See recognizes the public juridical personality of the Catholic Church and grants a number of rights, including legal personality, formation of educational and charitable

institutions, religious education, and official recognition of Catholic holidays. A mixed commission for implementation of the concordat, composed of five members from the government and five from the Holy See, meets regularly to discuss the adoption of laws on religious holidays and restitution of nationalized properties. A similar agreement exists with the Serbian Orthodox Church. An agreement between the government and the Islamic Community is in the development phase.

The law affirms the right of every citizen to religious education. **The law calls for an official representative of the various religious communities to be responsible for teaching religious studies in all public and private preschools, primary schools, and universities**. These individuals are employees of the schools in which they teach, but receive accreditation from the religious body governing the curriculum.

However, religious education is largely decentralized. **Public schools offer religious education classes, but with some exceptions, only in the municipality's majority religion.** Students have the legal right to opt out of religion classes, or parents on their behalf in the case of primary school students.

In the Federation's five Bosniak-majority cantons, primary and secondary schools offer Islamic religious instruction as a two-hour-per-week elective course. In cantons with Croat majorities, Croat students attend an elective one-hour-per-week Catholic religion course in primary and middle schools. However, in 13 Croat-majority primary and secondary schools in the Federation, parents can choose between the elective Catholic religion course and a course in ethics. At the beginning of the 2012 school year, the Sarajevo Cantonal Ministry of Education introduced alternative courses to religious education called "Society, Culture, and Religion" in primary schools and "Culture of Religion" in secondary schools for students who do not want to attend religious education classes. Schools in Tuzla offer students a similar option.

Croatia

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. While officially there is no state religion, **the Catholic Church has a very prominent and privileged position in public life.**

Systemic Discrimination

- SYSTEMATIC RELIGIOUS PRIVILEGE
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**

The Catholic Church receives substantial state financial support, as well as other benefits established in at least four concordats between the government and the Vatican. According to the Commission for Relations with Religious Communities, **the concordats with the Vatican grant the Catholic Church more than $43 million dollars in annual government funding for religious education and other operational costs.**

The Catholic catechism is taught in all state schools. Non-Catholic children have some rights to opt out of catechism classes. Schools that have at least seven students from any one non-Catholic

religious are allowed separate religion classes for those students. However, **non-Catholic students at most schools are not provided with any alternative classes to the catechism classes, such as lessons about ethics or the religion of their choice.**

In April 2010 the Constitutional Court refused to rule on the constitutionality of the catechism classes in state schools. The court stated that it lacked jurisdiction in the matter since it was unable to rule on the merits of international treaties (ie. the concordat). The decision was in response to a suit filed in 2000 claiming that the agreement violated the equal rights of all citizens.

Croatian State Radio and Television, the state-run broadcaster, has a formal agreement with the Catholic Church to provide regular, extensive coverage of Catholic events (as many as 10 hours per month). Other religions and denominations receive approximately 10 minutes broadcast time per month or less.

In addition to the concordats and other agreements with the Catholic Church, the government has **agreements with fifteen other religious denominations** that together make up about 15 percent of the population. A registered religious community may enter into agreements with the government if it was historically present in Croatia in 1941, or if it has at least 6,000 members. According to the Commission for Relations with Religious Communities, **the government provided 20 million kuna (US$3,440,000) during the year to these non-Catholic religious groups in amounts proportional to their size (that amounts to less than 8% of the funding Croatia gives the Catholic Church).**

The constitution guarantees freedoms of expression and the press, and these rights are generally respected. However, journalists covering corruption and organized crime report that they are subject to political pressure, intimidation and assaults. There is unlimited access to the Internet.

The rights to freedom of assembly and association are guaranteed in the constitution and respected in practice.

Greece

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- SYSTEMATIC RELIGIOUS PRIVILEGE
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. **However, anti-blasphemy laws and state sponsorship of religion exist.**

The last couple of years have seen a sharp increase in blasphemy cases, coinciding with increasing xenophobia and civil strife in Greek society. Article 198 of the Greek Penal Code states that "1. One who publicly and maliciously and by any means blasphemes God shall be punished by imprisonment for not more than two years; 2. Anyone, except as described in par.1, who displays publicly with blasphemy a lack of respect for things divine, is punished with up to 3 months in prison. " Article 199 states that "one who publicly and maliciously and by any means

blasphemes the Greek Orthodox Church or any other religion tolerable in Greece shall be punished by imprisonment for not more than two years." **Similarly, the country outlaws any speech or acts that "insults public sentiment" or "offends people's religious sentiments."**

The government financially supports the Orthodox Church; for example, the government pays for the salaries and religious training of clergy, finances the maintenance of Orthodox Church buildings, **and exempts from tax Orthodox Church's revenues from properties it owns**.

Orthodox religious instruction in primary and secondary schools, at government expense, is mandatory for all students. Although non-Orthodox students may exempt themselves, in practice public schools offer no alternative activity or non-Orthodox religious instruction for these children.

Highlighted Cases:

On June 9th, 2012, three actors in the play **"Corpus Christi"** were arrested on the charge of blasphemy following a lawsuit filed by Greek Orthodox Bishop Seraphim of Piraeus. Then, in November, the Athens public prosecutor charged the organizers, producers and cast of the play with blasphemy. If convicted, they could face several months in prison. According to newspaper reports, Bishop Seraphim was accompanied to court by members of the neo-Nazi Golden Dawn party.

Ref: *http://www.csmonitor.com/World/Europe/2012/1002/Blasphemy-in-democracy-s-birthplace-Greece-arrests-Facebook-user*

In late September, 2012, a man was arrested in Evia, Greece, on charges of posting "malicious blasphemy and religious insult on the known social networking site, Facebook". The accused, 27-year-old **Phillipos Loizos**, had created a Facebook page for "Elder Pastitsios the Pastafarian", playing on a combination of Elder Paisios, the late Greek-Orthodox monk revered as a prophet by some, and the Greek food pastitsio, a baked pasta dish made of ground beef and béchamel sauce. "Pastafarian" refers to the spoof religion of the Church of the Flying Spaghetti Monster, itself an intentional pun on aspects of Creationism. A manipulated image on the Facebook page depicted Elder Pastitsios with a pastitsio where the monk's face would normally appear.

Ref: *http://greece.greekreporter.com/2012/11/16/greece-prosecutes-corpus-christi-for-blasphemy/*

On March 14th, 2013, Greek artist **Dionysis Kavalieratos** was tried in court on blasphemy charges for three of his Christian-themed cartoons that were displayed in a private Athens art gallery. The gallery owner was a co-defendant. He was acquitted.

Ref: *http://onthewaytoithaca.wordpress.com/2013/04/19/greek-artist-acquitted-of-blasphemy-charges/*

Italy

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression.

However, under article 724 of the penal Code, **blasphemy is considered as an "administrative offense" and punishable with a fine**.

Additionally, the government recognizes the Holy See as a sovereign authority.

Under the 1984 revision of the concordat with the Catholic Church, the state is secular but maintains the practice of **state support for religion**, which can also be extended to non-Catholic confessions if requested. In such cases, state support is governed by legislation implementing the provisions of an *intesa* (accord) between the government and the religious group. **An *intesa* grants clergy automatic access to state hospitals, prisons, and military barracks; allows for civil registry of religious marriages; facilitates special religious practices regarding funerals**; and exempts students from school attendance on religious holidays.

If a religious community so requests, an *intesa* may provide for state routing of funds, through a voluntary check-off on taxpayer returns, to that community.

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**
- **RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES**
- **CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT**
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The state pays Catholic religion teachers, but this financial support is not available to other religious communities. If a student requests the assistance of a religion teacher of a non-Catholic religious group, that group could select a representative but had to cover the cost. **The government provided funds for the construction of places of worship, granted public land for their construction**, and helped preserve and maintain historic places of worship that shelter much of the country's artistic and cultural heritage.

Administrative law requires that all classrooms in state schools display crucifixes. In March 2011, the European Court of Human Rights ruled that crucifixes traditionally hung in school classrooms across the country do not violate the rights of non-Catholics.

Wider issues on thought and expression and other human rights

Freedom of speech and the press are constitutionally guaranteed. However, there are **concerns about the concentration of media ownership**: at various times when Silvio Berlusconi has been prime minister, he controlled up to 90 percent of the country's broadcast media through state-owned outlets and his own private media holdings.

Freedom of assembly and association are guaranteed by law and respected in practice.

Highlighted Cases:

On June 12, 2006, the blasphemy case against the author Oriana Fallaci began in Bergamo, Italy. Prosecutors alleged that her latest book, *La Forza della Ragione* (The Force of Reason), contained eighteen statements "unequivocally offensive to Islam and Muslims." Oriana Fallaci died of lung cancer before the trial could conclude.

On October 20, 2010, the Italian Minister for Foreign Affairs, Franco Frattini, called for Muslims, Jews and Christians to unite to fight the "threat" that he claims atheism poses to society.

Kosovo

The constitution affirms the right of freedom of expression, conscience, and religion for all residents regardless of their religious convictions. It provides for **the separation of religious groups from public institutions and for equal rights for all religious groups, stipulates the country does not have an official religion, and prohibits discrimination based on religion and ethnicity.**

Free and Equal

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

Wider issues on thought and expression and other human rights

While the constitution protects freedoms of expression and the press, it makes exceptions for speech that provokes ethnic hostility. Freedom of assembly is guaranteed by the constitution, but with safeguards for national security and public order.

Malta

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression.

SEVERE DISCRIMINATION

- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

However, **Article 2 of the Maltese Constitution states: (1) The religion of Malta is the Roman Catholic Apostolic Religion. (2) The authorities of the Roman Catholic Apostolic Church have the duty and the right to teach which principles are right and which are wrong. (3) Religious teaching of the Roman Catholic Apostolic Faith shall be provided in all state schools as part of compulsory education.**

The constitution guarantees freedoms of expression and media freedom. However, **blasphemy and criticism ("vilifying") of the Catholic Church are punishable by imprisonment.** Article 163 of the Maltese Criminal Code outlaws any expression which "publicly vilifies the Roman Catholic Apostolic Religion which is the religion of Malta, or gives offence to the Roman Catholic Apostolic Religion by vilifying those who profess such religion or its ministers, or anything which forms the object of, or is consecrated to, or is necessarily destined for Roman Catholic worship", with convictions "liable to imprisonment for a term from one to six months." Article 342 adds "where the act consists in uttering blasphemous words or expressions [... the] maximum punishment may be imprisonment for a term of three months."

As a result of the state endorsement of a particular religion, one third of all primary and secondary students attend Catholic schools, which the state fully funds as per a 1993 concordat between Malta and the Vatican. Owing to certain historical factors, church schools have over the past thirty years obtained a reputation of being educationally better than state schools. This has led to a reinforcing cycle as more educationally-motivated parents send their children to church schools, leading to these schools obtaining better results (and therefore more funding) than state schools. The number of students attending church schools is increasing as the church embarks on a school building program aided by government funds.

Religion in secondary schools is taught by teachers dedicated to that subject. These **religious education teachers have to be given a "Certificate of Suitability" by the local church and there have been instances where these certificates have been revoked due to a teacher not living an "exemplary" life based upon catholic values.** In primary schools, teachers have to teach religion along with other subjects and the church can still object to a teacher regarding suitability though no certificate needs to be given prior to a teacher being engaged in teaching primary school.

Although teachers in church schools are paid by the State, they are selected and employed by the church school management. **There have been reported instances of teachers not being hired, or**

else even being fired by church schools, owing to disapproval over their lifestyle. However, it is difficult to gain concrete evidence of such instances.

Montenegro

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

There is no state religion, and the constitution holds that religious groups are separate from the state and free in their exercise of religious affairs. The law prohibits discrimination, including discrimination on religious grounds.

Systemic Discrimination

- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT**

However, **some government funding is given to religious groups to supplement voluntary contributions.**

The criminal code prescribes a fine or up to two years in prison for preventing or restricting an individual's freedom of belief or membership in a religious group, or for preventing or obstructing the performance of one's religious rites. A fine or maximum one year in prison is the penalty for coercing another to declare his or her religious beliefs. Any government official convicted under this legislation may receive a sentence of up to three years.

It is a crime to cause and spread religious hatred. However, this is defined as including **the mockery of religious symbols** or the desecration of monuments, memorial tablets, or tombs. **Such mockery is punishable by a prison sentence ranging from six months to 10 years in some circumstances**; for example, if it is the result of an abuse of position or authority, if it leads to violence, or if the consequences are deemed detrimental to the coexistence of people, national minorities, or ethnic groups. **In practice, while any de facto blasphemy law inevitably creates "chill", the wide range of this law appears not to make mockery alone punishable with a prison sentence, rather the use of the law for imprisonment is restrained to actually hateful acts.**

Wider issues on thought and expression and other human rights

Freedom of expression is guaranteed by law and is generally respected by the government. In 2011, Montenegro decriminalized libel under European standards. Freedom of assembly is also protected by law and respected in practice.

Portugal

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- **THERE IS A RELIGIOUS TAX OR TITHING WHICH DISCRIMINATES BY PRECLUDING NON-RELIGIOUS GROUPS**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression and freedom of assembly. **These rights are generally respected in practice.**

The law prohibits employers from discriminating against individuals on the basis of religion or belief, and requires reasonable accommodation of employees' religious practices.

The government maintains a separate agreement with the Roman Catholic Church under the terms of a 1940 concordat with the Holy See, as amended in 2004 to comply with subsequent legislation. **The concordat allows the Catholic Church to receive a percentage of the income tax voluntarily allocated by taxpayers to various institutions in their annual tax returns. A taxpayer may allocate a portion of his or her tax payment to any registered religious group.**

The law allows each religious group to negotiate its own concordat-style agreement with the government. This system is not extended to Humanist, secular or other philosophical groups.

Public secondary schools offer an optional survey course on world religions taught by lay teachers. Religious groups may offer **optional religion instruction** through the schools, provided the course is taught by lay teachers and ten or more students of the faith attend the class. **Religious group representatives have the right to approve the course's instructors.** All schools, both public and private, are required to accommodate the religious practices of students, including rescheduling tests if necessary (whether this extends to secular holidays or any non-religious practices is unclear).

San Marino

Mostly Satisfactory

- **OFFICIAL SYMBOLIC DEFERENCE TO RELIGION**
- **STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL**

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

There is no state religion and the law prohibits discrimination based on religion. However, **Catholic symbols are common in state institutions; for example, crucifixes sometimes hang on courtroom and government office walls.**

The state also provides payments to the Catholic Church from income tax revenue. Taxpayers may request that 0.3 percent of their income tax payments be allocated to the Catholic Church or to "other charities." It is unclear whether this includes non-religious groups.

State schools provide Catholic religious instruction; however, students may choose not to participate without penalty.

Serbia

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

Systemic Discrimination

- SYSTEMATIC RELIGIOUS PRIVILEGE
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS SCHOOLS HAVE POWERS TO DISCRIMINATE IN ADMISSIONS OR EMPLOYMENT
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES

According to Article 11 of the constitution, adopted in 2006, **the Republic of Serbia is a secular state, with separation of religion and government**. The constitution goes on to guarantee the rights to freedom of religion or belief, freedom of expression and of assembly and of association, defining them in full accordance with international human rights norms.

The law recognizes seven "traditional" religious groups which appear automatically in the Register of Churches and Religious Communities. **Some other religious groups have claimed that these "traditional" religious groups receive unfair privileges and that other groups are subject to burdensome, arbitrary and inconsistent bureaucratic requirements to register and operate.**

The government subsidizes the salaries of Serbian Orthodox clergy working in other countries.

Students in primary and secondary schools are required to attend classes on one of the seven "traditional" religions or an alternative civic education class. According to representatives from the former religion ministry, the law permits registered "non-traditional" religious groups to offer classes, but none has attempted to do so. **Civil servants from the former religion ministry and representatives of the seven "traditional" religious groups make up the Committee for Religious Education in Elementary and Secondary Schools, which appoints teachers for religious education classes.**

Wider issues on thought and expression and other human rights

The right to freedom of expression is generally respected in practice, as is the right to freedom of assembly. The law bans speech that incites discrimination, hatred, or violence against an individual or group on grounds of religion. Criminal offenses inciting religious hatred carry penalties of one to 10 years in prison, depending on the offense and the severity.

Slovenia

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. **These rights are generally respected in practice.**

The constitution prohibits discrimination on the basis of religion, inciting religious discrimination, and inflaming religious hatred and intolerance.

Mostly Satisfactory

- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The government allows religious education in both private and state-subsidized schools and preschools only on a voluntary basis outside of the school curriculum.

Spain

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice, although **the Roman Catholic Church continues to receive some privileges that are not available to other religions or groups.**

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**

The constitution provides for religious freedom and the freedom of worship by individuals and groups. The constitution also states that "no faith shall have the character of a state religion." **Federal tax law, however, provides taxpayers the option of allocating up to 0.7 percent of their income tax to the Catholic Church or to a nongovernmental organization (NGO), but not to other religious groups.**

The government funds teachers for Catholic, Islamic, Protestant, and Judaic instruction in public schools when at least 10 students request it. The courses are not mandatory. Those students who elect not to take religious education courses are required to take an alternative course covering general social, cultural, and religious themes. Religious groups are responsible for selecting teachers for their particular religion. Either the national Ministry of Education or the regional entity responsible for education certifies teachers' credentials.

Macedonia

Mostly Satisfactory

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. **These rights are generally respected in practice.**

- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

An anti-discrimination law includes discrimination based on religious beliefs.

Wider issues on thought and expression and other human rights

The constitution provides for freedom of the press. However, **the country's media face political pressure and harassment, resulting in self-censorship.**

Freedom of assembly and association are protected by the constitution and respected in practice.

Western Europe

Austria

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. **However, there are some restrictions on speech that might offend religious feelings.**

Systemic Discrimination

- CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A *DE FACTO* 'BLASPHEMY' LAW IS IN EFFECT
- **PREFERENTIAL TREATMENT OF RELIGION**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS OR IS PROVIDED ON A DISCRIMINATORY BASIS**

Section 188 of the Austrian Criminal Code, called 'Vilification of Religious Teachings', criminalizes "Anyone who publicly disparages a person or thing that is the object of worship of a domestic church or religious society, or a doctrine, [or other] behavior is likely to attract legitimate offense…" This *de facto* 'blasphemy' law is used in practice to prosecute and fine individuals.

The government funds religious instruction in public schools and places of worship for children belonging to any of the 14 officially recognized religious societies. The government does not offer such funding to other religious groups. **Attendance in religious instruction is mandatory for all students unless they formally withdraw at the beginning of the school year**; students under the age of 14 require parental permission to withdraw from instruction. Instruction takes place either in the school or at sites organized by religious groups. Some schools offer ethics classes for students not attending religious instruction.

A *Kirchenbeitrag* or 'church tax' must be paid by all members of the Catholic and Protestant Churches. It is operated by the churches, not by the state, however, it can only be avoided by terminating membership of the relevant church.

Highlighted Cases:

On Dec. 11, 2009, Catholic clerics in Vienna sued the cartoonist **Manfred Deix** for two drawings on the website NEWS.at which depict God and the EU prohibition against crucifixes in schools, respectively.

On Jan. 22, 2009, the Austrian politician **Susanne Winter** was sentenced at a court in Graz to pay a $24,000 fine for "humiliating a religion" by saying, among other things, that Mohammed was a paedophile.

On Dec. 11, 2010, 63-year-old **Helmut G.** was convicted for offending his Muslim neighbor by yodeling while lawn mowing. The neighbor claimed Helmet was trying to mock and imitate the *Muezzin*, the Muslim call to prayer.

On Jan. 15, 2011, **Elizabeth Sabaditsch-Wolf** was convicted of offending religion because she exclaimed, about the Prophet Mohammed's nine-year-old wife, "If that is not paedophilia, what is it?"

Belgium

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. The law prohibits discrimination based on religion or philosophical orientation.

Federal law prohibits public statements that incite national, racial, or religious hatred, including Holocaust denial.

Free and Equal

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

The government provides financial support for certain officially recognized religious but also other secular or philosophical groups. Recognized groups receive subsidies such as payment of pastoral salaries, maintenance and equipment for meeting places, and tax exemptions. The government provides financial support to Humanist groups on an equivalent basis to religious groups. Official recognition is based on a complex but transparent set of criteria, including number of adherents, length of existence in Belgium, and "social value". Unrecognized groups do not receive government subsidies, but may worship freely and openly. Some may qualify for tax-exempt status as nonprofit organizations.

The public education system, from kindergarten to university, requires **strict neutrality in the presentation of religious views**, except with regard to the views of teachers of religion or humanism as expressed in the classroom. Religious or secular moral instruction is mandatory in public schools and is provided according to the student's preference. All public schools provide teachers for each of the seven recognized religious groups, as well as for humanism, even in the case that there is only a single pupil for the course. Public school ethics teachers (whether religious or secular) are nominated by a committee from their religious or humanist group and appointed by the community government's education minister.

Private authorized religious schools following the same curriculum as public schools are known as "free" schools. Such schools receive government subsidies for operating expenses, including building maintenance and utilities. Teachers in these schools, like other civil servants, are paid by their respective community governments. Religious ethics are taught in such schools on the same basis as in public schools, however they provide only courses in one religion.

France

The constitution and other laws, including the 1905 law on the "Separation of the Churches and the State", ensure state secularism (*laïcité*) and protect freedom of religion or belief. The constitution also guarantees the rights to freedom of expression, association and assembly, and the government respects these rights in practice.

Mostly Satisfactory

- **ANOMALOUS DISCRIMINATION BY LOCAL OR STATE GOVERNMENT OR PROVINCIAL AUTHORITIES**

There are some exceptions to the policy of strict secularism. Notably, the law of 1905 does not completely apply to all French regions and territories. Because the regions of Alsace and Lorraine were part of the German Empire during the passage of the 1905 law, members of Catholic, Lutheran, Calvinist, and Jewish groups there may choose to allocate a portion of their income tax to their religious group**. Local governments may also provide financial support for building religious edifices.**

In addition, there are still blasphemy laws on the book in the regions of Alsace and Lorraine, as Articles 166 and 167 of the local penal code, although no convictions have been registered.

French Guyana, which is governed under the colonial laws of Charles X, may provide subsidies to the Catholic Church. The French Overseas Departments and Territories, which include island territories in the Atlantic, Caribbean, Pacific, and Indian oceans, are also not subject to the 1905 law and may provide funding for religious groups within their territories.

The French government owns and maintains free of charge all the Roman Catholic churches built before 1905, but no other religious building.

Germany

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. **These rights are respected in practice**.

SEVERE DISCRIMINATION

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- PREFERENTIAL TREATMENT OF RELIGION
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES

Freedom of expression is enshrined in the constitution, and the media are diverse and independent. There are also some constraints on freedom of expression and freedom of association specifically relating to Nazism.

In addition, the criminal code addresses the insulting of faiths, religious societies, and ideological groups. **Article 166 of the German Criminal Code states, "Whoever publicly or through dissemination of writings insults the content of others' religious faith or faith related to a philosophy of life in a manner that is capable of disturbing the public peace, shall be punished with imprisonment for not more than three years or a fine." This has been used in practice to stifle satirical and critical expression (see Highlighted Cases below).**

In 1974, the German state of Bavaria concluded a treaty with the Holy See (technically an addition to the concordat between Bavaria and Pope Pius XI of 1924) which gave Catholic bishops the right to veto the nomination of a professor of theology, philosophy, pedagogy and sociology/political science at state universities if the candidate does not entertain the standpoint of the Catholic Church. This stipulation concerned professors in the faculties of seven Bavarian universities. The Catholic Church had urged this privilege as a compensation for its loss of influence over children from Catholic families after the people of Bavaria had voted in a referendum in 1968 to abolish the separation of primary schools into separate Catholic and Protestant schools.

Highlighted Cases:

On April 24, 2009, German professor of Islamic studies **Sven Kalisch**, expressed doubts about the historical existence of Muhammad and received death threats. He must live under police protection and teach in secret. Kalisch received a prohibition from the Minister of Science Andreas Pinkwart against participating in the education of teachers of Qu'ran, but he is permitted to continue his research.

Ref: *http://dachnews.wordpress.com/2008/09/21/professor-for-islamic-theology-muhammed-sven-kalisch-faces-death-threats-after-denying-muhammads-existence/*

On April 9, 2010, the German magazine ***Titanic*** was prosecuted by a Frankfurt court for a front page where the crucified Jesus appears to be receiving fellatio from a Catholic cleric, as a commentary to the actual paedophilia scandals in the Catholic Church.

Ref: *http://www.spiegel.de/international/zeitgeist/pope-benedict-xvi-sues-german-satire-magazine-titanic-a-843690.html*

In 2007, the **chair of moral philosophy at the Institute for Philosophy at Erlangen University** in Bavaria went into retirement and the chair was advertised with the usual disclaimer that that it was subject to the Bavarian-Catholic Concordant of 1974. Seven citizens then filed a claim with the courts regarding this advertisement, claiming that it was illegal and discriminatory. However, since of these seven people only **Professor Ulla Wessels** had actually applied for the position, Wessels was the only petitioner able to carry on with the litigation. The university, representing the State of Bavaria, argued that questions of religion had not played any role in the deliberation of the nomination committee.

However, Wessels was able to present a letter to the court written by the dean of the faculty, who was also the head of the hiring committee, sent to one of the candidates asking which faith he belonged to. The court then ordered a stop to the proceedings of the nomination committee in December 2010.

Shortly after this ruling the last candidate on the nomination list declined the offer of the university and the proceedings of the committee and also of the litigation came to an end. Wessels, in order to get a ruling on the question of the constitutionality of this church privilege, asked the court to rule as to whether the proceedings of the faculty had been contrary to German law. The district court and the court of appeals then rejected her claim, arguing that

Professor Wessels had no justified interest in the ruling she was asking for since a case of recurrence could be ruled out: the university would be bound to pay no attention to the religion of the candidates in the future.

Professor Wessels has since filed a constitutional appeal with the federal constitutional court. The aforementioned chair of moral philosophy was then advertised anew with the relevant disclaimer regarding the Concordant. This was in direct contravention of the ruling of the court.

Ref: *http://www.konkordatslehrstuhlklage.de/*

Liechtenstein

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression. However, **the constitution makes the Catholic Church the "National Church" of the country.**

Systemic Discrimination

- **THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION**
- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**

The constitution and other laws and policies protect freedom of religion or belief. The criminal code prohibits any form of discrimination against or debasement of any religion or its adherents. However, **according to the constitution, Roman Catholicism is the state religion "with full protection from the state." As such, it receives higher government subsidies than other religious organizations, holds a guaranteed role in education and religious teaching in schools, and has a voice in the political and legal decision-making process.**

The government gives money not only to the Catholic Church, but also to other denominations. Catholic and Protestant churches receive regular annual contributions from the government in proportion to membership as determined in the 2000 census; smaller religious groups are eligible to apply for grants for associations of foreigners or specific projects.

Religious education is part of the curriculum at public schools. **Catholic or Protestant religious education is mandatory in all primary schools, but exemptions are routinely granted.** Islamic religious classes have been introduced in some primary schools since 2008.

The curriculum for Catholic confessional education is determined by the Roman Catholic Church with only a minor complementary supervisory role by the municipalities. **At the secondary school level, parents and pupils choose between traditional confessional education organized by their religious community and the non-confessional (secular) subject "Religion and Culture."** Since its introduction in 2003, 90 percent of Catholic pupils have chosen the non-confessional subject.

Wider issues on thought and expression and other human rights

The constitution guarantees freedoms of expression and the media, and these freedoms are respected in practice. Freedoms of assembly and association are also protected and respected in practice.

Luxembourg

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS WITHOUT SECULAR ALTERNATIVES**

While there is no state religion, the constitution provides for state payment of salaries and pensions for clergy of those religious groups that sign a convention with the government. To qualify, a religious group must establish an official and stable representative body with which the government can interact. Only the following religious groups receive support: Catholic; Greek, Russian, Romanian, and Serbian Orthodox; Anglican; the Reformed Protestant Church of Luxembourg; the Protestant Church of Luxembourg; and Jewish congregations.

Religious instruction in public schools is a local matter, coordinated between representatives of the Catholic Church and 106 communes. There are government-salaried religious instructors at all levels in public schools. Parents and pupils may choose between instruction in Catholicism or an ethics course. Schools grant exemption from this instruction on an individual basis.

The government subsidizes all private religious schools affiliated with a parent religion that has signed a convention with the state. The government also subsidizes a Catholic seminary.

Wider issues on thought and expression and other human rights

Freedom of expression is guaranteed by the constitution and respected in practice.

Monaco

Systemic Discrimination

- THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice, although **Roman Catholicism is the official state religion.**

Catholic ritual generally plays an important role in state festivities, including the annual National Day celebration and significant events in the lives of the ruling family.

Wider issues on thought and expression and other human rights

The constitution provides for freedoms of speech and the press. However, criticism of the ruling family is prohibited.

Netherlands

Free and Equal

- FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. **These rights are generally respected in practice.**

It is a crime to engage in public speech that incites hatred against persons on the ground of their race, religion or belief, gender, sexual orientation and (dis)abilities. Dutch Penal Code also penalizes defamation of groups because of their race, religion or conviction, sexual orientation and (dis)abilities.

The Dutch Penal Code used to criminalize blasphemy, but **in 2013 the abolition of 'blasphemy' laws was agreed by the Dutch House of Representatives (lower house) and then finally abolished by the Senate (upper house) in December 2013.**

However, a parliamentary motion was approved in December 2013 that wants to examine an amendment to another statute, which would broaden prohibited speech to include "serious insult to religion". This possibility is pending, but is subject to a consultation. A similar procedure in 2009 found that such an extension was unnecessary.

The educational system is divided between public and 'special' (*'bijzondere'*) schools. Both are funded by the state. Special schools are based on a religious or secular-pedagogical-system. Approximately 2/3 of the schools are special schools, most of which are religious. **Special schools are allowed by law to refuse pupils and teachers on the basis of their lifestyle or belief-system and have the rights to be secretive about their financial situation and funding, but this applies to religious and to secular-pedagogical special schools.** In practice only the very orthodox-religious schools use this measure.

Neither the Dutch Humanist Association, *Humanistisch Verbond*, nor any other Humanist group, run humanist schools, and are in general in favor of public and inclusive schools. Humanists do provide ethical education from a humanistic perspective in public primary schools.

The Dutch Minister of Education has proposed to cease funding ethical and worldview-education at public schools, since parents could send their children to special (religious) schools if they wished them to be educated in ethics and worldviews. The Dutch government voted against the plans, but it is of concern that the Dutch Minister believes moral, ethical and worldview education are reducible to the "religious", ignoring the secular and humanist ethics.

The government provides financial support for certain officially recognized religious groups on an equal basis with philosophical or humanist groups. Financial support is based on freedom of choice, equality, plurality and social goals, though some practices vary at the local level.

Same-sex marriages have been legal in the Netherlands since 2001. It is guaranteed that in every town a same-sex marriage can be registered, but a small number of local governments are still hiring new civil servants who can refuse to conduct such ceremonies. **In effect this means that the state tolerates discrimination, if it is based on a moral conviction (but probably not uniquely from a religious conviction).**

Due to the influence of two small orthodox-Protestant parties in negotiations on budget deals, **secular political parties made several concessions by delaying the introduction of secular bills. There is a lack of transparency concerning these arrangements.** Issues like abortion, blasfemy, euthanasia, stem-cell research and Sunday-shopping were or remain contested issues between secular and religious parties.

Switzerland

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. However, while these rights are generally respected in practice, **some individual cantons still pursue discriminatory policies based on the locally dominant religion (Protestant or Catholic).**

Systemic Discrimination

- **THERE IS A RELIGIOUS TAX OR TITHING WHICH DISCRIMINATES BY PRECLUDING NON-RELIGIOUS GROUPS**
- ANOMALOUS DISCRIMINATION BY LOCAL OR STATE GOVERNMENT OR PROVINCIAL AUTHORITIES

Most of the 26 cantons (with the exception of Geneva and Neuchatel, where church and state are separate) financially support at least one of the three traditional religious communities—Roman Catholic, Old Catholic, or Protestant—with funds collected through a church tax. Each canton observes its own regulations regarding the relationship between church and state. In some cantons the church tax is voluntary, while in others an individual who chooses not to contribute to the church tax may have to leave the church formally**. In some cantons private companies are unable to avoid payment of the church tax.** Some cantons also allow the church tax to be collected on behalf of the Jewish community.

Islamic and other non-traditional religious and atheist groups are entirely excluded from this system.

There are also some concerns about the promotion of religion in some public schools in some cantons (see Highlighted Cases below).

Highlighted cases:

In October 2010, **Valentin Abgottspon** was dismissed from his job as teacher at a public school in the canton of Valais after he raised concerns about the state's promotion of Catholicism in public schools. Article 3 of the canton's education law states that schools should prepare students for their duties "as human beings and Christians". Abgottspon was told he was fired for removing the crucifix from the classrooms in the public school at which he taught.

OCEANIA

Australia and New Zealand

Australia

The Australian constitution bars the federal government from making any law that imposes a state religion or religious observance, prohibits the free exercise of religion or sets a religious test for a federal public office. There is no charter of general rights at the national level. Freedom of thought, conscience and religion is protected in various statute laws which follow UN conventions such as the Universal Declaration of Human Rights and the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Systemic Discrimination

- **PREFERENTIAL TREATMENT OF RELIGION**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- RELIGIOUS GROUPS CONTROL OR HAVE HIGHLY PRIVILEGED ACCESS TO SOME PUBLIC OR SOCIAL SERVICES
- **CRITICISM OF RELIGION IS RESTRICTED IN LAW OR A DE FACTO 'BLASPHEMY' LAW IS IN EFFECT**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

There are no constitutional protections for freedoms of speech and the press, but in practice there is a free press and citizens have significant freedom of expression. However, the federal government and several states have passed laws outlawing "racial vilification" and **the states of Tasmania, Queensland and Victoria have extended those laws to also outlaw any "religious vilification". The *Racial and Religious Tolerance Act* passed by Victoria in 2001 has been used several times to prosecute people for religious criticism. Section 8 (1) of the law states: "A person must not, on the ground of the religious belief or activity of another person or class of persons, engage in conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, that other person or class of persons."**

Although the government is officially secular, it **continues to favour Christianity for many public ceremonies**. For example, each session of parliament begins with a joint recitation of the Lord's Prayer. Religions institutions enjoy long-standing privileges in being exempted from paying tax and from complying with laws, such as the Victorian *Equal Opportunity Act* against discrimination and *Australian Charities & Not-for-profits Commission Act* for transparent governance. Details of religious tax exemption are given in Max Wallace's polemic, *The Purple Economy: supernatural charities, tax and the state* (Aust. National Secular Association, 2007).

Individuals who suffer discrimination on the grounds of religion or belief have recourse under federal discrimination laws or through the court system and bodies such as the Human Rights and Equal Opportunity Commission. Federal laws that protect freedom of religion include the *Racial Discrimination Act*, the *Human Rights Commission Act* and the *Workplace Relations Act*. Public

service employees who believe they are denied a promotion on religious grounds can appeal to the public service merit protection commissioner.

The state of Tasmania is the only state or territory whose constitution specifically provides citizens with the right to profess and practice their religion; however, seven of the eight states and territories have laws prohibiting discrimination on the basis of a person's religion or ethno-religious background. South Australia is the only jurisdiction that does not explicitly prohibit discrimination on the grounds of religion. All jurisdictions, apart from South Australia, have independent agencies to mediate allegations of religious discrimination.

The privileged status of religion in society has allowed government to cede control of various social services to religious institutions. In January 2013 the federal government appointed a Royal Commission "to inquire into institutional responses to allegations and incidents of child sexual abuse and related matters". The great majority of complaints have involved abusive clergy who were protected by their church, which was in turn accorded unwarranted deference by state authorities.

The government permits religious education in public schools, generally taught by volunteers using approved curricula. Public schools in New South Wales provide secular ethics classes as an alternative for students who do not attend religious instruction classes. **In other states, there is no secular alternative to religious education, but non-religious students may opt out of the class.**

The government's National School Chaplaincy Program, established in 2007, provides annual support of up to A$20,000 (US$20,800) per chaplain in urban areas and A$24,000 (US$24,960) in remote areas for government and nongovernment school communities to conduct chaplaincy services. In 2011 the government authorized A$222 million (US$230.9 million) to be disbursed between 2012 and 2014 to continue funding participating schools and extend funding to 1,000 more chaplains in remote and disadvantaged areas. **In June 2012, following a challenge by a private individual, the High Court ruled that the program exceeded the Commonwealth's spending powers. Later that month, parliament passed legislation authorizing the program.**

The federal government provides funding to private schools, the majority of which are faith-based.

Highlighted Cases:

In March 2002, Pastors **Daniel Scot** and **Danny Nalliah** of the evangelical group *Catch The Fire Ministries* gave a presentation titled "The Nature Of Islam," which included their arguments in favour of Christianity over Islam. Following complaints from Muslims, Scot and Nalliah were charged under the state of Victoria's *Racial and Religious Tolerance Act of 2001*. They were found guilty of vilifying Islam and ordered to buy newspaper adverts apologizing for their statements about Islam and never to repeat those statements in Australia. This judgement was eventually overturned on appeal, and in June 2007 the parties came to an out-of-court agreement.

Ref: *The Jihād Seminar* , Hanifa Deen (Univ. of Western Australia Press, 2008)

New Zealand

SEVERE DISCRIMINATION

- **'BLASPHEMY' IS OUTLAWED OR CRITICISM OF RELIGION IS RESTRICTED AND PUNISHABLE WITH A PRISON SENTENCE**
- STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

New Zealand does not have a written constitution but **laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.**

New Zealand does not have a state religion. Provided that religious practices do not breach the peace, religious expression is unrestricted.

While the government does not specifically promote any particular religion or denomination, **non-denominational religious ceremonies and invocations are common at government events and in numerous other element of the state's self-representation**. For example: a prayer is recited at the opening of every parliamentary session and some local authority meetings; both official National Anthems invoke god; religious symbols are incorporated into the New Zealand flag; religion in the form of prayers and song are used at many government, local authority, and other state functions; and state funerals are invariably religious even when the deceased person is not.

In addition, the state subsidizes religious activities through tax exemptions, through grants, and through subsidies to religious schools.

Furthermore, **a Religious Libel law remains on the statute books: Section 123 of the Crimes Act 1961 criminalizes "blasphemous libel" with a maximum sentence of one year.** There is no record of a successful prosecution under this law.

The law provides that teaching within public primary schools "shall be entirely of a secular character." However, it also **permits religious instruction and observances in state primary schools within certain parameters. If the school committee in consultation with the principal or head teacher so determines, any class may be closed at any time of the school day for the purposes of religious instruction given by voluntary instructors.** While attendance at religious instruction or observances is not compulsory **some pupils are not given the option to opt out and pupils must opt out rather than opt in. Those that do opt out are sometimes known to face discriminatory and punitive practices.**

While teaching in public secondary schools is generally of a secular character there is no requirement for this and **religious instruction may also occur in secondary schools at the discretion of individual school boards.**

The state also fully funds private "Integrated" and "Partnership" schools and partially funds other Private schools. There is no requirement for teaching in Integrated, Partnership, and Private schools to be of a secular character and **these schools may introduce religious instruction at the discretion of individual school boards**. The ministry does not keep data on how many schools permit religious instruction or observances.

Wider issues on thought and expression and other human rights

Freedom of expression and media freedom are protected by law and broadly respected in practice. Freedom of assembly and freedom of association are also fully protected in law and broadly respected in practice.

Melanesia

Fiji

After years of coups, and suspension of the constitution, Fiji adopted a new constitution in September 2013, which incorporates international human rights standards for freedom of religion or belief, and freedoms of expression, association and assembly. It is too soon to say whether these newly declared rights will be respected in practice, especially given the recent history of coups and widespread violations of the rights to free expression, association and assembly.

Free and Equal

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

NOTE: GIVEN THE RECENCY OF THE NEW CONSTITUTUION AND CONTESTED GOVERNMENT, THIS RATING SHOULD BE CONSIDERED PROVISIONAL.

The new constitution of 2013 creates a secular state that guarantees freedom of religion or belief for all persons. The new constitution's Bill of Rights also guarantees: the right to freedom of speech, expression, thought, opinion and publication (Article 17); the right to freedom of religion, conscience and belief (Article 22); the right to freedom of assembly (Article 18); and the right to freedom of association (Article 19).

The conflict in Fiji is drawn largely along ethnic lines that also reflect religious divisions: the indigenous Pacific Islanders who led the coups are mostly Christian, while the descendants of Indians who lost rights under the coups are mostly Hindu. Nevertheless, even during military coups and rule by emergency powers, **the authorities generally respected the right to freedom of religion or belief, although there were some vandalism against places of worship, especially Hindu temples**.

In 2009, Fiji's Court of Appeals ruled that the coup of 2006 was illegal and the government was therefore illegitimate. The government responded by suspending the constitution and imposing Public Emergency Regulations (PER) to ban public protests and tighten government control of the media.

Even after the end of emergency rule, with its extensive censorship of political comment, the government continued to censor the media and limit freedom of political expression. In2012, the government threatened not to renew Fiji TV's license after it aired interviews with former prime ministers.

The severe restrictions on freedom of assembly under emergency rule have been loosened since 2012. If fully implemented, the 2013 constitution will remove the remaining restrictions on the right to assembly and public demonstrations.

Papua New Guinea

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. However, **most public and social services are provided by religious groups that receive government funding for their work.**

There is no state religion, but the predominance of Christianity is recognized in the preamble of the constitution, which refers to "our noble traditions and the Christian principles that are ours". The constitution's provisions for freedom of conscience, thought, and religion have consistently been interpreted to mean that any religion may be practiced or propagated as long as it does not interfere with the freedom of others.

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **RELIGIOUS GROUPS CONTROL SOME PUBLIC OR SOCIAL SERVICES**
- **STATE-FUNDING OF RELIGIOUS INSTITUTIONS OR SALARIES, OR DISCRIMINATORY TAX EXEMPTIONS**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL
- SOME CONCERNS ABOUT POLITICAL OR MEDIA FREEDOMS, NOT SPECIFIC TO THE NON-RELIGIOUS

Churches continue to run most schools and many health services, and the government provides support for these institutions. In addition, the government pays the salary and provides benefits for the majority of teachers and health staff (generally members of the civil service) who work at these church-administered institutions, as it does with teachers and health staff of national institutions.

It is the policy of the Department of Education to set aside **one hour per week for religious instruction in the public schools**. Representatives of Christian churches teach the lessons, and students attend the class operated by the church of their parents' choice. Children whose parents do not wish them to attend the classes are excused.

Wider issues on thought and expression and other human rights

Freedom of expression is protected by the constitution and respected in practice. The media provide independent coverage of controversial issues such as alleged police abuse, official corruption, and opposition views. However, **the government and politicians have occasionally used media laws and libel and defamation lawsuits to limit critical reporting**.

The constitution provides for freedoms of assembly and association, and the government generally observes these rights in practice. Marches and demonstrations require 14 days notice and police approval.

Solomon Islands

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

In general the government does not subsidize religious groups. However, **religious groups operate several schools and health services**. **The government subsidizes schools administered by the Catholic Church, the Anglican Church of Melanesia, the United Church, the South Seas Evangelical Church, and the Seventh-day Adventist Church.**

Systemic Discrimination

- **SYSTEMATIC RELIGIOUS PRIVILEGE**
- **STATE-FUNDING OF RELIGIOUS SCHOOLS**
- **RELIGIOUS GROUPS CONTROL SOME PUBLIC OR SOCIAL SERVICES**
- STATE-FUNDED SCHOOLS OFFER RELIGIOUS INSTRUCTION WITHOUT SECULAR ALTERNATIVES BUT IT IS OPTIONAL

The public school curriculum includes an hour of daily religious instruction, the content of which is agreed upon by the five Christian churches of the Solomon Islands Christian Association. Students whose parents do not want them to attend the class are excused.

Government-subsidized church schools must align their curricula with governmental criteria. Non-Christian religious instruction may be taught in the schools for practitioners of other religions, upon request.

Micronesia

Kiribati

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of opinion and expression.

These rights are generally respected in practice. There is no state religion and the government does not favour a particular religious group.

Free and Equal

- FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS

Marshall Islands

The constitution and other laws and policies protect freedom of religion or belief, as well as freedom of opinion and expression. **These rights are generally respected in practice.**

Mostly Satisfactory

- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The constitution provides for the free exercise of religion and equal protection under the law, regardless of religious beliefs. There are no legislative restrictions on religious practices.

Although there is no official state religion, Christianity is the dominant social and cultural influence. Governmental functions typically begin and end with an ordained minister or other church official delivering a Christian prayer.

There is no religious education in public schools and no opening or closing prayers during the school day. However, **most extracurricular school events begin and end with an interdenominational Christian prayer**.

Freedoms of expression and association are protected by law and respected in practice.

Micronesia (Federated States of)

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

Mostly Satisfactory

- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

The constitution's Declaration of Rights forbids the establishment of a state religion or governmental restrictions on freedom of religion. The constitution protects freedom of religion against abuse, either by governmental or private actors.

The government provides a few grants to private, church-affiliated schools. Public schools do not provide religious instruction.

Government functions uniformly open and close with a prayer, invocation, or benediction from a Protestant or Catholic pastor or lay deacon, and often from one of each.

Wider issues on thought and expression and other human rights

The constitution protects freedom of expression and media freedom. And the news media operate freely.

Nauru

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally respected in practice.

- **FREEDOM OF RELIGION OR BELIEF IS UPHELD AND THERE ARE NO KNOWN CASES OF DISCRIMINATION AGAINST NON-RELIGIOUS INDIVIDUALS**

There is no state religion. The constitution and other laws and policies protect religious freedom.

Under the constitution, the rights to freedom of conscience, expression, assembly, and association may be restricted by any law "which is reasonably required…in the interests of defense, public safety, public order, public morality or public health."

Wider issues on thought and expression and other human rights

Freedom of expression and freedom of assembly are guaranteed by the constitution and respected in practice. The government does not restrict or censor the news media.

Palau

The constitution and other laws and policies protect freedom of religion or belief, and freedom of expression and assembly. These rights are generally respected in practice.

- **OFFICIAL SYMBOLIC DEFERENCE TO RELIGION**

Although the government does not sponsor religious groups or promote religious activities, **prayers are generally offered at government-sponsored ceremonies and events**.

The government does not permit religious instruction in public schools. Representatives of any religious group may request government financial support for religious schools.

Wider issues on thought and expression and other human rights

Freedom of expression and freedom of the press are guaranteed by the constitution and generally respected in practice.

Polynesia

Samoa

The constitution and other laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected by the national government, but **at the local level there is very strong pressure to conform with Christianity**.

The constitution and other laws and policies protect religious freedom. The constitution provides for the right to choose, practice, and change the religion of one's choice. Legal protections cover discrimination or persecution by private as well as government actors.

The preamble to the constitution describes the country as "an independent State based on Christian principles and Samoan custom and traditions." There is no official state religion, however **the constitution favors Christianity and public ceremonies typically begin with a Christian prayer.**

- **EXPRESSION OF CORE HUMANIST PRINCIPLES ON DEMOCRACY, FREEDOM AND HUMAN RIGHTS IS SEVERELY RESTRICTED**
- **SYSTEMATIC RELIGIOUS PRIVILEGE RESULTS IN SIGNIFICANT SOCIAL DISCRIMINATION**
- DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS
- STATE-FUNDING OF RELIGIOUS SCHOOLS
- RELIGIOUS INSTRUCTION IS MANDATORY IN AT LEAST SOME PUBLIC SCHOOLS
- COERCIVE TITHING OR A DISCRIMINATORY RELIGIOUS TAX IS COMPULSORY
- OFFICIAL SYMBOLIC DEFERENCE TO RELIGION

NOTE: WHILE SOCIAL PRESSURES (AS OPPOSED TO SYSTEMIC DISCRIMINATION) ARE OUTSIDE THE SCOPE OF THIS REPORT, THE SEMI-FORMAL AUTHORITATIVE NATURE OF LOCAL CLAN CHIEFS AND THE RESTRICTIONS THEY CAN PLACE ON FREEDOM OF THOUGHT AND EXPRESSION, HAVE BEEN TAKEN INTO ACCOUNT.

The constitution provides freedom from unwanted religious education in schools and gives each religious group the right to establish its own schools. Nevertheless, **a 2009 education policy, enforced since 2010, makes Christian instruction compulsory in public primary schools and optional in public secondary schools**. **This policy is a violation of the constitution but reflects a government decision that Christian beliefs should be taught in schools.** The government institutes the policy inconsistently in government schools across the country with little if any public concern or opposition. Church-run pastoral schools in most villages traditionally provide religious instruction after school hours.

There is strong social pressure applied to conform with Christianity. **Matai, or clan chiefs, control local government at the village level, and generally enforce conformity with the village church.** Entire families have been forced to leave their villages for allegedly insulting a *matai*, embracing a different religion, or voting for political candidates not endorsed by the matai. Approval of the matai is essential for most candidates for elected office.

In many villages *matai* forbid individuals to belong to any religion other than the village church or to exercise their right not to worship. Villagers in violation of such rules faced fines and/or banishment from the village.

As a result, there is a high level of religious observance and strong societal pressure to participate in church services and other activities, and to support church leaders and projects financially. In some denominations, financial contributions often totalled more than 30 percent of family income. **The issue of (de facto compulsory) tithing has recently gained media attention as some members of parliament spoke out about pressure on families to give disproportionate amounts of their incomes to churches.**

Tonga

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. These rights are generally respected in practice.

Systemic Discrimination

- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

There is no state religion. However, the constitution states that **Sunday as the Sabbath day is to be "kept holy" and that no business can be conducted "except according to law."** The government makes an exception for hotels and resorts that are part of the tourism industry but **there are no exceptions for any other businesses, regardless of a business owner's religion.**

The government-owned Tonga Broadcasting Commission (TBC) maintains policy guidelines regarding the broadcast of religious programming on TV Tonga and Radio Tonga. The TBC guidelines state that in view of "the character of the listening public," **those who preach on TV Tonga and Radio Tonga must confine their preaching "within the limits of the mainstream Christian tradition."** All religious groups are permitted to host programs on Radio Tonga and TV Tonga, but **discussions of the basic tenets of non-Christian religions are not permitted**. Notices of activities of all churches were broadcast on both Radio Tonga, TV Tonga, and on privately-owned radio and television stations.

Wider issues on thought and expression and other human rights

The rights to freedom of expression, including press freedom, and freedom of assembly and of associate are protected by law and generally respected in practice.

Tuvalu

The constitution and other laws and policies protect freedom or thought, conscience and religion, as well as freedom of expression, assembly and association. Most of these rights are protected in practice, although **there are some restrictions on religious organizations**.

Systemic Discrimination

- **THERE IS AN ESTABLISHED CHURCH OR STATE RELIGION**
- **PREFERENTIAL TREATMENT OF RELIGION**
- **DISCRIMINATORY PROMINENCE GIVEN TO RELIGIOUS BODIES, TRADITIONS OR LEADERS**
- CONCERNS THAT SECULAR OR RELIGIOUS AUTHORITIES INTERFERE IN SPECIFICALLY RELIGIOUS FREEDOMS

The constitution provides for separation of church and state; however, **the Church of Tuvalu is by law the state church, although the main benefit of this status is "the privilege of performing special services on major national events." The preamble of the constitution states the country is "an independent State based on Christian principles, the Rule of Law, and Tuvaluan custom and tradition." Government ceremonies at the national level, such as the opening of parliament, and at the island-council level, often include Christian prayers and clergy.**

The Religious Organizations Restriction Act places some **limits on religious organizations**: any new religious group with more than 50 members must register with the government or face prosecution; all religious groups in the country must also register with and obtain approval from the traditional elder councils, known as Falekaupule, of any island on which they conduct services. The act also allows the Falekaupule to withhold permission to certain religious groups to meet publicly should they be locally judged to "directly threaten the values and culture of the island community.

Wider issues on thought and expression and other human rights

The constitution provides for freedoms of speech and the press, and for freedoms of association and assembly, and the government upholds these rights in practice.

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The International Humanist and Ethical Union is the world union of more than 120 Humanist, atheist, rationalist, secular, ethical culture, and freethought organizations from more than 40 countries. Its mission is to represent and support the global Humanist movement, with the ultimate goal of building a Humanist world in which human rights are respected and all can live a life of dignity.

If you have updates, additions or corrections for the report please send them to report@IHEU.org or visit the report website at *freethoughtreport.com*

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The cover image features a detail from a map produced using the data from this report..