

THE FREEDOM OF THOUGHT REPORT 2015

A Global report on the rights,
legal status and discrimination
against humanists, atheists and
the non-religious



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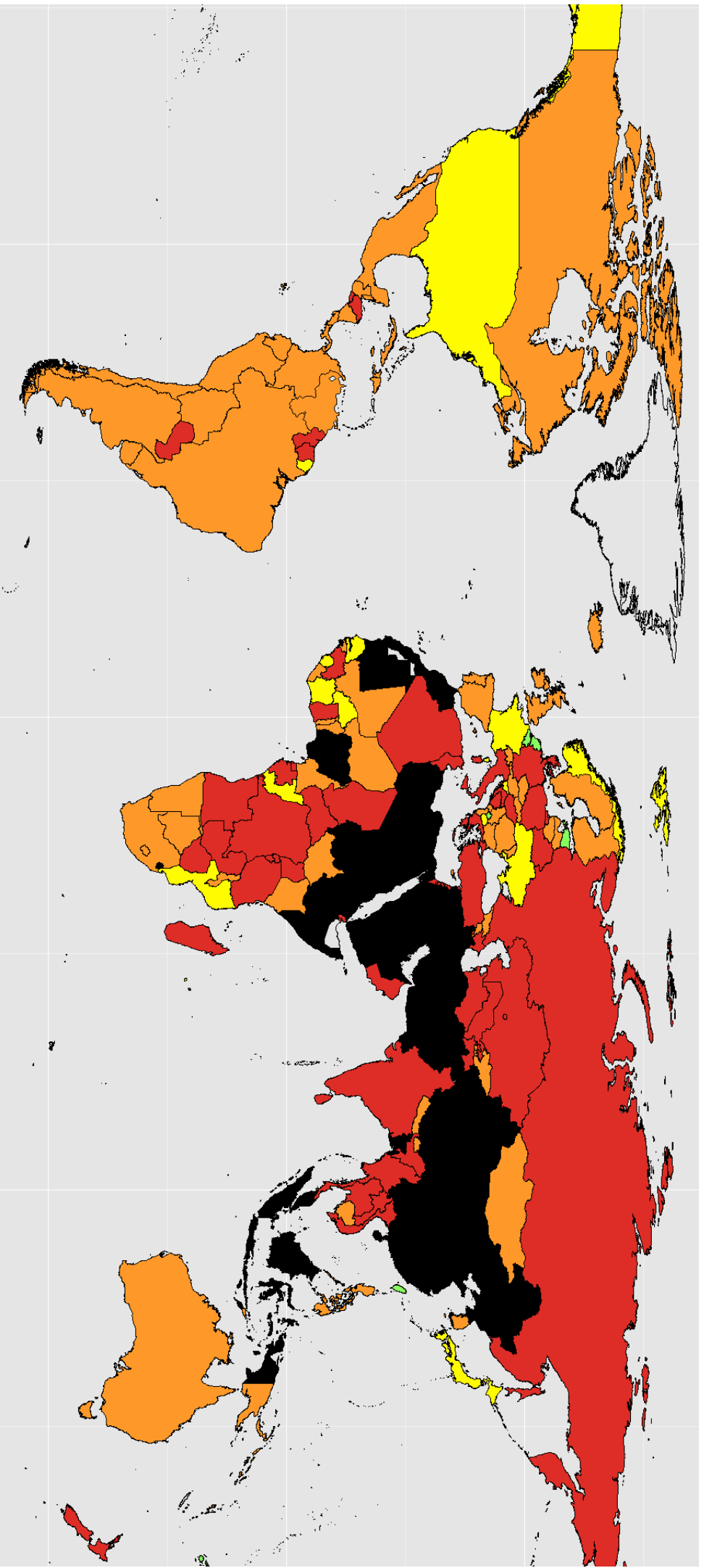
Freedom of Thought 2015: A Global Report on Discrimination Against Humanists, Atheists, and the Non-religious; Their Human Rights and Legal Status, was created by the International Humanist and Ethical Union (IHEU).

The International Humanist and Ethical Union is the worldwide democratic body for Humanist, atheist, rationalist, secular, ethical culture, and freethought organizations. Its mission is to represent and support the global Humanist movement, and to build a 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.



GRAVE VIOLATIONS

SEVERE DISCRIMINATION

Systemic Discrimination

Mostly Satisfactory

Free and Equal

This map shows countries by to their “Freedom of Thought” status, as determined in the Freedom of Thought Report 2015.

Ratings applied according to the *most severe* boundary condition met by a given country. For example if a person can go to prison under the penal code of a given country for a religiously-defined crime such as “blasphemy”, then this country would receive a “Serious Discrimination” rating (even if the country otherwise was relatively free and non-discriminatory). The full list of boundary conditions and country-by-country assessments are included in this Report.



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“My late husband, Avijit Roy, was a science author, a blogger, a writer on topics including the origins of the whole Universe, homosexuality, the evolution of love and everything including literary criticism in between. Above all he was a humanist. He always wanted to explore the biggest questions in life. His interests were wide, but it was his books on liberal views, faith and disbelief for which he began receiving death threats. I was also a fellow blogger and writer with a published book on Evolution of Life. At the International Book Fair in Dhaka in February 2015 we were attacked by a group of men with machetes. Avijit was killed and I sustained 4 head stabs and a sliced off thumb.

A young blogger, Washiqur Raham Babu, was the next machete victim, in March. In one of his last posts he had decried the breadth of topics on which Islamists demanded silence, from women’s and minority rights to religion and free expression itself. Our good friend and a published author Ananta Bijoy Das, having spent the intervening months writing and protesting about the failures of justice on the part of the Bangladeshi authorities in the earlier cases, was himself cut down in May. In August, blogger Niladri Chatterjee was hacked to death in his own home, his partner forced to watch as the attackers invaded their apartment. And at the end of October, two publishers of Avijit’s books were hit on the same day; the publisher Faysal Arefin Dipon, who published the two of Avijit’s infamous books on Faith and Disbelief, was killed, the publisher Ahmed Rashid Tutul was shot and hacked and left in critical condition. Two other bloggers and writers were gravely injured.

These things we know: That all these men were brave, both intellectually, and because they knew that for some extremists even asking the wrong questions would be enough to rationalise their murder; That dozens more writers who dare to write critically about fundamentalism and advocate for a humanist worldview, are receiving death threats, and given the range of those killed so far any of them could be next; That instead of convicting even one suspect in these killings, the police and the government have been threatening to arrest bloggers themselves if they “hurt religious sentiments” by professing their own secular views.

These killings are one part of the problem of extremism in one part of the world, and our freedoms of thought and expression are under attack in many other ways and in many other places around the globe. If there are lessons the world must draw from Bangladesh in recent years, they are these: Allowing bigotry and extremism to fester unchallenged will have generational consequences; Demands for prison or death sentences or vigilantism against humanists as such must be met not with appeasement nor by arresting the very bloggers under threat, but with condemnation as the gross violations of freedom of thought and expression that such demands represent; And that once a country silences and intimidates its intellectuals and freethinkers, a vicious cycle of terror and extremism becomes inevitable, just as we saw in the earlier mass-killings of the Bengali intellectuals in the 1971 Liberation war, again at the hands of religious extremists, it creates an intellectual vacuum, from which it could take many, many years to revert.”

— Rafida Bonya Ahmed

Contents

Foreword.....	11	Congo, Republic of the	78	Nigeria.....	145
General Introduction.....	12	Equatorial Guinea.....	80	Senegal.....	148
Editorial Introduction.....	17	Gabon.....	82	Sierra Leone.....	149
How to Use this Report ...	20	São Tomé and Príncipe	83	Togo.....	151
Credits.....	25	Africa – Northern.....	84	Americas – Caribbean..	153
Africa – Eastern.....	26	Algeria.....	85	Antigua and Barbuda.....	154
Burundi.....	27	Egypt.....	89	Bahamas.....	156
Comoros.....	29	Libya.....	97	Barbados.....	157
Djibouti.....	32	Morocco.....	100	Cuba.....	158
Eritrea.....	34	Sudan.....	107	Dominica.....	159
Ethiopia.....	37	Tunisia.....	109	Dominican Republic.....	161
Kenya.....	40	Africa – Southern.....	114	Grenada.....	163
Madagascar.....	43	Botswana.....	115	Haiti.....	164
Malawi.....	45	Lesotho.....	116	Jamaica.....	166
Mauritius.....	48	Namibia.....	117	Saint Kitts and Nevis.....	168
Mozambique.....	49	South Africa.....	119	Saint Lucia.....	169
Rwanda.....	50	Swaziland.....	121	Saint Vincent and the Grenadines.....	170
Seychelles.....	53	Africa – Western.....	122	Trinidad and Tobago.....	172
Somalia.....	54	Benin.....	123	Americas – Central.....	173
South Sudan.....	56	Burkina Faso.....	125	Belize.....	174
Tanzania.....	58	Cape Verde.....	126	Costa Rica.....	176
Uganda.....	60	Côte d'Ivoire.....	127	El Salvador.....	178
Zambia.....	63	Gambia.....	128	Guatemala.....	180
Zimbabwe.....	66	Ghana.....	130	Honduras.....	182
Africa - Middle.....	68	Guinea.....	133	Mexico.....	184
Angola.....	69	Guinea-Bissau.....	135	Nicaragua.....	187
Cameroon.....	71	Liberia.....	136	Panama.....	189
Central African Republic..	74	Mali.....	138	Americas – Northern ...	190
Chad.....	76	Mauritania.....	140	Canada.....	191
Congo, Democratic Republic of.....	77	Niger.....	143	United States of America	196

Americas – Southern ...	202	Singapore.....	275	Belarus	389
Argentina.....	203	Thailand	277	Bulgaria	391
Bolivia	206	Timor-Leste (East Timor)	279	Czech Republic.....	394
Brazil.....	208	Viet Nam.....	280	Hungary	397
Chile.....	210	Asia - Southern	283	Moldova.....	403
Colombia	213	Afghanistan.....	284	Poland	405
Ecuador	215	Bangladesh	289	Romania.....	412
Guyana	217	Bhutan	297	Russia	416
Paraguay.....	219	India.....	299	Slovakia	421
Peru	221	Iran	303	Ukraine	423
Suriname	223	Maldives	309	Europe – Northern	425
Uruguay.....	225	Nepal	314	Denmark	426
Venezuela.....	228	Pakistan	316	Estonia	432
Asia – Central	231	Sri Lanka	322	Finland	433
Kazakhstan	232	Asia - Western	325	Iceland	436
Kyrgyzstan	234	Armenia	326	Ireland.....	439
Tajikistan	235	Azerbaijan.....	328	Latvia.....	445
Turkmenistan	237	Bahrain	330	Lithuania	447
Uzbekistan.....	238	Cyprus.....	334	Norway	449
Asia – Eastern	240	Georgia	336	Sweden	453
China	241	Iraq	338	United Kingdom	455
Japan	243	Israel	342	Europe - Southern	460
Korea, Republic of	245	Jordan	346	Albania	461
Mongolia	247	Kuwait.....	350	Andorra.....	463
North Korea.....	249	Lebanon.....	354	Bosnia and Herzegovina.	464
Taiwan	251	Oman.....	358	Croatia	466
Asia – South-Eastern ...	252	Palestine	361	Greece	470
Brunei Darussalam	253	Qatar.....	364	Italy	472
Cambodia	256	Saudi Arabia.....	367	Kosovo	477
Indonesia.....	257	Syria.....	373	Macedonia	478
Laos	262	Turkey.....	377	Malta.....	481
Malaysia	263	United Arab Emirates	382	Montenegro.....	484
Myanmar (Burma)	268	Yemen.....	386	Portugal	486
Philippines	271	Europe - Eastern	388	San Marino.....	487

Serbia	488	Switzerland	513	Marshall Islands	532
Slovenia	490	Oceania – Australia		Micronesia	533
Spain.....	491	and New Zealand	515	Nauru	534
Europe – Western	492	Australia.....	516	Palau	535
Austria	493	New Zealand.....	518	Oceania – Polynesia.....	536
Belgium	495	Oceania – Melanesia ...	521	Samoa	537
France.....	497	Fiji	522	Tonga	539
Germany.....	499	Papua New Guinea	524	Tuvalu	541
Liechtenstein	506	Solomon Islands.....	527		
Luxembourg	508	Vanuatu	528		
Monaco	510	Oceania – Micronesia..	530		
Netherlands.....	511	Kiribati	531		

Foreword

Welcome to the Freedom of Thought Report 2015, compiled and produced by the International Humanist and Ethical Union (IHEU) with the active support of our member organisations and humanist volunteers from across the world.

In the past twelve months, the world has witnessed numerous horrific attacks and legal penalties specifically aimed at people accused of “insulting religion”. From *Charlie Hebdo* in Paris and the shooting at a free speech seminar in Copenhagen that followed, to the humanist bloggers murdered in Bangladesh; from alleged “blasphemers” crucified under ISIS or jailed by sovereign states, to alleged “apostates” sentenced to death in Saudi Arabia and Mauritania.



There has too often been a disappointing response, questioning the motives of the victims or blaming the messages for which they were killed. (“I believe in free speech, but...” “Everyone has a right to their beliefs, but religion is a sensitive area...”). It is vital that the world resists the assumption that these targeted victims have in some sense provoked or deserved these grave violations of their rights to freedom of thought and expression.

Despite the overall trend toward more severe violence and legal penalties, we do record a few improvements this year. In May and July 2015 respectively, Norway and Iceland abolished their extant “blasphemy” laws (although in Norway there are fresh concerns about regressive education reforms, a reminder that countries can make progress in some areas while slipping in others).

This Freedom of Thought Report provides background, context, and some specific details on highlighted cases, and looks at the current situation facing the non-religious throughout the world. It is of vital importance and relevance to everyone concerned with human rights, and is an indispensable part of the broader topic of freedom of thought, conscience, religion or belief, and freedom of expression.

IHEU will continue to use its accreditation and presence at the United Nations and other international bodies to highlight and campaign for the rights of the non-religious, as well as other persecuted groups. I hope that you will join us in that campaign.

A handwritten signature in black ink that reads "Andrew Copson". The signature is written in a cursive, flowing style.

Andrew Copson
President
International Humanist and Ethical Union (IHEU)

General Introduction

The Freedom of Thought report is the only annual survey looking 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, agnostics, humanists, 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, though we do also try to include some consideration of extra-legal persecution or persecution by non-state actors, social discrimination, and personal experience where possible.

In setting the parameters of this survey we focus on the global human rights agreements that most affect the non-religious: the right to freedom of thought, conscience, religion or belief; the right to freedom of expression; and, to some extent, the rights to freedom of assembly and association. And we try to consider national laws that compromise or violate any human rights.

Our findings show that the overwhelming majority of countries fail to respect the rights of humanists, atheists and the non-religious. For example, there are laws that deny atheists' right to identify, revoke their right to citizenship, restrict their right to marry, obstruct their access to or experience of public education, prohibit them from holding public office, prevent them from working for the state, or criminalize the expression of their views on and criticism of religion. In the worst cases, the state or non-state actors may execute the non-religious for leaving the religion of their parents, may deny the rights of atheists to exist, or may seek total control over their beliefs and actions.

A secularizing world

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 or divine entities), 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's 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 WIN-Gallup International Association¹ 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.

¹ <wingia.com/web/files/news/14/file/14.pdf>

Freedom of thought and belief

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 1976. 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, advocating secularism, 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' 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.

Other rights and freedoms

The right to freedom of expression is, obviously, necessary for people to express their beliefs, but also to explore and exchange 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).

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 human rights overall. This is no coincidence: when thought is a crime, no other freedom can survive for very long.

Rights violations against the non-religious

In some countries, it is illegal to be, or to identify as, an atheist. 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 it is punishable by death. Pakistan doesn't have a death sentence for apostasy but it does for blasphemy, and the threshold for 'blasphemy' can very low; so in effect you can be put to death for expressing atheism in 13 countries.

More common than crimes relating to simply being an atheist are the criminal measures against expressing atheist views. 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. Dozens of those found guilty remain on death row, and there are repeated calls from Islamist leaders to lift the effective moratorium, enforce the death penalty, and make death the only sentence for “blasphemy” convictions.

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, and are punishable by death in 6 countries. In addition, most of the twelve 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, or that religious laws enforced by religious courts will apply to them on certain matters, especially family matters.

In fact, discrimination against the non-religious is often caused, not by a desire to hurt atheists, but by the desire to help one or more religion. The promotion by the state of 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 of 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, Shiite Muslim and Maronite Christians, etc. This practice not only codifies and encourages religious discrimination but it also discourages people from leaving the religion of their birth, because they will lose all the state privileges that come with belonging to that religion.

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.

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.

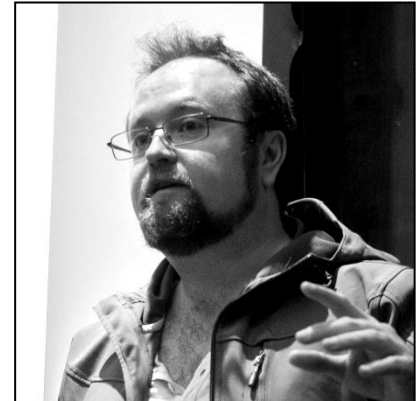
In compiling this evolving, annual report, we also found that religious privilege is not only a form of discrimination in and of itself, but it is also a signifier of more general societal discrimination against atheists. When a religion is singled out as special, then it generally follows that the members 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. 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 is sometimes symbolic, but what it symbolizes is the state’s preference for religion (or a particular religion) and the second class status of the non-religious (or of religion or belief minorities generally).

Editorial Introduction

If the past 12 months have a story to tell within the scope of this Report, it is that hateful words frequently prefigure hateful deeds.

Last December, this Report warned of an apparent increase in hate speech and overt political marginalization targeting humanists, atheists, and proponents of secularist principles, including persecutory rhetoric issuing from heads of state and government.

In the year that has followed, the trajectory from rhetoric, to callous violence and harsh injustice, is painfully clear. In several states there has been a slide into extrajudicial violence by non-state actors, and we record several states handing down an increasing number of more severe penalties, including imprisonment for crimes such as “insult to religion”, and death for “apostasy”.



Bob Churchill
Editor

From rhetoric to violations

For example, in May 2014 the prime minister of Malaysia, Najib Tun Razak, branded “humanism and secularism as well as liberalism” a threat to Islam and therefore the state and state security. In 2015, as Islamist rhetoric from the government has escalated, and in the midst of a corruption scandal, the government has initiated an unapologetic crackdown against human rights advocates, the media, satirical cartoonists, opposition activists, and critics of government policy in general. Voices that are critical of the Islamist trajectory under the current government are castigated by officials and may be prosecuted. One human rights lawyer (himself personally non-religious) was arrested for sending a tweet that merely questioned hypothetically whether Malaysia could properly implement *hudud* Islamic restrictions.

In Mauritania, last year we reported on the case of a blogger, Mohamed Cheikh Ould Mkheitir, whose criticism of the caste-based slavery in the country saw him maligned by clerics and government officials alike as a “blasphemer”. This year we report that, by the end of December 2014, Mohamed Cheikh had been sentenced to death for “apostasy”, in a trial that started and ended on a single day. He has been on death row throughout 2015. There appears to be a moratorium on carrying out death sentences in general; however, along with individuals convicted of other capital crimes, such as terrorism and homosexuality, Mkheitir remains on death row, with extremely limited prospect of a pardon.

The same pattern occurs in Saudi Arabia, progressing from the passing of new anti-atheism legislation last year, to new death-for-apostasy sentencing this year. The 2014 terrorism act, signed into law by the late King Abdullah, defined its first example of terrorism as “calling for atheist thought in any form”, effectively elevating non-religious views to a national security threat. The same manoeuvre has been made in relation to criticism of the authorities, or advocacy in favour of equal rights, and appears to be partly responsible for increasing suppression and execution rates throughout 2015. Among those unfairly and disproportionately punished is the blogger Raif Badawi, one of dozens of prisoners of conscience subjected to lashes, lengthy prison sentences, and travel bans; in Badawi’s case for “insulting Islam” and “setting up a website that undermines general security” (the website was a blogging platform for “liberals”, and Badawi had written in favour of secularism). Then, in November 2015, Saudi-born, Palestinian poet Ashraf Fayadh was sentenced to death for “apostasy”. Like Badawi, Fayadh has already endured years of trials and accusations, attacking his poems for promoting atheistic philosophy, attacking his morals on the dubious grounds

of standing next to women in photographs at art exhibitions, and finally — again despite taking up the opportunity to “repent” — he was found guilty of renouncing Islam and handed a death sentence.

The descent of Bangladesh

Perhaps the single worst example of this degradation of secular rights and the security of the non-religious in 2015 is the *annus horribilis* of Bangladeshi humanism: four humanist bloggers and one secular publisher hacked to death in machete assassinations.

Combining suppression by the state, as well as the trend toward escalating violence by non-state actors, in 2015 to date, four humanist writers, Avijit Roy, Washqur Rahman, Ananta Bijoy Das, Niladri Chatterjee, were murdered in a series of separate, targeted machete attacks between February and August. One secular publisher, Faisal Arefin Dipan, was killed and others critically injured in coordinated machete and gun attacks on two publishing houses in October.

All those killed had been explicitly threatened, and in each case extremist Islamist groups claimed responsibility for the murders on that basis. The writers’ subjects included science and superstition, freedom of expression and belief, justice and political Islamism, the rights of minorities and women.

Police and security services have repeatedly made assurances that the murderers will be found, parading arrested suspects for the media after each incident. However, no suspect has yet come to trial and been found guilty, and the police seem equally keen to warn other writers that, should they blog any words expressing atheistic criticism of religion, they may themselves be arrested.

Government officials, including the prime minister, have repeatedly made this same threat, that potentially “insulting” bloggers would be prosecuted, without making reference to any specific blog post or person, and instead apparently taking it on the word of extremists that the blogs are criminally offensive.

This trajectory of increasing violence by extremists, and marginalization by the authorities, has not developed in a single year, of course. Nearly three years ago, IHEU warned that Bangladesh was “walking into a trap set by fundamentalists”² when the government responded positively to calls to arrest “atheist bloggers”; four were duly arrested and imprisoned under the ICT Act for “hurting religious sentiments”.

The government did not meet the further Islamist demand to implement a death sentence for “blasphemy”. However, the precedent for legitimizing such “offence” was now established and Islamist fundamentalists demanded retribution for their “hurt sentiments”, listing dozens of bloggers that they wanted to see prosecuted, and in the extreme felt empowered to commit murder over this complaint. Throughout the remainder of 2013 and 2014, further political demands for greater Islamification of the state followed, and in many cases were taken up by government. Secular bloggers, writers, and book publishers, began receiving death threats in apparently escalating numbers.

Rising Jihadist violence

ISIS (so-called Islamic State in Iraq and Syria, or Daesh) have regularly targeted sexual and religious minorities, supposed “informers” and detractors in their territories, and their propagandist executions have certainly included numerous men accused of “blasphemy” or “apostasy” (though it can be difficult to ascertain the exact circumstances, rationale or personal affiliations in many cases).

² <iheu.org/arrests-atheist-bloggers-shows-bangladesh-authorities-are-walking-trap-set-fundamentalists/>

We may never know the full stories of many of these crimes, though one recent estimate put the figure of those executed (i.e. not even including those killed in combat, or victims of terrorist attacks) at 10,000.

Whether those executed are alleged “adulterers” stoned to death, alleged homosexuals thrown to their deaths off buildings, alleged “blasphemers” who are beheaded, or alleged “apostates” ritualistically forced to kneel on explosives and blown up, it is clear that the victims of ISIS include many Muslims, as well as religion or belief minorities, and that the atrocities of ISIS contribute to a worldwide perception of increasing, and increasingly dehumanizing violence.

A recent report (covering 2014) put Boko Haram, an ISIS-affiliate, ahead of ISIS itself in terms of numbers of victims killed in terrorist attacks, a group for whom the majority of victims are Muslims living in northern Nigeria, and which, like ISIS, is not above kidnapping schoolgirls and schoolboys for use as sex slaves and soldiers.

Obviously the rise of extreme Jihadism is a broader topic than the remit of this Report. Nevertheless, these extreme militant groups reserve some of their deepest ire for “apostates”, expanding the notions of *takfir* and “apostasy” more broadly than even the architects of al-Qaeda are comfortable with. As a Muslim under ISIS, or indeed in many sovereign Islamic countries, to say even “I do not believe” is to invite the most serious social condemnation, or in some countries, legal sanction including execution.

There is also a risk that as coverage of the rising number of terror attacks, increasingly committed against civilian populations, becomes more commonplace, there will be a kind of drift to extremity by other state and non-state actors. Already, as this Report documents, in the era of ISIS many sovereign states are enacting restrictive new laws (Brunei, Egypt, Saudi Arabia, Turkey...) or implementing harsh sentences against social or political critics, often exacerbated merely by the secular advocacy or personal non-religiosity (real or imagined) of those who stand accused.

Conclusion

The rise of ISIS and their ilk may also serve to camouflage this very increase in other violations, their brutality drowning out the acts of intimidation and murder committed by less well known extremist groups, and drawing attention away from the sovereign states that malign their humanist citizens or criminalize their secular activists. That masking effect is a particularly vicious irony, for these freethinkers are the very people expressing humanist values and ideals; these secular writers and academics, activists and campaigners, are in most respects the allies of liberal religious moderates and of truly accountable nation states and of all those who condemn radical fundamentalism and violence. Agree with their underlying humanist worldview or not, some of the clearest, bravest, most innovative voices will continue to be humanists, atheists, the non-religious, or the religiously unaffiliated, and they are a necessary, often profoundly influential part of any real debate in any truly open society. The world must recognise that to identify and speak out as non-religious is a basic human right, and the fact there are increasing numbers of people demanding recognition of this right is not a signal of moral decay but of a functioning, free society.

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 non-religious 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 according to the United Nations geographical schema, 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 follow an 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 a table of 60 *boundary conditions*.

Each boundary condition is attached to one of the five statuses. If a country meets one or more boundary conditions associated with a given status, then this status is "triggered".

The status finally assigned to the country is the most severe status that is triggered. The country is then listed in the report with its assigned status and the applied boundary conditions

For example, the boundary condition "Official symbolic deference to religion" is associated with the "Mostly Satisfactory" status. This condition might be triggered if government meetings are always opened with a prayer, or if the iconography of a particular religion is closely related with the state in such a way as to disenfranchise religion or belief minorities; if this condition is triggered then the associated status "Mostly Satisfactory" will apply. However, if the boundary condition "It is illegal or unrecognised to identify as an atheist or as non-religious" is also triggered, then the associated status "Grave violations" will apply, and the country will be classed with the latter, more severe status.

The full list of possible boundary conditions follows below. The green row corresponds to the "Free and Equal" status, the yellow to "Mostly Satisfactory", and so on.

The boundary conditions

The column headings give a general indication of the four “strands”, or areas of interest, that we are examining.

	Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression, advocacy of humanist values
Grave violations	<p>Complete tyranny precludes all freedoms of thought and expression, religion or belief</p> <p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>Quasi-divine veneration of a ruling elite is enforced, subject to severe punishment</p> <p>The non-religious are barred from holding government office</p>	<p>Religious indoctrination is utterly pervasive in schools</p> <p>Religious instruction in some schools is of a coercive fundamentalist or extremist variety</p>	<p>Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence</p> <p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</p> <p>‘Blasphemy’ or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
Severe Discrimination	<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>‘Apostasy’ is outlawed and punishable with a prison sentence</p> <p>‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

Systemic Discrimination	<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
Mostly Satisfactory	<p>There is a nominal state church with few privileges or progress is being made toward disestablishment</p> <p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p> <p>State-funded schools provide religious education which may be nominally comprehensive but is substantively biased or borderline confessional</p>	<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	<p>Some concerns about political or media freedoms, not specific to the non-religious</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
Free and Equal	<p>The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief</p>	<p>No formal discrimination in education</p>	<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	<p>No fundamental restrictions on freedom of expression or advocacy of humanist values</p>
[No status applies]	<p>Insufficient information or detail not included in this report</p>	<p>Insufficient information or detail not included in this report</p>	<p>Insufficient information or detail not included in this report</p>	<p>Insufficient information or detail not included in this report</p>

Applying the boundary conditions

The grey row does not contribute toward any given status. Occasionally the text in the grey row may instead read “No condition holds in this strand”, meaning that no condition holds at all, not even “Insufficient information...” (That is to say, we may have enough information to say that *none* of the conditions in this column of the ratings table apply.)

It is common for a condition on the more free end of the spectrum (except for the “free and equal” conditions) to be implied by a condition on the more severe end of the spectrum. In this case, the less severe 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 the less severe boundary condition for blasphemy that is punishable by "imprisonment" may be omitted in the ratings table.

The tabulated display introduced in 2014 and consolidated into four strands in 2015, is designed to break the boundary conditions into separate "strands" of concern, allowing for a clearer visualisation of what information is available or included. This means we are also doing a better job at identifying gaps in our own coverage. As we said in previous years, given the way the ratings are designed, as we add more information some ratings are likely to get worse simply because we are satisfied that additional, more severe boundary conditions have been met.

Omission of a boundary condition in the ratings box does not necessarily mean that that condition does not hold in reality; it may be that that information has been omitted from the report, or that information was not available, lower-level boundary conditions are omitted by design when more "serious" conditions apply.

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 discrimination on freedom of thought. Likewise, the individual cases listed as "Highlighted Cases" in this report are examples, not exhaustive lists.

Lack of transparency in some countries makes comprehensive analysis of those countries more difficult. In some countries, usually among the worst offenders, the secrecy of courts, or state control of media, or lack of reporting, make it impossible to produce a complete account. 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.

We may still be overlooking serious concerns in some countries where we have little on-the-ground contact and the last thing we want to achieve is to make already marginalised non-religious people feel like their problems are being ignored or overlooked because we've given the country a better rating than it deserves, or overlooked issues of concern. If you find yourself in this situation, or you have any other information including mitigation or errata for a given country, please take it as a prompt to reach out to us and make contact via freethoughtreport.com.

A note on countries

We defer to the United Nations geo-schema³ in general to list and organize nation states. We endeavour to include all fully independent and sovereign states in the report, but some disputed territories, overseas territories, dependencies, constituent countries, or non-self-governed territories are not included. If there is known information pertinent to the state or territory, then this will be included under the country entries of the administering sovereign state or claimants. Exclusion neither means there are no issues nor that subsequent editions might not include these territories under their own entries.

In full, the excluded non-self-governing nations or otherwise excluded territories are:

- Norfolk Island — administered under Australia
- Greenland; Faroe Islands — administered under Denmark
- Åland Islands — administered under Finland
- French Polynesia; French Guiana; New Caledonia; Mayotte; Réunion; Guadeloupe; Martinique; Saint-Barthélemy; Saint Martin; Saint Pierre and Miquelon; Wallis and Futuna Islands — administered under France
- Aruba, Bonaire, Saint Eustatius and Saba; Curaçao; Sint Maarten — administered under Netherlands
- Tokelau; Cook Islands; Niue — administered under New Zealand
- Svalbard and Jan Mayen Islands — administered under Norway
- England; Scotland; Wales; Northern Ireland; Saint Helena, Ascension and Tristan da Cunha; Bermuda; Anguilla; British Virgin Islands; Cayman Islands; Falkland Islands; Montserrat; Turks and Caicos Islands; Gibraltar; Pitcairn Islands; Isle of Man; the Channel Islands (Guernsey, Jersey, Sark) — administered under United Kingdom
- United States Virgin Islands; American Samoa; Guam; Puerto Rico; Northern Mariana Islands — administered under the United States
- Western Sahara — a disputed territory in the Maghreb region of North Africa, on the Atlantic coast, bordered by Morocco, Algeria, and Mauritania, it is two thirds controlled by Morocco and the remainder by the SADR strongly backed by Algeria

Kosovo, despite declaring independence, is excluded from the UN geo-schema as a transitional state, and there are extant claims by Serbia. Kosovo is nevertheless included in the report, as its independence is widely recognised and autonomously asserted.

As with other administered territories, China's Hong Kong and Macao Special Administrative Regions are considered under the China entry.

We do not cover the pseudo-state of the "Holy See".

The Palestinian Territories were recognised as a state by the UN General Assembly in 2013 and are unambiguously included in this report.

Out of respect for the autonomy of subjugated North Koreans, and respect for basic semantic coherence, we do not refer to the "Democratic People's Republic of Korea" but to "North Korea".

³ <unstats.un.org/unsd/methods/m49/m49regin.htm>

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Humanist Canada

Humanist Society of New Zealand

Humanist Society of Scotland

Humanist Association of Germany

(Humanistischer Verband Deutschlands)

Humanist Association of the Netherlands

(Humanistisch Verbond)

Icelandic Ethical Humanist Association

(Siðmennt)

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⁴ As a rolling annual survey, information from the 2014 edition is incorporated into the updated 2015 text.

Africa

Eastern Africa

Burundi

As of July 2013, Burundi has a population of about 10.8 million. Religious leaders have estimated that Roman Catholics comprise 60 percent of the population, Protestants make up about 15 percent, 20 percent follow indigenous religions, and 2 to 5 percent are Muslims, most of whom are Sunni.

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, society,
religious courts and tribunals

Expression, advocacy of
humanist values

			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
Preferential treatment is given to a religion or religion in general			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
			Some concerns about political or media freedoms, not specific to the non-religious; Concerns that secular or religious authorities interfere in specifically religious freedoms
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	
	Insufficient information or detail not included in this report		

Constitution and government

The Constitution and laws of Burundi protect religious freedom. Religious discrimination is prohibited. Christians and Muslims have coexisted and interacted with each other with no reports of tensions. The current government is comprised of both Christian and Muslim officials. Burundi's current president is Christian while his cabinet includes several prominent members who are Muslim. No religious group has tax exemption by the law. The Ministry of Finance usually negotiates tax waivers on religious articles or goods imported by religious institutions destined for purposes of social development. There was no indication of religious bias regarding such exemptions.

state.gov/documents/organization/192899.pdf

Catholic Church-backed interference with religious minority group

Although freedom of religion is generally observed within Burundi government and law, government interference in religion has occurred. The Catholic Church requested the government to prevent an excommunicated Catholic splinter group from making a monthly pilgrimage to a site where a woman reported seeing regular apparitions of the Virgin Mary, because the Church believed them to be false. The government complied with the Catholic Church's request and sent a police force to stop the pilgrims. Confrontations and clashes between the police and the pilgrims resulted in the death of 10 pilgrims and 35 injuries. Three policemen connected to the deaths and injuries were arrested and prosecuted. In April 2014, 182 pilgrims were convicted of "civil disobedience" for visiting the shrine.

Most of the pilgrims were released within a few days but 32 were sentenced to stay in prison for a time period that could range from six months to five years.

state.gov/documents/organization/222237.pdf

Freedom of expression, advocacy of humanist values

The law guarantees freedom of speech, but press laws place restrictions on journalists. Defamation and insult are prohibited and may be punished with harsh fines and imprisonment. In 2012, the National Assembly introduced draft laws that would put further restrictions on freedom of expression and assembly. Journalists have been censored by authorities and have censored themselves as well, but they have become more willing to express criticism of the government. The government dominates the media. It has ownership of the public television and radio stations and runs the only daily newspaper. Private broadcast media outlets exist but most of them have a limited broadcast range. The British Broadcasting Corporation, Radio France Internationale, and Voice of America are available on FM radio in the capital. Print publications of most newspapers are still minimal, and low literacy rates mean that readership is low.

freedomhouse.org/report/freedom-world/2013/burundi#.VG5eivnF9HU

Despite the fact that a pluralistic press has recently emerged, journalists have been arbitrarily arrested, harassed, or threatened. After the Gatumba attack that occurred in September 2011, the government imposed a media blackout regarding the massacre that lasted 30 days, and banned any commentary related to the investigations into the attack. Even after the 30-day period passed, journalists who tried to report on or investigate the attack faced harassment and intimidation from the government. In June 2012, Hassan Ruvakuki, a reporter for Radio France Internationale and 13 others were given life imprisonment sentences for allegedly participating in the Gatumba attack. Ruvakuki was reportedly targeted by prosecutors because he had conducted an interview in Tanzania with the leader of a new rebel group, the Front for the Restoration of Democracy, Abanyagihugu.

freedomhouse.org/report/freedom-world/2013/burundi#.VG5eivnF9HU

The constitution provides for freedoms of assembly and association, but the government has threatened members of human rights groups that criticize it and subjected them to surveillance.

Comoros

Following a referendum in 2009, the government introduced a law declaring Islam the state religion and entrenching Islamist tendencies. Comoros is member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

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
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>		<p>Systemic religious privilege results in significant social discrimination</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p> <p>'Apostasy' is outlawed and punishable with a prison sentence</p>
	There is state funding of at least some religious schools	Some religious courts rule in civil or family matters on a coercive or discriminatory basis	
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional	Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear	

Constitution and government

The constitution nominally protects freedom of thought, religion or belief, but in practice other laws and practices severely restrict this right. Article 1 of the 2009 referendum includes declaring Islam the state religion and declares Islam as the continuous inspiration for the principles and rules governing the Union.

beit-salam.km/article.php3?id_article=34

The grand mufti is nominated by the president and is mandated to "counsel" government and the public on religious matters, being attached to government departments including the Ministry of Justice, Public Service, Administrative Reforms, Human Rights, and Islamic Affairs.

Education and children's rights

There are no specific legal requirements around teaching the Qu'ran in school but a large majority of students learn Arabic and this is often mixed with Qu'ranic teaching.

Family, community and society

The grand mufti is provided a public platform, regularly addressing the country on radio, offering conservative Islamic views on a range of social topics. The government does not explicitly enforce restrictions on alcohol consumption nor modest dress, however societal pressures, especially at village level, are known to enforce these sorts of restrictions.

Freedom of expression, advocacy of humanist values

Apostasy (from Islam) is a criminal offence in Comoros. As well as this there is serious negative social discrimination against 'apostates'. (See "Highlighted cases" below.) Anyone with nationality cannot practice a faith other than Islam.

The demographic of Comoros is officially roughly 98% Sunni Muslim and the majority of the remaining 2% is Christian. Visitors and expatriates may practice other religions (but must not proselytise or display their faith publicly).

Proselytising of any religion other than Sunni Shafi'i Islam is prohibited in law. While foreign visitors and expatriates can practice their religion, they must do so in private. It was reported in 2006 that a Christian missionary who was having prayer meetings in his home, had his house raided and 4 men were detained for 3 months.

worthynews.com/970-comoros-detains-christians-amid-concerns-over-persecution

It was reported that what started as police investigating a 15 year old male apostate turned into a raid on a private residence and the arrest of both the homeowner and the Bible study leader. The boy, homeowner and study leader were all imprisoned along with a fourth man who was also a member of the Bible study group. Reportedly the study leader's wife was also arrested and imprisoned. The wife was released a few days later while a court sentenced each of the four men to 3 months in prison. All five individuals remain anonymous.

There are other reports of societal discrimination against non-Muslims. Christians report being monitored on visits to the country and although the constitution claims religious freedom and the law do not technically prevent visitors practicing other faiths, many have claimed to feel that they cannot safely practice any other religion in Comoros. A Christian from Zanzibar reported the following anonymously to Worthy News:

"Comoros [is] a "horrible environment for one to practice Christianity," adding that it was not long after his arrival to the main island that he realized he was being monitored. He cut short his trip early last month. "I planned to take three different taxis to the airport" to evade authorities, he said. "But thank God on that day I met a Catholic priest who gave me a lift together with some Tanzanian soldiers to the airport."

worthynews.com/3101-comoros-christians-oppressed-on-indian-ocean-islands

Freedom of the Press

While there is no specific restriction on press freedom most journalists will practice self-censorship in order to maintain their reputation and careers.

"The union government partially limited press freedom by publicly criticizing journalists who wrote controversial articles, and journalists on all three islands practiced self-censorship."

state.gov/documents/organization/204316.pdf

Highlighted Cases

Musa Kim, a law student who left Islam in 2008, was beaten by his family. He was rescued and recovered in a secret location. The location was later identified and the house in which Kim was staying was razed. Kim survived but would not report any of the incidents to the police for fear that this would cause more trouble for him.

Djibouti

A semi-presidential republic, Djibouti is a small but strategically-located country on the horn of Africa.

Rating: Severe Discrimination

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

		Systemic religious privilege results in significant social discrimination Prohibitive interreligious social control (including interreligious marriage bans) Religious control over family law or legislation on moral matters	
There is an established church or state religion			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			
	No formal discrimination in education		

Constitution and government

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.

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.

Education and children's rights

The state school system is secular, although there are private Muslim schools. State-run schools do not instruct in religion. The sector has said to have been improving in recent years, and overall literacy is up to around 70%.

Family, community and society

Around 94% of the population identifies as Sunni Muslim, the remainder usually identified as Christian. 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.

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."

Freedom of expression, advocacy of humanist values

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

One of the world’s poorest countries, with among the lowest life expectancies, religion is predominant in the cultural life of Eritrea. The population is predominantly split between Christian and Muslim adherents, and religious intolerance remains rife. There are severe restrictions imposed by government on those unaffiliated with the four “recognised” religious groups. To come out as an atheist is legally unrecognisable and would likely provoke significant social persecution.

Rating: Grave Violations

Constitution and government Education and children’s rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

It is illegal or unrecognised to identify as an atheist or as 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	
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic 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 or human rights is severely restricted
There is systematic religious privilege Preferential treatment is given to a religion or religion in general Legal or constitutional provisions exclude non-religious views from freedom of belief	There is state funding of at least some religious schools Religious schools have powers to discriminate in admissions or employment	Discriminatory prominence is given to religious bodies, traditions or leaders Religious groups control some public or social services	Criticism of religion is restricted in law or a de facto ‘blasphemy’ law is in effect

Constitution and government

Despite drafting a constitution in 1997 that certifies broad human rights in line with international standards of freedom of religion or belief, freedom of expression and press autonomy, this constitution has not been implemented, and the Isaias Afewki government tightly controls all religious activity.

Education and children’s rights

Education is officially compulsory only between the ages of 7 and 13, and in practice even this promise is often unfulfilled, due to insufficient infrastructure, skills shortages, poverty, and social taboos.

Most schools are Islamic Koranic or church schools and instruct disproportionately boys over girls. Secular government schools were developed after 1941, however, this programme was curtailed by two civil wars. Illiteracy remains high.

Family, community and society

The Eritrean government only validates four “recognized” religious groups, the Orthodox Church, Roman Catholicism, the Evangelical (Lutheran Church) and Sunni Islam. Despite other religious groups applying for original recognition since 2002, the Eritrean government has failed to implement the relevant rights established in the constitution. Printing and distributing documents of religious groups must be authorised by the Office of Religious Affairs. Other unrecognised religious minorities cannot be authorised. There is not even a process for the approval of atheistic or other overtly non-religious material.

Religious groups in Eritrea must acquire government approval to build buildings for worship and must abide to strict rules conducting relations between religious groups and offshore donors and sponsors. The government of Eritrea forcefully deposed the Eritrean Orthodox Church patriarch in 2005, after he contravened government interference in the affairs of the church. Abune Antonios remains to this day under house arrest, reportedly in grave health and under strict surveillance. The Eritrean government selected his successor, Abune Dioskoros, a move that other Orthodox Churches have refused to recognise.

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.

Members of “unrecognized” religions are arrested, detained in oppressive conditions, and there have been reports that people have been tortured in order for them to recant their religious affiliation. Reports of the harassment and arrest of members of religious minority groups is widespread and frequent.

refworld.org/docid/53d9077d14.html

opendoorsusa.org/pray/prayer-updates/2013/05-May/Persecution-in-Eritrea-at-Its-Highest-Level-Ever

churchinchains.ie/node/635

release-eritrea.com/

Freedom of expression, advocacy of humanist values

Questioning authority, let alone criticising it, can lead to imprisonment and worse. Meetings of more than seven unrelated people are forbidden and formation of NGOs is restricted. Moreover, political organization is restricted to the country’s ruling party, the People's Front for Democracy and Justice (PFDJ). Unions are also prohibited with the exception of PFDJ subsidiaries.

Ban on “belittling” religious beliefs

Part V article 12 of the Criminal Code states that the press are prohibited from disseminating "any matter which vilifies or belittles humanitarian and religious beliefs". The inclusiveness of humanitarian is interesting, but it would appear to function as a de facto blasphemy law, prohibiting for example satirical criticism of religious belief.

The government of President Isaias Afwerki closed the independent press in 2001 by eschewing their licenses and arresting its publishers and editors. According to the testimony of former guards, Reporters without Borders reported that four journalists died in while detailed in prison in 2012, two of whom had been imprisoned since 2001. Journalists employed by government agencies, arrested

since 2009 for allegedly administering questionable information to Western non-governmental organizations and governments, remain incarcerated and sequestered.

In Eritrea, all domestic media is overseen by the government. Out of the four internet service providers in Eritrea, two prohibit access to sites unauthorised by the government and individuals using internet cafes are subject to tight surveillance. Eritrea periodically subverts satellite radio transmissions by opposition groups. The Committee to Protect Journalists (CPJ) in 2012 named Eritrea “one of the world’s most censored countries” for the sixth year running.

Ethiopia

Ethiopia is about two-thirds Christian, one-third Muslim, with the vast majority of Muslims being Sufi. Freedom of religion is granted by the constitution, however, the threat of Al-Shabaab Somali terrorists remains high, and the government has specifically interfered with and restrained the affairs and practices of the Muslim population in its counterterrorism efforts. Freedom of the press is severely restricted, and suppression of opposition political voices is frequent.

Rating: Grave Violations

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

			Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed
		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 or human rights is severely restricted 'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general		Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms
	No formal discrimination in education		

Constitution and government

Ethiopia is officially a secular state with no state religion. The constitution sets the principle of the separation of church and state and religious political parties are banned. The government gives its citizens the constitutional right to freedom of thought, conscience, and religion. Article 27 of Ethiopia's states that "This right shall include freedom to have or adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or in private, to manifest his religion or belief in worship, observance, practice and teaching. No one shall be subject to coercion by force or any other means, which would impair his freedom to have or to adopt a religion or belief of his choice."

Government relations with religion

Christian and Muslim holidays are officially recognized by the government. The establishment of the National Inter-Faith Peace Council—a national organization that joins with local governments to promote interreligious coexistence shows the government’s efforts to promote religious pluralism and understanding.

The government requires religious institutions to register with the Ministry of Justice every three years. Some have argued that this policy hurts newer religious groups in Ethiopia, like Protestant Christians. There has been differential treatments for the religious groups, with the Ethiopian Orthodox Church receiving better land grants and building permits for constructing new churches, while minorities struggle to secure land to construction religious buildings.

The government has infringed on and restrained the religious rights of Muslims for some time. Since July 2011, the Ethiopian government has attempted to impose the al-Ahbash sect on the Muslim community. Muslims have been displeased that the government has supposedly manipulated the election of the new leaders of the Ethiopian Islamic Affairs Supreme Council (EIASC) and interfered with the affairs of the Muslim community. The government’s control of Muslim resulted from a counterterrorism response to nearby Somalia. It has sent troops into Somalia to battle Islamist rebels. Many Muslims have held weekly mosque sit-ins and street protests in Addis Ababa and dozens have been arrested.

Education and children’s rights

All religious instruction in schools is outlawed in both public and private schools, including those run by religious organizations. Religious education may occur in Sunday Schools and mosques, and other special religious education programs. Article 27 states that “Parents and legal guardians shall have the right, in accordance with their belief, to give their children religious or moral instruction.”

Family, community and society

Ethiopia does not have an electoral democratic political system. EPRDF (Ethiopian People’s Revolutionary Democratic Front) had tight control of the 2010 parliamentary and regional elections. Voters were threatened with loss of their jobs, homes, or government services if they did not support the ruling party. Meetings opposing the party were disintegrated, and candidates were threatened and detained.

Freedom of expression, advocacy of humanist values

The constitution protects the people from religious persecution and discrimination, and endeavours to prohibit religious hatred. However, article 816 in the Criminal Code exceeds this goal, stating that anyone who publicly, by:

“...gestures or words scoffs at religion or expresses himself in a manner which is blasphemous, scandalous or grossly offensive to the feelings or convictions of others or towards the Divine Being or the religious symbols, rites or religious personages, is punishable with fine or arrest not exceeding one month.”

Article 492 in the Criminal Code further states:

“Whoever publicly prevents the solemnization of, or disturbs or scoffs at, an authorized religious ceremony or office; or profanes a place, image or object used for religious ceremonies, is punishable with fine not exceeding one thousand Birr, or with simple imprisonment not exceeding two years.”

Freedom of the press

The 2009 Anti-terrorism Proclamation caused journalists who reported on opposition activities to face serious harassment and the threat of prosecution. In 2011, Parliament’s lower house declared five groups to be terrorist entities, which included the opposition movement Ginbot 7 that was based in the U.S. Journalists who interviewed members of the movement were arrested with terrorism charges. It was estimated that there were as many as 400 political prisoners by the end of 2012. In June that year, 24 journalists and opposition activists were found guilty, including the award-winning journalist Eskinder Nega, who was sentenced to 18 years in prison. State-owned broadcasters and government-oriented newspapers dominated the media. Addis Neger, one of the few independent papers in the capital, claimed to have been harassed by authorities and closed in 2009. Privately-owned papers don’t circulate much and tend to avoid political issues. A 2008 media law made defamation illegal and allowed prosecutors to seize material before publication for national security. The 2009 Charities and Societies Proclamation put restrictions on the activities of foreign and domestic NGOs that receive more than 10 percent of their funds from overseas. Their work on political and human rights issues have been prohibited.

freedomhouse.org/report/freedom-world/2013/ethiopia

Kenya

The Republic of Kenya is situated between Somalia and Uganda. The population is largely Christian (82%), with a large Muslim minority (11%), as well as a growing non-religious number (2.4%), with other religious minorities making up the rest of the population. In recent years, there has been growing terrorist violence in Kenya, which in part has contributed to new laws that put restrictions on press and speech freedoms. Kenya requested full membership to the Organization of Islamic Cooperation (OIC) in 2011.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom and human rights is somewhat restricted
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional	Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear	Some concerns about political or media freedoms, not specific to the non-religious; Concerns that secular or religious authorities interfere in specifically religious freedoms
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief			

Constitution and government

In 2010, Kenya adopted a new constitution that stated there would be no state religion and lays out a secular system of law. The constitution appears to ensure many rights regarding speech, press, and freedom of religion or belief. However, there have still been reports of discrimination within society, with larger religious groups marginalizing smaller ones.

state.gov/j/drl/rls/irf/religiousfreedom/index.htm

The Constitution also allows Kadhis' courts to be used where all parties concerned describe themselves as Muslims. These courts are permitted to make rulings on matters relating to personal status, marriage, divorce and inheritance. But there is no mechanism for ensuring that vulnerable persons of Muslim background will not be pressured into using these courts. This includes individuals who may not even be Muslim but are socially pressured to conform anyway.

Family, community and society

Echoing moves by mainstream politics in other Africa states, such as neighbouring Uganda, Kenyan MPs from a fringe party have proposed a bill that would make homosexuality illegal and punishable by life in prison or in some cases stoning to death.

hrc.org/blog/entry/kenya-draft-bill-proposes-stoning-to-death-of-gay-people

Homophobia and transphobia is common. “Openly gay or transgender people are vulnerable to physical violence, harassment and intimidation. Denis Nzioka, of Gay Kenya, told ERT that he had received death threats because he was openly gay.”

equalrightstrust.org/ertdocumentbank/In_the_Spirit_of_Harambee.pdf>

Achieng Maureen Akena argues: “This link between religion and oppression is particularly visible today in Kenya, where the public's religious adherence is increasing with rising poverty and insecurity. My country's television and radio stations cover religion more frequently than before, even as Kenyans decry their radically increasing cost of living, ongoing unemployment, and rising physical insecurity. Kenya's official 50th anniversary celebrations, moreover... included more religious content than any of our previous Independence Day festivities.”

secularism.org.uk/blog/2014/08/dont-merge-human-rights-with-religion-even-in-africa>

Freedom of expression, advocacy of humanist values

Atheists in Kenya are vastly in the minority, both to the Christian majority and the smaller Muslim population, but non religious numbers are growing. Atheists do get occasionally receive representation on public platforms, such as the president of the group Atheists in Kenya appearing on national radio, though it is rare.

freethinkers4kenya.wordpress.com/2014/10/23/the-president-of-atheists-in-kenya-shall-be-on-96-3-nation-fm/>

The Kenyan Information and Communications Amendment Bill in 2013 introduced strong controls on radio and television broadcasts. Human Rights Watch commented:

“These new laws are an attempt to undermine freedoms of expression and association in Kenya. Kenya's leaders should act swiftly to prevent these bills from becoming law and focus on the country's real challenges, like police reform and accountability.”

— Daniel Bekele, Africa director

hrw.org/news/2013/11/11/kenya-new-laws-would-undermine-basic-rights>

In 2014, there have been growing concerns around hate speech. Radio and television channels have been warned not to air anything that could escalate growing tribal violence. Worse still, in December 2013, the Government passed new laws that threatened heavy fines on the media if they published anything deemed a threat to “national interest”, “public order”, or “security”. The campaign group Article 19 have expressed their concern over these laws, and other media groups have labeled them as “ruthless”, “draconian”, and are seen by some as a gag on the press.

globalnews.ca/news/1014854/kenya-passes-draconian-bill-limiting-press-freedom/>

“Threats and attacks against journalists during 2013 as a whole still represented an increase over the preceding years. Journalists were threatened, intimidated, and beaten in at least 21 different incidents across the country; in almost half of the cases, the perpetrators were police, while a quarter were perpetrated by government officials. In January, residents in the restive Tana River Delta area, in southeastern Kenya, attacked several journalists with machetes and other weapons when they went to cover a peace meeting organized by a local human rights group; the reporters were forced to flee. In another case, investigative journalists for the private KTN television station received death threats from suspected security agents shortly after airing a program that suggested foul play in a helicopter crash that killed former interior minister George Saitoti. Critical coverage of the September 2013 terrorist attack at the Westgate shopping mall in Nairobi was also met with threats and intimidation by authorities. In one incident, Inspector General of Police David Kimaiyo singled out two journalists during an October press conference, accusing them of “provoking

propaganda” and threatening to “deal with [them] firmly” for their investigative reports on security operations at the mall.

Several journalists reported being harassed and receiving threats over their coverage of the ongoing International Criminal Court (ICC) case against three high-profile suspects—including President Uhuru Kenyatta and Ruto—accused of crimes against humanity in relation to the 2007–08 post election violence. In one case, a journalist felt compelled to flee the country after being routinely followed and monitored by unknown individuals.

< freedomhouse.org/report/freedom-press/2014/kenya#.VE1dZPmsVjk >

Testimonies

“I don't know what my family has a harder time accepting, my atheism or my orientation. I came out as an atheist when I was 17 and when I told them I was gay later on, they concluded that I'm gay because I don't believe in god.

It's been really hard being a gay atheist because I'm an assertive person who doesn't run away from debate. I've lost many friends and been blocked and deleted on Facebook. I've been betrayed by family (a relative complained to my father and demanded I be reprimanded for my orientation). I've been drugged and raped because I came out to someone I thought was my friend, but I felt like no one was going to believe me so I never spoke about it after it happened, I just never spoke to my attacker again. I've been ignored by family members who I used to be really close to because they know I'm a gay atheist.

... I'm still forced to go to church when my mother wants me to which is very uncomfortable because she truly believes that if she forces me to go to church, I'll go back to being a "straight Christian".

... My sexuality and religious views are not the problem, it's the religious intolerance and homophobia that has the problem. Changing their perception of me is not easy because they've been brainwashed, so I stopped trying. ... The thing with homophobia and religious people is that they hate what makes them feel uncomfortable and victimise whoever's different. But I'll never stop voicing my opinions because I am a person with rights and I hope to be respected more one day.”

— Dorothy

Madagascar

Madagascar, a country with a population of about 22 million, is a religiously pluralistic country, with Christians making up about half of the population, as well as Muslims and a small number of Hindus and Jews and adherents of indigenous religions. The Constitution provides for freedom of religion, expression and the press, but the regime has violated these rights in many ways.

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

		Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views Systemic religious privilege results in significant social discrimination	Expression of core humanist principles on democracy, freedom or human rights is severely restricted
There is systematic religious privilege Preferential treatment is given to a religion or religion in general		Discriminatory prominence is given to religious bodies, traditions or leaders	
			Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms
	Insufficient information or detail not included in this report		

Constitution and government

The Constitution and laws of Madagascar provide for freedom of religion and religious practice in general, but the unelected de facto regime, which in 2009 assumed power with support from the military, had imposed numerous restrictions on religious groups. Religious leaders' involvement in politics has led to societal tension and religious discrimination.

Family, community and society

There are numerous religious groups in Madagascar. The Council of Christian Churches in Madagascar (FFKM) represents the four principal Christian groups: Roman Catholics, Lutherans, Anglicans, and members of the Reformed Protestant Church of Jesus Christ in Madagascar (FJKM). The greatest non-Christian group includes adherents of indigenous religions. The Muslim population is estimated to be about 10-15 percent, the majority of whom are of ethnic Indian and Pakistani origin, as well as Commoran immigrants.

Religious groups are required to register with the Ministry of the Interior, which give them the necessary legal status to receive direct bequests and gifts. A group must have an elected

administrative council of no more than nine members, who are citizens to qualify for registration. Religious groups that do not meet registration requirements may register as “simple associations” which may not receive gifts or hold religious services, and could only conduct social projects.

The clerical movement HMF, closely tied with the FJKM, is usually not given authorization to hold public religious gatherings and events because they have been perceived as political activities that are aimed at opposing the regime.

Muslim leaders have estimated that about 4 percent of Muslims have no citizenship, despite having been born in the country and having family ties, since there are legal restrictions on citizenship of children of two Malagasy citizens. Sometimes Muslims have limited access to government services and financial assistance and faced more difficulty with access to basic administrative services such as obtaining a national identification card with Muslim names, and registering non-profit organization names with Arabic words.

Freedom of expression, advocacy of humanist values

Independent outlets have been subjected to government censorship, harassment, and intimidation, and practiced self-censorship. In May 2012, the transitional government sentenced Free FM editors Lalatiana Rakotondrazafy and Fidel Razara Pierre, the last opposition radio station, to a 3-month prison term, convicting the two journalists for defaming the politician Ravatomanga. In July, Free FM shut down due to government intimidation.

Freedom of assembly has faced serious restrictions since the early 2009 unrest. The transitional government’s officials and security forces consistently prohibit demonstrations or repress gatherings. The freedom of association is respected in general, with hundreds of active nongovernmental organizations, which include human rights groups. Workers have the right to take part in unions, bargain collectively, and go on strikes.

Malawi

Malawi is a landlocked state in southern central Africa, a former British colony, with an estimated population of 17.4 million people, from several ethnic groupings. Constitutionally it is a multi-party democracy. One of Africa's poorest countries, agriculture forms the backbone of the economy. The spread of HIV/Aids remains a particular concern. Malawi has experienced some growth and political stability, but this remain fragile.

Rating: Systematic Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

<p>Preferential treatment is given to a religion or religion in general</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles (re: homosexuality) is somewhat restricted</p>
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>			<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

The Constitution includes a statement about the protection of human rights, including freedom of expression, freedom of thought, conscience, religion, or belief, and academic freedom (Chapter IV, Constitution of the Republic of Malawi). These rights are generally respected by the government. sdnp.org.mw/constitut/brfindx.html

Article 68 of the constitution reserves 32 out of 80 seats in the Senate for various sectors of society including (1.c.iii) representatives of “religion, who shall include representatives of the major religious faiths in Malawi”, apparently to the exclusion of representatives of secular worldviews and minority religious groups. sdnp.org.mw/constitut/chapter6.html

According to the 2010 Demographic and Health Survey (DHS), 86 percent of the population identifies as Christian and 13 percent as Muslim. There are small numbers of active secularists.

Malawi Association for Secular Humanism (ASH) is a prominent secular group which has received funding, from the Norwegian Government, for its innovative and important work on witchcraft.

"This is a secular country where all philosophies of life are welcome and we are confident that government will continue upholding secular philosophies as provided for in the constitution."
 — George Thindwa, Executive Director, ASH

malawivoice.com/2014/07/22/georgethindwa-salutes-malawians-embracing-secular-humanism/

Education and children's rights

Religious instruction is mandatory in public primary schools and is available as an elective in public secondary schools. According to the constitution, eliminating religious intolerance is a goal of education.

In some schools, the religious curriculum is a Christian-oriented "Bible knowledge" course, while in others it is an interfaith "moral and religious education" course drawing from the Christian, Islamic, Hindu, and Baha'i faiths. At grant-aided schools, a board appointed by the school's operators decides whether the "Bible knowledge" or the "moral and religious education" curriculum will be used.

Malawi has ratified most international conventions on child labour; however a recent report criticises the use of child labour in the tobacco industry and the trafficking of children to fish in Tanzania.

206.155.102.64/country,,,,MWI,,560e3e640,0.html

Family, community and society

Malawi ASH challenges witchcraft as an un-evidenced superstition often resulting in abuse and persecution for those accused of "witchcraft". The association secured funding to run a large project, protecting "witchcraft's" true victims: those accused of being "witches". Malawi ASH researches cases of witchcraft-based violence and in particular has worked to highlight the role of police in upholding or undermining the human rights of those accused of witchcraft:

nyasatimes.com/2013/08/15/anti-god-activist-thindwa-urges-police-to-enforcelaws-on-witchcraft/

Though Christianity is the largest religion many conventional rituals are still practiced. Some Christian men in Malawi practice polygamy, which has been linked to the prevalence of HIV. The Malawian justice system does not provide protections to women who were infected by their spouses.

thewip.net/2013/04/10/kheliwes-story-male-polygamy-and-hiv-infection-in-malawi/

Freedom of expression, advocacy of humanist values

The Malawi Penal Code (Ch.14, 127 & 130) contains clauses that punish acts insulting religion and writing or uttering words that intend to hurt religious feelings.

The Malawi Penal Code prohibits "carnal knowledge against the order of nature", attempts to commit "carnal knowledge against the order of nature", and acts of "gross indecency". Attempts to relax laws against homosexuality have been frustrated in large part by the response of Malawi churches. In April 2015 a new Marriage law banned same-sex marriage and unions.

There are examples of limited freedom of expression, and ASH's survival (and known opposition to the laws on homosexuality are an example). The advocacy of humanist views maybe best illustrated by the following example (albeit from 2012). During the country's debate on legalizing homosexuality, lawyer Wapona Kita criticized the national anthem, which makes deferential reference to God.

"Wapona Kita, of the law firm Ralph and Arnolds Associates, told a Young Politicians Union (YPU) radio programme on Trans World Radio on Friday [September, 2012] that by making reference to God in the opening stanza, atheists or person who do believe in God would be justified to challenge the anthem's constitutionality in a court of law. "The Malawi Constitution is the supreme law of the

land and it clearly is secular and provides for such freedoms as worship and conscience meaning persons who believe in God have exactly the same rights as those who don't," Kita explained in response to a question from listener.

newstimeafrica.com/archives/28230

Mauritius

The volcanic, island nation of Mauritius is a democratic parliamentary republic, and a popular tourist destination.

Rating: Systemic Discrimination

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

Preferential treatment is given to a religion or religion in general State-funding of religious institutions or salaries, or discriminatory tax exemptions			
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

Officially a secular state, 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.

Recognising and funding religion

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. It remains unclear in practice how secular, humanist or atheist organizations would be treated.

Freedom of expression, advocacy of humanist values

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

With a predominantly Christian population, about half of which speaking Portuguese (the country’s only official language), Mozambique has been negotiating the emergence of democracy following the protracted civil war (1977-1992).

Rating: Mostly Satisfactory

Constitution and government Education and children’s rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

			Some concerns about political or media freedoms, not specific to the non-religious
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

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.

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

Family, community and society

The 2007 census found that 56.1% identified as Christians (mainly Catholics), 17.9% as Muslims, 7.3% with other religious beliefs, mainly animism, and a significant 18.7% holding no religious beliefs.

Freedom of expression, advocacy of humanist values

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 Republic of Rwanda is a small country in Central East Africa bordering Uganda, Tanzania, Burundi and the Democratic Republic of the Congo. It's mainly rural population is over 12 million giving the country the highest population density on mainland Africa. Rwanda's recent history is dominated by Hutu/Tutsi ethnic tensions leading to the Rwandan Civil War and subsequent 1994 genocide against the Tutsis. According to the most recent data (2013) the largest religion is Roman Catholicism comprising 56.5 percent Roman Catholic, 37.1 percent Protestant, 4.6 percent Muslim. 1.7 percent of Rwandans identify as having no religious beliefs. Given that less than two percent of the population describe themselves as non-religious it can be difficult to find significant data about the experiences these people may face in modern Rwanda.

Rating: Severe Discrimination

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

		The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism	
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p>	<p>There is state funding of at least some religious schools.</p>	<p>Religious groups control some public or social services</p>	
<p>There is a nominal state church with few privileges or progress is being made toward disestablishment</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		<p>Some concerns about political or media freedoms, not specific to the non-religious;</p>

Constitution and government

The Constitution of the republic of Rwanda is a largely secular document and no preference is given to a single religion. However, the document does not explicitly protect non-religious people, using the phrase "religion or faith" instead of more inclusive phrases from the international framework such as "religion or belief" or "thought and belief":

“Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.”
— Article 11, Constitution of Rwanda

However, the non-religious would find constitutional protections in the references to freedom from discrimination and freedom of thought:

“Freedom of thought, opinion, conscience, religion, worship and the public manifestation thereof is guaranteed by the State in accordance with conditions determined by law.”
— Article 33, Constitution of Rwanda

Under the penal code, signed into law in 2012, discrimination is punishable by five to seven years in prison and fines of 100,000 to 1 million Rwandan francs (US\$160 to \$1,590).

Religious Oaths

The President of the Republic, the Prime Minister, senior Ministers of State, Senators, senior officers of Rwanda defence forces and national police, senior judges and prosecutors are all expected to swear an oath ending:

*“Should I fail to honour this oath, may I face the rigours of law.
So help me God.”*

No secular alternative is available. Whether this would preclude an atheist from standing, or whether the required could be waived for a non-religious official, is unknown.

Education and children’s rights

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 (though nor does the law specify penalties for not taking part in the class). At university level there is a government scholarship for orphans of the genocide and many of these institutions are religious in nature and require religious adherence.

Family, community and society

Though the non religious are technically protected by the laws and Constitution of the Republic, Rwanda is still a very religious population and atheists who “come out” are often ostracised by the local community. As with many similarly religious societies, the threat of ostracisation can make it difficult to provide accurate numbers of non-religious people living in Rwanda. Recent reports in the Rwandan media have drawn some attention to the experiences of the non religious.

<http://allafrica.com/stories/201303040084.html>

Freedom of expression, advocacy of humanist values

The new penal code 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. While this alone might protect specifically *religious* freedoms, the law also criminalises everyone who publicly “humiliates” rites, symbols, or objects of religion, or “insults”, threatens, or physically

assaults a religious leader. Though this law is designed to protect freedom of worship it clearly risks over-extension and could be interpreted as a *de facto* blasphemy law.

Despite constitutional protections the Rwandan government still places limits of freedom of speech and political opposition and this is important to Rwandans in general and non-religious Rwandans in particular. 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.

Highlighted cases

In an interview with Rwandan writer and atheist **Eric Bright**, he related some of the experiences faced by people of no faith in the country, saying: “I remember one day when I went to one local radio, Contact FM, to speak about atheism. The presenter was a man of science even though he was a devout Muslim. People started calling insulting me. Many pastors called to say that the show should be stopped immediately”.

mysecretatheistblog.com/2013/03/atheism-in-rwanda-interview-with-eric.html

Testimonies

“In many ways Rwanda is a secular state and this makes me happy. But there are other things that I'm not happy with. For instance, no school can give me freedom to choose atheism in religious lessons. It's either you follow this religious belief or not. Also, as an atheist I can never attain some of the top leadership of the country because it requires a religious oath.”

— Eric Bright, Rwandan journalist

Seychelles

The Republic of Seychelles, an archipelago off the east coast of Africa, has the smallest population of any African nation.

Rating: Systemic Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

Preferential treatment is given to a religion or religion in general			
			Some concerns about political or media freedoms, not specific to the non-religious
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

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

Freedom of expression, advocacy of humanist values

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

Religious broadcasting

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

The small population is predominantly Roman Catholic. Despite the disapproval of both state and religious authorities, many Seychellois holds beliefs about magic, witchcraft, sorcery, fortune-telling, and obtain amulets or charms, called gri-gri, to as anti-luck charm against enemies. Some Seychellois believe in an ancient religion called Ahrjuje.

Somalia

Somalia has lacked an effective central government for decades. The resulting anarchy enabled extremist Islamist groups to impose harsh forms of Sharia that included death for apostasy, blasphemy and other expressions of the freedom of belief and expression.

Rating: Grave Violations

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>			<p>[In areas controlled by Al-Shabaab] 'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>[In areas controlled by Al-Shabaab] 'Blasphemy' or criticism of religion is outlawed and punishable by death</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Apostasy' is outlawed and punishable with a prison sentence</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

Constitution and government

The internationally-backed government which took power in 2012 has finally returned a degree of stability and constitutional consistency, but numerous human rights issues and inter-social rivalry remain potent forces, and Islamist tendencies run deep. Al-Shabaab terror has lashed out beyond Somalia, with attacks in 2014 in Djibouti and Kenya, as well as renewed attacks in Mogadishu. In November 2014, in less dramatic events but perhaps representing signs of progress, the government re-launched Somalia's first postal service after more than two decades without one, and the first ever automatic cash machine was installed in a hotel in Mogadishu.

In August 2012, in an effort to establish greater centralized authority, the new 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.

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, parliamentary, or prime ministerial positions.

Islamic law

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.

Apostasy

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.

The provisional federal Somali constitution 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.

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.

Al-Shabaab

The terrorist group Al-Shabaab was a major impediment to peace, attacking the Somali government and all "enemies of Islam" in recent years, harassing and killing persons suspected of converting from Islam, and maiming and killing those who fail to adhere to its edicts under territory it controls. Having pledged allegiance to Al-Qaeda, in 2015 some senior figures now appear to have aligned with ISIS. However, the group has suffered considerable loss of territory, and seen numerous high-level defections.

Freedom of expression, advocacy of humanist values

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

South Sudan remains in a state of transition since achieving independence from Sudan in 2011. It has no state religion, and humanist advocates appear to have some presence in the country. However, despite vocal commitments to religious tolerance by political leaders, escalating inter-ethnic and inter-religious violence between Muslims and Christians is creating an increasingly repressive political environment, which is likely to negatively affect atheist, humanist or secularist groups.

Rating: Systemic Discrimination ↓↑

This country is found to be in flux. The country is young and the constitution is transitional. There are good intentions both in the provisional constitution and voiced by leadership, however there are concerns about inter-religious tension and anti-democratic human rights violations.

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief			
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

South Sudan has no state religion and the authorities have been insistent that all religious views will be tolerated as the country continues to move towards a permanent constitution.

The transitional constitution stipulates that freedom of religion or belief be respected, but does not mention non-believers. The same document ensures the right to “establish and maintain appropriate faith-based, charitable and humanitarian institutions” which would theoretically suggest that atheist, humanist and secularist groups will be given equal footing with religious organizations, but this has yet to be tested.

Education and children's rights

The transitional constitution provides for access to education “without discrimination as to religion”. However, the education system is currently in a state of flux, and no stable curriculum is yet in place. In 2013 the vice-president called for teaching on both Islam and Christianity to be part of the general curriculum in public schools, although it is not clear whether it will be possible to opt-out of religious education or whether any secular or philosophical alternative will be available.

Freedom of expression, advocacy of humanist values

Anecdotes from humanists active in South Sudan suggest humanism is tolerated and possibly increasingly visible. A South Sudanese representative at the December 2013 African Regional

Humanist Meeting said that: “Humanism has been deep rooted in the South Sudan army and they are passing it to local Sudanese in an effort to debunk the prevailing superstitions and belief in magic”.

iheyo.org/node/1171

Insecurity and human rights failures

The general human rights climate has seriously deteriorated since 2013. Intolerance for political dissent, restrictions on freedom of expression and attacks on civil society by law enforcement have all increased and may be expected to continue to do so in the context of escalating inter-ethnic and inter-religious violence. This is likely to create a climate of increasing pressure for any secularist, humanist or atheist activists.

Tanzania

Tanzania is a united republic formed from mainland Tanzania and Zanzibar, in 1977. The constitution defines Tanzania as a "democratic and... secular" state. (Zanzibar has its own constitution, courts and legislature within the united republic's constitution.)

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, religious courts and tribunals

Expression, advocacy of humanist values

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 groups control some public or social services	
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		

Constitution and government

In principle, the constitution protects freedom of thought and expression; freedom of conscience, faith and choice in matters of religion; and freedom of association and assembly. However, these provisions of the constitution are not upheld in practice.

The present constitution includes a Commission for Human Rights and Good Governance (CHRAGG). This body is intended to be an independent government department, established as the national focal point institution for the promotion and protection of human rights and duties as well as good governance in Tanzania. But local Human Rights groups question both CHRAGG's independence and its capacity to deliver.

<http://humanrights.or.tz/downloads/tanzania-human-rights-report-2013.pdf>

Family, community and society

Tanzania is beset by numerous indicators of social dysfunction connected to religious extremism. There have been reports of acid attacks by Islamists in Zanzibar, and there is concern over harassment of journalists. Homosexuality is a socially taboo topic, and same-sex sexual acts are crimes punishable by the state.

Medical practitioners in the country have expressed their concern on increasing trends where religious sects are interfering in their profession that is causing delays in the treatment of patients.

"The Tanzania Charitable Hospitals Trust Fund Director General, Dr Jerome Mkiramweni said that as a medical practitioner he was aware of the role religion and faith plays in building a person's personality, but the current trends were going too far."

— Tanzania Daily News Online, December 2013

The Legal and Human Rights Centre (LHRC) notes extra-judicial killings by Tanzanian state officials, mob violence (in part against so-called witches) and incitement to violence by the Prime Minister of Tanzania - as grave violations of the right to life. Over 1,600 people were killed in Tanzania in 2013.

Violence against women and children is also cited as a major cause for concern. Some of the deaths and violence were attributable to clashes between Muslims and Christians.

<humanrights.or.tz/downloads/tanzania-human-rights-report-2013.pdf>

“Tanzania arrests 23 over killing of seven 'witches'. A Tanzanian human rights group estimates that 500 suspected witches are killed in Tanzania annually.”

<bbc.co.uk/news/world-africa-29572974>

Religious courts

There are significant differences in the approach to religious courts between mainland Tanzania and Zanzibar. After independence, Tanzania mainland embarked on the process of unification of personal laws with a view of having a unified law to all her citizens irrespective of their religious inclinations. The unification process resulted in the application of the Law of Marriage Act of 1971. However, *Kadhi's* courts are part of the national judicial system of Zanzibar and Islamic law is predominant in matters of personal status. Many Muslims of Zanzibar regard attempts by mainlanders to reform some aspects of the judicial system as an attack on Zanzibar's legislative autonomy.

<sharia-in-africa.net/pages/project/tanzania.php>

Highlighted cases

One **Eva Abdulla** was charged with blasphemy (said to have urinated on the Koran) and in July 2012 was sentenced to 2 years imprisonment. On appeal, January 2013, Abdulla was found not guilty and released.

<hrwf.org/images/reports/2013/forbprisoners.pdf>

Uganda

Uganda, lying around the north and north-western shores of Lake Victoria, is a predominantly Christian country, with a significant Muslim minority, and a president, Yoweri Museveni, of some 28 years standing. Uganda is member state of the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, society,
religious courts and tribunals

Expression, advocacy of
humanist values

		Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views	
	Religious schools have powers to discriminate in admissions or employment Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			

Constitution and government

The constitution and other laws and policies protect freedom of 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. The law prohibits the creation of political parties based on religion.

Education and children's rights

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).

Family, community and society

There is little or no interreligious conflict between the Christian majority and the Muslim minority, though 2014 saw a surge in inter-tribal conflict in the western Rwenzori region, reportedly related to historical kingdom boundaries and militant secessionist movements.

crisis.acleddata.com/an-examination-of-recent-ethnic-violence-in-the-rwenzori-region-of-uganda/

Churches and businesses named for religious figures and concepts are predominant in the city streets of Kampala. Marriages are often celebrated with traditional “Introductions” followed by a more Western-style wedding ceremony. Several Humanist groups operate quite openly and lawfully, though they are not vocal about irreligious elements of Humanism and focus mainly on education, welfare, and broader human rights work.

An Anti-Pornography Act passed in early 2014, and was widely derided as “muddled”, being readable as outlawing not just representation but any sexual behaviours in any context. The law’s lead proponent, former Catholic Priest and government Minister for Ethics and Integrity, Simon Lokodo, championed the law on a puritanical religious basis, and said “if a woman is dressed in attire that irritates the mind and excites other people of the opposite sex, you are dressed in wrong attire, so please you should hurry up and go home and change.” Women should “dress decently” because “men are so weak that if they saw an indecently dressed woman, they would just jump on her”. Shortly after it was passed the Anti-Pornography Law was blamed for inciting a spate of attacks on women wearing miniskirts

indexonensorship.org/2014/03/porn-bill-uganda/

Anti-Homosexuality Act passed, ratified and thrown out

In recent years the government including Minister for Ethics Simon Lokodo lobbied to pass an Anti-Homosexuality Bill, citing religious and traditional “moral” grounds for increasing the penalties for gay sex (homosexuality is already illegal). The draft bill received international criticism in its initial stages for proposing a death sentence for what it termed “aggravated homosexuality” (a charge which could be brought in principle simply for multiple incidents of homosexual activity) and earned the nickname “the kill the gays bill”. 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. International human rights groups have condemned the bill at every stage.

The bill was passed by parliament on 20 December 2014. After years of pressure, President Museveni finally signed the bill into law early in February 2014, supposedly after misinterpreting a “scientific” report on the status of homosexuality.

iheu.org/museveni-set-to-sign-ugandas-anti-gay-bill-based-on-false-reading-of-science/

iheu.org/the-anti-gay-law-in-uganda-iheu-analysis/

However, the law was declared invalid on 1 August 2014 by the Constitutional Court after the speaker was found to have “passed” the bill without quorum in parliament. Supporters of the bill have pledged to bring it back to parliament.

Freedom of expression, advocacy of humanist values

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.

Highlighted cases

Two leaders of the organization HALEA, **Humanist Association for Leadership Equality and Accountability**, were attacked in 2014 and their offices vandalized and robbed. The HALEA offices were robbed in July. Group member **Joseph Lukyamuzi** was attacked at his home in August 2014, and on 30 October 2014 the director of HALEA, **Kato Mukasa**, suffered an arson attack at his home,

all apparently in connection with the rising profile and human rights work of this Humanist organization.

iheu.org/humanist-group-needs-help-after-robbery/>

iheu.org/after-attack-on-humanist-leader-take-a-stand/>

Testimonies

“Being a non-religious organisation, what we do has unfortunately attracted hate from several people who now brand us as Satanic, or “un-African”. I have been attacked on Facebook, and during radio appearances I have been abused on air.

... At about 3 am [on 30 October 2014], unidentified persons came to my home, the maid says she heard people moving around the house and trying to open her window and in a few minutes, there was commotion and then there was a bang and the fire started. They set the car ablaze. It is a trying moment to me and my young family, my children are greatly traumatized. Thanks to my good neighbors who came to my rescue and my family was saved. The entire house could have burnt down! I have contacted the police and the ... arson has been reported. ... I will continue working for humanism, doing my job at HALEA more determined than ever. Regardless of the hate and persecutions, our struggle to empower the minds of our people should continue, whether I am around or not.”

— Kato Mukasa

Zambia

The Republic of Zambia, a landlocked state in south central Africa has a population of 13.8 million people. Zambia has a reputation for political stability and a relatively efficient, transparent government (marred by President Chiluba's extensive corrupt tenure). It is Africa's biggest copper producer and subject to the volatility of the mineral's price. It has strong links with China.

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, society,
religious courts and tribunals

Expression, advocacy of
humanist values

			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
There is systematic religious privilege There is an established church or state religion	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
			Concerns that secular or religious authorities interfere in specifically religious freedoms

Constitution and government

Zambia is officially a Christian state, according to the 1996 constitution. There are constitutional provisions to protect freedom of religion or belief (as well as freedom of expression and assembly). The government's commitment to these general principles may not be as firm as the constitution suggests.

According to the 2000 census, 87 percent of the population is Christian, 1 percent is Muslim or Hindu, and 7 percent adhere to other belief systems, including indigenous religions. Many people practice a mix of Christianity and traditional beliefs. 5% of the population may be assumed to have no religious faith. There are no known atheist or humanist groups in Zambia.

A draft new constitution circulated during 2013, but not enacted (due to the then President Sata's death) singled out "anti-Christian" views as not protected by the general principles of free expression. These draft proposals appear to have been motivated by differences between churches (and Sata's clear preference for the Roman Catholic church), differences which the then Zambian president thought it appropriate that the state might resolve.

President Sata has been succeeded by a prominent minister in Sata's government, Edgar Lungu. At the time of writing there is no indication that there will be a renewed constitutional discussion about "anti-Christian" views. However, the new president's affiliation may be clear from the following reference to an October 2015 foreign news report:

"Sunday saw a nationwide day of prayer in Zambia as president Edgar Lungu called for a divine intervention to save the African country's currency, Kwacha, from a record drop."

[<rt.com/news/319018-zambia-national-prayer-currency/>](http://rt.com/news/319018-zambia-national-prayer-currency/)

Education and children's rights

The majority of Zambian pupils attend government schools, which are nominally free for Grades 1-7, although parents may have to pay 'contributions' or buy uniforms from the school. With the exception of a few top private schools, Zambian schools are chronically under-resourced and educational standards extremely low.

The current constitution declares:

"2) Except with his own consent, or, if he is a minor, the consent of his guardian, person attending any place of education shall be required to receive religious instruction..."

In practice, according to the US Commission on International Religious Freedom Report for Zambia, "the government requires Christian instruction in public schools. Religious education in both the Catholic and Protestant traditions is mandatory for all students through grade seven. From grade eight to grade twelve, religious education is offered as an optional subject in government-run schools. Islamic or other forms of religious education are not available in public schools but are offered in some private schools."

The use of children in the most dangerous forms of labour, such as mining and agriculture, is a problem in Zambia.

206.155.102.64/country,,,ZMB,,55506fa524,0.html

Family, community and society

There is no evidence of secularists being the subject of discrimination on account of non-belief, but secularists who promote other-than-orthodox Christian teaching on family and relationship issues can find themselves the victim of both government and churches strong responses (see below).

Freedom of expression, advocacy of humanist values

The Constitution guarantees freedom of speech and the press, but as of 2013, the government often restricted these rights in practice. Although the late President Sata had pledged to free the public media from government control, these outlets have continued to make pro-government reports in general, and journalists have censored themselves. All the major print and broadcast outlets now favour the ruling party. The government has the authority to appoint the management boards of ZNBC and the Independent Broadcasting Authority (IBA), grants and revokes licenses of broadcasters. Sata had revoked the nationwide licenses of the privately owned Radio Phoenix and Q-FM because they had aired opposition statements.

In 2013, the government harassed and intimidated independent journalists. It had targeted the highly critical Zambian Watchdog and it eventually became inaccessible via the internet in Zambia and, for a period, outside the country as well, although it could be accessed on mobile phones using circumvention tools, and via Facebook and Twitter. Another critical website, Zambia Reports, had also been blocked at times.

freedomhouse.org/report/freedom-world/2014/zambia-0#.VIQD1DHF9qJ

In February 2014, a Lusaka court acquitted human rights activist Paul Kasonkomona. He had been charged in April 2013 with "soliciting for immoral purposes" after he urged the government to recognize the rights of lesbian, gay, bisexual, transgender and intersex people as part of a comprehensive fight against HIV/AIDS during a television debate. The court ruled that the state had failed to prove its case. The government indicated its intention to appeal against the ruling.

206.155.102.64/publisher,AMNESTY,ANNUALREPORT,ZMB,54f07d75e,0.html

In July 2015, the decision by President Edgar Lungu to commute the sentences of 332 prisoners awaiting death by hanging to life imprisonment was welcomed by Amnesty International and others, as "a laudable first step....to abolishing the death penalty completely".

refworld.org/country,,AMNESTY,,ZMB,,55ae01464,0.html

Zimbabwe

The Republic of Zimbabwe is an entirely landlocked sovereign state in southern Africa, with a population of approximately 13 million. Average life expectancy is 53.5 years of age. The strict authoritarian state which has been dominated by President Mugabe and the ZANU-PF party since independence in 1980 and continues to systematically abuse freedoms of belief, expression, assembly and other human rights. Approximately 70% of the population belong to various Christian denominations which are often intertwined with traditional indigenous animist beliefs. Evangelical denominations are the fastest growing religious groupings in the first decade of the 21st century, while there are also small numbers of adherents to Islam, Greek Orthodox, Hinduism, and very few openly atheist/non-religious persons.

Rating: Severe Discrimination

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic religious privilege results in significant social discrimination	'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is systematic religious privilege Preferential treatment is given to a religion or religion in general State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			

Constitution and government

The Zimbabwean constitution references a deity twice within the preamble which affirms "acknowledging the supremacy of Almighty God, in whose hands our future lies" and "imploping the guidance and support of Almighty God".

However, there is no officiated state religion in Zimbabwe. Article 60 of the constitution guarantees "freedom of thought, opinion, religion or belief; and freedom to practise and propagate and give expression to their thought, opinion, religion or belief, whether in public or in private..."

The first half of 2013 saw the creation of a revised state constitution in which the third of nine Founding Values and Principles now recognises "fundamental human rights and freedoms". But the regime's oppression persists.

Religious Bias

There are reports of a strong and far reaching bias in the public sphere and in the political community towards Christianity. Church attendance is increasingly politicised. Many of the country's political elites are affiliated with the churches and it is reported that the Anglican Church in particular holds a position of pronounced bilateral influence and cooperation with the state. There are also reports of religious bias making inroads into journalistic news.

archive.frontpagemag.com/readArticle.aspx?ARTID=35012

Education and children's rights

All schools are under state control and the curriculums of secondary and advanced secondary schools are strictly Christian with no mention of other faiths, or reference to non-belief, humanistic or other philosophical standpoints, though there are some conflicting reports in this area.

ahrj.up.ac.za/mutangi-t

Freedom of expression, advocacy of humanist values

Section 42 of the penal code stipulates that "causing offence to persons of a particular religion" which is defined as "any system of beliefs associated with practices of worship that is adhered to by any significant body of persons in Zimbabwe or any other country" could result in a significant fine and / or imprisonment for up to one year. This law is explicitly recognised and codified as Blasphemy in the Correspondence of Common Law Crimes with Codified Crimes. Though this law appears on the statute books there are no available reports of citizens being charged with this specific offense.

Although Article 61(3c) of the constitution affirms media freedom and the importance of being afforded "fair opportunity for the presentation of divergent views and dissenting opinions", state sponsored political violence is an ongoing and chronic problem in Zimbabwe. Human rights defenders are known to have faced harassment, arbitrary arrest and violence at the hands of the authorities. Elections have been marked by political violence, with anti-government critics, journalists and even religious leaders being harassed and oppressed, and some sentenced to imprisonment or even torture.

amnesty.org/en/region/zimbabwe/report-2012

Restrictions of freedom of expression permeated the art world in 2011 when the cast of a play that dealt with themes of election violence were arrested for "undermining the authority of the president".

freedomhouse.org/report/freedom-world/2012/zimbabwe#.VIIf1TGsVuJ?

The 2002 Public Order and Security Act severely restricts freedoms of assembly, expression and association remains in force. This has purportedly been used to curb public prayer rallies in some instances.

religiousfreedom.com/index.php?option=com_content&view=article&id=111&Itemid=29

"Reporters and columnists sometimes seem to be in competition to show off which one is more religious than the other, which one can quote the Bible verses with more alacrity than the next one, which one is 'holier' than the next..."

newzimbabwe.com/opinion-9389-Media+joins+%E2%80%98prophet%E2%80%99+cult+worship/opinion.aspx

Africa

Middle Africa

Angola

Angola was a Portuguese colony before 1975, gaining independence only after a protracted liberation war, which was followed by a bloody civil war. The socialist-inspired national flag features a gear, a star, and a machete, the latter representing both agricultural production and armed struggle.

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, society,
religious courts and tribunals

Expression, advocacy of
humanist values

			Expression of core humanist principles on democracy, freedom or 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
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of 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.

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.

Family, community and society

Religious organizations 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.

Freedom of expression, advocacy of humanist values

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 Republic of Cameroon is, constitutionally, a democratic sovereign state in the west central Africa region, with a population of 23.1million. Densely populated cities in the south contrast strongly with sparsely populated rural areas in the north, touched recently by the insurgency of Boko Haram and refugees from the Central African Republic. The current President has been in office since 1982. Cameroon is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist value
State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools	There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles of democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories		Religious courts or tribunals rule directly on soe family or moral matters	Some concerns about political or media freedoms, not specific to the non-religious; Concerns that secular or religious authorities interfere in specifically religious freedoms

Constitution and government

Cameroon is a secular state, to the degree that “the neutrality and independence of the State in respect of all religions shall be guaranteed”, and guarantees “freedom of religion and worship... freedom of communication, of expression, of the press, of assembly, of association”.

There is no official state religion, however Christian and Islamic holy days are celebrated as national holidays; government ministers or the president often attend religious ceremonies on these days; state sponsored TV and radio regularly broadcast religious services.

Education and children's rights

Christian churches (particularly) play a central role in the provision of education. The government gives an annual subsidy to all private primary and secondary education institutions, including those operated by religious denominations. There are also several religious universities.

In religious schools, religious observance and worship are integral to children's education One Catholic Diocese puts it as follows:

"Secular education is not possible in its best form unless religion is the central, vitalizing and coordinating factor in the life of the child."

— <kumbodiocese.org/page.php?id=265&s=4>

The Ministry of Basic Education and the Ministry of Secondary Education works to ensure that the standard of education at religious schools adequately meets that of regular state schools. In state schools religious education is not compulsory. There is no evidence of alternative humanist education being offered.

Family, community and society

According to a 2005 census, Cameroon has a dominant Christian majority (69%), living primarily in southern and western regions. Of these Protestants dominate in the former British territory, and Roman Catholics the former French territory. Muslims (21%) can be found in both major cities and in the North: Muslims have shown little enthusiasm for militant Islam. Animism still exists in rural areas and maybe more widespread than the 6% reported in the census.

There are no known humanist or atheist groups active in Cameroon.

The law requires religious groups, other than “traditional, indigenous” religions to register and seek governmental approval. Lengthy administrative processes have created a backlog in registration, with no new religious groups having been registered since 2010. However, many religious groups operate freely without authorisation. The government, in 2013, closed (for a two-year period) several Pentecostal churches following reports of a pastor who had tried "to cast out demons" of a 9-year old child. Allegations of 'witchcraft' are taken seriously; levelling such accusations is a criminal offense and those charged are liable to receive a 2 to 10 year prison sentence.

<http://iheu.org/witch-hunts-and-human-rights-abuses-africa>

In some Muslim communities, Sharia law is viewed as a part of the common law or local customary law, and has significance in family and cultural events. (*Comparative and International Justice Systems*, Third Edition Ed: Obi N.I. Ebbe)

There is no evidence of secularists being the subject of discrimination on account of their non-belief, but secularists who promote other-than-orthodox Christian teaching on family and relationship issues, can find themselves the victim of both government and churches strong responses (see reference to LGBT community below).

The practices of “breast ironing” and female genital mutilation (FGM) are both widespread.

<http://vice.com/read/cameroon-tradition-flattening-chests-876>

<http://fgmnetwork.org/gonews.php?subaction=showfull&id=1165927432&ucat=1&>

Freedom of expression, advocacy of humanist values

Cameroon has been widely criticised for the behaviour of its security services (police and army, included). The most recent report, by United Nations in October 2015, is linked to the responses to the civilian population following attacks by Boko Haram.

<http://www.un.org/apps/news/story.asp?NewsID=52246#.VjoWAWu1rIU>

However there are long-standing concerns of human rights abuses, documented by Amnesty International, in relation to torture and abuse, particularly of detainees and prisoners; denial of fair and speedy public trial; and life-threatening prison conditions.

Human rights defenders are amongst those known to have been subject to significant restrictions. There are serious issues relating to freedom of speech and expression. Journalists investigating corruption are known to have been arrested by security services, held for questioning and in some

cases imprisoned for "defamation". In a 2012 report, the UN Special Rapporteur on the promotion and protection of free speech and expression stated that the "criminal defamation laws are inherently harsh and have a disproportionate chilling effect on free expression. Individuals face the constant threat of being arrested, held in pre-trial detention, subjected to expensive criminal trials, fines and imprisonment, as well as the social stigma associated with having a criminal record."

Cameroon has a very low level of media freedom, with a rating of 6 (7 being the worst) from Freedom House. Cameroon is one of the only countries in the world that requires national newspapers to submit articles to the state before publishing for approval.

cpj.org/attacks96/countries/africa/cameroonlinks.html

freedomhouse.org/report/freedom-world/2014/cameroon-0#.VGJxHfmsVuI

There are numerous reports of vigorous societal and systemic discrimination against real and perceived members of the LGBT community, with homosexuality deemed a punishable offense under section 347 of the Cameroonian Penal Code. Human rights defenders and family members supporting or representing members of sexual minorities are routinely harassed, threatened with violence, in some cases by people thought to be government agents. This culture of intimidation and fear is often propagated by particular religious leaders. In December 2012 the Catholic Archbishop of Cameroon stated that same-sex unions are a "crime against humanity". This type of rhetoric has contributed to the spread of societal vigilantism and violence with seeming impunity.

hrw.org/sites/default/files/reports/cameroon1010WebVersion.pdf

freethoughtblogs.com/butterfliesandwheels/2014/01/a-death-in-cameroon/

Highlighted cases

In 2005, the founder of the Cameroon Freethought Association, **Alex Mbom**, was sent into hiding, after being arrested and held without explanation, and later beaten and robbed of his freethought materials.

ibka.org/en/articles/ag05/bkirkhart.html

Central African Republic

There has been serious and violent civil unrest and sectarian conflict in CAR in recent years, including military coups that have forced out the president. Central African Republic requested full membership of the Organization of Islamic Cooperation (OIC) in 2002. According to 2010 estimates, about 80 percent of the population of CAR are Christians; about 51 percent Protestant and 29 percent Roman Catholic. Islam is practiced by 15 percent of the population. The remaining 5 percent are a mix of indigenous beliefs.

Rating: Severe Discrimination

Note: Given the widespread sectarian conflict it should be noted that the security of everyone in CAR is currently severely threatened. The rating awarded here reflects the technical state of the law only, and to the extent that this is possible. The overall human rights situation is highly severe

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

		Systemic religious privilege results in significant social discrimination	Expression of core humanist principles on democracy, freedom or human rights is severely restricted
		Discriminatory prominence is given to religious bodies, traditions or leaders Religious groups control some public or social services	Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report		

Constitution and government

The constitution affirms its commitment to the Universal Declaration of Human Rights, the African Charter of Human Rights and explicitly states that it is committed to the prohibition of discrimination against women and children. The constitution also states that all human beings are equal before the law regardless of race, ethnicity, region, sex, religion, political affiliation and social position. The constitution does protect freedom of worship and freedom of assembly, and prohibits any form of religious fundamentalism and intolerance.

Family, community and society

Ongoing violence has led to significant turmoil within the government and among the populace, many members of the population arming themselves and forming groups for defence or revenge. Much of the country is lawless. French and African Union troops were sent in as peacekeepers in late 2013, with UN peacekeepers taking over in September 2014. The disputes fall along a religious dividing line, broadly setting Christians and Muslims against each other. Ethnic cleansing has been reported and fears of mass genocide have caused the UN to send increase the peacekeeping missions in CAR in order to try to restore some form of control to the country.

Background to the conflict

In December 2012 Seleka militia forces began an armed offensive in Central African Republic (CAR) this eventually resulted in a seizure of power by Seleka in March 2013, overthrowing President Francois Bozize. The Seleka remained in power until around December 2013 when French and African Union forces were sent in to disarm them. During their time in power the Seleka were responsible for massacres, rape, torture, executions and looting. The Seleka were a predominantly Muslim force, though not entirely so. Even as they withdrew at the end of 2013 and in 2014 they were responsible for numerous brutal attacks on Christian civilians, property and villages.

In response to the Seleka the anti-balaka are wholly Christian militias that have been actively seeking Muslim communities and carrying out brutal acts of violence as revenge for the Seleka. As a result of the anti-balaka's aggression the Muslims left in the country are attempting to leave. Many have been killed while travelling, some are taking refuge in local churches and mosques and others are in refugee camps under necessary armed protection.

"The most lethal attack documented by Amnesty International took place on 18 January in Bossemptele, where at least 100 Muslims were killed. Among the dead were women and old men, including an imam in his mid-70s."

amnesty.org/en/news/central-african-republic-ethnic-cleansing-sectarian-violence-2014-02-12

The interim President, Catherine Samba-Panza, has struggled to maintain order and has been called on by militia groups to resign, but Samba-Panza made her position clear on state radio, saying: "I will not resign. I must lead this country until the end of my mission."

Though there were many attempted political coups over the years it was the Seleka that eventually overthrew Bozize as a political act. What started as a political battle in 2012 has since turned increasingly sectarian on religious grounds to the point where Muslims are now considered to have been mostly 'ethnically cleansed' from the capital Bengui and a great deal of the rest of the country too.

Amnesty International have reported that some AU troops have committed unlawful killings among other human rights violations further exacerbating the problems in the country. The UN, in September 2014, sent large numbers of troops into CAR and control of the peacekeeping was passed over to the UN. Many of the French and AU troops still remain.

Chad

A landlocked country sharing borders with Libya, Sudan, Central African Republic, Cameroon, Nigeria, and Niger, Chad’s geography, geopolitics and oil resources have contributed to cycles of violence and rampant corruption.

Rating: Severe Discrimination

Constitution and government Education and children’s rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

		Systemic religious privilege results in significant social discrimination	
State-funding of religious institutions or salaries, or discriminatory tax exemptions	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders Religious groups control some public or social services	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted

Constitution and government

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

Freedom of expression, advocacy of humanist values

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.

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.

Congo, Democratic Republic of

Populous and extremely rich in natural resources, with about 95% of the population identifying as Christian, about half of which being Catholic, DRC has been wracked by civil conflict and massive human rights abuses for decades. The Catholic Church predominates as an institution, comparable to the state itself.

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, society,
religious courts and tribunals

Expression, advocacy of
humanist values

			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

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 violate fundamental human rights, especially in Eastern regions where the conflict is on-going.

Freedom of expression, advocacy of humanist values

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.

Congo, Republic of the

Former part of the French colony of Equatorial Africa, independent since 1960, the Republic of Congo or Congo-Brazzaville, borders its larger namesake the Democratic Republic of Congo to the east. It was known as the People's Republic of the Congo, a Marxist–Leninist single-party state, from 1970 to 1991, but multi-party elections have been held since 1992. Central African Republic requested full membership of the Organization of Islamic Cooperation (OIC) in 2011.

Rating: Mostly Satisfactory

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious; Concerns that secular or religious authorities interfere in specifically religious freedoms
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The Congolese constitution and other laws and policies generally protect religious freedom and forbid discrimination based on religious affiliation. In Congo, it is compulsory for all organizations, including religious groups, to undertake a lengthy process of registration. All organizations must receive approval from government. Failing to register can incur penalties, including fines and the confiscation of goods, annulment of contracts, and the removal of foreigners from the country.

state.gov/documents/organization/208350.pdf

The rights to freedom of assembly and association are sometimes restricted in practice, and often precarious to exercise if they involve a particular political agenda. However, Congo nevertheless has a particular lively civil society.

Education and children's rights

There are religious private schools in Congo. Public schools do not have religious teaching. Academic freedom is formally unrestricted. However, some professors engage in self-censorship on grounds of fearing government harassment.

freedomhouse.org/report/freedom-world/2014/congo-republic-brazzaville-0#.VB1YY_k7um4

Freedom of expression, advocacy of humanist values

Although guaranteed by the Congolese constitution, freedoms of speech and expression remain limited. Journalists have been threatened, attacked and detained by members of the state security apparatus for reporting critical accounts of government officials. Journalists have also been attacked

by non-state armed groups. In June, a radio host was murdered in North Kivu. According to UNESCO, he had discussed the activities of armed gangs in Kirumba. Furthermore, as elections neared, there was a surge in violence against journalists. However, the Congolese government does not monitor online communications or inhibit access to the internet, but internet use is limited because of a lack of infrastructure in the country.

Equatorial Guinea

Formerly a colony of Spanish Guinea, the name Equatorial Guinea name evokes its location near both the equator and the Gulf of Guinea. It is the only African country where Spanish is an official language. A large oil produce, the country is deeply marked by human rights issues, including corruption, human trafficking, and and severe limits on press freedom.

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

		Systemic religious privilege results in significant social discrimination	Expression of core humanist principles on democracy, freedom or human rights is severely restricted
		Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion			
	Insufficient information or detail not included in this report		

Constitution and government

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.

Religious preference

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.

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

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

The Gabonese Republic is a presidential republic, with a population of around 1.5 million people. It gained independence from France in 1960, and has had only three presidents in the intervening years. However, a multi-party system under a democratic constitution are now place. Petroleum-rich with a low population density have made Gabon one of the most prosperous countries in Sub-Saharan Africa.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of 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.

Freedom of expression, advocacy of humanist values

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

In the Gulf of Guinea, off the western equatorial coast of Central Africa, the island is a former Portuguese colony, which gained independence in 1975. The new president, elected in 2011 promised to focus on ensuring political stability and ending corruption. The recent discovery of oil in the Gulf of Guinea provided new hope for improving the country's economy. According to the 2012 census, the population of São Tomé and Príncipe is 187,356 inhabitants, the estimate from 2013 of the US government is around 190,000 inhabitants. About 85% are Catholics, 12% are Protestants and less than 2% are Muslims. The increasing number of migrants from Nigeria and Cameroon in the last 10 years led to an increase in Muslims in São Tomé and Príncipe.

Rating: Mostly Satisfactory

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

There is a nominal state church with few privileges or progress is being made toward disestablishment			
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

The constitution of São Tomé and Príncipe guarantees freedom of conscience, religion and worship. Article 8 explicitly stipulates that São Tomé and Príncipe is a secular state and that all religious institutions are separated from state institutions.

Religious groups have to register with the government. The registration process begins by sending a letter requesting authorization to the Ministry of Justice and Parliamentary Affairs. After obtaining authorization, the organization must send a package of documents to a notary and to pay the notarial fees. A public gazette publishes an announcement and the registered group can then begin its activities.

Freedom of expression, advocacy of humanist values

The state controls a press agency, as well as radio and television stations. However, no law forbids independent broadcasting. Oppositional parties receive free airtime and there are newspapers and pamphlets which freely criticize the government.

freedomhouse.org/report/freedom-world/2014/s-o-tom-and-pr-ncipe-0#.VGutk_IKKS0

Africa

Northern Africa

Algeria

As declared in the constitution, Algeria is a Sunni Islamic State. The Constitution bans non-Muslims from holding high-level government positions. Non-religious groups meet in secret to avoid state persecution and social approbation. Those who “renounce” Islam may be imprisoned, fined, or coerced to re-convert. Algeria is a member of the UN Human Rights Council since 2014, yet most human rights experts and international NGOs are still denied access to the country. Algeria is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Serious Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive inter-religious social control (including inter-religious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	

Constitution and government

The current constitution was last modified in 2008. Islam is the state religion (Article 2), enjoying significant legal privileges. The constitution provides for the inviolable right to creed and opinion (Article 36), but freedom of religion or belief is not mentioned.

Ordinance 06-03 does prohibit discrimination on the basis of religion specifically (but not thought or belief more broadly) and guarantees state protection for non-Muslims, in theory. However, these

provisions are significantly weakened by a variety of other legal instruments and societal practices, in practice.

State institutions are prohibited from engaging in activity incompatible with Islamic morality. Non-Muslims are prohibited from standing for the presidency, but may hold other public office.

Mosques receive state funding and imams are trained by the state. Non-Muslim religious groups receive limited state funds in some instances.

Registration of non-religious groups is via the Ministry of Interior, and the government enjoys broad discretion in granting it. Law No. 12-06 forbids associations from receiving any foreign funding or cooperating with or seeking membership in foreign organizations without the government's approval. Further, activities that are contrary to the country's "values or public morals" are forbidden.

One political party advocating a secular state in Algeria is currently registered and active. A handful of humanist, atheist and secularist groups have online profiles, but there is no evidence that any have registered officially or could do so in practice. Advocates of secularism in Algeria describe the government as a "theocratic regime", and talk of having to hide their non-religious views to avoid being shunned by their families and communities.

Education and children's rights

Although the educational reform of 2006 eliminated "Islamic sciences" from the baccalaureate, Islamic studies are mandatory in public schools at primary level and followed by Sharia studies at secondary level. Concerns have been expressed that requests by non-Muslim religious students to opt out of these classes would result in discrimination.

Family, community and society

Family law is religious controlled, drawing on Islamic law after the Maliki school, as well as some customary law and French law. As in most Muslim-majority countries, any reforms to family and personal status laws are generally very slowly introduced and hard-fought. Article 1 of the civil code stipulates that in the absence of any clear legal disposition, the judge must refer to the principles of Islamic law. It is mainly in the family code that such legal disposition is missing. The resulting legal pluralism mostly disfavours women and restricts individual freedoms.

The Algerian family code shares many aspects with the Moroccan code and is generally more conservative in character compared to the Tunisian code. Contrary to other countries, as for instance Egypt, there is no separate law for non-Muslims and the family code applies to all Algerians regardless of personal religion or belief.

Family law discrimination against "apostates" and women

Prior to the 2005 amendments, family law stated that if it is established that either spouse is an "apostate" from Islam, the marriage will be declared null and void (Article 32). The term "apostate" was removed with the amendments, however those determined as such still cannot receive any inheritance (Article 138).

Under the family code, Muslim women may not marry non-Muslim men (Article 30), while Muslim men may not marry women of non-monotheistic religious groups. Women have the right to inherit only half of what men are entitled to (Articles 142 and 144). Children born by a Muslim father are considered Muslim. Furthermore, it is prohibited to give a child a non-Muslim name.

In addition, the family code treats women as minors under the legal guardianship of a husband or male relative (“wali”) and authorizes polygamy, but only polygyny (men marrying multiple wives) not polyandry (women marrying multiple husbands) (Article 8). Men can also divorce for any reason, while women must generally cite one or more of ten specific reasons for divorce. A divorce for another reason is only possible with the option of “khula”, the traditional Islamic principle that permits a woman to divorce if she pays the husband a sum of money.

Domestic abuse is not specifically prohibited by law. The penal code has criminalized sexual harassment since 2004 (Article 341). Further, Islamic principles influence the punishments for rape in the penal code. A man can avoid punishment by marrying the victim, spousal rape is not outlawed, and discriminatory provisions exist for the witnessing testimony of women. In criminal cases the testimony of two women is considered to be equal to that of one male witness.

Freedom of expression, advocacy of humanist values

The “blasphemy” law is stringent and widely enforced. The non-religious are largely invisible in the public sphere, and although not specifically targeted through legislation, significant prejudice towards non-Muslim religions can be presumed to apply equally if not more so to non-believers.

“Blasphemy” is prohibited through several legal instruments. The penal code prohibits insults against Islam or the Prophet Muhammad, and this is reinforced in media legislation.

The crime of “blasphemy” carries a maximum of five years in prison and the laws are interpreted widely. For example, several arrests have been made under the blasphemy laws in the last few years for failure to fast during Ramadan, even though this is not a requirement under Algerian law. Non-fasting persons (“non-jeûneurs”) repeatedly face harassment by the police and civil society.

slateafrique.com/91533/algerie-ramadan-la-chasse-aux-non-jeuneurs-va-t-elle-recommencer (2012)

lemonde.fr/afrique/article/2013/08/04/en-algerie-un-dejeuner-provocateur-en-plein-ramadan_3457278_3212.html# (2013)

fdesouche.com/488871-ramadan-bejaia-algerie-des-non-jeuneurs-lynches-par-la-foule# (2014)

algeriefranceinfos.blogspot.ch/2015/06/france-ramadan-des-non-jeuneurs.html (2015)

algerie-focus.com/blog/2015/06/affaire-presumee-de-non-jeuneurs-a-oran-la-dgsn-dement-et-livre-sa-version/ (2015)

Public protests for freedom of conscience and the right to abstain from fasting (including many secular Amazigh movements) have triggered a public debate in which some leaders of the Islamist movement have demanded the death penalty for the failure to fast during Ramadan.

Beside Ramadan, alcohol consumption, which is prohibited by religious law, has been put under increased controls and has led to forced closure of several bars since 2012.

Since 2006, proselytizing by non-Muslims has been illegal and carries a fine of up to EUR 10,000 and a maximum of five years in prison and non-Muslim missionary groups are only allowed to conduct humanitarian activities. Distribution of materials which may “shake the faith” of a Muslim or “undermine the Islamic faith” is also prohibited.

Apostasy is not expressly penalized, but draws consequences partially in the family law.

Highlighted cases

In 2015, the celebrated Algerian poet, author and playwright **Rachid Boudjedra** (b. 1941) discussed his atheism on national television during an invited interview. Though he had previously 'come out' in 2006, and was well-known for condemning political Islamism, the 2015 TV interview sparked a media storm in response to his 'outspoken' declaration. There was some condemnation on social media, though some bloggers defended him. Boudjedra holds a degree in philosophy from the Sorbonne and is a multiply award-winning novelist.

In the interview on *Mahkama*, Boudjedra presented a humanized picture of Muhammad, saying he was not a divine Prophet, but a "revolutionary man". Inverting the popular refrain of devout Muslims, Bou Jadra said that he in fact preferred his mother to Allah. And, "On behalf of my mother, I swear to tell the truth, the whole truth. I do not believe in God nor in the Muslim religion, I do not believe in Muhammad as a prophet. If had to choose a religion, it would be Buddhism, for his pacifism." He also said that many Algerians had actually embraced atheism, but remain reluctant to say so publicly.

The *Ulema* authorities announced that a public declaration about his "Ilhad" (atheism or deviation) was a serious matter: "Boudjedra should be deprived of the privileges accorded to Muslims at their death. [...Thus excommunicated] it would be unlawful, upon his passing, to give him the ritual washing; no sermon should be given at his funeral, and in no way may he be buried in an Islamic cemetery." The *Ulema* also called for is repentance saying he would be welcomed back.

geopolis.francetvinfo.fr/algerie-rachid-boudjedra-assume-son-atheisme-a-la-tele-et-enflamme-le-web-63397

[academia.edu/12889633/The Rise and Spread of Ilhad Atheism in the Arab World](http://academia.edu/12889633/The_Rise_and_Spread_of_Ilhad_Atheism_in_the_Arab_World)

Testimonies

"I personally live in Kabylia [mostly Amazigh region, east of Algier], the people here are more open-minded than in other regions of Algeria. I talk about my atheism with my friends and relatives sometimes. I do not run the streets shouting about my atheism, but with my family it's going pretty well. People are sometimes surprised, sometimes they want to debate, but it's still in a respectful frame (without insults etc.). But for other regions of Algeria it is much more difficult, I know people who claim to be pious Muslims to avoid violence and lynching..."

— Lamine

Egypt

During the Arab Spring protests in 2011, long-time President Hosni Mubarak resigned and was later replaced in an election by the Muslim Brotherhood-supported Mohammed Morsi. Morsi was himself overthrown in 2013 leaving the country to be ruled by the military under President Abdel Fattah el-Sisi. Egypt is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

<p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>		<p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	
<p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is systematic religious privilege</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government

The current 2014 constitution is an amended version of the 2012 constitution signed in to law by the Morsi administration. The new constitution was signed into law after a referendum in January 2014. It has been criticised by human rights groups for putting too much power in the hands of the military. The Muslim Brotherhood and various socialist groups boycotted the vote.

The Egyptian constitution is based on positive (mainly secular) law as well as Islamic *hanafi* law. It places Islam at its core whilst only recognising other “Abrahamic” religions (Islam, Judaism and Christianity) as legitimate forms of worship. Other religion or belief minorities, even those with a demonstrable presence such as Baha’is and the non-religious, are not recognised.

The constitution begins, “In the Name of Allah, Most Gracious, Most Merciful”, and part 1 of the document lays out the role of religion. Article 2 describes Islam as “the religion of the State. [...] The principles of Islamic Sharia are the main source of legislation.” Courts must refer to the principles of Islamic law, if the positive law is missing legal dispositions. While the Islamic law does not touch the penal code, it is mainly in family law that such legal dispositions are absent. Christians and Jews can refer to their own laws instead of the Islamic law. The constitution states that the religious al-Azhar university is the “main reference in theology and Islamic Affairs”.

Discrimination in practice

“Atheists are one of Egypt’s least-protected minorities” according to one human rights group, and a campaign to turn “youth” away from atheism, with several prominent atheists arrested and convicted, is ongoing (see “Anti-atheist campaign”, below).

According to the law, every citizen is theoretically equal and discrimination based on religion is criminalized in the penal code. In practice, however, there is significant discrimination, with disproportionate use of the law against religious minorities, and atheists have been repeatedly maligned by media and by government officials.

The constitution distinguishes between freedom of belief and freedom to practice religion. It states that the freedom of belief is absolute (Article 64), however, in the same time it limits the freedom to practice religion. Since 1913, the Egyptian penal code has not included an article on apostasy or conversion. However, a conversion from Islam has legal consequences in family law, regarding marriage, child custody and inheritance (see below).

Restrictions and tensions around belief identities

Egyptian State ID cards include a section on religion and only members of the three “divine religions” can be recognized. Many elderly members of Baha’i or other minority communities further lack birth and marriage certificates. In 2009 the situation was slightly but not sufficiently improved, when two Baha’is were given permission to have a dash (“-”) in the religion section. Muslim-born individuals who leave Islam are not allowed to change the religion field on their identity card. Since the Arab spring, the ID card issue has become a major campaigns issue for the Coptic Christian minority as sectarian tensions have increased.

The state tries to prevent sectarianism and religiously founded violence by monitoring imams and publishing weekly instructions for their sermon contents. Sectarian tension exists throughout the country. In Upper Egypt, however, Christians especially are targeted for kidnapping and extortion.

The ministries may ban or confiscate books and works of art, if they consider them as offensive to public morals or detrimental to religion. President al-Sissi issued a decree in January 2015 that

allows the ministries to ban any foreign publications that are deemed offensive to religion. The government further appoints imams and pays their salaries.

Education and children's rights

Muslim and Christian students are required to take Islamic and Christian courses respectively, in public schools, in all grades. Non-religious and religious minority students must choose one or the other course; they may not opt out or change from one to the other.

The Ministry of interior prohibits the wearing of hijab in primary schools. Upon a written request of a girl's parents the hijab can be allowed in secondary schools.

state.gov/documents/organization/222499.pdf

Family, community and society

In family law, the government recognizes Islam, Christianity, and Judaism as a basis for religious rulings. Cases involving individuals who are not Muslim, Christian or Jewish are adjudicated based on civil law, though in practice it is highly likely to be socially impossible for some individuals to opt out due to pressure to conform to religion.

Marriage

In marital affairs Jews and Christians can apply their own laws, if both spouses belong to the same denomination (ta'ifa). In mixed marriages and in matters of inheritance and adoption the court always refers to Islamic law.

A marriage between an "apostate" and a Muslim will be declared void. The involvement of religion in family law greatly restricts interreligious marriages, disadvantages women, and privileges Muslims over other religious and non-religious individuals. For example, non-Muslim men must convert to Islam to marry Muslim women, although non-Muslim (Jewish or Christian) women need not convert to marry Muslim men. A non-Muslim woman who converts to Islam, however, must divorce her husband if he is not Muslim and is unwilling to convert, and custody of children is then awarded to the mother.

Sharia prevents Coptic men and Muslim women from marrying each other and does not recognize a marriage outside the country between such individuals. Coptic Orthodox laws prohibit all mixed marriages; in situations where these laws conflict with sharia, sharia takes precedence.

Societal pressure relating to religious interpretations of law can represent a threat. For example, in November 2015 a Muslim woman in al-Fayoum was reportedly beheaded by her relatives for marrying a Christian man.

tahrirnews.com/posts/339531/

"Apostasy" surge

During the 1990s and the 2000s there was a surge in apostasy accusations between siblings and others, trying to obtain a judicial decree that a family member had "renounced" Islam in order to disinherit the "apostate" and accrue their share of an inheritance.

"Apostasy" accusations were also used as a weapon against intellectuals and politicians; there was no direct punishment, however it was a way to ridicule or marginalize them, and the consequences for their personal life regarding marriage for instance were far-reaching.

In recent years court trials do not focus on “apostasy” itself, but use the rationale of “public order” to persecute the non-religious, atheists and political critics (see “Blasphemy laws” below).

Women

Besides marriage, the religious family laws discriminate against women also in relation to divorce, child custody and inheritance. No law criminalizes domestic violence and sexual harassment of women is a major problem on the streets. Other forms of violence against women, as for instance female genital mutilation (FGM) and child “marriage” are prohibited by law, but continue in some areas.

The law provides for women filing for divorce the Islamic principle of “*khul*”, which allows a Muslim woman to obtain a divorce without her husband’s consent, but only provided that she is willing to forego all of her financial rights, including alimony, dowry, and other benefits. The minor children of Muslim converts to Christianity, and in some cases adult children who were minors when their parents converted, automatically remain classified as Muslims because the government does not recognize conversion from Islam, irrespective of the religion of the other parent.

Freedom of expression, advocacy of humanist values

“Blasphemy” law

The Egyptian Criminal Code explicitly outlaws blasphemy. Nestled among prohibitions on advocating “extremist thoughts”, “instigating sedition” or “prejudicing national security”, Article 98 (f) outlaws “disdaining and contempting any of the heavenly religions or the sects belonging thereto”.

Demeaning any of the Abrahamic religions or harming “national unity” carry jail terms from six months to five years and/or fines of up to LE1,000. In addition, the desecration of religious symbols is punishable by up to five years in prison and/or fines of up to LE500 (Article 160).

The propagation of atheism in words, writing, or other means, is punishable by sentences of up to five years imprisonment. The law has been used to limit the freedom of speech of religious and non-religious groups and individuals alike.

Blasphemy cases have been increasing since 2011. According to the Egyptian Initiative for Personal Rights (EIPR), from 2011 to 2013, courts convicted 27 of 42 defendants on charges of contempt for religion.

<http://umn.edu/humanrts/research/Egypt/criminal-code.pdf>

Anti-atheist campaign

What the New York Times described this year as “Egypt’s War on Atheism” has continued into 2015. The “blasphemy” arrests, guilty verdicts, and campaign of intimidation against atheists has been described by Human Rights Watch (HRW) as part of the ongoing “coordinated government crackdown on perceived atheists”. HRW also notes that “Atheists are one of Egypt’s least-protected minorities”.

<http://nytimes.com/2015/01/28/opinion/mona-eltahawy-egypts-war-on-atheism.html>

<http://hrw.org/news/2015/01/13/egypt-3-year-sentence-atheist>

Beginning in June 2014, the Ministry of Youth, Ministry of Endowments began a media and re-education campaign to “eradicate” atheism. The initiative was linked to a wider campaign that also targeted “religious extremists”, most of whom were associated with the recently outlawed Muslim

Brotherhood, and there were overt attempt to explicitly associate atheism *per se* with threats to national security and extremism. The programme was aimed at “confronting and abolishing [atheism] through religious, educational and psychological means handled by experts in these fields.”

al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpbs

english.ahram.org.eg/NewsContent/1/151/120204/Egypt/Features/Egypt-war-on-atheism.aspx

The backlash against the apparent growth of atheism, increasingly associated with young people and expressed on social media, has come primarily from government leaders and Islamic clerics and scholars. However in November 2014 it was reported that Christian churches held a joint conference and were “joining forces” with Egypt’s Al-Azhar to fight the spread of atheism. The new Egyptian Council of Churches organized, in late October 2014, a workshop for young people discussing the “dangers” of atheism. <madamasr.com/news/govt-announces-campaign-save-youth-atheism>

<worldbulletin.net/africa/148163/egypts-muslim-christian-authorities-unite-against-atheism>

IHEU is deeply concerned that these organised, authoritarian programmes against the organic growth of non-religious thinking. while pretending to be a “scholarly” response to a social trend or a lawful process in favour of public order or national cultural identity, the authorities are in fact maligning atheists as dangerous and a threat to the state and society, in such a way that demonizes individual atheists and presents a clear threat to atheists’ freedom of thought and expression.

Highlighted cases

In February 2015 an Egyptian court sentenced a student of Suez Canal University, **Sherif Gaber Abdelazim Bakr**, to one year prison with hard labour for posting content on Facebook which “professed atheism” and “insulted” Islam, as well as “defending homosexuality”. He was initially arrested in 2013 in a dramatic raid, with armoured cars surrounding his house in the middle of the night. The arrest followed his science teacher, in April of that year, asserted that homosexuals should “be crucified in the middle of the streets” and Gaber challenged him, suggesting that he should stick to a scientific understanding. Following this incident, a lecturer from the university printed and distributed posts from Gaber’s Facebook page that questioned religion. In front of a class, the lecturer declared that he would submit them as evidence to the university’s president and the prosecutor general. Following an earlier guilty verdict in late 2013, for “contempt of religion” and “spreading immoral values and abnormal thoughts” Gaber paid fines in order to escape jail. But the case was ongoing, and after the 2015 verdict he fled into hiding. He resurfaced in summer 2015 making pro-science videos, though they have since disappeared from his Youtube channel.

<afteegypt.org/law_unit/2015/01/10/9084-afteegypt.html>

<huffingtonpost.com/2015/02/19/sherif-gaber-sentenced_n_6714770.html>

<al-bab.com/blog/2015/february/atheist-sentenced-in-egypt.htm#sthash.mlHHII9N.dpuf>

<patheos.com/blogs/friendlyatheist/2015/07/15/egyptian-atheist-sentenced-to-prison-but-hiding-from-police-is-now-releasing-pro-science-youtube-videos/>

In January 2015, atheist activist **Karim al-Banna** was sentenced to three years jail for “insulting the divine” after declaring his atheism online. The prosecution, led by a infamous Islamist lawyer, had tried to demand that Al-Banna be sent to prison without trial, and the defence complained that they were not given time to make a case; a campaigner described the trial as “highly politicised...the prosecution has tried to prove him guilty by whatever means possible.” Though the January sentence was initially suspended, the prosecution appealed and the suspension was overturned in March 2015. With the three-year sentence now due to be enforced, Al-Banna, who did not attend the retrial, went into hiding. Karim al-Banna had been arrested in November 2014 in a cafe in Cairo for announcing his atheism on Facebook and therefore “insulting Islam”. Karim al-Banna’s own

father testified against him and stated that he had found his son to be owning provocative books, and that his son “was embracing extremist ideas against Islam” (the ‘extremism’ here refers only to his atheist position, there has never been any suggestion of actual militantism or similar). Banna's name had earlier been included in a list of “known atheists” in a local daily newspaper, after which he was harassed by neighbours. Banna himself went to file a complaint against the neighbours, but police accused him of insulting Islam.

[<dailynewsegypt.com/2015/03/14/student-in-hiding-after-prison-sentence-for-atheism-confirmed/>](http://dailynewsegypt.com/2015/03/14/student-in-hiding-after-prison-sentence-for-atheism-confirmed/)

[<theguardian.com/media/greenslade/2015/jan/13/egyptian-student-jailed-for-proclaiming-that-he-is-an-atheist>](http://theguardian.com/media/greenslade/2015/jan/13/egyptian-student-jailed-for-proclaiming-that-he-is-an-atheist)

[<uk.news.yahoo.com/egypt-student-gets-3-jail-term-atheism-152045719.html>](http://uk.news.yahoo.com/egypt-student-gets-3-jail-term-atheism-152045719.html)

In October 2014 **Ahmad** and **Sally Harqan** (Nada Mandour) were attacked in their home by a group of men. After fleeing the scene Ahmad and Sally (who was pregnant) arrived at a police station, only to be assaulted by the police and imprisoned overnight. Ahmad is an atheist and an activist. His friends and supporters told IHEU that the arrest was linked to a complaint filed against him by several academics, in connection with his appearances on Egyptian and international media during which he discussed atheism and the right to express atheism. They were released by the prosecutor.

[<onaeg.com/?p=1986213>](http://onaeg.com/?p=1986213)

Describing himself as a humanist after dissenting from Christianity, **Ayman Ramzy Nakhla** was interviewed on al-Nahar TV in April 2014. The interviewer, Reham Said, noting Nakhla's occupation as a college librarian, explained his rejection of religion by suggesting he was "confused" by reading too many books.

[<youtube.com/watch?v=oESeyFgtpbE&list=PLx2EFu656F-ErXUFQaZ6ywgMFFm2zB_r>](http://youtube.com/watch?v=oESeyFgtpbE&list=PLx2EFu656F-ErXUFQaZ6ywgMFFm2zB_r)

In the weeks following the interview, the education minister announced that Nakhla was being suspended from his job and referred to the public prosecutor for spreading ideas that were “atheistic and abnormal for Egyptian society”. He was accused of “denying the existence of God and denying religions, prophets and holy books, directly by satellite and indirectly within the educational institution”.

[<al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpuf>](http://al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpuf)

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 was a prominent activist for secular democracy in Egypt. Raised in a Coptic Christian household, Saber is an atheist who operated 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 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 Mohammed 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.

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.

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 12 October, 2011, a court gave **Ayman Yusef Mansur**, 24, a three-year prison sentence with hard labor because he allegedly 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.

On February 22nd, 2007 An Egyptian court sentenced a blogger, **Abdel Kareem Soliman**, aka Kareem Amer, 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 weblog to criticise the country's top Islamic institution, al-Azhar university and President Hosni Mubarak, whom he called a dictator. On 27 October, 2007, he was sentenced for Facebook posts deemed offensive to Islam, along with being seditious toward Hosni Mubarak. He was released on 17 November 2010, upon which he was re-detained by security forces and allegedly tortured.

Testimonies

“I come from a Muslim family and discovered my unbelief in my teenage years. To come out as an atheist to my family and close friends was not exactly acceptable, but it was not a danger. Some people didn't like to hear that and tried to ignore me. Others tried to talk to me friendly to convince me about my “fault”. Until today, my mother tries to bring me back to Islam every time I talk to her. It is the same with many family members and it is really annoying.

To break fasting in public or to criticize Islam or religion publicly would be hard. And Christians face more discrimination in Egypt, it is for instance hard for them to get a promotion at work. In general I would say that the normal society silently tolerates a person being atheist, although they don't really understand and accept it. They might think that you are crazy or stupid and you lose your credibility as an ethical and honest person. But being gay or an unveiled woman brings more problems than being atheist itself. Consequently, you can think and believe whatever you want, as long as you keep it to yourself, but any public manifestation of it raises anger.”

— Mahmoud

“I did not come out as an atheist in Egypt although only some of my friends knew that I am. The reason was that I already struggled with my family and at work just because I don't practice Islam. For my family part, I used to spend most of my time on my own in front of my computer,

almost everyone didn't speak to me, didn't want to share anything with me just because I had different ideas.

For work, most of companies in Egypt don't hire Christians just because they are Christians, so I didn't have other choice but stay Muslim in their eyes. Even then, everyone at work was wondering why I am not veiled, why I don't do Ramadan or why I don't pray. I actually once had a terrible problem with my boss back then... because she doesn't like my outfits and that everyone at work say that I am kind of a slut because I am not covered enough.

Since my life was hell as an atheist in Egypt, I had to leave. Only now I can say out loud to my family that I am an atheist, and only now they accept it."

— Yosra

Libya

Libya is a North African country of 6.2 million inhabitants, of which 97% are Sunni Muslims. The Amazigh ethnic minority counts some Ibadi Muslims and there are small Christian communities among sub-Saharan African and Egyptian migrants. Libya is the fourth largest African country by area and holds the world’s tenth-largest proven oil reserves. The country has been through tumultuous years since the Libyan uprising in 2011 and the civil war that followed.

Rating: Grave Violations ↓ ↑

This country is found to be in flux. Continuing political strife between secular and Islamist blocs means the constitution remains suspended. The rating conditions below reflect the state of the law prior to further dispute in 2014. The rating reflects that the situation for the non-religious is not improved, and discrimination is maintained by social inertia during the political turmoil.

Constitution and government

Education and children’s rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

State legislation is largely or entirely derived from religious law or by religious authorities			
		Prohibitive interreligious social control (including interreligious marriage bans) Religious control over family law or legislation on moral matters	Expression of core humanist principles on democracy, freedom or human rights is severely restricted
There is systematic religious privilege There is an established church or state religion	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	Criticism of religion is restricted in law or a de facto ‘blasphemy’ law is in effect

Constitution and government

After an interim government (“General National Congress”) was in charge for a transition period after the revolution, a new parliament was elected in June 2014. In November 2014, the election was annulled by the Supreme Court. The parliament, at the moment based in the city of Tobruk near the Egyptian border, rejected the Supreme Court’s ruling. A newly formed Islamist-dominated “New General National Congress” opposes the elected parliament and hold regular meetings in Tripoli, the capital. In December 2014, Libya was described as a “non-state” by U.N. special envoy to Libya Bernardino Leon.

The country is torn between Islamist and secular forces claiming leadership and in armed conflicts along political, regional and tribal lines. Beside the anti-Islamist Tobruk government and the Islamist Tripoli government the Islamic State of Iraq and the Levant (ISIL) Libya Province established itself as a third power. In February 2015 the IS-Islamists beheaded 21 Egyptian Coptic Christians. Hundreds of individuals were killed in politically motivated assassinations by Islamist armed groups. Further, Islamists carried out public executions and floggings and established an Islamic court and Islamic police (hisba unit). On all sides armed forces are holding civilians often as hostages, including torture, in both state and militia prisons.

In general, the access to lawyers and basic process rights is not granted by the government. Militia attacks on judges, lawyers, prosecutors, and witnesses caused the closure of courts, the breakdown of law and order, and a prevailing climate of impunity. The government has failed in protecting religious minorities or religious (Sufi) sites against violent extremist groups.

Interim Constitution

The constitutional declaration of 2011 functions as the interim constitution. It states that Islam is the state religion. Islamic law is the principal source of legislation and it provides limited protection of freedom religion or belief, as well as freedom of expression. Non-Muslims are accorded the freedom to practice their beliefs. Article 6 of the interim constitution states that “there shall be no discrimination among Libyans on the basis of religion or sect” with regard to legal, political, and civil rights. But other laws and policies restrict these rights. 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 apostasy or proselytizing; however, in practice the government has been prohibiting proselytizing to Muslims. Further, Article 291 of the Penal Code of 1953 prohibits insulting Islam or the Prophet Muhammad and the maximum charge for blasphemy is death sentence.

Education and children’s rights

Religious instruction in Islam was required in public schools and in private schools that admit citizens, but there was no in-depth instruction on other religions available in the curricula. The government did 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.

In April 2014 a militia group in Derna insisted that the sexes should be segregated at university and constructed a wall, limiting female students’ access to education.

Family, community and society

Sharia 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. The Ministry for Awqaf and Islamic Affairs administers non-Muslim family law issues, although without a parallel legal framework and draws upon neighboring countries’ family law precedents for non-Muslims. The ministry provides imams with political and social messages for Friday sermons.

Women face discrimination and are inadequately protected. Sexual harassment is prevalent, male relatives are reported to have killed several women in “honour killings” and unveiled women may be stopped and threatened at checkpoints. Women travelling without a male guardian may be challenged.

Freedom of expression, advocacy of humanist values

There was a blossoming of free media, and open public debate after the overthrow of Gaddafi. 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 turbulence has seen rising violence, and murders of journalists and other public figures. While freedom of assembly has also increased since Gaddafi, the continuing street violence, and threats from more organized militias, often deter peaceful assemblies and the public expression of dissenting views.

Libyan atheists and agnostics are threatened and intimidated due to their writings on social media.

Testimonies

"I am a Libyan atheist woman in a deeply Islamic country and suffering is just a tiny word for all that what I have been through. Years ago I was an admin of a Facebook Page for Libyan female atheists and you can not imagine how many threat messages and insults I got every day in my inbox. A woman in Libya is suffering, especially if she is different! I am wearing the Hijab against my will since I was young. My phone has been taken away many times and I have been beaten. I am living as a ghost and hiding my ideas. I have accepted to be a slave rather than to lose my head.

I can not imagine what my parents would say about my atheism. Even if could avoid the criticism of my mother, I couldn't avoid it from the others. They would call me a prostitute. People would say you are an unbeliever and you don't deserve to live and Sharia law should be applied on you. As soon as you have a different point of view they think you do not deserve to live. Even the one that loves you the most becomes an enemy and would not hesitate to behead you."

— Aisha

Morocco

Morocco, officially the Kingdom of Morocco, is a country with over 33 million inhabitants, of which 99% are identified as Sunni Muslims, with a small number of Christians, Jews, Shiites, and Baha'is. Judaism is privileged over other religious minorities. Morocco is separated by only 14 km from its northern neighbour, Spain by the Strait of Gibraltar. There are a variety of languages used throughout the country by varying ethnic groups, including Amazigh dialects, Arabic, Moroccan Arabic (Darija), Hassani (Saharan dialect), French and Spanish. A referendum on constitutional reforms was held in Morocco on 1 July 2011, in response to pro-democracy protests, and was approved by 98.49% of voters. Morocco is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

<p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government

Following the public protests in 2011, King Mohammad VI introduced a number of legal reforms. The constitutional reforms included the recognition of Amazigh language (a standardized version of the three main languages Tachelhit, Tamazight and Tarifit) as an official language along with Arabic and

no longer referring to the king as “sacred”. The king’s integrity, however, remains “inviolable”. Women are guaranteed “civic and social” equality with men, while previously only political equality was guaranteed.

However, changes fell short of establishing real press freedom, democratic accountability, or an independent judiciary. Morocco detains at least 300 political prisoners. Opposing political and human rights associations’ right to assembly is regularly violated, their activities are censored. Artists and journalists, are investigated, harassed and jailed.

Although Morocco signed and ratified few UN treaties and resolutions on civil rights and freedom of religion, conscience and thought, such as the International Covenant on Civil and Political Rights (ICCPR), and very recently the resolution on the freedom of religion or belief (A/HRC/25/L.19) <un.org/en/ga/search/view_doc.asp?symbol=A/HRC/25/L.19>, their primacy over national laws is compromised: the preamble of the constitution stipulates that Morocco commits itself “To comply with the international conventions duly ratified by it” subject to their compatibility with the constitution but also “its immutable national identity”.

The constitution declares that “Islam is the religion of the State” (Article 3), and that Morocco “commits itself [...] to deepen the bonds of togetherness with the Arabo-Islamic Ummah” (Preamble). It also refers to Islam, as well as monarchy, as one of the “federative constants” of the Nation (Article 1). The King is considered as a direct descendant of the prophet of Islam, which gives the ruling Alaouite dynasty its legitimacy. The constitution (Article 41) designates the King as Commander of the Faithful, he is mandated to ensure the respect of Islam. He presides over the Superior Council of the “Ulemas” (religious scholars), which is the sole official instance entitled issue “religious consultations” (Fatwas).

While the new constitution guarantees for all “the free exercise of beliefs” (Article 3) and “The freedoms of thought, of opinion and of expression under all their forms” (Article 25), in practice there are significant limitations, such as persecution of the Baha’is since the 1960s, and more recently Christians, and Shiites, as well as the non-religious. Baha’ism is traditionally seen as a heretical deviation from Islam and its members are considered “apostates”. These minorities are subject to harassment, investigations and detentions by authorities, interrupting and arresting them during their private religious meetings and rituals. The government allows foreign Christian communities to attend worship in approved places, but there are no Shia or Baha’i places of worship. Religious groups not belonging to the Maliki Law school or Judaism are required to register before taking any financial transactions as private associations. But the government does not recognize Baha’i or Shiite communities as registered religious organizations.

“Apostasy” and non-religion under the law

There are no laws requiring the designation of religion on IDs or passports, and “apostasy” is not a crime under civil or criminal law

However, there are several “blasphemy” laws bearing the threat of punishment for apostates. Jews can convert legally to Sunnite Maliki Islam, but conversion from Islam is discouraged by the state.

In addition, contrary to positive law, the Ulema council issued a fatwa in 2013 ratifying the Shari’a ruling according to which any Muslim who abandons Islam should be executed, stipulating that the Islamic Law considers anyone born from Muslim parents, or a Muslim father, as a Muslim, and prohibits apostasy and disbelief, and upon refusal of return to Islam the Islamic sentence for “apostasy” must be applied.

Non-Muslims are prohibited by the Penal code to proselytize and to “shake the faith” of Muslims (Article 220). Proselytizing can be punished with a sentence of 3 to 6 months' imprisonment and a fine of 115 to 575 MAD. The distribution of non-Islamic religious materials is restricted by the government. Several individuals, for instance Christians, were arrested and accused of proselytizing. Some Christian converts reported that they were pressured by authorities to renounce their faith by informing their friends, relatives, and employers of the conversion.

Article 222 of the Penal Code states that “a person commonly known to be Muslim who violates the fast in a public place during Ramadan, without having one of the justifications allowed by Islam [such as travelling, sickness or menstruation], shall be punished by one to six months in prison,” as well as a fine. Several individuals are arrested and sentenced for eating, smoking or for consuming alcohol in Ramadan every year. Those laws remain, even if not strictly applied, a sword of Damocles on citizens and on civil rights, not least for the Moroccan non-religious community. The non-religious are in fact, shaping up to be a prominent and vocal — and also seriously persecuted — belief group in Morocco, since the campaign against fasting laws in 2009, and the publication of a fatwa calling for the murder or execution of apostates. Suffering from stigmatisation, activists reported many cases of violence by family members, investigation by authorities, and general difficulties in educational, professional and social life. They receive little support and mostly rejection from local human rights groups, usually refusing to grant assistance to legal cases of both non-religious and/or LGBTQ people, contrary to other religious minorities.

Education and children's rights

Adoption is only permitted for Muslims, the president of the National Council for Human Rights (CNDH) the Moroccan official instance dedicated for Human rights, approved this measure, and said that Moroccan authorities have the right to ensure that adoptive children are raised in the Islamic faith.

Religious instruction is compulsory in all national schools (Article 31), both public and private, according to the Sunnite Malikiite Islam. All students pass an Islamic education test, among other subjects, to obtain *Baccalaureat*. There are quranic schools (*Msid*), where children since an early age (4-5 years old) learn Quran by heart, and are subject to corporal punishment, indoctrination, among other abuses. The government funds the teaching of Islam in all public schools and Judaism in some schools. Further, private Jewish schools are allowed to teach Judaism and Foreign-run schools can exclude religion from their school's curriculum. The government further funds the study of Jewish culture at some universities.

Human Rights Education Associates (HREA) issued a study in 2005 on Human rights and Gender equality in Moroccan schoolbooks, and concluded that many school books favour and endorse gender inequality and propagate ideas that violates Human rights.

Brother Rachid, a Moroccan Christian Convert dedicated an episode of his weekly show “Daring Questions” on the endorsement of Hate towards non-Muslims in school books, sitting an example of Islamic education's book for the 1st primary education (generally 6-year-old children) which stipulates: “I love those who love the prophet Muhammad (PBUH), and I am hostile to those who are hostile towards him”, and the *Baccalaureat* school book that states that the punishment for apostasy is execution.

[youtube.com/watch?v=UtxLJ5nAZ6Y](https://www.youtube.com/watch?v=UtxLJ5nAZ6Y)>

Activist and researcher at Moroccan Amazigh Cultural Institute (IRCAM), Ahmed Assid, spoke on Islam and education in Morocco, at a seminar organized by the Moroccan Association of Human Rights, and said that religious education in Morocco "is now outdated, and teaches religious values

that contradict universal values of Human rights". He added that the message of Islam taught to young people in school textbooks is "terroristic". The religious education emphasizes values that go back to when Islam was "spread by the sword" during the time of prophet Mohamed. Assid said the education should emphasize that religious belief is a free choice of the individual and no one should be forced, intimidated or threatened to follow any belief: "How can you teach children with a message of 'either become a muslim or be killed'. And this is being listed as one of the supreme values of our religion, highlighting prophet Mohamed giving newly conquered people the choice of Islam or Death. These values are negative and they are currently present in our education curriculum." Assid said all the values taught at school should be compatible with today's world human rights principles. As expected, Ahmed Assid speech has sparked controversy and a shower of criticism. The Salafist preacher Hassan El Kattani called for not "letting these remarks pass without reaction" and filed a complaint against Assid for "undermining Islam".

moroccoboard.com/viewpoint-5/112-mostapha-saout/5852-morocco-extremist-values-in-religious-school-books

Family, community and society

There are two family codes in Morocco, following the *automatic* state designation for citizens as Sunnite Malikite Muslims (*Moudawana*, reformed in 2004), or Jews (*Hebraic Moroccan Family Law*). There is no legal mechanism recognizing Christian or other non-Muslim communities. In consequence, all Moroccans, even if they are non-religious or belong to other belief groups, are forced to abide by those codes, and required to marry, divorce, and inherit according to their *de facto* religious designation.

The Moudawana permits sets the age of marriage at 18, but judges routinely allow girls below this age to marry. Interreligious marriage is prohibited; "the marriage of a Muslim woman to a non-Muslim man, and the marriage of a Muslim man to a non-Muslim woman unless she is of the Christian or Jewish faith" (Article 39) and obviously the religious - non religious marriage. In 2014 the controversial law (Article 475 of the Penal Code) allowing rapists escaping punishment by marrying their victim was removed. Abortion is strictly prohibited, including anyone who somehow facilitates it (Articles from 449 to 458). Polygyny is forbidden if "there is the risk of inequity between the wives" or "when the wife stipulates in the marriage contract that her husband will not take another wife." (Article 40). Men have to petition the court to authorize it (Article 42). Women are discriminated in inheritance and divorce law. Marital rape remains legal.

The *Moudawana* includes Islamic concepts such as "kinship by breastfeeding" stating that "Impediments to marriage resulting from kinship by breastfeeding are the same as those prohibited through blood kinship and kinship by marriage. Only the breastfed child - not his or her brothers and sisters - is considered the child of the woman who breastfeeds him or her and of her husband" (Article 38).

According to Islamic law, women are not allowed to take the role of a preacher or imam, but the Ministry of Endowments and Islamic Affairs (MEIA) employs over 200 female Muslim spiritual guides (*murshidat*), who teach in religious topics, women's legal rights issues, and family planning. However, women are not allowed to lead group prayers or to deliver Friday sermons in mosques.

Article 490 prohibits premarital heterosexual activities, and also used against unmarried couples living together. "Adultery" is illegal and punished with a prison sentence of up to two years (Article 491). Article 483 mandates a prison sentence of one month to two years for any act of "public obscenity". In 2013, following a complaint from a "Human Rights" association, A 15-year-old boy and 14-year-old girl, along with a 15-year-old boy who took the picture, were arrested for posting a

picture of them kissing on Facebook (the case is known as #NadorKiss), charged under this article and detained for three days.

In 2015 a movie called “Much loved” caused a big public debate, showing the lives of Moroccan prostitutes and openly sexual scenes. Authorities first banned the movie from airing, later permitted it again and the feelings of the population were heated. Actress Loubna Abidar, who played a prostitute in the movie, was attacked by unknown knife-wielding assailants in Casablanca and stated that she was received with laughter at the police station. The actress and her director, Nabil Ayouch, were summoned to court in June on charges of “pornography, indecency and inciting minors to debauchery. Among the reactions on social media there was a Facebook page that called for the execution of the movie maker and the actress. Loubna Abidar left Morocco for security reasons. <theguardian.com/film/2015/nov/10/loubna-abidar-star-much-loved-morocco-sex-worker-film-flees-beating> In June 2015 two young women were harassed in a market in Inezgane for wearing skirts. Police arrested them and the girls were tried. However, the both were acquitted of indecency charges in the trial. <bbc.com/news/world-africa-33410759>

The Moroccan penal code prohibits homosexuality and refers to it as “lewd or unnatural acts with an individual of the same sex” (Article 489). Homosexuals face often charges of prostitution, drunkenness and obscenity as well and several persons are jailed every year. Ironically, in May 2014, a “Human rights” association demanded harsher punishment according to Islamic religion for 6 homosexuals.

There were reports of public Anti-Semitism, however, Jews and Muslims have a long history of peaceful coexistence in Morocco and Jews serve in high-level government positions. In February 2014 anti-Semitic literature (as Adolf Hitler’s “Mein Kampf” and others) were found at an annual book fair in Casablanca. Allegedly in response to the conflict in Gaza in 2014, a rabbi was attacked by a man, while walking to his synagogue. In October 2015, a public pro-Palestinian “Al Aqsa Intifada march” was organised in the streets of Casablanca, where some men dressed up as Orthodox Jews and were led at gunpoint by masked men wearing keffiyehs.

In general, there are no laws prohibiting religious clothing or the use of religious symbols in public or private sphere. However, some women stated, that some employers required them to remove their Hijab during working hours.

Freedom of expression, advocacy of humanist values

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 and includes members of the parliament. Further, any publication that criticises the monarchy, Islam and “sacred institutions” is prohibited under the article 179. This article is often used as a political weapon against journalists, activists and artists who criticise the government and its institutions.

Further, Moroccan television stations are required to dedicate 5 percent of their airtime to religious content and to broadcast the Islamic call to prayer five times daily.

Political parties are prohibited from criticising Islam, or monarchy (Article 7). On the other side, the constitution prohibits the foundation of political parties on religious, ethnic, linguistic, or regional bases. Some parties identified as “Islamically-oriented” rather than Islamist as the PJD (Party of Justice and Development) are permitted. MPs, while generally protected from prosecution in relation to their political activities, may “be prosecuted or investigated, arrested, detained or judged” if they express any opinion that “challenges the monarchic form of the State, the Muslim

religion, or constitutes an infringement of the due respect of the king” (Article 64). This is also made explicit in Article 175 stating that no revision of the constitution may challenge the status and provisions of Islam, or monarchy.

Article 29 of the constitution guarantees “freedoms of reunion, of assembly, of peaceful demonstration, of association”, but states that the law establishes the conditions and modalities of its exercise. The law regulating associations prohibits associations to criticise Islam, or monarchy (Article 3). In practice, authorities often refuse to receive the legal files for the establishment of associations. On July 22, the Administrative Judiciary Court turned down the lawsuit filed by the members of "Freedom Now" Association, alleging that the association doesn't meet the “legal conditions” that grant it the right to litigation independently of its members.

The government monitors activities of mosques (including the content of preaching) and non-Muslim religious groups and places in some cases restrictions on members. For example, in February 2014 Salafi cleric Abu Naim was convicted of defamation and insulting a political figure for denouncing a prominent politician, secularists and the political left. He had pronounced takfir (accusing of apostasy) upon these persons.

Highlighted cases

In May 2013, 22-year-old **Imad Iddine Habib**, a well-known atheist and founder of the Council of Ex-Muslims of Morocco received a number of death threats for his apostasy, and was harassed by authorities. He is now living abroad.

ex-muslim.org.uk/wp-content/uploads/2013/12/Apostasy_Report_Web1.pdf>

In 2012, **Khalid Gueddar**, an editorial cartoonist was detained by police after publishing a caricature on his website that they said insulted Islam, the sixth journalist detained in the country in a week. The prominent cartoonist, said he was interrogated for six hours on Monday in Casablanca. Gueddar was arrested in 2009 along with another journalist after publishing a caricature of the Moroccan king's cousin. Caricatures of Islam or the royal family are illegal in Morocco. He ultimately received a suspended sentence and a fine of €300,000.

The latest cartoon, which he said he drew in 2011 in response to the arrest that year of an imam accused of soliciting a prostitute in a mosque in Fez, shows someone tossing lingerie from a minaret. He said he published it again to illustrate a similar situation.

"The interrogation focused on what I think of Islam, on my drawings and on my website," Gueddar said. His lawyer said if charged and convicted, Gueddar could face a harsh sentence and he compared the questioning to an inquisition on religion. The justice minister, Mustapha Ramid, said he would not intervene in what he described as a normal judicial process.

In 2012, **Zakaria Zine Al-Abidine**, A 22-year-old atheist from Casablanca, was sentenced to 5 years in prison, as well as a fine, for publishing cartoons and comments on Muhammad, the prophet of Islam, in his Facebook account. menara.ma/ar/2012/09/20/270659.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 Gazzali’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, Ghazzali was able to gain asylum in Switzerland. (Since living in Switzerland, Kacem El Ghazzali has since spoken as an invited delegate of the IHEU at the UN Human Rights Council in Geneva on a number of occasions.)

spiegel.de/international/world/moroccan-blogger-champions-freedom-in-swiss-exile-a-891561.html

iheu.org/why-must-i-be-killed-asks-moroccan-atheist/

In 2009, **M.A.L.I.** (Alternative Movement for Individual Liberties) held a picnic during the day of Ramadan to contest Article 222 of the penal code forbidding eating in public during Ramadan. The picnic was treated as a national emergency. The superior council of Ulemas said it was an insult to God. “King Mohammed VI's political adviser persuaded all parties, including ones that routinely denounce Islamists, to issue condemnations for the sake of national unity. The activists were held and interrogated for several days, though ultimately not fined or taken to court. Police said they had to be protected from popular anger.”

economist.com/node/16793362

Since the picnic, dozens of cases of people arrested every Ramadan for breaking fast in public are featured in local and International media, lawyers often refuse to defend such cases, which makes their status vulnerable in courts, as well as in prisons and society.

Testimonies

“I did come out as an atheist, my mother and sister know about it and they are understanding, my father on the other hand doesn't know, not that he will be violent or something, it's just I don't want to start a boring argument with him. Many of my friends know about my atheism and they understand, I even had Muslim girlfriends who had no problem with me being an atheist. The Ramadan before the last, I ate at school, many classmates were shocked and stopped talking to me after that, others didn't care.”

— Naoufel

Sudan

Sudan, an Arab republic in which the predominant religion is Islam, has long suffered from severe ethnic strife and has been plagued by internal conflict. The country has a poor human rights record, with particular issues over ethnic cleansing and slavery. Sudan is member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
'Apostasy' is outlawed and punishable with a prison sentence	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

Constitution and government

2014 saw a continuation in egregious and systematic violations of freedom of thought by the Sudanese government, with religious discrimination remaining prevalent, apostasy and blasphemy still criminalized, continued restrictive application of Sharia-based provisions, and the application of public order laws allowing floggings for undefined acts of "indecentcy" and "immorality".

The Interim National Constitution, adopted in 2005, remains in force as the constitution of Sudan. For the past 20 years, the ruling National Congress Party (NCP) has grounded many of the provisions of the 1991 Personal Status Law, the 1991 Criminal Code, and state-level public order laws on its interpretations of Sharia. All Sudanese citizens, including all non-Muslims, are subject to these laws.

The 1991 Criminal Code allows for floggings for undefined honour-based offences, reputation and public morality issues. Public order laws further implement the 1991 Criminal Code's prohibitions, where religiously-grounded morality laws and corporal punishments are imposed through the Public Order Regime with violations being subject to lashes or a fine, or both. Laws relating to public

morality and order prohibit indecent dress and the brewing or selling of alcohol. They are vague and subject to the interpretation of local law enforcement agents.

“Apostasy” and “blasphemy”

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

There are reports that in November 2015, up to 27 Muslim men were arrested for “apostasy”, on the accusation that they were Quranists (deny the authority of the Hadith), and were facing trial.

bloomberg.com/news/articles/2015-12-03/sudan-tries-27-on-apostasy-charge-that-may-bring-death-sentences

The “apostasy” death sentence handed to a Christian woman, Meriam Yahya Ibrahim, provided the most well-publicised case of apostasy in 2014. Ibrahim self-identified as a Christian and maintained she was never Muslim having been raised by her Christian mother, but Sudan insisted that since her father was a Muslim, so was she, and she should not have converted. She was released after international outcry on the issue. She was subsequently allowed to leave Sudan.

Whilst the law does not explicitly ban proselytizing, the vaguely worded apostasy law criminalizes both apostasy and acts that encourage apostasy, which could be understood to include proselytization.

“Blasphemy” is criminalised; it can be punished by six-months’ imprisonment, flogging or a fine, or both.

Discriminatory implementation of the law

Religious discrimination is prevalent in Sudan. Whilst Muslim men are allowed to marry Christian or Jewish women, a Muslim woman cannot marry a non-Muslim man. The implementation of criminal and civil law in terms of penalties imposed can depend upon the religion of the perpetrator involved. For example, whilst Muslims might be punished with lashes if caught producing or consuming alcohol, Christians are typically not punished if caught for the same crime. The justice minister has the power to release any prisoner who memorizes the Quran during his prison term.

Education and children’s rights

All schools are required to teach Islamic education classes, but some public schools excuse non-Muslims from these classes.

Freedom of expression, advocacy of humanist values

There have been numerous reports of print runs being confiscated. Journalists also face intimidation and violence. In July 2014, Osman Mirghani, Editor in Chief of al-Tayyar, was hospitalised after his offices were stormed by gunmen. Concerns from civil society have been expressed about the lack of a fair trial in cases where arrested civilians are being subjected to military trials.

gov.uk/government/publications/sudan-country-of-concern/sudan-country-of-concern-latest-update-30-september-2014

Tunisia

Tunisia has a population of 10.9 Million, of which approximately 99% are Sunni Muslims. Beside there are small Christian, Jewish, Shiite and Baha'i communities. Jewish and Christian faith (belonging to the ahl al-kitab) is in general more readily accepted by the Majority of Muslims. The Jewish community in Tunisia exists since more than 2,500 years and the synagogue on the island Djerba presents beside others an important religious site for the community. In October 2015 Tunisia was awarded the Nobel Peace Prize. Tunisia is a member of the League of Arab states (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>

Constitution and government

After the Tunisian uprising in 2011, Tunisia undertook to create a new constitution. Continuing disagreement between Islamists and secularists caused delays, but it was finally agreed in January 2014. Key demands of the Islamist lobby were met, while other proposals of them were dropped. In general the influence of religion on society became more prominent in the first years after the Tunisian uprising than it was under the regime of former president Ben Ali.

The 2014 constitution begins with "In the Name of God, the Merciful, the Compassionate" and ends with "And God is the guarantor of success." The constitution is considered an expression of "commitment to the teachings of Islam", recognizing an "Arabo-Islamic identity", "desirous of consolidating our cultural and civilizational affiliation to the Arab and Muslim nation". Clearly this

language is exclusory of other ethnic and faith groups and flatters pan-Arabic and Islamist ambitions. Article 5 considers Tunisia as “part of the Arab Maghreb”.

Article 1 of the constitution declares that Islam is the state’s religion, and that “This article cannot be amended”, precluding any future secular reforms. Article 6 “guarantees freedom of conscience and belief, [and] the free exercise of religious practices” but stipulates that “The state is the guardian of religion”, which would appear to be a justification for blasphemy laws and the current criminalisation of any criticism of Islam. The state undertakes to disseminate “the protection of the sacred, and the prohibition of all violations thereof. It undertakes equally to prohibit and fight against calls for *Takfir* (Muslim accusations of apostasy against other Muslims) and the incitement of violence and hatred.” Religious freedom can be restricted in the name of protecting the rights of third parties, national defense, public security, morality, and health.

Atheists and religious minorities are banned from the presidency, which is constitutionally restricted to those who hold “Tunisian nationality since birth” and “whose religion is Islam” (Article 74). In these terms there is little improvement over the 1959 constitution, which also stipulated that the official religion is Islam and that the state sought to “remain faithful to the teachings of Islam”. There were similar provisions stating that only a Muslim could serve as president.

The government subsidizes mosques and pays the salaries of imams. Local religious committees and imams must be approved by the religious affairs directorate. The president appoints the grand mufti of the state. 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.

Education and children’s rights

Islamic religious education is mandatory in public schools. The courses on Islam present roughly one hour per week and the religious curriculum for secondary school students also includes the history of Judaism and Christianity. The state allows other religious groups to educate in private schools.

Family, community and society

Codified civil law is based on the Napoleonic code, Islamic law (Maliki law school) and customary law. As in most Muslim-majority countries, Islamic law is mainly used in family and inheritance disputes. Tunisian family law is often seen as more progressive and liberal in women right’s, than other neighbouring countries. For instance, Polygyny was already banned in the first civil code under the first president Bourguiba in the 1950s and Tunisian women enjoyed in general a more liberal divorce law, whereas other Muslim-majority countries as for instance Morocco and Egypt introduced similar reforms only after the Millennium. Islamist party representatives tried to abolish Article 18 that bans men from having more than one wife at the time in the new constitution but failed. Tunisia is beside Turkey until today the only Muslim-majority country that prohibits Polygamy. In April 2014 the government lifted its reservations in the ratification of CEDAW, declaring however, not taking any decision that would conflict with “Islam as the state religion”. In November 2015 the parliament adopted a new law allowing women to leave the country with their minor children without the permission of their father.

First president Bourguiba banned women from wearing Niqab and Hijab in schools, referring to the veil as a “miserable rag”. Later under Ben Ali as well, the ban (Article 102 of 1986) became a cause for harassment by security forces on the streets, as well as other visible signs of faith as the man’s beard. As a result for instance, university students who did not want to show their hair in public used a hat to hide it instead of the Hijab. Since 2011, however, the number of women wearing Niqab and Hijab on the streets has increased. But Islamist attacks and the resulting tightened procedural controls by the security officers of the state for security reasons led to media debates over a Niqab ban in public. <tunisia-live.net/2015/08/26/hijab-essebsi-tunisia/>

Despite these facts Tunisian women still face discrimination in law and practice, as in inheritance law. Article 227 of the Penal code allows a male rapist to escape persecution if he marries the victim and the girl is under the age of 20. Further, a mother who remarried is prohibited, unlike a remarried father, from having her children reside with her. A Muslim woman is not allowed to marry a non-Muslim man, while a Muslim man can marry a Muslim, Christian or Jewish woman.

In 2012 a young woman was raped by two police officers. In the following trial she was herself accused of indecency after being alone with her fiancé at the time the police officers found her. At the end the both police officers convicted of rape were sentenced 2014 to 15 year prison terms.

Although many Tunisians are deeply religious, the anti-religious policies of the former presidents Bourguiba and Ben Ali have left traces in the Tunisian society and a quite big number of the people consider themselves as secular. These differences of opinion led in recent years during the month of Ramadan to many debates about fasting in public. In 2013 Adel Almi, a Tunisian preacher threatened to publish pictures in public of those who do not respect the fasting rules during the month of Ramadan. A big number of Tunisians reacted with a Facebook page posting pictures of themselves eating during the day. In the following years an online map was created, which marks all restaurants and coffee shops that stay open during the fasting period. Similar public uproar could be observed when controversial Egyptian cleric Wajdi Ghanim, an advocate of FGM, visited Tunisia in 2012.

The old “Mzali circular of July 1981” called for closing cafes and restaurants during Ramadan, but was that time canceled only two days after it was released by president Bourguiba. However, in the current years numerous cafe owners are harassed and intimidated by security forces for keeping their cafes open during fasting time. Former Tunisian minister of religious affairs Nouredine Khademi stated in July 2013 that opening cafes during fasting time in Ramadan was not permitted by religion and that “if a person doesn’t want to fast, he is free, but he doesn’t have the right to say it, much less do it, publicly.” <al-monitor.com/pulse/culture/2014/07/tunisia-ramadan-restaurants-opening-hours-vague.html#>

The sale of alcohol to Muslims is technically prohibited by the penal code, however, alcohol is sold freely, except on Fridays and the month of Ramadan.

Freedom of expression, advocacy of humanist values

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.

The constitution provides for freedom of conscience and free practice of religion (Article 31) 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.” The penal code restricts the freedom of speech by criminalizing speech that “causes harm to the 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. Citizens have the right to sue the government for violations of religious freedom.

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 idea and debate spread after the opening of an art exhibit in the capital of Tunis that was deemed offensive to Islam. The bill also banned pictorial representation of God and Prophet Muhammad. The stated reason for the proposal was to protect Tunisia’s Islamic identity. However, the blasphemy bill did not have enough support and was dropped.

Further, violence and Islamist attacks have plagued Tunisia’s transition since 2011. In 2013 two secular politicians were shot dead. Islamists have burned several religious (Sufi) shrines since 2011. The latest Islamist attacks in 2015 on the Bardo museum in Tunis and the shooting of western tourists in a beach hotel in Sousse have killed dozens and seriously harmed Tunisian tourism. Several deadly attacks on Tunisian security forces in the Western part of the country took place leading to the restriction of freedoms of expression and association on counterterrorism grounds.

Although religious conversion is legal, some converts express concerns about threats of violence and a lot of societal pressure against Muslims leaving their religion.

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 large fine, 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.” After two years of international uproar and media attention, Jabeur Mejri received a presidential pardon in 2014.

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.

Testimonies

"I will not shout from the rooftops that I am irreligious, but I don't hide it. I am not obliged to tell it to everybody, because I think it is a personal thing. What would it help to tell it to my university colleagues for instance? It would just cause more problems for me. Anyway, if there are discussion on science, politics, or religion, you can figure out very fast that I am agnostic. Honestly, I don't have a real problem due to my religious convictions. I have friends that are practising Muslims and female friends that wear the Hijab and they accept me as I am. At high school it was not always easy, but I think this was more linked to the fact that as a teenager we all tend to be a little bit mean."

— Sarah

"I don't talk a lot about my atheism. If I tell it to certain people, it is people with a certain intellectual level or very tolerant people, otherwise I would be marginalized and rejected by the most part of society. You shouldn't tell that you are an atheist if it concerns your work or professional life, because you would risk rejection. My family is very understanding and my mother is an atheist as well, however that is not the case for all atheists and the most of their parents don't know that their children are atheists. It is like in other developing countries, there is no tolerance and especially none for minorities."

— Ahmed

Africa

Southern Africa

Botswana

Formerly the British protectorate of Bechuanaland, the country became Botswana after independence in 1966 and remain a member of the Commonwealth. It has a reputation as a stable representative democracy, following consecutive uninterrupted democratic elections.

Rating: Systemic Discrimination

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

There is systematic religious privilege	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		
Official symbolic deference to religion			
			No fundamental restrictions on freedom of expression or advocacy of humanist values
		Insufficient information or detail not included in this report	

Constitution and government

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.

Education and children's rights

Even though the constitution prohibits forced religious instruction, there is some compulsory 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.

Freedom of expression, advocacy of humanist values

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

Predominantly Christian (around 90%), with a Muslim minority in the north-east, the Kingdom of Lesotho is a small democracy (population around 2million) with a symbolic monarch. It has been particularly hard hit by the AIDS epidemic. Completely enclosed within South Africa, there have been movements to solicit annexation by the surrounding country.

Rating: Systemic Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

	There is state funding of at least some religious schools		Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	

Constitution and government

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, but some journalists report suffering legal and illegal harassment for criticizing the government. Freedoms of assembly and association are guaranteed by the constitution, but sometimes demonstrations are broken up violently by police.

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

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.

Namibia

Namibia is a democratic and secular sovereign state with a population of approximately 2.1 million. Approximately 80% are reportedly Christian, with the remaining 10-20% holding traditional indigenous beliefs while a small minority of around 1-3% are said to be Muslim.

Rating: Systemic Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

State-funding of religious institutions or salaries, or discriminatory tax exemptions			
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values
	Insufficient information or detail not included in this report		

Constitution and government

Despite Namibia being a deeply religious country, the constitution and other laws enshrine secularism, freedom of religion and expression. The preamble to the constitution recognises "the right of the individual to life, liberty and the pursuit of happiness, regardless of race, colour, ethnic origin, sex, religion, creed or social or economic status" and in practise these principles are generally upheld.

Although the vast majority of the population are Christians, there is no officiated state religion in Namibia. Article 19 of the constitution includes a broad and vigorous proclamation that "every person shall be entitled to enjoy, practise, profess, maintain and promote maintain and promote any culture, language, tradition or religion". This is further ratified in article 21 which explicitly includes the "freedom of thought, conscience and belief" and "freedom to practise any religion and to manifest such practice".

Family, community and society

Reports of any discrimination or based on religious belief or societal abuses to freedom of thought are hard to come by, and accounts generally suggest that matters are generally peaceable in this regard. Religious groups are required to register with the Ministry of Health and Social services in order to qualify for tax exempt status and receive the opportunity to purchase land at a discounted rate. The state has been willing to recognise all religious groups that have wished to register and there are no examples of difficulty or impediment in registration.

state.gov/documents/organization/208390.pdf

Relations between different faiths and denominations appear to be amicable, the state consults annually with religious leaders; although it is unclear what level of influence they have on policy making.

state.gov/documents/organization/208390.pdf

Freedom of expression, advocacy of humanist values

Freedom House has reported that the state has occasionally used harsh or threatening language when responding to independent news stories that are critical of the state, but in general there is a strong level of media freedom and plurality.

freedomhouse.org/report/freedom-world/2014/namibia-0#.VGeLEvmsVul

Homosexuality

Homosexuality remains illegal based on the common law offence of committing "an unnatural sex crime", though this is generally not enforced. There is, however, a persistent cultural sense of social prejudice reported by members of the LGBT community, resulting in some reports of street attacks. In 2012, Wendelinus Hamutenya was attacked two weeks after winning the of "Mr. Gay Namibia". It was reported that the authorities were seemingly uninterested:

"I laid a case at the nearest police station. I went there a few days ago to hear what progress was being made, since two months have passed. Police told me the docket (case documents) got lost".

— Wendelinus Hamutenya

edgemedianetwork.com/news/international/news/129688/%E2%80%99mr_gay_namibia%E2%80%99_attacked_after_winning_title

South Africa

Officially known as the Republic of South Africa (RSA), this multiethnic country is situated at the southernmost tip of Africa. South Africa is a secular democracy which encompasses a wide variety of cultures, languages and religions, the majority religion being Christianity. Race remains a huge source of social tension in post-Apartheid South Africa.

Rating: Systemic Discrimination

Constitution and government

Education and children's rights

Family, community, society,
religious courts and tribunals

Freedom of expression,
advocacy of humanist values

			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education		
		Insufficient information or detail not included in this report	

Constitution and government

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 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.

The law prohibits discrimination on grounds of religion and cases of discrimination against persons on the grounds of religious freedom may be taken to the Constitutional Court.

Education and children's rights

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

Family, community and society

The Witchcraft Suppression Act of 1957 criminalises activities relating to witchcraft and witch-hunting including claiming a knowledge of witchcraft, and accusing others of practicing witchcraft. In 2007 the South African Pagan Rights Alliance and the Traditional Healers Organisation submitted requests to the South African Law Reform Commission for an investigation into the constitutionality

of the act. In 2010 a South African Law Reform Commission project was approved by the Minister of Justice and Constitutional Development in order to review witchcraft legislation. Older women in communities holding traditional beliefs are most vulnerable to persecution, along with children who are vulnerable to murder through some witchcraft practises, and related abuses.

Freedom of expression, advocacy of humanist values

Blasphemy, defined as "unlawfully, intentionally and publicly acting contemptuously towards God" is a common law offence in South Africa, although convictions have been rare since the early 20th Century.

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, who was re-elected in 2014. 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.

Swaziland

The Kingdom of Swaziland is surrounded – with the exception of Mozambique to its east – by South Africa. Around 83% Christian with a significant 15% said to practice traditional African religions.

Rating: Grave Violations

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

		Systemic religious privilege results in significant social discrimination	Expression of core humanist principles on democracy, freedom or human rights is severely restricted
	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion			

Constitution and government

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. 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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

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.

Africa

Western Africa

Benin

Benin, formerly known as Dahomey, has the reputation of being a stable democracy. It boasts a proliferation of political parties and a strong civil society, particularly the press. On the economic side, however, the picture is less bright; Benin is severely underdeveloped, and corruption is rife. Benin is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Systemic Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

		Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

Constitutionally, Benin is a secular state protecting freedom of thought and expression. Freedom to belong to a religion or no religion is protected by law. Once banned in Benin, voodoo is now celebrated alongside the major religions of Islam and Christianity. Census returns suggest 7% of the population is non-religious.

Religious groups need to be registered with the government.

Education and children's rights

Public schools are forbidden from providing religious instruction, although some religious groups provide private schools.

Family, community and society

The freedom of the non-religious to organise is illustrated by the 2011 seminar *Laïcité au Bénin (Secularism in Benin)* sponsored by the International Humanist and Ethical Union (IHEU).

There is evidence of the use of religion as a political ploy by government officials and those who seek office. According to media reports, "political groups supporting the president (a noted Catholic), as well as businessmen in search of favours, have been using prayer gatherings at key moments for the nation to either show their support or gain influence in the government. Because of this, it's common to see religious prayers of all kinds flourish when the president runs into difficulties or challenges."

themediaproject.org/article/2013-top-religion-stories-west-africa

“Witchcraft” and human rights

There is a climate of human rights abuse, particularly affecting children (often with disabilities). Practice of “witchcraft”, “sorcery” and “exorcism” are widespread and have lead to the killing of children, in some cases with no legal consequences for the perpetrators.

themediaproject.org/religion-news/magic-and-murder-benin

Burkina Faso

Re-named in 1984 to Burkina Faso (“land of the upright/honest people”), the country gained independence from France in 1960. President Blaise Compaoré ruled the country from 1987 and was ousted in October 2014 by a popular youth protest movement. Lt. Col. Isaac Zida has said he will lead the country until a planned 2015 presidential election but there are concerns over his close ties to the former president.

Rating: Mostly Satisfactory

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

			Some concerns about political or media freedoms, not specific to the non-religious
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

Burkina Faso is a secular state and its constitution and other laws and policies protect freedom of 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. The possibility of constitutional reform has been discussed in connection with the protests that overthrew the president in October 2014.

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

Freedom of expression, advocacy of humanist values

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.

Cape Verde

Off the west coast of Africa, poor in natural resources, the Cape Verde islands have won a reputation for achieving political and economic stability. The former Portuguese colony comprises of 9 main islands.

Rating: Mostly Satisfactory

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	
	Insufficient information or detail not included in this report		

Constitution and government

There is much secularity intent within the constitution of Cape Verde. Laws and policies generally protect religious freedom, the right of individuals to choose and change their religion and to interpret their religious beliefs for themselves. The constitution provides for separation of church and state and prohibits the state from imposing religious beliefs and practices.

Family, community and society

There are several religious groups in Cape Verde, that include small Muslim and Bahá'i communities. There are no known atheist or humanist groups. Different commentators emphasise the dominance of the Roman Catholic Church, said to be the faith of 80-90% of the population. It is not a traditional Catholic church, but much influenced by the African and Brazilian traditions of Cape Verde residents.

"... the Catholic faith still plays a dominating role on the islands. The colonial power of Portugal was primarily influenced by Catholicism and the situation was anything but laicistic in the years of its rule on Cape Verde..."

<capeverde.com/religion.html>

The organization by the government of a visit of a Pope to the islands provides evidence of the deference to the religion. The government also offered all religious groups free television broadcasting time for religious services but only the Roman Catholic Church had the capacity to make use of this opportunity.

<206.155.102.64/country,,,CPV,,53d9079c14,0.html>

Côte d'Ivoire

A presidential representative democratic republic, Ivory Coast is has been split by civil war since 2002, with the north of the country largely controlled by Muslim rebels, and the recognised government presiding over the predominantly Christian south.

Rating: Mostly Satisfactory

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

			Some concerns about political or media freedoms, not specific to the non-religious
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

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

Freedom of expression, advocacy of humanist values

The country is divided, politically as well as geographically, between its predominantly Muslim North and predominantly Christian South. The sectarian conflict has ebbed and flowed, but the government has generally respected freedom of religion or belief.

Political turmoil and civil conflict resurged after the disputed presidential election in December 2010 infringing 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

Surrounded by Senegal, apart from a short strip of Atlantic coastline at its western end, Gambia is the smallest country on mainland Africa. 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.”

Rating: Grave Violations

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

		Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious	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
State legislation is partly derived from religious law or by religious authorities		Systemic 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
State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious schools have powers to discriminate in admissions or employment Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	

Constitution and government

Although the constitution and other laws protect freedom of 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.

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

Education and children's rights

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

Family, community and society

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.

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 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.

Freedom of expression, advocacy of humanist values

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.

Ghana

The government of Ghana constitutionally guarantees freedom of expression and generally respects it in practice, but press restriction continues. However there are strong concerns that religiosity is effectively enforced in some schools and numerous cases of social discrimination based on religion or belief.

Rating: Severe Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative		
There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups		There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism	
Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious; Concerns that secular or religious authorities interfere in specifically religious freedoms
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The government constitutionally guaranteed freedom of expression and generally respected it in practice. The country has a lively and diverse media presence that includes state and privately owned television and radio stations, multiple independent newspapers and magazines. The Ghanaese government, however, have been known to occasionally restrict press freedom through the practice of harassment and detaining journalists reporting on politically sensitive topics.

The constitution and other laws and policies that are in place typically protect religious freedom. However, to receive formal recognition and status as a legal entity by the government, religious groups must register with the office of the registrar general in the justice ministry. Notwithstanding this provision, there is no penalty for failing to register. Most indigenous religious groups in Ghana do not register.

Ghana constitutionally guarantees and generally respects the right to peaceful assembly and association and permits are not required. Non-governmental organizations freely operate and play an imperative role in guaranteeing government accountability and transparency in the country.

Education and children's rights

In Ghana's national public education curriculum, religious and moral education is a mandatory requirement. These courses embody perspectives from both Islam and Christianity. There is an Islamic Education Unit within the ministry which is responsible for the coordinating of all secular public education activities for the Islamic communities in the country. However, in January 2014, the Islamic Education Unit accused the Government of attempting to "sabotage the teaching of Arabic and the Islamic studies in Ghana" - showing a burgeoning rift between the secular and Islamic schooling in the country and highlighting the influence that the Islamic Education Unit has on the secular portions of the curriculum for the children labelled "Muslim".

zaaradio.com/?q=article/islamic-education-unit-nr-accuses-gov%E2%80%99t-sabotage

There were also reports that some teachers in public secondary schools discriminated against Muslim pupils by obligating them to attend Christian church services and to partake in Christian prayers as part of their formal education.

news.wypr.org/post/prayer-ghana-s-public-schools-sparks-debate

Family, community and society

Women in Ghana continue to be subjected to the practice of female genital mutilation, linked to religion, which continues mainly in Muslim areas of northern Ghana.

Many Atheists in Ghana are afraid to openly express their beliefs due to real or imagined threats of intimidation. However, there is an extant group of outspoken atheists, freethinkers and skeptics who form the Humanists Association of Ghana (a IHEU member organization). The group organised a humanist conference in November, 2012, which brought together humanists from around the world to concentrate on issues relevant to the advancement of humanism in the country.

csmonitor.com/World/Africa/2012/1125/In-world-s-most-religious-country-humanists-rally-for-secular-space

Testimonies

"I think the thing that bugs me the most about Christianity in Ghana is the common assumption that everyone is Christian, coupled with the added assumption that if you are not Christian (i.e. 'saved by the blood'), then you are evil, or at best, misguided and so must be rescued from yourself. Once you've been in this 'game' (of debating creationists and other such religious extremists, not so much to de-convert them as to make sure there IS debate and not just the appearance of a consensus) for a while, you realise that the theists don't believe atheism exists.

They think we've just chosen to worship something else as our god. And if you can convince them that we really don't worship anything, they assume that therefore we have no morality. It really is most vexing. Since letting go of Christianity years ago, I finally feel free and healthy and sane, and I honestly have never been happier. Anyway, I'm sure my "de-conversion" story is almost cliché by now."

— Justice

"Eventually, I came to the conclusion that, I couldn't take the fiction and I had to be honest, at least with myself. I owed me that. At that time, everything I believed unfolded before me. I felt like

I was looking over the edge of an abyss. I could not continue believing. Unbearable cognitive dissonance finally pushed me over the edge.

“I couldn’t tell my mum or my sisters. But I saw and still see the pain and hurt in their eyes because I won’t go to church and I don’t do anything religious — Once I made the comment that the doctrine of heaven was for the coward, the poor and the ignorant, and that I couldn’t believe in that! I saw tears in my sister’s eyes.

“And so I came to the stark realization that most of the things that were to affect my life the most, and which I have learnt from the people around me were, to be precise, illogical. They were nonsense!

“I decided to free my mind and live my life. It’s the only one I have. I couldn’t gamble with it. And the air I breathe is oh, so refreshing...”

— Paa Nii

The above Testimonies, from <ghanahumanists.wordpress.com/personal-journeys/>, are used with permission.

Guinea

Guinea is a former French colony in Western Africa, today it is a multi-party presidential republic following years of one-party control and military coups. Religious freedom issues persist in the country for the majority Muslim population as well as for other religious and nonreligious groups. Guinea is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		
Anomalous discrimination by local or provincial authorities, or overseas territories	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
		Insufficient information or detail not included in this report	

Constitution and government

The constitution of Guinea recognises freedom of religion or belief in theory. However, Freedom House has complained in their *Freedom in the World Report* of cases of discrimination, and other issues regarding religious freedom in Guinea.

“There have been rare cases of discrimination against non-Muslims in government employment, as well as restrictions on Muslims’ freedom to convert to other religions.”

— Freedom House, *Freedom In The World*

freedomhouse.org/report/freedom-world/2013/guinea#.VGYuoaOwRrM

Education and children’s rights

The majority of schools are religious in nature. Islamic schools predominate and *madrasah*, with a heavily Islamic curriculum focusing on the Koran and teaching in Arabic, at the expense of all secular subjects, have resisted integration into the national framework, but they are unrecognised by the government, which has been trying to integrate them.

Family, community and society

In July 2013 there were 3 days of sectarian violence in Nzerekore city, between ethnic Kpelle (Christian or animist), and ethnic Konianke (Muslims). 54 were killed, including some who were burned alive. The military imposed a curfew, and President Conde made a televised appeal for calm.

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

Freedom of expression, advocacy of humanist values

Religious groups are granted access to government television and radio stations, which broadcast religious messages. However, ownership of radio and television channels by religion and political groups is prohibited.

There are serious concerns about broader restrictions on protest and any media that is critical of the government.

Guinea-Bissau

Guinea-Bissau is a former Portuguese colony in West Africa which maintains a multi-party presidential republic after undergoing a recent military coup. Religious rights are mostly respected throughout the country, although some issues persist. Guinea-Bissau is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Systemic Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief			
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

Religious freedom is protected in the constitution, and is generally upheld by the government. Article 6 (1) states: "In the Republic of Guinea-Bissau there shall be separation between the state and religious institutions." Article 24 explicitly talks of non-discrimination including secular worldviews with the term "philosophical conviction":

"All persons are equal before the law, enjoy the same rights and are subjected to the same duties, without distinction as to race, social status, intellectual or cultural level, religious belief or philosophical conviction."

Following the latest coup in 2012, the 2014 elections were beset with logistical problems and delays, but transfer of power was achieved in June 2014, inaugurating President José Mário Vaz.

Guinea-Bissau's population, at around 1.5 million, has overall moved from Animism toward Islam over the past decades, though often this is a largely syncretic Islam with elements not conforming to wider Sunni practices. There is minimal openly non-religious population.

"Religious freedom is legally protected and usually respected in practice."
 — Freedom House, *Freedom In the World Report 2014*

freedomhouse.org/report/freedom-world/2014/guinea-bissau-0#.VGY9W6OwRrM

Liberia

Located on the West African coast, most of the country is covered by dense tropical forests. Liberia was the only colony founded by the United States of America, and the Liberian flag is influenced by this inheritance. A military coup in 1980 led the country into a long phase of war and instability. It was only in 2003 that a peace agreement was signed.

Rating: Systemic Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	

Constitution and government

The constitution of the Republic of Liberia guarantees all inhabitants freedom of thought, conscience and religion as well as freedom of expression and the right to knowledge. (Articles 14 and 15, constitution of Liberia). The government generally respects these rights in practice. However, religious minorities report discrimination.

Government ceremonies open and close with prayers, where the prayers are mostly Christian and only occasional both Christian and Muslim.

The government persuaded public businesses and markets to remain closed Sundays and on Christmas. Only few Muslim-owned shops are permitted to operate Sundays with limited opening hours.

Education and children's rights

Education in Liberia was seriously affected and damaged by both Liberian Civil Wars between 1989 and 2003. According to the education database most of the (primary) schools are operated by churches or Christian missionaries. General public schools offer religious education, but do not require it. The state subsidizes private schools where most of them are affiliated with Christian or Muslim organization.

classbase.com/countries/Liberia/Education-System

Family, community and society

Liberia is a predominantly Christian country, where around 85 percent of population practise Christianity. Islam is practised by 12 percent of inhabitants and only 0.5 percent participate in traditional practices of indigenous religions.

A “secret society” known as Poro is very active in rural areas. With claims to be the country's “traditional” religion, but heavily based around taboo and witchcraft superstitions, there have been reports of persecution against Christians by Poro members.

Homosexuality

Sexual minorities are publicly discriminated against in Liberia. In 2012 Liberian lawmakers introduced new laws against homosexuals. Liberian president Ellen Johnson Sirleaf, the Nobel Peace Prize laureate from 2012, defended the anti-gay laws and emphasised the persistence of colonial laws and traditional values.

csmonitor.com/World/Keep-Calm/2012/0320/Liberia-s-President-Sirleaf-defends-country-s-anti-gay-laws>

In the same year an anti-gay group distributed fliers with a list of gay rights supporters. One of the activists had threatened to “get them (LGBT individuals) one by one”.

huffingtonpost.com/2012/04/03/liberia-anti-gay-group-hit-list_n_1400066.html>

Sex between men is considered a criminal act and people who are indulging in it can be imprisoned for up to one year.

Religion and Ebola

In December 2013 the Ebola virus spread from Guinea and reached Liberia in March 2014. Liberia has proved fertile ground for conspiracy theories related to the virus. A bishop of the Christ Incorporated Church, Edward Adjei blamed the outbreak of the virus on witchcraft. He proposed to solve the problem through exorcism.

“The presidential building is our country’s gateway to Heaven, through which our leaders speak to God, but it has been desecrated. Now nobody speaks to God through the palace any more, so He has turned his back on our country. And when that happens, we lose protection against things like Ebola.”

freethinker.co.uk/2014/10/04/mad-bishop-has-a-cure-for-ebola-vimto/>

The Liberian Observer gave an account in July 2014 of a meeting of bishops who converged to discuss the Church’s response to the epidemic. They endorsed the following resolution:

“That God is angry with Liberia, and that Ebola is a plague. Liberians have to pray and seek God's forgiveness over the corruption and immoral acts (such as homosexuality, etc.) that continue to penetrate our society. As Christians, we must repent and seek God's forgiveness...”

liberianobserver.com/news-religion/god-angry-liberia%20>

Mali

The Republic of Mali is a landlocked sovereign state in western Africa with a constitutional democracy and a population of approximately 14.5 million. The country has faced numerous problems with regards to health, poverty and sanitation. As such, the average life expectancy is estimated at 53 years, and it has one of the highest infant mortality rates in the world.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general		Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			
	No formal discrimination in education		

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. However there has been a general decline in respect for human rights since the 2012 violence.

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.

Passports and national identity documents do not designate religious identity.

Education and children's rights

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

Family, community and society

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. Following a French military intervention and peace-building efforts, Mali held successful presidential elections in August 2013 and parliamentary elections at the end of November 2013.

However, the Jihadists returned to northern Mali in March 2014, and continue to trouble the north. In a recent split, some Islamists have sworn allegiance to ISIS. The various groups are financially supported by smuggling drugs such as cocaine bound for Europe.

theguardian.com/world/2014/sep/16/islamist-groups-african-drug-smuggling-operation>

Freedom of expression, advocacy of humanist values

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.

Mauritania

Mauritania bridges the Arab Maghreb and western sub-Saharan Africa; its Arab-Berber population tend to live in the north and black Africans in the south. It is one of the world’s poorest countries, with about one fifth of the population living on less than \$1.25 per day. Slavery has been described as a major human rights issue, with the world’s highest proportion of slaves, mostly the black Africans, in indenture that is socially justified with reference to Islam. Mauritania is a member of the League of Arab States and the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations

Constitution and government

Education and children’s rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p>		<p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>		<p>Systemic religious privilege results in significant social discrimination</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p>	<p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	
			<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

The Constitutional Council and the High Council of Magistrates are required, when taking an oath of office, to make a promise to God to uphold the law of the land in conformity with Islamic precepts.

The preamble of Mauritania's 1991 constitution declares a "right to equality" and the "fundamental freedoms and rights of human beings"; Article 1 of the constitution notes that, "the Republic guarantees equality before the law to all of its citizens without distinction as to origin, race, sex, or social condition". However, the constitution and other laws and policies restrict freedom of religion or belief. The Constitution defines the country as Islamic, recognising Islam as the only religion of its citizens, with Islam as "the religion of the people and the state".

The law and legal procedures of Mauritania are based on Sharia. Sharia crimes such as heresy, apostasy, atheism, refusal to pray, adultery and alcoholism are all contained in Mauritania's Penal Code. The Code includes punishments of lapidation, amputation and lashings. Sharia norms are also reflected in Mauritania's 2001 Personal Status Code (a legal code which regulates all matters related to marriage, divorce, family and inheritance issues). Its Article 311 states that for difficulties of interpretation as well as in cases where the Code is silent, reference should be made to Sharia.

Education and children's rights

Classes on Islam are compulsory in the curricula of both public and private Islamic schools; their attendance is mandatory.

Family, community and society

Non-Muslims are restricted from having citizenship status. Muslims who convert from Islam lose their citizenship and property rights. Article 11 of the Press Act is used to ban proselytizing by non-Muslims; the Act prohibits the publication of any material that contradicts or threatens Islam. Non-Muslims are only allowed private worship after they are granted permission to do so from the state.

Freedom of expression, advocacy of humanist values

Press freedom is guaranteed by the constitution. In reality, privately run newspapers face closure for publishing material considered offensive to Islam or threatening to the state. Self-censorship is also practiced by journalists to some degree, when they cover issues relating to Sharia or slavery, for example, and activists against slavery have been frequently harassed and persecuted.

iheu.org/iheu-calls-on-un-to-do-more-to-protect-mauritanian-anti-slavery-campaigners/

Death for "apostasy"

Article 306 of the Mauritanian penal code, stipulates apostasy as a crime punishable by death. Anyone found guilty of converting from Islam is supposed to be given three days to repent and if the individual concerned does not do so, they will face confiscation of their property, or the death sentence.

However, in the case of Mohamed Cheikh Ould Mkheitir (see "Highlighted cases" below), he was found guilty of "apostasy" and sentenced to death — despite "repenting" — in a one-day trial in late December 2014.

Apostasy, "adultery", and homosexuality are among the capital crimes in Mauritania. There appears to have been a moratorium on the death sentence since 1987, but Mkheitir remains in jail, along with around 52 persons convicted on "terrorism" charges over the years.

opinion-internationale.com/dossier/pas-de-contrainte-en-islam-il-faut-liberer-mohamed-cheikh-condamne-a-mort-pour-ses-idees-en-mauritanie/la-condamnation-a-mort-de-mohamed-cheikh-ould-mohamed-ould-mkhaitir-un-cas-de-dysfonctionnement-de-la-justice

“Spreading atheism”

It has been observed that the charge of “spreading atheism” has been used not only to silence writers and activists but for political means also. A number of left-wing activists and writers have highlighted what they see as a systematic campaign which accuses them of spreading atheism. They have attributed this to the Muslim Brotherhood seeking to undermine the leftist movement and to make people fearful of it. Left-wing activists have been called upon to repent to God and integrate themselves into Muslim society, fatwas signed by a group of Mauritanian religious scholars have been issued accusing some activists of apostasy, and the Supreme Council for Fatwa and Grievances has issued a statement calling on activists on social media to “stop offending Islam and the Prophet and spreading atheism”.

There were calls for the left-affiliated Aqlam Horra (free pens) website to be shut down after it published an article, entitled “Religion, Religiousness and Masters,” (which was subsequently deleted and apologised for). A Mauritanian businessman had said he would pay just under \$14,000 to whoever killed the writer responsible for the article.

Highlighted cases

In late December 2014, **Mohamed Cheikh Ould Mkheitir** was sentenced to death for “apostasy”. As a 28-year-old blogger, he had been arrested in January 2014, for allegedly publishing an article seen by some as insulting Muhammad and constituting an act of apostasy. His writing in fact sought to highlight the indentured servitude in Mauritanian society, often socially justified with reference to national cultural identity and in particular to Islamic tradition.

[<iheu.org/iheu-condemns-death-sentence-for-apostasy-handed-to-writer-in-mauritania/>](http://iheu.org/iheu-condemns-death-sentence-for-apostasy-handed-to-writer-in-mauritania/)

Following Mkheitir’s initial arrest, there were a number of protests condemning his writing (though with a low level of internet penetration, and at around 50% one of the lowest remaining levels of literacy in the world, there is good reason to think that the content of his blogs was not really a direct motivator for many of the protesters). There were numerous calls, including by imams, scholars and professors, for his execution. One preacher, Abi Ould Ali, offered EUR 4,000 to anyone who killed Mkheitir. The Mauritanian government and opposition parties supported the protests. President Mohamed Ould Abdel Aziz said, “We will apply God’s law on whoever insults the prophet, and whoever publishes such an insult.”

After his death sentence was handed down in December 2014, there were again popular celebrations. Jemil Ould Mansour, leader of Mauritanian Islamist party *Tawassoul*, welcomed the conviction, saying that Mkheitir had got “the fate he deserves”.

[<bvoltaire.fr/philippe-franceschi/peut-sauver-mohamed-cheikh-ould-mkheitir,149711>](http://bvoltaire.fr/philippe-franceschi/peut-sauver-mohamed-cheikh-ould-mkheitir,149711)

Ensaf Haidar, the wife of Saudi blogger Raif Badawi (see Saudi Arabia > Highlighted Cases), protested Mkheitir’s sentence in August 2015, writing: “Millions of people around the world rallied to the support of Raif Badawi; who will care for a poor young man in Mauritania? He will be executed for blasphemy – by those who insist that Isis does not represent Islam.”

[<independent.co.uk/voices/comment/millions-of-people-rallied-to-the-support-of-raif-badawi-who-will-care-for-a-poor-young-man-in-10466040.html>](http://independent.co.uk/voices/comment/millions-of-people-rallied-to-the-support-of-raif-badawi-who-will-care-for-a-poor-young-man-in-10466040.html)

Niger

Niger, found on the edge of the Saharan Desert, is one of the poorest countries in the world today. It provides minimal government services, and is often debilitated by droughts. Over 98% of the population is Muslim, with 95% of those Sunni and 5% Shia. Niger is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Systemic Discrimination

Constitution and government

Education and children's rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism	
Anomalous discrimination by local or provincial authorities, or overseas territories		Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear	Some concerns about political or media freedoms, not specific to the non-religious;

Constitution and government

Its constitution protects religious freedom and provides for a separated church and state, and freedom of expression is generally protected.

Church and state are separated, political parties are not allowed to affiliate with a religion, and people are theoretically entitled to the free expression of belief. While religious organizations must register with the Ministry of the Interior, this is largely a formality and there is no evidence that the government favours one religion over another.

niamey.usembassy.gov/officialreport_religiousf.html

However there are conflicting reports on whether the Nigerien Government enforces this rule – the US State Department Report on Religious Freedom 2013 found some unregistered organizations operate freely in remote parts of the country, but also how a Wahhabi cleric was forbidden from preaching because he had not registered. In general however, the constitution protects religious freedom.

Education and children's rights

Niger is one of the poorest countries in the world, and data is sparse concerning its education system. It is often reliant on charity funding and foreign aid to support its education programme, meaning there is little data analysing its quality or whether it includes religious education. But, a number of factors suggest the system is not secular. In October 2014 the Ministry of Education withdrew a trial sex education programme in schools after being pressured by Islamic Associations. These associations claimed sex education was "contrary to country's values." The programme included information about sexual and reproductive health, as well as romantic relationships and consent.

trust.org/item/20141030132537-tci14/

Family, community and society

Freedom of thought, religion and expression are generally well protected in Niger. There are cases of infringement, but in a country which is over 98% Muslim with very low internet penetration, there is likely more unreported, societal pressure against atheism. However there are few cases of religious violence, and an extensive constitutional protections against religious discrimination.

Privilege... and tolerance

The Niger Islamic Council, a group of 10 high-ranking Muslims and 10 political leaders, was set up in 2006 to advise the government on issues of concern to Muslims. This certainly constitutes privileged access to political life, however the intention was to promote a moderate, tolerant form of Islam, in particular to counteract any extremism infiltrating the country from the surrounding region.

Religious Courts

In urban areas, “customary” courts exist which arbitrate on some civil matters, including marriage and inheritance. These courts are presided over by a legal practitioner, who is advised by someone with “knowledge of the traditions” and largely follow a form of Islamic Law, but all decisions made by the court can be appealed in the formal judicial system.

state.gov/documents/organization/220358.pdf

Freedom of expression, advocacy of humanist values

In general, freedom of expression is protected, although there are a number of small isolated cases of it being infringed. In June 2013, an Al-Jazeera television crew was detained for allegedly not having proper permits, and police have attacked and chased away journalists attempting to cover a peaceful protest about education.

freedomhouse.org/report/freedom-world/2014/niger-0#.VFj8xvmsXi0

Nigeria

In Nigeria, approximately half of the population are Muslims, about 40 percent are Christians, and roughly 10 percent are of traditional indigenous religions or no religion. While the constitution guarantees religious freedom, the state endorses numerous anti-secular and theocratic policies. The government and non-state militia such as Boko Haram constantly violate the rights to freedom of thought and expression.

Rating: Grave Violations

Constitution and government Education and children's rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

'Apostasy' or conversion from a specific religion is outlawed and punishable by death [in some Islamist controlled areas]			'Blasphemy' or criticism of religion is outlawed and punishable by death [in some Islamist controlled areas]
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Systemic religious privilege results in significant social discrimination</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p> <p>Religious control over family law or legislation on moral matters [in some Islamist controlled areas]</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p>
<p>Preferential treatment is given to a religion or religion in general</p>		<p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government

The Nigerian Constitution protects freedom of religion and allows religious conversion. Section 10 of the constitution states, 'The Government of the Federation of a State shall not adopt any religion as State Religion.' However, Nigeria is a member of the Organization of Islamic Countries, which makes it a Muslim state in effect. Sections 275–279 of the Constitution give states the power to establish their own Sharia courts of appeal for civil matters. Abiding by Sharia law is required for Muslims in some states but optional in others and enforcement differs by state. Christians are not obliged to abide by Sharia law in any of the 12 states. Proselytizing in public is illegal in some states so as to prevent ethnic conflict. Religious groups are required to have permits to build places for worship and hold public gatherings. Christian and Islamic groups are required to register with the Corporate Affairs Commission (CAC) to do so. Religious discrimination is prohibited by law.

Education and children's rights

It is a requirement for all students in the public education system to receive instruction about Christianity or Islam. However, Christian education classes are not offered in many Northern states and Muslim education classes are not always provided in Southern states.

The Constitution has laid out laws on religion and education as follows:

“Section 38:2 No person attending any place of education shall be required to receive religious instruction or to take part in, or attend any religious ceremony or observance if such instruction, ceremony or observance relates to a religion not approved by his parent or guardian.”

“Section 38:3 No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination.”

nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm#Chapter_4

According to the constitution students are not obliged to receive education of a religion that is not their own. However, Islamic or Christian religious education is mandatory in public school students in many regions in the country. State authorities sometimes claim that students are allowed to not attend religious instruction or to request a teacher to offer alternative instruction. However, there has been a lack of teachers in ‘Christian Religious Knowledge’ in many schools in the north, and there has been reports that Muslim students could not access ‘Islamic Religious Knowledge’ in public schools in Enugu and Edo States. There seems to be an underlying assumption that people in the country are either Christian or Muslim, and must receive religious instruction in one or the other religion.

ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c

Family, community and society

The introduction of criminal law aspects of Shari'a, the continued state use of resources to fund the mosque construction, education of Kadis (Muslim judges), pilgrimages to Mecca (Hajj), and religious instruction in schools, mean that Islam is often regarded, and is in effect, the de facto state religion of numerous northern states. Some states had also used government funds to pay for Christian pilgrimages to Jerusalem. In general, states with a Christian or Muslim majority favour and give privileges to the majority faith, to the exclusion of religion or belief minorities.

Sectarian divide

Muslims in some predominantly Christian states have complained about being denied permission to build mosques in predominantly Christian southern states. Christians in the predominantly Muslim northern states have claimed that local government officials used zoning laws to delay or prevent the establishment of new churches. Some have made claims that the enforcement of zoning laws was selective. Government officials have been commonly reported to have discriminated against people whose religious beliefs are different from their own, notably in hiring or contract awarding. Religious and ethnic discrimination also exist in private businesses' hiring practices and purchasing patterns.

The deep entanglement of religion and state perpetuates parallel legal systems for different religious and ethnic groups and Sharia judgments' arbitrary nature have raised questions concerning legislation. Whether politically, ethnically, and religiously fragmented Nigeria can survive official Sharia institutions' internal contradictions remains uncertain.

evangelicalfellowship.ca/page.aspx?pid=684>

democracyweb.org/religion/nigeria.php>

ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c>

Boko Haram

The country has been afflicted in recent years by the terrorism of Boko Haram, with abductions, massacres and bomb blasts in Abuja. The abduction of around 200 school girls early in 2014 by Boko Haram prompted the sharing of the #BringBackOurGirls hashtag around the world, but most abductees from Chibok and other towns remain lost. The government and armed forces were accused of hesitation, inaction and incompetence in addressing the terrorist threat; and deaths and kidnappings number in the thousands. Sectarian tension has risen throughout 2014 and attacks have continued in 2015. Boko Haram caused more deaths in terror attacks in 2014 than ISIS.

Highlighted cases

In June 2014, **Mubarak Bala** was assessed as needing psychiatric help because he was “an atheist”, and held against his will at a psychiatric ward in Kano, northern Nigeria. His father, formerly a senior member of the Islamic religious authorities, had orchestrated Mubarak’s detention, after Mubarak had refused to keep quiet about his atheistic views on religion. Mubarak was – with some violence – bundled off to the psychiatric hospital by members of his own family. Told that he could not leave the hospital, Mubarak raised the alarm by social media, on a mobile he had managed to smuggle and keep hidden from the staff. He tweeted about his circumstances to friends and followers. IHEU worked with online activists and local humanists to verify the case, instruct a lawyer, and propel Mubarak’s cries for help into international media. His case then received media attention locally. Bala was freed after nearly three weeks, due to a strike at the hospital. Mubarak said that the domestic and international pressure helped to convince his family that he must be free to be, and express himself as, an atheist.

iheu.org/?s=mubarak+bala>

bbc.co.uk/news/world-africa-28158813>

The **Nigerian Humanist Movement** has been denied registration as an organization for many years. Antagonists have linked the group to gay rights, presuming this to stand against its merits (and in reality it may well contribute to authorities’ refusal to progress a registration).

gamji.com/article9000/news9553.htm>

dialogueseriesnew.blogspot.de/2011/10/usa-africa-dialogue-series-humanism-and.html>

Senegal

A constitutionally secular state, Senegal gained independence from France in 1960. French remains the official language. The population of around 13 million is predominantly Sufi Muslim.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear	Some concerns about political or media freedoms, not specific to the non-religious
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report		

Constitution and government

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 constitution defines the country as a secular state and provides for the free practice of religious beliefs, provided that public order is maintained. Whether this qualification might prevent vocal expression of atheistic views remains to be seen.

Family, community and society

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, however religious leaders informally settle many disputes among Muslims, particularly in rural areas.

Freedom of expression, advocacy of humanist values

Freedom of expression is generally respected. Access to the internet is not restricted. 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.

Sierra Leone

Predominantly Muslim, with an influential Christian minority, Sierra Leone’s religious practices tend to be syncretic and mixed with traditional belief. The state is secular, and regarded as one of the most religiously tolerant in the world. Muslims and Christians collaborate and interact with each other peacefully. However, there are significant social problems and human rights concerns.

Rating: Mostly Satisfactory

Note: The expression of non-religious and secularist views may be largely untested in this country which has high religiosity, broader human rights concerns, and a population of around 6 million.

Constitution and government Education and children’s rights Family, community, society, religious courts and tribunals Expression, advocacy of humanist values

	State-funded schools provide religious education which may be nominally comprehensive but is substantively biased or borderline confessional		Some concerns about political or media freedoms, not specific to the non-religious
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief			
		Insufficient information or detail not included in this report	

Constitution and government

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 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.

Education and children’s rights

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, however private Muslim schools opt for their own curriculum complaining that Islam is underrepresented. The curriculum does not appear to include any broader secular or philosophical content despite the “Morals” terminology. Instruction in a specific religion is permissible only in private schools organized by religious groups.

Following a prolonged period of minimal social interactions as part of Ebola epidemic controls, children returned to schools in early 2015, however “visibly pregnant” girls were to be disallowed to take exams in primary and secondary schools, according to Education Minister Minkailu Bah, making official an unspoken rule that: “if you have sex and get pregnant, you will not be allowed to associate with schoolgirls who are not pregnant.” According to Humanist Watch Salone (HUWASAL) sexual abuse including rape of school-aged girls rose “rapidly” during the Ebola crisis, while others had turned to “transactional sex” in order to support their families, according to UNICEF.

allafrica.com/stories/201503300120.html

irinnews.org/printreport.aspx?reportid=101090

Family, community and society

Social tensions around religion or belief specifically, appear to be very low to non-existent. However, there are broader human rights concerns around vigilante violence against debtors, suspected thieves, and others.

state.gov/j/drl/rls/hrrpt/2010/af/154368.htm

Women are severely disadvantaged and discriminated against, especially under tribal norms that operate in most of the country (besides the capital). Women and girls are denied equal access to education, medical care, employment, and credit. A new Sexual Offenses Act only came into force in 2012, and rape and domestic abuse are still commonplace.

Homosexuality between men is illegal.

Freedom of expression, advocacy of humanist values

Rated “Partly free” by Freedom House, with emergency presidential powers invoke during the Ebola crisis being used to suppress journalists critical of the government. Two journalists who insulted the president in 2013 were charged with 26 counts of “seditious libel”. Government frequently interferes with media freedoms, practising censorship.

freedomhouse.org/report/freedom-press/2015/sierra-leone

Togo

In the area historically known as “the Slave Coast”, Togo gained independence from France in 1960. Eyadéma Gnassingbé came to power in 1967 in a bloodless coup and died 5 February 2005 after 38 years in power, the longest dictatorship in African history. A military-backed succession by his son, Faure Gnassingbé, provoked condemnation internationally and division in the African Union.

Rating: Systemic Discrimination

Constitution and government

Education and children’s rights

Family, community, society, religious courts and tribunals

Expression, advocacy of humanist values

There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	

Constitution and government

The constitution protects freedom of 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.

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

Education and children’s rights

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.

Freedom of expression, advocacy of humanist values

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

Caribbean

Antigua and Barbuda

Antigua and Barbuda is a multiparty, parliamentary democracy, a former British colony. The government is constitutionally secular; however current government organization and practice illustrates preferential treatment in favour of the Antigua Christian Council.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general			Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The Constitution provides for religious freedom in general. It prohibits members of the clergy from running for elected office.

However, the government maintains a close relationship with the Antigua Christian Council, which excludes non-Christian groups as well as some smaller and newer groups which identify themselves as Christian. A recent press release illustrates the level of collaboration between the government and the Council, extending beyond simple recognition well into the territory of privileged access to matters of social policy:

“A week ago, the Ecclesiastical Affairs Division within the Office of the Prime Minister assembled church leaders in Antigua and Barbuda to organize the national day for the nation to seek divine intervention and spiritual guidance from God to arrest the anti-social behavior that is creeping into the society.”

— Official website of the Government of Antigua and Barbuda, March 2013

The role of the Ministry of Ecclesiastical Affairs is to coordinate greater interaction among churches, other religious organizations, and the government.

Blasphemy

The Small Charges Act mentions blasphemous language. The law is said not to be enforced for blasphemy (according to the 2013 Report on International Religious Freedom) but it remains on the books.

Religious privileges

Religious groups are required to incorporate in order to own property. They can register with the government to receive tax and duty-free concessions, especially for building and renovation. There do not appear to be similar concessions available to explicitly secular or non-religious groups.

Education and children's rights

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

Family, community and society

Various other human rights concerns, often related to conservative religious or regressive attitudes, remain active concerns.

“The most serious human rights problems involved poor prison conditions and violence against women. Other human rights problems included trial delays resulting from court backlogs and reports of mental, physical, and sexual abuse of children. There were also laws that discriminate against lesbian, gay, bisexual, and transgender (LGBT) persons.”

— Country Reports on Human Rights Practices - Antigua and Barbuda, 27 February 2014

Freedom of expression, advocacy of humanist values

The Antigua and Barbuda government generally respects freedom of the press. However, defamation is a criminal offense punishable by up to three years in prison, and politicians frequently file libel suits against opposing party members. Prime Minister Spencer was said to be committed to repealing the defamation and libel laws in April 2013, but this had not been undertaken by June 2014.

Media outlets are concentrated among a small number of firms affiliated with either the current government or its predecessor. There are no restrictions on access to the internet.

Bahamas

The Commonwealth of The Bahamas is an island country consisting of more than 700 islands, cays, and islets in the Atlantic Ocean. The Bahamas became an independent Commonwealth realm in 1973. One of the richest countries in the Americas (after the US and Canada), the economy is based primarily on tourism and finance.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general		Discriminatory prominence is given to religious bodies, traditions or leaders	
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
			Insufficient information or detail not included in this report

Constitution and government

The constitution and other laws and policies protect freedom of 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. The government meets regularly with Christian leaders, both publicly and privately, to discuss societal, political, and economic issues.

Education and children's rights

Religion is recognized as an academic subject at government schools and is included in mandatory standardized achievement and certificate tests. Christianity 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.

Freedom of expression, advocacy of humanist values

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

A sovereign island country in the Lesser Antilles, Barbados is a parliamentary democracy of around 280,000 population, predominantly Christian.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of 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.

Freedom of expression, advocacy of humanist values

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

Cuba

The Republic of Cuba is one of the world’s last remaining communist states and the largest island country in the Caribbean with a population of approximately 11 million. There is no official state religion, however a majority of the population are Christian (59.2%), with a high proportion of people claiming to be unaffiliated to any faith (23%), and also a smaller but significant percentage of adherents to traditional folk religions (17%).

Rating: Systemic Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution affirms the secular nature of the state and the right freedom of religion, although in practice the government tends to restrict 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 were given the right to join the ruling Communist Party of Cuba (PCC).

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

Freedom of expression, advocacy of humanist values

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

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, and less than 3 percent of Cubans are able to access the Internet.

Dominica

Dominica, a Caribbean island with few natural resources, has a resident population of 70,000, a dependence on its banana industry, is vulnerable to hurricanes and has a limited infrastructure.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	<p>There is state funding of at least some religious schools</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>		
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		
		<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	<p>No fundamental restrictions on freedom of expression or advocacy of humanist values</p>

Constitution and government

The constitution declares that "a person shall not be hindered in the enjoyment of his freedom of conscience, including freedom of thought and of religion."

Education and children's rights

Until age 18, young people may be required to receive religious instruction, or attend religious assembly. Private schools can at their own expense provide religious instruction.

Family, community and society

According to a 2001 census 6% of the population have no religious affiliation. Atheists and freethinkers run a number of active blogs and are involved in a Caribbean Atheists Facebook page.

"Although Dominica contains some fanatics, there is not the same mob mentality towards punishing people who think differently, and, in fact, there is an appreciation in this island for thinkers, for literate readers, that is almost nonexistent in the States by comparison, and I think it is because most Dominicans have not become as bitter, ironic, and absurdist as so many young Americans I've seen seem to have."

— Jonathan Bellot, *A Skeptic in the Caribbean*, 2012

thenewhumanism.org/authors/jonathan-bellot/articles/less-than-paradise>

Christianity is the dominant religion with some 60% of the population said to be Roman Catholic. Christian prayer takes place during morning assembly in public schools, although non-Christian

students are not required to participate. The government subsidizes teacher salaries at schools affiliated with the Catholic, Methodist, and Seventh-day Adventist churches.
<206.155.102.64/country,,,,DMA,,53d9078478,0.html>

Dominican Republic

Once ruled by Spain, the Dominican Republic shares the island of Hispaniola with Haiti, a former French colony. The Dominican Republic is closely tied to the United States, its largest trading partner by far and home to a major diaspora.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p>	<p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>		<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p>
		<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	

Constitution and government

The constitution and other laws and policies generally protect religious freedom. The constitution specifies there is no established church and provides for freedom of religion and belief. A concordat with the Vatican, however, designates Catholicism as the official religion.

The concordat extends special privileges to the Catholic Church not granted to other religious groups. These include the legal recognition of church law, use of public funds to underwrite some church expenses, and exclusion from customs duties. Non-Catholic religious groups must first register as a non-governmental organization.

The law provides for government recognition of marriages performed by all religious groups on condition they otherwise comply with related regulations.

Education and children's rights

The law requires Bible reading in public schools, but the government does not normally enforce this law. Private schools are exempt from this requirement.

<<http://206.155.102.64/country,,,DOM,,53d90783b,0.html>>

Family, community and society

Dominicans of Haitian descent face persistent systematic discrimination in political and social life, and do not have full political rights. They have been denied full participation in national life such as attending university, obtain legal employment or a marriage license. The dismissive reaction of the Dominican Republic to the Inter-American Court of Human Rights' ruling on human rights abuses

suffered by Dominicans of Haitian descent and Haitian migrants demonstrates a shocking disregard for international law and the country's legal responsibilities, according to Amnesty International.
<<http://206.155.102.64/country,,,,DOM,,544f8ee24,0.html>>

There are few comments about non-religious people despite Gallup, in 2006, identifying 10% of the population as being such. There is a disturbing film which explores a private Christian school in the Dominican Republic called Escuela Caribe that wealthy religious parents can send their troubled children. The film tells the story of one student at the school named David who was sent there because he is gay. He was not a troubled kid, or one who caused problems. Logan explains how David was a model student at school with great grades and an active social life before he disappeared.
<atheistsoundingboard.wordpress.com/tag/dominican-republic/>

Official corruption remains a serious problem. The judiciary is politicized and riddled with corruption, and the legal system offers little recourse to those without money or influence.

Freedom of expression, advocacy of humanist values

Press freedom is guaranteed by law and media outlets carry diverse political views. Journalists reporting on possible links between the drugs trade and officials have faced intimidation, and some have been killed.

Grenada

Grenada is an island country consisting of the island of Grenada and six smaller islands at the southern end of the Grenadines in the southeastern Caribbean Sea.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	

Constitution and government

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

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

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 to be enforced.

Education and children's rights

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.

Haiti

A multi-party, semi-presidential republic, the island of Haiti gained independence in 1804, making it the first modern independent nation of Latin America and the Caribbean.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	
			<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

The Haitian constitution and other laws and policies generally protect and, at the same time, respect religious freedom. However, there were reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

<<http://www.state.gov/documents/organization/171783.pdf>>

Religious privileges

Despite Roman Catholicism's status as the official religion in the country coming to an end with the adoption of the 1987 constitution, an 1860 concordat between the Holy See and the state is still in place, and Catholicism retains traditional authority socially, as well as privileges from the state. The Haitian government confers monetary assistance to Catholic priests, bishops and archbishops.

Education and children's rights

The government provides financial support to some Catholic schools in the country. This assistance is not available to other religious groups.

Organised missionary groups and missionaries who identify with a broad range of religious groups operate privately-funded schools and orphanages (as well as clinics and hospitals.)

Family, community and society

The Islamic community and Voodoo (Voodoo) practitioners in Haiti are prevented from acquiescing legal recognition with The Ministry of Foreign Affairs and Religious Denominations (MFA).

Muslims married in a religious ceremony are restricted from receiving the same government recognition afforded to Christian marriages and can only acquire government recognition through a civil court.

caribbean360.com/news/caribbean-countries-discriminate-against-rastafarians-muslims-report

LGBT rights

Although there were no laws criminalizing the changing of one's gender or sex, local attitudes in Haiti remain unfriendly to openly LGBT identification and expression. Despite an ever burgeoning advocacy and activism by sexual minorities and human rights groups in the country, LGBT individuals still experienced a particularly high degree of hostility from more conservative areas of society, including government officials. Religious and other conservative groups in Haiti have actively prohibited the social integration of LGBT individuals. Parliamentarians in the country have publicly declared that they would not and should not acknowledge any particular type of LGBT rights legislation, including marriage equality.

Furthermore, religious groups in Haiti protested against marriage equality in 2013 and reportedly threatened to burn down parliament.

patheos.com/blogs/friendlyatheist/2013/07/25/religious-groups-in-haiti-protest-marriage-equality-and-threaten-to-burn-down-parliament

Freedom of expression, advocacy of humanist values

The law in Haiti typically affords freedom of speech and press, and, in practice, the government generally respected these rights. The independent media were active and free to express a wide variety of views. However, there were allegations of officials and security agents bothering and even causing threat to some journalists who criticised the government.

state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm

Jamaica

Jamaica is a small island nation in the Caribbean of around 2.8 million people. The country obtained its independence from the UK in 1962. It remains a Commonwealth realm with the Queen of England acting as head of state and a Governor General.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>		<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

The constitution protects freedom of religion and conscience, and the government generally respects this. There is no designated state religion, and people in the country are free to publicly and privately worship in any religion of their choosing, although some African-based religious practices (obeah) are outlawed, even though in practice this is difficult to enforce. It is not necessary for religious groups to register with the government, however if they do they receive special privileges - including tax exemptions, and the right for members of the clergy to visit worshippers of their religion while incarcerated.

Education and children's rights

A significant number of public schools in Jamaica are owned and/or operated by churches. The default position under education legislation is that public schools have the right to require all students to engage in worship, although parents/guardians can opt their children out of this. However in practice opt outs are exceedingly rare, and the usual practice is for most, if not all, children in public schools to participate in routine worship. No secular or humanist alternative is taught or recognized in the schools.

Family, community and society

In the past, Jamaica's Christians represented as much as 98% of the population. There has been a recent fall in the number of Christians who now represent about 68% of the population. There are significant populations of religious minorities, most notably Rastafarians, and an increasing population of Muslims. Those who identify as having no religion have increased in recent decades

and now represent about 22% of the population. In this regard, while there is no formal organization that publicly represents the interests of non-believers, there is a Jamaican Secular Humanist community on social media.

Christianity in Politics and Public Life

While there is no single established church or state religion, the Jamaican State formally recognizes some churches through legislation. For example the Moravian Church in Jamaica is formally established under an Act of Parliament; and in 2013 another Act of Parliament was passed to formally establish the Church of Haile Selassie I. There is also official symbolic deference to religion, for example the Jamaican National Anthem contains explicit Christian references – despite the significant non-Christian and non-believer communities identified above.

Christianity is further systematically privileged in public life, with Jamaican leaders openly affirming their belief in the Christian god in their public capacity. For example there is the annual National Leadership Prayer Breakfast, which is usually attended by both the Prime Minister and the Leader of the Opposition as well as several Members of Parliament. This public affirmation of Christianity is institutional and occurs at all levels of government. For example it is the usual practice at many government departments and agencies to open important meetings and other proceedings with prayer. No other religion enjoys these privileges in Jamaica.

The dominant influence of Christianity in public life is often keenly felt on human rights issues. Jamaica still outlaws consensual, adult same-sex sexual activity, with anal intercourse being punishable by up to 10 years imprisonment at hard labour. The Churches oppose any attempt to repeal the law or otherwise to recognize the human rights of sexual minorities. In June 2014 a senior clergyman publicly stated that any political party which pursues decriminalization of homosexuality will be punished at the next general election by voters who are also church-goers. The Government has made no move to decriminalize same-sex sexual activity or to otherwise grant legal recognition of the human rights of sexual minorities.

Finally, the security forces of the State, which includes the Jamaica Constabulary Force and the Jamaica Defence Force, maintain chaplains, and Christian ethics and worship are integral to the training of members of both forces.

Religious Minorities

Members of the Rastafarian religion have in the past been subject to discrimination due to societal prejudices but attitudes towards them have changed. They have continued to claim unfair treatment by the police but currently much of this appears to be linked to their sacramental use of marijuana and not necessarily their religious beliefs. Recreational use of marijuana is illegal in Jamaica.

Homosexuality

Jamaica still outlaws sex between men, punishable by up to 10 years hard labour. Some analysts consider Jamaica one of the most homophobic countries on earth. Church groups, including representatives from the largest denomination “the Church of God”, have organised rallies against attempts at decriminalising homosexuality, although the current government have made no attempts to repeal the anti-LGBT laws.

jamaicahumanistsociety.org/jamaicans-for-secular-humanism-responds-to-christian-protest-against-equality/

Currently Jamaica does not recognise rape within marriage though there have been moves to widen the definition to protect women within marriage. Religious groups have been at the forefront of protests against any change to the law.

jamaicahumanistsociety.org/a-secular-humanist-take-on-the-marital-rape-law/

Saint Kitts and Nevis

Saint Kitts and Nevis, also known as The Federation of Saint Christopher and Nevis, is a two-island nation in the Caribbean which maintains a multi-party parliamentary democracy political system under a constitutional monarchy.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	
	Insufficient information or detail not included in this report		

Constitution and government

Saint Kitts and Nevis has a constitution which protects the religious rights of all individuals, regardless of whether or not they believe in a god. The government is secular and does not interfere with freedom of belief.

<state.gov/documents/organization/171792.pdf>

The constitution of Saint Kitts and Nevis protections freedom of expression and religion, however some government endorsement of religion does occur.

Education and children's rights

The government requires prayers to be said in all public schools.

Saint Lucia

Saint Lucia is an island nation in the eastern Caribbean Sea which maintains a multi-party parliamentary democracy under a constitutional monarchy. The country maintains no official religion, however concerns about religious privileging do exist.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege			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 with no secular or humanist alternative, but it is optional		
		Insufficient information or detail not included in this report	

Constitution and government

The constitution does not establish any religion, but it begins by invoking “faith in the supremacy of the Almighty God”.

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.

Certain privileges exist for religious groups and institutions which are not extended to secular organizations, with exemption from some labour requirements.

Blasphemy

There is an anti-blasphemy law in place, but there is no record of it being enforced. Laws such as Article 566 of the criminal code (“Irreverence near place of worship during service, or cemetery during burial”) and Article 567 (“Disturbing person in place of worship”) only seem to protect specifically religious worshippers against harassment, and not to prevent legitimate criticism of religion in any broader context.

Education and children's rights

The school curriculum includes Christian education and religious instruction is permitted in public schools, however, non-Christian students are not required to participate. Several religious schools exist which are funded by religious institutions.

Saint Vincent and the Grenadines

Saint Vincent and the Grenadines (SVG) is an island in the Lesser Antilles Island arc. The territory of the island consists of the main island of Saint Vincent and the two-thirds of the Grenadines, which are a chain of smaller islands.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
There is a nominal state church with few privileges or progress is being made toward disestablishment Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The constitution and other laws protect the rights to religious freedom, freedom of conscience of expressions and of assembly and association. There is no state religion, but the preamble states that people of SVG “have affirmed that the Nation is founded on the belief in the supremacy of God and the freedom and dignity of man”. ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_132645.pdf >

Blasphemy

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

Education and children's rights

According to the SVG Education Bill 2005 “religious education must be a part of the curriculum of every public or assisted private school at the primary, all- age secondary level.” But it is not a condition of admission that the student participates in religious education or attends or abstains from attending any place of religious instruction.

Family, community and society

According to the 2001 census, 81.5% of the population are Christians, 6.7% have another religion and 8.8% are considered as non-religious and 1.5% did not state a religion. Anglicanism is the largest Christian religion with 17.8% of religious people and Pentecostals are the second-largest with 17.6% of population. The percentage distribution of other religious groups is the following: Methodists (11

percent), Seventh-day Adventists (10 percent), Baptists (10 percent), and Roman Catholics (7 percent). There is a small number of non-religious groups which are Rastafarians, Hindus and Muslims.

Rastafarians have complained of discrimination in hiring and in schools, claiming that “elements of their religion, such as wearing dreadlocks and smoking marijuana, presented serious barriers to their ability to find employment and achieve professional status in the official economy”.

kaieteurnewsonline.com/2013/05/28/caribbean-countries-discriminate-against-rastafarians-muslims-report/

Trinidad and Tobago

The Republic of Trinidad and Tobago is one of the wealthiest in the Caribbean, due to its large reserves of oil and gas and unusually industrialised petrochemical industry. The islands are majority Christian but with a range of beliefs, including syncretic African religions.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	There is state funding of at least some religious schools		
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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.

Education and children's rights

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

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 children from secular backgrounds, though attendance at religious instruction classes is voluntary.

Freedom of expression, advocacy of humanist values

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.

Americas

Central America

Belize

Belize is a former colony and a parliamentary democracy with a Governor General representing the British monarchy. A preamble to the constitution states: "The nation of Belize shall be founded upon principles which acknowledge the supremacy of God".

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege Preferential treatment is given to a religion or religion in general	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious;
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

Despite its preamble, the Belize constitution, drawing on the language of the Universal Declaration of Human Rights, appears to protect the non-religious:

"Except with his own consent, a person shall not be hindered in the enjoyment of his 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 propagare his religion or belief in worship, teaching, practice and observance."

In contrast, however, the constitution also allows the Governor General to appoint one of the 13 members of the Senate on the advice of the Belize Council of Churches. The constitution further reserves the government's right to intervene in religious matters "for the purpose of protecting the rights and freedoms of other persons," which in theory reflects that the right to manifest religion is not absolute, however in practice the provision that the right to observe and practice any religion "without the unsolicited intervention of members of any other religion" might be used to limit free expression. Indeed, an unenforced law limits speech that is "blasphemous or indecent."

Education and children's rights

Historically the provision of most education is in the hands of the many (Christian) religious organizations who are free to develop religious instruction of their choice. State schools must also offer religious instruction, although the constitution states this is not compulsory.

Family, community and society

Discrimination on religious grounds is illegal. In practice, the interaction of churches and religious organizations with the government and political system is powerful. While human rights are in broad terms respected, there is growing concern about several issues. Authorities have failed at times to maintain effective control over the security forces, allegedly committing human rights abuses.

“The most important human rights abuses included the use of excessive force by security forces, lengthy pretrial detention, and harassment and threats based on sexual orientation or gender identity. Other human rights problems included domestic violence, discrimination against women, sexual abuse of children, trafficking in persons, and child labor.”

— US Government, 2013 Country Reports on Human Rights Practices - Belize

Costa Rica

Roman Catholicism is the state religion of Costa Rica and its institutions permeate the national infrastructure.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	
	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		
			<p>No fundamental restrictions on freedom of expression or advocacy of humanist values</p>

Constitution and government

The Constitution provides for freedom of religion, but establishes Roman Catholicism as the official state religion and affords the Church several benefits. The state has an obligation to contribute to the Church's maintenance, but is not allowed to infringe on others' right to freely exercise their religions that "do not impugn universal morality or proper behavior." The government does not put restrictions on the establishment of churches.

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).

The Constitution states that no one, clergy or lay, may invoke religious doctrine as a means to a political goal. The constitution prohibits Catholic clergy from occupying any political position but does not prohibit non-Catholic clergy from doing so.

<ncbuy.com/reference/country/humanrights.html?code=cs&sec=2c>

<religion-freedom-report.org.uk/wp-content/uploads/country-reports/costa_rica.pdf>

<cesdepu.com/nbdp/copol.htm>

Religious bias

The Catholic Church has special legal recognition. Part of the government budget goes to the Catholic churches for construction, maintenance and repair. The Catholic Church is also exempt from income and property taxes. The Catholic Church is also granted land by the government occasionally. Besides civil marriages, only the Catholic Church may perform state-recognised marriages. Couples married in other religious communities must also go through a civil ceremony to receive state recognition.

<state.gov/documents/organization/208680.pdf>

Education and children's rights

State schools give Catholic religious instruction. Students may be exempted from it with parental permission, but they and their teachers and school principal must agree on an alternative course.

In July 2012 the Evangelical Alliance opposed a new state sex-education program called Education in Affectivity and Sexuality with the objective of reducing teenage pregnancies. When the program was approved in 2013, the Catholic Church also opposed it, saying that the subject should be approached within the family context. The Church also argued that sex education and religious beliefs could not be separated. The constitutional court later ruled that students should get permission from their parents before attending the sex education course.

nacion.com/2012-07-17/ElPais/evangelicos-desatan-ofensiva--contra-educacion-sexual.aspx

Freedom of expression, advocacy of humanist values

Freedom of expression is respected, and the media is free of censorship and government control. Access to the internet is not restricted. Foreign missionaries and clergy of all religions have the freedom to proselytize.

El Salvador

El Salvador, officially the Republic of El Salvador, is the smallest and the most densely populated country in Central America.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions			
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

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. But it also gives special and official recognition to the Catholic Church.

Religious privileges and exemptions

The constitution states that religious groups other than the Catholic Church 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. The same advantage is not extended to comparable non-religious groups.

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.

Education and children's rights

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.

Family, community and society

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.

Freedom of expression, advocacy of humanist values

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

Guatemala, with Mexico on its Northern boundary, is in a pivotal position in Central America. It was the scene of a 36-year guerrilla war until 1996, a peace agreement was signed by the government that finally put an end to the internal conflict. The main religion in Guatemala is Christianity, primarily Roman Catholic. In the census of 2010 there was a significant increase in percentage of atheists or people with no religion.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The constitution and other laws and policies generally protect religious freedom. There is no state religion; however, the constitution recognizes explicitly the distinct legal personality of the Catholic Church.

The government requires religious groups other than the Catholic Church to register as legal entities to conduct business, such as renting or purchasing premises and entering into contracts, and to receive tax-exempt status. Non-Catholic religious groups are subject to special regulation.

Education and children's rights

Though education should in principle be secular, there is no national framework for determining the nature or content of religious education, leaving it wide open to interpretation.

206.155.102.64/country,,,,GTM,,53d90770b,0.html

In 2015, a proposed new law would require religious teaching in all schools, public or private, to convey a "literal" Biblical interpretation of Christianity. At a public meeting addressing the bill in Congress, Carlos Mendoza, a representative Guatemalan Humanist Association, *Asociación Guatemalteca de Humanistas Seculares* (AGHS), was booed out of the room, having barely been able to put his case, namely that the bill violates the National Education Act and the Act on the Integrity of Children and Adolescents, which ensures that the education in the country should be secular. The meeting was stacked with religious representatives, with other human rights, secular and sexual equality groups "actively excluded and denied access to the event", according to AGHS. (Mendoza only gained access to the meeting during a protest against the bill outside Congress organized by the Humanist association.) AGHS said in a statement, "Far from creating unity and positive staff and

general reforms, [the bill] could generate intolerance, division, disputes and conflicts between students, teachers, administrators and parents .”

<http://humanistasguatemala.org/comunicado-sobre-la-propuesta-de-ensenanza-biblica-obligatoria/>

Freedom of expression, advocacy of humanist values

Press freedom is enshrined in the constitution and newspapers freely criticise the government. Nonetheless, many journalists face intimidation because of their reporting. It was and continues to be dangerous for them to "take too much interest" in organised crime, corruption or human rights violations during the civil war, Reporters Without Borders have reported in recent years including 2014.

Honduras

The Republic of Honduras, historical home to Mesoamerican cultures including the Maya, was conquered by Spain in the sixteenth century who imported Roman Catholicism which has been predominant culturally ever since. Honduras’ multi-party system has been turbulent and wracked with controversy.

Rating: Severe Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions			
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of 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.

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.

Religious privilege

Although Honduras has been nominally a secular state since 1880, the legislature declares the Roman Catholic Church and the Evangelical Confederation of Honduras as legally recognized churches, and these churches only.

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.

Freedom of expression, advocacy of humanist values

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 as 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.

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.

Mexico

Mexico, with a population of 118 million inhabitants, is the largest Spanish-speaking country in the world. Its secular constitution guarantees religious freedom. However, societal discrimination against certain religious minorities occurs, and journalists who criticise officials are frequently harassed and even attacked.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
			Some concerns about political or media freedoms, not specific to the non-religious; Concerns that secular or religious authorities interfere in specifically religious freedoms
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The Mexican constitution and other laws and policies guarantee religious freedom. The Mexican government is secular and the constitution stipulates that all individuals are free to proclaim their chosen religious identity and to engage in religious worship and ceremonies. The Mexican congress may not enact laws that establish or prohibit any particular religion. Furthermore, the constitution mandates the separation of church and state. The constitution also proscribes any type of discrimination, including on the basis of religious identity.

A constitutional amendment that came into effect in July 2013 specifically prohibits the use of acts of worship for political purposes. The amendment permits religious services to be conducted in “public as well as private” places, as well as adding “freedom of ethical convictions” to the constitution, designed to ensure the freedom to have no particular religious faith.

pulsamerica.co.uk/2013/07/22/mexican-politics-and-economy-4/

The constitution prohibits members of the clergy from holding public office, supporting partisan political views and backing political candidates, or openly opposing the institutions or laws of the state.

Registering religions

The law allows religious groups to operate without registering with the government, except in order to negotiate contracts and to acquire or rent land. Registration is required in order to apply for official building permits, to be in receipt of tax exemptions and to hold religious meetings outside their typical places of worship. In order to procure legal status, a religious group is obliged to register as a religious association. In order to register, a group must outline its fundamental precepts and

religious beliefs, not be a for-profit organization and to pledge that it will not promote acts that are considered physically harmful or dangerous to its constituents. Religious associations in Mexico must notify the government of their intentions to organise a religious meeting outside of an officially licensed place of worship. Religious associations are not allowed to hold any political meetings.

Education and children's rights

The constitution demands that public education must be secular. Religious groups are allowed to operate private schools.

Family, community and society

Societal abuses or discrimination based on religious practice persist. These incidents typically occurred in small rural communities in the south of the country. Numerous evangelical groups professed that religious abuses and discrimination were commonplace. Furthermore, there was a report in December 2013 that priests face a burgeoning amount of extortion attempts, death threats and intimidation.

[<edition.cnn.com/2013/12/03/world/americas/mexico-cartel-catholic-seminary-extortion/>](http://edition.cnn.com/2013/12/03/world/americas/mexico-cartel-catholic-seminary-extortion/)

In June 2013, there were reports that a group of about 200 Catholic Indians in Los Llanos, Chiapas, took 33 evangelical Indians captive, beat them and threatened to burn them alive. According to the victims' relatives, the evangelicals were freed after they promised not to lodge a complaint.

[<hispanicallyspeakingnews.com/latino-daily-news/details/catholic-indians-beat-torture-evangelical-indians-in-mexico/25470/>](http://hispanicallyspeakingnews.com/latino-daily-news/details/catholic-indians-beat-torture-evangelical-indians-in-mexico/25470/)

Freedom of expression, advocacy of humanist values

Religious groups are prevented from administering radio or television stations. Government approval is required for commercial broadcasting of radio or television before disseminating religious programming.

In Mexico, journalists, especially those who criticise officials and report on crime, are routinely harassed and even attacked. It has been reported that 85 journalists were killed between 2000 and August 2013, and a further 20 disappeared between 2005 and April 2013, according to the government's own national human rights commission - Comisión Nacional de los Derechos Humanos (CNDH).

[<news.vice.com/article/mexico-is-a-killing-ground-for-journalists>](http://news.vice.com/article/mexico-is-a-killing-ground-for-journalists)

Mexican authorities routinely fail to adequately conduct investigations into crimes committed against journalists, often dismissing their cases promptly on account of their profession being considered a motive.

Furthermore, journalists often find themselves subject to self-censorship because of attacks committed by both government officials and by criminal gangs.

Under-regulation of state advertising in Mexico is particularly profuse which often results in a limited media freedom by giving the government unequal monetary control over the media.

Despite having created a special prosecutor's office for Crimes against Freedom of Expression in 2006, it has only secured one criminal sentence from its 378 investigations conducted. However, in

May 2013, legislation was enacted that gave the Federal Prosecutor's Office complete jurisdiction over any investigation into attacks on the media.

hrw.org/sites/default/files/related_material/mexico_8.pdf

Nicaragua

Nicaragua is the largest country in Central America by area, but its population density is relatively low. Nicaragua was first settled by the Spanish in 1522; it gained independence in 1838. It is majority Catholic and other Christian denominations.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			
		Insufficient information or detail not included in this report	

Constitution and government

Article 29 of the constitution of Nicaragua guarantees religious freedom and protects the rights to freedom of conscience and thought. The constitution prohibits discrimination based on nationality, religious belief, race, gender and political belief and that no one “shall be obligated by coercive measures to declare his ideology or beliefs.” The constitution prohibits discrimination on the basis of religion.

All religious groups and other nongovernmental organizations need to be registered with the Ministry of Government as an association or organization.

Education and children's rights

Article 126 of the constitution states that “Education has as its objective the full and integral development of Nicaraguans; to provide them with a critical, scientific and humanist consciousness”.

However, in 2013, Nicaragua implemented the new “Live Beautiful Plan” to reform the education system. The new plan requires an obligatory education based on socialist and specifically Christian values.

<state.gov/documents/organization/222607.pdf>

The government provides subsidies to religious schools in communities which do not have access to public education. To realize the “Live beautiful plan” the government trained 45,000 public school teachers on the targets and techniques of the new education system.

The government funded two Catholic universities and one Evangelical university.

<religiousfreedom.com/index.php?option=com_content&view=article&id=134&Itemid=56>

Family, community and society

The International Federation for Human Rights expressed concerns at its World Congress in 2010 about the violations of civil and political rights in Nicaragua. The delegates stated that under President Daniel Ortega Nicaragua's government had undergone serious reversals in rights to vote and to freedom of expression as well as to freedom of association.

<fidh.org/IMG/pdf/Resolution_Nicaragua_ENG-2.pdf>

Media organizations report occasionally harassment, physical violence and threats against their reporters.

<freedomhouse.org/report/freedom-press/2013/nicaragua#.VFV3gPmsWHR>

LGBT people face rising homophobic violence. <ticotimes.net/2012/11/09/homophobic-crime-increasing-in-nicaragua>

Panama

Situated on the isthmus connecting North and South America, revenue from canal tolls continues to represent a significant portion of Panama's GDP.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
		Insufficient information or detail not included in this report	

Constitution and government

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

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.

Education and children’s rights

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

Freedom of expression, advocacy of humanist values

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.

Americas

Northern America

Canada

Canada is a federal parliamentary democracy, extending north into the Arctic Ocean, and sharing the world’s longest land border with the United States. Despite what should be strong constitutional protections for freedom of thought and expression, significant religious privileges are in force, both nationally and in several of its ten provinces and three territories.

Rating: Systemic Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Criticism of religion is restricted in law or a de facto ‘blasphemy’ law is in effect</p>
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		<p>Some concerns about political or media freedoms, not specific to the non-religious</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
		<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as the right to the freedoms of expression, association and assembly. The Canadian Charter of Rights and Freedoms is a bill of rights from the Constitution of Canada. It details the following “fundamental freedoms” in section 2: freedom of conscience, freedom of religion, freedom of thought, freedom of belief, freedom of expression, freedom of the press and of other media of communication, freedom of peaceful assembly, and freedom of association.

The symbolic supremacy of God

The recognition of the supremacy of God is included in the preamble of the Constitution Act 1982 (“Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law”) and the French version of the national anthem references carrying a sword in one hand and a cross in the other. While these are symbolic, and aren't used to justify discrimination, the preamble was used as an argument from city lawyers in Saguenay (see below) for allowing governments to endorse prayer/religion as part of public office.

The Supreme Court of Canada has recently seen a case to prohibit the saying of prayers as part of municipal council business. A decision is still pending. This case was brought by a resident of Saguenay in Quebec and supported by the Mouvement Laïque Québécois.

[<montreal.ctvnews.ca/supreme-court-hears-saguenay-council-prayers-case-1.2052696>](http://montreal.ctvnews.ca/supreme-court-hears-saguenay-council-prayers-case-1.2052696)

Provincial privileges

A crucifix hangs at the National Assembly of Quebec, right above the Speaker seat, and protocol rules give higher ranking to Catholic prelates than to elected ministers. Buildings used for worship or other religious purpose in Quebec are taxed at a much lower rate than others.

Also in Quebec, the mandatory course on “Ethics and Religious Cultures” is supposed to give all primary and secondary schoolchildren an understanding of the main religions. However the term “Atheist” was deemed to be too “negative” to be included in the course.

Discriminatory regulation of charities

The Canada Revenue Agency specifies criteria for what activities merit charitable status for an organization. One of these is activities for "the purposes for the advancement of religion." There is no equivalent charitable status (and the fiscal benefit that entails) for the advancement of humanism or atheism. Non-religious charities that do seek charitable status have to do so under the criteria of educational organizations and therefore face a stricter scope on their activities.

Education and children’s rights

Education is the responsibility of provincial governments according to the separation of powers in the constitution. 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 low-population expanses of Canada, the religious school may well be the only public school within a reasonable distance for many non-religious students.

Section 93 of the Constitution Act, 1867 awards jurisdiction over education to the provincial governments, with a few exceptions:

- Catholics have denominational school rights in Ontario;
- Both Catholics and Protestants had these rights in Quebec until abrogated by the Constitution Amendment, 1997 (Québec);
- Section 17 of the Alberta Act, 1905 also guarantees denominational school rights for Catholics in Alberta;

These additional rights for Catholics and Protestants would appear to contradict values of equality set out in sections 2 and 15 of the Canadian Charter of Rights and Freedoms. Proving this point, while at the same time providing an ad hoc solution to it, section 29 states that these privileges cannot be legally challenged on Charter grounds. Political scholar Rand Dyck states in his book *Canadian Politics: Critical Approaches* (Third edition: Nelson Thomson Learning, 2000, p. 443) that section 29 was inserted because the authors of the Constitution Act, 1982, did not want to be forced to dismantle immediately the privileges built in the old system and did not want to be held responsible for challenging the old system.

Catholic privileges

In some provinces, the government provides funding to Catholic schools but denies such funding to any other religion or belief. For example, Ontario province funds Catholic religious education and

provides 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.

Some Catholic school boards have in recent years have been trying to prohibit the creation of Gay Straight Alliances (GSAs) in their schools, which required the Ontario government to create legislation specifically to require all schools — though resistant Catholic Schools were the clear target — to allow the creation of GSAs.

Catholic schools can discriminate in hiring, with a number of publicly-funded teaching positions are reserved for baptised Catholics. There are moves in the direction of abolishing them. You can find further details on the issue of public funding for Catholic schools at the one school system network site: oneschoolsystem.org.

Family, community and society

“Reasonable accommodations”

Over the last ten years, several rulings, some by the Supreme Court of Canada, have had the effect of giving unexpected weight to religious claims in the area of religious practice in public or private shared spaces. One of the most disturbing decisions, albeit regarding a minor dispute between co-owners of an apartment building, had the effect to give precedence of private religious practice over freely contracted obligations. This 2004 ruling by the Supreme Court of Canada (opposing two lower court decisions) opens the door to abuse where a person claiming religiosity could decide to renege on a freely and duly signed contract because it now hurts his/her religious beliefs and, anyway, he did not read the contract!

This ruling had also a second effect, which was to define what is meant by a “religious belief” in a court of law, namely any “sincere belief” which needs not refer to an external authority. How a belief will be ascertained as “sincere” is left to interpretation by whatever court will be faced with such a challenge.

Wedding licences

While Ontario Humanists now enjoy the availability of Humanist Wedding Ceremonies accepted by the Ontario Registrar General, the Humanist Officiants in Quebec may not performed such weddings on the ground the [Civil Code of Quebec, section 366](#), reserves wedding privileges to a limited set of civil officiants and recognized religion ministers. Since Humanism is not recognized as a religion in Quebec (and Humanists generally do not consider their movement a religion), Humanists Officiants cannot perform weddings according to the same rules as ministers and priest. A challenge to this discriminating law has been set in motion in 2011 by the Association humaniste du Quebec with the help of the Quebec “Commission des droits de la personne» but the proceedings are extremely slow.

Freedom of expression, advocacy of humanist values

“Blasphemy” law

Section 296(1) of The Criminal Code says that “Blasphemous Libel” is an indictable offence and is punishable with imprisonment for a term not exceeding two years. There has been a de facto

moratorium on the use of this law since the 1930s, and would probably be found unconstitutional if challenged. However, it remains on the books, and therefore perpetuates both the potential to chill free expression about religion, and poor international standards.

“Religion” as an exemption to anti-hatred legislation

In sharp contrast to the law against “blasphemous libel”, some remarks that may constitute incitement to hatred may be protected if they are alleged to be based on “religion”. Section 319 of The Criminal Code makes the public incitement of hatred of identifiable groups an offence punishable by an imprisonment for a term not exceeding two years. However, section (3, b) of same law exempts such hatred speech from prosecution “if, in good faith, the person expressed or attempted to establish by an argument an opinion on a religious subject or an opinion based on a belief in a religious text”. As a result, some religious leaders take advantage of this exemption and continue to indulge in gay or atheist bashing and ethnic hate speech with full impunity providing they use quotes from “sacred” texts. In 2002-2004 an amendment proposed by NDP MP Svend Robinson failed to pass (Bill C-250).

<carters.ca/pub/bulletin/church/2004/chchlb02.htm>

Highlighted cases

A father, **Oliver Erazo**, wanted his son, Jonathan, exempt from having to attend religious programmes in a Roman Catholic school in Ontario. The case began in early 2013 and a panel of three judges ruled in favour of Mr Erazo in April 2014. The law this relates to is Education Act, R.S.O. 1990, CHAPTER E.2, Section 42(13).

<www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90e02_e.htm#BK47>

Mr Erazo took the school to court and won the case, he has since set up a website, myexemption.com, detailing the case and informing other parents how they can effectively exempt their children too.

<news.nationalpost.com/2014/04/08/father-wins-right-to-have-son-exempted-from-all-religious-programs-at-ontario-catholic-high-school/>

In October 2014 a former Hassidic Jew, **Yohan Lowen**, living in Quebec, sued the schools and authorities whom he claims deprived him of the capacity to work in a professional job. He is suing for \$1.2 million two Hasidic schools in Boisbriand, near Montreal (Yeshiva Beth Yuheda and the Rabbinical College Oir Hachaim D'Tash), the Quebec Government, the Seigneurie-des-Mille-Îles School Board and the Direction of the Youth Protection (DPJ), which, according to his suit, have closed their eyes on the dire situation in those religious schools while he was a pupil there. The two named schools, according to the formal notice, failed to conform to the provincial mandatory curriculum, choosing to offer instead a program centered on the Torah. Thus, Mr Lowen “was not able to benefit from the free, mandatory, education expected from the laws ruling the Quebec province”. Mr Lowen complains he was not properly taught English or French because of this religious program, hence his difficulties now to find a job.

Mr Lowen is now a minor celebrity in the French speaking media of Canada, however his case seems to have failed, so far, to strike a chord in the English media. The non-compliance of religious schools is a recurrent theme in Quebec with each successive government easily satisfied with empty promises from many guilty schools to correct their deficiencies, for sure, by the next academic year...

<ici.radio-canada.ca/emissions/telejournal_18h/2014-2015/Reportage.asp?idDoc=355525>

Testimonies

“It is also becoming increasingly common under our current conservative government to publicly invoke God or endorse prayer at public gatherings and in speeches. “God bless Canada” did not used to be a thing, but we are hearing it more and more from our prime minister and others.”

— Anonymous

United States of America

The United States of America is a large country of around 315 million people, bordered by Canada to the north and Mexico to the south. Since the end of World War II, the US has been widely considered the most powerful nation on Earth and remains very influential globally in economic, cultural and political affairs.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories		Localised or infrequent but recurring and widespread social marginalisation or prejudice against the non-religious	
	No formal discrimination in education		No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

The United States receives a relatively good rating in this Report, in consequence of the nation's strong constitutional protections in favour of freedom of thought, religion or belief and freedom of expression, which are usually upheld in practice. There is also a deep-rooted cultural emphasis on individual freedom.

However, those very freedoms, and openness to challenge, debate and due process — combined with the sometimes also very strong, deeply-rooted Christian conservatism of some Americans — means that secular, Humanist and civil liberties groups find themselves facing a continual battle to preserve the inherent secularism of the constitution from frequently recurring challenges, often involving state authorities or officials, or individuals, citing “religious freedom” in an attempt to bypass separation of church and state, to enforce particular religious beliefs in the public sphere, or in some way “establish” religion. Thanks to founding constitutional principles, these battles are usually won on the side of secularism in the longer term.

The constitution, “free exercise” and “establishment”

The US Constitution is often considered to be one of the world's first secular documents. The secular tradition in US law comes in part from the diverse religious makeup of the original colonies and the enlightenment idea that no one religion should come to be dominant in politics.

The First Amendment of the United States Constitution protects the right to freedom of religion and freedom of expression from government interference.

“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.”

The Amendment has two clauses directly relating to the relationship between state and religion. The “Free Exercise Clause”, protects the rights of people to hold whatever religious beliefs he or she wants, and to exercise that belief. This protection has also been extended to the right to non-belief.

The “Establishment Clause” forbids the establishment of a state church and prevents the government, both state and federal, from favoring any one religious doctrine. This is often called the separation clause, referring to Thomas Jefferson's description of “a wall of separation between church and state”.

The Constitution also prevents religious requirements for public office with Article 6 stating: “no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States”.

Broadly speaking, these clauses combine to create an largely 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 beliefs regarding religion; and to participate in all areas of public life.

“Under God” and “In God we Trust”

Despite the long history of the secular constitution, the Cold War Era in the 1950s saw increased paranoia towards atheism because of its association with Communism. In 1951 the Catholic group “The Knights of Columbus” successfully lobbied to have the words “Under God” added to the pledge of allegiance. The pledge is said during the opening of sessions of Congress, the beginning of numerous state and local government meetings and at the beginning of a school day. It is also popular during the July 4th festivities.

oldtimeislands.org/pledge/pledge.htm

Similarly, the United States Motto was established in 1956 as “In God We Trust” and can be found on all paper currency in the US. There have been numerous unsuccessful campaigns since the 1950s, by secular and religious minority groups alike, to secularise both the pledge and the motto. These have included numerous supreme and appeals court cases, the most recent being in April 2014.

religionnews.com/2014/05/28/atheists-lose-latest-legal-fight-god-trust/

The Don't Say the Pledge campaign dontsaythepledge.com/ by the American Humanist Association has had some success in 2015, for example establishing precedents against the enforced recitation of the pledge by students in school settings.

americanhumanist.org/news/details/2015-10-student-may-sit-during-the-pledge-of-allegiance-says

Religious monuments on government land

The U.S. Constitution prohibits the government from endorsing one religion over the other, but there have been many attempts to establish religion, particularly Christianity, in the form of religious monuments on public property. However, results from a variety of lawsuits have been mixed.

In April 2014, the American Humanist Association successfully challenged plans to erect a memorial honoring war veterans that included an image of a soldier kneeling to a Christian cross. However, in November 2015, the association lost a similar case challenging a 40-foot Christian cross, known as the Peace Cross, in Bladensburg, Maryland.

The holiday season in December often results in an uptick of constitutional violations regarding religious displays on public property. Local governments often place stand-alone nativity scenes (also known as creches) on public grounds, which violates the Establishment Clause. However, local governments have found a way around the law by allowing other religious holiday displays along with the nativity scenes, such as menorahs. A number of local humanist organizations have requested permission to display a HumanLight sign or other display representing humanists, atheists, and freethinkers.

State Laws

Although the Constitution is secular, there are significant anti-secular issues at the state level. Despite the constitutional prohibition (Article 6) of any “religious test” for public office, there are currently 8 states where the laws directly block those who deny the existence of God or “a supreme being” from holding public office. This can even extend to the banning of atheists from testifying in court. An example of this is the State constitution of Arkansas which explicitly mentions atheists:

“1: Atheists disqualified from holding office or testifying as witness.

No person who denies the being of a God shall hold any office in the civil departments of this State, nor be competent to testify as a witness in any Court.”

— arkleg.state.ar.us/assembly/Summary/ArkansasConstitution1874.pdf

Similar laws exist in Maryland, Mississippi, Texas, both Carolinas, Tennessee and Pennsylvania. ffrf.org/faq/feeds/item/14017-religious-tests-for-public-office

Numerous federal test cases have declared these laws unconstitutional. But there has been insufficient political will to amend them.

Education and children’s rights

The role of religion in American public schools has been a source of heated debate for decades. The Establishment Clause has generally been interpreted as prohibiting the observance or promotion of religion in state-funded schools.

Despite the clear prohibition against public funding for religious schools, there are some cases where state and federal funding can be used to send children to private religious schools through a voucher program. There is an argument to be made that this constitutes indirect funding of religious schools.

secular.org/issues/vouchers

americanhumanist.org/news/details/2015-07-stop-vouchers-oppose-government-funding-of-religious

In 2015, religious and secular groups protested the possible creation of a private school voucher programme under the Elementary and Secondary Education Act (ESEA) under the guise of “portability” of voucher entitlements. The groups protested that “The portability provision undermines Title I’s fundamental purpose of assisting public schools with high concentrations of poverty and high-need students and serves as a stepping-stone to private school vouchers...”

americanhumanist.org/news/details/2015-10-aha-joins-groups-opposing-private-school-vouchers

School prayer has been a major heatedly contested issue. Since the 1960s, schools have been forbidden to compose prayers for students or include prayer as part of official school proceedings. Students are allowed to pray in groups or on their own independent of formal school proceedings as long as it is not disruptive. Other expressions of religion, such as religious clothing, are protected under the free exercise clause of the 1st amendment. Despite a recent decline in support a 2011 poll found that 65% of the Americans support school prayer. Over the decades there have been numerous legal cases, many of which have gone as far as the supreme court.

aclu.org/religion-belief/aclu-and-freedom-religion-and-belief

infidels.org/library/modern/church-state/decisions.html

Many local School districts are run by a board directly elected by the local population. Whilst this direct involvement can be seen as positive, in some cases, it has led to the school board’s domination by religious ideologues. This has often lead to school boards attempting to introduce

creationism and intelligent design curricula such as during the Kitzmiller v. Dover case in 2005. A more recent and complex case can be found in the East Ramapo School District where the Orthodox Jewish dominated board has been accused of favouring Jewish students who attend Private Orthodox schools whilst defunding the places of up to 9,000 public school students.

thisamericanlife.org/radio-archives/episode/534/transcript

nytimes.com/2014/11/18/nyregion/east-ramapo-school-board-is-criticized-by-new-york-city-monitor.html?_r=0

Family, community and society

Hobby Lobby

On 25 March 2014, the Supreme Court heard arguments for the cases *Sebelius v Hobby Lobby Stores, Inc.* and *Conestoga Wood Specialties Corp. v Sebelius*. The Hobby Lobby Stores and Conestoga Wood Specialties are both Christian-owned stores that were concerned about the 'contraceptive mandate', which would require that businesses that offer health insurance to their employees must also cover all federally-approved contraception methods for them at no additional cost. The store owners believe that four of those contraceptive methods are equivalent to abortion. They argued that the contraceptives would burden their religious exercise and and sought for an exemption. They argued that they were entitled to exemption under the RFRA (Religious Freedom Restoration Act) and the administration had granted exemptions to some churches and religious nonprofit organizations, showing that the mandate could not be the least restrictive means of achieving a compelling state interest. The government had argued that for-profit corporations' owners do not receive such exemptions. However, the Supreme Court eventually ruled in a 5-4 decision that a closely-held company can be exempt from contraceptive coverage under the Affordable Care Act.

economist.com/blogs/economist-explains/2014/03/economist-explains-19

msnbc.com/msnbc/hobby-lobby-supreme-court-wins-narrow-ruling

Social Pressure on the Non-religious

The US has among the highest religiosity in the western world, though there has been a marked rise in the number of people identifying as non-religious or religiously "unaffiliated" in recent years.

pewforum.org/2015/05/12/americas-changing-religious-landscape/

Despite strong legal and constitutional protections for the religious and secular alike, the U.S. has long been home to a social and political atmosphere in which the non-religious are sometimes made to feel like lesser Americans or as if atheism is "un-American".

Opinion polls have regularly suggested that the majority of Americans would be less likely to vote for a presidential candidate if they were an atheist. One survey suggested that "No other trait, including being gay or having never held elected office, garnered a larger share of people saying they'd be less likely to support the potential candidate." Other surveys have shown that 60% of Americans (75% of Evangelicals) have a less favourable view of atheists than most other belief groups.

pewresearch.org/fact-tank/2014/05/29/americans-are-somewhat-more-open-to-the-idea-of-an-atheist-president/

pewresearch.org/fact-tank/2014/07/16/u-s-evangelical-christians-are-chilly-toward-atheists-and-the-feeling-is-mutual/

It's worth noting that these surveys actually represent an improvement in the reputation of atheists when compared to similar studies undertaken in previous years.

In some states more than others, 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 legal remedy for clear discrimination on grounds of religion or belief, 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.

Freedom of expression, advocacy of humanist values

Atheists in Congress

Anti-non-religious sentiment has fed into the social idea that to be really American is to be religious, especially Christian, which in turn creates an atmosphere in which elected officials, or candidates seeking office, feel the need to play into that idea. There is a clear right to be an atheist, but going public as such, in some states or in some social or political contexts, might have debilitating consequences for your chances of success in life.

For example, there are several Congress members who refuse to list their religious affiliation but only one of the 535 members of Congress claim to be non-religious (Rep. Kyrsten Sinema (Arizona) listed “none” under the category of religious affiliation). One former Congressman, Barney Frank, who had previously suggested he was an atheist, said in his 2015 memoir that, “In fact, I am not an atheist”, and even advised others against using the term.

patheos.com/blogs/friendlyatheist/2015/04/06/former-congressman-barney-frank-atheist-politicians-shouldnt-use-the-word-atheist/

Despite the dearth of known non-religious politicians in Congress, the American Humanist Association suggested in 2014 that dozens have in fact stated privately they are non-religious, but are afraid to “come out”.

huffingtonpost.com/2014/08/22/atheist-congress-members_n_5701377.html

Same-sex marriage

In June 2015, the Supreme Court established the right of same-sex couples to marry, in a landmark ruling (*Obergefell v. Hodges*). Implementation of the decision, which effectively legalised same-sex marriage nationwide, has faced opposition from some conservative religious groups. In one widely-reported case, Kentucky clerk Kim Davis, an elected official, was briefly sent to prison after refusing to comply with the ruling by issuing same-sex marriage licenses, and she remains under pressure to comply fully with the law by re-issuing licenses which she altered to keep her name off them. Davis refused either to comply with the law, or to stand down, and has been treated as a “religious freedom” hero by conservative Christians, in effect for discriminating against same-sex couples by refusing to comply with the equal marriage ruling.

wsj.com/articles/defiant-kentucky-clerk-to-appear-in-court-over-refusal-to-issue-same-sex-marriage-licenses-1441295805

ibtimes.com/kentucky-clerk-kim-davis-must-reissue-altered-marriage-licenses-governor-has-no-2194879

Highlighted cases

There were some mixed signs for secular equality in the justice system in 2015. In February 2015, after a hearing on charges of DUI (driving under the influence), one **Michael Baker** was required to attend Alcoholics Anonymous (“AA”) meetings as a condition of his parole, despite being an atheist and despite officially raising objections to his parole officer and again at a hearing in August, and

despite being verbally harassed for his atheism by other attendees at the AA meetings he did attend. At the most recent hearing in August, despite recognising the “spiritual basis” of AA, the judge ordered Baker to attend.

“The state cannot require an atheist to undergo faith-based treatment, as doing so clearly violates the Establishment Clause of the First Amendment. In fact, the Ninth Circuit has twice held that a parolee's right to be free from coerced participation in AA is a matter of ‘uncommonly well-settled case law...’”

— *Monica Miller, senior counsel, Appignani Humanist Legal Center*

americanhumanist.org/news/details/2015-09-humanist-group-defends-atheist-sentenced-to-attend-f

Jason Holden, a humanist inmate at the Federal Correctional Institution in Sheridan, Oregon, was denied the right to form a humanist study group and to identify as a humanist for official purposes. However, in this case, acting on Holden’s behalf, the American Humanist Association’s Appignani Humanist Legal Center reached a favorable settlement with the Federal Bureau of Prisons. “This settlement is a victory for all humanists in the federal prison system, who will no longer be denied the rights that religious individuals are accorded,” commented Roy Speckhardt, executive director of the American Humanist Association. Under the terms of the enforceable settlement, the Bureau must acknowledge humanism as a worldview in parity with theistic religious beliefs, provide information as required, recognise those who wish to identify as humanist for official assignment purposes, and must permit humanist study groups.

americanhumanist.org/news/details/2015-07-american-humanist-association-secures-equal-rights-f

Americas

Southern America

Argentina

Argentina is country on the southern cone of South America. The country obtained its independence from Spain in 1816. Argentina is a federal republic with an established constitution, an elected two chamber Congress and an elected president acting as head of state.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	
<p>Official symbolic deference to religion</p>			<p>Some concerns about political or media freedoms, not specific to the non-religious</p>

Constitution and government

Argentina’s constitution does recognise the right to freedom of religion and worship, but not in a broadly secular and inclusive way. The constitution explicitly states that the federal government “supports the Roman Catholic apostolic creed.” The Catholic Church is afforded a preferential legal status, not only above other organizations with a religious or secular worldview, but any other organization of civil society. While it stops short of being the official state religion, Catholicism is the predominant religion in Argentina and does benefit enormously from tax subsidies, funding for Catholic schools, and other forms of economic and general support. For example, Bishops and other members of the Catholic Church Hierarchy received \$40m in wages and pensions in 2013.

Non-Catholic religions must register with the Secretariat of Worship, the government organization responsible for dealing with all other religions, in order to publically worship. They then receive tax-exempt status.

argentinaindependent.com/currentaffairs/church-state-argentina-long-road-secularism/

Belief Demographics

Data from 2008, shows 76.5% of Argentines are Catholic, followed by 11.3% who consider themselves ‘indifferent,’ including atheists and agnostics. 9% are evangelical and 3.3% are ‘other.’

While freedom of religion is largely protected, the Catholic Church receives extensive support from the government through generous subsidies.

Education and children's rights

2015: the end of secular education

In August 2015, the National Congress of Argentina struck down Education Law 1420, which had previously guaranteed the secularity of education in the country. The General Common Education Law 1420 was integral to eradicating illiteracy in Argentina, establishing free, compulsory, universal, and secular education. Article 8 restricted religious education to extracurricular classes, by parental permission, to be taught by a credentialed representative. The Education Law had previously been altered or suspended, but always eventually reimplemented it in its original form.

<secularpolicyinstitute.net/wp-content/uploads/2015/08/Letter-to-Argentina-w-signatories-2015_08_23.pdf>

Catholic influence on religious and moral education

£4.5bn subsidies were given to Catholic schools in 2013. Public education is secular, although the federal system in Argentina means it can vary from province to province. For example, in the Salta province, a law was passed in 2008 making Catholic education compulsory for all students. It has since been modified by the province's Supreme Court, allowing children to opt-out and have alternative classes, but the lessons still take place.

Likewise, there are reports of the Church having significant leeway in its own religious schools, which it uses not only to push Catholicism, but to avoid teaching sex education or about contraception.

<buenosairesherald.com/article/136233/salta-ruling-sparks-debate-on-secular-education>

According to a report by the Argentine Coalition for a Secular State (CAEL), the Church:

"...carries out an arbitrary, explicit, and systematic obstruction of the implementation of the national plan for sex education for children and youths contemplated in law 26,150 ... in some provinces they have even confiscated textbooks in the name of Catholic morals."

<argentinaindependent.com/currentaffairs/church-state-argentina-long-road-secularism/>

In a country where 15% of babies are born to teenage mothers (up to 25% in some poorer provinces) the Church has lobbied strongly, and quite successfully, to have high school children not learn about contraception.

Freedom of expression, advocacy of humanist values

Freedom of speech is generally protected in Argentina, however there are some important caveats. There are also a number of different newspapers and media outlets, expressing a variety of different views, although there are isolated reports of police attacking and detaining journalists at protests, and in one case the governing ordering an interview with an ex-minister, critical of the president, to be suspended mid-broadcast.

<state.gov/j/drl/rls/hrrpt/humanrightsreport>

Highlighted cases

In 2005, abortion rights supporter and self confessed “militant atheist”, **Carmen Argibay**, was nominated to the Argentinian Supreme Court. The Catholic Church and anti-abortion groups opposed the appointment, with Pró-Vida (an anti abortion group) president Roberto Castellano stating that Argibay did not represent Argentinian women because she was single, childless and due to that fact that most women were not “abortionist or against God.” Argibay, responded: “I believe that saying up front who one is or what one thinks is an indication of honesty, which is the first step towards impartiality. My beliefs, or lack thereof, should not interfere in the judicial decisions I take.” (Argibay died of emphysema in May 2014.)

[<ipsnews.net/2004/01/argentina-single-woman-atheist-heads-to-seat-on-high-court/>](http://ipsnews.net/2004/01/argentina-single-woman-atheist-heads-to-seat-on-high-court/)

Bolivia

The Plurinational State of Bolivia, is a landlocked country and a democratic republic. It secularised in 2009, losing Catholicism as the state religion, however, the Catholic Church has deep tendrils into the state infrastructure.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		Religious groups control some public or social services	
			Some concerns about political or media freedoms, not specific to the non-religious
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of 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.”

Education and children’s rights

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.

Family, community and society

Catholic influence

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.

Freedom of expression, advocacy of humanist values

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 Federative Republic of Brazil is a secular and democratic sovereign state in South America with a population of around 202 million. Often described as an emerging world power, it is the fifth largest country in the world by both population and area, and one of just 17 countries worldwide classed as "megadiverse" due to its abundant natural resources and wildlife. Aside from having the world's largest Catholic population (130 million people, or 64.6% of the population), Brazil also appears as one of the top ten most religious countries in the world. According to the 2012 Gallup Global Index of Religiosity and Atheism, 85% of Brazilians describe themselves as religious. Protestantism is the second largest faith, of which adherents make up approximately 22% of the population. There is also a relatively large non-religious community that makes up around 8% of the population, with the small remainder split between indigenous spiritism, Islam and Judaism.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
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
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The preamble to the Brazilian constitution declares that society shall be founded "under the protection of God". In spite of this and the country's very high level of religiosity, Article 5 of the constitution enshrines the freedoms of religion, conscience, belief, and expression.

Freedoms of thought, conscience and expression are protected by the constitution and other laws. In practice, these freedoms are generally respected and upheld. Reports of heavy-handed police tactics and the use of excessive force persist in various forms including some abuses at large-scale peaceful public protests and some reports of police intimidation against human rights defenders.

Section 5, Article 5 states: "Freedom of conscience and of belief is inviolable, the free exercise of religious sects being ensured and, under the terms of the law, the protection of places of worship and their rites being guaranteed", while Section 7 of Article 5 affirms that "expression of intellectual, scientific, and communications activities is free, independently of censorship or license".

There is no official state religion. Article 19 of the constitution outlines the secular nature of the state which separates church and state, and prohibits the government to "establish religious sects or churches, subsidize them, hinder their activities or maintain relationships of dependence or alliance with them or their representatives", though sources suggest that religious groups have an increasingly strong influence in the political arena.

reuters.com/article/2014/09/28/brazil-election-evangelicals-insight-pix-idUSL2NORPOWG20140928

There are no registration processes required for the establishment of religious groups, all of which are tax exempt regardless of denomination. Religious groups are able to establish places of worship, proselytize and preach openly without impediment. As a richly spiritual society inclined to syncretism, inter-faith relations are generally positive.

Education and children's rights

Religious education is provided in all schools, but must be optional, as protected by Article 210 in the constitution: "the teaching of religion is optional and shall be offered during the regular school hours of public elementary schools". However there are some reports that up to 49% of schools have compulsory religious classes as part of their curriculum.

www.pulsamerica.co.uk/2013/03/25/brazil-49-of-schools-have-obligatory-religious-classes

Family, community and society

FIFA World Cup protests

The months of May-July 2014 saw mass demonstrations against perceived injustices in the use of public funds used for the 2014 FIFA World Cup alongside various other social issues and grievances. Multiple sources alleged heavy-handed tactics employed by the police. Amnesty International Brazil said that "the violence meted out by the security forces over the course of the World Cup was excessive, unnecessary and a direct threat to peaceful protest".

amnesty.org.uk/brazil-world-cup-right-to-protest#.VID_FjGsVuJ

hrw.org/world-report/2014/country-chapters/brazil

telegraph.co.uk/news/worldnews/southamerica/brazil/10895328/Sao-Paulo-violent-protests-on-World-Cup-opening-day-as-journalist-injured-amid-rubber-bullets-and-stun-grenades.html

Freedom of expression, advocacy of humanist values

The press is private and pluralistic with dozens of daily newspapers, television and radio stations across the country. However, there are reports of journalists being harassed or receiving death threats, especially journalists that cover stories of police or state corruption or organised crime.

freedomhouse.org/report/freedom-world/2014/brazil-0

The internet is unrestricted across the country and intellectual and academic freedom is upheld.

“Blasphemy”

The Brazilian Penal Code contains a *de facto* blasphemy law which renders "crimes against religious feeling" a punishable offense. Article 208 states that to "mock someone publicly, by reason of belief or religious function; prevent or disrupt ceremony or practice of religious worship; publicly vilify act or object of religious worship: Penalty - detention of one month to one year or a fine". Whilst this law is on the statute books, in practice, it does not appear to have been used to prohibit or obstruct the criticism of religion. However, the Reporters Without Borders report on blasphemy laws in 2013 mentions that a Brazilian court succumbed to pressure in ordering Google to withdraw videos from Youtube that contained passages from the controversial Youtube video "Innocence of Muslims".

Chile

Chile consists of several religious populations. Roman Catholicism is the dominant religion that coexists with Protestants, Evangelicals, other religious groups as well as a significant and growing proportion of the non-religious or religiously unaffiliated, which occasionally face discrimination. The Chilean Constitution assures freedom of religion and separation of church and state, but religion has a significant influence over public policy and education.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege Preferential treatment is given to a religion or religion in general		Discriminatory prominence is given to religious bodies, traditions or leaders	
Anomalous discrimination by local or provincial authorities, or overseas territories	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

A constitutionally secular state, the Constitution grants freedom of belief and practice that are not opposed to “morality, good customs or the public order”. Churches may be officially recognised as long as they meet security and hygiene conditions under the law.

The rights to form nongovernmental organizations and to assemble peacefully are largely respected. The government routinely gave permits for student demonstrations starting in 2011, however police allegedly used excessive force against protesters. Although the law protects worker and union rights, the use of anti-union practices by private employers are commonly reported.

Religious privileges

Churches and their dependencies that exclusively serve their communities receive tax exemptions. A law created in 1999 made religious discrimination illegal and placed a legislative emphasis on the separation of church and state in an attempt to incorporate Chile’s growing Protestant and Evangelical minority. However, the government often gives preferential treatment to the Roman Catholic Church. Catholic chaplains also have a privileged status in the army.

constituteproject.org/constitution/Chile_2012.pdf

berkeleycenter.georgetown.edu/essays/religious-freedom-in-chile

Education and children's rights

The notion of personal, secular worldviews is not openly treated within the education system.

Due to the religion's prominence in history, Catholic doctrine is usually incorporated into the public school curriculum, despite efforts to diversify it. 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.

berkeleycenter.georgetown.edu/essays/religious-freedom-in-chile

Family, community and society

One 2015 source puts the number of religiously "unaffiliated" at 25% of the population.

plazapublica.cl/wp-content/uploads/658799.pdf

However, Chilean society remains strongly influenced by the Churches and religious beliefs, in particular around national state events. The Churches and beliefs are carry significant influence on public policy, and in mass media.

Harassment of religious minorities

Jewish organizations have reported anti-Semitic incidents, including desecration of their religious property. The indigenous Mapuche, some of whom still practice indigenous religions, have had their tribal lands and way of life encroached by the government. Prominent Mapuche tribal leaders have been arrested and detained by Chilean authorities. Religious leaders have made attempts to mediate between the government and tribal leaders but there was not much success.

constituteproject.org/constitution/Chile_2012.pdf

berkeleycenter.georgetown.edu/essays/religious-freedom-in-chile

Disputes regarding religious freedom

Chilean citizens have the right to apply for judicial relief, the 'Recurso de Protección' ("constitutional action") (Article 20), against any arbitrary or illegal acts or threat of their religious freedom.

However, these are rare situations partially due to the nation's tendency not to legalize conflicts, and perhaps also partially due to the caution that beliefs are treated with as they may be just matters of devotion. Jehovah's witnesses seeking judicial review in cases of blood transfusions had received relatively high publicity. A case with greater media coverage had been the denial of the possibility of showing the film *The Last Temptation of Christ*. The International Court of Human Rights crushed the decision considering that this did not deprive or diminish religious freedom. The court ordered the exhibition of the film and a reform to the national law.

iclrs.org/content/blurb/files/Chile.pdf

Demographic trend toward irreligiosity

The number of religious citizens in Chile may create the impression that being religious is a great factor as much in social life as in the national legal order, but statistics have shown a decline in the Catholic faith and increase in non-believers. Although there is a high regard for religious support in the community (79.4 percent), moral behavior does not necessarily correlate with religion because it is considered possible to live a moral life without belief in God (75.3 percent). Religious support is considered a personal choice. 80.7 percent of people surveyed prefer that their children decide for themselves on matters of religious beliefs and not try to influence them too much.

iclr.org/content/blurbs/files/Chile.pdf

Freedom of expression, advocacy of humanist values

Freedom of speech is generally respected, though some laws prohibiting defamation of state institutions remain. Two right-leaning companies dominate the print media, though the television market is highly diverse. In 2008, a freedom of information law was enacted and received praise from civil society groups. However, in 2012, the police had detained and harassed many reporters while they were covering student protests.

freedomhouse.org/report/freedom-world/2013/chile#.VIQxIjHF9qI

Testimonies

“...To declare as a non-believer or atheist causes surprise and mistrust. It is perceived almost as threatening as that status was never considered as a valid option in training and education. The option of being atheist or agnostic is not included as an option to choose...”

The recent governments have been pressured to adhere more faithfully to the secular nature of the Constitution, but instead what they have done is to recognize the existence of other religions. This has resulted in the evangelical churches, Jewish, orthodox religions and other minority faiths (but not atheism) [being included] in national events...”

— Anonymous

Colombia

The Republic of Colombia is predominantly Christian and majority Catholic. It has suffered a low intensity conflict over decades, which has now significantly diminished. The relatively recent constitution of 1991 established a presidential representative democratic republic.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general			
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious
		Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of 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.

Catholic privilege

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, and 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, and in practice there remains Catholic privilege. A 1994 Constitutional Court decision declared unconstitutional any official government reference to a religious characterization of the country.

Education and children's rights

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

Freedom of expression, advocacy of humanist values

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

Ecuador is a presidential democracy with a constitution that declares Ecuador to be secular. The people are a patchwork of indigenous communities, including people of colonial Spanish origins.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	There is state funding of at least some religious schools Religious schools have powers to discriminate in admissions or employment		
			Some concerns about political or media freedoms, not specific to the non-religious;
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

Ecuador is among the countries showing the biggest swings away from religiosity. In 2005, 85% of Ecuadorians declared a religious affiliation. In 2012 this had reduced to 70%, according to the Global Index of Religiosity and Atheism (2012) by Win-Gallup.

<<http://www.wingia.com/web/files/news/14/file/14.pdf>>

The constitution refers to the state “Guaranteeing secular ethics as the basis for public service and the legal regulatory system”, but the preamble invokes: “the name of God and recognizing our diverse forms of religion and spirituality”.

Education and children's rights

It also states that public education shall be universal and secular at all levels, however Ecuador has had a long history of provision of private education by religious organizations. This has declined and public provision has grown. Public schools are prohibited from providing religious instruction.

Freedom of expression, advocacy of humanist values

Free speech limitations

The constitution provides for freedom of speech. However, some self-censorship is exercised, especially regarding politically-sensitive issues and stories about the armed forces. Defamation is a criminal offence punishable by up to three years in prison. In 2011, three executives and a former columnist from opposition daily newspaper *El Universo* were sentenced to jail terms and a massive fine for “libelling” President Correa.

Under a law which requires the media to give the government free space or airtime, governments can and have required TV and radio to broadcast programmes produced by the state.

Guyana

The Co-operative Republic of Guyana is a sovereign state on the Caribbean coast of South America.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
	There is state funding of at least some religious schools		
			Some concerns about political or media freedoms, not specific to the non-religious
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	

Constitution and government

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

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.

Blasphemous libel

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.

Education and children's rights

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

Freedom of expression, advocacy of humanist values

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

Paraguay is a religiously pluralistic society with a population of about 7 million. It has been estimated that about half the population is Catholic and about 20-25 percent of the population is evangelical Protestant, and there is a mixture of various other religious populations as well as people with no religion.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		Systemic religious privilege results in significant social discrimination	
Preferential treatment is given to a religion or religion in general State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools		Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms

Constitution and government

Paraguay has no official state religion and freedom of religion is generally respected. Registration with the Ministry of Education and Culture is a requirement for all religious groups, but they have no controls imposed on them, and there are many informal churches around.

Paraguay recognizes the historical role of the Catholic Church. However, ministers or clergymen of any religion are ineligible to run as candidates for deputies or senators. Article 24 of the Constitution states, "Relations between the State and the Catholic Church are based on independence, cooperation, and autonomy."

unesco.org/most/rr3para.htm

Political religious privilege

The government views religions as profit-making organizations and does not give them tax exemptions.

However, there have been reports that the government supports and gives preferential treatment to religious groups linked to the ruling party Sandinista National Liberation Front (FSLN) when it comes to distribution of state funds and favours, as well as access to government services. The government also showed prejudice towards religious organizations that criticized government policy.

Indigenous rights

The government's greatest shortcomings in the protection of religious freedom lie in their treatment of indigenous populations. It is weak in the implementation of non-discrimination mechanisms, especially in the Chaco region. The Paraguayan indigenous peoples' have dealt with a long history of discrimination, neglect, harassment and economic exploitation. Religious doctrines and practices have been imposed on them against their will.

religiousfreedom.com/index.php?option=com_content&view=article&id=136&Itemid=56

Education and children's rights

The government gives funds to two Catholic universities and one evangelical university. Public schools do not give religious instruction but private religious schools have the option to do so. The salaries of many teachers in Catholic and Protestant primary and secondary schools are paid by the government, but there were reports from the Catholic Church that the government withheld many teachers' salaries.

There has been friction between the religious and less religious as well as within some religious communities regarding educational issues. "I observed tensions between advocates of more traditional religious values and those promoting the right to have information about sexual and reproductive health and the inclusion of anti-discrimination principles in the school curriculum," said Heiner Bielefeldt, UN Special Rapporteur on the freedom of religion or belief.

un.org/apps/news/story.asp?NewsID=37951#.VISnYTGsWn9

Freedom of expression, advocacy of humanist values

The constitution grants freedom of expression and of the press, but these rights are not respected in practice. Criminal groups and corrupt authorities often pose life dangers and threats towards journalists, especially in remote border areas. This caused journalists to censor themselves. There are two media outlets owned by the state, as well as some private television and radio stations and independent newspapers. Paraguay has a law against defamation from the press and does not provide legal protection of the right to information. The government does not restrict or censor the internet.

freedomhouse.org/report/freedom-world/2014/paraguay-0#.VGGGt_nF9HU

Peru

Peru's democratic political institutions have been severely tested by the trauma of the government's 20-year war with leftist guerrillas up to 1980, the exploitation of natural resources on indigenous lands, corruption and involvement in the growth of coca, used for cocaine.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Religious groups control some public or social services</p>	
<p>There is a nominal state church with few privileges or progress is being made toward disestablishment</p> <p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

The constitution and other laws and policies generally protect freedom of belief. Ch.1, Article 2.3 states that every person has the right: "to freedom of conscience and religion, in an individual or collective manner. No person shall be persecuted on the basis of his ideas or beliefs. There is no crime of opinion. Public exercise of any faith is free, insofar as it does not constitute an offense against morals or a disturbance of the public order."

While the constitution establishes separation of church and state it recognizes the Catholic Church's role as "an important element in the historical, cultural, and moral development of the nation." (Article 50)

Education and children's rights

The law mandates that all schools, public and private, provide religious education through the primary and secondary level, "without violating the freedom of conscience of the student, parents, or teachers."

However, the law only permits the teaching of Catholicism in public schools, and the Ministry of Education mandates the presiding Catholic bishop of an area approve religious education teachers in all public schools. Parents may request the principal exempt their children from mandatory public school religion classes. Many secular private schools are granted exemptions from the religious education requirement. The law protects students who seek exemptions from Catholic education classes from being disadvantaged academically in both private and public schools.

Family, community and society

Demography

While census returns indicate very high religious affiliation (86%), there are active humanists in Peru, among the 3% of people who told Gallup they were convinced atheists.

peruhumanaratio.blogspot.co.uk/

Catholic privilege

According to the Peruvian government's Office of Catholic Affairs, the government pays stipends to the Catholic cardinal, six archbishops, and other Catholic Church officials. These stipends total approximately 2.6 million Nuevo soles (\$931,900) annually. Some Catholic clergy and laypersons employed by the church receive remuneration from the government in addition to the stipends they receive from the Church. This applies to the 44 active bishops and four auxiliary bishops. In addition, the government provides each diocese with a monthly institutional subsidy.

A 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 organizations gain many of the same tax benefits already granted to the Catholic Church. The law codifies the arrangement with the Catholic Church.

Registration under the 2010 law does not amount to official recognition, but only registered religious groups are entitled to receive tax exemptions and other benefits. The regulations state that in order to register, a religious entity must have at least 10,000 adult members, and the membership lists are required to be certified by the National Elections Board. At the time of writing (July 2014) only Catholic organizations had been registered. The implementation of the law has been discriminatory against non-Catholic religious organizations and non-religious bodies.

By law the military may employ only Catholic clergy as chaplains. The law on religious freedom recognizes conscientious objection in general, but does not contain provisions for excusing individuals from military service.

206.155.102.64/country,,,PER,,53d9072d14,0.html

Freedom of expression, advocacy of humanist values

The lively press is for the most part privately owned. Officials and private actors sometimes intimidate or even attack journalists in response to negative coverage. The local press watchdog Institute for Press and Society registered 60 attacks against journalists in 2013. Reporters without Borders place Peru 104/180 in their press freedom index.

High levels of crime are related to drug growth and manufacture; human rights abuses from the 20-year war remain unresolved; corruption is not tackled effectively; and indigenous tribes remain angry and concerned about mineral exploitation.

Suriname

The Republic of Suriname seceded from Netherlands in 1975. Just under half the population identify as religious, with significant religious minorities including Hindus and Muslims. According to the 2012 census, 7.5 percent are atheist or agnostic.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
	There is state funding of at least some religious schools		
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	

Constitution and government

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 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 favour a particular religion, and no tenets of a particular religion are codified in criminal or civil laws.

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

“Blasphemy”

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

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

Uruguay

The Uruguayan constitution and other laws and policies generally protect and respect freedom of religion or belief. With a long tradition of secularism, Uruguay is the most socially secular nation in Latin America.

Rating: Systemic Discrimination 

This country is found to be improving. Ongoing demographic secularization indicates a low level of social stigma against the non-religious, and media freedom reforms have been positive.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State-funding of religious institutions or salaries, or discriminatory tax exemptions			
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

The constitution in Uruguay and numerous laws explicitly prohibits discrimination based on religion. There is strict division of church and state. The penal code restricts ill-treatment of ethnic, religious, and other minority groups. The *Institución Nacional de Derechos Humanos* (National Institute of Human Rights) an autonomous branch of Congress designed to defend, promote, and protect the human rights recognized by the Constitution and international law, and the Ministry of Education and Culture's (MEC) Honorary Commission against Racism, Xenophobia, and All Forms of Discrimination enforce government compliance with the laws. Furthermore, Representatives from numerous religious and civil society bodies are actively involved in the Honorary Commission.

Education and children's rights

Uruguay prohibits religious instruction in its public schools. Public schools allow students belonging to minority religious groups to take time off school for religious holidays without being penalised. However, it remains to be seen whether secular or humanist families would be permitted similar treatment (they are not explicitly included in the law as it stands).

Family, community and society

Secularization and progressive values

A report by Pew Research Center, *Religion in Latin America : Widespread Change in a Historically Catholic Region* (November 2014) found that Uruguay had the highest level of persons unaffiliated to religion in Latin America:

"...Uruguay is an outlier, far and away Latin America's most secular country. Fully 37% of Uruguayans say that they have no particular religion or are atheist or agnostic. In no other

Latin American country surveyed do the religiously unaffiliated make up even 20% of the population.

Laicidad, or the separation of religion and the state, has a long history in Uruguay. In 1861, the government nationalized cemeteries across the country, breaking their affiliations with churches. Soon after, the government prohibited churches from having a role in public education or issuing marriage certificates. Secularization continued in the 20th century: A new constitution enshrined the separation of religion from public life, references to God were removed from the parliamentary oath and religious references were dropped from the names of cities and villages.

Today, Uruguay has by far the lowest levels of religious commitment among the countries polled. Fewer than a third of Uruguayans (28%) say that religion is very important in their lives ...”

<http://www.pewforum.org/files/2014/11/Religion-in-Latin-America-11-12-PM-full-PDF.pdf>

The same report found that Uruguay scored highly in liberal and progressive measures, including tolerance of same-sex relationships, and “it is the only country in the region where a majority (57%) says that religious leaders should have “no influence at all” in political matters.” (ibid.)

Some deviations from *Laicidad*

Despite Uruguay’s generally good record on church-state separation, there are tax exemptions permitted to religious groups for houses of worship. In order to receive such exemptions, a religious group must first register with the Ministry of Education and Culture (MEC) as a non-profit entity and submit draft organising statutes.

In general terms Uruguay has low influence from religious groups in politics, however, given the tax exemptions religious groups both Catholics and Protestants are establishing and have influence, especially among lower income people. A coalition of pastors put a lot of money into one branch of the Blanco Party and have attained representation, with a deputy and a Senator.

subrayado.com.uy/Site/noticia/38696/conozca-al-pastor-que-asumira-como-diputado-por-el-partido-nacional

Muslims in the country are permitted to acquire an optional identity card that identifies their religious affiliation to employers and permits them to withdraw from work early on Fridays. This might be described as enabling a positive religious freedom, but it is also a privilege not permitted to other belief groups on analogous grounds.

Freedom of expression, advocacy of humanist values

Rights to freedom of assembly and association are guaranteed by law, and the government generally respects this in practice. A broad range of community organizations are active in civic life in the country, including many groups focussed on women’s rights for which campaigning aims to raise particular awareness of such issues as violence against women and societal discrimination.

Uruguay’s constitution guarantees free expression are generally this is respected, and violations of press freedom are uncommon. The press in Uruguay is privately owned and there are numerous daily newspapers, many of which have affiliations with political parties.

A 2009 law removed criminal penalties for the defamation of public officials. President Mujica sent a draft Broadcasting Communication Services Law (LSCA) to the parliament in May 2013; the bill

included provisions limiting broadcast monopolies, more transparent licensing procedures, protection against censorship, and a requirement that at least 60 percent of the programmes on each channel be produced or co-produced in the country. The bill passed in December 2013, and was welcomed by campaigners:

“The LSCA takes pains to guarantee that the concentration of broadcast media ownership is reduced and that frequencies are redistributed fairly, without any control on content and without pressure on the editorial policies of the public, commercial or community media concerned...”

— Reporters Without Borders

<en.rsf.org/uruguay>

The government of Uruguay does not restrict academic freedom nor does it place restrictions on internet usage.

A humanist president?

Uruguay’s democratically-elected president, José Mujica, a self-described atheist, has been popularly and internationally lauded as the world’s “humblest” leader, for foregoing presidential luxuries and giving away 90% of his modest presidential salary to charity.

Mujica’s presidency has seen several reforms widely applauded by progressives, including the liberalization of abortion, the introduction of same-sex marriage, and the legalization of marijuana use. Asked about the reforms, Mujica said, “Yes, we have an innovatory spirit, deeply rooted in our history... We’re a country of immigrants, anarchists and persecuted people from all over the world. The result is the most secular country in Latin America, with a clear distinction between church and state. For my part, I’m president but I don’t believe in God.”

<theguardian.com/world/2014/may/27/jose-mujica-uruguay-maverick-president>

At his inauguration, Mujica said, “it is a mistake to think that power comes from above, when it comes from within the hearts of the masses...” <laverdad.es/murcia/20091130/mundo/jose-mujica-gana-elecciones-200911300003.html>

In his September 2013 speech to the United Nations General Assembly, Mujica eulogized about humanity and globalization, emphasising climate change and the global responsibility to future generations, saying “the world cries out for global rules that respect the achievements of science.” He said that humanity has “sacrificed the old immaterial Gods, and now we are occupying the temple of the Market-God”, with all its power to wreak havoc on the lives of ordinary people. He urged a return to lives founded on human relationships, love, friendship, adventure, solidarity and family, instead of lives shackled to the economy and the markets. He concluded that poverty could be eliminated from the planet if only future generations could begin to reason as a species, not just as individuals.

<gadebate.un.org/68/uruguay>

<un.org/apps/news/story.asp?NewsID=45989#.VGn5lfnkcwp>

Testimonies

“The elections validated the big reforms that the Mujica government undertook on abortion, same sex marriage and marijuana. We expect to continue being an example of secular society improving in Latin America.”

— An Uruguayan humanist

Venezuela

The majority of Venezuelans are Catholic, who coexist with Protestant, Muslim, Jewish, and indigenous populations. There has been much tension between the government and Catholic officials and the Jewish community. Freedom of expression, assembly and association have been restricted.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p>
			<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
		<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	
	<p>Insufficient information or detail not included in this report</p>		

Constitution and government

Article 59 of the Constitution grants protection of religious freedom under the condition that it is not contrary to morality, good customs and public order. However, it also explicitly states that the independence of religious groups are defined by the constitution and law, giving legislature the power to limit their independence. The constitution also limits the political influence of religious organizations by forbidding clergy from running for public office.

Venezuela's funding system exhibits strong favoritism toward Catholicism, discriminating against other religious groups. There has also been great tensions between the government and Catholic Church officials as well as the Jewish community. Venezuela has been on USCIRF (U.S. Commission on International Religious Freedom)'s Watch List since 2009.

uscirf.gov/sites/default/files/resources/2012ARChapters/venezuela%202012.pdf

Education and children's rights

A 1964 agreement between the Venezuelan government and the Catholic Church established special government subsidies for Catholic schools.

Family, community and society

Catholic privilege

The government provides much funding to religious organizations, but most of it goes to Catholic institutions including social programs. Other religious groups are free to establish and fund their own. Military chaplains are almost exclusively Catholic.

berkeleycenter.georgetown.edu/essays/religious-freedom-in-venezuela

justice.gov/eoir/vll/country/Religion_Public_policy/Venezuela%20Immigration%20Report.pdf

Tension between the State and Catholic Church

Despite preferential treatment toward Catholics, there has been much tension between church and state. Chávez openly criticized high-profile Catholic clergy for interfering in politics. Though Archbishop Porras of Merida and Bishop Azuaje of El Vigia had helped secure the safety of Chávez during two coups, he accused them of being agents of the opposition. Chávez and other government officials publicly stated that Catholic bishops should refrain from criticizing the government.

Clergy have faced hostility, including threats of prosecutions, confiscation of church properties, harassment and surveillance, most notably phone wiretapping. Even high ranking Church officials can be held for long periods of interrogation by governmental investigators if they publicly criticized official government policy towards the Church.

uscbb.org/issues-and-action/religious-liberty/fortnight-for-freedom/upload/Fighting-to-Feed-and-Educate-the-People-in-Venezuela.pdf

Within the past few years, national laws passed that would allow ruling-party-dominated “communal councils” to oversee the curriculum, teachers, and school administrators of all public and private schools, including religious schools, as well as the confiscation of Catholic Church property, including churches, schools, and other ecclesiastical buildings.

uscirf.gov/sites/default/files/resources/2012ARChapters/venezuela%202012.pdf

Tensions between the State and the Jewish community

Media programs sponsored by the government have often made anti-Semitic comments. Venezuela’s Jewish community believed that they would be held accountable for the Israeli government’s actions. Chávez has even explicitly referred members of Venezuela’s Jewish community as enemies. He has been responsible for the revival of anti-Semitic conspiracy theories and claimed that Jews are conspiring to destabilize the government. There has been a report of at least one government raid of a Jewish synagogue. Several other groups, including a pro-Chavez one, have attacked or vandalized Jewish synagogues with little repercussion. Anti-Semitism and the rising diplomatic tensions between Israel and Venezuela had led the Jewish community to petition the government to take a more aggressive approach towards anti-Semitism. Chávez responded by suspending relations with Israel in 2009, and met with prominent Jewish leaders and publicly denounced the proliferation of anti-Semitism.

berkeleycenter.georgetown.edu/essays/religious-freedom-in-venezuela

justice.gov/eoir/vll/country/Religion_Public_policy/Venezuela%20Immigration%20Report.pdf

Freedom of expression, advocacy of humanist values

The constitution provides protection for free speech but explicitly exempts this protection for messages that promote religious intolerance. Venezuela has co-sponsored OIC resolutions in the United Nations proposing prohibition of ‘defamation of religion’.

justice.gov/eoir/vll/country/Religion_Public_policy/Venezuela%20Immigration%20Report.pdf

Freedom of Assembly and Association

The Constitution guarantees freedom of peaceful assembly. However, legal amendments have been made that would make it easier to charge protesters with serious crimes. According to the local rights group Provea, at least 10 protesters were subjected to unconstitutional trials within the military justice system in 2012. The government has sought to undermine nongovernmental organizations (NGOs) and other human civil society organizations and questioned their ties to international groups. In December 2010, the parliament passed the Law on Political Sovereignty and National Self-Determination that would threaten to give sanctions against any “political organization” that receives foreign funding or hosts foreign visitors who criticize the government. Dozens of civil society activists have been attacked, harassed and faced bureaucratic obstacles to registration. A draft law in the National Assembly would require all NGOs, including religious groups that receive at least 10 percent of foreign funding to obtain approval from the government in advance and give government information on their sources of funding, organizational leadership, and activities.

freedomhouse.org/report/freedom-world/2013/venezuela#.VIJUuDHF9qJ

Asia

Central Asia

Kazakhstan

Kazakhstan is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is severely restricted 'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of 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.

Freedom of expression, advocacy of humanist values

The government 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.

Don't hurt religious feelings

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 below).

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". Kharlamov states that "the principle of freedom of conscience has been violated. "I have the right to believe, and I have the right not to believe. They're making me believe, show respect toward religion, respect God. What is this, a theocratic state? No. So [it is] violating my rights."

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 was detained for five months including one month of forced psychiatric examination. He has since been released on bail, Kharlamov himself believes due to international pressure on the Kazakhstani government, but still faces up to seven years in prison if convicted.

eurasianet.org/node/68375

odfoundation.eu/en/publications/1222/kazakhstan_civic_activist_prosecuted_for_his_religious_beliefs

Kyrgyzstan

Experiencing ethnic tensions, political and economic woes since independence, Kryrgyzstan is officially a parliamentary republic, and retains many hallmarks of Soviet Russification.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
			Concerns that secular or religious authorities interfere in specifically religious freedoms
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. However, these rights are somewhat restricted in practice.

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

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 greater freedom for Kyrgyz language media.

The Religion law 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.

Tajikistan

After the collapse of the Soviet Union, Tajikistan plunged into civil war, which ended in 1997. In spite of some developments and laws passed on domestic violence and agreeing on an International Covenant on Civil and Political Rights which eliminated the death penalty, the current government which, now in its fourth consecutive term, still enforces a repressive law on religion and restricts media freedom and civil society groups. Tajikistan is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
Preferential treatment is given to a religion or religion in general			
			Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The secular constitution of Tajikistan theoretically protects freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, the laws and policies restrict and violate these freedoms. There is no official state religion. However, the government recognizes the 'special status' of Islam. The law tightly regulates and restricts religious freedom and how religious organizations may operate.

Religious controls

According to the Human Rights Watch and a statement by the international religious freedom watchdog Forum 18 issued in August, authorities continued to try to suppress unregistered Muslim education throughout the country, brought administrative charges against Muslim teachers, and closed unregistered mosques. For example in May authorities closed Muhammadiya mosque. forum18.org/archive.php?country=31

The government is steadily tightening its state controls. For example, the Parental Responsibility law, which President Emomali Rahmon signed in August 2011, stipulates that parents must prevent their children from participating in religious activity, except for state-sanctioned religious education, until they are 18 years old.

"Authorities added further punishments, through changes to the administrative code that were enacted in July, for violating Tajikistan's restrictive religion law and increased the powers of the

State Committee for Religious Affairs to administer punishments without investigation by police or prosecutors. The new provisions impose significant fines on those violating the religion law's tight restrictions on sending citizens abroad for religious education, teaching religious doctrines, and establishing ties with religious groups overseas."

<http://hrw.org/world-report/2014/country-chapters/tajikistan?page=2>

The government also tightly controls the publication, importation, and distribution of religious literature. The law against "inciting national, racial, regional, and religious hatred" is used by the government to prosecute unauthorized speech. As a result, despite constitutional guarantees of freedom of speech, the press, civil society groups and independent journalists face harassment and intimidation. In 2012, Tajikistan witnessed further restrictions on media freedoms when authorities frequently blocked access to critical websites, and continued to intimidate journalists. While in July, decriminalization of libel was a step towards freedom of speech, the new legislation retained criminal sanctions for insulting the president.

Freedom of expression, advocacy of humanist values

Beginning in March 2013, authorities ordered internet providers on several occasions to block access to independent local and international news and social networking sites. Following the publication of a critical article, the government blocked the Russian analysis site *zvezda.ru*. Three news sites that subsequently published the article were also blocked, as was Facebook, following user discussions deemed overly critical of the government.

In July and August, armed clashes in Gorno-Badakhshan prompted authorities to restrict, and at some points completely shut down, Internet and telephone communications. News sites including the independent news site Asia Plus, *Lenta.ru*, and *Centrasia.ru* that reported on the violence were blocked. Access to YouTube was also blocked after videos of demonstrations were posted.

Despite the absence of a clear definition of libel under Tajik law, state telecommunications chief Beg Zukhurov announced in July the formation of a "citizens' organization" to monitor online publications and websites for insulting or libellous content. Journalists continue to suffer threats and violent attacks.

The authorities also restrict freedom of assembly and association. Public meetings and demonstrations must receive prior approval from local authorities, and approval is routinely denied.

Turkmenistan

Since 2006, under new President [Berdimuhamedow](#), there have been a few tentative steps toward liberalisation, however Turkmenistan remains harshly repressive, insular, and authoritarian.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
State-funding of religious institutions or salaries, or discriminatory tax exemptions			
Official symbolic deference to religion			Concerns that secular or religious authorities interfere in specifically religious freedoms
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

While the former Soviet republic of Turkmenistan has lost most of its formal Marxist ideology, it has kept many of its totalitarian practices. The ruling Democratic Party of Turkmenistan (DPT) (formerly Communist) is a mishmash of nationalism and personality cult, with Islam thrown in as part of the Turkmen cultural identity. The constitution asserts freedom of religion or belief and freedom of expression in its constitution, but in practice systematically and severely violates these rights.

The government does not officially favour any religion, and in fact subjugates all religions to the ideology and control of the ruling party. However, 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.

Education and children's rights

The government does not promote religious education, and there is no official religious instruction in public schools.

Freedom of expression, advocacy of humanist values

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.

Uzbekistan

In 1991, Uzbekistan emerged as a sovereign country after more than a century of Russian rule. A former Communist emerged as President; he has exercised a ruthlessly authoritarian approach to all forms of opposition, using the danger of Islamic militancy to justify the absence of civil rights. Uzbekistan is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		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 or human rights is severely restricted
			Concerns that secular or religious authorities interfere in specifically religious freedoms
[No condition holds in this strand]	Insufficient information or detail not included in this report		

Constitution and government

Uzbekistan's constitution states: "Freedom of conscience is guaranteed to all. Everyone shall have the right to profess or not to profess any religion. Any compulsory imposition of religion shall be impermissible." Other laws provide for close and strict regulation of religious activity, including registration of religious or belief groups.

Freedom of association and assembly are restricted; freedom of expression is also restricted by law. The state tightly controls the media, including the Internet. According to Reporters Without Borders, the law punishes journalists for "interference in internal affairs" and "insulting the dignity of citizens". Uzbekistan is a Reporters Without Borders "Enemy of the Internet". The organization describes it as one of the region's most "internet-repressive" countries and says censorship and surveillance were increased in response to the 2011 Arab Spring.

Family, community and society

Monitoring and suppression of religious groups

The population is predominantly Muslim, mostly "nondenominational" and the state creates fewer problems for these Muslims than for other religion or belief groups.

However, devout Muslims are common targets of the legal system. Jail sentences for alleged membership of banned organizations have been imposed without evidence. In Tashkent, a Muslim father and son who taught the Koran to school-aged children were charged with: "Teaching religious beliefs without specialized religious education and without permission from the central organ of a [registered] religious organization, as well as teaching religious beliefs privately." They face up to three years in prison.

rferl.org/content/uzbek-propagating-islam/25175284.html

Ravshan Rahmatullayev was jailed for six years in July 2013 for discussing religion in a teahouse, with five others - Azimjon Eminov, Zhamshid Bazarbayev, Mirkamol Musayev, Zhavlon Umarbekov and Dilshod Shokirov - who were given suspended sentences of two to three years. Human Rights defender Surat Ikramov believes the six were tortured whilst in police custody. Muslim prisoners of conscience are forbidden to openly pray or read Muslim literature whilst incarcerated.

forum18.org/archive.php?article_id=1832

forum18.org/archive.php?article_id=1900

Christian groups are targeted as well. Several devout Christians had their homes searched and religious literature, including the Bible, seized. Fines for possession of such materials have become increasingly harsh. The extent of the attack on human rights is summed up by the following quote.

“Citizens are arrested on arbitrary charges, denied due process, and tortured during interrogation and in prison. Since the events in Andijon in May 2005, when government forces opened fire on a crowd of protesters, including women and children, Uzbekistan's regime has become increasingly insular, opposing foreign efforts to monitor or intervene in domestic political affairs and rejecting cooperation with international organizations.”

— Nations in Transit 2014 - Uzbekistan, Freedom House

Highlighted cases

Atheists are not immune from surveillance. In April 2011, a Tashkent-based couple **Vyacheslav Shinkin** and **Snezhana Galiaskarova** were found guilty of producing and spreading religious literature and conducting meetings and other illegal activities, despite the fact that Shinkin is an atheist while his wife inherited the books from her father. They were given a combined fine of 5.5 million uzbecks (\$2,000), equivalent to 110 minimum monthly wages. In addition, the court ruled to destroy the literature confiscated from the couple, among them three rare publications of the Bible, children's books on Christianity, and literary works. Shinkin's father Vladimir spent one and a half years contacting state oversight bodies asking how his son as an atheist could be punished for religious activities and his spouse, who is not a practising Christian, for keeping the bibles that she had inherited from her father.

uznews.net/en/human-rights/20889-uzbekistan-fines-atheist-couple-for-storing-bibles

Asia

Eastern Asia

China

China, the world’s most populous country with about 1.3 billion inhabitants, has one of the fastest growing economies in the world. It has remained under Communist one-party rule since 1949, but has embraced capitalism in recent decades. Although now less extreme than in the Maoist years, the ruling party maintains a tight grip on the population and regularly suppresses free speech and dissent. Surveys have found it to be the most atheist country in the world, yet its rulers lack respect for basic human rights. In 2014 authorities exerted mainland pressure on a youth-led movement in Hong Kong, demonstrating against undemocratic restrictions on election candidates.

Rating: Grave Violations

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		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	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed
			Concerns that secular or religious authorities interfere in specifically religious freedoms
[No condition holds in this strand]	Insufficient information or detail not included in this report		

Constitution and government

The Constitution states that citizens enjoy “freedom of religious belief”, but this is not protected in practice. Those who do profess religion can only worship one of the five state-sanctioned religions: Buddhism, Taoism, Islam, Catholicism and Protestantism. Only these five religions are allowed to legally hold worship services, and any religious worship is limited to “normal religious activities” – of which ‘normal’ is never defined.

Narrowing and restricting specifically religious freedoms

The Chinese Communist Party, to which almost all holders of public office belong, requires its members to be atheists. People can and have been expelled from the party if they practised any form of religion.

In some parts of the country, local authorities pressured non-affiliated religious groups to register with one of the five, and arbitrarily detaining members until they registered. People are allowed to worship at home, although there are still reports of authorities harassing and detaining groups worshipping in private.

state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dclid=222123

There are reports of religious discrimination, notably of the Uyghur Muslims in the Xinjiang region and of the Falun Gong group. The religious freedoms of Uyghur Muslims in Xinjiang are systematically proscribed, as part of a strategy to conflate their religious practices with the area’s separatist movement. Muslim officials working for Chinese government departments have been

forbidden from fasting for Ramadan, and more broadly China has expanded its definition of “terrorism” to include any public gatherings which “disturb the social order.”
<theguardian.com/world/2014/aug/06/chinese-city-bans-islamic-beards-headwear-and-clothing-on-buses>

In early 2014 the government launched a programme of removing unauthorised Christian churches in the Zhejiang province – resulting in more than 230 being demolished and even more having their Crosses removed.

Education and children’s rights

There are no faith-based primary or secondary schools, or any form of religious education for primary or secondary school children. Religious groups may apply to setup faith-based universities and colleges for over-18-year-olds, provided they are one of the five major regulated religions. According to figures from the State Administration of Religious Affairs there are currently 92 such schools in operation in China.

Freedom of expression, advocacy of humanist values

China continues to violently subdue any individuals or organizations which advocate democratic reform. In the past year, over 65 people have been detained or imprisoned on charges like “gathering a crowd to disturb public order”. One such case was Liu Xiaobo, the winner of the Nobel Peace Prize in 2010, who has been in prison for nearly six years after being accused of “inciting subversion of state power” following the co-authoring of Charter 08, a document calling for democratic reforms in China.

All media outlets remain owned by the state, resulting in substantially biased media coverage, and internet content is still heavily censored.

Japan

Japan is an island nation of 126 million inhabitants, located in the Pacific Ocean, east of China. It is a constitutional parliamentary monarchy and a major economic power.

Rating: Mostly Satisfactory

Constitution and government	Education	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
			Some concerns about political or media freedoms, not specific to the non-religious;
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

Japan’s secular constitution provides strong protections of freedom of thought, conscience, and religion, as well as a clear separation of religion and state:

Article 19: Freedom of thought and conscience shall not be violated.

Article 20: Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority. No person shall be compelled to take part in any religious act, celebration, rite or practice. The State and its organs shall refrain from religious education or any other religious activity.

...

Article 89: No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association ...

japan.kantei.go.jp/constitution_and_government_of_japan/constitution_e.html

Freedom of thought and expression are respected and protected in law and practice. Internet access is not restricted.

Freedom of expression, advocacy of humanist values

While freedom of expression generally has been upheld and the media is usually considered free across Japan, there have been serious concerns in recent years about new “state secrecy” legislation.

Passed in late 2013 and coming into force on 10 December, 2014, critics complain that Japan’s new State Secrecy Law targets whistleblowers leaking broadly defined “state secrets” and that journalists publishing leaked information will face up to 10 years in prison, even if publication of such classified information would be justified, e.g. to expose human rights violations or corruption. Prior to its enactment, Reporters Without Borders said that, in effect, the law “is making investigative journalism illegal” and the newspaper *Asahi Shimbun* said the law “almost limitlessly widens the range of what can be considered confidential.”

<hrw.org/news/2013/11/25/japan-amend-special-secrets-bill-protect-public-interest>
<theguardian.com/world/2013/dec/05/whistleblowers-japan-crackdown-state-secrets>
<ajw.asahi.com/article/behind_news/politics/AJ201312070057>

During its first 12 months of operation, government agencies were quick to declare numerous “state secrets”, with concerns persisting, despite government assurances, that oversight was weak and there was little to prevent government from declaring inconvenient truths as “secret”. Japan cancelled a visit by the UN Special Rapporteur on Freedom of Expression planned for December 2015.

<japantimes.co.jp/news/2014/12/27/national/politics-diplomacy/government-entities-designate-400-state-secrets-under-new-law/>

<japantimes.co.jp/opinion/2015/04/04/editorials/oversight-secrets-weak/>

<indexonensorship.org/2015/12/71961/>

Korea, Republic of

The Republic of Korea (“South Korea”) generally protects and, in practice, respects freedom of religion, but there remain some privileges over the non-religious. In addition, conscientious objectors continue to be incarcerated by the government and “non-ethnic” Koreans face discrimination.

Rating: Systemic Discrimination

Constitution and government	Education and children’s rights	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
State-funding of religious institutions or salaries, or discriminatory tax exemptions			
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious
	No formal discrimination in education		
		Insufficient information or detail not included in this report	

Constitution and government

The constitution generally provides for freedom of religion. However, Buddhist groups have complained that the government are religiously biased against them.

On June 3, the UN High Commissioner for Human Rights (UNHCHR) released a report showing that the overwhelming majority of conscientious objectors worldwide (92.5%) are South Korean nationals.

ohchr.org/Documents/Publications/ConscientiousObjection_en.pdf

Religious institutions are tax exempt, with no such exemptions for specifically secular or humanist groups.

Education and children’s rights

Religious instruction is not allowed in public schools, however, private schools are permitted to conduct religious activities for children.

Although academic freedom is unrestrained, the National Security Law restricts statements supporting Communism or the North Korean establishment.

In January 2012, a students’ rights law was lodged for all Seoul-based elementary, middle, and high schools to prohibit use of corporal punishment and discrimination against students on the basis of gender, religion, age, race, sexual orientation, or pregnancy and allows students to stage marches. The law was passed in October, 2013.

educationcareers.ie/blog/2013/corporal-punishment-banned-in-seoul-south-korea/

Family, community and society

Ethnic discrimination

The country's few ethnic minorities are subject to legal and societal discrimination. Residents who are not considered to be "ethnic Koreans" face considerable difficulties acquiring citizenship. Furthermore, lack of citizenship prevents them from the civil service and limits opportunities for employment at some major corporations.

Freedom of expression, advocacy of humanist values

The news media in the Republic of Korea is generally free and competitive, newspapers are privately owned and report extensively on the state of the government. Despite media censorship being prohibited, official censorship, particularly of online material, has expanded under Lee Myung-bak's government. The country was listed in the Reporters Without Borders "Enemies of the Internet" report as being a country "under surveillance" in 2012.

en.rsf.org/IMG/pdf/rapport-internet2012_ang.pdf

The National Security Law, enacted in 1948, aimed to limit espionage and other dangers from the North. Listening to North Korean radio is prohibited as is posting messages online that are perceived as advocating support for the North side of the peninsula. In order to quell support for North Korea, the South Korean government has deleted tens of thousands of web posts deemed to be promoting the movement of the DPRK (Democratic People's Republic of Korea). The government has also attempted to coerce reporting conducted by the media and has tried to directly influence the management of major broadcast media.

Mongolia

In 1990 Mongolia abandoned its 70-year-old Soviet-style one-party state and embraced constitutional, political and economic reforms; while the Soviet withdrawal initially provoked poverty and unemployment, Mongolia intends to develop with the aid of significant mineral wealth.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	There is state funding of at least some religious schools		
Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious;
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief			
		Insufficient information or detail not included in this report	

Constitution and government

The 1992 Mongolia constitution has secular objectives, as set out in Article 9:

1. "The state shall respect religions and religions shall honour the state.
2. State institutions shall not engage in religious activities and religious institutions shall not pursue political activities.
3. The relationship between the state and religious institutions shall be regulated by law."

Demography

A 2010 census in Mongolia found that 53% of the people said they were Buddhists while 39% said they were atheists. There is a significant Muslim population in land adjoining Kazakhstan. Buddhism is seen as the predominant religion, and it is clearly the government's objective to protect its existence as a part of Mongolian cultural heritage. Moves to make it an official religion have been resisted.

The 2013 Report on International Religious Freedom states: "The national constitution, laws, and official policies specifically provide for the protection of religious freedom, but, in practice, central and local governments imposed numerous restrictions that affected members of minority religious groups. The degree of respect for and protection of religious freedom continued to vary among provinces. The law prohibits proselytizing by deceptive, pecuniary, or coercive means."

206.155.102.64/country,,,MNG,,53d90741d,0.html

Education and children's rights

All private religious schools are entitled to state funding for their secular curricula. The government is prohibited from giving state funds to religious schools for religious education. This policy applies equally to all religious groups. A Ministry of Education and Science directive bans religious instruction in public schools.

Freedom of expression, advocacy of humanist values

There have been growing concerns about the maturity and quality of journalism in Mongolia, with a significant decline being recorded by Reporters without Borders, between 2010 and 2012. Police indiscipline and government corruption have been increasingly evident.

North Korea

The so-called “Democratic People’s Republic of Korea” or “DPRK” is often recognised as the world’s most isolated state; a fascistic, total suppressor of basic human rights and freedoms, subverting all social, civic and political life to the maintenance of pervasive (but ultimately fragile) illusions of grandeur.

Rating: Grave Violations

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
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		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	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
	Insufficient information or detail not included in this report		

Constitution and government

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.

National fantasy

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". Similar myths are propagated by the government about his successor King Jong-un.)

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.

Freedom of expression, advocacy of humanist values

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 largely (apart from the reports of occasional “defectors”) denied access to opinions and news from any individuals or non-government sources in North Korea.

Taiwan

The independence and sovereign limits of Taiwan are disputed. Owing to the refusal of the mainland to recognise the island nation’s dissent and independence from the People’s Republic of China, Taiwan is diplomatically isolated, but has nevertheless fashioned a secular nation, well-recognised as relatively prosperous and free.

Rating: Free and Equal

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

Formally a secular state, Taiwan’s constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. These rights are generally respected in practice.

Family, community and society

In addition to Buddhism and a range of other religions, secular moral Confucianism commonly pervades the culture.

Education and children’s rights

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.

Freedom of expression, advocacy of humanist values

There appear to be relatively few concerns of any kind about freedom of the press and of political opposition in Taiwan. The media is generally considered amongst the most free in Asia. Censorship laws are in place but do not appear to be widely enforced. Taiwan is rated “Free” by Freedom House.

freedomhouse.org/report/freedom-press/2015/taiwan

Three journalists covering student protests were arrested in Taipei in July 2015. They refused to pay bail, but were released the next day anyway. In a statement, the Mayor of Taipei, Ko Wen-je, apologized for “the violation of press freedom” and said that as mayor, he had “an obligation to protect press freedom.”

cpj.org/2015/07/in-taiwan-three-journalists-arrested-at-student-pr.php

Asia

South-Eastern Asia

Brunei Darussalam

Brunei, a Malay state located on the north coast of the island of Borneo in Southeast Asia, has a population of under half a million and one of the highest standards of living in the world, thanks to its large reserves of oil and gas. The country is governed by the constitution and the national tradition of the Malay Islamic Monarchy, and there have been no direct legislative elections held in Brunei since 1962. Brunei is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations ↓

This country is found to be declining with the implementation in stages of a new Sharia penal code, and the state Grand Mufti advocating death for apostasy.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression, advocacy of humanist values
<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p>		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>'Apostasy' is outlawed and punishable with a prison sentence</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Religious control over family law or legislation on moral matters</p>	<p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government

Whilst Brunei's constitution states that "all [...] religions may be practised in peace and harmony", it also establishes "the Muslim religion according to the Shafi'i sect of that religion" as the official religion of Brunei.

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).

All government meetings and ceremonies commence with a Muslim prayer.

New Sharia law

Brunei adopted a new Sharia penal code in 2013. The new penal code has been deeply damaging toward the right to freedom of thought in the country and contains a range of provisions that restrict the right to freedom of thought, conscience and religion. They include harsh penalties for not performing Friday prayers or observing Ramadan and expanded restrictions on the rights of individuals hold or speak freely about certain beliefs.

Speaking freely about religious belief, and non-belief, is prohibited.

Articles 213, 214 and 215 of the revised penal code criminalize printing, disseminating, importing, broadcasting, and distributing of publications deemed contrary to Sharia by Muslims and non-Muslims. Non-Muslims cannot say 'Allah' (Bruneian Christians use 'Allah' where in English Christians say 'God').

Future phases of the law will include more severe penalties, including the death penalty for blasphemy, mocking the Prophet Muhammad or verses of the Quran and Hadith, or declaring oneself a prophet or a non-Muslim.

“Application of the death penalty for such a broad range of offenses contravenes international law.”
Rupert Colville, spokesperson for the Office of the UN High Commissioner for Human Rights (OHCHR)
<un.org/apps/news/story.asp?NewsID=47552#.VGiH01esUj4>

Death for apostasy and blasphemy?

Apostates are liable to lose all rights to the property they own and to custody of their children. In 2014, the State Mufti, Yang Berhormat Pehin Udana Khatib Datu Seri Maharaja Dato Seri Setia Ustaz Hj Abdul Aziz Juned, declared apostasy an offence punishable by death for any Muslims who choose to disassociate themselves from the faith. The State Mufti said that those who had made blasphemous statements or performed sacrilegious actions and had not repented would be liable to the punishment. Whether this will form a later stage of the implementation of the new Sharia penal code remains to be seen.

Education and children’s rights

The government’s promotion of the Shafi'i school of Sunni Islam to the exclusion of other beliefs has continued within the education system. The Compulsory Religious Education Order of 2012 mandates compulsory Islamic religious education registration of all Muslim children aged seven to fifteen. The Islamic Religious Council Act stipulates the banning of public teaching or promotion of any "deviant" beliefs. Punishment can include three months imprisonment and a fine of BND 2,000.

Family, community and society

National dress, including head coverings for men and women, is obligatory for all regardless of belief when attending citizenship ceremonies. Women not wearing the hijab in public face up to 6 months in prison or a \$1600 fine, or both.

Since Muslims and non-Muslims are not allowed to marry, non-Muslims must convert to Islam if they wish to marry a Muslim.

Freedom of expression, advocacy of humanist values

The state of emergency declared by the Sultan of Brunei declared in 1962 continues, and allows for severe restrictions on freedom of expression, freedom of the press and the right to free assembly and freedom of association.

Independent media in Brunei is extremely limited and journalism is restricted. A 2005 amendment to the national sedition law strengthened prohibitions on criticizing the sultan and the national “Malay Muslim Monarchy” ideology. Brunei’s Internet Code of Practice limits online any content deemed subversive or encouraging of illegitimate reform efforts.

Cambodia

Cambodia remains under the rule of Prime Minister Hun Sen (in power since 1985), following a military coup orchestrated by Hun Sen in 1997. Hun Sen’s government is regularly accused of neglecting human rights and repressing political opposition. Cambodia is one of the poorest and most corrupt countries in the world.

Rating: Systemic Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p>

Constitution and government

The constitution and other laws and policies protect freedom of 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.

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.

Education and children’s rights

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.

Freedom of expression, advocacy of humanist values

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

Indonesia, the world’s third-largest democracy, has in the past had a relatively good reputation for plural religious identity united under a monotheistic state ideology, however, this reputation was largely in decline under President Susilo Bambang Yudhoyono (“SBY”). Under newly elected president Joko Widodo (“Jokowi”) there is some renewed hope for reform, but atheists and the non-religious remain socially marginalised and legally unrecognised.

Rating: Grave Violations

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The non-religious are barred from holding government office		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	It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed It is illegal or unrecognised to identify as an atheist or as non-religious
State legislation is partly derived from religious law or by religious authorities		The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism Systemic religious privilege results in significant social discrimination Prohibitive interreligious social control (including interreligious marriage bans) Religious control over family law or legislation on moral matters [in Aceh province]	Expression of core humanist principles on democracy, freedom or human rights is severely restricted ‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general There is an established church or state religion	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders Religious groups control some public or social services	

Constitution and government

The constitution theoretically protects freedom of “religion or belief”, 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. On “Religion”, under article 29, awkwardly states both that:

“(1) The State shall be based upon the belief in the One and Only God.”

and:

“(2) The State guarantees all persons the freedom of worship, each according to his/her own religion or belief.”

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.

“A new hope”

Inaugurated in October 2014, new president Joko “Jokowi” Widodo was elected on the promise of democratic and social reforms, in Indonesia’s first peaceful transfer of power between two popularly elected leaders. *Time* magazine called him “a new hope” for the country, noting that he faces challenges including religious extremism and radical Islamist threats to the country’s largely syncretic, relatively moderate Islam.

time.com/3523168/indonesia-jokowi-inauguration-president/

As the candidate for the Indonesian Democratic Party of Struggle (PDI-P), the crucial final days of Jokowi’s election campaign featured both a rock concert, successfully aimed at more younger and more liberal voters, as well as a brief pilgrimage to Saudi Arabia, reportedly aimed at debunking “smears” that he is a Christian of Chinese descent (he is in fact a Javanese Muslim).

lowyinstitute.org/issues/indonesia-elections

There are positive reports that the new government plans to make “religious freedom and minority protection a priority”:

“As they fend off attacks from Muslim fundamentalists, President Jokowi and his team already embody a new message of hope in Indonesia after less than a month on the job.

Religious Affairs Minister Lukman Hakim has taken the first step towards genuine religious freedom. Last week, he announced a series of reforms that would remove barriers to the free practice of religion for non-Muslim communities.

A new law, meant to protect minority groups from extremist attacks and provocations, should be ready "within six months" and ensure that all citizens have the same "rights in matters of religion enshrined in the Constitution of 1945.

...At the same time, Interior Minister Tjahjo Kumolo has proposed changed [sic] to identity card Indonesians use, removing religious affiliation... a decision that has angered Muslim fundamentalists.”

asianews.it/index.php?art=32640&l=en

Though there is scant mention of extending these specifically “religious” freedoms to include secular worldviews, there may be some optimistic hope that a relatively liberal government fighting off Islamist demands could also, in the longer-term, ease restriction on non-religious identities.

Education and children’s rights

Education in Indonesia is given a constitutional guarantee of being funded to at minimum 20% of the national budget, and a right for every child.

However, education is under joint control of the Ministry of Education and Culture and the Ministry of Religious Affairs. The constitution defines education always in terms that are mixed up with distinctly religious aspiration: the aims of education (Article 31.3) are to “increase the level of spiritual belief, devoutness and moral character in the context of developing the life of the nation”

and to do so (Article 31.5) “with the highest respect for religious values and national unity for the advancement of civilisation and prosperity of humankind”.

ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_174556.pdf

About 15% of students attend Islamic schools, many of which are *pesantren* (boarding schools). No single sect or approach dominates and this is generally an option arrived at by religious parents.

Most students attend state-run, non-sectarian (but not entirely *secular*) schools. Even outside of Islamic schools, the national education system instructs children in the principles of participation in the modern nation-state along somewhat nationalist lines. The teaching of the state ideology, Pancasila, has diminished somewhat but remains, with its heavy emphasis on monotheism as the primary tenet of national identity.

lcweb2.loc.gov/frd/cs/pdf/CS_Indonesia.pdf

Family, community and society

Six religions, no non-religion

For the time being it remains the case that 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, a minus sign (“-”) 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.

In November 2014 the Interior Minister Tjahjo Kumolo proposed to remove religious identity from the cards altogether, but this remains a proposal and there is no timeline for its implementation.

Applicants for government jobs must also identify as belonging to one of the six official religions.

Oppression in the name of religious conformity

The 2014 USCIRF Report notes that:

“Indonesia’s tradition of religious tolerance and pluralism is increasingly threatened by the detentions of individuals considered religiously “deviant” and the ongoing intimidation, discrimination, and violence against religious minorities, including Ahmadis, Christians, Shi’a, Sufis, Hindus, Baha’is, and followers of indigenous religions. Government officials sometimes tolerate, and occasionally actively support, the efforts of extremist groups, such as the Islamic Defenders Front (FPI), to stop the perceived growth of religious minorities and police the orthodoxy of the Sunni majority”.

uscirf.gov/sites/default/files/Indonesia%202014.pdf

Violations against women

There are serious concerns about a declining standard in the upholding of women's rights. The social tendency to label women "good" or "bad", feeds into a wider misogyny. In 2014 a woman who allegedly was "caught" with a married man was made a victim of gang rape in a vigilante attack and then herself sentenced to caning for her alleged "adultery".

rappler.com/world/regions/asia-pacific/indonesia/77088-indonesia-good-bad-women

It was widely reported in December 2014 that the Indonesian police, which has been attempting a recruitment drive for female officers, subjects women candidates to a mandatory "two-fingered virginity" or "hymen" test. The police apparently do not believe this test does or should deter female applicant; a spokesperson for the police, Maj Gen Ronny Sompie, said the test was no reason to "respond negatively" to the recruitment drive, and that the purpose was to test for "sexually transmitted infection... in a professional manner." The obviously unnecessary test is in complete violation of fundamental human rights. Female officers are also expected to be single and not marry in the first few years of service.

theguardian.com/world/2014/nov/18/female-indonesian-police-recruits-forced-virginity-test

Religious law in society

The law allows implementation of Sharia law in Aceh province, with religious courts handed jurisdiction over economic transactions and criminal cases. Unmarried, unrelated members of the opposite sex are banned from close contact, alcohol consumption and gambling are prohibited. Non-Muslims are specifically exempted but given taboos against 'coming out' atheist this certainly means that some individuals will be pressured into the Sharia system.

Also in Aceh, an Islamic vice patrol known as *Wilayatul Hisbah* operates, enforcing Islamic dress codes, and bans on alcohol, gambling, and the acquaintance of unmarried, unrelated men and women without a "chaperon".

Freedom of expression, advocacy of humanist values

"Blasphemy" and atheism

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 "re education," which includes the forcible shaving of their punk-rock hairstyles and a traditional cleansing ceremony.

Wider press freedoms

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 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.

Highlighted cases

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). He was released in February 2014.

Laos

Lao People’s Democratic Republic is a landlocked country in which a third of the country’s 6.5 million people live below the international poverty line. Freedom of thought, conscience and religion, and especially freedom of opinion and expression, are significantly restricted in the single-party Marxist republic of Laos.

Rating: Severe Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
			Concerns that secular or religious authorities interfere in specifically religious freedoms
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and some laws and policies protect religious freedom; however, other contradictory laws and policies restrict this right. Article 30 of the constitution explicitly provides for the freedom of and from religion, which states “Lao citizens have the right and freedom to believe or not to believe in religions”, however Article 9 states: “all acts of creating division of religions and classes of people are prohibited”. The government interprets this clause as justifying some restrictions on religious practice by members of all religious groups.

There is no officiated state religion, however there is symbolic deference to Buddhism and reports of suspicion and discrimination against Western religious faiths.

religiousfreedom.com/index.php?option=com_content&view=article&id=169&Itemid=29

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.

Freedom of expression, advocacy of humanist values

Although Article 31 in the constitution states that “Lao citizens have the right and freedom of speech, press and assembly”, freedom of the press is severely restricted. All media is state owned and controlled, and journalists that criticize the government or discusses controversial political topics faces legal punishment.

Malaysia

Malaysia is a federal, multi-territory constitutional monarchy, split across two land masses: Peninsular Malaysia and East Malaysia. There is a degree of freedom of religion or belief among the significant non-Muslim religious minorities including Christians, Buddhists and Hindus, and the small number (~1%) prepared to identify as non-religious, however, Malaysia rates very badly for freedom of thought and expression, with ethnic Malays subjected to strict state controls over an enforced, homogenous religious identity, including mandatory Sharia laws, and in two states *hudud* enactments mandating death for “apostasy”.

Rating: Grave Violations ↓

This country is found to be declining, with human rights including freedom of thought and expression under serious assault.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death [in some states]</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious [for ethnic Malays]</p>		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p>	<p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Apostasy' is outlawed and punishable with a prison sentence</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>

State-funding of religious institutions or salaries, or discriminatory tax exemptions		Discriminatory prominence is given to religious bodies, traditions or leaders Religious groups control some public or social services	
Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories			Concerns that secular or religious authorities interfere in specifically religious freedoms

Constitution and government

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 in practice.

Malaysia has a narrow conception of human rights, having signed only two of the eight legally enforceable human rights treaties derived from the Universal Declaration of Human Rights, and even then the state asserts constitutional exemptions to these treaties and to the Universal Declaration itself, asserting that only “those fundamental liberties provided for” in the Constitution will be upheld, rendering its signature to the UDHR essentially an empty gesture.

The government’s ban on the use of the word “Allah” by non-Muslims in Malay-language Bibles and other Christian publications was upheld on 14 October 2014, the court of appeal overturning a 2009 decision that such a ban was unlawful. The appeals court found that the freedom to practice a religion other than Islam is lawfully limited by Islam’s status as the national religion, notwithstanding the constitution’s guarantee that “other religions may be practiced in peace and harmony” which is intended to protect the sanctity of Islam! The full scope of the “ban” on the use of “Allah” by non-Muslims remains unclear, with some officials saying it is limited to the *Catholic Herald*, which was the subject of the case; however the precedent and basis of the judgment appear to have wider implications. The case has proved a high-profile, ongoing source of tension between religious communities.

Education and children’s rights

Islamic religious instruction is compulsory for children from Muslim background in public schools; students from non-Muslim backgrounds are required to take non-religious morals and ethics courses. Minority religion classes may in some cases also be held during the school day. At primary and secondary public schools, student assemblies frequently commence with recitation of an Islamic prayer. Grants are given selectively to private Islamic schools only, on and on agreement they allow government supervision and adopt a government-approved curriculum. Girls, particularly in peninsular Malaysia, may be required wear the *tudung* (head covering).

Family, community and society

The “threat” of atheism, humanism and liberalism

In May 2014, Prime Minister Najib Razak labelled “humanism and secularism as well as liberalism” a dangerous threat to Islam and the state. Speaking at the opening the 57th national Quran Recital Assembly, he characterised secular worldviews as dangerous ideologies, saying:

“They call it human rightism, where the core beliefs are based on humanism and secularism as well as liberalism. It’s deviationist in that it glorifies the desires of man alone and rejects any value system that encompasses religious norms and etiquettes. They do this on the premise of championing human rights.”

themalaymailonline.com/malaysia/article/pm-says-human-rightism-humanism-secularism-new-religion-threatening-islam

The idea that even divergent opinions within Islam are “deviant” and a dire threat to national security is a frequent accusation made by members of the Malaysian government. IHEU commented at the time:

“This is a sad reflection on Najib’s personal understanding of human rights, in particular his total failure to grasp the scope and necessity of freedom of thought, religion and belief.

“On the one hand he asserts that under Maqasid Shariah he will uphold the welfare of every citizen regardless of religion or other status, and yet in fact he denies the very essence of Article 18 rights: that every citizen must have freedom of thought, freedom of belief, freedom of religion. To rule out what he calls “apostasy” as Najib does, is to completely deny this long-established human right. It is not a matter of interpretation; he simply denies this basic human right to which his country is a signatory. ... These freedoms [of thought and expression] are not an alien agenda, they are a minimum standard for people to be able to live a fulfilled life and are the only way to achieve the progressive country which Najib says he wants to develop.”

— Sonja Eggerickx, then-president of the IHEU

iheu.org/humanism-and-secularism-are-threat-to-islam-and-the-state-says-malaysian-prime-minister/

In 2015, the president repeated similar slurs, but with reference to sexual minorities, drawing a direct moral equation between terrorist groups “like the Islamic State” with “lesbians, gay, bisexuals, and transgenders” who call for equality.

hrw.org/news/2015/08/25/love-not-terrorism-najib

Freedom of expression, advocacy of humanist values

Death for “apostasy”

Despite contradicting federal law, the state governments of Kelantan and Terengganu passed *hudud* enactments in 1993 and 2002, respectively, making apostasy an offense punishable by death. Despite their long-standing nature, no one has been convicted under these Sharia laws and, according to a 1993 statement by the Attorney General, the rulings could not be enforced without a constitutional amendment. (Amending the penal code is the exclusive prerogative of the federal government.)

Enforced religious identity

The constitution defines all ethnic Malays as Muslim and severely restricts what kind of Islam may be practiced in the country.

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 Prime Minister reiterated in May 2014 that:

“We [the nation] will not tolerate any demands or right to apostasy by Muslims, or deny Muslims their right to be governed by Shariah Courts and neither will we allow Muslims to engage in LGBT activities”.

— Prime Minister Najib Razak

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”.

Pervasive Sharia and “blasphemy”

Articles 295-298A of the Malaysian Penal Code provide penalties for those who commit offenses against religion. The penalties include up to three years in prison or a large fine. Prosecutions for blasphemy usually target those who offend Islam, but an insult to any religion can give rise to prosecution.

Authorities at the state level administer Sharia laws through Islamic courts and have jurisdiction over all Muslims.

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.

Media and political freedoms

Freedom of expression is constitutionally guaranteed but severely restricted in practice. The declining situation in recent years has been described as risking a “political meltdown”.

<http://theguardian.com/global/2015/oct/30/malaysia-risks-a-political-meltdown-with-its-attack-on-free-speech>

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. For example, in early 2015 the Peaceful Assembly Act was used to bring charges against peaceful protesters including opposition activists.

hrw.org/news/2015/09/10/malaysia-drop-criminal-cases-against-peaceful-protesters

Highlighted Cases

Eric Paulsen, personally non-religious and a recurring, legitimate critic of the government – especially in connection with the imposition of Islamist extremism – has been repeatedly harassed by the authorities. In January 2015 he was arrested and then in February charged with “sedition” for a 9 January tweet which read “Jakim [the Malaysian Islamic Development Department] is promoting extremism every Friday. Govt. needs to address that if serious about extremism in Malaysia.” In March 2015 he was again arrested, for tweeting about merely hypothetical problems in implementing Islamic *hudud* norms in Malaysia. His message read: “Do not simply believe that everything will be okay with hudud implementation – no basis that hudud will run smoothly in Malaysia”. Critical users tagged Inspector-General of Police Tan Sri Khalid Abu Bakar into their angry replies, leading Abu Bakar to announce that Paulsen should “watch his habit and mouth” when discussing sensitive topics such as religion, and asking, “Who is Eric Paulsen to question whether the hudud law is fair or not? ... I will review the tweets he sent out and the police will take action.” The Jakim tweet case is ongoing as of December 2015. Paulsen was arrested and detained but has not been charged in the Hudud tweet case, however several older “sedition” cases against others that were investigated in early 2015 have subsequently been brought to court.

themalaysianinsider.com/malaysia/article/jakim-can-sue-eric-paulsen-for-libel-says-lawyer-bernama

themalaysianinsider.com/malaysia/article/human-rights-lawyer-eric-paulsen-nabbed-for-sedition-in-kl

Myanmar (Burma)

Controversially renamed Myanmar by the military regime, the country otherwise known as Burma is emerging from decades of repressive military rule under emergency powers. Aung San Suu Kyi's National League for Democracy won a larger-than-expected, landslide majority in the 2015 elections, widely regarded as a representative (though not without electoral irregularities). Significant power still rests with the military, however, and Suu Kyi is currently prevented from taking the presidency by the constitution based on the foreign citizenship of her children.

Rating: Severe Discrimination  

This country is found to be in flux, with democratic reforms taking effect, but significant pressure from Buddhist extremists and discrimination still taking place.

Constitution and government	Education and children's rights	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
The non-religious are barred from some government offices (including posts reserved for particular religions or sects) <i>[by unwritten convention]</i>		Systemic religious privilege results in significant social discrimination Prohibitive interreligious social control (including interreligious marriage bans)	
There is an established church or state religion 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 or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			

Constitution and government

Myanmar's 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.

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.

Family law

This report last year noted, "Burma's liberalization continues apace, with new laws recognizing human rights coming before almost every month."

However, in 2014 new legislation gained presidential assent in December 2014. The controversial religion and family bill would place massive new restrictions on family life. The law is described as:

“the result if a campaign led by a radical and extremist Buddhist group called the Association for the Protection of Race and Religion which has put forward four proposals that regulate marriage, the practice of worship, polygamy and family planning.

Under the proposed norm, anyone wishing to convert to another religion will have to follow complicated bureaucratic procedures or face yet to be decided penalties. It also regulates the marriage of Buddhist women with men of other religions. These women will have to ask permission from the local authorities to celebrate the wedding, prior to it being publically registered. The spouses may marry "only if" there are no objections and, in case of violation of the law, could face up to several years in prison.”

asianews.it/news-en/Burmese-President-signs-the-shameful-law-regulating-religion,-marriages-and-family-life-32872.html

The bill forms part of a pattern of efforts which marginalise non-Buddhists.

Religification of government and state

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.

Only some religions

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. Anti-discrimination 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.”

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.

Education and children's rights

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.

Family, community and society

Rohingya crisis continues

Longstanding social tensions between Rohingya Muslims and Rakhine Buddhists in the state erupted in communal violence in June and October 2012 that claimed hundreds of 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 2012. 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.

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.

Freedom of expression, advocacy of humanist values

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.

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 pre-publication censorship protocols. Restrictions on internet access have also been loosened.

In July 2013 President Thein Sein announced that all political prisoners would be released by the end of the year. In October 2014 the government announced the release of 3,000 prisoners, although the majority of these may be petty criminals according to Burma watchers. The US has extended sanctions on Myanmar, due to persisting rights abuses and army influence on the politics and economy of the country.

Philippines

The Philippines is an archipelago of which 7 islands host the majority of the 100 million population, the second largest population of countries in the ASEAN (Association of Southeast Asian Nations). Spanish and US influences remain strong, especially in terms of religion (mainly Roman Catholic) and government. Nominally Roman Catholics are a significant majority religion (80%), with Islam as a minority religion (10%). The Philippines has a number of active human rights and non-religious groups.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>	<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

The constitution and other laws and policies generally protect religious freedom. There is no state religion, as such, and the constitution provides for the separation of church and state. In practice, however, both Roman Catholic and Islamic religions have close associations with government.

Catholic privilege and pressure

Governments have generally avoided taking strong measures to curb the birth rate for fear of antagonising the Catholic Church. In 2013, several dioceses publicly opposed the reelection of specific senators and House members who voted in support of the 2012 Responsible Parenthood and Reproductive Health Act (RH Law), which provided for free contraceptives at government health clinics. A measure of the government's sensitivity to the Catholic Church was the use of an obscure article of the penal code which criminalises acts that "offend religious feelings." The law was used for the first time in January 2013 to convict Carlos Celdran for protesting against the Catholic Church's opposition to the RH Law during a religious ceremony in 2010. While he faced a sentence of up to 13 months in jail, he remained free on bail pending appeal.

Muslim privilege

Driven in large measure by secessionist violence based on perceived discrimination against Muslims (in two Southern Islands), the government has also given Muslim interests a preferential relationship with government. The National Commission on Muslim Filipinos (NCMF), a part of the Office of the President, promotes the rights of Muslims at both the national and local levels and supports economic, educational, cultural, and infrastructure programs for Muslim communities. NCMF's Bureau of Pilgrimage and Endowment administers logistics for the Hajj. It also administers *awqaf*, an endowment for the upkeep of Islamic properties and institutions, and oversees establishment and maintenance of Islamic centres and other projects. The Office of the Presidential Assistant for Muslim Concerns helps coordinate relations with countries that have large Islamic populations and contributes to economic development and the peace process.

The Code of Muslim Personal Laws recognizes Sharia as part of national law; it does not apply in criminal matters and applies only to Muslims. The state court hears cases involving Muslim and non-Muslim respondents, and national laws apply.

Education and children's rights

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 groups to distribute religious literature in public schools. By law, public schools must ensure the religious rights of students are protected. Muslim students may wear the hijab.

refworld.org/docid/53b2b8b1b.html

Family, community and society

The RH Law

Culturally dominated by Catholicism, the Philippines is the only country in the world, other than the Holy See, to ban divorce. Legal during the American colonial period and the Japanese occupation at the beginning of the 20th Century, the 1949 Civil Code prohibited divorce.

The Catholic Church have fiercely opposed the Reproductive Health Bill, arguing that the law's implementation will undermine marriage and promote promiscuity. Following several challenges in court by conservative Catholic groups, the RH law was initially halted by the Supreme Court from going into effect. Fourteen petitions questioning the constitutionality of the law on the grounds that it violated a range of rights, including freedom of religion and speech, were consolidated for oral arguments that began on July 9, 2013 and continued through August 2013.

However, in April 2014, The Supreme Court of the Philippines unanimously approved the groundbreaking Responsible Parenthood and Reproductive Health Act of 2012, the RH Law, which requires government health centres to provide access to family planning and reproductive health services including recognizing a woman's right to post-abortion care, and mandates reproductive health education in government schools. The UN recognises this move towards meeting the Millennium Development Goal to reduce maternal mortality.

Nancy Northup, president and CEO at the Center for Reproductive Rights has said that “with universal and free access to modern contraception, millions of Filipino women will finally be able to regain control of their fertility, health, and lives...The Reproductive Health Law is a historic step forward for all women in the Philippines, empowering them to make their own decisions about their health and families and participate more fully and equally in their society.”

The Supreme Court struck down a number of provisions in the RH Law including the requirement for spousal consent for women in non life-threatening circumstances, parental consent for minors seeking medical attention who have been pregnant or had a miscarriage, and health care providers will have the right to deny reproductive health services to patients based on their own personal or religious beliefs in non-emergency situations.

The Filipino government’s long-standing hostility towards modern contraception has contributed to 4,500 women dying from pregnancy complications, 800,000 unintended births and 475,000 illegal abortions each year.

jurist.org/paperchase/2014/04/philippines-supreme-court-approves-reproductive-health-law.php

www.reproductiverights.org/press-room/Philippine-Supreme-Court-Upholds-Historic-Reproductive-Health-Law%20

Freedom of expression, advocacy of humanist values

The Roman Catholic Church in the Philippines has historically played a significant role in politics. A law against “offending religious feelings” has recently been activated against a critic of Catholic Church policies.

Section 4 of the revised penal code (largely unchanged since 1930) covers “Crimes against religious worship”, including a ban on “interruption of religious worship” (article 132) and more pertinently, “offending the religious feelings” (article 133):

“Offending the religious feelings. – The penalty of arresto mayor [suspension of suffrage] in its maximum period to prision correctional in its minimum period [from 6 months 1 day, up to 2 years 4 months] shall be imposed upon anyone who, in a place devoted to religious worship or during the celebration of any religious ceremony shall perform acts notoriously offensive to the feelings of the faithful.”

Broader human rights issues

The Philippines, under previous presidents, has been notably corrupt and critics and opponents have been subject to increasing levels of human rights abuses. Press freedom is guaranteed under the constitution, but violence against media workers has been a serious problem.

The government came under fire in late 2012 over a new cybercrime law which aims to prevent cybersex, online child pornography, identity theft and spamming. It also provides for prosecution for online libel and gives officials new powers to search and seize data from people’s online accounts.

There are some signs that these restrictions are being addressed. Amnesty International recently reported the arrest of a General accused of abductions and torture in the Philippines as an encouraging sign that the authorities are finally tackling a culture of impunity for serious human rights violations by the security forces.

www.refworld.org/docid/53edb3684.html

The Organization of Islamic Cooperation (OIC) recognize the Moro National Liberation Front, which was designated in a United Nations Security Report as one the groups around the world that recruit and use children. <[daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/311/28/PDF/N1031128.pdf](https://access-dds-ny.un.org/doc/UNDOC/GEN/N10/311/28/PDF/N1031128.pdf)>

Highlighted cases

In 2012 the crime of “offending religious feelings” was used to convict **Carlos Celdran** for protesting the Catholic Church’s opposition to the Reproductive Health Law. Carlos Celdran is a performing artist and cultural activist promoting HIV/AIDS awareness and reproductive health. In 2010 Carlos entered Manila Cathedral during mass to stage a protest action against Church opposition to the reproductive health bill. Carlos dressed as José Rizal carrying a sign and shouting “stop getting involved in politics!” He was escorted out by police and later charged by the Catholic Bishops Conference of the Philippines for “offending religious feelings”. In Dec 2014, the Court of Appeals upheld the conviction. Carlos intends to appeal to the Supreme Court.

Testimonies

“It saddens me to hear this decision upholding my conviction for ‘offending religious feelings.’ I’m sad not only for my case in particular, but for the Philippines as well. This conviction is just a symptom of a larger disease,”

“There is a bigger picture of corruption and patronage in the Philippine justice system. We need to address these issues if ever we are to move forward as a people.”

— Carlos Celdran

Singapore

Singapore is a wealthy city-state of 5.5 million inhabitants, linked to mainland Malaysia. It gained independence from the United Kingdom in 1963. Today, Singapore is a parliamentary constitutional republic, known for the conservatism of its leaders and its strict social controls.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general	There is state funding of at least some religious schools	Some religious courts rule in civil or family matters on a coercive or discriminatory basis	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
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

Constitution and government

The constitution includes provisions for freedom of speech, assembly and association. Freedom of religion is protected: "Every person has the right to profess and practise his religion and to propagate it." (Art. 15, Constitution) Parliament can restrict these freedoms in the event of concerns about national security, public order or morality. There is no state religion.

The law requires all associations of 10 or more persons, including religious groups, to register with the government. The law 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 ascertains the person causes feelings of enmity or hostility between different religious groups, promotes political causes, carries out subversive activities, or excites disaffection against the government under the guise of practising religion.

The non-religious do not have specific protection:

"Neither is there any legal bar against offending those who are not religious or are sceptical of religious claims, or indeed against proselytising or imposing one's religious views on the non-religious. Non-believers seem to be fair game for religious proselytisation, as well as ridicule and abuse."

— *New Humanist*, April 2013

newhumanist.org.uk/articles/4104/secularism-in-singapore

The government's overwhelming success in court cases raises questions about judicial independence, particularly because lawsuits against opposition politicians and parties often drive them into bankruptcy. It is unclear whether the government pressures judges or simply appoints those who share its conservative philosophy.

206.155.102.64/country,,,SGP,,53b2b8aa8,0.html

Education and children's rights

The government does not permit religious instruction in public schools, although it is allowed in the country's 57 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.

206.155.102.64/country,,,,SGP,,53d9071714,0.html

Family, community and society

Belief demographics

The census of 2010 recorded 17% of Singapore residents as non-religious. The organization "Humanist Society (Singapore)" (an IHEU member organization) is well established.

"Over the years, the government and sociologists have noticed a slow, subtle rise in the level of irreligiosity among Singaporeans, but they did not take much notice of it. Academic literature and government speeches suggest a deeper concern over inter-religious relations, the danger of extremism and State-religion relations."

— *The Humanist Society (Singapore)*

humanist.org.sg/about/our-history/

Buddhism, Taoism, Islam, Christianity and Hinduism are Singapore's principal religions. Singapore is the most religiously diverse country in the world, according to a study by the Pew Research Center.

pewforum.org/2014/04/04/global-religious-diversity/

Family law

The law provides Muslims with the option to have their family affairs governed by Islamic law, "as varied where applicable by Malay custom." Under the law, a sharia (Islamic law) court has non-exclusive jurisdiction over the marital affairs of Muslims, including maintenance payments, disposition of property upon divorce, and custody of minor children.

LGBT Rights

A Singapore Supreme Court ruling on October 29, 2014 to uphold the country's ban on same-sex relations between consenting adult men is a major setback for equal rights in Singapore. The court decision sends a message that gay men may lawfully be subject to discrimination.

206.155.102.64/country,,,,SGP,,54577fbf4,0

Freedom of expression, advocacy of humanist values

Singapore's media environment is highly controlled. Self-censorship among journalists is common, there are curbs on online content, and private ownership of satellite dishes is not allowed.

The government maintains that racial sensitivities and the threat of Islamist terrorism justify draconian restrictions on freedoms of speech, but such rules have been used to silence criticism of the authorities. The government ruling party, the People's Action Party has had a monopoly on power since independence from Britain.

Public assemblies must be approved by the police. The government may prohibit the importation of undesirable publications.

Thailand

After the Constitutional Court ruled the 2014 general elections invalid, and the carteraker Prime Minister and others to leave office, the army seized power in a military coup. In August 2014 the leader of the coup General Prayuth Chan-ocha was sworn in as Prime Minister. Martial law technically ended on 1 April 2015, but the military junta of the “National Council for Peace and Order” remains in power, the constitution at least partially suspended.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)			Expression of core humanist principles on democracy, freedom or human rights is severely restricted 'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is 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 or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion			

Constitution and government

Despite partial suspension of the constitution under the military junta, the Constitutional Court remains in place. To the extent that it can still be considered authoritative, the constitution protects freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, the state has long favoured Buddhism in several ways, and there is strict enforcement of punitive laws against criticism of the monarchy. Under the military junta since 2014 numerous freedoms including access to the internet and free expression have further deteriorated.

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 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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

"Blasphemy"

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).

Insulting the monarchy

In recent years, the government has blocked very large numbers of websites for allegedly insulting the monarchy. 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.

Timor-Leste (East Timor)

East Timor is a democratic sovereign state in southeast Asia with a population of approximately 1.1 million, of which it is estimated that 96% are Catholic.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. By law, the country is secular. Although there is therefore no official state religion, the Roman Catholic Church remains prominent in the political life of the country.

The law at all levels protects religious freedom against abuse, either by governmental or private actors. The preamble to the constitution affirms the determination to “fight all forms of...religious domination and segregation”. Section 12(1) claims that “the state shall recognise and respect the different religious denominations, which are free in their organization and in the exercise of their own activities”.

Catholic privilege and religious discrimination

There are reports of state bias towards the Catholic church in regards to discriminatory state funding of Catholic churches but rejections to funding requests from other faiths, and police inaction following occasional reports of harassment and physical threats to members of Protestant churches by local Catholic groups.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

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

The Communist Party of Vietnam (CPV) is the sole political party within the country. Under the CPV there has been a history of systematic denial, in practice, of rights to freedom of religion or belief, freedom of expression and freedom of association and assembly.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			Expression of core humanist principles on democracy, freedom or human rights is severely restricted
			Concerns that secular or religious authorities interfere in specifically religious freedoms
[No condition holds in this strand	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

Key articles from the Constitution of Vietnam provide the policy direction of the CPV government, in theory.

Article 24:

- "1. Every one shall enjoy freedom of belief and of religion; he can follow any religion or follow none. All religions are equal before the law.*
- 2. The State respects and protects freedom of belief and of religion.*
- 3. No one has the right to infringe on the freedom of belief and religion or to take advantage of belief and religion to violate the laws."*

Article 25:

"The citizen shall enjoy the right to freedom of opinion and speech, freedom of the press, to access to information, to assemble, form associations and hold demonstrations. The practice of these rights shall be provided by the law."

constitutionnet.org/files/final_constitution_of_vietnam_2013-english.pdf

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.

Education and children's rights

The government does not permit religious instruction in public schools; but nor is atheism taught officially.

Family, community and society

Demography

How Vietnam's population divides into non-religious and religious affiliation is not possible to say with certainty. ID cards contain a category for affiliation which is a poor indicator. Citizens have many reasons to deny religious affiliation. There is clearly a significant Buddhist population, perhaps 50% of the 92m people in the country. One estimate is of high numbers of atheists. The atheists are highly unlikely to have greater rights to freedom of belief, in practice, than those with a religious affiliation.

Religious restrictions

There are significant restrictions in practice on religious freedom as there are on a range of human rights organizations and other non-government agencies. Registration of organizations and agencies is the key administrative control. A surprise has been, that in 2014 the CPV decided in November to lift its ban on gay marriage and to allow Pride.

The CPV has eased some of the registration of religious organizations, in recent months, which now include 11 major religions. As an illustration of this shift, the official Vietnamese News Agency has reported a meeting to enhance bilateral ties of the Vatican with Hanoi.

In contrast Decree 92 has been the basis of controlling both religious and human rights organizations: Decree 92 states that the "abuse" of freedom of belief or religion "to undermine the country's peace, independence, and unity" is illegal, and religious activities may be suspended if they "negatively affect the cultural traditions of the nation." In practice this Decree appears to be intended to protect criticism of the CPV, and government.

Freedom of expression, advocacy of humanist values

In 2013, Vietnam continued its intense crackdown on free expression online, in print, and in the public. In September, the state introduced a new law, Decree 72, that restricted all websites and social media from publishing anything that "provides information that is against Vietnam," an incredibly broad provision that could essentially permit the government to arrest any Internet user in the country.

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.

In 2013, the government increased its repression of print and online journalists, jailing more than twice as many writers and bloggers in 2013 as it did the previous year. In June, the government arrested Pham Viet Dao, perhaps the best-known blogger in Vietnam, and charged him with "abusing democratic freedoms."

Freedoms of association and assembly

Freedoms of association and assembly are tightly restricted. Organizations must apply for official permission to obtain legal status and are closely regulated and monitored by the government. A small but active community of nongovernmental groups promotes environmental conservation, land rights, women's development, and public health.

206.155.102.64/country,,,VNM,,53fc364d29,0.html

Imprisonment of human rights defenders

Amnesty International demanded on 26 August 2014 that: "The arbitrary imprisonment of three human rights defenders on trumped-up charges makes a mockery of Vietnam's human rights commitments and obligations."

206.155.102.64/country,,,VNM,,54256ba015,0.html

Asia

Southern Asia

Afghanistan

Afghanistan has suffered from chronic instability and conflict in its modern history from the Cold War to civil wars between the Mujahedeen to the Taliban. It has been 14 years since the removal of the Taliban and 11 years since Afghanistan has had a democratically elected government. 2015 has been a period of uncertainty after disputed presidential elections that led to the creation of a national unity government. Human rights abuses, including the torture of detainees, violence against women and children, and attacks on journalists remain a serious problem. Security forces continue to operate largely with impunity. Indiscriminate attacks by the Taliban and other insurgent forces have led to a sharp rise in civilian deaths. The most gruesome and indiscriminate Taliban crime has been the beheading 7 civilians from ethnic minority Hazara that included women and a child. President Ashraf Ghani has made strong public commitments to protect citizens' rights, but implementation has been slow.

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities	Religious indoctrination is utterly pervasive in schools	<p>Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the views of secular or progressive persons</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	

Constitution and government

State legislation is largely derived from religious law, which is not only contradictory to some articles of the constitution but also to its international commitments to the Universal Declaration of Human

Rights and the International Covenant on Civil and Political Rights. For example, despite constitutional guarantees of freedom of religion, apostasy is still punishable by death. Although the constitution protects certain basic rights such as freedom of religion and belief, or freedom of press, nonetheless, the government, regional leaders and local chiefs frequently violate individuals' basic rights. Thus, effective enforcement of the constitution is a continuing challenge due to its contradictory commitments, inexperienced judges 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" implying that Islam is privileged in some way - even implying a trump on 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 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 Shiite. But there is also no separate law applying to non-Muslims.

According to the constitution, the president and vice president must 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. Those found guilty may be given three days to recant, or face death.

Education and children's rights

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, religious education has the highest percentage than the general education and the new government promised more religious education. In non-government run *madrassahs*, the schooling is even more skewed, with the instruction being almost entirely religious.

Family, community and society

Violence against women

In 2015 Afghanistan witnessed the most shocking murders in recent years, when Farkhunda Malikzada, an Afghan woman, on 19th March was beaten to death and then her body lit on fire by a mob in Kabul following false accusations that she burnt a copy of the Qur'an. Police present at the scene did not act effectively to protect her and the brutality all captured on phone cameras. The case highlights many major issues in the society, from social stigma, intolerant of different views on religion, the inability and competency of the police and later the judicial process and trial of accused men which according to human rights organization and human rights activists was "both rushed and riddled with due process violations. <hrw.org/news/2015/07/07/dispatches-11th-hour-justiceforfarkhunda>

Although, it was a relief for human right activists when the death penalty was later reduced to 10 to 20 years' imprisonment, nonetheless, the appeal was held in such privacy that Farkhunda's family and her lawyer learned of it only after the court announced its decision.

Another case of stoning a 19 year old woman named Rukhshana highlights the ill treatment of women, forced marriage and incompetency of government. Rukhshana who was accused of adultery was forced into a dug pit and stoned by Taliban and local people. President Asharaf Ghani called for an investigation and sent a delegation to investigate the case, mainly due to public's outcry that watched the brutal scene in social media. However, the leading member of his delegates is Maulavi Baleegh, who is a prominent member of the National Ulema Council, the country's highest religious authority, and is an adviser to Mr. Ghani on religious affairs. He believes the stoning and flogging of adulterers and made it clear in interviews and on his sermon. So the investigation turned out to be about whether it was accordance to Sharia Law instead of being against stoning a 19 year old woman. "His theological support for the sort of stoning he is being sent to investigate is emblematic of the national conundrum over the role of Shariah law, particularly when it comes to punishment for so-called moral crimes. The Afghan Constitution recognizes Shariah as well as civil law, but a presidential decree known as the Elimination of Violence Against Women Act, issued in 2009 but never ratified by Parliament, outlawed the stoning and flogging of adulterers."

<nytimes.com/2015/11/08/world/asia/afghan-mullah-leading-stoning-inquiry-condones-practice.html?smid=tw-share&r=1>

Freedom of expression, advocacy of humanist values

"Blasphemy"

The criminal code 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. As a result atheists and freethinkers are forced to hide their beliefs and the only way they can express their thoughts are anonymously through social media. 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 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 Afghani (US\$60 to \$240); physical attacks on non-religious people are, by exclusion from this law, not technically as serious.

Broader freedom of expression issues

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.

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 annual World Press Freedom Index that was published by Reporters without Borders, ranked Afghanistan 122nd out of 180 countries on the degree of freedom that journalists, news media, and internet citizens are afforded. There are 63 incidents of threats, beatings and kidnappings of journalists has been documented so far by, Nai, an Afghan NGO that promotes freedom of expression, including 3 deaths reported. Five attacks are directly linked to government. 12 by police, 8 by other government bodies such as traffic officers and provincial council members governors etc. The rest attacks are committed by Taliban and some are still unknown.

data.nai.org.af

In spite of the fact that Afghanistan’s national unity government has taken measures designed to improve freedom of information, including dissolving the commission for the verification of press offences and adopting the Law on Access to Information, journalists are increasingly the targets of acts of violence and intimidation by government officials and local governors.

For example the Reporters Sans Frontiers, reports that Haji Asheghalah Vafa, a parliamentary representative for the northern province of Baghlan, threatened the head of local Tanvir TV, Shir Mohammad Jahesh, on 26 May, saying: “Your life will end on this Saturday, 30 May, when I arrive.” Jahesh told Reporters Without Borders he was terrified by the parliamentarian’s threat and had sought refuge in Kabul.

en.rsf.org/afghanistan-afghan-authorities-must-end-08-06-2015,47982.html

Testimonies

“My curious mind has led me to exploring questions about science and Humanist philosophy. Becoming an atheist as a result of my curiosity, and on some occasions, openly discussing scientific issues and evolution even with my closest friends has put me in trouble. In Afghanistan nothing ends without a reference to God. That reference to god always stopped me from further exploring things openly with people. So I had to explore and talk to likeminded people on social media and Facebook, with, of course, a pseudonym, and openly challenging them and openly

asking questions to satisfy my curiosity. The problems I will be facing if my atheistic views become apparent will be too grave, not only from authorities but also from my work colleagues and even my family. When my colleagues go to mosque for praying I have to go with them, to avoid suspicion or I may be brutally murdered."

— Khalid

Bangladesh

Though in theory a secular democracy, the government has frequently given into pressure from Islamist parties, and continues to threaten atheists and others on charges of “hurting religious sentiments”.

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	Religious instruction in some schools is of a coercive fundamentalist or extremist variety	There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence	
State legislation is partly derived from religious law or by religious authorities	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism Systemic religious privilege results in significant social discrimination Religious control over family law or legislation on moral matters 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 or human rights is severely restricted 'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is an established church or state religion	There is state funding of at least some religious schools Religious schools have powers to discriminate in admissions or employment	There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism Some religious courts rule in civil or family matters on a coercive or discriminatory basis	

Constitution and government

The constitution and other laws and policies provide for freedom of 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.

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.

In 2015 there has been a string of murders of humanist writers and a secular publishers (see “Atheist blogger murders” and “Highlighted cases”, below). Commenting on the assassination of secular writers, on what happened to be the day before the third such killing in 2015, Sajeeb Wazed, the son of prime minister, told Reuters in May 2015: “We are walking a fine line here... We don’t want to be seen as atheists. It doesn’t change our core beliefs. We believe in secularism. But given that our opposition party plays that religion card against us relentlessly, we can’t come out strongly for him [Avijit Roy]. It’s about perception, not about reality.”

reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511

Education and children’s rights

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.

Outside this system, serious concerns remain that in many of the pervasive Islamic madrasa schools, the entire curriculum may be reduced to a narrowly Islamist programme, fostering extremism and bigotry.

Two of the killers of Washiqur Rahman Babu, captured at the scene of his murder, claimed to have been instructed to kill him as part of their “religious duty” by staff at their two distinct madrassas (see below).

Family, community and society

Religious involvement in state family law

Family law has separate provisions for Muslims, Hindus, and Christians.

The long out-dated and ambiguous “1872 Special Marriage Act III” allows a person of no religious faith to get married. However, both parties have to renounce their belief in front of the ‘Registrar’ as non-believers. Marriage is religiously restricted; marriage between Muslims and Hindus (or members of different religions generally) are not permitted. Couples married under this act are not allowed to adopt; succession, maintenance, custody and guardianship of children and inheritance is not clearly defined either, creating an unclear legal situation.

Social barriers, and potential outrage from religious bodies, make “secular” marriages under unsafe. In addition, the number of available ‘Registrars’ are so few that it’s almost impossible for interested parties to get married under this act.

archive.thedailystar.net/law/2012/06/03/advocate.htm

[culaw.ac.bd/files/jurnal-2008/Vol.%20XIII,%202008%20\(p.117-%20139\).pdf](http://culaw.ac.bd/files/jurnal-2008/Vol.%20XIII,%202008%20(p.117-%20139).pdf)

Islamic Sharia law plays some role in civil matters pertaining to the Muslim community. There is no formal implementation of Sharia, and it is theoretically not imposed on non-Muslims, however this is very high likelihood that some non-religious individuals would be presumed religious and socially pressured to conform to religious arbitration in family matters.

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, women and girls 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 tension

Communal violence and political dysfunction remain significant problems in Bangladesh.

Violence against Ahmadi Muslims 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 Quran on Facebook, more than 20 Buddhist temples, along with homes and shops, were attacked and set on fire by Muslim protesters.

The mass migration of Hindus that started in 1947 from Bengal to India, is gradually depriving Bangladesh of religious minorities, and those who remain are frequently subjected to vandalism and murder.

In 2014, allegations of "hurting religious sentiment" have risen. On 8 November 2014, in Lalpur village in Ashuganga district, a number of temples were destroyed by a Muslim mob following an allegation that a Hindu person had defamed Muhammad on Facebook. Abuse of the de facto "blasphemy" law to attack minority population is frequent, often in connection with content reportedly posted on social media. <bdnews24.com/bangladesh/2014/11/08/temples-vandalised-in-brahmanbaria>

Freedom of expression, advocacy of humanist values

Atheist blogger murders

In 2013, several atheist and freethought bloggers were the victims of physical assaults, as well as government prosecutions for crimes of "blasphemy" in all but name, with one critic of Islam murdered by machete.

In 2015, four more humanist writers were murdered in similar attacks by groups of young men using machetes, followed by twin coordinated attacks on secular publishing houses on 31 October 2015, in which one publisher was killed and others were shot and critically injured. (See "Highlighted cases" below.)

Responsibility for the attacks has been claimed by a variety of Jihadist militant groups, accusing the bloggers of “insulting Islam” or “defaming the Prophet”.

Though several groups of arrests have been made in 2015, including the arrest of two madrasa students caught at the scene of the murder of Washiqur Rahman, no suspect in this year’s killings has yet come to trial and been found guilty.

Rafida Ahmed, the widow of Avijit Roy – herself seriously injured in the attack which took his life, receiving blows to the head and losing a finger – said in the months after he was killed, “...no one from the Bangladesh government has reached out to me. It’s as if I don’t exist, and they are afraid of the extremists. Is Bangladesh going to be the next Pakistan or Afghanistan?”

reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511

And in a lecture to the British Humanist Association in July 2015, she said:

“The ruling political party in Bangladesh is the Awami League. They are supposed to be the largest secular political party in the country. Yet in the name of political expediency, they have repeatedly bent their knee to religious fundamentalists, acceding to their demands and granting their wishes, in a manner that can only be described as bribery, in order to secure their votes...

...Sheikh Hasina could have slapped down the Islamists. She could have said that no, people have a right to demonstrate, to write, to question, to criticize. But instead, this is what she said: We do not need a new blasphemy law, because we already have a law against ‘hurting religious sentiments’ and we can prosecute the bloggers under that law! So the authorities received the list of suspect bloggers, officials promised to investigate, and then they arrested four of those bloggers from the list and pursued them through the courts. Avijit campaigned tirelessly to free these bloggers.

So, what happens when you give bullies what they want? What happens when you accede to crazy demands? Soon there were one-hundred thousand Islamists marching on the streets of Dhaka demanding not just ‘death to atheist bloggers’, but for the cancellation of planned new education reforms that would have helped girls into education, and yet the government again made concessions. Since 2013 Islamists have been granted demand after demand, while the attackers of those first victims – Ahmed [Rajib Haider] and Asif [Mohiuddin] – were never found.”

humanism.org.uk/fighting-machetes-with-pens-a-full-transcript-of-the-2015-voltaire-lecture/

In November 2015 the European Parliament condemned the government response to the killings. MEPs urged the Bangladesh authorities to act to end the impunity, to prevent any further killings, and to ensure the security of all its citizens, regardless their beliefs.

humanistfederation.eu/news-fhe.php?pages=eu-resolution-on-bangladesh

Freethought under threat

In addition to the killings themselves, and lack of security provided to any bloggers under threat, police and government officials have threatened to arrest the bloggers for writing about “atheism”. Freethinkers remain under clear threat and many bloggers have fled the country seeking asylum abroad. A toxic precedent has been set and freedom of thought and expression are under preeminent threat.

dw.com/en/atheist-bloggers-flee-bangladesh/a-18708933>
arif.eu/archives/424>

Earlier this year during the International Book Fair at Dhaka University, Islamists seized all printed copies of a book translation by Iranian writer Ali Dasti. Authorities took no action to defend the freedoms of the event, even in the face of death threats.

<https://globalvoices.org/2015/02/17/bangladeshi-publisher-faces-death-threats-over-translation-of-controversial-iranian-writers-book/>>

Several “hit lists” were circulated, including by mainstream Bangla media, further entrenching the atmosphere of fear. The government has been criticised repeatedly for apparent inability to response to the threats.

<http://uk.businessinsider.com/a-radical-islamist-group-has-put-out-a-hit-list-targeting-84-anti-extremism-writers-2015-9>>

De facto “blasphemy” laws

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.”

In early 2013, after tensions of the predominantly secular Shahbag protests and the trial of Jamaat-e-Islami leaders for war crimes, an estimated 100,000 Islamists took to the streets of Dhaka calling for “death to the atheist bloggers”. Jamaat called for a new “blasphemy law” with a death penalty. The prime minister Sheikh Hasina said that no such law was necessary, but only because existing laws against “insult to religion” were “enough” to prosecute the bloggers.

The Islamist protesters demanded the arrests of 84 named bloggers, and four bloggers were arrested and charged (see “Highlighted cases”).

In August 2013, following the unrest by Hefazat Islami against “atheist bloggers”, the Bangladesh government amended the Information and Communication (ICT) Act, criminalizing defamation of religion, creating further the de facto “blasphemy” laws. Any statement published or transmitted by any person if found to cause to hurt or may hurt religious belief, then that person will be regarded as committed an offence. The troubling amendment was created by presidential decree, bypassing any discussion in parliament. The amendment gives police unchecked power against the offender allowing police to act as jury and judge, all at the same time.

voicebd.org/node/417>

fidh.org/International-Federation-for-Human-Rights/asia/bangladesh/bangladesh-information-and-communication-technology-amendment-act-likely-13875>

icj.wpengine.netdna-cdn.com/wp-content/uploads/2013/11/ICT-Brief-Final-Draft-20-November-2013.pdf>

Media and online freedoms

The constitution guarantees freedom of expression, with some restrictions for “public order” concerns, 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.

In August 2015, Probir Sikdar, a veteran journalist, was arrested for “tarnishing the image” of a government minister, reportedly after he publicly said that he had been threatened.

cpi.org/2015/08/journalist-arrested-in-bangladesh-under-countrys-i.php

In December 2014 the Bangladesh Telecom regulatory authority proposed that Google and Facebook should implement a locally run “Admin Panel” to control the social media inside Bangladesh. This proposal followed a refusal by both internet companies to release information about certain user accounts.

thefinancialexpress-bd.com/2014/12/01/68756

However, in late 2015, Facebook proved amenable to meeting with government officials after the government blocked Facebook, Vibre and a few other social networking services, supposedly in order “to stop posts on the social network that incite religious sentiment and political instability.”

en.prothom-alo.com/bangladesh/news/88253/Successful%E2%80%99-govt-now-considering-broader-security

Highlighted cases

Attacks on humanist or freethinking authors, bloggers and secular publishers in 2015 has gained worldwide media attention. **Avijit Roy**, an author of books on humanism and science, was killed in February 2015 outside the International Book Fair at Dhaka University, his wife Rafida Ahmed also seriously in the same attack; **Washiqur Rahman Babu**, a young blogger known as a “progressive freethinker”, was killed in March 2015; **Ananta Bijoy Das**, who blogged against fundamentalism, in favour of science, justice, and free expression, was struck down in May 2015; **Niladri Chatterjee** (penname: Niloy Neel), a humanist known as much for his blogging on minority and women’s rights as much as for his atheistic views, was killed in his own home in front of his partner in August 2015; and on 31 October 2015, coordinated gun and machete attacks on two publishing houses in Dhaka – both publishers of books by Avijit Roy and other secular authors – took the life of **Faysal Arefin Dipon** (Jagriti publishers), and seriously injured **Ahmed Rashid Tutul** (Shuddho-Shor publishers), author and blogger **Randipam Basu** and poet **Tareq Rahim**.

Secularist blogger **Mohon Kumar Mondal**, an environmental activist and human rights advocate, was jailed on 26 September 2015 for expressing grief and criticism regarding the death of Hajj pilgrims in the 2015 stampede at Mecca. Mondal had criticised the Saudi authorities for failing to avert the tragedy and for not respecting the bodies of the dead. He also questioned the rationality of the ritual in which stones are cast at the devil, and was accused of “insulting Islam”.

ibtimes.co.uk/mohon-kumar-mondal-bangladesh-arrests-secularist-blogger-after-he-criticises-islam-1525243

Atheist blogger **Julhas Uddin** was jailed for alleged “contempt of religion” on 1st August 2015.

kalerkantho.com/print-edition/news/2015/08/01/251027

A schoolboy named as ‘**Dipu Biswas**’ was arrested for making “offensive remarks about Islam” on Facebook, in September 2015. His family were forced to hide as “tension” rose in the area.

thedailystar.net/backpage/schoolboy-arrested-magura-149506

Former minister **Latif Siddiqui** was jailed in November 2014 after surrendering to police on a case filed by an opposition political party for “hurting religious sentiments”. He is facing 22 different cases on 18 different counts, all for the same offence of allegedly making anti-Hajj remarks at a discussion

in New York in September. He has been expelled from the ruling party and a writ has been filed to vacate his seat.

Ong Sing Marma, a student, and member of an indigenous population in Boroichhari, Kaptai upazila, was arrested on 9 October 2014 under section 57 for posts on Facebook deemed to be “hurting religious sentiment”, after supposedly posting images on Facebook that were “demeaning Islam and the Holy Quran”. A case was filed against him under ICT act. Local people staged a demonstration demanding the arrest of the youth, blocking Kaptai-Chittagong highway.

dhakatribune.com/bangladesh/2014/oct/09/1-held-rangamati-hurting-religious-sentiment>

On 31 March 2014, teenaged bloggers **Kazi Mahbubur Rahman Raihan** and **Ullash Das** were sent to jail for Facebook comments supposedly “insulting” to Islam and Prophet. This was only after they had been attacked and beaten by a mob. Fellow bloggers allege that an Islamist student organization distributed false propaganda material which rallied the mob against the two bloggers and led to their arrest.

advocacy.globalvoicesonline.org/2014/04/01/teenage-bloggers-in-bangladesh-arrested-for-blasphemous-facebook-posts/>

In February, 2013, the atheist blogger **Ahmed Rajib Haider** (pen name: 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.

google.com/hostednews/afp/article/ALeqM5gvgXRcLgESI9K6wFCyhMT32zJswg>

hindustantimes.com/world-news/Bangladesh/Militant-atheist-blogger-stabbed-in-Bangladesh/Article1-989966.aspx>

The month prior to the murder of Ahmed Rajib Haider, Islamist militants had attempted to murder another atheist blogger, **Asif Mohiuddin**. Mohiuddin survived that attack, thanks to emergency surgery, only to be arrested 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 all came after Islamists gave the government a list of 84 bloggers they wanted charged and if possible sentenced to death (though the punishment does not exist). The blogs of all four secularists were shut down by the government. All four bloggers spent significant stretches in jail and on trial throughout 2013 and 2014.

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.

Nikhil Naushad were sent to jail for poetry published in the magazine *Kheya*. Naushad served 127 days, the editor received 2 years jail under section 57 of ICT Act.

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. Taslima’s application for a passport has never been answered. Bangladesh Embassies across the globe have taken a non-cooperation stance in relation to Nasrin. Her recent request to attain a Power of Attorney document by embassy officials were denied.

Testimonies

"[The new law banning "defamation of religion"] has now has become almost a fear instigating tool inside Bangladesh against any Atheist or non-believer. This is the tool Pakistan used to rapidly turn into a fundamentalist, broken nation. That we see today, Bangladesh is not far."

— Anonymous

Bhutan

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p>
<p>Official symbolic deference to religion</p>			
	<p>Insufficient information or detail not included in this report</p>	<p>Insufficient information or detail not included in this report</p>	

Constitution and government

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.

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.”

Religious privilege

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

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. This does not appear to function in and of itself as a ‘blasphemy’ law, and

may be presumed to rule out only genuine incitement to hatred or violence. There have been no reports of prosecutions under the act in recent years.

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 the world’s most populous democracy, religiously pluralistic, and for many years proud, in the main, of its secular constitution.

Rating: Severe Discrimination ↓

This country is found to be declining. New concerns about freedoms of belief and expression have been raised under the presidency of Narendra Modi.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		The non-religious are persecuted by non-state actors or there are prohibitive social taboos against atheism, humanism or secularism	'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious
	No formal discrimination in education		

Constitution and government

India is a secular republic and its constitution and other laws and policies protect freedom of 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.

Since the ascension of president Modi in particular, there are concerns of a rise in Hindu nationalism, both socially, and on the part of officials appearing to elevate and promote a politicised Hinduist agenda.

Between 2013 and 2015, three prominent rationalists have been assassinated, apparently because of their work combating superstition or Hindu nationalism (see “Highlighted cases” below). The authorities were quick to promise action, but were also accused of prematurely ruling out extremist Hindu nationalist parties.

Education and children’s rights

There are a mixture of state and private schools, and some disparity between different states in this large and varied democracy. There has been debate for decades about whether India’s famous constitutional secularity, in a socially very religious country, should mean the exclusion of religion from the classroom, or its inclusion either with instruction for all, or under a comparative framework, and there were even experiments with a secular moral education.

Today, generally, the religious affiliation of children may be obvious from symbolic religious attire, and this is not discouraged or unlawful, but in this religiously diverse society the placing of undue influence on children through religious instruction is usually avoided in favour of inclusive secular norms, and parents who felt that their children were being wrongfully exposed to unwanted religious instruction would have legal recourse.

In 2002 the Supreme Court ruled that, "Children must be made aware of [the] basics of all the religions of the people of India. They should know the commonalities and learn to respect differences wherever these exist."

Dating back to the British Raj, some Christian and even some secular schools do offer Christian instruction, as an optional extra.

The nature of some private Islamic schools, and the taboo in some Muslim communities against educating girls, may be largely responsible for Muslims underperforming in literacy statistics.

Family, community and society

Rise of violence against religious minorities

The presidency of Narendra Modi has been linked to a rise in Hindu nationalism, with reports of attacks on religious minorities still increasing. Statistics on inter-communal violence show a 30% increase in the first half of 2015 with a total of 330 attacks, of which 51 were fatal, compared with 252 attacks, 33 of which were fatal in the same period of 2014. However these statistics pale in comparison with the anti-Muslim riots in 2002 in Gujarat, with more than 1000 people killed in violent clashes after 60 Hindu pilgrims died in a fire on a train.

bbc.co.uk/news/magazine-33241100

2013 saw a rise in violence in the lead up to the election of Modi with 60 people were left dead after violence flared up between Muslims and Hindus in Muzzafarnagar. Since then smaller incidents of violence have been reported. "Just like those riots, now Hindus in the villages are trying to drive Muslims out of the villages - repeated attacks have created an atmosphere of fear," says Mohammad Jamshed, whose brother-in-law, Deen Mohammad, was left paralysed after being shot at a demonstration demanding for police action to halt the violence against Muslims.

A number of BJP politicians have made derogatory remarks about minorities, including Giriraj Singh who is quoted as having said that "those opposing Modi will have to go to Pakistan" and Niranjan Jyoti who implied that non-Hindus were bastards by saying "should the country be led by sons of Ram [a Hindu god] or by sons of bastards?" Sakshi Maharaj also said that "each Hindu woman should mother four children in order to protect the predominance of Hindus".

Despite these remarks Mukhtar Abbas Naqvi, Minister for Minorities says that "you cannot judge the government with isolated incidents of violence or isolated statements by some ministers."

Freedom of expression, advocacy of humanist values

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 the 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.

“Insult” and “blasphemy”

Section 295 of the Indian Penal Code criminalises “insulting religious beliefs”; 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.”

The Information Technology Act

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.

However, after receiving several petitions from NGOs, civil rights groups and individuals citing the misuse of the Act by authorities to make illegitimate arrests, in March 2015 the Supreme Court struck down Section 66A of the Information Technology Act declaring it unconstitutional.

timesofindia.indiatimes.com/india/Supreme-Court-strikes-down-Section-66A-of-IT-Act-which-allowed-arrests-for-objectionable-content-online/articleshow/46672244.cms

“Political parties have often spoken in different voices about Section 66A. The Supreme Court’s historic decision is a crucial victory for free speech and expression, and a reminder to the government about the importance of respecting this right...”

- Shemeer Babu, Programmes Director at Amnesty International India.

amnesty.org/en/latest/news/2015/03/india-supreme-court-upholds-online-freedom-of-expression/

Freedom of assembly and association

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

On 16th February 2015, **Govind Pansare** and his wife Uma were shot at by two men on motorcycles outside their house having returned from a morning walk, he later died of his injuries. He was a senior left-wing politician of the Communist Party of India (CPI), a writer and rationalist, having often spoken out against right-wing groups. Pansare was a member of the Kolhapur Anti-Toll Committee having taken a lead in the campaign. Comparisons have been drawn between this attack and the earlier murder of anti-superstition activist Narendra Dabholkar (below). Raghunath Kamble, general secretary of CPI’s Kolhapur unit has said that a few months before Pansare had received anonymous letters, saying “Tumcha Dabholkar Karu [you would also be killed like Dabholkar]”. Kamble said that

Pansare had received threats several times in the past but that he would “ignore such threats and continued with his work.” Hamid Dabholkar (Narendra Dabholkar’s son) criticised those dismissing similarities in the two cases, pointing out that both Dabholkar and Pansare were rationalists and opponents of right-wing extremism, and had been threatened several times.

indianexpress.com/article/india/politics/kolhapur-senior-cpi-leader-govind-pansare-wife-injured-in-firing/>

In August 2015, **M.M. Kalburgi**, a 77 year old rationalist scholar and college professor, was shot dead in his home in the southern state of Karnataka. As in the case of Govind Pansare, two unidentified male assailants on a motorbike were responsible. Kalburgi had received death threats following his criticism of idol worship during a seminar in 2014. In a statement to the Hindustan Times newspaper his daughter Roopadarshi said that “There was a threat to my father from groups that couldn’t digest his views on caste and communalism. The role of these groups should be probed...”

time.com/4016747/mm-kalburgi-india-murder-rationalist-idol-worship-hindu-nationalism/>

On August 20, 2013, leading anti-superstition campaigner **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, aimed at making it an offence to exploit or defraud people with 'magical' rituals, charms and cures. This bill was closely associated with Dabholkar's work, and was opposed by many rightwing and Hindu nationalist groups who labelled it "anti-Hindu". Dabholkar was a long-time activist in India’s rationalist movement, founder-president of Maharashtra Andhashraddha Nirmoolan Samiti (MANS), an anti-superstition organization, 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 Dabholkar’s assassination.

iheu.org/story/leading-indian-rationalist-assassinated-gunmen/>

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.

Iran

Iran, the second largest nation in the Middle East, has a population of more than 80 million, of which (on paper at least) 99% are identified as Muslim. The Muslim majority includes a Shia majority (90%) and 9% Sunni Muslims (Turkmen, Arabs, Baluchis and Kurds). The remaining 1% of non-Muslim population are identified as Baha'is, Christians, Jews, Sabeian-Mandaeans, Zoroastrians, and Yarsanis. A considerable part of the Muslim population practice Sufism. Iran experienced a far-reaching Islamization of law and society after the Islamic revolution in 1979. Hassan Rouhani is the state's president since 2013.

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>The non-religious are barred from holding government office</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>		<p>Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Religious control over family law or legislation on moral matters</p>	
<p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government

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.

Religious minorities

The constitution declares that Islam (Ja'afari Shiism) is the state religion. Articles 12 and 13 divide 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. The authorities classify Yarsanis as Shia Muslims practicing Sufism, although Yarsanis identify Yarsan as a distinct faith. Similarly, Sabeen-Mandaeans do not consider themselves as Christians, but the government classifies them among the Christian groups.

According to the constitution, the main Sunni schools of Islam have to be "accorded full respect". However, all religious minority groups, including Sunni Muslims, face harassment, restrictions and discrimination in employment, education and housing.

The Baha'i faith is not recognized and its members face immense discrimination. The members of the Baha'i community are generally prevented from burying their dead according to their traditions and many cemeteries have been destroyed. Their community is prohibited from officially assembling. Authorities often prevent Baha'is from leaving the country and generally disregards their property rights. According to the law, Baha'i blood can be spilled with impunity and there is no restitution to their families. Some religious leaders state publicly that Baha'is are "unclean" and that conducting business with them is forbidden. Several Baha'i leaders remain in detention. The members of the Baha'i minority face substantial societal discrimination.

Sufism is similarly denounced by Shia clerics in public statements. Security services harass and intimidate prominent Sufi leaders and the government restricts Sufi activities.

Religious powers

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.

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).

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).

Discrimination in application of the law

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 88). However, a non-Muslim man who commits adultery with a Muslim woman is subject to the death penalty (Article 82-c). 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 121) 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 494 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.

fidh.org/IMG/pdf/ir0108a.pdf

Education and children's rights

Religious instruction is mandatory in public schools. All recognized religious minority groups are allowed to open private schools. However, the directors of the schools must be, with a few exceptions, Muslims, and the content of school books and curricula must be approved by the government. Christians and Jews are allowed to teach in Hebrew, but the distribution of Hebrew books is limited, what makes it difficult to teach the language. All languages have to be translated into Persian, in order to be approved by the authorities and impose significant translation fees on the religious minority groups. The government eliminated in the recent years almost all Persian-language church services, restricting them to Assyrian and Armenian languages. The teaching of languages has thereby become important for religious minority groups.

Sunni Muslims are not allowed to build new schools and report bans on teachings in public schools and on religious literature, even in predominantly Sunni Muslim areas. Jewish students are not required to attend school on Saturdays. However, Jewish schools have to remain open on Saturdays, violating the Jewish religious law.

Baha'is are actively prevented from attending universities. They have to identify with a recognized religious minority group in order to inscribe at a university. A government order requires that Baha'is must be expelled from universities if their religious affiliation becomes known and Baha'is are sometimes required to sign a statement at university, which states that they will not attend any Baha'i religious activity. Further, the order states that "Baha'i children should be enrolled in Shia Islamic schools with a strong and imposing religious ideology". The Baha'i community reports that their children in public schools face attempts by their teachers and administrators to convert them to Islam. Teachers generally ask Baha'i and other non-Shia children about their families' religious practices, as for instance if their parents fulfill their duties of the religious prayers at home, etc.

Family, community and society

No civil or secular family law

The legal interpretation of Islam forces all citizens, with no regard to their faith, to follow strict rules based on religion.

Family law derives exclusively from religious law, for Shia Muslims it is the Sharia based on Shia interpretation and for other recognized religious groups, Jews, Christians and Zoroastrians, they can relate to their own norms. Sunni Muslims can apply their laws in marriage, divorce and inheritance matters. Baha'i marriages and divorces are officially not recognised, but the government allows a civil attestation of marriage to serve as a marriage certificate. The legal age of marriage is 13 years for girls and 15 for boys and is the same for all sectarian groups. Generally both spouses have to agree to a marriage. However women are discriminated in law and practice.

Same-sex relationships are illegal in Iran for women and men.

Discrimination against women

Women are considered to be under male guardianship. Article 1105 of the civil code states that men are the exclusive head of the family and women do not have the same rights as men regarding child custody. Further, women are discriminated in inheritance law and inherit less than their male relatives. Women can hardly obtain a divorce, even with the Islamic principle of "*khula*", where a woman obtains a divorce and forfeits all future financial support from her husband, she still needs the consent of her husband. There is no specific law criminalizing domestic violence. Rape is not recognised as a distinct offence, but rather as adultery and a rape victim must present four male eyewitnesses in order to prove the crime. Female witnesses count only the half of male witnesses. Spousal rape is not recognised. Men have the right to sign a temporary marriage contract (*sigheh*) according to Shia interpretation of religious law. Adultery is considered a crime and be punished with the death sentence. Polygyny is allowed, meaning that Muslim men can marry up to four wives. Women need the permission of their male guardian in order to obtain a passport and to travel abroad. Married women need their husband's permission to work outside the home.

Gender segregation is enforced throughout the country. Women are required to cover their hair and fully covering their body in loose clothing. "Un-Islamic" dress is periodically punished by the authorities. In 2014 women in Isfahan protested against at least acid attacks against women. The women were targeted because their clothing was considered not to conform to Islamic norms.

Freedom of expression, advocacy of humanist values

“Apostasy”

The law does not provide religious freedom to Muslims and conversion from Islam is considered apostasy, which is punishable by death. A child born to a Muslim father is automatically considered to be Muslim. Proselytizing to Muslims can be punished with the capital sentence as well.

“Enmity against God”

The government jails and executes periodically dozens of individuals on charges 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).

Furthermore, the penal code criminalizes the insulting or cursing of Islamic prophets with a death sentence.

Media and “morals”

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.”

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 July 2013, following the election of the 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.

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.

On July 13, 2013, seven members of the Dervish religious minority were sentenced to a total of 56 years for running a news website.

cpi.org/2013/07/iran-jails-at-least-10-journalists-in-two-week-spa.php

Internet and protest

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.

Freedom of association and assembly

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 serious, permanent injuries and even death. Even peaceful, non-political protests are put down with brutal force.

Highlighted cases

In November 2014, the Supreme court upheld the death sentence of blogger **Soheil Arabi** for the charge of “insulting the Prophet Muhammad” on Facebook.

In February 2014, the Supreme court upheld the death sentence of **Ruhollah Tavana** for insulting the Prophet Muhammad.

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 allegedly creating a computer program used by others to download pornography.

Testimonies

“I only came out as an atheist with my closest friends. Being an atheist and saying this in public is considered as big crime and is being sentenced to death. Nobody says that he or she is an atheist so easily in Iran, although the majority of the population is in fact. That's the reason I never had to fear bad consequences in my family and with my friends. They all think like me. It would even be more disturbing to them if I say I am a believer.”

— Sepideh

Maldives

Though most famous internationally as a popular tourist destination, Maldives has been described as undergoing a battle between liberal and literal interpretations of Islam, with serious human rights violations linked to fundamentalists including youth groups, and attacks on perceived atheists and homosexuals in recent years.

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally suppressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>		<p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p>	<p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government

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, and this 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.

Mosques are required to register with the government. The government maintains and funds most mosques.

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 constitution precludes non-Muslims from voting and holding public positions.

The constitution does not prohibit discrimination based on religious preference; religion is excluded from a list of attributes for which people should not be discriminated against.

Education and children's rights

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.

Family, community and society

Kidnap and intimidation of atheist Facebook users

In June 2014, around 40 men, including known religious extremists and local gang members, abducted several young men who had advocated for secularism and/or gay rights, in a spate of kidnappings in Malé City, with the apparent aim of intimidating online secular activists and taking over “blasphemous” pages. (See “Highlighted cases” below).

Analysts have raised concerns over the growing threat of extremism in the Maldives. A recent report by the US State Department expressed concern over radicalization of youth groups and said funds are being raised in the Maldives to support terrorism abroad. Maldivian media have also said they feel threatened by religious extremists and gangs.

<http://jihadwatch.org/2014/06/maldives-muslims-kidnap-atheists-force-them-to-accept-islam>

Family law

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.

Freedom of expression, advocacy of humanist values

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.

In 2014 police officials confirmed that they were investigating atheist social media for non-compliance with this prohibition (see “Highlighted cases”, below).

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.

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.” This appears to mean that parents must educate their children as Muslims, whether they are Muslim or not.

Highlighted cases

In a series of kidnappings in June 2014, **several perceived atheists and homosexuals in Malé city** were detained and intimidated by large gangs of approximately 40 men. The abductees were interrogated on their beliefs, tested on passages from the Quran, and asked to recite the Shahadha (Islamic creed). The men were accused of atheism and homosexuality, and threatened with death. They were forced to hand over their Facebook account passwords and pressured to identify the administrators of the ‘Secular Democratic Maldives Movement’ and ‘Maldivian Atheists’ on Facebook. The Maldivian Democratic Party made a statement on the kidnappings, saying, “The extremists blindfolded the young people, took them to remote locations against their will, threatened them with sharp weapons, threatened them with death, issued sentences in a vigilante trial and are now implementing these sentences...” Sources suggest all individuals were later released, but were locked out of their social media accounts and warnings about “blasphemy” appeared on the commandeered pages. Minivan News reported that members of the vigilante group had been photographed in a meeting with Islamic Minister Sheikh Mohamed Shaheem Ali and youth groups who were protesting against homosexuality and the “harassment” of Islam, along with a meeting with the Home Minister Umar Naseer.

minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753

During the period of the kidnappings, a group of men including a man referred to in Minivan News by the pseudonym **Adam Ghafoor** were attacked by a mob of eight at a café. The attackers accused them of atheism and homosexuality. (The group had met for breakfast after having been at a gym, and so were dressed in shorts and t-shirts, which attire seems to have sparked the accusation of homosexuality.) One of the attackers is reported as having said, “You homosexual atheists are destroying our country – we will not stand back and watch you do it.” He asked Ghafoor to recite the Shahada. Members of the group then attacked Ghafoor and threatened him with further violence or death if they saw him again.

minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753

One of the Facebook Pages hijacked on 8 June 2014 was named ‘**Colourless**’. It had been run by liberal activists, and had 4,865 members, with the aim of bringing a “divided nation to a common ground as a platform to advocate peace, love and harmonic co-existence.” Having stolen passwords, the new administrators changed the group’s banner to the black Shahadha flag, and the whole page was later deleted. One of the administrators, **Jennifer Latheef**, said that she and the other administrators had received death threats along with warnings from Facebook users over the preceding months to remove comments they found offensive. The group decided to allow free speech but asked members not to attack or insult the religious beliefs of others. Another Facebook group called ‘Shariah4Maldives’ then posted pictures of the administrators.

Having covered the kidnappings, a Minivan News journalist **Ahmed Rilwan** who had himself been linked to the Maldivian Atheists Page, then disappeared in August 2014. Reports suggest that he was abducted at knife point from outside his apartment building. Minivan News, an independent online publication, subsequently received a death threat in the form of a machete through their premises door and an SMS text reading: “You will be killed next”. Minivan News and Raajje TV were then issued with arson threats and evacuated by police. A report commissioned by the Maldivian Democracy Network NGO, linked radicalised gangs to the disappearance. The Maldives Police Service subsequently announced the arrest of three suspects in connection with Rilwan's disappearance, but also criticised marches protesting their slow handling of the case. Journalists for a number of news publications that covered the story have received anonymous threats warning of further violence if they don't drop their coverage. Meanwhile, Rilwan's family, friends and colleagues have continued to raise concerns about the speed and current conclusions of police investigations. independent.co.uk/voices/comment/voices-in-danger-in-the-maldives-its-not-just-knives-that-journalists-are-being-threatened-with-9791754.html ifj.org/uploads/media/South Asia Press Freedom Report 2013.pdf

There were rumours that Rilwan was connected to the Maldivian Atheist Facebook Page, thought prominent fellow blogger Hilath Rasheed (see also Rasheed's own case below) said in September 2014 that he knew the admins at least by nickname, and that Rilwan was not one of them. The accusation was a “cheap trick”, he said, to turn the public against Rilwan so they would move on and forget that the authorities had failed to bring anyone to justice in connection with his disappearance. vnews.mv/25749

Officials confirmed in March 2013 that they were investigating “anti-Islamic” social media activity. Though the “investigation” had a broader purview, the Facebook Page “**Dhivehi Atheists/Maldivian Atheists**” appears to have been at the forefront. The Page had been accused of “insulting God” and posting “offensive” cartoons, by the religious conservative Adhaalath party. Liked by 300 users, the majority of the posts were in local Dhivehi language, and the page encouraged Maldivians to leave Islam and “choose the path of science and reason”. Several posts made by visitors accused various people of being behind the Page and threatened to kill them. Many visitors have stated that the administrator had been identified as a woman. sun.mv/39714 minivannewsarchive.com/politics/police-investigating-anti-islamic-activity-on-social-media-80245

A closed (i.e. private) group called “Against Dhivehi Atheists / Maldivia” facebook.com/groups/standagaistdhivehiathiist/ says of itself: “The main purpose of this group is to report to facebook about the page [Dhivehi-Atheists-Maldivian-Atheists] Please add as much friends as you can, and spread the message”. This tactic may have worked, since as of December 2015 the original page facebook.com/pages/Dhivehi-Atheists-Maldivian-Atheists/ is not accessible.

On June 2 2012, **Ismail Khilath ‘Hilath’ Rasheed** was attacked with a knife outside his house, narrowly escaping a fatal injury. Rasheed, an openly gay blogger and journalist who advocates for freedom of religion and a fierce critic of Islamic fundamentalism, had previously been threatened online in an article published on Muraasil.com. Rasheed was also the main victim in an attack by Islamist extremists on a silent protest in 2011. Rasheed has since left the Maldives. minivannewsarchive.com/news-in-brief/democracy-suffers-in-maldives-in-the-face-of-rising-fundamentalism-asia-sentinel-39978 minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753 minivannewsarchive.com/society/maldivian-journalist-threatened-with-beheading-4438

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 Mohammed 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."

examiner.com/article/atheist-asylum-seeker-commits-suicide-maldives

Nepal

Nepal is a parliamentary monarchy with the King as the head of state and a Prime Minister as the head of the government. Prior to the movement for democracy in early 2006, the country was officially a Hindu state, and the new constitution as of 2015 retains “secularism”, but places restrictions on freedom of religion or belief.

Rating: Systemic Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general			
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
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The 2007 interim constitution of Nepal, since the country became a parliamentary monarchy, held between the Comprehensive Peace Agreement signed in 2006 and the new constitution of 2015. The interim constitution established Nepal as a secular state, but there was significant social and political debate about what that should mean or whether Nepal should revert to a “Hindu state”. In October 2014, the Prime Minister, Sushil Koirala’s, made a commitment that the new constitution would guarantee freedom of religion or belief.

The new constitution finally came into force in September 2015, establishing that Nepal will remain a secular state, despite significant pressure from Hindu nationalists to revert to a Hindu state. However the 2015 constitution also increases restrictions on “evangelistic” religious conversion. There were mixed messages about whether religious minorities, in particular Christians, were happy with the move, on the one hand welcoming the retention of secularism in order to ensure state neutrality, but on the other hand objecting that the ban on encouraging “religious conversion” was a restriction on specifically religious freedoms.

<<http://www.reuters.com/article/us-nepal-protests-secularism-idUSKCN0QA1N620150805#CfidquOOR9ZvLFGP.97>>

<christianitytoday.com/gleanings/2015/november/why-church-attendance-plunged-nepal-secular-constitution.html>

<irishcatholic.ie/article/christians-welcome-nepal%E2%80%99s-secular-constitution>

Education and children's rights

Religious groups can establish and run their own schools. Apart from religious schools, the state does not make compulsory religious registration for religious organizations. The Department of Education prepares the curricula for registered religious schools. Some religious organizations have complained however, that registration is in practice required since it is necessary in order to gain land ownership.

Family, community and society

Just over 80% of the Nepalese population is identified as Hindu; the rest made up of Buddhists, Muslims, Kirant, Christians and non-religious. Those without any religious affiliation constitute just under 1% of the population.

Caste-based discrimination is criminalised in Nepal.

The killing of cows is banned throughout Nepal for all people, regardless of their beliefs. Those caught killing cows can be punished with 12-year prison sentence. In July 2013, six people were sentenced to six years imprisonment for eating cow meat.

state.gov/documents/organization/222549.pdf

Freedom of expression, advocacy of humanist values

Freedom of the press, opinion, and expression are guaranteed and direct censorship is explicitly outlawed. Nevertheless, in practice freedom of the press has not been consistently protected.

Pakistan

Pakistan is approximately 97% Muslim and the remaining 3% are Christian, Hindu, Buddhists or others. The country has suffered chronic sectarian violence against religious and non-religious minorities, with Shia Muslims having been subjected to majority of the violence. The legal environment in Pakistan is notably repressive; it has brutal blasphemy laws, systemic and legislative religious discrimination and often allows vigilante violence on religious grounds to occur with impunity. The right to freedom of expression, including media freedom, is also frequently violated. 2013 saw a first in Pakistan’s history: A democratically elected government completing its full term and replaced by another through constitutionally mandated procedures.

Pakistan is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The non-religious are barred from holding government office		There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed 'Blasphemy' or criticism of religion is outlawed and punishable by death
State legislation is partly derived from religious law or by religious authorities The non-religious are barred from some government offices (including posts reserved for particular religions or sects)	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic religious privilege results in significant social discrimination Prohibitive interreligious social control (including interreligious marriage bans) Religious control over family law or legislation on moral matters 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 There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
			Some concerns about political or media freedoms, not specific to the non-religious

Constitution and government

The constitution establishes Islam as the state religion. Despite the constitution's promise of adequate provisions for minorities to practice their religious beliefs freely, many of Pakistan's laws and policies restrict freedom of religion or belief. The Muslim majority is afforded more protections than the non-religious or minority religious groups. The relatively common sectarian and religiously motivated violence against minorities and individuals in Pakistan often goes unpunished.

Islam and a confused legal system

Pakistan's penal code encompasses 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. For certain criminal convictions under the Hudood Ordinances, including those for rape, extramarital sex, alcohol, and gambling, the Sharia bench of the Supreme Court and the FSC serve as appellate courts. The FSC has the power to review, of its own accord, cases in lower courts that relate to Hudood laws and apply to Muslims and non-Muslims.

Anti-secular government

Government funding is available for Islamic clergy and the building and maintenance of mosques. This funding comes from a 2.5% tithe the state levies on all Sunni Muslims. The funds are re-distributed amongst Sunni mosques, madrasahs, and charities. No other religious or non-religious groups are tithed.

It is a constitutional requirement that the president and prime minister be Muslim. All senior officials, including members of parliament, must swear an oath to protect the country's Islamic identity.

For lawmakers and others to critically discuss the Islamist nature of the law, such as suggesting reform of blasphemy laws (see below) or any broader secular reforms, exposes the critic to potential assassination.

aeon.co/essays/pakistan-s-political-islamists-tried-to-kill-me>

Education and children's rights

In state-run schools Islamic studies are compulsory for all Muslim students. Whilst non-Muslims are not required by law to take Islamic studies, and are offered ethical studies as an alternative in some schools, in practice no alternative to Islamic studies is usually available and by consequence many non-Muslims are required to take Islamic studies.

Both the National Commission for Justice and Peace and the United States Commission on International Religious Freedom have reported the existence of textbooks, educational content and teaching that sought to devalue religious minorities in "an alarming number of schools". In August 2013, the Khyber Pakhtunkhwa education minister said they would return Quranic passages about jihad to the curriculum.

uscirf.gov/sites/default/files/Pakistan%202014.pdf>

Family, community and society

No such thing as “No Religion” in personal identity or family life

The government designates religious affiliation on identity documents such as passports and in national identity card applications. Applicants must state their religion when applying for a passport. “No Religion” is not accepted as an answer.

Neither civil nor common law marriage are recognised in Pakistan, and religion predominates over family life and law in a variety of extremely prejudicial ways, including:

- Marriages are registered according to one’s religious identity (although there is no legal recognition of the non-religious, and no mechanism for the government to register marriages of e.g. Hindus and Sikhs).
- The marriages of non-Muslim men remain legal upon conversion to Islam. However, if a non-Muslim woman converts to Islam and her marriage was performed according to her previous religious beliefs, the marriage is considered dissolved.
- Children born to non-Muslim women who convert to Islam after marriage are considered illegitimate.
- The children of a Muslim man and a Muslim woman who both convert from Islam are considered illegitimate, and the government has the power to take custody of them.

Freedom of expression, advocacy of humanist values

Establishing “blasphemy” laws

Chapter XV of Pakistan’s Penal Code contains a number of sections that institute blasphemy and 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 defaming of the Quran; Article 295-C bans the use of insulting remarks about the Prophet; Article 298 prohibits people from saying anything that had 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.

The blasphemy laws are further bolstered by the Anti-Terrorism Act, which states that any action, including speech, intended to incite religious hatred is punishable by up to seven years’ imprisonment. Whilst applicable nationwide, the country’s blasphemy laws are used predominantly in the Punjab province.

Blasphemy laws carry the death penalty or life in prison, and tend to target non-believers, religious minorities and dissenting Muslims. Though there has been an effective moratorium on carrying out the death sentence in recent years, dozens of people at least remain on death row, and furthermore those accused of blasphemy are often murdered before or after any trial takes place (see below).

Notably, for a charge of blasphemy to be made in Pakistan an allegation is all that is required – and it may be highly subjective, since the laws do not provide clear guidance on what constitutes a violation. Proof of intent or evidence against the alleged is not necessary and there are no penalties for making false allegations.

Renewed threat of death for “blasphemy”

In September 2013, the Council of Islamic Ideology recommended against amending the blasphemy laws to add procedural safeguards, noting situations of misuse or fraud could be penalized through

other sections of the Penal Code. In December, the Federal Shariat Court (FSC) stated that the death penalty is the sole appropriate punishment for blasphemy and recommended the removal of life imprisonment as an option when sentencing.

The government was looking to review this recommendation, but have taken no action as of November 2014.

The real victims of “blasphemy”: those who are accused

Mostly, blasphemy cases are either brought by those wishing to undermine minority groups or by those wishing to eliminate individuals against whom they have a feud or grudge. The mere accusation of blasphemy against someone can result in the accused’s life being endangered.

For example, in November 2014 a married Christian couple, Sajjad Maseeh, 27, and Shama Bibi, 24, who was pregnant, were attacked by a mob of around 1,200 people after rumors that they had burned verses from the Quran. After their legs were broken to prevent them running, they were set alight and thrown in a kiln. As is often the case, the origin of the rumours have subsequently been linked to an interpersonal conflict, in this case, "revenge for unpaid bills".

christianitytoday.com/gleanings/2014/november/into-fiery-furnace-christians-pakistan-burned-blasphemy.html

Mullahs will often come to court to intimidate the judiciary, and obtaining a lawyer to ensure a fair trial is often impossible.

Those accused of blasphemy, and who have been acquitted by the courts, most often either flee Pakistan or are assassinated on their release from jail. Clerics and radicals have been found to have brought forward cases of blasphemy after fabricating evidence and facts.

Blasphemy laws are also used specifically against the minority Ahmadi community. Pakistan’s Penal Code 298 contains anti-Ahmadiyya blasphemy legislation. Whilst Ahmadis have the Quran as their holy book, they can be punished with up to three years in prison by just referring to their faith as Islam. At the end of 2013, a 72-year-old doctor and member of the Ahmadiyya community, Masood Ahmad, was imprisoned for ‘posing as a Muslim’ and heresy after being secretly filmed reading from the Koran at his surgery. In May 2014, A Pakistani mob killed an Ahmadi woman member two of her granddaughters after an Ahmadi was accused of posting blasphemous material on Facebook.

According to the National Commission for Justice and Peace, the authorities prosecuted a total of 1,170 blasphemy cases between 1987 and 2012, with scores of new cases being brought every year. In 2013, dozens of people were charged with blasphemy. At least 16 people remained on death row for blasphemy, while another 20 were serving life sentences at the end of 2013

A few recent examples:

- Muhammad Asghar, a British businessman who returned to live in Pakistan in 2010 was arrested for blasphemy and sentenced to death after he wrote letters claiming he was a prophet. Asghar has a history of mental illness, including a diagnosis of paranoid schizophrenia. In September 2014, he was shot in the back by a prison guard. There are fears for his personal safety in prison.
- Sajjad Masih, a member of the "Seventh Day Adventist" Christian community, was sentenced to life in prison on blasphemy charges after sending an SMS to a religious extremist group in 2011, which was said to have contained blasphemous content. It was reported in some places that the charges came about as a result of a grudge held by an acquaintance of his.
- In March 2014, a Christian man from Lahore, Sawan Masih, was convicted of making derogatory remarks against the Prophet Muhammad in a row with a Muslim friend. After the allegations

surfaced, hundreds of Muslims attacked the Lahore's Christian Joseph colony, torching homes,. His trial was held in jail due to fears for his safety. Masih was sentenced to death. He argues that the real reason for the blasphemy allegation was a property dispute between him and his friend.

“Blasphemy” online

From 2010 onward, the government has been aggressive in its blocking of online “blasphemous” content. For example, perceived blasphemous content on Youtube is blocked by the Pakistani government, and the social-networking site Twitter has also been subject to blocking, as well as complicit in the censoring of material on its platform. In May 2012, Twitter was blocked briefly, and again in September that year. In May 2014, the Pakistan Telecommunication Authority requested the removal of some material, much of which mocked Islam and other religions, claiming that it was “blasphemous,” “unethical” and violated Pakistan’s Penal Code. Twitter used its Country Withheld Content tool, which blocks content in a particular nation, to comply and block several dozen Twitter accounts. After international protest, including by the IHEU, in June Twitter restored access to tweets and the accounts it had blocked.

iheu.org/twittertheocracy-campaign-after-social-network-blocks-blasphemy-in-pakistan/

“Blasphemy”: Hope for change?

In a rare call for reform by senior authorities, in November 2014 the Lahore High Court released comments on the Asia Bibi case, saying that in their judgement on the case (16th October) they had had no choice but to uphold the earlier death sentence, but called on the government to change the law to implement higher standards of evidence in such cases.

https://www.worldwatchmonitor.org/2014/11/article_3483230.html/

In addition a spate of high-profile blasphemy prosecutions (including Asia Bibi and Muhammad Asghar) as well as extrajudicial killings (including Sajjad Maseeh and Shama Bibi) in the second half of 2014, may have spurred some clerics and political leaders to relatively outspoken criticism of the “misuse” of such laws.

samaa.tv/pakistan/22-Nov-2014/asma-hopes-fall-in-blasphemy-laws-abuse

In 2015 some “blasphemy” accused were granted pre-trial bail, and there was political discussion of reviewing the sentences of some long-standing “blasphemy” cases, with individuals in prison facing years-long waits for hearings. The Supreme Court told the killer of Salman Tasser, Mumtaz Qadri, that it was not a legitimate defence of murder that he was enforcing Islamic norm against “blasphemy” by carrying out the assassination, and that criticising “blasphemy” laws could not itself be construed as “blasphemy”.

Apostasy

Pakistan has no specific statutory law that criminalizes apostasy. A 2007 proposed parliamentary bill, which sought to punish male apostates with the death penalty and female apostates with life imprisonment, failed to pass. Nevertheless, some have suggested that the principle that “a lacuna in the statute law was to be filled with reference to Islamic law” could potentially apply to the crime of apostasy.

loc.gov/law/help/apostasy/index.php#pakistan

Wider issues on thought and expression and other human rights

Despite all the restrictions on free expression, Pakistan’s media is diverse and varied in nature. This notwithstanding, blasphemy laws and other laws are used by the state to justify censorship. Pakistan is also one of the world’s most dangerous places for journalists. They are targeted by non-state actors such as terrorists and criminals, as well as by political, military, and intelligence operatives.

According to International Federation of Journalists, 10 journalists were killed during in 2013. 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.

Highlighted cases

Fauzia Ilyas is the founder of the Atheist & Agnostic Alliance Pakistan (AAAP), which claims over 3,000 supporters. With strict “blasphemy” and apostasy laws, the very existence of the AAAP appears to have been taken as *prima facie* evidence of a crime. Custody of Fauzia’s daughter was granted to her ex-husband, a devout Muslim, apparently on the basis of Fauzia having left Islam. In 2015 a Lahore court initiated criminal proceedings against Fauzia and issued an arrest warrant. Fauzia has fled to Netherlands where she is currently seeking asylum, along with her colleague and current husband, **A. Gilani**, a spokesperson for AAAP.

In 2013, **Junaid Hafeez**, a visiting lecturer of English in Bahauddin Zakaria University (in Multan, the Punjab province), was arrested and jailed on blasphemy charges after a student affiliated with Islami Jamiat Talaba, accused Hafeez of insulting the Prophet Muhammad on Facebook. There was no evidence for this allegation. Hafeez remains in jail.

Rashid Rehman, a lawyer who agreed to defend Junaid Hafeez, has since been murdered. Rehman was special coordinator for the Human Rights Commission of Pakistan in Multan. The Hafeez trial had been conducted in jail because of the threat to his life, and Rehman himself received death threats for representing Hafeez and he reported them to the Multan Bar Association, however no measures were taken to provide him with security. His colleagues at the human rights commission also urged the government to provide him with security. In May 2014, two men walked into Rehman’s offices and shot him dead. They have not been caught and activists complain of the government seeking to bury the case.

Sri Lanka

The Democratic Socialist Republic of Sri Lanka is a country of just over 20 million people occupying an island in the northern Indian Ocean. Formerly part of the British Empire, “Ceylon” attained independence in 1948, and became a republic in 1972. There are many ethnic groups on the island and Sri Lanka’s post independence history has been marked by ethnic violence.

Rating: Severe Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto ‘blasphemy’ law is in effect</p>
<p>There is a nominal state church with few privileges or progress is being made toward disestablishment</p> <p>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>	<p>Religious courts or tribunals rule directly on some family or ‘moral’ matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

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.

<http://www.priu.gov.lk/Cons/1978Constitution/Introduction.htm>

Education and children’s rights

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.

Family, community and society

Belief Demographics

Just over 70% of the population are followers of Theravada Buddhism. There are significant minorities of Hindus (12.6%), Muslims (9.7%) and Christians (7.4%). There are no records on the numbers of non religious people and only 0.1% of the population are recorded as “other” in the last census. <statistics.gov.lk/PopHouSat/CPH2011/index.php?fileName=pop43&gp=Activities&tpl=3>

According to a recent Gallup poll, Sri Lanka was the 3rd most religious country in the world with 99% stating that religion plays an important part in their lives. <gallup.com/poll/114211/Alabamians-Iranians-Common.aspx>

Ethnic and Religious Tensions

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.

Family law

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.

Freedom of expression, advocacy of humanist values

Although freedom of expression is guaranteed in the constitution, a number of laws and regulations restrict this right. These including the Official Secrets Act, the Prevention of Terrorism Act (PTA), additional anti terrorism 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, encountered considerable levels of intimidation, which has led over the past several years to increased self-censorship. Past attacks on journalists and media outlets, such as the murder of Lasantha Wickrematunga in 2009 and the disappearance of Prageeth Ekmaligoda 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.

Highlighted cases

In April 2014 a British woman was deported from Sri Lanka after police spotted a tattoo of Buddha on her arm. **Naomi Coleman** was held in Immigration Detention centre before being deported.

bbc.co.uk/news/world-asia-27107857

Asia

Western Asia

Armenia

The Republic of Armenia is a democratic sovereign state in western Asia with a population of approximately 3 million people. The Armenian Apostolic Church is widely recognised as the world’s oldest church, and is the country’s primary religious establishment with 93% of the population as adherents.

Rating: Systemic Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege 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 or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted

Constitution and government

The constitution provides for freedom of religion, and the right to practise, choose, and change religious belief; 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.”

Article 8.1 of the constitution explicitly outlines the secular nature of the state and affirming religious freedom, which writes “The church shall be separate from the state” and that “freedom of activities for all religious organizations in accordance with the law shall be guaranteed”. Within the same article, the constitution gives official prominence to the Armenian Apostolic Church and credits it with improving “spiritual life, development of the national culture and preservation of the national identity of the people of Armenia”.

The law prohibits but does not define “soul hunting,” a term describing forced conversion but also proselytisation in general. The prohibition applies to all religious groups, including the Armenian Apostolic Church.

Religious privileges

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.

Education and children’s rights

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 2012 there were media reports that 20 teachers had been allegedly fired from public schools for holding minority religious views. The Education Ministry claimed that the teachers had been proselytizing in schools. In December 2013, a court upheld the Ministry's refusal, on privacy grounds, to respond to an information request filed by a nongovernmental organization regarding these teachers.

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.

Freedom of expression, advocacy of humanist values

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.

Conscientious objection

For the first time since 1993 there are no Armenian Jehovah's Witnesses imprisoned for conscientious objection to military service. In 2013 changes to the alternative service law corrected long-standing problems which meant that most religious and social groups now accept the terms of alternative service.

hrw.org/world-report/2015

Minority Rights

LGBT people face discrimination, harassment, and physical violence. Gender identity and sexual orientation are not included in anti-discrimination or hate speech laws, which limits legal recourse for many crimes against LGBT people. Hate speech against LGBT people, including by public officials, remains a serious issue.

hrw.org/world-report/2015

Azerbaijan

The Republic of Azerbaijan is a contiguous transcontinental presidential republic in the Caucasus region, situated at the crossroads of Eastern Europe and Western Asia. Azerbaijan is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		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 or human rights is severely restricted
			Concerns that secular or religious authorities interfere in specifically religious freedoms
[No condition holds in this strand]	Insufficient information or detail not included in this report		

Constitution and government

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 a self-assigned and misleading label. Azerbaijan in fact contravenes core humanist values; it restricts democracy, infringes on freedoms and violates human rights. In practice the authoritarian regime of Heydar Aliyev restricts freedom of religion or belief, and severely violates freedom of expression, and restricts the advocacy and promotion of any conception of humanist values, however broadly construed.

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. 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.)

Education and children’s rights

There is no religious curriculum at elementary and high schools.

Freedom of expression, advocacy of humanist values

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.

Freedom of Assembly

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

Bahrain has a population of 1.3 million, of which only half are citizens. Citizens belong mostly to Islam (99%), the remaining 1% are Christians, Hindus, Baha'is and Jews. There are no statistics regarding Shia and Sunni representation, however, it can be assumed that Shiites represent a majority. The other half of the population constitutes a majority of migrant workers from South Asia and the Philippines (Muslims, Hindus, Buddhists, Christians, Baha'is and Sikhs). Bahrain has experienced prolonged unrests since 2011, when predominantly Shiite protestors demanded political reform and the end of Sunni minority hegemony.

Rating: Grave Violations ↓

This country is found to be declining as a long-term political crisis drags on and the government hardens into an authoritarian regime.

Constitution and government	Education and children's rights	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
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 repressed
'Apostasy' is outlawed and punishable with a prison sentence	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	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 systematic religious privilege There is an established church or state religion		Discriminatory prominence is given to religious bodies, traditions or leaders	

Constitution and government

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 the principles of Islamic law are a main source for legislation.

Every Muslim religious group must obtain a licence from the government and non-Muslim groups must register. There are currently 19 non-Muslim religious groups registered. The government monitors and censors religious sermons and activities, in order to prevent political activities. However, since the Bahraini political conflict closely links religious and political affiliation, it is difficult to determine many incidents as being solely based on religion.

The national ID cards and birth certificates do not designate the religious affiliation.

Bahraini authorities can strip a citizen of nationality. Further, the government have arrested and suspended several Shia clerics for opposing the government or for not renouncing violence.

The civil and criminal legal systems consist of a complex mix of courts based on diverse legal sources, including both Shiite (Jaafari) and Sunni (Maliki) 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.

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.

Education and children's rights

Islamic studies are a part of the curriculum in government schools and mandatory for all public school students. Non-Muslim students are allowed to opt out. The public school curriculum includes only Sunni (Maliki) religious education and no Shia (Jaafari) traditions.

Family, community and society

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. Personal status matters for non-Muslims are governed by civil courts.

The constitution provides equal rights to women and men (Articles 1 and 5) and bans discrimination of gender, but only as long as it does not conflict with Islamic law, and in practice family law does discriminate against women. Since 2007, a minimum age of marriage has been defined for boys at the age of 18 and for girls at the age of 15. After a divorce fathers are favored in matters of child custody. A husband is legally recognized as the guardian of his wife and has authority to decide about marriage of their children. Women inherit less than male heirs. Muslim men are allowed to marry Jewish or Christian women, but Muslim women can only marry Muslim men. Shiite men can sign a temporary *Muta'a* marriage with non-Muslim women, women do not have this option. Widows of *Muta'a* marriages can not inherit from their deceased husbands. Women are not able to obtain a divorce unless a clause allowing her has been included in the marriages contract, men can initiate a divorce. For women the only option to obtain a divorce is the Islamic principle of "*khula*" divorce, if she forfeits all future financial support from her ex-husband and her dowry.

The penal code contains no laws against domestic violence and it is seldom reported to the police. The testimony of female witnesses counts the half of a male witness. In case of rape, the rapist can avoid punishment by marrying his victim. Spousal rape is not criminalized. Sexual harassment is outlawed in the penal code, although it is framed in terms of protecting "honour" rather than women's rights. Victims of sexual harassment lack societal support and many women do not report it, fearing shame and negative impact on their careers. Adultery is illegal for both sexes.

Women are legally free to travel abroad, however, some women still feel pressured to ask for the permission of the male head of the household.

genderindex.org/country/bahrain

Homosexuality is a criminal offence.

Shia community members stated that they face discrimination in a variety of sectors. They are believed to have a higher unemployment rate and Sunni Muslims seem to be favored in high positions. The government's naturalization and citizenship processes discriminates against Shiites.

Freedom of expression, advocacy of humanist values

“Apostasy”

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. The constitution imposes no explicit restrictions on non-Muslims’ right to choose, change, or practice their religion or belief, including the study, discussion, and promulgation of those beliefs. However, societal pressure reinforces the Islamic principle, which forbids the conversion from Islam.

“Blasphemy”

Articles 309 and 310 of the penal code punish any person in Bahrain, who insults one of the recognized religious communities or ridicules their rituals with up to one year prison term or a fine not exceeding BD 100.

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 of minority groups, under condition that they do not criticize Islam.

Broader government oppression

Over the past several years the Bahraini authorities have arrested hundreds of Shiite activists and pro-democracy demonstrators. Many have been 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 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. 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-run TV station broadcasts Sunni Friday sermons, but no Shia sermons. 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.

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.

reuters.com/article/2012/08/12/us-bahrain-insult-idUSBRE87BOC020120812

In October 2014 some reports stated that the government had started a campaign of arrests against **activists using Twitter** and accused them of defamation or insulting figures of Islam.

In March 2015 the Lebanese feminist poet and journalist **Joumana Haddad** was banned from taking part in a cultural event in Bahrain, due to accusations that she would promote atheism and target Islamic values.

Cyprus

The Republic of Cyprus is a sovereign island state in southeastern Europe. Situated in the Mediterranean Sea, it is located close to Turkey (north), Syria and Lebanon (east), Israel (south east), Egypt (south) and Greece (west).

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

Although the constitution doesn't specifically make reference to secularism, it guarantees freedom of thought, religion and expression. While these are generally upheld, there are indications of some special privileges afforded to religious groups, de facto blasphemy laws present within the criminal code and some reports of societal discrimination based on religious belief. Article 18 of the constitution explicitly states that "every person has the right to freedom of thought, conscience and religion".

Privileged groups

In spite of this, article 110 affords the autocephalous Greek Orthodox Church of Cyprus along with the Vakf, an Islamic institution, exclusive rights in which neither the legislature, executive or administrative functions of the government are permitted to interfere with their activities. No other religious groups are afforded an equivalent level of societal privilege. These institutions, alongside the three other religious denominations recognised within the constitution (Maronite Catholics, Armenian Orthodox, Roman Catholics) are exempt from tax (except when engaging in strictly commercial activities). All receive significant subsidies and financial assistance from the state. This financial assistance is not for the purpose of propagating these religions per se, but generally allocated for construction work, repairs and upkeep of churches, monasteries, mosques, cemeteries etc.

religiousfreedom.com/index.php?option=com_content&view=article&id=200&Itemid=29

books.google.co.uk/books/about/Religion_and_Law_in_Cyprus.html?id=lConiWXuPMgC&redir_esc=y

There are some reports of social tensions between those of the Orthodox and Islamic faith resulting in vandalism and desecration of some mosques, however the government has always been quick to secure and fund timely restoration.

Other religious groups are able to register as non-profit organizations and are granted tax exempt status, but are not eligible for the allocation of any governmental financial support.

Education and children's rights

Greek Orthodox religious instruction is provided as standard within the education system, but provisions for opting out are available. According to Freedom House, there are some reports of school text books containing negative or prejudiced language when referring to Turkey or Turkish Cypriots.

freedomhouse.org/report/freedom-world/2014/cyprus-0#.VGS24vmsVuI

Family, community and society

Twenty-four months of military service is compulsory for adult males in the Greek Cypriot community that are over 18 years of age. Members of the Turkish Cypriot community are not conscripted. There have been problems with abiding by international guidelines regarding the right to conscientious objection; objectors are exempt from active military duty but are obliged to perform reservist duties and those who refuse to do so are often charged with insubordination. The Jehovah's Witnesses allege that this policy is discriminatory because their faith does not permit them to take up arms or perform reservist exercises.

wri-irg.org/node/13264

amnesty.org.uk/press-releases/cyprus-conscientious-objector-status-must-be-amended

Freedom of expression, advocacy of humanist values

The state provides unrestricted access to the internet, and there is a strong level of political and press freedom. Non-governmental organizations, human rights organizations and trade unions operate without impediment or governmental interference.

freedomhouse.org/report/freedom-world/2014/cyprus-0#.VGS JvmsVuI

De facto "blasphemy" law

Although article 19 of the constitution states that "every person has the right to freedom of speech and expression in any form", sections 141-142 of the Cypriot Criminal Code seem to contradict this: by enacting a de facto blasphemy law criminalising "wounding the religious feelings of any person" including by "gestures", punishable with up to a year in prison. Furthermore:

"...Any person who publishes a book or pamphlet or any article or letter in a newspaper or periodical which any class of persons consider as a public insult to their religion, with intent to vilify such religion or to shock or insult believers in such religion is guilty of a misdemeanor."

Georgia

A former Soviet republic which declared its independence in 1991, Georgia is today a representative democratic semi-presidential republic, lying at the intersection of Europe and Asia.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	
	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		
			<p>Insufficient information or detail not included in this report</p>

Constitution and government

The constitution and other laws and policies protect freedom of 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.

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.

Education and children's rights

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

Iraq is surrounded by Saudi-Arabia, Jordan, Syria, Turkey, Iran and Kuwait, and has been at the centre and conflux of events not just in the region but worldwide for decades. Iraq is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations ↓

This country is found to be declining. A devastating series of progressive incursions by terror group ISIS has caused major human rights violations and loss of territorial integrity in the past few years. Targeting religious minorities, as well as Muslims and alleged ‘apostates’ or ‘blasphemers’, ISIS has degraded security across large parts of the country.

Constitution and government	Education and children’s rights	Family, community, society, religious, courts and tribunals	Expression, advocacy of humanist values
<p>Complete tyranny precludes all freedoms of thought and expression, religion or belief</p> <p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p>	<p>Religious indoctrination is utterly pervasive in schools</p> <p>Religious instruction in some schools is of a coercive fundamentalist or extremist variety</p>	<p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</p> <p>‘Blasphemy’ or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>‘Apostasy’ is outlawed and punishable with a prison sentence</p> <p>‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

Constitution and government

The constitution establishes God’s “right” over the people and government, and Article 2 emphasizes Islam as a “foundation source of legislation”.

The constitution and other laws and policies protect freedom of 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.

Religious persecutions

Followers of the Baha'i faith has been persecuted since many years. Since 1970, Baha'is have been denied citizenship or other travel documents, such that it has not been possible for them to leave the country.

The almost complete emigration of the Jewish minority has brought to an end 2600 years of Jewish history in Iraq. Since 2003 only 10 Jews live in Baghdad and few families in Kurdistan.

Under the Saddam Hussein regime some religious minorities were favoured in different ways. Christians and Yazidis were allowed to trade in alcohol, also the Sunni minority faced a flavoured treatment under Saddam Hussein, such that all these minorities became a target in the violent or strict developing Islamic society. Many of them have fled as exiles to Western Europe or United States, because they don't see a future for themselves in Iraq anymore. <dw.de/iraqs-religious-minorities-flee-north/a-16707733>

ISIS

In June 2014, Sunni Jihadists declared the "Islamic State of Iraq and Syria" (ISIS). The forerunner group arose in 1999 and was the predecessor of Al-Qaeda in Iraq and participated in military fights against US-led forces. The militants have carved out significant territory in Iraq, and in 2015 have drawn increasing numbers of followers internationally, however they are known for violent executions, sexual slavery, and the persecution of religious minorities, as well as "apostates" and "blasphemers", those they accuse of homosexuality, and anyone who offers any opposition to their hegemony.

Education and children's rights

The government requires Islamic religious instruction in public schools, but it doesn't demand the participation from non-Muslim students. However there are continued reports of educational discrimination from religious minorities (Christians, Yazidi).

The Ministry of Education includes an office for Kurdish and other language education. In Mosul, ISIS-occupied second-largest city in Iraq, ISIS terrorists discarded arts, music, history and courses about Christianity from curriculum of public schools. Many parents decided to take children's education in their own hands and to teach their children in homeschooling. The ISIS-made changes in Mosul were announced in posters and all those who don't follow them have been warned to face punishment. <news.artnet.com/art-world/isis-cuts-art-music-and-history-education-in-iraq-103714>

Family, community and society

2015 religious conversion law

In November 2015, a new law was enacted which directly discriminates against non-Muslim religion or belief minorities by obliging children to be registered as belonging to the religion of converting parents, but only if the parent converted to Islam, and also under marital laws which are already sexually and religiously discriminatory. The National Card Law law, Article 26, paragraph 2, says "children shall follow the religion of the converted parent to Islam", which would in effect force non-

Muslim children to become Muslims if the male parent converts to Islam or if the children's non-Muslim mother marries a Muslim man. Non-Muslim step-children of a Muslim father would be forced to become Muslims. The law was protested vehemently by religious minorities in and out of parliament.

“Even if parents basically ignore the law and raise their child in their faith, upon turning 18 these young adults will have to deal with the fact that their religion is officially listed as Islam. If they attempt to change that listing, they will be accused of apostasy and be subject to persecution or worse.”

nationalreview.com/article/427176/religious-minorities-victimized-iraq-nadine-maenza

However, it was reported in December 2015 that the new law may be repealed, with some parliamentarians citing the need to restore “unity”. Kadhim al-Shammari, MP from the National Coalition, struck a positive note, saying, “We hope it culminates with the amending the article once and for all, including giving full freedom for all groups in the selection of the religion that suits them according to the principle of no compulsion in religion.”

freedomdeclared.org/news/iraqs-child-conversion-law-may-yet-be-repealed/

Everyday discrimination

Non-Muslims report systematic discrimination, which are especially related to employment opportunities. Iraqi women are often objects of sexual and social discrimination in workplaces. It took a long time for women in Iraq to obtain the rights to work, but a 2013 report made by the Central Bureau of Statistics indicated that a high number of high educated women didn't enter the labor market: al-monitor.com/pulse/originals/2013/08/iraq-women-workplace-challenges.html

Freedom of expression, advocacy of humanist values

Freedom of media is guaranteed by the Iraqi constitution but it is restricted in practice by the threat of violence. Many journalists received threats and a number of them were killed in 2013 and after proclamation of Islamic State.

Being atheist

Being openly atheist is risky and rare, making estimates of irreligiosity extremely hard to make. The now defunct Kurdish news agency, AKnews, released a poll in 2011 on Iraqi belief in God. The answers surprised many Iraqis, with 67% professing belief, 21% probably believing, 4% saying they probably didn't believe in God, and 7% who didn't.

yourmiddleeast.com/features/without-god-in-baghdad_21355

There are several highlighted cases where atheists were persecuted or even killed by extremist religious groups. There are some websites or blogs for nonbelievers but the lists of members is kept secret for fear being persecuted or even murdered by terrorist religious groups.

Highlighted cases

A 15-year old atheist **Ahmad Sherwan** was imprisoned in solitary confinement, tortured by electric shock, and threatened with murder, after a discussion in which he told his father that he no longer believed in God, after undertaking “extracurricular” reading. His father then reported him to the police who held and tortured him. He was released after 13 days.

yourmiddleeast.com/culture/interview-with-persecuted-young-atheist-in-erbil_23918

ISIS terrorists publicly executed a leading female lawyer and human rights activist in September, 2014. **Samira Salih al-Nuaimi** lived in Mosul. She criticized ISIS online in Facebook posts and shortly afterwards she was seized from her home and tried by an ad hoc Sharia court for apostasy. She was finally sentenced to public execution.

<independent.co.uk/news/world/middle-east/isis-publicly-execute-leading-lawyer-and-human-rights-activist-in-iraq-9756197.html>

Israel

Israel has a population of just over 8.2 million people. Those identifying as Jews represent an estimated 75% of the population, with 17% identifying as Muslim. Smaller religious minorities are Druze (1.6%), Christian (2%) and Baha'is Samaritans Karaites and Jehovah's Witnesses. Controversially established as a homeland for the Jewish people, many of whom were survivors of the holocaust, Israel's founding was opposed by neighbouring Arab countries which lead to the first in a series of wars. Israel's history has been marked not only by conflict with Arab states but also by ethnic and religious violence with Palestinian Arabs in the West Bank and Gaza. Religion, ethnicity, and nationality are closely linked in the Israeli-Palestinian conflict.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State legislation is partly derived from religious law or by religious authorities		<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
<p>There is systemic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted

Constitution and government

Due in part to the lack of agreement between secular and religious Israelis, the country never adopted a constitution after the establishment of the State. 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 Jews, including those identifying with secular or Humanistic Judaism, persists.

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. More prominently, family and personal status law is almost entirely subsumed by religious authority. The state officially recognizes Christian, Druze, and Baha'i religious communities. Muslims have the right to apply their own family law in legal matters, but the Muslim community is not otherwise recognised. Protest Christians do not have a separate court system, however, unrecognized communities are allowed to practice their religion. Proselytizing is allowed for all religious groups, except of the attempt to convert a minor. However, parts of society consider it as religious harassment and oppose missionary activity.

Settler groups and others attack continuously Muslim, Christian, and Jewish religious sites (so-called "price tag" attacks). The "price tag" attacks included also slashing cars and writing slogans such as "Jesus is a cow", "Mary is a monkey" and "Arabs out". The government publicly criticizes these attacks, however, the following arrests rarely lead to successful prosecutions. The desecration of religious sites is punished with seven years imprisonment. Further the calling and supporting acts of violence against religious groups is criminalized. Numerous reports stated that Haredi men were spitting at non-Haredi Jews and persons of different faith. There are reports of anti-Semitic acts by members of minority religious groups as well. Vandals have used swastikas in graffiti. Terrorist statements against the country often contain anti-Semitic rhetoric.

National ID cards used to identify the religious affiliation until 2007. The new cards note only name and birthday. However birth certificates do not list both parents name if one of them is not Jewish.

Education and children's rights

The majority of Israelis attended the largely secular "State-Schools" (sometimes called Secular Jewish Schools). There are a significant number of government funded "State-Religious" schools, of which most are Jewish. In both types of State schools have a 75% mandated curriculum. Public secular schools teach Jewish heritage and culture rather than religion. Minors have the right to choose a secular education even if their parents do not agree. Public Arabic-speaking schools teach religion classes on both Quran and Bible. There are a few mixed Jewish-Arab schools as well.

In 2012 there were reports that government spending was higher per pupil favoured State-Religious compared to secular state funded schools. The disparity was even higher when compared to the funding obtained by religious minority schools (such as Druze, Muslim and Haredi) and has been seen as part of the wider disadvantages experienced by Israeli Arabs.

<http://haaretz.com/business/.premium-1.536724>

A study in 2011 found that 65% of State-Religious elementary schools in Israel practice gender segregation.

<http://haaretz.com/print-edition/news/number-of-gender-segregated-religious-schools-in-israel-tripled-during-past-decade-1.399527>

Family, community and society

According to a 2014 poll by the Rafi Smith Institute, over 50% of Israeli Jews regard themselves as “Hiloni” or secular; they may participate in Jewish customs and holy days but are not explicitly religious.

A left over from the Ottoman legal system, each officially recognized religious community has wide ranging legal authority over its members in matters of marriage, divorce, inheritance and child custody under their own Family law. The state recognizes Jewish, Muslim, Druze, Baha’i and Christian family laws. Some others, as for instance Anglican faith, are not recognized in Israel. Further, the freedom of many individuals who may not otherwise subject themselves to the authority of religious communities is limited by this system.

Not the least affected are women, who are often marginalised by religious laws that limit freedom of choice in matters of divorce and marriage. Muslim family law often discriminates women in matters of marriage, divorce, and child custody. A Muslim man can marry a non-Muslim woman, but a Muslim woman can only marry a Muslim man. Muslim and Druze men can easily divorce, while the women do not have the same rights. Jewish women have to get a handwritten decree by their husbands in order for the divorce to be finalized. However, inheritance is governed by civil law and women have the same rights as men both widows and daughters. Violence against women is criminalized by the penal code, including physical and mental violence, rape and spousal rape. The law also defines sexual harassment as both a criminal offense and a cause for civil suit. The authorities operate women’s shelters, a national hotline for reporting abuses, and more. However, Orthodox Jewish, Muslim, Bedouin, and Druze communities face significant social pressure not to report domestic abuse or rape. Abortion for economic or social reasons, or on request, is illegal. There are no legal restrictions on women’s free access to public space and freedom of movement.

<http://genderindex.org/country/israel>

Except in marriage and some Jewish- and Muslim-specific regulations, citizens can choose between religious and civil courts in many matters of family law. It was only recently that Muslim women in Israel were given the same access to the limited number of civil courts as Jewish and Christian Israelis. However, societal pressures often prevent Muslim women to choose a civil court, while Jewish women generally prefer civil courts because they are considered fairer to women.

There is no civil marriage in the country and those wishing to have a non-religious ceremony must go abroad (the government does recognise foreign civil marriages). Jewish Israelis must be married by an Orthodox Rabbi who has been recognised by the Chief Rabbinate. This also means that there are no mixed marriages in the country given that Orthodox Judaism does not recognise marriages between Jews and non-Jews. 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, this still prevents mixed unions. Furthermore, Orthodox Judaism only recognises someone as Jewish if they have a Jewish mother. Israelis who claim their Judaism from their father are not able to marry as it would be considered a “mixed marriage”. This can especially be an issue for recent immigrants from the former Soviet union as many obtained their Israeli citizenship due to their Jewish heritage on their father’s side.

<http://haaretz.com/jewish-world/shavuot/.premium-1.596576>

Divorce is a complicated matter. As a "Personal Status" issue, divorce itself is handled entirely by the religious courts. For the majority Jewish population, this means that the Rabbinical courts have exclusive responsibility over the initial divorce proceedings. Some of the more practical elements of divorce, such as child custody and alimony, can be handled by the small number of civil family courts. Generally both parents are considered as equal and the Capacity of Guardianship Law (1962), which applies to all Israeli citizens, provides parental authority to both parents. The courts however tend to favor maternal custody but some religious courts may rule differently. There have been cases of divorced couples racing to different courts, the man to the Rabbinical court the woman to the civil courts, in order to get a better settlement. In the Druze community the courts tend to give preference to the father.

jewishvirtuallibrary.org/jsource/Politics/courts.html

There is also no same-sex marriage. 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. 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). However, a single sex couple can get married abroad and since the 2006 ruling authorities have to recognize the marriage upon their return. A single sex couple can make a family life agreement in Israel and have it authorized at a family court.

family-laws.co.il/marriage-%E2%80%93-options-israel

Ultra-Orthodox Jewish groups wish to enforce a gender segregation on public streets and public transport. The High court however has repeatedly ruled that it is illegal and can not be imposed.

Freedom of expression, advocacy of humanist values

Freedom of expression, and media freedom, is guaranteed in the Basic Law and usually protected in practice. The Israeli media are vibrant and independent and freely criticize government policy and religious issues. There are some general freedom of speech issues, especially regarding National Security.

De-facto blasphemy law

There is also a de-facto blasphemy law in effect. 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."

oecd.org/investment/anti-bribery/anti-briberyconvention/43289694.pdf

Jordan

The Hashemite Kingdom of Jordan is a sovereign state with a constitutional monarchy in western Asia with a population of approximately 7.9 million. More than 97% of citizens are Sunni Muslims and there are small communities of Christians, Shiites, Baha'i and Druzes. Jordan significantly restricts freedom of religion, belief, and expression. The constitution, government policy, and practice, strongly favours Islam and punishes criticism of Islam as well as criticism of the ruling family and system of government. Jordan is a founding member of the Organization of Islamic Cooperation.

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities		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	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed It is illegal or unrecognised to identify as an atheist or as non-religious
		Systemic religious privilege results in significant social discrimination 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 State-funding of religious institutions or salaries, or discriminatory tax exemptions		Discriminatory prominence is given to religious bodies, traditions or leaders	
	Insufficient information or detail not included in this report		

Constitution and government

Islam is state religion (Article 2) and the King must be Muslim. Article 14 of the constitution 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. Discrimination on the basis of religion is prohibited, however, some religious groups that are not included in the Abrahamic religions (Judaism, Christianity and Islam), are denied official recognition. However, the government allows Baha'i and Druze members to practice their religion. The state registers Druzes as Muslims. Atheists must associate themselves with a recognized religion for purposes of official identification on national ID's and marriage and birth certificates. Employment applications for government positions occasionally contain questions about an applicant's religion. The government appoints imams and pays their salaries. It also monitors sermons at mosques.

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. There is no express statutory law against apostasy, however, Sharia courts do not allow a convert from Islam to be subject to other religious denomination courts. Further, an apostate from Islam loses the right to marry and the existing marriage can be declared void. The apostate can not inherit from a spouse and from Muslim relatives. The apostate loses the right of child custody. Blasphemy accusations can lead to apostasy accusations, and any member of society can file an apostasy complaint against another person. In one reported case from 2010, Jordanian poet Islam Samhan was accused of apostasy for the poems he wrote.

Education and children's rights

Public schools are required to teach Islamic religion as part of the basic national curriculum. However, non-Muslims are allowed to opt out. Christians are allowed to open private schools and to teach Christianity.

Students preparing for the government exams, in both public and private schools, must learn Quranic verses as part of the Arabic language curriculum. Holocaust is not mentioned in the public schools.

Family, community and society

Articles 103-106 of the constitution 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. Christian religious tribunals handle personal status matters for Christians, under the jurisdiction of Tribunals of Religious Communities, according to Article 108. The appointment of judges of the religious courts has to be approved by a royal decree. Non-Muslim members of a faith that is not recognized by the state are subject to Islamic law or must request that a civil court hear their case. There is no legal provision for civil marriage. Children of a Muslim father and minor children of male citizens who convert to Islam are automatically considered Muslims.

The Baha'i community faces legal difficulties, when the government records some Baha'i as Muslims and some others not (leave a space blank). A Baha'i man registered with no religion is not allowed to marry a Baha'i woman registered as Muslim. The child of a non-Muslim father and a Baha'i mother is denied a birth certificate. Consequently the child is unable to register for school or to receive citizenship.

Conversions to Islam or Christianity are undertaken by some members of religious groups in order to reach a legal divorce. Societal pressure represents often a thread for converts or interfaith romantic relationships.

Women face discrimination in law and practice. Despite a 2010 amendment, which widened women's access to divorce and child custody, women remain discriminated in matters of marriage, divorce, inheritance and child custody. Muslim men are allowed to marry Jewish or Christian women, Muslim women can not marry a non-Muslim man. The so-called "honour-killings" are repeatedly reported, however, the Penal Code Articles 98 and 340, which allow reduced sentences for honour crimes, remain in force. Jordanian women, who are married to foreigners, can not pass

on their nationality to their spouses or children (Article 9). Although the Ministry of Justice considers laws to protect women against sexual harassment, women are inadequately protected against domestic and sexual violence. The legal age of marriage of women is 18 years, unless a judge gives a special permission. In the Syrian refugee camps there is currently an increase of child marriage and international NGO's warn of the associated risks for young girls.

Freedom of expression, advocacy of humanist values

Freedom of expression is restricted. Some subjects are explicitly forbidden, such as criticism of Islam (Article 38) 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 and the authorities censor print, broadcast and online media.

Under the Jordanian Penal Code (Article 273 and 278), anyone blaspheming Islam, "demeaning" Islam, hurting Muslim feelings, or "insulting" Prophet Muhammad is liable for imprisonment of one to three years.

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 service 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.

In January 2014 four students from a university in Mafraq were sentenced to one month of prison for "insulting a religious symbol". According to the court their style of dress and musical taste indicated that they were devil worshippers.

In March 2015, Jordan introduced a draft at the Inter-Parliamentary Union meeting calling for a ban on insulting religion or religious symbols, in order to impose a global blasphemy law. After international protest, Jordan withdrew the resolution.

secularism.org.uk/news/2015/03/jordan-proposes-ban-on-insults-to-religions-at-next-inter-parliamentary-union-meeting>

Freedom of assembly

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. Protesters 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.

Testimonies

“I came out as an atheist in 2008 and I didn’t face any problems with my close environment, because my almost everybody around me in my family, university and work has the same views towards religion. But I am scared of telling about my atheism to anyone outside of this circle, because of the harassment that I might be exposed to. The Jordanian society does not really enjoy freedom of religion.”

— Fatin

Kuwait

Kuwait is a constitutional monarchy with an elected parliamentary system. When taken in comparison with other countries in its region, Kuwait generally ranks well in terms of civil liberties, press freedom and judicial independence. Nevertheless, the past few years have seen a notable crack-down on freedom of expression in the country. Kuwait is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations ↓

This country is found to be declining due to recent prosecutions for “blasphemy” and a general deterioration of freedom of expression post-Arab Spring.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities		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	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed
		Systemic 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
Preferential treatment is given to a religion or religion in general There is an established church or state religion	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		
			Some concerns about political or media freedoms, not specific to the non-religious

Constitution and government

The Constitution establishes Islam as the state religion, and whilst the constitution provides for “absolute freedom” of belief, other constitutional provisions, laws, and policies restrict religious freedom. Sharia is a primary source of legislation (Article 2), and personal status law is administered by Religious courts.

The constitution guarantees freedom of religious practice, nevertheless it specifies that such practice must not contravene public order or morals and must work in accordance with established customs (Article 35). The government does not recognize Baha’i, Buddhist, Hindu or Sikh groups which are not included in the Islamic principle of Abrahamic faiths (ahl al-kitab: Muslims, Jews, Christians). It also denied the recognition of several Christian groups. The recognition by the state often take years for approval and is not transparent. The authorities further detain individuals for practising black magic or sorcery, which is considered inconsistent with Islamic law.

In general, the import of alcohol and pork products is prohibited. The media sometimes includes negative commentary or image regarding Jews. The government appoints Sunni imams, pays the salaries of imams and finances the construction of Sunni mosques. Friday sermons are monitored and government prohibits political issues being discussed in them.

Kuwait has laws against proselytization. Nevertheless, its government provides financial support to Sunni Muslims who proselytize foreign residents.

There is no explicit prohibition of apostasy (Article 18), however, there is a high societal pressure against conversion from Islam. The authorities do not issue new official documents after a conversion and continue considering the person as a Muslim. Whilst religion is not designated on national identity documents, the law does prohibit the naturalization of non-Muslims. Religion is mentioned on birth and marriage certificates. An apostate can be denied custody of his/her children. The court can declare the apostate's marriage as void and strip of the nationality.

Between sunrise and sunset during the period of Ramadan, eating, drinking, and smoking within the public arena are banned for all people in Kuwait, regardless of their beliefs and nationalities. Penalties for such behaviours include a month's imprisonment. In 2014 the authorities arrested 19 people for eating in public, including American and Dutch citizens. A Lebanese expat was charged for smoking.

The Human Rights Watch World Report 2015 stated that Kuwaiti individuals have financed and supported ISIS and Jabhat al-Nusra military operations. The government tries to abolish funding for extremists by banning all fundraising in mosques and increasing transparency requirements for charities.

Education and children's rights

Islamic religious instruction, largely based on the teachings of Sunni Islam, is compulsory in all public schools for all students and in those private schools that have one or more Muslim students. Non-Muslim students are not required to attend these classes, and no adverse consequences have been reported for not attending. The religious organized education of other faiths is prohibited but practiced privately at homes.

Books containing reference to the Holocaust or Israel are banned and foreign schools are not allowed to teach comparative religion. Schools are required to teach and celebrate only Muslim holidays.

Family, community and society

Demography

Approximately 70% of citizens, including the ruling family, adhere to the Sunni branch of Islam, whilst Shiite Muslims make up around a third of the population. Whilst some areas have relatively high concentrations of either Sunnis or Shia, most areas are religiously well integrated. The past couple of years have seen an increase in the reports of harassment of Shiite Muslims by Kuwaiti Salafis and Sunni Islamists. There are also small numbers of other religious citizens, such as Christians and Baha'is. Out of the 3.8 million people living in Kuwait, only 1.2 million are citizens. The ethnic minority group of Bidun is denied citizenship and over 100'000 Bidun residents remain stateless in Kuwait.

Islamic Law

The Kuwaiti civil code is based on Egyptian Civil law, Islamic Sunni law and customary law and stipulates that in the absence of any legal disposition, the judge has to refer to the principles of Islamic law. It is mainly in the family code that such legal dispositions are missing and therefore, Islamic law is applied. Shiite citizens may apply Shiite family laws, although a lack of qualified Shiite imams is reported. The government does not allow the establishment of non-Sunni religious training institutions, therefore Shiite imams have to be educated abroad.

In 2007 the minister of education Nouriya Al-Subeeh refused to wear a Hijab in the Parliament, which opened a heated discussion about Islamic dress codes.

Discrimination against women

Women face discrimination in law and practice. There are no laws against domestic violence or marital rape. According to the law a male citizen of any religion transmits citizenship to their children. A Kuwaiti woman requires the permission of her father to marry. A Muslim man is allowed to marry Muslim, Jewish or Christian women, a female Muslim can only marry a Muslim man in accordance with the Islamic law. The children have to be brought up in their father's faith and Islamic law is applied in marital disputes.

Freedom of expression, advocacy of humanist values

Since the events of the Arab Spring throughout the Arab world, Kuwait has been cracking down on online media freedoms. Freedom of assembly and association is guaranteed by law, but these rights are restricted in practice. Kuwaitis must notify authorities of a public meeting or protest, but do not need a permit. According to Human Right First, over the past year as many as 600 people have been pursued for their role in protests. It points out that, in terms of percentage of the population of nationals, this number is equivalent to more than 100,000 people in the US.

There are laws against blasphemy (Article 111 of the Penal Code) and apostasy with the government actively enforcing them. The punishment for defaming any religion (Islam and others) includes a jail term up to 10 years. In 2012 a Shia citizen was sentenced to the 10 years prison term for insulting Islam on his social media account. His case was approved 2015 by the Court of Cassation. A Sunni scholar was fined for insulting the Shia doctrine and a Sunni imam was suspended by the government for complaining about the quality of the Ministry of Awqaf and Islamic Affairs. In 2015 the government shut down a local play for insulting religion and filed a lawsuit against the play's producers.

Kuwait's 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 criticizing religion. The publishing or broadcasting of content, including via social media, that could be perceived as offensive to religious groups is criminalised by the National Unity Law ratified by Parliament in January 2012. The punishment includes up to one year of prison and/or a fine of 1000 dinars. Non-citizens convicted under blasphemy laws are also subject to deportation.

In 2013, Kuwait's Council of Ministers rejected amendments by the country's parliament to make blasphemy a capital crime.

The Law of Nationality (15/1959) allows the government to strip Kuwaiti citizens of their nationality and to deport them under certain circumstances, if the person undermines the country's well being.

Highlighted cases

The summer of 2014 saw the release of **Abdul Aziz Mohamed El Baz** (also known as Ben Baz Aziz), a twenty-eight-year-old Egyptian secularist and supporter of LGBT minorities and atheists who had been jailed on blasphemy charges in Kuwait. In February 2013, his employer reported him as a blasphemer after seeing his online writings on religion and secularism, and he was found guilty of “contempt of religions and attempting to spread atheism” and sentenced to one year in jail plus forced labour, a fine, and deportation to Egypt.

Of his atheist identity, Aziz says: “It’s hard to say that you are an atheist, but it’s harder to criticize religion. I don’t hide my atheism—everyone around me knows about it [...] I usually say I’m a skeptic in the beginning, but then I declare that I’m an atheist when I’m sure they’re not going to harm me. One day, I was wrong in my certainty—when I was reported to the police by someone at work.”

thehumanist.com/features/interviews/an-atheist-in-kuwait-interview-with-benbaz-aziz-part-1

In August 2014, human rights activist and satirist, **Abo Asam**, was arrested and detained by police because one of his tweets was deemed to be “in contempt of religion”. His tweet had accused the Jamiya, from the Islamic Salafi sect of blindly following their religious leader, Hamad al-Uthman. The authorities considered the tweet offensive enough to warrant his arrest.

Testimonies

“I “partially” came out, most of my family members know, some of my colleagues know, and I sometimes just casually say “I’m atheist” to strangers who work at shops. It did have negative AND positive consequences, it was really bad with my family when they found out. It was very hard on my father especially, you see I’m from a religious Shi’ite family, my dad spends lots of his time with clerics and his religion is his pride. I used to pray since I was 6, and wore the Hijab when I was 9 years old, so it was shocking for him, he didn’t really speak with me for 2 years, my aunts didn’t want their daughters to talk to me, my best friend -then of course- told me that our friendship shames her before her Allah, I was sort of an outcast then.

Now it went back to normal between me and my family, they hope I will someday return to Islam. the colleagues that know about my atheism don’t really talk about it, I think they actually like me, they can see that an atheist doesn’t necessarily have horns and a tail. Also a big positive point! I have encouraged some people to ask questions and some people are now atheists because of me.

However, my family’s “hesitant” acceptance comes with a price, I still wear the Hijab, even though I despise nothing more. Also, being openly apostate isn’t a good idea probably, you see when you’re openly an “apostate” and you wanted to get married you simply can’t, the law forbids you even if your partner is an apostate or a non-Muslim to begin with.”

— M.

Lebanon

The Lebanese Republic has a population of around 5.9 million people, of which almost 1.4 million are mostly Syrian (and some Palestinian) refugees. The country’s history has been marked by sectarian tensions between its numerous and diverse ethnic and religious groups which came to a head in the Lebanese civil war (1975 to 1990). The population includes a 56% Muslim majority (28% Sunni and 21% Shia), 35,5% Christians, 5,3% Druzes and small numbers of Baha’is, Jews, Ismailis, Alawites and others. Recently the country suffers from several extremist attacks and the spillover from the Syrian conflict. Lebanon is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The non-religious are barred from some government offices (including posts reserved for particular religions or sects) State legislation is partly derived from religious law or by religious authorities	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systematic religious privilege results in significant social discrimination	‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence
	Religious schools have powers to discriminate in admissions or employment		Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted Criticism of religion is restricted in law or a de facto ‘blasphemy’ law is in effect
		Religious courts or tribunals rule directly on some family or ‘moral’ matters; it is legally an opt-in system, but the possibility of social coercion is very clear	Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms

Constitution and government

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.

The constitution requires the state to respect all religious groups and denominations and declares equality of rights and duties for all citizens without discrimination. The constitution stipulates that there be a balance of power among the major religious groups and 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 all the recognized religious groups, trying 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. 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, most senior government officials are appointed according to religious affiliation. If citizens decide to remove their religion from their official documents, they consequently limit their ability to hold government positions. 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. However, religious group identity remains very important on the societal and cultural level.

There are 18 officially recognized religious groups, including Ismailis, Alawites, Druzes and Jews. The government does not officially recognize some religious groups such as Bahais, Buddhists, Hindus, and unregistered Protestant groups. Members of these groups can not hold 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 authorities appoint Sunni and Shia muftis and the Druze Sheikh al-Aql and pays their salaries, however, the government does not pay the salaries of Christian officials. An individual is allowed to change religion 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 and there are no legal prohibitions to proselytizing.

In March 2014, former President Michael Suleiman appeared to evaluate atheism on a par with war and fundamentalism, in a speech during the election campaign. He said: “Peace will defeat war. Faith will defeat fundamentalism and atheism.”

ginosblog.com/2014/04/01/lebanese-president-equates-atheists-to-terrorists/

Recently sectarian violence has increased. Extremist groups, including ISIL and al-Nusra Front claimed responsibility for several car bombings and suicide bomb attacks mainly in the Shia suburbs of Beirut. The balance of religious denominations has been changed a lot by the increasing number of (mainly Sunni Muslim) Syrian and Palestinian refugees. In October 2014 a conflict between Alawites and Sunni broke out. Shiite Hizballah’s participation in Syria has further inflamed sectarian tensions. In Ramadan 2014, Islamists attacked with grenades the few restaurants and cafes in Tripoli that remained open during the fasting hours. Anti-Semitic rhetoric remains present in the Lebanese media. However, religious and political leaders continue to support peaceful coexistence and oppose violent extremism.

Education and children’s rights

Almost all schools offer compulsory religious education, with no secular or humanist alternative, and there is no state authority which monitors the influence religious sects have in schools. In private religious schools, teachers are free to impose their beliefs on the pupils. In public schools, religious authorities from the local community go to the schools to organise and teach religious education. In Christian majority schools, a priest will go, and in Muslim majority schools a sheikh. For mixed schools, both will attend.

This allows both principal of the schools and the local religious leaders a large amount of discretion over religious education. In one case, there was a report a principal insisted a muslim leader from his own sect attend the school and teach Islam to the pupils, despite the majority of the students being Christian.

Likewise, there are similar reports of children being banned from and forced to wear headscarves: the Al-Mabarrat Charitable Association requires all female pupils and teachers to wear headscarves, although it does allow Christian children to opt-out of the Islamic religious education.

[<english.al-akhbar.com/content/lebanons-education-system-training-children-civil-strife>](http://english.al-akhbar.com/content/lebanons-education-system-training-children-civil-strife)

In 2014 the (secular) International School of Shoueifat (SABIS) banned religious symbols from its school and did not allow students, who had a cross sign drawn on their forehead, to attend school. The ministry of education intervened and SABIS repealed their ban.

Family, community and society

Until 2013 there were 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 2013 the government of Lebanon did not recognize civil marriage ceremonies performed outside the country, irrespective of the religious affiliation of each individual.

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. There are 15 different recognized personal status laws, determined by an individual's religious affiliation. 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.

Discrimination against women

Women suffer from unequal treatment under all religious family laws, including discrimination in matters of divorce, inheritance and child custody. Lebanese women are not allowed to pass on their nationality to children, while Lebanese men are. There is no law prohibiting marital rape, however, in 2014 the Parliament passed a new law on the protection of domestic violence.

Freedom of Expression, advocacy of humanist values

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. Freedom of expression is generally protected and respected, but with a few important (and many minor) caveats. For instance, it is illegal to criticise religious leaders, the president or the army, and it can carry a jail sentence.

While religious freedom is protected in the constitution, informally discrimination is relatively common at the local level. A Christian priest was kidnapped at gunpoint for baptising a Shia woman after she fled her home and converted to Christianity. Films and other art pieces are regularly censored if they contain any contentious material - for instance, a film making a passing reference to Lebanon's assassinated president, or a piece of graffiti caricaturing the King of Saudi Arabia.

[<al-monitor.com/pulse/originals/2013/02/lebanon-human-rights-caricatures.html>](http://al-monitor.com/pulse/originals/2013/02/lebanon-human-rights-caricatures.html)

Blasphemy laws exist in Lebanon. Articles 473-474 of the Penal Code state that people can be sentenced for a maximum of 1 year for blaspheming or otherwise insulting a religion - although,

importantly, there are no recent cases recorded. In 2014, a blasphemy accusation resulted in the burning down of a large Christian library.

Highlighted cases

The library of a Greek Orthodox priest, **Ibrahim Sarrouj**, was burnt down in Lebanon in January 2014 after he was accused of insulting Islam. Accounts differ as to the exact events leading up to the fire, with Lebanon's *Daily Star* reporting a fatwa was issued against Father Sarrouj after he published an article on a Danish website, whereas AFP reported a blasphemous pamphlet was discovered in one of his books. The library, used by the whole community, was burned down following a "sectarian scuffle."

Testimonies

"I am an agnostic atheist and I did come out proudly as one in Lebanon. As expected, I was cyber bullied for it but it didn't stop me from voicing my opinion on religion and its impact on society and especially on gender issues. I mostly hang out with fellow atheists now but before that, I lost friends because of my views. I tend to keep my religious views to myself at work because it could affect my relationship with colleagues and it is not worth it."

— Xena

Oman

The Sultanate of Oman is an absolute monarchy with a population of 3.2 million people, of which only 55% are citizens. 75% of the citizens are Ibadi Muslims, a branch distinct from both Shia and Sunni Islam. There is a 5% Shia minority and the remaining citizens are mostly Sunni Muslims. Non-citizen religious groups include Hindus, Buddhists, Sikhs, Baha'is, and Christians. Sultan Qaboos bin Said Al-Said came to power in 1970. Oman is a member of the League of Arab States (LAS), the Organization of Islamic Cooperation (OIC) and GCC The Gulf Cooperation Council.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State legislation is partly derived from religious law or by religious authorities		Systemic religious privilege results in significant social discrimination Religious control over family law or legislation on moral matters	Expression of core humanist principles on democracy, freedom or human rights is severely restricted '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 from freedom of belief Discriminatory prominence is given to religious bodies, traditions or leaders	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		

Constitution and government

The monarch is both chief of state and head of government. There is in Oman a bicameral parliament, consisting of a Council of State (Majlis al-Dawla) with members appointed by the Sultan and a Consultative Council with members elected by citizens every four years. Candidates are appointed by the government. Political parties are forbidden, and no organized opposition exists.

Oman imposes substantial restrictions on freedom of religion or belief and the freedoms of expression, assembly and association. Islam is state religion and Sharia is the basis of legislation (Article 2), however legislation is largely based on civil code. In 1999 civil courts replaced Sharia courts. 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, all religious groups are required to register and the law restricts collective worship by non-Muslims. The criteria for approval are not published. The law prohibits public proselytizing by all religious groups, although religious groups are allowed to proselytize privately within legally registered houses of worship. The authorities monitor sermons at mosques, censor religious texts and pay the salaries of some Ibadi and Sunni imams, excluding non-Muslim and Shia leaders.

Apostasy is not a criminal or civil offense per se, however, a conversion from Islam has consequences partially in Family law. For instance, a father who converts from Islam loses his paternal rights over his children. Religion is printed on birth certificates.

Education and children's rights

Islamic studies are mandatory for Muslim students in public school on primary and secondary level. Non-Muslim students are exempt from this requirement. Private schools are allowed to provide alternative religious studies.

Family, community and society

All civil courts have a Sharia department, which deals with the matters of personal status law. The Family law is largely based on Islamic (Ibadi) law. Oman is the only state, in which Ibadi school is predominant. However, the code allows non-Muslims to follow their own religious laws regarding family law (Article 282). 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.

Although Article 17 of the Basic Law states the equality of all citizens, women are discriminated in law and practice. The Penal Code weights the evidence of woman just the half of the evidence of a man, according to Islamic law. The family law discriminates women in divorce, child custody, inheritance and legal guardianship. Men are legally considered to be the heads of the households (Article 38). After a divorce, men receive the right of child custody. Female heirs inherit generally half as much as male heirs, in accordance to Islamic law. Muslim men are allowed to marry Muslim, Jewish or Christian women, women are allowed to marry only Muslim men. Women are required to obtain their family's approval before marrying. The family law allows men to take up to four wives and according to the authorities' estimate one of 20 men is in a polygamous marriage. Men have the right to divorce their wife, while women can obtain a divorce only in certain circumstances, as for instance with the Islamic principle of "khula", where a woman agrees to forfeit any future financial support and her dowry. If an unmarried woman gives birth to a child, it is taken away from her in order to correct her "immoral behaviour". Women also experience restrictions on their self-determination in respect to health and reproductive rights.

Freedom of expression, advocacy of humanist values

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. 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. 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.

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 (Article 209).

The right to peaceful assembly within limits is provided for by the Basic Law Articles 29, 30 and 31. However, other laws undercut the Basic Law provisions. All public gatherings require official permission, and the government has the authority to prevent organized public meetings without any appeal process. Article 37 of the Penal Code prohibits private gatherings of ten or more people, if it threatens the public order. In 2014, the UN special rapporteur on the rights of freedom of assembly and of association stated that the limits on peaceful assembly were “quite restrictive, to the point where they often annul the essence of the right.”

Since 2011 several individuals have been arrested and sentenced for insulting the authorities, posting insulting material on social media or inciting protests. Free speech is criminalized and an offence frequently occurring is a charge of ‘insulting the Sultan’. In detention, many people have reported to have been ill-treated or tortured. In 2013, the English-language newspaper *The Week* was briefly suspended for publishing an article about the Omani gay community. The newspaper later published an apology.

ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=15028&LangID=E

In February 2015 a new citizenship law came in force, which empowers the government to strip nationals of their citizenship, if they uphold principles or beliefs that undermine the country’s best interests.

Highlighted cases

In 2015, an activist and former diplomat Hassan Mubarak Baloch, known as “Hassan Basham” was arrested for insulting the divine self and spreading atheism.

Palestine

Palestine has a tumultuous history and disputed territorial boundaries. The region holds a population of approximately 4 million, of which the vast majority are Sunni Muslim. There are small communities of Christians and Jews. In the Israeli-Palestinian conflict religion and ethnicity are often closely linked.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State legislation is partly derived from religious law or by religious authorities		Systemic 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	'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is systematic religious privilege		Some religious courts rule in civil or family matters on a coercive or discriminatory basis	
	Insufficient information or detail not included in this report		

Constitution and government

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 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. Further, Israel controls some of the occupied territories like East Jerusalem and control access by Muslims to the Dome of the Rock and al-Aqsa mosque. The Israeli authorities sometimes forbid the entry to male or female Muslims, especially under the age of 50. Further, Israeli government prohibits non-Muslim worship at the religious site and arrests Jews who do.

There is no constitution and the Palestinian Basic Law functions as a temporary solution. It states that Islam is the official religion and Sharia is the main source of legislation. 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 PA does not recognize certain religious groups, for example Protestants. The religious affiliation is declared on identification papers. Further, there is no official process to gain recognition and consequently, every religious group has to seek agreements with the PA. Proselytizing is restricted and the authorities control Friday sermons, to prevent preaching that encourages violence or anti-Semitic rhetoric. However, PA official media, as well as vandalist graffiti, sometimes contains messages of religious intolerance or anti-Semitism. The government pays the construction and maintenance of mosques and the salaries of most imams, and gives some limited support to Christian organizations. However, the authorities

do not provide financial support for Jewish institutions. Converts, particularly Muslims and Christians converting to another faith, face societal abuses and discrimination.

The introduction to the Hamas Charter outlines the intention to eliminate the state of Israel within an explicitly fundamental religious paradigm, which states “For our struggle against the Jews is extremely wide-ranging and grave, so much so that it will need all the loyal efforts we can wield, to be followed by further steps and reinforced by successive battalions from the multifarious Arab and Islamic world, until the enemies are defeated and Allah’s victory prevails”. Article 7 reinforces Hamas’ objective to exterminate members of the Jewish faith via quotes from the Islamic hadith: “The time will not come until Muslims will fight the Jews (and kill them); until the Jews hide behind rocks and trees, which will cry: O Muslim! there is a Jew hiding behind me, come on and kill him!” Hamas has established a morality police to enforce a strict interpretation of Islamic law and moral code. For instance, women were arrested for committing ethical crimes such as illegitimate pregnancy or inappropriate clothing. However, Hamas generally tolerates the small Christian community in Gaza and some Muslims students attend Christian schools.

Education and children’s rights

Religious education is compulsory in primary school for all students in PA schools. The religion classes are divided in Muslim and Christian courses.

Family, community and society

Family Law

In matters of personal status law Christians and Muslims are allowed to follow their own religious laws in separate religious courts. These courts handle legal matters of family law, which includes inheritance, divorce, child custody, and marriage. The religious Islamic (Hanafi) family law is based on Jordanian and Egyptian law.

The religious family law discriminates women in general. Women can not marry without the consent of their male guardian. Men can marry Christian or Jewish women, women are not allowed to marry a non-Muslim man. Men are favored in child custody. Women inherit less than men, for instance a daughter inherits only the half of a son. Muslim men are allowed to repudiate their wife, however, it is difficult for women to obtain a divorce and limited to several conditions. Women can obtain a divorce with the Islamic principle of “khula”, where the woman forfeits financial support and her dowry, but only under the condition, that her husband agrees.

There are no laws against domestic violence and women would face pressure from their families not to report it in order not to bring shame on their family. Spousal rape is not criminalized. In other cases of rape, the rapist can escape punishment by marrying his victim. There are also no laws prohibiting sexual harassment. It is reported, that some families practice female genital mutilation (FGM) in Gaza, but no numbers exist. So-called honour killings are known to occur. Abortion is criminalized and only acceptable, if the woman’s life is in danger.

Interfaith romantic relationships face considerable societal and family opposition. Families sometimes disown Christian and Muslim women, who marry outside their faith. Some Jewish organizations run a hotline to inform on Israeli-Palestinian couples.

Freedom of expression, advocacy of humanist values

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.

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.

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.

“Blasphemy”

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.

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 name Waleed al-Husseini online, described himself as “an atheist from Jerusalem-Palestine” and wrote that God is “a primitive Bedouin 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.

Qatar

Qatar has about 2 million residents, only 10% of them are citizens and 1.5 million of them are expatriates. Islam is the majority religion, with 90% Sunni Muslims and a small Shia community. The non-citizens belong to Islam, Hinduism (35%), Christianity (20%) or Buddhism (7%). With the exploitation of large oil and gas fields since the 1940s, Qatar is now one of the richest countries in the region. The human rights climate there remains deeply concerning, particularly for the large and growing migrant worker population and for those concerned with the right to freedom of thought. Qatar is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
'Apostasy' or conversion from a specific religion is outlawed and punishable by death		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	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed
State legislation is partly derived from religious law or by religious authorities	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systematic religious privilege results in significant social discrimination Prohibitive interreligious social control (including interreligious marriage bans) 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
Preferential treatment is given to a religion or religion in general There is an established church or state religion Legal or constitutional provisions exclude non-religious views from freedom of belief		Discriminatory prominence is given to religious bodies, traditions or leaders	

Constitution and government

Islam is the state religion of Qatar (Article 1), and its legislation draws from a mix of Sharia and secular laws. Islam, Christianity, and Judaism are recognized by the law, no other belief system enjoys such recognition. Religious groups are required to register, while Sunni and Shia Muslims are allowed to practice freely. To be recognised the group must have at least 1,500 members in Qatar. Non-Abrahamic religions are not allowed to register.

Custom outweighs government enforcement of laws banning religious discrimination, and legal, cultural, and institutional discrimination is prevalent. Whilst Qatar's constitution and other laws

provide for freedom of association, public assembly, and worship, these freedoms are framed within limits based on sharia law and “morality concerns”.

Converting to another religion from Islam is considered apostasy and remains a capital offense in Qatar. A blasphemy accusation could be taken as evidence of apostasy. However since 1971 no punishment for apostasy has been recorded.

Proselytizing on behalf of an organization, society, or foundation of any religion other than Islam can be punished by up to 10 years in prison, and the proselytization of any religion other than Islam on one’s own behalf can be punished with a sentence of up to five years. However, the government’s response to such proselytization is usually deportation rather than legal action.

Muslims who have been convicted of a crime may be given the opportunity to have their sentence reduced by a few months if they can memorize the Quran whilst in prison.

Education and children’s rights

Muslims attending state-sponsored schools must receive Islamic instruction. Private schools can be secular and co-educational; most expatriate children attend such secular private schools.

Family, community and society

The unified court system applies Sharia in family law cases and has jurisdiction over both Muslims and non-Muslims. Non-Muslims have recourse to civil law for some personal status cases, however, cases of child custody are judged under Islamic law.

The family law discriminates women in relation to marriage, divorce, nationality and freedom of movement. Muslim women cannot marry non-Muslim men, and whilst a non-Muslim woman can marry a Muslim man, their children are required to be Muslim. Article 36 states that women need the agreement of their male guardian to sign a marriage contract. Marital rape is not a crime, although the law forbids husbands to hurt their wives physically or morally (Article 57). However, Article 58 states, that women have to obey their husbands.

Freedom of expression, advocacy of humanist values

The ruling family, and its allies, control much of the media output in Qatar, this despite the constitution guaranteeing freedom of expression.

Provisions of Qatar’s penal code are inconsistent with international free speech standards. For instance, Article 134 prescribes a penalty of up to five years’ imprisonment for anyone who is convicted of criticizing the emir or vice-emir. In 2011 a Qatari poet, Mohammed al-Ajami, was arrested and charged with insulting Qatar’s then-Emir Hamad bin Khalifa Al Thani and “inciting to overthrow the ruling system”. Under Qatari law, the latter charge is punishable by death. In 2012, he was handed a life-sentence. This was later reduced to 15 years in prison.

The penal code criminalizes blasphemy (Article 256), including insulting the “Supreme Being”, Koran, prophets, Islam and the cursing of any other of the “divine religions according to the regulations of the Sharia”. The defamation or desecration of Islam, Christianity, or Judaism is punishable by up to seven years in prison in Qatar. Article 263 states that the circulation or production of symbols, slogans or drawings that might offend the Islamic religion will be punished with one year of prison or a fine of 1000 riyals (\$275).

Internet censorship of peaceful expression of religious views has been reported in the country with the state blocking sites that contain content perceived as anti-Islamic. The law also prohibits publication of texts provoking social discord or religious strife.

In 2014, in what was widely considered a significant setback for freedom of expression in Qatar, a new cybercrimes law criminalizing the spreading of “false news” on the internet. The new law allows the authorities to ban websites that they consider threatening to the “safety” of the country and punish anyone who posts or shares online content that “undermines” Qatar’s “social values” or “general order”. The meaning of these terms is not defined by the new legislation.

State-funded and private media contains sometimes anti-Semitic remarks or cartoons and draw no legal reaction.

Highlighted cases

In 2013, a Nepali teacher, **Dorje Gurung**, was arrested and detained on the charge of “insulting Islam” in some remarks he made to his students at Qatar Academy. After an online petition calling for his release (which gathered nearly 14,000 signatures) and an international campaign was launched, Gurung was released.

Saudi Arabia

The Kingdom of Saudi Arabia is an Islamic state governed by an absolute monarchy in tandem with a powerful religious elite. The Saudi government has sought to make improvements in terms of respecting civil liberties including freedom of religion or belief in recent years; however most improvements are minimal, and a highly restrictive regime persists, wherein most forms of public religious expression must be consistent with the government’s particular brand of Sunni Islam. Saudi Arabia is a member of the League of Arab States (LAS), the Organization of Islamic Cooperation (OIC), and the Gulf Cooperation Council (GCC).

Rating: Grave Violations

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>Quasi-divine veneration of a ruling elite is enforced subject to severe punishment</p>	<p>Religious indoctrination is utterly pervasive in schools</p> <p>Religious instruction in some schools is of a coercive fundamentalist or extremist variety</p>	<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</p> <p>‘Blasphemy’ or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			

Constitution and government

The monarchy of the house of Al Saud holds supreme political authority, existing by formal arrangement in tandem with a highly influential clerical bloc (the *Ulema*) led by the house of Al ash-Sheikh.

This monarchical-religious symbiosis was forged under an oath sworn by both families dating back to 1744, to this day considered the founding basis of the “pact” between both houses. The pact commits the house of Al Saud to “perform jihad against the unbelievers”, while “in return”, Muhammad ibn Abd al-Wahhab (the founder of Wahhabism) would be “leader in religious matters” in perpetuity.

[<goo.gl/UFOliF>](http://goo.gl/UFOliF) [A History of Saudi Arabia, Madawi al-Rasheed]

There is no freedom of religion or belief in Saudi Arabia. Wahhabism – commonly described as an “ultra conservative” or “fundamentalist” branch of Sunni Islam – is functionally recognized as the state religion. According to Article 1 of the Basic Law of Saudi Arabia (its equivalent to a constitution), “The Kingdom of Saudi Arabia is a sovereign Arab Islamic state with Islam as its religion; God’s Book and the Sunnah of His Prophet (God’s prayers and peace be upon him) are its constitution.” The country’s laws are based on Sharia law.

With a population of 29 million, the Kingdom is one of 12 countries given “the worst-possible rating of 7 for both political rights and civil liberties” by Freedom House (2015).

[<freedomhouse.org/report/freedom-world/2015/saudi-arabia>](http://freedomhouse.org/report/freedom-world/2015/saudi-arabia)

Saudi Arabia is routinely and severely criticised by many human rights organizations internationally, including for the poor treatment of migrant workers, massive religious and political suppression of freedom of thought, expression, and association, and especially women’s rights, as well as maintaining an unfair and unpredictable justice system that is often utilized to punitively suppress human rights advocacy and to crush any sign of political dissent.

In a government reshuffle under new King Salman in 2015, the head of the *Mutaween* (religious police), Sheikh Abdul Latif al-Sheikh, considered to be somewhat sympathetic to women’s rights, was replaced by Abdulrahman al-Sanad, who was previously sacked by King Abdullah on grounds of his criticism of intermingling young men and women in co-ed universities. King Salman also appointed as his personal adviser the controversial cleric Saad al-Shethri, known as a hardliner against Christians, Jews, and Shiites. The female Deputy Minister for Education was also removed (see “Education and children’s rights”, below) with no new women being appointed. The reshuffle appears to suggest no lessening intolerance against atheism or apostasy in general either, but rather an enhancement of the influence of the Wahhabi community.

[<middleeasteye.net/news/new-saudi-king-orders-cabinet-reshuffle-280880866>](http://middleeasteye.net/news/new-saudi-king-orders-cabinet-reshuffle-280880866)

[<ansamed.info/ansamed/en/news/sections/politics/2015/03/03/saudi-arabia-education-minister-says-no-to-sports-for-girls_1dcbf24c-8f27-4270-9e8f-01c56c158cae.html>](http://ansamed.info/ansamed/en/news/sections/politics/2015/03/03/saudi-arabia-education-minister-says-no-to-sports-for-girls_1dcbf24c-8f27-4270-9e8f-01c56c158cae.html)

A major player on the world stage

Despite these human rights failings, Saudi Arabia nevertheless retains a high Human Development Index, largely thanks to its massive oil export industry, and a sizeable population of expatriate workers. The population includes 2.5 million Bangladeshis who migrated in the main after the war for independence, in which Saudi provided significant support against the Bengali nationalist call for independence.

Saudi Arabia has luke-warm, rocky or outright hostile relations with a number of other Middle Eastern countries, in particular with Iran.

Outside the region, its close political allies and major trading partners (often themselves highly dependent on Saudi oil exports) include: China, India, Indonesia, Japan, Pakistan, Singapore, South Korea (with Asia importing 66% of total Saudi oil exports); Canada and the United States (with North America importing 17% of total Saudi oil exports); Belgium, France, Italy, Netherlands, Spain, and United Kingdom (with Europe importing 12% of total Saudi oil exports) (as of 2013 figures).

atlas.media.mit.edu/en/profile/country/sau/

Early 2015 The Kingdom of Saudi Arabia along with the GCC countries (except Oman) went to war with Yemen. The air campaign has been widely accused of indiscriminate bombing with significant civilian casualties. In September 2015, the Saudi coalition struck a wedding party killing 135 people and many more incidents of bombing in densely populated areas causing numerous casualties are widely regarded as probable war crimes.

aljazeera.com/news/2015/10/yemen-151007015252750.html

foreignpolicy.com/2015/10/15/u-s-support-for-saudi-strikes-in-yemen-raises-war-crime-concerns/

The Saudi coalition is accused of obstructing humanitarian aid i.e. blocking supplies coming in from the Persian Gulf sending Yemen to the brink of famine. Amnesty International testifies to the use of cluster bombs. The conflict falls along sectarian lines, testing the regional balance of power between Sunnis and Shiites.

amnesty.org/en/press-releases/2015/10/yemen-call-for-suspension-of-arms-transfers-to-coalition-and-accountability-for-war-crimes/

Education and children's rights

The problem of propagation of religious hatred in the classroom remains significant in Saudi Arabia. According to the United States Commission on International Religious Freedom, the textbooks used in secondary schools from 2013 to 2014 "continued to teach hatred toward members of other religions and, in some cases, promote violence. For example, some justified violence against apostates and polytheists and labelled Jews and Christians 'enemies.'"

<http://www.uscirf.gov/sites/default/files/USCIRF%202014%20Annual%20Report%20PDF.pdf>

Since the first girls' schools were founded in the 1960s, until 2002, girls' education was controlled under the auspices of the Directorate of Girls' Education managed by the religious *Ulama*. Girls' education has been closely linked to the state religion administered by the Wahhabi religious hierarchy:

"The purpose of educating a girl is to bring her up in a proper Islamic way so as to perform her duty in life, be an ideal and successful housewife and a good mother, ready to do things which suit her nature such as teaching, nursing and medical treatment."

— Helen Chapin Metz, ed. *Saudi Arabia: A Country Study*. Washington: GPO for the Library of Congress, 1992

In 2002, in an incident known as the Meccas girls' school fire, the Saudi religious police prevented girls from evacuating their school during a fire, insisting that they must obey the religious dress code. The incident left 15 girls dead in the flames.

hrw.org/news/2002/03/14/saudi-arabia-religious-police-role-school-fire-criticized

As a response, King Abdullah removed Saudi girls' schools from the religious authorities. Since 2002 girls' education has been the responsibility of the Ministry of Education also responsible for boys' education.

In 2009 King Abdullah appointed a female Deputy Minister in charge of girls' schooling, namely Norah Al-Faiz. She was the first woman to chair at ministerial level.

However, in 2015 in a government reshuffle, King Salman dismissed Norah Al-Faiz, after her work on the cause of girls' sports programmes in state-run schools prompted opposition by religious conservatives. No women were appointed in the new government setting. The newly appointed Minister of Education Ministry, Azzam Al-Dakhil, vows not to allow sporting activities for girls in public schools.

Family, community and society

Public non-Muslim places of worship are not allowed, and the right of non-Muslims to practice their religion in private is not fully protected. The intractable connection between state identity, the ruling royal family and the religious establishment results in significant pressure on all citizens to adhere to the official government interpretation of Islam. Rejection of that interpretation is conceived of as rejection of the instruments of the state.

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), which enforces public morality and restrictions on public religious manifestations and practice, is especially intolerant of minority religions and disbelief. It is not subject to judicial review and reports directly to the King. Whilst over the past few years, the public presence of the CPVPV has diminished, its officials have been reported to have been acting beyond their remit and subjecting individuals to harassment, detainment, beatings and lashings.

Freedom of expression, advocacy of humanist values

Despite the huge predominance of religion over political and social affairs, a widely-cited 2012 poll found that nearly 25% of Saudi Arabians interviewed identified as non-religious, including 5% prepared to describe themselves as "A convinced atheist".

redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf

Blasphemy and apostasy

"Blasphemy" is conceived as a deviation from Sunni Islam and thus may also be treated as "apostasy". Apostasy is criminalized and mandates a death penalty, and the criminal accusation of "apostasy" is sometimes deployed against people (including writers, activists, artists, or lawyers) who show any serious sign of pushing at the outer boundaries of freedom of expression, or who are critical of the religious authorities, and whose views (rightly or wrongly) are termed "atheist" or as "insulting to religion". The death sentence (usually by beheading and crucifixion) is also used to address "crimes" of "witchcraft" and "sorcery".

Atheism and "terrorism"

In March 2014, the Government brought into law new anti-terrorism legislation, which defines atheism as terrorism. Article 1 of the new law defines one form of terrorism as: "Calling for atheist thought in any form, or calling into question the fundamentals of the Islamic religion on which this country is based." Since the government system is grounded in Wahhabi interpretations of Islam, non-believers are assumed to be enemies of the Saudi state.

This legislation not only frames non-believers as terrorists but, along with related royal decrees, creates a legal framework that outlaws as terrorism nearly all thought or expression critical of the government and its understanding of Islam.

“Saudi authorities have never tolerated criticism of their policies, but these recent laws and regulations turn almost any critical expression or independent association into crimes of terrorism...”

— Joe Stork, deputy Middle East and North Africa Director, Human Rights Watch

hrw.org/news/2014/03/20/saudi-arabia-new-terrorism-regulations-assault-rights

Freedom of expression, advocacy of humanist values

The punishment for any perceived criticism of the ruling family or the state’s interpretation of Islam is harsh and often secret or obscure in nature. Accordingly, many cases and convictions for free thought and expression are not made public which makes it very difficult to accurately report on the full extent of Saudi repression.

Following a 2011 amendment to the country’s press law by a royal decree, the press is prohibited from criticizing the government or related officials, with violations potentially resulting in fines or forced closures of the press concerned. Articles deemed offensive to the religious establishment or the ruling authorities are prohibited. Domestic media are controlled by the state. The royal family owns major stakes in news outlets in multiple countries, providing them with a dominant regional influence.

The government has also sought to control online media, blocking access to hundreds of thousands of websites, which it considers immoral or politically sensitive. All websites, blogs and anyone posting news or commentary online are required by law to have a license from the Ministry of Information. Failure to do so, can result in a fine or possible closure of the website concerned.

There have been numerous arrests and convictions for social media comments, postings, and activism by human rights defenders, many falling under a vague “state security” classification precluding them from royal pardons.

amnestyusa.org/news/news-item/saudi-arabia-must-release-all-prisoners-of-conscience-immediately-and-unconditionally-irrespective-o

Other Human Rights Issues

Saudi Arabia has not ratified the ‘International Covenant on Economic, Social and Cultural Rights’ nor the ‘International Covenant on Civil and Political Rights’, however, it is a party to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

Excessive police powers without judicial oversight and increasing lack of free expression have been worsened by the Penal Law for Crimes of Terrorism and its Financing (the “terrorism law”), with its vague and overly broad provisions.

The rights to freedom of assembly and association are denied in practice. The government frequently detains political activists who stage demonstrations or engage in other civic advocacy.

LGBT people are denied the right to sexual autonomy. Married men are prohibited from engaging in homosexual acts and can be stoned to death for such acts. As can non-Muslims who commit “sodomy” with a Muslim. Other punishments handed out to those found guilty of homosexuality include chemical castrations, imprisonment and execution. In 2014, a Saudi Arabian man was sentenced to three years in jail and 450 lashes after he was caught using Twitter to arrange dates with other men. A court in Medina, convicted him on the charge of “promoting the vice and practice of homosexuality.” The newspaper Al-Watan reported that the man was arrested following an entrapment ploy by the CPVPV.

Some women continue to protest for the right to drive and move in public without a chaperone. But despite the Kingdom sometimes saying it has made progress on women’s rights, those protesting have sometimes been met with punitive treatment. In December 2014, Loujain Hathloul and Maysaa Alamoudi were arrested at the border with the United Arab Emirates for driving. Their case was referred to the Specialized Criminal Court, which deals primarily with cases related to state security and terrorism.

Highlighted cases

In 2012, a Saudi journalist and poet, **Hamza Kashghari**, was extradited from Malaysia and imprisoned without trial for twenty months due to a series of tweets considered by the authorities to be insulting toward the Prophet Mohammed. Another poet, Ashraf Fayadh, was jailed without charge in January 2014 after someone suggested that his poems contained “atheist ideas”.

In December 2013, **Raif Badawi**, a blogger and creator of a website intended to foster debate on religion and politics, was sentenced to 10 years in prison, 1,000 lashes and a fine of 1 million Saudi riyals for “insulting Islam”. Badawi was first jailed in 2012 for violating Saudi Arabia’s IT law and insulting religious authorities through his online writings and hosting those of others on his website. His sentence at that time was 7 years in prison and 600 lashes. There has been an international outcry over Badawi’s case, with many, including the IHEU and the USA, raising his plight at the UN Human Rights Council.

Raif Badawi’s lawyer, **Waleed Abu al-Khair**, was imprisoned for “breaking allegiance with the king,” “making international organizations hostile to the kingdom,” and “setting up an unlicensed organization.”

In November 2015, Palestinian poet and artist **Ashraf Fayadh** was sentenced to death for “apostasy”, a sentence to be carried out by beheading by sword. Fayadh, a member of the British-Saudi art organization Edge of Arabia, was first arrested in August 2013, in connection with his poetry. In a series of trials he has been accused of “spreading atheism”, insulting “the divine self”, insulting the Prophet Muhammad, discrediting the Quran and Hadith, and objecting to concepts of fate as acts of God. Even “having long hair” has been cited against him, as well as supposedly “having relationships” with women and having photographs of them on his mobile phone (the photographs appear to be simple side-by-side photographs with friends and colleagues). Despite having no access to a lawyer and thus violating the right to a fair trial, at the conclusion of the retrial, on 24 November 2015, Fayadh was sentenced to death. He has said he will appeal.

pen-international.org/11/2015/saudi-arabia-sentences-poet-to-death/

arablit.org/2015/01/13/imprisoned-poet-ashraf-fayadhs-frida-kahlos-mustache/

esohr.org/en/?p=658

Syria

The Syrian Arab Republic has an estimated population of 17.9 million inhabitants, of which 74% are Sunni Muslims. The Sunni population is multi-ethnic and includes Arabs, Kurds, Circassians, Chechens, and Turkomans. Other Muslim groups of 13% are Alawites, Ismailis, and Shia. There are small communities of Druzes (3%) and a few Jews. A bigger number of Christians (Syriac, Armenian, Greek Orthodox) used to constitute 10% of the population, but many had to flee since 2011 (estimated 8% remained). The Yezidi population is growing since Iraqi Yezidis are fleeing across the border to escape the Islamic State of Iraq and the Levant (ISIL). The country is in the throes of a civil war with a strong sectarian religious dimension. An estimated 10 million Syrians are displaced from their houses within Syria or fleeing outside the country. Even the limited freedoms granted by its constitution are therefore being violated on a massive scale by all sides in the conflict.

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
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 repressed
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic religious privilege results in significant social discrimination Prohibitive interreligious social control (including interreligious marriage bans) Religious control over family law or legislation on moral matters	Expression of core humanist principles on democracy, freedom or human rights is severely restricted

Constitution and government

Constitution

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 2012 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 of religion or belief, but very little freedom of expression, especially with regard to the media. Discrimination based on religion is prohibited according to the law. Salafist (Sunni fundamentalist) organizations are illegal and supporting the Syrian Muslim Brotherhood is punishable by death. The government appoints Muslim leaders, in preference of those who support the secular nature of the state.

The government officially recognizes Christianity, Judaism and Islam. All religious groups are required to register and the registration process can be lengthy. Religion is document on birth certificates and other official forms, but not on national ID cards. Apostasy is not directly forbidden, however, the authorities restrict proselytizing and prohibit conversion of Muslims from Islam. Others may convert to Islam. If a Christian converts to Islam, the presiding Muslim cleric has to inform the

convert's diocese. Societal pressure further make conversion, particularly from Islam to Christianity, relatively rare and forces many converts to flee outside of the country.

Government practices

Jewish communities are not allowed to be in contact with Jews in Israel. Anti-Semitic rhetoric exists in state-funded TV and Radio programming, Newspapers and other mass media. The Alawite minority, of which president al-Assad is member, holds a political status disproportionate to its numbers.

The government portrays the opposition in sectarian terms, associates them with terrorist Islamist factions and views religious affiliation as equivalent to political beliefs. Consequently, the authorities and their Shia militia allies targeted Sunni Muslims violently, killed, arrested and abused Sunni Muslims and other religious minority groups. The government undertook judicial prosecution of individuals, related to their religious affiliation, but rarely provided public documentation on the number arrested. At the end of 2014 there were at least 64 Sunni religious clerics killed.

By the end of 2014, the UN estimated that more than 200,000 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.

Terrorist Organizations

ISIL's declaration of a so-called "Islamic State" in June 2014 between Syria and Iraq has had deep effects on the situation of religious freedom. Terrorist groups as ISIL and al-Nusra killed, arrested, tortured and kidnapped individuals of most religious groups in the country. They also beheaded individuals they had accused of blasphemy and apostasy. ISIL forced Iraqi Yezidis and Christians to convert, pay a 50,000 Dollar ransom or to be killed. All churches in the city of Raqqa were converted into mosques and the public worship of any other faith than Sunni Islam forbidden. ISIL abducted and tortured hundreds of Kurdish boys. Shia mosques were destroyed and many Shiites converted in order to survive in Raqqa. Al-Nusra operated many bombings and suicide attacks across the country. ISIL captured thousands of Yezidi women and girls in Iraq as slaves and sexually assaulted many of them. Armed groups linked to al-Nusra replaced governmental courts by Sharia councils in different regions, authorizing public execution and torture of minorities such as Alawites. ISIL established a "Hisba" police force, based on the Islamic Hisba principle ("command right and forbid wrong"), to enforce a strict morality code. Violations as smoking, possessing alcohol, having tattoos, listening to music, not attending Friday prayers, dressing improperly, or not fasting during Ramadan are punished with public beatings. ISIL also established an all-female police force "al-Khansaa", to control the moral code among women. The terrorist organizations further systematically destroyed cultural heritage, archaeological and religious sites. ISIL and al-Nusra have received financial support from individuals from Kuwait, Qatar, Saudi Arabia, and the UAE.

Opposition

Beside the terrorist groups, many armed local militias contributed to sectarian violence and bombings. The Alawite population, accused of being favored by the government, becomes often the target of opposition attacks. The different religious groups are segregating into sectarian-based districts or towns.

Sunni Muslims consider Alawites and Shiites generally as allies of the al-Assad regime, while many Shiites, Alawites, Christians and other minority groups fear that they will be killed by extremist Sunni groups if the government falls.

Education and children's rights

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. Other religious minority groups can choose between the both or attend private schools. Although Arabic is the official school language, the authorities allow in some schools courses in Armenian, Hebrew, Syriac (Aramaic), and Chaldean.

In ISIL controlled territory the school curricula was altered. Several basic academic subjects were banned, for example chemistry, and some schools were used to train minor boys for "jihad". The schools teach according to ISIL's ideological priorities.

Since 2011 several million children have been forced to leave school.

Family, community and society

Family law

For issues of personal status, or family law, the government requires citizens to be affiliated nominally with Christianity, Judaism, or Islam. The government allows these recognized groups to use their own religious laws in matter of family law. Consequently, members of religious groups are subject to their respective religious laws concerning marriage and divorce. Religious affiliation is required on birth certificates and legal documentation when marrying. In the case of interreligious disputes, Islamic law takes precedence. According to Amnesty International many religious courts that deal with family affairs have stopped operating due to the current situation.

Sharia is the basis of inheritance law for all citizens, except Christians. Women inherit usually the half of male heirs and consequently in practice, male relatives have to provide financial support to their female relatives who inherit less. A Christian woman married to a Muslim man can not inherit from her deceased husband.

The religious family law discriminates women, although the constitution grants equal rights to all its citizens (Article 25). A Muslim woman cannot marry a Christian man, but a Muslim man can marry a Christian or Jewish woman. Women need the consent of their male guardian in order to marry. Many marriages are arranged and women can face societal or financial pressure to agree. Adultery is a criminal offence for both sexes, but the punishment is twice as high for women as for men. The law allows men to marry up to four wives without the consent of the first wife. Men can repudiate their wives, women can obtain a divorce with the Islamic principle of "khula", if they agree to renounce their dowry. Domestic violence and spousal rape are not criminalized. In addition, raped women may face violence of their own family for shaming the family's honour. Abortion is only legal, if the pregnant woman's life is in danger.

genderindex.org/country/syrian-arab-republic

Violence against women such as rape is used as a weapon of war in the current situation. In the refugee camps domestic violence and sexual exploitation is reportedly on the increase.

Testimonies

“I was an atheist before the Syrian revolution. It did not affect my life in a direct way, although I was criticized by anyone who knew about my thoughts, particularly some friends and my not-close-relatives. But after the revolution the situation worsened: the Syrian militants now kill or kidnap every atheist they find. I am glad to live abroad now.”

— Leen

Turkey

With its historical metropolis, Istanbul, the only city in the world said to be straddling Asia and Europe, Turkey has long been pulled ideologically in divergent directions. In recent years, the famous secularism of Atatürk has been under tremendous pressure from the Islamist-leaning government of President Recep Tayyip Erdoğan and the ruling Justice and Development Party (AKP). Turkey is a member state of the Organization of Islamic Cooperation (OIC).

Rating: Severe Discrimination ↓

This country is found to be declining due to a sustained assault in recent years on Turkey’s long-held secularist principles, as well as freedom of expression and social liberties generally in decline. The party in government continues to push for the Islamization of society.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views	‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general State-funding of religious institutions or salaries, or discriminatory tax exemptions	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Some religious courts rule in civil or family matters on a coercive or discriminatory basis	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
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

Constitution and government

The current 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.

Following re-election in October 2015, the president Recep Tayyip Erdoğan of the ruling AKP has stated that constitutional reform is a “priority”, aiming to greatly increase the president’s own “executive” powers, a move widely seen as a further worrying signal of increasing autocracy.

theguardian.com/world/2015/nov/04/turkeys-president-erdogan-says-new-constitution-should-be-priority>

There are already a few constitutional provisions and other laws and state practices that infringe on freedom of religion or belief and go against the principle of secularism.

The state allocates substantial funds to provide religious services for Sunni Muslims: to pay the salaries of imams, construct mosques and oversee pilgrimage.

The country is predominantly Muslim with as many as 99.8% of people identifying as such. However, a 2012 Gallup survey found that 73% described themselves as being “not a religious person” with 3% being described as “convinced atheists”.

redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf

Education and children’s rights

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.

Family, community and society

High-level government officials including president Erdoğan continue to promote a more socially conservative and Islamic-inspired rhetoric around individual rights and freedoms.

Government sexism

Women have repeatedly been painted by officials as ideally having a separate and more domestic role than men. Violence against women has been on the rise, and in November 2015 the Justice Ministry appeared to suggest responding to the rise by downgrading the sentences given to those found guilty of domestic and sexual abuse and violence, effectively reclassifying violence aimed primarily at women as a “petty crime”.

secularism.org.uk/news/2015/11/fears-for-womens-rights-in-turkey-as-justice-ministry-to-classify-violence-against-women-as-a-petty-crime

In a widely reported speech to mark Eid al-Fitr in July 2014, deputy prime minister Bülent Arınç said, “Chastity is so important. It’s not just a word, it’s an ornament [for women]... A woman should be chaste. She should know the difference between public and private. She should not laugh in public.” A social media backlash saw hundreds of women posting photographs of themselves smiling and laughing with the hashtags [#direnkahaha](https://twitter.com/direnkahaha) (“resist laughter”) and [#direnkadin](https://twitter.com/direnkadin) (“resist woman”). A year later during an emergency parliamentary debate on military action against Kurdish militants, he told Nursel Aydoğan, a pro-Kurdish Peoples' Democratic Party (HDP) member of parliament: “Madam be quiet! You as a woman, be quiet!” She later responded, “I don’t take it personally. It is an insult against all women including their own (ruling party) lawmakers.”

theguardian.com/world/2014/jul/30/turkish-women-defy-deputy-pm-laughter

telegraph.co.uk/news/worldnews/europe/turkey/11771966/Turkish-deputy-PM-embroiled-in-new-sexism-row-after-saying-As-a-woman-be-quiet.html

Freedom of expression, advocacy of humanist values

Freedom of expression is theoretically protected by the current constitution, but is increasingly not respected in practice. Crackdowns on social media in 2014, including an enforced Twitter blackout, gained attention worldwide.

theguardian.com/world/2014/mar/21/turkey-blocks-twitter-prime-minister

Freedom of religion or belief experts, as well as secular, humanist and human rights organizations, are generally concerned by the direction of travel under the AK party regime, and unimpressed by government gestures toward improving the situation for religion or belief minorities, and wider freedoms.

Identifying ‘atheist’ prompts insults, threats, discrimination

In 2015, members of the Turkish Atheism Association (*Ateizm Derneği*), spoke up about receiving death threats and hate mail, how ‘atheist’ is used as an insult or equated with Satanism or terrorism, and how the presumption of Islam at birth for most Turkish citizens and discrimination in the workplace act to keep the non-religious from identifying as such.

<dw.com/en/uneasy-neighbors-in-turkey-atheism-and-islam/a-18475178>

<voanews.com/content/turkeys-atheists-face-hostility-death-threats/2720367.html>

“Blasphemy” law

Article 216 of the penal code outlaws insulting religious belief, with Article 216.3 stating:

“Any person who openly disrespects the religious belief of a group is punished with imprisonment from six months to one year if such act causes potential risk for public peace.”

The famous prosecution of renowned Turkish pianist Fazıl Say in 2013 was only one of the most prominent legal actions against Turkish artists, writers and intellectuals who have made statements about religion or about Turkish national identity. However, in October 2015 Fazıl Say’s appeal case provisionally acquitted him of the earlier conviction (see “Highlighted cases” below). It remains to be seen whether the court of first instance will accept the reversal and whether this will set any new precedent as to the unconstitutionality of the “blasphemy” law.

Highlighted Cases

The **Turkish Atheism Association (*Ateizm Derneği*)** founded April 2014, and personnel soon received death threats. The Association had its website <ateizmdernegi.org> blocked in Turkey on 4 March 2015, in a decision the Association protested was “arbitrary”.

<hurriyetdailynews.com/turkey-blocks-website-of-its-first-atheist-association.aspx?pageID=238&nID=79163&NewsCatID=341>

The Association has further protested its unequal treatment as an organization in the country, saying in petition statement: “We want politicians to restrain themselves when tempted to make discriminatory statements starting with ‘even the atheists,’” and using terms like “nonbeliever” in a derogatory mode. “We want equal treatment before the law. We do not want to be treated as though we have ‘insulted religious values’ when we express our faithlessness.” The petition also challenges AKP (Justice and Development Party) rhetoric to the effect that Turkey is a country of a “single religion”, calls for the removal of religious affiliation from Turkish identity cards, and requests representation at government meetings with non-Muslim communities from which they are currently excluded.

<change.org/p/tbmm-ateistlerin-ve-dinsizlerin-yasal-stat%C3%BCs%C3%BC-tan%C4%B1ns%C4%B1n>

<hurriyetdailynews.com/turkeys-atheism-association-starts-petition-for-equal-treatment-before-law-and-in-society-.aspx?pageID=517&nID=90788&NewsCatID=339>

In 2014, Armenian writer and atheist **Sevan Nişanyan** was given a lengthy prison sentence, ostensibly for building regulation violations, but the prosecution appears selective and is widely regarded as being linked to his writings on national identity, the Armenian genocide, and in particular his criticism of Islam. There is a campaign for his release.

<al-monitor.com/pulse/originals/2014/01/nisanyan-turkish-jail.html>

In May 2014, **Sedat Kapanoğlu**, founder of one of Turkey’s most popular online forums, Ekşi Sözlük (Sour Dictionary) was given a 10-month suspended sentence for blasphemy. A police complaint

alleging insults to the Prophet Muhammad were made on a discussion thread at the forum. Some 40 forum members were detained by police and charged with insulting religion. The court ruled that Kapanoğlu had committed the crime of “insulting the religious values shared by a group of society”. The 10-month sentence was suspended, based on the time elapsed since the crime was committed and the means used for it.

The court also gave suspect **Özgür Kuru** seven months and 15 days in jail on the same charges, but also suspended the sentence. The court acquitted a third suspect, **Altuğ Şahin**, on the grounds that it could not be detected whether he actually committed the crime of “insulting religious beliefs.” The court also decided to suspend the cases against other 37 suspects. However, all the suspects may be retried if they commit the same crime within three years.

<http://hurriyetdailynews.com/court-sentences-founder-of-popular-online-forum-for-blasphemy.aspx?pageID=238&nID=66544&NewsCatID=339>

On June 1, 2012, Turkish authorities charged **Fazıl 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.

http://huffingtonpost.com/2013/04/15/fazil-say-jailed-turkish-pianist-receives-suspended-jail-term-for-twitter-comments_n_3083849.html

In October 2015, the Supreme Court of Appeals overturned the verdict, citing Say’s own freedom of thought and expression against the prior conviction that he had “insulted” religious beliefs. The court of first instance will now consider the appeal verdict; if they dissent then the process of review will continue.

<http://hurriyetdailynews.com/top-appeals-court-reverses-blasphemy-decision-against-turkish-pianist-say.aspx?pageID=238&nID=90336&NewsCatID=339>

In October 2014, a woman not widely named in media reports was arrested for tweeting a picture of her stilettoed feet standing on a Quran. The tweeter was arrested after a complaint from Ankara Mayor Melih Gokcek, who has sued as many as 3,000 people for insulting him.

http://huffingtonpost.com/2014/10/23/turkey-stilettos-quran-tweet_n_6035198.html

In 2008, Islamic creationist writer **Adnan Oktar**, better known by his pen name Harun Yahya, successfully sued to block the website of evolutionary biologist Richard Dawkins due to “defamatory and blasphemous” content.

<http://theguardian.com/world/2008/sep/18/turkey>

Testimonies

“It’s getting more and more difficult for a secular minded person to raise children unaffected from religious oppression. Some secular schools in my neighbourhood have been changed to religious curriculum. There is a mandatory “Morale and Religion” class, which teaches basics of Sunni Islam, and I’m afraid my child will be forced to take it. To avoid the class, the school management requires me to declare my religious beliefs. This is against the Constitution, and will make us exposed. Many people don’t bother and that’s how everyone’s signed up to that class. I hear from relatives that their children are compelled to select other “optional” religious courses, because science teachers are not available, but religious teachers always are. Yesterday [4 December 2014], the National Education Council suggested religion class for kindergarten, while protesters were accused of blasphemy. That idea was dismissed for kindergarten, but recommended for the

first class in primary school. See the mindset in charge? I am seriously concerned about how I am going to secure my child's getting a secular education, just as I did myself sixteen years ago. The situation has deteriorated and is much worse than how it was in the 90's."

—Levent Topakoglu

"Today I found myself deleting the anti-religion and anti-government posts in my timeline. Because I can be charged with 'causing imminent threat to public peace' with my posts of atheist humor, according to Turkish penal law 216/3. It could be elements of criticism to religious fanaticism, or just a piece of poetry from 800 years ago. It doesn't matter to the judges, thanks to an unnecessarily wide understanding of the law. My post doesn't need to provoke anyone, nor cause hurt. I can be tried anyway. The same is not applied when the head of government can easily call atheists "terrorists" or condemns atheism to be an unwanted result of 'bad' education. In a nation where an alarmingly high percentage of citizens deem atheists the least wanted neighbours, followed by homosexuals, I cannot afford to allow our politicians to promote this unfair, non-democratic, non-secular propaganda against non-Sunni Muslims living in Turkey. Are all citizens not deserving of the same protection and consideration under the law of the country in which they reside?"

— Onur Romano

United Arab Emirates

UAE is a federation of seven states formed in 1971. It is governed by a Supreme Council of Rulers made up of the seven emirs, who appoint the prime minister and the cabinet. Islam is the country's official religion. UAE is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC). An estimated 89 percent of residents are noncitizens, largely from the Indian subcontinent. Of the citizens, more than 85 percent are Sunni Muslims and an estimated 15 percent or fewer are Shia Muslims.

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p>		<p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Apostasy' is outlawed and punishable with a prison sentence</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

Constitution and government

The preamble to the constitution establishes it as an announcement "to Allah, the Supreme and Almighty, and to all the people".

The constitution establishes that: "Freedom to exercise religious worship is guaranteed", but not non-religious views, and only "in accordance with the generally-accepted traditions provided that

such freedom is consistent with the public policy or does not violate the public morals” — broad qualifications.

Citizens, but only citizens, have limited rights under the constitution to participate in elections; only citizens can hold public office.

Education and children’s rights

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 morals and beliefs face potential penalties including closure. Islamic studies are mandatory in public schools and in private schools serving Muslim children.

Family, community and society

Presumption of Islam and death for Apostasy

All citizens of the UAE are deemed to be Muslims. Conversion to other religions (and by implication, advocacy of atheism) is forbidden and the legal punishment for conversion from Islam is death, although there have been no known prosecutions or legal punishments for apostasy in court.

“The United Arab Emirates criminalizes apostasy through the incorporation of the concept of hudud crimes under Islamic Sharia’a into its Penal Code. Those crimes include adultery, apostasy, murder, theft, highway robbery that involves killing, and a false accusation of committing adultery. Article 1 of the Penal Code provides that Islamic law applies to hudud crimes, the acceptance of blood money, and homicide. In addition, article 66 states that among the “original punishments” under the law are the punishments of hudud crimes, including by imposing the death penalty. However, “there have been no known prosecutions or legal punishments for apostasy in court.”

loc.gov/law/help/apostasy/index.php#uae

The government regulated activities and messaging of most Sunni mosques with the stated purpose of combating violent extremism, and required all religious groups to adhere to general restrictions on freedom of assembly and association, including for religious purposes.

Sharia for everyone

In practice the UAE tolerates the practice of other religions by non-citizens (who are foreign workers), provided they do not proselytise. Non-citizens have few rights under the constitution and are subject to the Islamic Shari’a which is a main source of legislation in the UAE.

The judicial system applies two types of law, depending on the case. Courts apply sharia (Islamic law) for most family law matters, e.g., marriage, divorce, and inheritance, and on rare occasions for criminal matters. Courts apply civil law, based on the French and Egyptian legal systems, for all other matters. Shia Muslims in Dubai may pursue Shia family law cases through a special Shia council rather than the regular judicial system. When Islamic law courts try non-Muslims for criminal offenses, crimes are generally not punishable by Islamic law penalties. 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.

refworld.org/docid/53d906f53.html

Under Islamic law, Muslim men may marry non-Muslim women who are "people of the book," generally meaning those who are either Christian or Jewish. Muslim women are not permitted to marry non-Muslim men, however. Because 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 outside of marriage, which carries a minimum of one year in jail. The law grants custody of children of non-Muslim women who do not convert to Islam to the Muslim father in the event of a divorce. By law, a non-Muslim woman who fails to convert is also ineligible for naturalization as a citizen and cannot inherit her husband's property unless named as a beneficiary in his will.

Broader human rights issues

"The three most significant human rights problems were citizens' inability to change their government; limitations on citizens' civil liberties (including the freedoms of speech, press, assembly, association, and internet use); and arbitrary arrests, incommunicado detentions, and lengthy pretrial detentions."

— 2013 Country Reports on Human Rights Practices - United Arab Emirates, US Dept. of State

Freedom of expression, advocacy of humanist values

The law provides limited freedom of assembly, on which the government has imposed some restrictions. The law requires a government-issued permit for organized public gatherings. In 2014 the authorities dispersed impromptu gatherings or protests and, at times, arrested participants. The law provides limited freedom of association but has, again, imposed some restrictions. Political organizations, political parties, and trade unions are illegal. refworld.org/docid/53284a5310.html

Highlighted cases

In January 2012, **Mahmoud Khaled**, an Egyptian citizen residing and working as a Graphic Designer in Abu Dhabi, was arrested at his working place for defaming religion on his personal Facebook page (under the name Tony Marc). Mahmoud Khaled had there openly declared his atheism and posted comments and pictures critical of society, patriarchy and religious dogma. The prosecutor accused him of insulting religion and Mahmoud Khaled was jailed in the Wathba prison in the desert of Abu Dhabi. The court however aimed to check the mental health of Mahmoud Khaled and sent him a few months later to the psychiatric clinic of the prison, where he was attested with schizophrenia and medically treated, although Mahmoud Khaled was mentally healthy. Mahmoud Khaled, seeing the opportunity to escape a long prison term of maximum seven years, started to pretend being ill in the clinic and feeling better after medication. After one month of treatment and a few months back in prison, the court released him in June 2012 on insanity defense due to schizophrenia. Mahmoud Khaled was advised to undergo a mental health treatment and authorities kept his passport, keeping him unable to leave the country. Mahmoud Khaled returned to work. The following year, in February 2013, authorities called him in order to come to take his passport, but arrested him again once he arrived. He spent several weeks in the same prison again, before being deported, in hand and feet cuffs, to Egypt.

Testimonies

“The believers around me never allowed themselves to think about their God’s negative points and deficiencies... they quietly believe they are going to Paradise and the rest are infidels. This is widespread, among every group. The society where all blindly say we are believers of the only God, whom they fear, and make efforts to bless the younger generations by entrapping them in the same belief, is idiotic to me.

“Now I have released myself from the bonds of this belief, it seems to me like I was an object not human, the reason why I became an unbeliever was that if I knew there is a God, he doesn’t need what the clergymen are recommending us to do for him, the holy books and prophets coming one by one with new rules all supposedly from the same God yet with a distinctly human slant on them! We see most rules in a religious society do not have any relation to God.

“Yet I can’t express my view freely because it contradicts their faith and they will not permit damage to their beliefs, or to tell them that in my view their thoughts are false. I tried to express my free thought and I was abused, I was treated as inhuman, and some others said I was neurotic and stricken with mental disorder...

“The first time, I was with some other guys, we were talking about a religious matter, upon saying the name of Mohammad I was cursed, because I had said only “Mohammad”, they were saying to say “Mohammad” you must include “Peace Be Upon him”, and moreover you must send salute while saying his name, and for a long time they did not talk to me.

“Another time I was watching a clip of satire, in this clip a person was complaining from God about some unpleasant thing in this world, upon reaching this point all who were hearing the voice rushed to me and broke the laptop and even told me not to be seen here again. Most who knew me were disconnecting the relationship with me, calling me an Atheist, saying that Jew is better than you, you are not human, you will be in hell forever...

“After that I feel this world is only for religious people and every time I was humiliated because I was not accepting what you are telling, that was my sin. The issue is, if I keep soundless it really hurts me, and there remains all this wrong in world. It is everyone’s right to live a life free of any pious, ethnic and color prejudice. I want to see the world with love, passion, fraternity and affection only, and instead of fighting assist each other to have a future without any abomination and condemnation.”

— Anonymous

Yemen

Islam is the official state religion and guides all legislation. Freedom of religion, speech and the press are all severely restricted. Yemen is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Rating: Grave Violations

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p>		<p>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</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
		<p>Systemic religious privilege results in significant social discrimination</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	<p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>		

Constitution and government

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.

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.

Education and children's rights

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.

Family, community and society

Ridiculing religion

The law punishes public "ridicule" of any religion; the maximum sentence is higher if the ridiculed religion is Islam.

Death for apostasy

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.

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.

Family law

Family law prohibits marriage between a Muslim and an apostate; by law, apostates have no parental or child-custody rights.

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.

Freedom of expression, advocacy of humanist values

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

Belarus, a former soviet republic, attained independence in 1991. Belarus' ties with Russia influence both economic and political direction. President Lukashenko is often dubbed "Europe's last dictator". He's been in power since 1994.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic 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 or human rights is severely restricted
There is an established church or state religion			

Constitution and government

The Belarus Constitution, Article 33 reads:

"Everyone is guaranteed freedom of thoughts and beliefs and their free expression.

No one shall be forced to express one's beliefs or to deny them.

No monopolization of the mass media by the State, public associations or individual citizens and no censorship shall be permitted."

In practice these freedoms are severely restricted by law.

Demography

There are few reliable statistics about non-religious or religious affiliation in Belarus. Belarus inherited the atheist stance from the former Soviet Union. There are no known humanist, sceptic or free thinkers groups in Belarus. One survey suggests that 68% of the 9.4 million population is linked to the Belarusian Orthodox Church (BOC). Other religions have much smaller populations.

Religious discrimination

The government used provisions of the religion law to hinder or prevent activities of groups other than the BOC. 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 law requires all religious groups to receive prior governmental approval to import and distribute religious literature. The government harassed members of minority religious groups, denied them permits to obtain places of worship, raided their private residences and, in one case, arrested a religious official. Members of religious groups reportedly continued to be reluctant to report abuses and restrictions, fearing intimidation and retribution.

206.155.102.64/country,,,BLR,,53d907aa10,0.html

Education and children's rights

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 (MOE) and the BOC calls for joint projects for the spiritual and moral education of students based on BOC traditions and history.

Family, community and society

The United Nations General Assembly received, in August 2014, a report on the situation of human rights in Belarus:

"The Special Rapporteur identifies the main obstacles hampering the activities of civil society organizations and human rights defenders in the country. Findings indicate that such organizations and individuals continue to endure extreme political pressure and a restrictive regulatory setting, and that civil activities outside the official framework are criminalized. In breach of the country's international human rights commitments, these policies have purposefully paralyzed the exercise of citizens right to full and inclusive participation in public life."
<206.155.102.64/country,,,BLR,,5412db636,0.html>

Freedom of expression, advocacy of humanist values

Belarus has been heavily criticised by rights bodies for suppressing free speech, muzzling the press and denying the opposition access to state media. Reporters Without Borders ranked Belarus 168th out of 179 countries in its 2012 world press freedom index. It said independent journalists try to report "despite harassment and intimidation". Freedom House says a 2008 media law gives the state "a monopoly over information about political, social, and economic affairs". TV is the main source of news. The four national channels are state-controlled; their main competitors are Russian networks.
<bbc.co.uk/news/world-europe-17941331>

Bulgaria

The Republic of Bulgaria is a democratic sovereign state in southeastern Europe with a population of 7.5 million and bordered by Romania, Serbia, Macedonia, Greece, Turkey and the Black Sea. The constitution guarantees "the life, dignity and rights of the individual and shall create conditions conducive to the free development of the individual and of civil society".

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
State-funding of religious institutions or salaries, or discriminatory tax exemptions		Discriminatory prominence is given to religious bodies, traditions or leaders	
There is a nominal state church with few privileges or progress is being made toward disestablishment Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious; Concerns that secular or religious authorities interfere in specifically religious freedoms
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

Bulgaria adopted a democratic constitution in 1991 following nearly 50 years of communist rule. Article 13 of the constitution guarantees religious freedom. It declares the state to be secular — "Religious institutions shall be separate from the State" — and that "religious institutions and communities, and religious beliefs shall not be used to political ends". Within the same article however, Eastern Orthodox Christianity is somewhat ambiguously officiated as the country's "traditional religion".

parliament.bg/en/const

The state and the church

The Religious Denominations Act 2002 is clear in pointing out that the Bulgarian Orthodox Church's (BOC) special traditional status cannot be used "as grounds to grant privileges or any advantages". However the constitutional text suggests that there is some form of relationship between the BOC and the state. Article 10 of the Religious Denominations Act states that the BOC "has current meaning in [Bulgaria's] political life", while Dr. Peter Petkoff of Brunel University wrote in a journal article that "although the law does not suggest what kind of relationship this is, one could imagine that there is a hint that official holidays and state ceremonies with a religious element will have an Eastern Orthodox framework and will be performed by clergy from the BOC".

legirel.cnrs.fr/spip.php?article540&lang=fr

biblicalstudies.org.uk/pdf/rss/33-4_315.pdf

The relationship between the state and the BOC is especially problematic when church representatives engage in acts of discrimination. In 2012, in reference to the planning of an LGBT Pride Parade planned to take place in the nation's capital, Father Evgeni Yanakiev of the BOC was quoted in a national newspaper as saying "Our whole society must, in every possible way, oppose

the gay parade that is being planned. For this reason, I appeal to all those who consider themselves Christian and Bulgarians. Throwing stones at gays is an appropriate way".

On the day of the parade, according to Human Rights Watch three members of parliament were among those "throwing Molotov cocktails and stones". Previous LGBT parades have been marred and disrupted by violence and threats to violence.

www.hrw.org/news/2012/06/28/bulgaria-chilling-calls-stoning-lgbt-citizens-bulgaria

The state and other religions

The state requires religious groups to be registered as legal persons; this affords them the power to decide upon the legitimacy of certain faiths and appears to offer the possibility of state discrimination against religious groups. Dr. John Anderson of Oxford University notes the difficulty in reconciling the constitutional guarantee of religious freedom with the requirement that religions be essentially vetted by the state, a state which maintains a special relationship with one particular Christian denomination. In response to this, the dominant traditional religious institution tends to claim that rather than seeking societal privileges or advantages, they simply desire "recognition of a historical, cultural and religious reality". Despite these claims, evidence of privilege can be found in the relative allocations of public funds for religious groups. In 2011 the International Coalition for Religious Freedom reported that "of the \$1.8million allocated to registered religious groups, \$1.4 million is allocated to the Bulgarian Orthodox Church".

religiousfreedom.com/index.php?option=com_content&view=article&id=198&Itemid=29

ecpr.eu/Filestore/PaperProposal/84fd47d2-1b97-4644-8555-79f8a337e9ef.pdf

According to the 2013 Human Rights in Bulgaria report by the Bulgarian Helsinki Committee, there numerous documented examples of discrimination against unaffiliated religions, with a particular focus on the activities of Jehova's Witnesses and the Church of Jesus Christ of Latter Day Saints (Mormons). In 2013, a group of Jehova's Witnesses were prevented from handing out religious brochures as it was seen to be a "threat to national security, health and morale"; the judgement of which was upheld by the Municipal Court.

Education and children's rights

In 2011, former Bulgarian Prime Minister Boyko Borisov spoke during a mass at the St. Prokopiy Varnenski temple and declared support for making Religious Education compulsory in schools. He donated BGN 15,000 (approximately £6000) during the visit, and showed clear bias towards the BOC.

novinite.com/articles/129622/Bulgarian+PM%3A+Religious+Classes+Should+Be+Compulsory

To date public schools offer religious education on an optional basis, with all officially registered religious groups given the option to request that their beliefs be included in the curriculum. Atheist, humanist or other philosophical alternatives are not included.

Freedom of expression, advocacy of humanist values

In recent times there have been widely documented instances of serious failures concerning the freedoms of expression and the press. According to the World Press Freedom Index 2014, Bulgaria retained its status as the lowest ranked country in the European Union for the consecutive third year. The ranking has likely stemmed from high levels of political unrest that saw undue political pressure on media outlets, harassment and targeting of individual journalists, and reporters being subject to police violence during protests and demonstrations.

www.hrw.org/news/2013/07/25/bulgaria-investigate-police-violence-protest

“The [Bulgarian] government has an obligation under human rights law to ensure that media and journalists can operate freely and without interference by the state. Such assaults on journalists put freedom of expression and media freedom at serious risk and require independent investigation and, where appropriate, disciplinary measures against those responsible.”

— Human Rights Watch, July 2013

In response to the widespread publication of leaked files about his business activities in the 1990's, former Prime Minister Borisov is reported to have threatened:

“What they have done, I can cook it for all of you standing here today. I can order the secret services to launch similar cases for all of you journalists, all of you without exception.”

— Boyko Borisov via Reporters Without Borders, February 2013

en.rsf.org/bulgaria-prime-minister-s-dangerous-cold-07-02-2013,44043.html

According to the 2006 Library of Congress Country Study for Bulgaria, bureaucracy, weak administrative agencies and court backlogs in the registration process were cited as leading to "constitutional protection of defendants' rights problematic in some instances".

lcweb2.loc.gov/frd/cs/profiles/Bulgaria.pdf

Czech Republic

The Czech Republic is one of the least religious countries in the world where - depending on the metrics - at least 60% of the population can be identified as irreligious and 37% as atheists. It is a constitutionally secular state. Beneath the secular surface, however, there are a number of systemic privileges and special permissions granted to religious groups.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>		
<p>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
		<p>Insufficient information or detail not included in this report</p>	

Constitution and government

The constitution of the Czech Republic protects the rights of the individual and guarantees that the state will be secular. The Charter of Fundamental Rights and Freedoms, a supplementary constitutional document, states in Chapter 1, Article 2(1) that "Democratic values constitute the foundation of the state, so that it may not be bound either to an exclusive ideology or to a particular religious faith." Articles 15 and 16 of the Charter also protect freedom of religion, freedom from religion, freedom to change religion, and determines that religious education in schools shall be set by law. Article 17 protects free speech and specifically prohibits censorship. Other articles in the Charter protect freedom of assembly and other fundamental rights. The Charter also guarantees the independence of religious societies from the state, stipulates conscientious objectors cannot be compelled to perform military service and it states that religious freedom may be limited by law in the event of threats to "public safety and order, health and morals, or the rights and freedoms of others."

<usoud.cz/en/charter-of-fundamental-rights-and-freedoms/>

<state.gov/documents/organization/238584.pdf>

However, the state funds religious groups including clergy salaries and cultural activities in the billions of Czech crowns (tens of millions of dollars US). The government paid 3.5 billion koruna (\$157 million) to religious groups in 2014, of which 1.4 billion koruna (\$63 million) went to second-tier churches and 2.1 billion (\$63 million) were paid "as part of compensation for communal property in state hands that would not be returned to churches." Although the religious communal

property restitution started in the 1990s, there are still unresolved property claims of religious organizations, because the government disputes their church ownership prior to nationalization. <state.gov/documents/organization/238584.pdf>

A specific piece of legislation was passed in 2002 that grants special conditions and privileges to religious groups and organizations: 3/2002 Coll.: on freedom of religious confession and the position of churches and religious societies. <host.uniroma3.it/progetti/cedir/cedir/Lex-doc/Cz_I-01.pdf>

The Act establishes a two-tiered system of registration for religious groups, although churches can operate without registration. For limited tax benefits, they have to register in the first tier, which is relatively easy to qualify for. While first tier churches have to meet definitely stricter requirements to be registered in the second tier, they are fair and reasonable. At the introduction of this two-tier system, religious groups registered before 2002 received second-tier status automatically regardless of their meeting the necessary requirements. <state.gov/documents/organization/238584.pdf>

Under article 6, a church is formed as a legal entity by registration of the Department of Churches at the Ministry of Culture). A registered second-tier church may then obtain special permissions under article 7 (provided they meet the criteria set out in article 11), these special permissions include:

- “a) to teach religion in state schools in accordance with specific law;*
- b) to delegate persons who perform the clerical activities of conducting religious services in the military of the Czech Republic, and in institutions for detention, imprisonment, and reformatory treatment and training;*
- c) to be financed pursuant to specific law concerning the financial security of churches;*
- d) to perform marriage ceremonies in accordance with specific law;*
- e) to establish church schools in accordance with specific law;”*

Using the term “specific law”, this Act establishes specific privileges and provisions to be granted to churches and religious groups with regards to education and faith schools, chaplains in the military and in prisons, the performing of marriage ceremonies and financial benefits including tax exemptions and state funding.

Family, community and society

After the fall of communism many East-Central European nations experienced a backlash of an atheism having been made official state ideology with “populations eagerly running back to the forbidden religions as soon as they were free to do so.”

The Czech Republic hasn’t seen any such return to religion, however, only 21% of its citizens consider religion an important part of their daily lives, while at least 60% of them can be considered as irreligious.

Czech Republic is an exception in another respect as well: it is the 28th most developed nation in the world based on the United Nation’s Human Development Index (which measures stability and average standard of living in a given country), where only Slovenia ranks higher (25th) from the region. “It seems that the government’s demonstration of faith in its people and commitment to their well-being has gone a long way towards keeping the citizens from rekindling religious faith, whereas in places like Russia, where citizens are more desperate, looking to God for answers perhaps becomes more appealing.”

alternet.org/8-countries-where-atheism-accepted-even-celebrated-instead-demonized>

While the constitution grants equal rights to each religion, anti-Islam sentiment is growing, even politicians including President Zeman regularly make public statements that equate Islam with terrorism.

A movement called *Islám v České republice nechceme* (“We don’t want Islam in the Czech Republic”) held rallies against Muslims regularly, especially after the influx of refugees and immigrants started intensifying in the summer of 2015.

Education and children’s rights

Of the dozens of religious groups recognised by the state (i.e. registered with the Ministry) at least nine have been granted special permissions under Article 7(1)(a) to teach religion in state schools. The law still clarifies that religious instruction is optional in state schools, but that “school directors must introduce religious education choices if seven or more students of the same religious group in a class request such instruction.” Unregistered and first-tier churches cannot give religious education in public schools.

state.gov/documents/organization/208518.pdf>

Freedom of expression, advocacy of humanist values

Article 17(4) of the Charter of Fundamental Rights and Freedoms lays out freedom of expression, and Article 355 of the Criminal Code limits this only in cases of defamation against “a group of people for” a range of traits including “religion” or, notably, “because they are actually or allegedly without religion, shall be punished by imprisonment of up to two years.” Analysis suggests this does not constitute a “defamation of religion” or de facto blasphemy law and could only be used to limit incitement against a group of people so defined.

Article 356 of the Criminal Code further outlaws incitement of hatred towards a religious group, article 404 criminalises sympathy for hate groups/movements and article 405 protects against “public denial, questioning, endorsement or vindication of genocide”.

portal.gov.cz/app/zakony/zakonPar.jsp?page=3&idBiblio=68040&recShow=362&fulltext=trestn~C3~AD~20z~C3~A1kon~C3~ADk&nr=40~2F2009&part=&name=&rpp=100#parCnt>

Hungary

Hungary is often said to be pulled culturally, socially and politically between “East” and “West”. The modern constitutional parliamentary democracy was introduced as lately 1989, following a long history of varying authoritarian regimes including 40 years of communist dictatorship. In the first 20 years, democratic institutions were set up and improved gradually with the country trying to catch up with European democracies, and Hungary became member of the European Union in 2004. Since 2010, however, Hungary has undergone an authoritarian, nationalistic turn.

Rating: Severe Discrimination ↓

This country is found to be declining, with retrograde, anti-democratic reforms implemented under an authoritarian, nationalistic government since 2010, accused of borrowing some policies from the “far-right”. There is a trend toward a systematic desecularization of the state, giving religious privileges to certain churches, and increasing governmental control over a significant part of the media.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		Systemic religious privilege results in significant social discrimination	
State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious classes in public schools	Religious groups control some public or social services	
			Some concerns about political or media freedoms, not specific to the non-religious Concerns that secular or religious authorities interfere in specifically religious freedoms

Constitution and government

Toward an “illiberal” state

The popular, nationalist Fidesz party, under Prime Minister Viktor Orbán, has made conscious and explicit efforts to remodel Hungary as an “illiberal democracy” veering away from liberalism and towards an authoritarian democracy. Orbán said in 2014, “I don’t think that our European Union membership precludes us from building an illiberal new state based on national foundations”.
bloomberg.com/news/articles/2014-07-28/orban-says-he-seeks-to-end-liberal-democracy-in-hungary

Since 2010, Fidesz has been formally in coalition with the Christian Democratic People's Party (KDNP), though in reality the KDNP is usually considered a satellite party of Fidesz, or even defunct and irrelevant as an autonomous party. Either way, the Fidesz-led coalition has dominated the Hungarian Parliament, using their supermajority to adopt an entirely new constitution (which came into force 1 January 2012), which limits the role of the Hungarian Constitutional Court, undermining

the separation of powers as well as the separation of church and state, the protection of human rights and the rule of law.

[http://venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad\(2013\)012-e](http://venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad(2013)012-e) [paragraph 145]

The operations of the government have become less transparent, the social dialogue between the government and different social groups has become virtually non-existent or a mere formality. Also serious efforts have been made by the government to control mass communication.

Toward a religious state?

The constitution and other laws and policies theoretically protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, many new laws and constitutional changes introduced by the government since 2010 (and after reelection in 2014) have degraded these rights. Although the state is officially secular, considerable government support, including hundreds of millions of dollars, is given to the main Christian churches.

The constitution theoretically 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 also that the state will cooperate with so-called "incorporated" 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, and praises christianity as an agency in preserving the nation.

Deference to Christianity by officials of the governing parties is, however, pervasive in public debate, with Christianity being a staple of the Orbán administration's rhetoric. In 2015, the prime minister explicitly stated that he wants to preserve Hungary as a Christian nation, and that "Hungarians should not want to live together with Muslims" in their country.

There is a sense in which the Christianization of the state may well be regarded as a veneer for nationalism and authoritarianism generally. The convergence of church and state was initiated and maintained by the Orbán administration, while the churches – though sometimes exhibiting reluctance to accept the privileges the government wants to impose on them – are not exactly uncomfortable with the new situation, in which they have much more money for their operations and more opportunities to proselytize. In return, they do not express views critical of the government, or in some cases they become an outright part of the government's propaganda, as in case of the 2015 migrant crisis. For example, Gyula Márfi, the archbishop of Veszprém, joined in the government's campaign against Muslim refugees, saying in an interview in October 2015 that Muslims come to Europe in great numbers "to conquer Europe through faith".

Education and children's rights

The new religion law continues to help both incorporated 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, which puts church-operated schools in a much better financial position than the ones administered by municipalities.

This financial leverage was the main factor behind a significant increase in the number of public educational institutions operated by churches – but funded by the state. In 2010 these type of schools made up only 7.7% of all public educational institutions, while in 2014 it rose to 12%. Regarding secondary general schools this figure jumped from 12% to 23% respectively, which is the highest percentage among all types of public educational institutions. Several towns have only one church-operated secondary general school, forcing non-religious parents to enrol their children either in that school or one in another town. Religious providers of educational institutions are not subject to governmental control or oversight. They can choose their terms of enrolment - which, in certain institutions, has already led to discriminations against Romani children -, their syllabus, their teaching materials, and they can be religiously committed in their everyday operation of the institution they administer.

Religious classes were introduced in all public primary schools in the 2013/14 school year. Although, they are optional to take up (the non-religious can choose ethics classes as an alternative), the government brought religion back into public schools finding another way to spend public resources on religious activities.

Family, community and society

Discriminatory ‘church tax’ and public funding

All so-called “incorporated churches” receive advantageous tax treatment compared to (unincorporated) religious communities, which operate as any other non-religious associations, but can call themselves churches. People can offer 1% of their annual income taxes to be paid to incorporated churches, and another 1% to any non-profit organizations including incorporated churches. Thus incorporated churches are eligible for 2% of the income taxes collected by the state, while other religious and non-religious non-profit organizations are eligible for only 1%.

The FIDESZ-KDNP government passed a provision in 2012 — part of a health-related law — which requires the state to amend these voluntary tax-based donations with a state subsidy if their total amount is less than 0.9% of the state’s annual budget. This constitutes a further governmental revenue stream for incorporated churches (and not for other non-profit organizations) regardless of the people’s actual will to support them financially.

In addition to taxpayer contributions, the government allocates public funds to incorporated churches. 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 (~\$121 million) as compared with 23.5 billion forints (~\$84 million) in 2010. Since 2014, member donations to incorporated churches are entirely exempt from the Hungarian Accounting Law, allowing them to use those funds as they see fit, without any oversight.

Discriminatory hierarchy of religion or belief groups

Religious associations are not treated equally in Hungary. A new religion law, which took effect on January 1st, 2012, changed the registration process for religious associations from one led by the courts to one requiring the approval of parliament, and introducing a two-tier system of church recognition which provides preferential treatment for 27 incorporated churches. They ‘enjoy full church status including entitlement to privileges, subsidies and tax donations’, while the 350 other

religious associations are in a much less privileged situation, with only limited possibilities to move from a non-incorporated church status to that of an incorporated one.

Sixteen churches, which were fully-fledged churches previously, and now belong to the second category, filed a lawsuit against the Hungarian government at the European Court of Human Rights (ECHR) for having “substantially reduced rights and material possibilities to manifest their religion, when compared either with their former status or with the currently incorporated churches.” In 2014, the Court decided in favour of these 16 churches stating that “the Church Act violated the applicant churches’ rights to freedom of thought, conscience and religion and freedom of association protected by the European Convention on Human Rights”. These 16 religious associations want a 20-billion-forint (\$71.5 million) compensation from the Hungarian government for their lost income in the last 3 years. The government and the churches are currently in negotiations to settle the amount of the compensation and the renewal of these religious associations’ status, but probably not as incorporated churches.

tasz.hu/en/freedom-religion/ecthrs-judgment-final-hungarian-church-act-violates-freedom-religion>

ECHR’s 2014 decision makes it clear that the Church Act as well as the Fundamental Law of Hungary, “in its current form, violate the Convention on Human Rights.” After one year of preparation, in September 2015 the Orbán-administration drafted a comprehensive concept to make statutory amendments to the Church Act in line with ECHR’s decision. The proposed provisions, however, codify previous discrimination between religious groups, and “only rewrite the law without changing its essential content.”

osce.org/odihr/186866?download=true>

tasz.hu/lelkiismereti-szabadsag/velemeney-az-egyhaztorveny-modositasanak-tervezeterol>

Discrimination exists not only between incorporated churches and religious associations, but also between religious organizations in general and non-religious organizations, especially when their socio-political leanings differ from those of the Orbán-administration. Key managerial positions at agencies distributing EU and state funds for supporting the activities of civil organizations in Hungary are held by officials formally or informally close to the current government, who award funds to NGOs supportive of the government. There are only a few foundations that operate entirely independently from the government. One of them is the Norwegian NGO Fund sponsored by the Norwegian government, which gives 40 + 4 billion forints (\$142 + 14 million) to Hungarian NGOs. The 40 billion is distributed by the government, the remainder 4 billion is awarded by Ökotárs Foundation. After the FIDESZ-KDNP coalition was re-elected in 2014, the Minister of Prime Minister’s Office, János Lázár launched an attack against Ökotárs accusing them of preferential treatment for opposition-backed NGOs, and a misconduct in awarding the fund’s money. In September 2014 criminal proceedings were initiated against Ökotárs, which were terminated in October 2015 in absence of any criminal activity. In spite of the court’s decision, Lázár stated that he is convinced that the Foundation does its job illegitimately, which foreshadows further governmental prosecution against the Foundation.

The criminal investigation against Ökotárs was part of a full-fledged attack against independent NGOs in Hungary, which started in 2014 and continued in 2015 with audits and investigations. “At one point, there were more than 50 NGOs being audited by the government, including all of the most prominent human rights watchdog organizations and independent civil society advocates.” In most cases, courts ruled in favour of NGOs, but there are still four NGOs threatened by being their tax licenses suspended and another seven are being subject to tax audits.

hungary.usembassy.gov/bell_10282015.html>

Here, we cannot speak of a direct discrimination against humanist or secular organizations, but about an indirect one, as these organizations are inherently part of the opposition to the current non-secular government. At the moment, there are no registered humanist or secular civil organizations in Hungary. Hungarian Secular Association started its registration process at the registry court in the fall of 2013, the court registered the Association in early 2014, but its decision was attacked by the metropolitan prosecution office on technicalities. The Association has still not been registered.

Freedom of expression, advocacy of humanist values

Non-religious views may be freely expressed, and anybody irrespective of their religious or irreligious beliefs can hold a public office according to law. However, there is some informal political coercion against expressing these views, especially by those holding public office. Zoltán Balog Minister of Human Resources, responsible for culture and religion, stated at a conference in 2013 that Christians are better suited to do certain public services such as education, as “they have a higher moral standard than non-Christian people”.

The criminal code has a provision on the “Violation of the Freedom of Conscience and Religion,” which criminalizes violence or threat, 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 a religion.)

Media control

Under the new media legislation taking 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.

Ever since, the (directly and indirectly) FIDESZ-controlled media empire continued to expand. In July 2015, MTVA launched its sixth channel, exclusively dedicated to sports. The state television has an 80 billion forint (\$286 million) budget for 2015, plus the government assumed its 47.2 million forint (\$168.5 million) debt this September. For 127.2 million taxpayer forints only in 2015, the government has its own propaganda machine echoing such unfounded government statements as

there are terrorists among the refugees. The Hungarian Helsinki Committee for Human Rights, for example, assessed MTVA's coverage of this year's refugee crisis in Hungary as biased and unfair, and noted that the state television uncritically adopted government rhetoric about this issue hindering reasonable public debate, and undermining social cohesion and integration.

Andy Vajna, government commissioner in charge of the Hungarian film industry and one of the few casino license-holders, tried to buy the second largest Hungarian commercial television network, TV2 this October. His ownership rights, however, are disputed by another media entrepreneur, who also states buying the same television network. The two parties took their dispute to court.

In September 2015, Viktor Orbán's 'informal advisor', Árpád Habony launched a pro-government news portal (888.hu) through one of his business interests to counter dissenting and adversarial voices on the internet, which dominate the online media landscape.

budapestbeacon.com/featured-articles/orban-advisor-launches-pro-government-news-portal/28026

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.

Moldova

With a population somewhat over 3.5 million, Moldova is a parliamentary republic nestled between Romania and Ukraine.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege		Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious;

Constitution and government

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

The constitution protects freedom of expression and assembly and the current Moldovan government has generally protected those rights. However, the government in separatist Transnistria significantly restricts media freedom.

Poland

The Roman Catholic Church is the largest religious organization in Poland and maintains considerable influence in social and political life. In 1993, it was granted special recognition by the Polish state as per a Concordat with the Holy See.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is systematic religious privilege Preferential treatment is given to a religion or religion in general State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools		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 with no secular or humanist alternative, but it is optional		Concerns that secular or religious authorities interfere in specifically religious freedoms
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The current provisions for official church-state relations were outlined in article 25.2 of the Polish Constitution of 1997, stating that interactions between Church and state are based on recognising “the mutual independence of each in its own sphere,” but also a “principle of cooperation for the individual and the common good”.

In practice this “cooperation” between Church and state is deeply ingrained. Throughout Polish history, the Roman Catholic Church has played not only the role of a provider of religious authority, but also a social and political force. Church-state relations in Poland have been shaped by decades of social and political oppression, during which the Church combined religious and political symbols to create a civil religion that symbolized national history and identity for many Poles.

Due to its significant position as a symbol of resistance throughout the socialist era, the Church emerged after the fall of Communism as a strong and respected institution in a position to impose traditional Christian values on Polish society, particularly in the early 1990s. The process of democratisation and the resulting debates that emerged during the transitional period of the 1990s saw a shift in attitudes towards the role of the Catholic Church in Poland, as many grew critical of the Church for its perceived reluctance to adapt to life in a pluralistic society and its interference in political affairs.

Today, however, loyalty to the Church appears to be in longer-term decline as more people are turning away from institutionalised religion. Recent research suggests that younger generations are becoming more selective in their interpretation of religious dictates (75% of regular churchgoers aged 18-24 accept premarital sex, 50% accept divorce, and 20% accept abortion).

[tandfonline.com/doi/abs/10.1080/09637494.2014.936158](https://doi.org/10.1080/09637494.2014.936158) [Góra, M. and Zielińska, K., “Defenders of faith? Victims of secularisation? Polish politicians and religion in the European Parliament”]

However, the 2015 election results might suggest a resurgence in traditional Catholic thinking, with the conservative, strongly pro-Catholic Law and Justice party (Prawo i Sprawiedliwość, or PiS) gaining 37.6% of the vote.

Discussions surrounding the debate on religion and individual rights in Poland focus particularly on social matters such as education, reproductive rights, LGBT rights and gender equality, and the Catholic Church appears to be increasingly alienating itself from young Poles through its uncompromising attitude towards such issues.

Education and children’s rights

General provisions regarding religious education are outlined in Article 53 of the Polish Constitution, which states that parents have the right to raise their children in accordance with their religious convictions. Religious education classes in Poland are centred on the rules and rituals of Roman Catholicism and generally do not include material on other religions or worldviews.

In 2015, activists promoting the project ‘Świecka szkoła’, or ‘secular school’, gathered more than 95,000 signatures in a campaign to reform state financing of religious education in public schools. The activists aim to ensure that catechism lessons, which are taught in Polish public schools and funded by the state, are instead paid for by religious organizations or parents.

liberte.pl/swiecka-szkola-projekt-ustawy/

Currently, religion classes are taught in 95.6 per cent of public schools. Parents can choose to enrol their child in religious education classes, or in the ethics course offered as a secular alternative, or in both. Both courses are financed by the state, and religious education classes are often taught by members of the clergy.

wyborcza.pl/1,75478,18582441,nie-chca-by-panstwo-finansowalo-lekcje-religii-zebrali-juz.html

However, despite this seeming equality, campaigners suggest that in practice, many students do not have access to ethics classes and often have to spend the period in isolation if they opt out of religious education. For example:

“Ethics classes are offered in just a few per cent of Polish schools [...] State schools also often pressure pupils into taking part in religious celebrations such as masses on Papal Days [...] Discrimination and indoctrination are imbedded in educational activities, and even in the design of the schools. For example, the dominance of religious content related to the Roman Catholic denomination can be seen inside the corridors and classrooms.”

— Dorota Wójcik, Chair of the Board, Warsaw-based Foundation for Freedom from Religion (Fundacja Wolność od Religii)

In 2015, a state-run elementary school in Lublin informed parents that children would not be able to participate in the tradition of fortune-telling on St Andrew’s Eve, the night of 29th – 30th November, because it was not in accordance with the teachings of the Roman Catholic Church.

Family, community and society

Reproductive rights

Poland is one of several countries in Europe in which access to abortion is extremely limited, and the United Nations recently criticised Poland – not for the first time – for its restrictive approach towards reproductive rights. In a recent document published by the UN Committee on the Rights of the Child, the UN called for Poland to “make the conditions for abortion less restrictive” and to “establish clear standards for a uniform and non-restrictive interpretation of the conditions for legal abortion and relevant procedures”.

tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/POL/CO/3-4&Lang=en

Women are only permitted to seek abortion if the foetus is severely malformed, the pregnancy puts her life at risk, or if the pregnancy is the result of a criminal act – and even under these criteria the right to terminate the pregnancy ultimately lies with the doctor that is treating her. There have been cases in which women have been denied an abortion despite facing serious health risks. In a well-known case in 2000, Alicja Tysi c, who suffered from myopia, was told independently by three ophthalmologists that the strain of giving birth could cause irreparable damage to her retinas; but her request to terminate the pregnancy in a Warsaw hospital was refused by the head of gynaecology. Following the delivery, her eyesight deteriorated to the extent that she was deemed unfit to care for her children. In 2007, Tysi c took her case to the European Court of Human Rights with the complaint that the pregnancy she had tried to terminate had resulted in the almost complete loss of her eyesight. The court awarded Tysi c damages and ruled that the Polish state had not respected her human rights by failing to grant her an abortion despite the fact that it should have been permitted in her case.

According to Poland’s “Conscience clause”, stated under article 39 of the Doctor and Dentist Professions Act, medical personnel may refuse to perform abortions on the grounds that it conflicts with their personal values or beliefs. The doctor is legally obliged to refer the patient to another clinic but, in doing so, the doctors themselves may risk social and professional discrimination, particularly in rural areas. In April 2014, a woman accused Professor Bogdan Chazan, director of the Holy Family Hospital in Warsaw, of deliberately delaying her referral to another doctor when she asked him for an abortion because her unborn child had severe health problems and was unlikely to survive. Chazan was within his rights to deny the abortion according to Polish law, but acted illegally by refusing to refer the patient to another physician and by reportedly ordering unnecessary tests that would carry her past the 24th week of pregnancy, without informing her of the deadline, meaning that she was unable to terminate the pregnancy. The child was born on 30th June 2014 with severe head and facial deformities, and died nine days later. Chazan, to whom the Catholic Church gave its full support, was subsequently dismissed, and the hospital was fined 70,000 zloty for failing to refer the patient to another clinic. Romuald D bski, a professor at the hospital where the child was born, made the following statement to the television station TVN24:

“If Professor Chazan saw the life that he saved, he would have a different attitude [...] This child does not have half of its head, has a hanging eyeball, its face is split, it has no brain inside, and will die in a month or two thanks to the professor.”

In May 2014, 3000 people, most of them medical professionals, signed a “Declaration of Faith” recognising ‘the primacy of God’s laws over human laws’ in medicine. According to the declaration,

the signatories decline to violate the Ten Commandments by performing abortions, in vitro fertilisation and euthanasia, or by administering birth control.

IVF remains a subject of intense debate in the Polish media, as it is regarded by the Catholic Church as a sin on the grounds that it separates sex from conception. Former president Bronisław Komorowski signed bill on IVF, long-awaited by progressives, in July 2015, which regulates state funding for IVF treatment. The bill was met with strong opposition from the Church, which considers embryos to be “conceived children”. In public debates, representatives of the Church have equated embryo storage to “freezing children” and embryo selection to “eugenics”, according to Warsaw University lecturer Magdalena Radkowska-Walkowicz.

Gender

The subject of gender became the subject of intense media focus in 2013, when a campaign was launched by the religious right in opposition to the perceived threat of “gender” as a concept. On 29th December 2013, the Bishop’s Conference of Poland published a pastoral letter to be read out in churches. The letter characterised the very concept of gender as a threat to traditional Catholic values and summoned parishioners to oppose “gender ideology”:

“According to this ideology, humans can freely determine whether they want to be men or women and freely choose their sexual orientation [...] We ask the Holy Spirit for continuous light to let us understand and see the truth in what amounts to a danger and a threat not only to the family, but also to our Homeland and humankind.”

LGBT Rights

Although religious conservatism persists in Polish society, Poland elected its first openly gay MP, Robert Biedroń, and a transgender MP, Anna Grodzka, in the parliamentary elections of 2011. However, LGBT rights remains a difficult topic in Poland and in January 2013, a government-backed bill to introduce civil partnerships for gay couples was narrowly defeated in parliament, despite former prime minister Donald Tusk urging lawmakers to support the reform.

In October 2015, Krzysztof Charamsa, a senior Vatican priest, made a public announcement on the eve a synod of Roman Catholic bishops on family issues; in an act of protest against the Church’s “backwards” attitude towards homosexuality, Monsignor Charamsa revealed that he was gay and in a long-term relationship. Within hours, his actions were deemed ‘irresponsible’ in a Vatican press release and Charamsa was promptly dismissed from the Congregation for the Doctrine of the Faith and the Pontifical universities, where he had taught theology. Charamsa criticised the Vatican’s hypocrisy in banning gay priests, stating that the Church makes life “hell” for gay people, persecuting them and causing their families “immeasurable suffering”. He strongly criticised the Church’s “inhuman” treatment of homosexual Catholics, and expressed concerns about the impact his actions may have on how his mother will be treated in Poland following his revelation. In the letter, Charamsa stated: “Be merciful — at least leave us in peace, let the civil states make our lives more humane.”

Freedom of expression, advocacy of humanist values

“Apostasy”

Many Poles are counted as members of their local parish congregation despite not being practicing Catholics because they have been baptised during infancy, and only the formal act of “apostasy” ensures that they will be excluded from official registers. However, officially leaving the Catholic

Church in Poland is itself an arduous process that requires a handwritten letter of resignation from the Catholic Church, provision of a baptism certificate with an appropriate annotation, which is the sole document that can confirm official defection from the Church, the presence of two witnesses and at least two visits to the rector of the relevant parish.

“Blasphemy” law

“Anyone found guilty of offending religious feelings through public defamation of an object or place of worship is liable to a fine, restriction of liberty or a maximum two-year prison sentence...”
— Article 196 of the Penal Code

The Polish Constitution guarantees freedom of expression but in recent years several individuals, in particular artists and musicians, have found themselves subject to charges of “blasphemy” brought under Article 196 of the penal code, and in the political realm the popular, secular, liberal and gay mayor of Slupsk has been investigated for “insulting an object of worship” by having a portrait of a former Pope removed from his mayoral office (see “Highlighted cases” below).

Although Article 196 is supposed to protect all religions from such “defamation”, in practice it is used mainly to investigate alleged violations against Christian religious symbols. It does not appear to have any further impact on the enjoyment of human rights in Poland, but clearly constitutes an impingement of freedom of thought and expression in principle, and may have a chilling effect in practice.

Religion and politics

In 2015 Poland has seen a clear political shift to the right, with the conservative party PiS now holding a ruling majority in parliament. The party was predicted to win following the presidential elections earlier this year, which saw PiS candidate Andrzej Duda replace Bronisław Komorowski, former president from the liberal, more secular-minded Civic Platform party, which had governed for eight years. The consequences of the PiS victory for freedom of religion or belief in Poland remain to be seen.

Though the Church’s direct engagement in politics is more limited in recent years, the PiS has strong links with the Church, and representatives of the Church have been known to support, and encourage parishioners to support, specific PiS candidates during electoral campaigns. Jarosław Kaczyński, who co-founded the PiS party (with the late president Lech Kaczyński, his identical twin brother) openly professes not only his own allegiance to the Roman Catholic Church, but moreover allies the state with the Church; on a recent pilgrimage to Jasna Góra (a sacred Catholic site and religious destination for Poles) Kaczyński declared that, “There is no Poland without the Church; Poland does not have a moral teaching other than that which the Church proclaims”.

The party is strongly opposed to IVF and some PiS ministers, including the new prime minister Beata Szydło, are in favour of a complete ban on abortion.

2015’s electoral campaign was dominated by the refugee crisis, which has been presented by Polish conservatives as an attack on Poland’s Christian character. Images displayed by the media during the crisis this summer have made it easier for PiS to present the influx of non-Christians as a threat to Polish society and, in a recent anti-immigration protest in Wrocław, an effigy of a Hasidic Jew was burned by anti-refugee protesters. The incident is currently being investigated by Polish authorities, but the fear of Muslim immigration has prompted a shift towards religious and social conservatism amongst many Poles. Following the Paris attacks on 13th November, PiS questioned the former government’s decision to accept 7,000 refugees in an EU-wide quota scheme. At present, it is not

certain whether Poland will back out of the deal, but the change of government will likely strengthen the Catholic Church's influence in the public sphere:

"In Poland, there is no value system that could realistically compete ... with the teachings of the Church"

— Jarosław Kaczyński in an interview with Catholic broadcaster TV Trwam (October 2015)

Highlighted cases

Robert Biedroń, a prominent politician, LGBT activist, and mayor of Słupsk as of December 2014, was being investigated as of June 2015 for removing a portrait of Pope John Paul II from his office in Słupsk. Described as the "Social Media Mayor" and commonly recognised as being "liberal, secular and gay", the charges filed against Biedroń him by activists affiliated with the conservative political party PiS accuse the mayor of "insulting an object of worship" by removing the picture, and "insulting religious feelings".

notesfrompoland.com/2015/07/07/liberal-secular-and-gay-polands-unlikeliest-and-most-interesting-rising-political-star/>

thenews.pl/1/9/Artykul/211335,Prosecutors-investigating-mayor-for-removing-papal-picture>

In April 2014, **The Krasnals**, an anti-establishment art collective in based in Poznan, were accused of "blasphemy" for depicting the late Pope John Paul II being breastfed by Father Tadeusz Rydzyk, head of the right-wing Catholic radio station, Radio Maryja. The Krasnals are reportedly being sued by Ryszard Nowak, who famously filed a case against Polish rock singer **Adam Darski** after he ripped up a copy of the Bible during a concert in 2007. In 2013, Darski was found guilty of offending religious feelings by "intentionally insulting the Holy Bible" but, on appeal, the charges were overturned.

Pop singer **Dorota Rabczewska** also found herself a target of blasphemy accusations after stating that she believed in dinosaurs more than the Bible because "it is hard to believe in something written by people who drank too much wine and smoked herbal cigarettes" during an interview in 2009. She was found guilty of 'offending the religious feelings of Christians and Jews' in 2012 and fined 5,000 zlotys (£1,026).

Testimonies

"[In Poland] a lack of faith is all too often synonymous with lack of values. Priests have a tendency to speak out on topics related to sex and reproduction, what's worse they even want to talk about sex education, but they are not looking for a discussion. They just want to impose their own values, the only legitimate and correct values. A raped woman should of course give birth. If pregnancy is a threat to a woman's life, it doesn't matter, because life should be protected (a clear paradox, because this only protects the life of the child, the woman ceases to be an important element), if a husband beats his wife, he should be re-educated, but she has to endure her lot for better or worse. As a result of that sex education the phenomenon of the "Polish Mother" was founded – a working woman who still has to raise the children, denying herself everything so as to give to the family, devoting herself entirely to her family while giving up her own well being for the well being of her loved ones."

— Dominika K.

“I really liked going to Church, but then I stopped because I was really annoyed that being religious is a part of the grade for religion classes. So for example if you go for communion [...] you also have to have some signatures from your teacher for religion. It was really weird because they were giving you grades based on for example how often you’re going to church.”

— Aleksandra B.

“They’re very authoritative. They [the Church] assume that they come from a different place and that they have a certain right to impose their views on others. They think that they should be treated with a lot of respect, and that they should be looked up to, whereas they don’t use the same principles with other people and people who perhaps disagree with them.”

— Marcin W.

“This unwillingness [of the Church] to notice there are those different, more difficult, untypical members of the Church is something I cannot respect, because I attend masses, I have learned thousands of sermons in my life, so I can say that there are preachers who preach as if there wasn’t a single gay, there wasn’t a single feminist, there wasn’t a single woman who used contraception, during masses. They treat their communities as homogenous, which is not the case, so they feel free to offend those groups as different, as enemies, not present here. They are not perceived as those who have a right even to be here let alone express themselves.”

— Sylwia J.

“I don’t feel discriminated against on a daily basis when it comes to religion, but that’s also because I don’t discuss religious matters. After years of getting into discussion over religion I decided it really doesn’t matter. You feel the differences most of all during religious celebrations and holidays. My family, mainly the female element, tried to convince me that I should have a church wedding. They didn’t want to understand that it would only be a long, tiring ritual that wouldn’t mean any more than a civil ceremony.”

— Agnieszka K.

Romania

Romania is a semi-presidential republic with a multi-party system, a member of the EU and NATO.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	
<p>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		
			<p>No fundamental restrictions on freedom of expression or advocacy of humanist values</p>

Constitution and government

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 exactly eighteen religions. The eighteen, contained as an annex to Law 489/2006 “on religious freedom” begins with the Romanian Orthodox Church and consists mostly of Christian groups and one Unitarian church (numbers 1-15), followed by the Federation of Jewish Communities in Romania (16), “the Muslim religion” (17), and “the Jehovah's Witnesses religious organization” (18).

dreptonline.ro/legislatie/lege_libertate_religioasa_regimul_cultelor.php

In the 2011 census 86.5% of the population identified themselves as Eastern Orthodox Christians. The number of declared atheists and non-religious citizens increased since the last census, from 0.1% in 2002 to 0.2% in 2011.

recensamantromania.ro/wp-content/uploads/2012/08/TS8.pdf

Religious privilege

Each of the eighteen recognised religions is eligible for state funding, with no comparable or alternative funding available for secular, Humanist or other philosophical organizations.

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.

Since 2011, the Secular Humanist Association of Romania, *Asociația Secular-Umanistă din România* (ASUR) (an Member Organization of the IHEU) has run a popular campaign raising awareness about the opaque and politically biased funding of religion by the state, including the exaggerated state-spending on religious institutions. The campaign included billboards and social-media content remarking on the numbers of institutions of different types across the country: “18,300 churches; 4,700 schools; 425 hospitals”.

[<asur.ro/proiecte/in-plata-domnului/>](http://asur.ro/proiecte/in-plata-domnului/)

Education and children’s rights

The constitution and the law allow the establishment of state-subsidized educational institutions administered by recognized religions.

Public schools conduct religious instruction. 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 religious instruction is based on the religious affiliation of the students’ parents.

Intolerance in schools

In September 2012, the Romanian Secular Humanist Association, *Asociația Secular-Umanistă din România* (ASUR) (an IHEU member organization), 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. These concerns continue, not least in relation to alleged homophobic preaching.

[<asur.ro/nu-intoleranta-discriminarea-homofobia/>](http://asur.ro/nu-intoleranta-discriminarea-homofobia/)

Again in 2015, humanist groups complained that manuals used in religious classes promote intolerance and focus disproportionately on violence and death. The subject was reported in the press, but the Minister of Education took no action, saying only that the manuals (used in many schools around the country) are not directly authorized by the ministry.

[<adevarul.ro/educatie/scoala/exclusiv-manualele-religie-pilde-patologice-nu-avizul-ministerului-educatiei-controleaza-afacerea-1_5645e4b27d919ed50e2d391e/index.html>](http://adevarul.ro/educatie/scoala/exclusiv-manualele-religie-pilde-patologice-nu-avizul-ministerului-educatiei-controleaza-afacerea-1_5645e4b27d919ed50e2d391e/index.html)

Presumed consent for religious instruction

To be excused from religious instruction classes, students must submit a request in writing, an option that had not been widely publicised before the end of 2014, and which may be socially discouraged. Students were otherwise usually presumed to consent to religious instruction.

However, on 12 November 2014, after a legal case brought by a humanist, Emil Moise, the Constitutional Court ruled that the predominant practice of presumed consent for enrollment in religious instruction is unconstitutional, and given their nature the classes should be run on an opt-in basis.

[<asur.ro/asur-saluta-decizia-ccr/>](http://asur.ro/asur-saluta-decizia-ccr/)

In February 2015 several NGOs wrote an open letter urging parliament to accept and implement the ruling. In March 2015, the Ministry of Education asked parents to decide if they wanted to opt-in for religious classes. During decision period, the Orthodox Church and its affiliated NGOs conducted a

national campaign (including a TV ad run for free on the national television channels as a public interest announcement) in order to convince parents that they must choose religious classes for their children. Many parents reported that teachers and school principals applied pressure to opt in to the religious instruction classes; in some schools parents were told that they must justify any decision to opt out, or students were told that they would not be able to finish the school year if they were ungraded in the religious classes, both of which statements were false. Also, in some cases the school principals told parents that they could not enroll young children in school if they do not sign the request for religious classes. Eventually, the Minister of Education reported that 89.75% of students' parents opted for their children to take religious classes.

[<mediafax.ro/cultura-media/cna-recomanda-posturilor-tv-sa-difuzeze-spotul-in-care-dan-puric-si-connect-r-sustin-ora-de-religie-13924545>](http://mediafax.ro/cultura-media/cna-recomanda-posturilor-tv-sa-difuzeze-spotul-in-care-dan-puric-si-connect-r-sustin-ora-de-religie-13924545)

[<hotnews.ro/stiri-esential-19534937-presiuni-scoli-pentru-ora-religie-sorin-cimpeanu-despre-directorii-care-cer-parintilor-isi-inscrie-copiii-daca-nu-vor-nu-putem-accepta-niciun-fel-presiuni-nu-poate-vorba-despre-obligativitatea-optiuni.htm>](http://hotnews.ro/stiri-esential-19534937-presiuni-scoli-pentru-ora-religie-sorin-cimpeanu-despre-directorii-care-cer-parintilor-isi-inscrie-copiii-daca-nu-vor-nu-putem-accepta-niciun-fel-presiuni-nu-poate-vorba-despre-obligativitatea-optiuni.htm)

Problems continued in September 2015, when again there were reports of parents and students pressurised into opting in to religion classes, including by the Minister of Education.

Family, community and society

The eighteen recognized religions have a privileged right to establish schools, teach religion classes in public schools, and receive government funds to build places of worship, partially pay the salaries of clergy, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, receive tax-exempt status, and own cemeteries.

These privileges have sometimes been abused or used discriminatorily by the Orthodox Church. In one instance, in Piatra Neamț, representatives of the Church sued the residents of one neighbourhood because they did not want a new church to be built. So far, the courts have found in favour of the residents, but the dispute is ongoing. In other cities and villages, priests have sometimes refused to allow the burial of people that were not Orthodox in the public cemetery.

Challenging church-state relations

In 2015, Remus Cernea, the only openly humanist member of Parliament (and Honorary President of the Romanian Humanist Association, *Asociația Umanistă Română*), initiated three propositions meant to reform State-Church relations.

The first concerns the public funding of the National Redemption Cathedral, a massive building that is now under construction in Bucharest. Since the beginning of this project, tens of millions of euros have been allocated for its construction, by the government and local mayors from all over the country, despite the majority of Romanians opposing the public funding of this project. The second initiative asks for the verification of all religious leaders that have ties with Securitatea, the secret police agency of the Communist regime. And the third initiative, is to reform the system through which religious denominations receive public funding. Remus Cernea proposes a system somewhat similar to the German model, where every taxpayer can decide to which belief group they want to redirect their taxes. This proposition also includes the end of tax exemptions specific to religions. As of December 2015, none of these propositions had been passed by the Parliament.

[<voxpublica.realitatea.net/politica-societate/trei-noi-initiative-legislative-pentru-modernizarea-romaniei-114909.html>](http://voxpublica.realitatea.net/politica-societate/trei-noi-initiative-legislative-pentru-modernizarea-romaniei-114909.html)

Freedom of expression, advocacy of humanist values

Despite the significant political bias toward the Romanian Orthodox Church and other religious privileges, there is no “blasphemy” law in force. Freedom of expression specifically for religious groups is only restricted to the extent that it “must not infringe upon [...] fundamental human rights and liberties” of others. While secularist politics and humanist views often meet vitriolic opposition, there are no formal restrictions on the free expression thereof.

There were concerns about a political push to recriminalise “insult” and “libel” in 2013, repeated again again in 2015, but as of December 2015 they have not been passed.

<en.rsf.org/romania-in-an-attack-on-free-expression-20-12-2013,45657.html>

<digi24.ro/Stiri/Digi24/Actualitate/Politica/Proiect+Pedepse+cu+inchisoarea+pentru+insulta+si+calomnie>

Russia

Russian Federation is the world’s largest country by land area. After the collapse of the Soviet Union in 1991, beset by corruption and cronyism, Russia has struggled in efforts to build a new democratic political system and market economy.

Rating: Severe Discrimination ↓

This country is found to be declining under the renewed Putin regime; the democratic system has suffered new lacerations of rights and accountability, the president plunging his country into new international crises for the sake of national pride, and the role of clericalism as an aspect of social control expanding.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic religious privilege results in significant social discrimination Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views Prohibitive interreligious social control (including interreligious marriage bans) Religious control over family law or legislation on moral matters	Expression of core humanist principles on democracy, freedom or human rights is severely restricted 'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions		Some religious courts rule in civil or family matters on a coercive or discriminatory basis Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion			

Constitution and government

The constitution of Russian Federation states that the freedom of conscience and freedom of religion shall be guaranteed as well as freedom of ideas and speech. “The propaganda or agitation instigating social, racial, national or religious hatred and strife shall not be allowed.” (Article 28, 29). These rights have been violated several times under the renewed influence of Vladimir Putin.

The Russian government has demonstrated a clear preference towards the Russian Orthodox Church. After the collapse of the Soviet Union there has been a huge upsurge in religious affiliation. The number of religious people increased from 31% to 72% in the 17 years after the collapse in 1991.

berkleycenter.georgetown.edu/essays/religious-freedom-in-russia

Russian Orthodox privilege

In 2010 the Russian Orthodox Church (ROC) approved the 200-Churches-Project in Moscow, which led to wide tensions between the church and the residents of Moscow, especially those people who live in the districts where the new churches have already been built or will be built. Even if the most of the protesters were not completely against the project, but they said that not enough thought has been put into the plans where the churches should have been built — parks and squares should be left untouched. Many people saw the project as the realization of the project as the ideological expansion of the ROC. The ROC stated that: “If, in Russia overall, there is one church for every 11,000–13,000 residents, then, in Moscow, (where there are only 650 churches and chapels) every place of worship must accommodate two or three times as many people”.

rbth.co.uk/society/2013/03/26/200_new_orthodox_churches_in_moscow_causes_public_stir_24285.html>

Religious organizations are allowed additional benefits (e.g., some exemptions from VAT and from income tax on profits generated from economic activities). Exemptions from property tax are granted to religious organizations that use the property for religious activities cof.org/content/russia>

Secular activism shut down

In protest at creeping clericalism, in 2010 a Russian atheist organization *Zdravomyslie* (“Good Sense Foundation”) tried to erect a series of billboards quoting the Russian constitution. The Moscow city authorities have turned down the application of the foundation. Ten billboard in Moscow should show the quote: “Religious associations are separate from the state and equal before the law. – Constitution of Russia”. But the Moscow city committee sent a letter that the request has been declined. “In this way, the current Moscow leaders are continuing the old policy of merging state government with religious institutions, setting the abstract “feelings of believers” against the letter and spirit of the nation’s founding law,” said the foundation.

theotherrussia.org/2010/10/19/moscow-rejects-ad-quoting-constitutional-freedom-of-religion/>

Blasphemy

In July 2013 a blasphemy law came into force that sets fines as punishment which account up to US\$ 15,000 and jail terms of up to 3 years for public actions in places of worship that disrespect religious beliefs.

secularism.org.uk/news/2013/06/russian-parliament-passes-new-blasphemy-law-as-protesters-call-for-secular-state>

Religious tension

Muslims are the second largest religious group in Russia and there are severe tensions between Muslims and Russian Orthodox. Ethnic Muslims account about 21-23 million of Russia’s population. The murder of an ethnic Russian Yegor Shcherbakov by a Muslim from Azerbaijan led in October 2013 to huge anti-migrant disturbances, vandalism and assaults, where 1,200 were arrested. The number of Muslims is increasing by 0.6% a year during the number of Christians is decreasing by the same percentage.

meforum.org/4702/muslim-russia>

Muslim leaders in Russia say that attempts to build more mosques in Moscow have been rejected or blocked by local officials who fear angering the ethnic Russians in the capital. Russia has the largest Muslim community, where about 2.5 million Muslims live in Moscow. They are complaining that there are not enough mosques (only four) to serve the Muslim community in Russia’s capital. For many ethnic Russians, the fact of becoming a minority in their country is unthinkable, and nationalist sentiments are dramatically on the rise. Attacks on mosques have been increasing.

sfgate.com/news/article/Russia-has-a-Muslim-dilemma-Ethnic-Russians-2466527.php>

Education and children's rights

The government introduced mandatory classes in Orthodox Christianity in all public schools. In 2013 the president Vladimir Putin has signed a bill into law that makes religious education mandatory in all schools in the country.

themoscowtimes.com/news/article/putin-approves-new-education-law/473783.html

The curriculum includes a course on the fundamentals of religion. A federal law guarantees that religious educational establishments can receive accreditation.

eng.kremlin.ru/news/18002

Family, community and society

Foreign enemies

In 2012 the Russian government adopted a law that required nongovernmental organizations (NGOs) to register as “foreign agents” with ministry of justice if their actions can be defined as political activities and they receive foreign funding. Since the definition of “political activity” is wide, it can also be extended to all activities of advocacy and human rights work. The following link provides a list of nongovernmental organizations which are registered as such agencies:

hrw.org/news/2014/11/20/russia-government-against-rights-groups

Enemies within

A major threat to religious freedom is the new anti-extremism law, which defines extremism in a religious context and does not need to prove the use of threat or use of violence. The Russian government uses the law as a tool against the opposition.

In 2012 more persons were convicted for hate speech than for hate crimes, which has never happened before in the post Soviet time. The prosecutors and the courts have now serious difficulties in determining what should be banned or prosecuted.

wilsoncenter.org/publication/anti-extremism-policies-russia-and-how-they-work-practice

Ukraine conflict

In November 2013 began a wave of demonstrations in neighbouring Ukraine demanding closer European integration. The main reason for the conflict was the suspension Ukraine-European Union Association Agreement with the European Union to seek closer economic relations with Russia. After long protests Crimean crisis began with pro-Russian protests. Russia illegally annexed Crimea in March 2014 and this action has created a long period of still ongoing pro-Russian unrest in the eastern part of Ukraine.

Homophobic attacks

LGBT people face violence and harassment in Russia. The adoption of the federal law “against the propaganda of non-traditional sexual relations among minors” led to a huge spread of homophobic violence. Violating the law is punishable by a range of fines. Homophobic crimes count a high number of murders, grave physical violence. Foreigners who violate the law are subject to fines, up to 15 days in detention and deportation. There are many gangs in Russia who feel empowered to hunt and to bully, attack and even kill gay people.

pinknews.co.uk/2014/02/07/the-25-most-shocking-anti-gay-stories-from-russia-so-far/

Radical groups justify homophobic attacks by equating homosexuality with pedophilia, and in January 2014 before the begin of Olympic winter games in Sochi President Putin said that “gay people are welcome in Sochi but they should leave children in peace”. Human Rights Watch said: “Such a chilling and wrongheaded message about LGBT people from Russia’s head of state is irresponsible and extremely dangerous.”

hrw.org/news/2014/02/03/russia-sochi-games-highlight-homophobic-violence>

Propaganda in Russian media

After Crimea’s annexation by Russia, Russian government began a battle over Ukraine with diverse means. Russia invests around \$136 million a year in Russia propaganda abroad in order to influence and manipulate the public opinion in the West.

spiegel.de/international/world/russia-uses-state-television-to-sway-opinion-at-home-and-abroad-a-971971.html>

Vitaliy Katsenelson, originally from Russia, and currently living in USA, described his experience with the Russian media after spending 7 days watching Russian news and reading Russian newspapers:

“I have to confess, it is hard not to develop a lot of self-doubt about your previously held views when you watch Russian TV for a week. But then you have to remind yourself that Putin’s Russia doesn’t have a free press. The free press that briefly existed after the Soviet Union collapsed is gone — Putin killed it. The government controls most TV channels, radio, and newspapers. What Russians see on TV, read in print, and listen to on the radio is direct propaganda from the Kremlin.”

stopfake.org/en/i-just-spent-7-days-watching-only-russian-news-and-reading-pravda-here-s-what-i-learned/>

Highlighted cases

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 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 organizations around the world for overzealous 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". After 21 months in prison, Tolokonnikova and Alyokhina were released on December 23, 2013 after the Duma approved an amnesty. On 6 March 2014, Nadezhda Tolokonnikova and Maria Alyokhina were assaulted and injured by the youths in Nizhny Novgorod.

Alexei Devotchenko, the 49-year-old Russian actor was found dead in his apartment in Moscow in November 2014. He was known as an outspoken critic of Putin. He participated in many anti-Kremlin protests, such like Peace March in September 2014. In March 2014 he signed a letter with other Russian actors against the Russian’s military intervention in Ukraine. Devotchenko returned two state honors which had previously been awarded him by president Putin for acting. The actor explained in an interview that he returned the honors back in a protest against corruption and political censorship. Shortly after this interview he was attacked and almost killed.

Testimonies

“The public perception of atheism has been transformed in Russia, from the dominant ideology of the Soviet Union, into something that is considered indecent for intellectual people. The common perception is that humanism is wrong, dangerous or anti-spiritual.”

— Anonymous Russian humanist

Slovakia

Slovakia is a democratic republic with a multi-party parliamentary system.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			
			Some concerns about political or media freedoms, not specific to the non-religious
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

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.

Religious privilege

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.

Education and children's rights

All public elementary school students must take a religion class or ethics class, depending on personal or parental preferences.

Freedom of expression, advocacy of humanist values

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.

Ukraine

In November 2013, Euromaidan, a series of demonstrations and civil protests demanding closer European integration, began in Kiev. The unrests fed into a conflict with Russia and the eventual annexation of the Crimean peninsula by Russia.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief			
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

Constitutionally, Ukraine protects religious freedom and freedom of worldview and conscience. Article 35 states, “The Church and religious organizations in Ukraine are separated from the State, and the school — from the Church. No religion shall be recognised by the State as mandatory”.

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.”

Education and children's rights

The law limits the teaching of religion as part of the public school curriculum, though “Ethics of Faith” courses are part of the curriculum.

The All-Ukraine Council of Churches and Religious Organizations (AUCCRO) has urged the government to provide state accreditation of religious schools, which teach theological education.

Family, community and society

Violations by pro-Russian militants

The Human Rights Council reported concerns over human rights violations by non-state actors in Crimea. The annexation of Crimea by Russian Federation in the early 2014 led to a rise of violent activities and human right violations, restrictions on freedoms of expression, peaceful assembly, association, religion or belief:

[unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/AD65B799C1432375C1257D5C0059981B?OpenDocument](http://unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/AD65B799C1432375C1257D5C0059981B?OpenDocument)

There were reports of religious persecution by pro-Russian militants in the self-proclaimed Donetsk People Republic and Lugansk People Republic, the militants killing and persecuting Ukrainian priests and pastors in the separatists-controlled areas of the country:

irf.in.ua/eng/index.php?option=com_content&view=article&id=421:1&catid=34:ua&Itemid=61 >

In April 2014 the pro-Russian separatists ordered Jews to register in east Ukraine. The Jewish people were asked to provide a list of property they own and to pay registration fee .

religionnews.com/2014/04/17/jews-ordered-register-east-ukraine/>

Gay rights

LGBT people continue to face discrimination, physical violence and abuse by Ukrainian society. Amnesty International reported several violent activities against LGBT people in Ukraine. A Pride march, which was planned for May 2012 and was cancelled by the organizers, because they received several threats from different groups. Any other LGBT activities were attacked by extremists.

amnestyusa.org/sites/default/files/eur500052013en.pdf>

Europe

Northern Europe

Denmark

Denmark is a constitutional monarchy with a parliamentary system of government. The Kingdom of Denmark encompasses Denmark, Greenland and the Faroe Islands in the North Atlantic Ocean.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
<p>There is systematic religious privilege</p> <p>There is an established church or state religion</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p>
	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		

Constitution and government

The constitution and other laws and policies protect freedom of religion or belief, as well as freedom of expression, association and assembly. However, religious societies are not on equal footing when it comes to the funding the vocational training of religious ministers, the cost of maintenance of churches and religious houses, the partial financing of salaries of clergy, and the cost of running the Ministry of Ecclesiastical Affairs itself, especially with regard to privileges afforded to the established state church (see below).

Chapter VII of the Constitution regulates church matters i.e. the right to religious assembly, however, also the right not to contribute financially to any church of a religion that the citizen does not share. The Constitution states in Article 70 that "No person can, because of his religious belief or descent, be deprived of access to the full enjoyment of civil and political rights." Neither can a citizen, for religious reasons, shirk from civic duty.

State church privileges

In Articles 4 and 6 the Constitution states that the Evangelical Lutheran Church (ELC) is the "church of the Danish people and is as such supported by the state", and that the reigning monarch must be a member of the ELC (though the monarch is not the head of the church).

Integration of church and state is significant, with the ELC as well as other churches and religious organizations being, from the point of view of the administration, governed by the Danish Minister

for Ecclesiastical Affairs. Article 69 of the Constitution states that “Rules for religious bodies other than the (ELC) shall be laid down by Statute”. However, this has never been implemented.

The ELC is primarily funded through the state-run member-tax amounting in 2015 to Dkr. 6,4 mia. equivalent of 0,88 % of the taxable income. The state provides the ELC with further financial support covering some 12% of the annual church budget. The government's annual budget for 2015 allocated Dkr. 765,2 mil. to the ELC.

Such direct yearly support is not available to other religious or secular belief groups.

The ELC is mandated to run a number of secular public functions, including management of non-sectarian cemeteries and the civil registration of citizen's data such as births, deaths, names, church marriages and membership.

Education and children's rights

In Denmark, the child's right to education dates back to 1814. Both the right to education and freedom from unwanted educational bias is stated in Article 83 of the Constitution.

The Danish primary and secondary school is represented by the 'Folkeskole', free for everybody. “It is education itself that is compulsory, not school” says the Ministry for Children, Education and Gender Equality; educational standards are to be met not only by public or private schools alike but also in home-teaching.

14% of all basic school students attend private schools, including what the Ministry describes as: small independent schools in rural districts (friskoler); large independent schools in urban districts (privatskoler); religious schools; progressive free schools; schools with a particular educational aim, such as Rudolf Steiner schools; German minority schools; and immigrant schools. According to the Ministry:

“The bottom line is that private schools will be recognized and receive government financing regardless of the ideological, religious, political or ethnic motivation behind their establishment ... private schools must be of a minimum size in number of pupils, be organized as a self-governing institution, muster some level of self-financing, can only spend the school's budget on strictly educational matters and cannot be run for private profit...”

The subject “*Kristendomskundskab*” (“Christian Scriptures” or “Christian Knowledge”), is the only subject regulated directly in the Education Act, under Article 6. The title is somewhat misleading as the subject is broader than Christian belief alone.

However, considerable emphasis is put on Evangelical Lutheran theology.

Since 1975 religious instruction (or preaching) as such is precluded from the Christian Knowledge curriculum, and other world religions and “philosophies of life” form part of the religious knowledge taught in more senior classes. Students are intended to gain familiarity with religious texts, again with the Bible most prominent, also with the history of religion, and an understanding of other belief-systems. It is stated that students should be enabled to make up their minds about norms, values and freedom of choice in a democratic society.

Since 1856 students have, in principle, had the right to withdraw from religion classes with parental consent, though some religious private schools may deny this right in practice. Today, this right is stated in the Education Act in the very same article 6 that directs education in “religious knowledge”. If a student is 15 years old or older, the student and parent must jointly request the student’s exemption. Remembering that, “it is education itself that is compulsory, not school”, this goes for religious education too: parents withdrawing children from religious education in public schools are actually obliged to teach at home. The Education Act says: the parent must declare in writing to the schoolmaster that they take responsibility for teaching 'education on religious knowledge', and to do so as to meet the same standards as for public school.

retsinformation.dk/forms/r0710.aspx?id=163970

A private school can inform the Ministry that their school’s values do not cohere with “religious knowledge” in order to omit the classes altogether. However, parents choosing private schools that do offer “religious knowledge” classes may be told that exemption from such classes is not possible.

Family, community and society

The Constitution (Chapter VIII, Article 78) grants citizens the entitlement to freely form associations for any lawful purpose. It is a criterion to obtain recognition as a 'religious community' or organization that the community respects freedom of religion, meaning the right to change religion.

Recognised and approved religious communities, however, enjoy a number of additional rights, including: the right to perform legally binding marriage ceremonies under the Danish Marriage Act; the right to residence permits for foreign preachers under the Aliens Act; churches and cemeteries are exempt from real-estate tax. (Financial contributions to such religious communities are also tax-deductible under the Danish Tax Assessment Act, though this Act applies also to secular associations.)

In 2012, the government passed a bill obliging the Danish State Church to perform legally binding same-sex marriage ceremonies. Same-sex couples now have a choice of a marriage ceremony taking place in an ECL church, or a marriage to be performed by a secular registrar or mayor. The statute does not regulate religious communities other than the (ELC).

Freedom of expression, advocacy of humanist values

The cartoon crisis and Copenhagen shootings

Apart from a law still on statute banning “blasphemy” (see below), freedom of expression is generally upheld and is not problematically restricted (the Penal Code 1995 outlines restrictions on incitement to hatred, Section 266.b, and individual defamation, Section 267). According to the World Press Freedom Index published by Reporters Without Borders (RWB), Denmark was ranked as the number one country in both 2004 and 2005, however following the cartoon crisis dropped in 2006 to number 19.

The cartoon crisis of 2005 surrounded the publication of drawings of the Prophet Mohammed published by the national Danish newspaper Jyllands-Posten. The issue of violent protests and reprisals against these satirical images as well as other critical discussion around Islam have become part and parcel of the public debate on free speech, self-censorship and terrorism.

jyllands-posten.dk/indland/ECE4302432/Muhammed-krisen+-+s%C3%A5dan+gik+det+til/

One of the cartoonists, Kurt Westergaard, has been forced to live under police protection since 2005. In 2008 and 2010, attempts <http://usa-11.mail.everyone.net/eonapps/ft/wm/page/wm> to assassinate Westergaard failed, but have fuelled the heated debate on religious extremism and free expression.

In February 2015, Denmark suffered an attack widely considered as an intended “copycat” to the *Charlie Hebdo* massacre in January. Swedish cartoonist Lars Vilks had been invited to a meeting under the title “Art, Blasphemy and Free Speech” in Copenhagen. One person was killed and three wounded when a gunman opened fire on the building from outside. The same evening, the shooter attacked a Jewish Synagogue and another person was shot dead while two more were injured.

“Blasphemy” law

The penal code (section 140) contains a de facto blasphemy law, criminalizing “Any person who publicly ridicules or insults the religious teaching or worship of any religious community legitimately existing in this country...” The maximum penalty for a violation of this provision is a fine and up to four months in prison.

The provision has not recently been enforced, and attempts to bring cases of alleged ridicule or insult against religion to court have been dismissed by prosecutors as protected free speech. However, it remains on statute.

The “blasphemy” ban dates back to 1866. It remains statute law in the present Danish Criminal Code dating back to 1930, notwithstanding pronounced political will to repeal the provision as an anachronism. The motivational intent of the law may be clear from its placement in Chapter 15 on crimes violating public law and order, and the provision has sometimes been used historically as a form of anti-hatred legislation, for example in 1938 it was employed against a number of Nazis accusing Jews of assaults on non-Jewish girls. However, it was also used in more frivolous cases, for example in 1946 when a couple, one of whom was dressed up like a priest, were fined for baptising a doll at a carnival. The largely dormant provision was nevertheless called on eight times the following 60 years.

The most recent attempt to invoke the “blasphemy” statute was in the event of the 2005 Prophet Mohammed cartoons published in *Jyllands-Posten*. However, the Prosecutor General did not file charges against the newspaper, citing freedom of speech.

In 2013, The Danish Institute for Human Rights warned that “it cannot be excluded that the prohibition of blasphemy in Denmark would be enforced in connection with the interpretation of religious texts, which makes it difficult to meet the requirement of predictability in a state based on the rule of law”.

humanrights.dk/publications/status-2013-human-rights-denmark>

Following the Copenhagen shootings in February 2015 the Institute for Human Rights reiterated their recommendation to abolish the “blasphemy” provision. In “Human Rights in Denmark, Status 2014 - 15, a summary” the Institute argues that “human rights does not protect against blasphemy of religion. A ban on the burning of religious works and similar acts can also be enforced by other means.”

humanrights.dk/publications/status-report-2014-15-human-rights-denmark-summary>

2015 review of the “blasphemy” law

In January 2015 – after a review initiated by the then-liberal-conservative government in 2011 – the Criminal Law Council under the Ministry of Justice finally released their assessment on the

“blasphemy” law (Penal Code, Article 140). Tasked with weighing up pros and cons for the law, the Council presented the following arguments in favour of a repeal of the provision: that abolishing the “blasphemy” provision would in no way compromise Denmark’s human rights commitments; society had moved on and the provision was outdated; it was out of step with European consensus since few other European countries maintain such a law; it was out of step with the international human rights consensus which is in favour of decriminalizing “blasphemy”; it was unclear how the provision might be used in relation to the expression of specifically religious doctrines or religious worship, and therefore failed to satisfy the condition of “foreseeability”; the use of criminal sanctions against “blasphemers” would in practice only cause any “blasphemous” utterance to be propagated more widely; it was an unnecessary restriction on freedom of expression and that state resources would be better spent upholding free expression over enforcing the “blasphemy” law. They also noted in favour of retaining the provision, that it functioned as part of the penal code as a deterrent to potentially socially provocative behaviour.

justitsministeriet.dk/sites/default/files/media/Pressemeddelelser/pdf/2015/Straffelovraadets%20udtalelse.pdf
>

In February 2015, the government, by this time social-liberal, called a hearing on the Council’s assessment, and concluded it would not set forward a bill to repeal the law, favouring the rationale for retaining the “blasphemy” provision; the government cited a desire not to remove a tool for the prosecution of acts of social provocation, such as the burning of religious books.

However, several human rights bodies responded to this decision in 2015 with roughly the following argument: that genuine incitement to hatred and violence are prohibited in law by other means, therefore the perpetuation of a wider “blasphemy” ban may be regarded as surplus to requirements, with free expression suffering as collateral damage. In particular, on 2 March, 2015, Danish PEN expressed sympathy for the government’s concerns regarding law and order, but nevertheless called on the government to repeal the law, arguing that freedom of religion “must also include freedom to doubt, to criticise and – yes, to satirize”. PEN argued that mockery of the sacred was not a goal they were seeking to uphold in itself, but that there can be no open and free society if religion cannot be disputed.

danskpen.dk/dansk-pen-drop-loven-om-blasfemi/>

Then, on 12 May 2015, the Danish Institute for Human Rights recommended the abolition of the “blasphemy” law as a necessity for the upholding of “individual human rights”.

menneskeret.dk/hoeringssvar/juridiske-konsekvenser-ophaevelse-straffelovens-ss-140-blasfemi>

On April 30, 2015, Justitia answered the national hearing and again recommended repeal. Justitia, the Danish judicial think-tank, monitors issues of human rights and, in particular, free speech violations.

<http://justitia-int.org/en/research-article-consequences-of-the-abolition-of-the-blasphemy-provision/>>

In the journal “Criminal” (No. 9, 2014) and a similar statement on their homepage, Justitia had already recommended the abolition of the blasphemy provision. They note that the provision is unclear and that it breaches the principle of equality, since religious feelings prevail over “secular world-views not covered by the same protection”. Justitia says:

“To retain a provision where the contents are no longer consistent with a society’s basic values from a potential risk that extremists will commit violence seems to be a concerning legitimization of anti-democratic values. Maintaining the blasphemy provision makes it harder to credibly criticize the blasphemy legislation and its enforcement in non-democratic countries. In a

democratic society... the regard for fundamental freedoms should precede more pragmatic considerations. On this basis, it seems high time to repeal the Penal Code § 140.”

— Director Jacob Mchangama, *Justitia*

justitia-int.org/wp-content/uploads/2014/12/Forskningsartikel_Konsekvenser-ved-oph%C3%A6velse-af-blasfemiparagraffen_TfK_22Dec14.pdf

In June 2015, Denmark elected another new liberal government. A further review of the Criminal Law Council’s recommendations on Article 140 may be forthcoming.

Highlighted cases

In 2014, the Parliamentary Ombudsman sharply criticised the public Danish Broadcasting Corporation (DR) for exercising censorship against the TV presenter **Adam Holm**. In an opinion piece under the heading “Den guddummelige tragedie” (“The Undivine Tragedy”) in the national newspaper *Politiken* (12 May 2013), Holm had written that the tragic death of a friend’s son in a car accident had “reinforced my already intense dislike of religion as an explanatory framework”; he asked “How can a God who is called good and mild, allow such blatant injustice?”; he criticised both Christian and Islamic theodicy, and lamented in particular the spread of the conservative and oppressive views of “hopefully a minority” of Muslims. The Broadcasting Corporation at first castigated Holm for supposedly breaching impartiality, on the grounds he is a presenter for the public broadcaster. However, they withdrew their accusation following criticism from the Ombudsman to the effect that he had every right to express his views in his personal capacity.

ombudsmanden.dk/find/nyheder/alle/skarp_kritik_af_censur/

politiken.dk/debat/kroniken/ECE1967679/den-guddummelige-tragedie/

Estonia

Since gaining independence from the Soviet Union in 1991, Estonia has developed a stable, functioning democracy and performs well across international measures of fundamental freedoms. Eurobarometer polls consistently place Estonia as one of Europe’s least religious countries.

Rating: Free and Equal

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education		
		Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

Freedom of religion and non-discrimination for religious beliefs is provided for in the constitution, in the Churches and Congregations Act 2002 and in the Equal Treatment Act 2008. Non-religious ‘belief’ is not specifically referenced, though freedom of religion or belief is upheld in practice, and Estonia has one of Europe’s, if not the world’s, highest proportions of non-religious citizens.

The activities of religious organizations are regulated by the Churches and Congregations Act. Churches and congregations are treated as non-profit associations, and receive corresponding tax benefits. However, atheistic, humanist and secular organizations are registered directly as non-profits and therefore enjoy the same tax benefits.

The law specifies that individuals are never required to disclose their participation in a religious group, which may offer non-believers some further protection from discrimination.

Education and children’s rights

At school level, religious tuition is optional. Upon the request of at least 12 students, religious instruction must be made available, but state schools must adhere to a national syllabus which requires discussion of world religions with an emphasis on fostering tolerance and does not promote any particular church. A non-religious alternative is not offered.

Finland

The Republic of Finland is a Nordic country with a population of just less than 5.5 million people. Finland was once part of Sweden and then the Russian Empire until it declared independence in 1917 in the aftermath of the Bolshevik Revolution. The country is a constitutional republic with a largely non-executive president acting as head of state.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		

Constitution and government

There are strong protections in the Constitution of Finland for the non-religious with Section 11 stating:

“Freedom of religion and conscience entails the right to profess and practice a religion, the right to express one's convictions and the right to be a member of or decline to be a member of a religious community. No one is under the obligation, against his or her conscience, to participate in the practice of a religion”.

Section 6, on the subject of equality, guarantees that “No one shall, without an acceptable reason, be treated differently” on the ground, among other things, “religion” and “conviction”.

However, Section 76 of the constitution, “The Church Act”, formalises the establishment of two state churches (see below).

finlex.fi/en/laki/kaannokset/1999/en19990731.pdf

Belief Demographics

According to the most recent Finnish government statistics, the largest belief group in Finland belongs to the Evangelical-Lutheran State Church which boasts 75.3% of the population as members.

1.1% of the population identify with the second state religion, the Christian Orthodox Church. By far the second largest bloc are those who don't identify with any religion, 22.1%.

Notwithstanding these data, and despite the large majority of people identifying as a being members of the two State Churches, there are some polls that suggest that Finland is one of the least religious countries in the world with as many as 60% describing themselves as atheist or agnostic.

stat.fi/tup/suoluk/suoluk_vaesto_en.html>

adherents.com/largecom/com_atheist.html>

Blasphemy

Section 10 of the Criminal Code of Finland calls for imprisonment or a fine for any person who would "breach of the sanctity of religion". The section criminalizes anyone who:

"(1) publicly blasphemes against God or, for the purpose of offending, publicly defames or desecrates what is otherwise held to be sacred by a church or religious community, as referred to in the Act on the Freedom of Religion (267/1922)..."

The last successful prosecution under this section was in 2009 (see below).

State Churches

The majority Evangelical-Lutheran Church and the much smaller Orthodox Church have a "special relationship" with the Finnish state and could be considered *de facto* state religions. However, unlike other state churches, they have a high level of autonomy from the government. Everyone has the right to belong, or to decline to belong, to a religion, and the constitution prohibits discrimination based on religion or belief. All citizens who belong to either of these churches pay a church tax set at 1 to 2 percent of income. Those who do not want to pay the church tax must terminate their 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. 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.

The Church plays a central ceremonial role within government with the Opening and Closing of parliament being marked by an act of worship in Helsingin Cathedral. The President is also responsible for setting the themes of the various "*intercession days*".

The special relationship of the two churches with the state is codified in "the Church Act" and which is itself protected by the Constitution. Disestablishment would require the support of the synod of the Evangelical Lutheran Church, ratification by the Parliament of Finland and a change in the Constitution. The close relationship of church and state is of great concern to those who do not share either of the state religions.

These two Churches may use direct income taxation for its members through the tax authorities. Other religious organizations and secular groups may not. The Evangelical-Lutheran State Church has a monopoly on services of undertaking for funerals, maintained by a national corporation tax.

Education and children's rights

The majority of schools in Finland are state-run schools with a comprehensive education. The education system is often praised for being inclusive and, although the country has a standardised

national curriculum, teachers are given a great deal of autonomy when it comes to teaching. There are a small number of private schools the majority of which are religious or Steiner schools, but these schools still receive state funding based on the per pupil funding received by state run schools.

Religious Education (RE) is compulsory in Finland. Under the 2003 Freedom of Religion act and each pupil is given the right to “instruction in one's own religion”. This was a compromise between those wishing to remove RE as a subject altogether and those who wished for it to remain dominated by the Evangelical-Lutheran Church. The “*instruction in one's own religion*” is available if the religion is registered with the government and there are at least three pupils sharing the same belief. Non-religious pupils are taught a subject called “*Life Perspective Studies*” which includes ethics and comparative religion. In an average class, 94% of the pupils receive instruction in the Lutheran religion, 3% study life perspectives whilst the rest study other minority religions such as Islam and Orthodox Christianity. Though under this system the non-religious have the same rights as the religious, there are concerns that this causes divisions in schools as pupils are separated during these lessons. This is of particular concern when some pupils are part of a small minority.

Highlighted cases

In 2009, right-wing politician **Jussi Kristian Halla-aho** was ordered to pay a fine of €330 under Section 10 of the Criminal Code of “*Disturbing Worship*” after he posted remarks on his blog linking the Prophet Mohammed and Islam with pedophilia.

Iceland

Iceland has a multi-party parliamentary system. It is the most sparsely populated country in Europe.

Rating: Systemic Discrimination 

This country is found to be improving, with long-awaited education reforms introducing a more comprehensive religion, ethics and critical thinking course, and the repeal of “blasphemy” legislation in 2015. Iceland’s overall rating for 2015 has improved as the boundary condition “‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence” no longer applies.)

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p>			
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

The constitution and other laws and policies protect freedom of 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 Evangelical Lutheran Church of Iceland (ELCI), is called the National Church and is a state church, which enjoys considerable legal, social, and financial advantages not available to other religions and life stance groups.

Since 1987 the State has allotted a certain monthly amount to all religious groups, and secular life stance groups from 2013, for each registered member 16 years old and older. This is irrespective of whether the individual pays income tax or not. The National Church gets an additional 32.8% income into special funds and pays the salaries of their priests, three bishops, and the bishop’s office staff. The National Church states that it is only getting paid for the large amount of land it leased to the State in 1907 and then sold to it in 1997, but secularists point out that this deal is highly abnormal since the State has to pay the wages indefinitely i.e. forever. In 2015 73.8% were registered in the National Church which means that 26.2% of the population who are not members are taking part in its cost.

The National Church also enjoys the privilege of having a Department of Theology at the University of Iceland where it educates and trains its students for 5 years to become clergy and the government pays the salaries of the teachers there. Additionally, the National Church has 6-8 paid chaplains working at the University Hospital of Iceland paid by the health care system. The National Church is

protected in the constitution and that is the only clause that requires a national referendum to be changed or abolished. It is thus deeply rooted with legal protection and a wide spectrum of privileges within the Icelandic fabric of governance.

People who are not registered in any religious or secular life stance organization cannot avoid paying the tax. Instead, their money goes directly into the state treasury.

A law passed on January 30, 2013 guarantees equal legal status and funding for secular lifestance organizations. The Icelandic Ethical Humanist Association, *Siðmennt*, (an IHEU member organization) – applied for and was granted such status on May 3, 2013. Of the 45 registered groups it is now the 8th largest.

iheu.org/sidmennt-becomes-first-registered-secular-life-stance-organization-iceland/

Education and children’s rights

A new school curriculum took effect in 2013. Instead of a course focused entirely on Christianity (as it was under the previous 2008 law) the curriculum now provides a course which is labeled “religion” but includes ethics and critical thinking. It is particularly focused on human rights and democracy. The new curriculum states that Icelandic education should be shaped by “Christian heritage” but it also mentions the goals of equality, tolerance, love, and respect for human values.

In 2011 the Reykjavik City Council revised its regulations regarding the interaction of schools and churches. Religious groups are prohibited from conducting any activities, including the distribution of proselytizing material, in the city’s public schools (grades one through ten) during school hours. Any student visits to houses of worship during school hours must be under the guidance of a teacher as part of a class on religion. Such instruction may not involve the active participation of students in a religious service. The Minister of Education urged other municipalities to adopt similar rules and some have done so.

Family, community and society

Icelandic society is increasingly secular and the recent changes to education, removing religious instruction/indoctrination, and the repeal of the “blasphemy” law, may be attributed in part to this general shift, and to the steady, principled pressure applied by *Siðmennt* and others to uphold secular rights and values.

Freedom of expression, advocacy of humanist values

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

“Blasphemy” law abolished

Before 2015, the penal code established fines and imprisonment of up to three months for those who publicly deride or belittle religious doctrines or worship, with penalties of fines and up to two years in prison for assault — including “verbal” assault — on an individual or group based on religion.

Recognised as a de facto “blasphemy” law, the prohibition was scrapped in July 2015. The motion to abolish was brought to parliament by the Pirate Party earlier in the year in part as a response to the *Charlie Hebdo* massacre in Paris, and won popular and cross-party support. *Síðmennt* commented:

“Often, countries where there is a lack of democracy and freedom are criticized for punishing people for blasphemy even with death sentences. When those countries are criticized, their spokespeople frequently point out, correctly, that similar laws are in force in “Western” democracies. Therefore, it sends a vital message to the rest of the world if Iceland has repealed its blasphemy law. Nations which maintain blasphemy laws with serious consequences should not be able to point to Iceland and say that it has the same kind of law.”

end-blasphemy-laws.org/2015/07/blasphemy-law-abolished-in-iceland/

Ireland

The Republic of Ireland is a country of about 4.5 million people. It achieved *de facto* independence from the UK in 1922, when the southern, largely Catholic 26 counties formed the Irish Free State within the British Commonwealth (the 6 predominantly Protestant countries of the north east formed Northern Ireland.) A fully sovereign Republic in the south was declared in 1949.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p>	<p>Religious groups control some public or social services</p>	<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p>			

Constitution and government

The constitution and other laws and policies protect freedom of 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 (see below).

The Constitution of Ireland is an ostensibly secular, guaranteeing freedom of religion explicitly stating that "no law may be made either directly or indirectly to endow any religion". However, the preamble is far from secular:

"In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred..."

Whilst, article 44 (section 1) states:

"The State acknowledges that the homage of public worship is due to Almighty God. It shall hold His Name in reverence, and shall respect and honour religion."

Article 12, section 8 of the constitution demands that on taking office the President should declare:

"In the presence of Almighty God I do solemnly and sincerely promise and declare that I will maintain the Constitution of Ireland and uphold its laws, that I will fulfil my duties faithfully and conscientiously in accordance with the Constitution and the law, and that I will dedicate my abilities to the service and welfare of the people of Ireland. May God direct and sustain me."

The constitution also demands a similar declaration be made by incoming judges. No secular alternative is offered, effectively precluding atheists and agnostics from these important positions.

The report, “*Equality for the Non Religious (2013)*”, conducted by the Humanist Association of Ireland said of the Constitution:

“If the Constitution is to be a document to speak for all citizens, its current wording fails that test. If the Constitution is to be a document to speak for all citizens, its current wording fails that test.”

In July 2014 the UN Human Rights Committee criticised the Irish Government for not changing the religious Oath required for Judges.

atheist.ie/2014/07/irish-government-again-evades-un-questions-on-oaths-blasphemy-and-religious-discrimination-in-irish-schools/

Sectarian history

The dominant religion in Ireland has traditionally been Roman Catholicism, and the Catholic Church has influenced the island since the 4th century. Much of the island remained Catholic despite the reformation in England and Irish history has been dominated by ethno-religious conflicts between Catholics and Protestants. Resistance to British rule largely came from within the Catholic community (with some notable exceptions). Under British administration, the Catholic majority experienced high levels of legal and social discrimination, including restrictions on land ownership, limitations on religious practice and being barred from various political positions. Despite reforms, by the early 20th century discrimination was still widespread and was one of the factors fuelling an independence movement dominated by practising Catholics.

The Catholic Church came to be dominant in both the political system and civil society in the first decades of independence. Over 92% of people were recognised as Catholic, and this would only grow as many protestants left the Free State. The church also wielded significant political influence.

Religious pressure - but it’s on the wane

Pressure from the Church resulted in bans on contraception (partially legalised in 1978) and divorce (legalised in 1997). Abortion remains illegal under the constitution and the last attempt at reform narrowly failed in a 2002 referendum. Censorship of books, plays, television and films was also widespread, especially those not congruent with Catholic dogma.

In recent years the Church's influence on Irish civil society has significantly waned. This is in part due to changes in demographics, urbanisation, and the country's emergence into the global economy. A series of Church scandals going back to the late 1990s, especially the Catholic Church Child Sex abuse appear to have played a huge role in plummeting church attendance. Whereas, back in the 1970s attendance had been recorded at 90%, recent surveys have recorded national weekly attendance at 30% with some parts of Dublin reporting attendance at less than 15% (though the 2011 census had 86% of the population identifying as Catholic).

Belief demographics

With the recent decline in the influence of the Church, the number of non-religious people has increased. According to the Census 2011 results:

“The total of those with no religion, atheists and agnostics increased more than four-fold between 1991 and 2011 to stand at 277,237 in 2011.”

This figure represents 6% of the population. 84.2% of people still identified with the Catholic Church. However, recent opinion polls have suggested that these figures are not representative of religious practice. For example the 2012 Global Index on Religiosity and Atheism recorded that only

47% of those asked described themselves as “a religious person”, 44% described themselves as “not religious” and 10% as “confirmed atheists”.

Education and children’s rights

The Church had dominated education in the country since British reforms in the 1830s, a dominance that was expanded after independence. Currently, despite the church’s decline in influence within the country as a whole, both the Primary and Secondary School sector is almost entirely controlled by religious organizations. Despite attempts by the current government to diminish some of the Catholic Church’s influence, nearly 90% of primary schools are Catholic run and nearly half of Second Level schools are managed solely by the Catholic Church. The remaining schools are managed by Education & Training Boards and are described as multi-denominational state schools but nearly one hundred of these are run in partnership with the Catholic Church or the Church of Ireland.

The government has made some moves to end the Catholic Church’s virtual monopoly on Ireland’s education system and organizations like “Educate Together” have established a small number of “Multi Denominational” schools, run independently of any religious patron.

educatetogether.ie

teachdontpreach.ie

However, some “Multi Denominational” schools can still be involved in “faith formation” and their facilities can still be used for religious practices outside of school hours, if requested by parents. There are currently no fully secular or “Non Denominational” schools in Ireland.

atheist.ie/2014/08/educate-together-is-undermining-the-duty-of-the-irish-state-to-provide-non-denominational-schools/

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. Equalities legislation recognises nine “grounds” for discrimination which are gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community. However, a school’s admission policy can be exempt from the religious ground. According to the Equality Authority’s own equalities guidance:

“A second exemption concerns schools where the objective is to provide education in an environment that promotes certain religious values. A school that has this objective can admit a student of a particular religious denomination in preference to other students”.

Though non-denominational schools exist, they are few in number and places are in short supply. The Humanist Association of Ireland (an IHEU member organization) state in their report “Equality for Non-Religious People” that:

“The reality for many families is one of lack of choice of school in their locality and many are effectively forced to send their children to schools of a particular religious denomination whose ethos is not in conformity with their own”

humanism.ie/wp-content/uploads/2013/03/EqualityForNon-ReligiousPamphlet.pdf

Furthermore, religious schools may select its staff based on their religious beliefs. For example, section 12 of the 1998 Employment Equality act allows bodies to discriminate on religious grounds if “the provision of services in an environment which promotes certain religious values”. Most teachers in Ireland are expected to teach religious (catholic) instruction.

According to the Humanist Association of Ireland:

"Despite the increasingly diverse society...the only route available...for an individual seeking qualification as a primary teacher is through a course taken at a college owned by a religious denomination."

Religious Education and Instruction

Though the rest of the state's national Curriculum is administered by the governmental "National Council for Curriculum and Assessment", according to the council, "The development of curriculum for Religious education remains the responsibility of the different church authorities."

This is usually, though not always, the Catholic Church. 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.

However, the curriculum at all levels, as it stands, does include discussions of humanism and atheism and covers the more general "Challenges to Faith".

No provision for the non-religious

In August 2014 the UN Human Rights Committee criticised the Irish government for its lack of provision of education to the non-religious and religious minorities stating:

"The Human Rights Committee is concerned about the slow progress in increasing access to secular education through the establishment of non-denominational schools, divestment of the patronage of schools and the phasing out of integrated religious curricula in schools accommodating minority faith or non-faith children."

atheist.ie/2014/08/un-asks-ireland-about-religious-discrimination-in-irish-schools-video-and-transcript/

Family, community and society

Abortion

Abortion has been illegal in Ireland since British rule and remained so after independence. Recent legislation has made exception in cases where the mother's life is at risk. In part to prevent future attempts to legalise abortion, the eighth was passed by referendum and acknowledged -

"the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right"

The most recent referendum, in 2002, to amend the constitution failed by a margin of less than 1%. Many Irish women choose to have an abortion in the UK and there has been significant and legal wrangling debate over the how the right to travel might conflict with the right to life of the foetus.

Freedom of expression, advocacy of humanist values

Blasphemy Law (2009)

Article 40 of the constitution, though protecting freedom of religion and consciousness, also states that “The publication or utterance of blasphemous, seditious, or indecent matter is an offence which shall be punishable in accordance with law”. In an attempt to clarify the constitutional implications of the blasphemy regulations within the constitution, lawmakers inserted a section on blasphemy to the Defamation Act of 2009. Section 36 of the act criminalizes the publishing or utterance of “blasphemous matter” and imposes a maximum fine of €25,000. Under the act a person has produced “blasphemous matter” if -

*“(a) he or she publishes or utters 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, and
(b) he or she intends, by the publication or utterance of the matter concerned, to cause such outrage”.*

Protection exists if:

“a reasonable person would find genuine literary, artistic, political, scientific, or academic value in the matter to which the offence relates”.

So far, there has been no recorded prosecution under the Blasphemy Law. However, Islamic states and proponents of “blasphemy” and “defamation of religion” laws have pointed towards the Irish law to justify their own draconian legislation.

Recent Constitutional Developments

The Constitutional Convention, formed in December 2012, was convened to review various elements to the constitution, including the blasphemy section. The convention took submissions in favour of removing the blasphemy section from secular organizations Atheist Ireland and the Humanist Association of Ireland. The Council of Irish Churches, an organization representing an array of Christian denominations, also offered a submission in favour of repeal describing the blasphemy clause as “*obsolete*”. The Knights of Saint Columbanus and the Islamic Cultural Centre of Ireland argued in favour of retention. The convention voted in favour of deletion of the clause but also recommended it be replaced with a prohibition against “*incitement to religious hatred*”. It was confirmed that repeal of the Blasphemy Section will be put to a referendum sometime in 2015.

The report, “*Equality for the Non Religious (2013)*”, conducted by the Humanist Association of Ireland said of the Constitution -

*“If the Constitution is to be a document to speak for all citizens, its current wording fails that test.
If the Constitution is to be a document to speak for all citizens, its current wording fails that test.”*

<http://theguardian.com/world/2014/sep/30/ireland-referendum-blasphemy-law>

Testimonies

“In Ireland the non-religious are now the second largest group in Society after Roman Catholics but still face religious discrimination. The Irish Constitution begins with “In the name of the Holy

Trinity” and Catholic social policy is reflected in many of our laws. The Catholic Church in Ireland controls the vast majority of publicly funded schools which have exemptions from equality laws. A religious oath is required to take up the office of President or to become a Judge and in 2010 Ireland introduced a new blasphemy law. It is time for Ireland to realise that it must comply with its human rights obligations and ensure that all citizens have rights regardless of their religious or philosophical convictions.”

— Jane Donnelly, Atheist Ireland

Latvia

Latvia is an independent republic, and a recent member of the European Union. It has a substantial Russian-speaking population. It has a population of 2.2 million and close links with Estonia and Lithuania.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions			
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious;
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

Latvia has a relatively high percentage of people indicating they were atheist, 18.3%

<http://www.livescience.com/19972-atheism-belief-god-countries-ranked.html>

The 2014 Latvian constitution states that everyone has the right to freedom of thought, conscience and religion. The church shall be separate from the State. There is no state religion, but the law provides eight religious groups with rights and privileges denied to other religious groups, and non-believers. The eight are Lutherans, Catholics, Orthodox Christians, Old Believers, Baptists, Methodists, Seventh-day Adventists, and Jews.

These groups are a part of the government's Ecclesiastical Council, which (chaired by the Prime Minister) advises the government on religious matters. There is no equivalent provision for non-religious people. These groups have the right to officiate at marriages.

Religious privileges

Although the government does not require religious groups to register, the law accords registered religious groups a number of rights and privileges, including legal entity status for owning property and conducting financial transactions, as well as tax benefits for donors. Registration allows religious groups to hold services in public places such as parks or public squares. Non-religious groups cannot register or secure these benefits.

Education and children's rights

The eight privileged religious groups can teach their religion in public schools, with state financial support, in first to third grades, and to those who elect to take such classes. Depending on the grade level, courses in public schools range from "doctrinal instruction by church-approved instructors, to include non-denominational Christian teachings, to overviews of major world religions." Parents can also register their children for voluntary, non-religious ethics classes.

refworld.org/docid/53d9075610.html

Freedom of expression, advocacy of humanist values

The constitution states that everyone has the right to freedom of expression, which includes the right to freely receive, keep and distribute information and to express his or her views. Censorship is prohibited. The government generally respects freedom of the press, but investigative journalists and whistleblowers sometimes face criminal charges as a result of their reporting.

refworld.org/docid/53b2b8bd14.html

Lithuania

Lithuania is a parliamentary representative democratic republic with a multi-party system. The country is a member of the EU, and NATO, ranks very highly on the UN Human Development Index 2014 and has one of the fastest growing economies in the EU.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>		
			<p>No fundamental restrictions on freedom of expression or advocacy of humanist values</p>
		<p>Insufficient information or detail not included in this report</p>	

Constitution and government

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.

"Traditional" privilege

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

Freedom of expression and of the press is guaranteed by law and respected in practice.

Norway

Norway is a constitutional parliamentary monarchy of about five million inhabitants, bordering its Nordic neighbours Sweden and Finland, as well as Russia. Norway is rated as having the highest Human Development Index (HDI) in the world (according to the most recent report published in 2014, and including 11 of the past 13 annual reports).

Rating: Mostly Satisfactory 

This country is found to be declining due to recent reforms which extend and exaggerate privileges to Christianity in public education, to the point that the religious education curriculum can likely no longer be considered “non-confessional”.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is a nominal state church with few privileges or progress is being made toward disestablishment Official symbolic deference to religion	State-funded schools provide religious education which may be nominally comprehensive but is substantively biased or borderline confessional		
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

Freedom of religion and freedom of expression are protected by the Norwegian Constitution (Articles 16 and 100, respectively). Article 16 of the Constitution prominently refers to Christianity, but affirms freedom of religion for all:

“All inhabitants of the realm shall have the right to free exercise of their religion. The Church of Norway, an Evangelical-Lutheran church, will remain the Established Church of Norway and will as such be supported by the State. Detailed provisions as to its system will be laid down by law. All religious and belief communities should be supported on equal terms.”

stortinget.no/globalassets/pdf/constitutionenglish.pdf

While the Norwegian state supports the Evangelical-Lutheran Church financially, other groups (religious or secular) may also register with the government to receive financial support from the state. The degree of financial support is provided to all groups in proportion to their formally registered membership. In practice, however, some of the government financial support for the state church is exclusive for the Church of Norway.

Church of Norway

In 2012, the ties between the Church of Norway and the state were partly dissolved. However, the Evangelical-Lutheran Church (Den norske kirke) is still described as “the Established Church of Norway” (Norges Folkekirke) and remains the de facto state church, with bishops and priests still “state officials”.

human.no/Livssynspolitikk/Statskirkeordningen/?index=5

Article 2 of the Constitution had previously stated that “The Evangelical-Lutheran religion shall remain the official religion of the State. The inhabitants professing it are bound to bring up their children in the same.” The article was changed in 2012 to a somewhat more inclusive wording: “Our values will remain our Christian and humanist heritage.” A requirement that at least half of the government had to be church members was also removed in 2012.

Since 2012 the monarch is no longer the head of the Church of Norway. The monarch is however still required to profess the Evangelical-Lutheran religion (hence the monarch’s own ‘religious freedom’ is compromised) and the monarch must invoke “God, the Almighty and Omniscient” in the oath of accession (Art. 4 and Art. 9, Constitution).

Education and children’s rights

Many state schools take the students to church services before Easter or Christmas. Even though students are not formally required to take part, peer pressure and inadequate information on exemption rules results in some students participating in the school church services against their will.

Changes to religious education in 2015 have raised serious concerns of undue bias toward Christianity in the classroom.

Under the centre-right coalition government formed in 2013, there have been more heated debates around various social topics including immigration, as well as education and religion. Though the government itself formally consists of the Conservative party and Progress party, a secondary agreement with the Liberal party and the Christian Democratic Party ensures significant influence on policy from these parties.

The Christian Democrats are widely regarded to have based their support for the coalition on an education reform, which as of the 2015 school year, re-emphasises Christianity in religious education. The previous equivalent school subject “Religion, Lifestance and Ethics” (Religion, livssyn og etikk, RLE) was mandatory for Norwegian students, covering world religions on a roughly comparative basis (though there were already some concerns about the prominence or bias toward Christianity under RLE).

However, as of 2015 the subject is now KRLE, to emphasise “Kristendom”, under which teachers are encouraged to make “about half” of the classes cover Christianity exclusively.

Some pedagogists had quickly objected that this change would represent a retrograde “setback”, resurrecting old problems:

“...it is clear from this proposal that the main concern seems to be to secure an extended focus on Christianity. However, from the perspective of Study of Religions, this represents a real setback for the development of RE in Norway, as it re-introduces the old Christianity + others model, in which most of the teaching should revolve around Christianity.”

— Bengt-Ove Andreassen, Associate Professor

<https://ojs.tsv.fi/index.php/temenos/article/viewFile/9544/13973>

Likewise, the Norwegian Humanist Association campaigned against the change, arguing: that under KRLE, more students were likely to apply for exemption, which “will help to segregate students by religion or belief”; that the realignment of the subject “sends a signal that Christianity is more

important and more accurate than other religions and beliefs”, constituting a public privilege for Christianity; that by comparison other “religions, beliefs, ethics and philosophy” would get less time and so teaching would be of a lower quality; that most Christian groups also seemed to dispute the need for or wisdom of the change; and that the change was “not evidence-based, but ideologically and religiously rooted”. In summary:

“We believe that the introduction of a symbolic K for Christianity [Kristendom] will seem divisive, and that the stipulation “about half” for Christianity represents a distinct bias in the direction of a specific religion. In addition, we are not confident that the KRLE subject is in line with human rights... We believe that school should be a place where all students meet on an equal basis regardless of religion or belief. A society with several religions needs cohesion rather than disunity...”

<human.no/Skolesider/KRLE/hvorfor-er-human-etisk-forbund-imot-krle/>

The objections were in fact voiced widely: KRLE was protested by a huge popular petition, education experts were overwhelmingly against it, concerns were raised by the Christian Educational Forum, and it was even criticised by bishops of the Church of Norway.

<iko.no/2014/1/krle---a-skape-problemer-i-stedet-for-a-lose-eksisterende>

<aftenposten.no/nyheter/iriks/Biskoper-sier-nei-til-nytt-religionsfag-7522456.html>

Despite significant dissent, KRLE came into force for the 2015-16 academic year. There are concerns that while opting out is permitted from specific activities, in practice the change may seriously alter the tone of delivery, especially under individual teachers that are inclined to be more prescriptive about religion. While the subject may still be considered broadly comparative (in that it does still contain other beliefs, including Humanist and secular positions, though as a necessarily reduced proportion of the overall subject) the newly exaggerated emphasis on Christianity “casts doubt on whether the subject remains non-confessional”, according to Lars-Petter Helgestad, of the Norwegian Humanist Association.

<utrop.no/Plenum/Kommentar/Blogg/29027>

Family, community and society

While the majority of the population remain nominally affiliated with the Church of Norway (74,3 % as of January 1st 2015), the most recent figures from Statistics Norway describe a “Steady decline in number of church baptisms”.

<ssb.no/en/kultur-og-fritid/statistikker/kirke_kostr/>

In reality, polls over recent years have consistently shown Norway to be among the least religious countries in the world, as measured by a relatively small percentage of the population believing in a personal god, a low percentage describing themselves as religious, and very low rates for regular church attendance. For a large percentage of church members, church affiliation is of a nominal (“cultural”) rather than of a religious nature.

<newsinenglish.no/2009/09/30/church-attendance-hits-new-low/>

Freedom of expression, advocacy of humanist values

Freedom of expression is guaranteed in the constitution and generally upheld in practice.

The largest non-religious organization is the Norwegian Humanist Association, *Human-Etisk Forbund* (HEF) with over 85,000 members. (HEF is a Member of the IHEU.) In principle non-religious groups, including Humanist organizations, are treated on equal footing with religious groups.

“Blasphemy” abolished

In 2015, Norway formally abolished its remaining “blasphemy” law (formerly under section 142 of the Penal Code, banning public expression of “contempt” for religions recognised by the state). There had been no successful prosecutions under the law for some decades, though threats had been in relation to republication of the Jyllands-Posten cartoons as recently as 2006.

A parliamentary vote had already indicated political consensus to abolish the law, but the decision had not come into effect due to delays in implementing a revised Penal Code. In direct response to the *Charlie Hebdo* massacre in Paris in January 2015, two Norwegian MPs brought a motion in February arguing that the blasphemy prohibition “underpins a perception that religious expressions and symbols are entitled to a special protection... This is very unfortunate signal to send, and it is time that society clearly stands up for freedom of speech.” The motion passed with broad political and public support.

<thelocal.no/20150507/norway-scraps-blasphemy-law-after-hebdo-attacks>

<human.no/Livssynspolitik/blasfemi/>

Sweden

Sweden is a constitutional monarchy with a parliamentary democracy. Sweden is a member of the EU and the UN but has declined NATO membership. The country has a social welfare system providing education and health care to all its citizens and ranks very highly on the UN Human Development Report 2014.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups			
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

The constitution and other laws and policies protect freedom of 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.

Freedom of expression, advocacy of humanist values

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". Analysis suggests that only incitement-to-hatred-type violations would be considered contempt for "religious belief" and therefore this does not constitute a 'blasphemy'-type law.

Highlighted cases

In 2011, Pakistani refugee **Khalid Saeed** and his family were denied asylum in Sweden, despite verifiable evidence of him being a well-known, outspoken ex-Muslim already exposed to threats,

abuse and a significant risk of prosecution by the Pakistani state under Islamic judiciary, and of potential persecution by extremist groups.

<iheu.org/let-khalid-saeed-stay-sweden/>

The Bangladeshi blogger **Ananta Bijoy Das**, shortly before he was killed in Bangladesh in 2015, had applied for a visa to travel to Sweden at the invitation of Swedish PEN (International PEN and its national branches regularly work with writers at genuine risk of persecution). However, Sweden rejected his application, on the grounds that he was unmarried and not wealthy and therefore could not be considered sufficiently “established” in Bangladesh such that he might fail to return. He was killed within weeks. The decision was severely and widely criticised.

<thelocal.se/20150513/sweden-slammed-for-denying-visa-to-murdered-blogger>

<nytimes.com/2015/05/14/world/asia/fearing-bangladeshi-blogger-might-claim-asylum-sweden-blocked-visit-that-could-have-saved-his-life.html>

The position of the Swedish Humanist Association, *Humanisterna*, is that these and later cases may suggest that the Swedish migration authority (*Migrationsverket*) may have considered the non-religious as less exposed to risk of oppression than religious minorities in a similar situation; and that asylum should be granted to atheists from countries where atheism or apostasy is criminalised, or if the authorities in the country of origin fail to defend people’s right to freedom of belief.

Furthermore, asylum should be granted on equal grounds, e.g. an ex-Muslim apostate may have equal or higher need for protection compared to religious minorities.

However, in the months after the Ananta Bijoy Das killing and the publicity around his rejected visa application, Sweden has granted visas to at least five verified secular at risk on a number of other programmes as of December 2015.

United Kingdom

The UK is a constitutional monarchy comprising Great Britain (England, Scotland and Wales) and Northern Ireland, with a total population of about 64 million people. England with the largest population, 53 million, is home to a bi-cameral parliament which has devolved a range of powers to the other 3 nations. There are specific legislative differences in the 4 nations, exercised by their own parliaments or assemblies, reflecting the historical and cultural differences in those nations.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>	<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	
			<p>No fundamental restrictions on freedom of expression or advocacy of humanist values</p>

Constitution and government

UK laws and policies protect freedom of religion or belief, as well as freedom of expression, association and assembly. However, extant religious privileges and legal exemptions, often linked to the established state church, are cause for concern.

The monarchy has long-established links with the Church of England. The monarch must be a confirmed member of the Church of England and is described as the 'Defender of the Faith and Supreme Governor of the Church of England' as well as being Head of State. Though usually considered "ceremonial", this religiously-restricted and hereditary role does have some non-trivial powers (the monarch is Head of State, not Head of Government, however the government is "Her Majesty's Government"). The monarch approves the appointment of Bishops. 'Lords Spiritual' (consisting of the Archbishops of Canterbury and York, plus 24 diocesan bishops) sit in the House of Lords (the upper chamber of parliament) as of right, where they speak and vote on legislation - a privilege not awarded to any other group, and without public accountability.

The Church of Scotland is not *formally* established, however the Church of Scotland's role as the "national church" is enshrined in legislation, and may and senior ministers from the Church play a prominent role in national ceremonial matters. The monarch takes an oath to preserve and defend the Church of Scotland (but not to other Scottish churches). In Wales and Northern Ireland there are

no constitutional links between churches and monarchy. Northern Ireland Protestants assert a loyalty to the monarch (often considered part of their case for remaining in the UK).

The UK state provides preferential treatment in the finance of church buildings. In 2012, places of worship were singled out for compensation for the removal of the zero Value Added Tax (VAT) rating concession for alterations to listed buildings. The government also helps fund the repair and maintenance of all listed places of worship for religious groups nationwide (without any comparable funding for secular alternatives) and contributes to the budget of the Church Conservation Trust, which preserves disused Church of England buildings of architectural or historic significance.

Religious groups are increasingly being contracted by the state to run public services. Exemptions in equality and human rights legislation mean that in a number of ways such contracted organizations are able to discriminate in certain ways against employees and service users when providing such services - 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.

Education and children's rights

Faith schools, discrimination, and selection

Faith schools (including Church schools) are a significant part of the UK education system. 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 in Great Britain their proportion is increasing.

These state-funded religious schools can discriminate against students in their admissions policies, and against all teachers in their employment policies, on religious grounds. In October 2015, a report from the Fair Admissions Campaign found “near-universal noncompliance” with the School Admissions Code among religiously-selective state schools in England.

fairadmissions.org.uk/an-unholy-mess-new-report-reveals-near-universal-noncompliance-with-school-admissions-code-among-state-faith-schools-in-england/

This added to earlier findings that showed that religious selection causes extensive socio-economic and ethnic segregation.

fairadmissions.org.uk/groundbreaking-new-research-maps-the-segregating-impact-of-faith-school-admissions/

The British Humanist Association (BHA) also has a long-running legal case against the UK Government at the European Commission, challenging the breadth of permissible discrimination.

humanism.org.uk/2015/02/20/european-commission-re-opens-investigation-whether-uk-faith-school-laws-break-european-employment-laws-uk-government-shifts-position/

Wales and Northern Ireland have both Catholic and Protestant schools; England additionally has Jewish, Muslim, Hindu, Sikh and other Christian schools. In Scotland, most faith schools are Roman Catholic in nature.

Religious education

The provision of religious education (RE) varies according to local authorities which must establish advisory bodies for an RE syllabus.

In England and Wales, all state schools are obliged to teach religious education, but outside of religious schools, legislation mandates that it is non-confessional in nature. The syllabus is required to “reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain” - which is generally taken to mean Islam, Hinduism, Sikhism, Judaism and Buddhism.

Increasingly, Humanism is included as well, however in February 2015 the Department for Education (DfE) excluded detailed study of Humanism from secondary school qualifications, in spite of majority public support (including almost 90% of consultation respondents) for its inclusion.

humanism.org.uk/2015/02/12/government-rejects-consensus-subject-experts-public-religious-leaders-marginalises-humanism-gcse-levels/>

The exclusion of non-religious worldviews has been challenged, though, and in November 15, the High Court ruled – in a case brought by three humanist families with support from the British Humanist Association – that non-religious views such as Humanism must be given parity to religions and taught alongside the Religious Studies GCSE; the judge described the Government's official statements to the contrary as an “error of law”. The judgment potentially has significant implications; paragraph 39 establishes a duty on the state to treat non-religious worldviews and religious beliefs equally.

bbc.co.uk/news/education-34921857>

humanism.org.uk/2015/11/25/judge-rules-government-broke-the-law-in-excluding-humanism-from-school-curriculum/>

In England and Scotland, each of the local authorities is required by law to appoint two or three religious representatives to their education committees. Of these appointees, one must be Roman Catholic, in England one must be from the Church of England, and in Scotland one from the Church of Scotland and one from another religion; non-religious people are not allowed.

In Scotland, most faith schools are Roman Catholic in nature. The Roman Catholic Bishop's Conference in Scotland retains the right to set the religious education curriculum (RERC) and sex and relationships education. Whilst only 15% of schools in Scotland are ‘denominational’ in nature, all of Scotland's state schools have, to a greater or lesser extent, a Christian influence.

humanism.scot/what-we-do/education/>

No opt out in religious schools for students

Religious schools are free to make their own decisions in preparing their syllabuses; this means confessional teaching is funded by the state. Students cannot opt out of this religious instruction; the decision rests with parents. This likely breaks children's human rights, with case law known as *Gillick competence* seeming to suggest that once a child obtains sufficient understanding and intelligence to be mature enough to make up their own mind on the matter, a child's right to make their own decisions overrides their parents' rights over them.

Required collective worship

In England, Wales and Northern Ireland, every state-funded school is legally required to hold a daily act of “collective worship”. In the schools that are not designated with a religious character, this worship must nevertheless be wholly or mainly of a “broadly Christian character”, whereas in religious schools it must be in line with the faith of the school. Schools can apply to have this changed to another faith for some or all of their students, but they cannot have this changed to some secular equivalent. Students can be opted out of worship individually, 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. In Scotland religious observance is required six times a year.

The BHA reports being 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.

[<humanism.org.uk/campaigns/schools-and-education/>](http://humanism.org.uk/campaigns/schools-and-education/)

Family, community and society

There has been a marked decline in people's declared religious affiliation, particularly in Great Britain. The 2011 Census showed an 12% drop in people loosely culturally affiliating as Christian, since 2001; and a 10% rise in those with no religion. The Census found 59% ticking the Christian box, 26% ticking no religion, 7% not stating any religion, and 5% ticking Muslim. In contrast to the Census, the British Social Attitudes Survey measures religious belonging; in 2013 it found that 51% of the population don't belong to any religion, while 42% are Christian. A 2015 Scottish Household Survey found that 47% of people in Scotland are not religious.

There are a wide range of Humanist and other non-religious organizations; the British Humanist Association (BHA) is active across the country and campaigns on national issues; the Humanist Association or Northern Ireland and Humanist Society Scotland also operate in their respective countries and have close links with BHA. (Note: These groups are all Members of the IHEU.)

Marriage law discrimination

Religious people in the UK have a choice between being married by a civil registrar and being married by a representative of their religion who shares their approach to life. Except in Scotland, non-religious people have no option other than the civil registrar. Each year many hundreds of people in England, Wales, and Northern Ireland chose to have a wedding ceremony performed by a humanist celebrant but their weddings are not considered a legal marriage. In Scotland humanist marriages have increased rapidly since their legal recognition, now forming a quarter of 'belief' based marriages and 12% of all marriages. Evidence suggests something similar could be expected in England and Wales. Despite indications that legal recognition of humanist marriages would be popular, fair and easy to introduce, in December 2014 the Government chose to ignore over 90% of respondents to a consultation and reject legalisation. Consultations are ongoing.

[<humanism.org.uk/2014/12/18/labour-pledge-legalise-humanist-marriages-government-blocks-proposals-disappointing-thousands-couples/>](http://humanism.org.uk/2014/12/18/labour-pledge-legalise-humanist-marriages-government-blocks-proposals-disappointing-thousands-couples/).

One law for all?

The existence of religious legal systems, has a long history in the UK, with Canon Law (Church of England) being state law. In most instances there is little conflict between the systems. The emergence of the use of religious Arbitration Tribunals (established under a generic law on arbitration) and of Sharia Councils has raised concerns in particular about some family matters being treated under what is effectively a parallel and discriminatory legal system. The campaign group One Law For All, explains, "Proponents argue that those who choose to make use of Sharia courts and tribunals do so voluntarily and that according to the Arbitration Act parties are free to agree upon how their disputes are resolved. In reality, many of those dealt with by Sharia courts are from the most marginalised segments of society with little or no knowledge of their rights under British law. Many, particularly women, are pressured into going to these courts and abiding by their decisions."

[<onelawforall.org.uk/about/>](http://onelawforall.org.uk/about/)

Officially about 4.5% of the UK population are Muslims. However, the number contained within this figure who in fact are secular or non-religious is difficult to establish. There is serious concern about the plight of some people who, having been raised in a Muslim household for example, are themselves non-religious, sometimes identifying as ex-Muslim, but who may be forced to hide their non-religious views, either by social taboo against “apostasy” or outright threats of ostracism or in extreme cases against their lives. Some similar problems are sometimes report within evangelical Christian and Charedi Jewish communities, for example. In November 2015 the hashtag #ExMuslimBecause trended in the UK for several days, as part of a ‘coming out’ campaign. [<bbc.co.uk/news/magazine-34357047>](http://bbc.co.uk/news/magazine-34357047)

Freedom of expression, advocacy of humanist values

UK law, adopting the European Convention on Human Rights, 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.

The libel laws of England and Wales, which previously had been infamously over-reaching, were reformed in 2013 to make it more difficult to use them to suppress free speech. There are mixed fortunes in the UK for advocacy of humanist values. Marriage equality has been improved with the recent legalisation of same-sex marriage, but the legalisation of Humanist weddings in England was “blocked” by central government in December 2014. [<humanism.org.uk/2014/12/14/number-10-intervenes-block-humanist-marriages/>](http://humanism.org.uk/2014/12/14/number-10-intervenes-block-humanist-marriages/)

In 2014 same-sex marriage was legalised across the UK, except Northern Ireland. Legislation to legalise assisted dying has consistently been rejected by both UK and Scottish Parliaments, despite popular support. Abortion, while legal in most of the UK, remains significantly more restricted in Northern Ireland; it is not legal in Northern Ireland even in the case of rape, and any approved abortion must satisfy the purpose of “preserving the life of the mother”. This criterion can include adverse physical and mental health risks other than immediate life-or-death situations, however many women from Northern Ireland must travel to other parts of the UK (or elsewhere) to undergo the procedure and must then do so at their own expense.

Europe

Southern Europe

Albania

Albania is a constitutionally secular country, while the religious demographic of the country has a Muslim majority there is also a strong Albanian Orthodox and Roman Catholic population. The constitution and legal system along with a secular education system protects universal human rights. However there are agreements with religious groups in place that provide a number of privileges to those groups including tax-exemption status.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general			
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

Free speech and freedom of religion is protected by article 10 of Albania's secular constitution. However while the constitution protects religious communities and confirms the neutrality of the state with regards questions of beliefs and conscience it doesn't explicitly protect non-religious communities. It makes explicitly clear that the equality and independence of religious communities is to be respected by the state and by each other, this statement specifically identifies religious communities and mentions nothing of the non-religious.

Article 10(2) however, says that "The state is neutral in questions of belief and conscience, and also, it guarantees the freedom of their expression in public life." Which seems to imply that the expression of any belief is constitutionally protected, religious or otherwise.

ipls.org/services/kusht/cp1.html

Additionally, the preamble states that the constitution is established "to guarantee the fundamental human rights and freedoms, with a spirit of tolerance and religious coexistence", which again specifically identifies the religious but make no mention of those without religion. Though it should be noted that the majority of the preamble and the constitution as a whole respects the the individual and protects universal human rights.

Education and children's rights

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.

Family, community and society

Registration of Religious Groups

The government does not require registration or licensing of religious groups; however, a state committee maintains records on foreign religious organizations that solicit its assistance.

Registration grants religious groups the right to hold bank accounts and own property, as well as some level of tax-exempt status. The four traditional religious communities signed agreements with the government in 2008 granting them wider tax exemptions and other privileges.

(It remains unclear whether similar advantages could be obtained by specifically secular worldview organizations.)

Article 10 of the constitution calls for separate bilateral agreements to regulate relations between the government and religious communities. The Catholic Church, Muslim, Orthodox, and Bektashi communities all established such relations. Among the advantages of having the agreement are an official recognition of the community, prioritized property restitution, and tax exemptions.

state.gov/j/drl/rls/irf/2010_5/168289.htm

Freedom of expression, advocacy of humanist values

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 vulnerable 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

Andorra is a co-Principality with a democratic parliamentary system. The President of France and the Bishop of Urgell are co-princes of Andorra.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	
<p>Official symbolic deference to religion</p>			
	<p>Insufficient information or detail not included in this report</p>		<p>Insufficient information or detail not included in this report</p>

Constitution and government

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 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.”

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

Bosnia and Herzegovina pronounced independence in 1992, the Bosnian War followed lasting well into 1995. There is a three member Presidency, and a bicameral legislature in place. The country is a member of the Council of Europe and a founding member of the Mediterranean Union.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The non-religious are barred from some government offices (including posts reserved for particular religions or sects) State legislation is partly derived from religious law or by religious authorities		Systemic religious privilege results in significant social discrimination	
Preferential treatment is given to a religion or religion in general	Religious schools have powers to discriminate in admissions or employment	Discriminatory prominence is given to religious bodies, traditions or leaders Religious groups control some public or social services	
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
			Insufficient information or detail not included in this report

Constitution and government

The constitution and other laws and policies protect freedom of 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.

Education and children's rights

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.

Family, community and society

Community controls

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 to 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.

Catholic privileges

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.

Croatia

Croatia is a unitary republic with a parliamentary system of governance. Croatia declared independence in 1991, contributing to the break-up of Yugoslavia. Croatia is a member of the EU, the UN and NATO.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative		
There is systematic religious privilege Preferential treatment is given to a religion or religion in general State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools	Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. The rights to freedom of assembly and association are guaranteed in the constitution and respected in practice. While officially there is no state religion, the Catholic Church has a very prominent and privileged position in public life.

Demography

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 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.

Education and children's rights

Catholic Catechism classes

Although Catholic Catechism classes are taught in all state schools, and although non-Catholic children have some rights to opt out of the classes in theory, in practice non-Catholic students at most schools are not provided with any alternative classes. In April 2010 the Constitutional Court refused to rule on the constitutionality of the Catechism classes in state schools, stating that it lacked jurisdiction on international treaties (ie. the Concordat with the Vatican).

In 2014 the Supreme Court ruled that children that do not attend Catholic Catechism are not discriminated against, and that the Ministry of Education is not under any obligation to provide them with any alternative subject, such as a more comprehensive religious education, including secular worldviews, or any broader philosophical approach to morals and belief.

Catholic Catechism has been introduced in many public kindergartens throughout the country, regardless of the religion or belief affiliation of the local population. In most cases this is not a part of any official program, however, in some places Catholic Catechism has officially become a part of curriculum. For instance, Catholic Catechism is officially introduced into public kindergartens in Dubrovnik, while no adequate alternative programs are being offered for children of non-Catholics.
<portal.hr/vijesti/znanost/385400/Vjerski-odgoj-razara-zadnje-oaze-jednakosti-u-vrticima.html>

However, the number of children opting out of Catholic Catechism in public schools is increasing, particularly in urban areas and in some parts of Croatia it has dropped below 50%. It has been suggested that people are increasingly willing to speak out against religious proselytizing, as well as to demand termination of accords with the Holy See under which such education is mandated.
<novilist.hr/Vijesti/Hrvatska/Trecina-klupa-na-nastavi-prazna-Sve-manji-interes-primorskih-i-istarskih-ucenika-za-vjeronauk>

There are some NGOs that organize humanistic workshops for elementary school children. These workshops were created as alternative to Catholic Catechism in public schools but also provide education on number of scientific subjects. The number of children attending these workshops is slowly but steadily increasing and workshops based on the same model are now available in several Croatian cities besides Zagreb.
<civildcourage.hr/academy/>

The Center for Civil Courage also recently sent a formal request to the Ministry of Education demanding systematic and professional care for children who do not attend religious education. At the moment, such children are usually left unattended in school hallways or are, despite their right to opt out, asked to stay in classrooms during religious classes since no members of school staff are available to look after them.
<forum.tm/vijesti/kip-gospe-lurdske-u-skoli-u-zadru-nije-problem-jer-je-pohada-97-katolika-2240>

Hatred in the classroom

Catholic Catechism textbooks for elementary school use material from Pope John Paul II which imply that atheists were responsible for "Auschwitz". These textbooks also contain instructions on how to talk with atheists and make them realize their mistakes.
<index.hr/vijesti/clanak/ogorcena-mama-na-vjeronauku-djecu-uce-da-je-ateizam-neprihvatljiv-i-da-su-nevjernici-bezumni/778474.aspx>

According to UNICEF-sponsored research among students (*Opinions and attitudes of children and youth in Croatia*) young people themselves believe that their peers are most likely to discriminate against young people with disabilities, and next most likely against members of religious and national minorities. In fact children estimate that in 7% of cases they act “very badly” toward peers who do not attend Catholic Catechism, and a further 10% of cases they act “badly”.

unicef.hr/upload/file/351/175805/FILENAME/StavovidjeceimladihuHrvatskoj.pdf

Family, community and society

In December 2015, the mayor of the town of Đakovo announced that the town would fund ice-skating tickets for all children that attended morning masses in the local Catholic Cathedral. On being publicly challenged, the mayor first stated that in Đakovo there are no members of religious communities other than Catholics; he later claimed that a similar offer was made to other religious communities in the town; and afterwards stated that he intends to carry on with such practice regardless of criticism. No evidence was presented that the town ever had any intention to make a similar present for children of non-Catholics. The case is currently being investigated by the media and was reported to Ombudsman’s Office.

index.hr/vijesti/clanak/crkva-i-grad-djakovo-kupuju-dolazak-djece-na-zornice-kartama-za-klizanje/860122.aspx

On July 01, 2015 Faculty of Stomatology of University of Zagreb announced its intention to hire an assistant professor of ethics, with one of the requirements being a degree in theology. (Such practice appears to discriminate against professors of ethics who graduated from the Faculty of Philosophy, for example, which tends to be more secular and more likely to contain non-religious academics.) In any case, all faculties of theology in the Republic of Croatia are under direct control of religious institutions (whereas Stomatology is clearly not).

In recent years, anti-abortion activists have been extremely active in participation in global action “40 days for life” during which they have been organizing mass prayers in front of entrances to hospitals in all Croatian cities. Some hospital principal even allowed them to conduct protests performances next to the entrances to gynecology wards. Religious organizations have opened fake abortion clinics providing disinformation and generating confusion to women seeking abortion services, with no apparent intervention by the state.

<http://www.lupiga.com/vijesti/lazne-klinike-za-abortus-koliko-smo-daleko-od-tog-mokrog-sna-nasih-ljubitelja-srednjeg-vijek>

Freedom of expression, advocacy of humanist values

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. Access to the internet is not limited.

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. All religious communities that have entered into agreements with the government are guaranteed a certain allocation of time in public media. No such right is guaranteed to secular belief groups. Similarly, no such right is guaranteed to members of religious communities that do not have an agreement with the government.

While people are generally free to express views that are contradictory to mainstream Catholicism, those who dare to publicly speak against the Catholic Church or are perceived as opponents of the Church are often subjected to threats and media slander.

Highlighted cases

In May 2015, during the graduation ceremony of high school students in Knin (a multi-ethnic community with a significant proportion of Orthodox Serbian population among students), Catholic blessings and prayers were a part of the official ceremony. **The school principal and two teachers** who opposed this and refused to participate in prayer were subjected to media slander and threats. They requested that the Ministry of Education protect them, but their pleas were largely ignored.. No Orthodox Christian prayers were included in the ceremony. Atheists, including the school principal and some teachers, who refused to actively participate in prayer were publicly described as “not worthy to celebrate with them”.

[<telegram.hr/politika-kriminal/kninski-maturanti-morali-su-na-svojoj-maturalnoj-veceri-opet-sudjelovati-u-blagoslovu-i-molitvi-a-nisu-svi-katolici/>](https://telegram.hr/politika-kriminal/kninski-maturanti-morali-su-na-svojoj-maturalnoj-veceri-opet-sudjelovati-u-blagoslovu-i-molitvi-a-nisu-svi-katolici/)

Greece

Greece, regarded by many as the birthplace of democracy in Europe, has been hit hard by the current financial crisis, and seen a rise of extreme nationalism in recent years.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions			
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
		Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, anti-blasphemy laws and state sponsorship of religion exist.

Orthodox privilege

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

Blasphemy

Recent years have seen a number of 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.”

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.

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.

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.

onthewaytoithaca.wordpress.com/2013/04/19/greek-artist-acquitted-of-blasphemy-charges/>

Italy

A limb of southern Europe stretching out into the Mediterranean, Italy’s Roman past penetrates deeply into European cultural history, the “*umanista*” of the Italian Renaissance prefigured the modern humanist movement, and the Catholic Church remains a predominant force in the country today.

Rating: Severe Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views	
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto ‘blasphemy’ law is in effect</p>
Official symbolic deference to religion	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional [in principle but not in practice]</p> <p>Private schools are allowed to religiously instruct children</p>		Concerns that secular or religious authorities interfere in specifically religious freedoms

Constitution and government

Although since 1948 the Italian Constitution always guaranteed freedom of religion, it was only in 1979 that the Constitutional Court affirmed the equality of rights for the non-religious, and only in 1987 that *laicità* (neutrality of the State with respect to religions) became a Constitutional Principle (again thanks to a judicial ruling of the Court). However, until its revision in 1984, the Concordat with the Catholic Church (which has Constitutional status) implied that Italy formally had a State religion.

A web of accord and concordats, with some notable exceptions

The government keeps a complex system of legal agreements with various religious communities. The state has professed being secular since 1984 but gives support to religious communities according to these agreements. Not having such agreements does not affect someone’s rights to believe, but prevents one from receiving many privileges available to other communities.

As of 2009, Italy had established agreements with thirteen religious groups, including the concordat with the Catholic Church (of a Constitutional status apart from the others), Orthodox Christians, Jews, Baptists, Lutherans, Buddhists, Hindus, and Jehovah's Witnesses. (though signed in 2007, has still not been ratified by law). Muslims comprise the biggest group without an agreement, mostly because of the lack of a unified representation of their organization. There had also been attempts to pass laws restricting Muslims' religious practices as well as local conflicts concerning the construction of certain mosques. These problems have raised concerns regarding the future status of the Muslim community.

berkeleycenter.georgetown.edu/essays/religious-freedom-in-italy

The Union of Rationalist Atheist and Agnostics, *Unione degli Atei e degli Agnostici Razionalisti* (UAAR) (an IHEU Member Organization) requested an accord with the State on the grounds that religious beliefs should not gain their adherents more rights than to non-believers (see below). Besides, non-believers are by far the largest "religious" minority in Italy. However, in 1996 the Undersecretary of State answered that these accords "cannot be extended to other associations that don't have a religious nature". In the same year UAAR appealed against this answer to the President of the Republic, on the basis that several constitutional rulings establish equality between the rights of religious organizations and of non-religious life stance associations. This appeal was won. However, the Council of Ministers then gave a negative answer in 2003, and there has been continued resistance to accepting the equality of non-religious worldviews. There follows a history of sentences, appeals, wins and losses that spans more than a decade and is still in process.

Testing church-state relations and religious privilege

Separation of church and state was tested in 2002 when a member of UAAR, with the support of the association, attempted to obtain the removal of crucifixes from the classrooms of the school her son attended, arguing that such displays are a patent sign that the State is not neutral when it comes to religions, and that it is all the more unacceptable in a formative environment. The request was denied by the school, and was then addressed to the regional Administrative Court which, in 2005 gave a negative answer, with a peculiar rationale:

"the crucifix [is a] symbol of a particular history, culture and national identity [...] and an expression of some of the secular principles of the community"
— TAR del Veneto, Section III, ruling n.1110/2005

After failing an appeal to the Council of State, the last resort was the European Court of Human Rights, which turned the case into a high-profile event. In 2009 the Court ruled that crucifixes should not be present in classrooms, noting that by aligning the schools with a particular religion such religious symbols may serve as signs of exclusion and marginalisation. But some members of the Italian government responded with reactionary fervour to the ruling:

"We won't remove the crucifix. They might as well die, we will not remove it"
— From a 2009 television interview of the then Minister of Defence Ignazio La Russa

The government appealed immediately to the Grand Chambre which, in March 2011, reverted the previous decision, declaring that every European State has a "margin of appreciation" in religious matters, and that the crucifix is a religious, but passive, symbol.

Education and children's rights

A huge privilege pertains in schools: the Concordat dictates that in all levels of education (except universities) there be a teaching of religion, delivered by teachers chosen by the Church but paid for by the state.

An alternative to the teaching of religion is meant to be ensured by all school, be it an alternative subject, individual study assisted by a teacher, individual study alone, or leaving the school. Those who choose an alternative subject (which can be anything that fits in the formative offer of the school, and not only a civic/humanist alternative) are entitled to it by law. However, many schools try to dissuade students and parents from not attending religious class, often on the grounds of conformism, integration, bureaucratic difficulties, lack of funds, general economic problems. (The easiest way to get out of religious class seems to be to declare oneself as adherent to another religion, be it true or not.)

Pastoral visits by clergy are often allowed in schools during lesson time, and the same often happens for religious ceremonies (mass is formally prohibited in school time, but it is not uncommon to get around this by "suspending" the classes for the duration of the mass!).

Family, community and society

Humanists left behind

The growing popularity of humanist funerals and wedding ceremonies (which still have not been permitted to confer legal marital status) is hindered by municipalities that do not have appropriate places to provide for the ceremony (even though the law says they must provide them, for funerals: Decree of the President of the Republic of 14 January 1997).

In Italy a marriage ceremony conducted by a Catholic priest (*concordatarian wedding*) is legally binding. It is not infrequent that people seeking a divorce go not through the Italian legal iter, but rather seek an annulment from the Church: when obtained, it makes it so that the wedding *never existed*, so that (for instance) no alimony is due to the less well-off partner.

Frequently the state authorities seem to value religion in general over non-religion and to inflate its significance over secular worldviews. For example, a 2010 sentence of the Milan Court, regarding whether a child could be sent to church against the will of the father, as requested by the mother, not only found without any compromise in her favour, but made a value judgement about her religion over the father's non-religious views:

"Sunday school and attending mass are a formative path useful for socializing and learning those moral and religious values (solidarity fraternity equality sharing ...) that are universal and rooted in human culture"

— 2010 Milan Court sentencing

Catholics put in front

Among the privileged religions, Roman Catholicism is the dominant faith, and by far the most privileged.

Its ministers, for example, are present in several institutions of the state, and paid for with taxpayers' money. They can be found in hospitals, penitentiaries, barracks, nursing homes, ... In all

these places other religions can have their representatives, although unpaid. Secular or non-religious representatives, however, are excluded and denied access altogether.

Again, in the media the Catholic Church is by far dominant. A study showed that in 2013 almost 100% of the television time dedicated to religions was allotted to the Catholic Church. This includes the news, and mass-culture programs. The Italian state television, RAI, has a whole department, RAI Vaticano, solely dedicated to the task of propagating Catholic messages.

Conversely, the time dedicated to humanism and non-belief was almost non-existent.

A religious tax is heavily biased towards the Catholic Church. Every taxpayer has to give eight thousandths (“*otto per mille*”) of his taxes to either a recognized religion or to the state. Most taxpayers choose neither, assuming that their share will go to the State, but instead the share from those who do not specify the beneficiary is divided among the possible recipients according to the relative number of expressed choices. Since in Italy the majority identify as at least nominally Catholic, most of the money ends up to the Catholic Church. This mechanism was denounced in November 2014 as inadequate and misleading by the Corte dei Conti (Court of Audit):

“[the recipients] receive more from those who do not make a choice than from those who do choose... There is no adequate information, even though the majority does not make a choice and it can reasonably be assumed that if one doesn't choose their share of tax will not be assigned... [The sums involved] are huge, much higher than in any other European country, and keep increasing even in the face of the current contraction of public expenditure. Still, many confessions are excluded from access to 8 per mille because of the lack of an accord with the State... The State is the only recipient that does not advertise how he spends its share...”
— Press release of the Corte dei Conti, 28 November 2014

corteconti.it/cerca_nel_sito/dettaglio.html?resourceType=/documenti/comunicati_stampa/elem_0051.html
>

The Italian tax on real estate, TASI, ex IMU, has long been denounced by UAAR as shamelessly favouring the Catholic Church. The details have varied over the years, but as of March 2014 finanze.it/export/download/Imu/IMU_2014_istr.pdf almost all the schools and private clinics owned by the Church do not have to pay the tax. In the latest step of a legal history begun in 2006, in November 2014 the Court of Justice in Luxembourg admitted an appeal regarding this matter. o-re-la.org/index.php?option=com_k2&view=item&id=194:italian-church-and-state-ambiguities-challenged-by-the-debt-crisis-the-ici/imu-affair&Itemid=85&lang=fr

UAAR has estimated that summing this “religion tax”, the costs of religious personnel, and all the other privileges of the Catholic Church, more than 6 billion Euros are given by the State to the Church every year.

Marginalisation of Muslims

Although Islam has more members than some religious groups with official status — including Buddhism, Hinduism and Judaism, it does not have official recognition. Therefore, no Muslim organization may receive funding under an Italian law that would let taxpayers give some of their taxes to a religious group, meaning they wouldn't receive additional taxes. Anti-Muslim bigotry exists, particularly among conservative politicians who blame the country's economic woes on immigrants (whom they connect with Muslims uncritically). The government has made efforts in recent years to assimilate Muslims. In 2005, the Ministry of the Interior established the Council for Italian Islam to foster dialogue between the government and the Italian Muslim community, which

was meant to be an umbrella organization of various Islamic groups. The establishment of the council would have provided the structure for Islam to receive legal recognition as a religion eligible for tax money. "The Italian state wanted to recognize the religion," Chalikandi lamented, "but unfortunately, the Muslim organizations and leaders couldn't get a consensus and they couldn't sign that accord with the government." How much time that might take remains uncertain.

huffingtonpost.com/2013/05/28/italian-muslims-face-uncertain-future_n_3347178.html

Freedom of expression, advocacy of humanist values

Defamation and blasphemy

Religious believers have several rights not available to non-believers. Defamation of religion is still a criminal offense under articles 403 and 404 of the penal code (offence to a religious confession by defamation of a person, and of things, respectively - see for instance Highlighted cases, Padovan, below).

Blasphemy *per se* also remains an administrative offense (article 724); it was a penal offense until as late as 1999.

Highlighted cases

In 2009 **Manlio Padovan**, a member of UAAR, funded a poster advertising campaign with the slogan "The bad news is that no god exists. The good news is you don't need one". The posters were removed by the police in order to "safeguard the religious sentiment". Mr. Padovan was also prosecuted, and finally acquitted three years later, under criminal charges of defamation of religion. The same slogan was refused by the media company IGPDecaux, when the same year UAAR asked for it to circulate on buses in Genova, because it was "offensive to the believers of the great monotheistic religions".

Franco Coppoli and **Davide Zotti**, both teachers and both UAAR members, removed the crucifix from their classroom (in 2008 and 2014, respectively). Mr. Coppoli was suspended from teaching for a month, and at the time of publication of this report, Mr. Zotti faces the prospect of a similar ruling.

Franco Frattini, then Foreign Minister, wrote in October 2010 that "atheism, materialism and relativism" are "perverse phenomena", characterized by "fanaticism and intolerance", "menacing society", and that they should be fought with an alliance between Christians, Muslims and Jews.

esteri.it/MAE/EN/Sala Stampa/ArchivioNotizie/Interviste/2010/10/20101022_FrattiniMedioOriente.htm

On the 20th of September in Italy the Capture of Rome marks the anniversary of the Italian army gaining control of Rome (after a rather mild military action) from the Papal State, in 1870. At the official event in Rome in 2010, activists from **UAAR**, bearing the association flag, were detained by the police, and their identification documents sequestered for the duration of the event.

Meanwhile the Vatican's Secretary of State was praying, next to the President of the Republic, for the deaths of the soldiers.

In 2010 Massimo Bitonci, a member of parliament and then mayor of a small town called Cittadella, suggested to the mayor of the neighboring Abano Terme, where the **Lautsi family** from the crucifix case lived, to revoke their residence in the town, adding that "if they were to pass by Cittadella they might find their pictures posted on the walls with 'wanted' written over them". Bitonci is now mayor of the large town of Padua.

Kosovo

Kosovo is a multi-party democratic republic bordered by the former Yugoslav Republic of Macedonia, Albania, Montenegro and Serbia. Kosovo became a UN protectorate following the Kosovo War of 1999 with prolonged tensions and violence between its Albanian and Serb populations. Kosovo declared independence from Serbia in 2008, Serbia continues to claim the Autonomous Province of Kosovo and Metohija, and Kosovo’s independence remains unrecognised by Russia and China, along with five EU member states, however 108 UN states recognise Kosovo as a sovereign state.

Rating: Free and Equal

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief			
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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, is a secular state and prohibits discrimination based on religion and ethnicity.

Freedom of expression, advocacy of humanist values

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.

Macedonia

Lying in the center of the Balkan Peninsula, Macedonia is a parliamentary democracy, and an independent state since 1991 (previously being part of Yugoslavia). The country has a multi-party democratic system, and is officially is a secular state. The Republic of Macedonia has been a candidate for European Union membership since 2005, and is a signatory to the European Convention on Human Rights.

Rating: Serious Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression, advocacy of humanist values
		<p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Religious control over family law or legislation on moral matters</p>	
State-funding of religious institutions or salaries, or discriminatory tax exemptions	<p>Religious schools have powers to discriminate in admissions or employment</p> <p>There is state funding of at least some religious schools</p>	There is significant social marginalization of the non-religious or stigma associated with expressing atheism, humanism or secularism	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious

Constitution and government

The Constitution guarantees basic human rights to all Macedonian citizens and Macedonia is theoretically a secular state.

However, since 2006 and the rise of the "Internal Macedonian Revolutionary Organization - Democratic Party for Macedonian National Unity" (VMRO-DPMNE), self-described as "Christian democratic" and "nationalist" party, the government has increasingly been involved in promoting religion and/or religious beliefs and practices.

Government promotion of religion

In the past few years the government has made discounted land available to the church for building religious buildings. Under the auspices of its "Skopje 2014" project, with the stated goals of rejuvenating the capital city Skopje, there have been a significant number of statues installed across the city honoring persons with specifically religious historic significance. The 1,000 Macedonian denar bill features an image of the Virgin Mary and baby Jesus.

Ggovernment-funded commercials are often focused on promoting religious values or religious views on traditional families.

Education and children's rights

The constitution establishes public educational institutions as secular and based on the Law of Education the students are protected from discrimination based on sex, gender, race, national or social origin, political and religious beliefs and property and social status. The Education Law (article 7) forbids proselytising religious organizations within schools.

However, the law does permit religious instruction in public elementary schools with no secular, humanist or atheist option. These classes are taught mostly by theologians or people who are firm believers in the given religion, and may be considered of a clearly confessional nature. Parents choose on behalf of their children if they will follow the optional "Ethics of Religion" classes. In some schools the importance of these classes is exaggerated and the pupils attending these classes might take part in a variety of religious-based events and activities. Many of those events and activities are attended by the elementary school children without any parental permission.

tvorbis.com.mk/?p=21340

Family, community and society

Religious identities, social and political

There is a perception among secular Macedonians of widespread discrimination or intolerance towards those with progressive views, including humanist and atheist groups. Those identifying as religious are sometimes considered more trustworthy or in some cases enjoy educational, employment and health privileges. There is a social assumption of religiosity, to the point that one might be taken aback to learn that someone is an atheist.

In the most recent population census of 2002, officially 98.5% of the population is religious, with only 1.5% declared as "Other". (With a high correlation between religious and ethnic identities, the non-religious often declare themselves as Christian or Muslim, as a kind of proxy for stating Macedonian, Albanian, Serbian etc.)

In recent years, especially among young families, conservative religious values appear to be becoming more prominent. Until independence, the country was socialist and religion was somewhat suppressed. As a consequence of the ethnic conflict in 2001, religion has become a more nationalistic, more right-wing and more overt, with increasing religious influence on public policy. Both the ethnic Albanian and Macedonian populations, instead of overcoming differences and inhibitions related to religious identity, are strengthening their distinct religious convictions.

Often, during political protests, especially "counter-protests" (a response from governing parties, to demonstrate that they have a larger number of supporters than those protesting against them), there is a heavy use of religious symbols and religious rhetoric, aligned with patriotism, disparaging anti-government protesters as less religious and less patriotic.

time.mk/c/dfd503bb0e/foto-e-ova-e-narod.html

Often, anti-government protesters demanding reforms in favour of equality, justice, and other basic rights, might be labeled as Communists, apostates, or as threatening supposed religious cohesion.

Abortion restrictions

The government has provided funds at taxpayers' expense for anti-abortion adverts. The current anti-abortion law was passed in 2013 as an "urgent" measure subject to controversial restrictions on parliamentary debate. The law now mandates that requests for abortions after 10 weeks pregnancy must be filed with the health ministry, are subject to counseling, require the informing of the woman's partner, and can only be approved where the woman's life is in danger, in cases of rape, or foetal deformity.

Freedom of expression, advocacy of humanist values

Officially, freedom of expression and advocacy of humanist values should be guaranteed under the constitution. However, there are examples of media pressure on certain groups that do not conform to the government's agenda and broader religious views, such as LGBT groups, the "Sex workers rights group", and others.

Groups that advocate secular, progressive ("non-traditional") values, are largely ignored by the government. But, should they start gaining traction, they might experience media pressure, biased media coverage, and an increase in government inspections, searching for any legal reason, however small, to fine the organization and disrupt its normal operations. This has certainly been exhibited in government responses to losses in local elections, with increased inspections on municipalities governed by the opposition

<novatv.mk/index.php?navig=8&cat=2&vest=3545>

<sky.mk/republika/420022-inspekcii-ja-napadnaa-strumica>

Malta

Malta is a small, densely-populated island nation of 450 thousand inhabitants, located in the Mediterranean Sea, south of Sicily. It is a parliamentary republic and member state of the European Union.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p>			<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

Freedom of conscience, religion, and expression are protected in law (Articles 40 and 41, Constitution of Malta). However, strong preference is given to the Roman Catholic Church, the official state religion of Malta (Article 2). In addition, a "blasphemy" law is used routinely to prosecute people for mild and satirical comment on religion.

Education and children's rights

The constitution prescribes religious teaching of the Catholic faith as compulsory education in all State schools:

Article 2:

- (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.*

However, this last point, Article 2 paragraph 3, is restricted by Article 40 of the Constitution, which provides exceptions:

Article 40:

[...] (2) No person shall be required to receive instruction in religion or to show knowledge or proficiency in religion if, in the case of a person who has not attained the age of sixteen years, objection to such requirement is made by the person who according to law has authority over him and, in any other case, if the person so required objects thereto: Provided that no such requirement shall be held to be inconsistent with or in contravention of this article to the extent that the knowledge of, or the proficiency or instruction in, religion is required for the teaching of such religion, or for admission to the priesthood or to a religious order, or for other religious purposes, and except so far as that requirement is shown not to be reasonably justifiable in a democratic society. [...]

About 30% of primary and secondary students in Malta attend private schools, which are predominantly run by the Catholic Church and funded to a large degree by the state.

Following the 1993 concordat between the Vatican and Malta, the state is responsible for all salaries of teaching staff in Catholic schools (with minor contributions from the church), while the church is responsible for the maintenance of the school buildings.

vatican.va/roman_curia/secretariat_state/archivio/documents/rc_seg-st_19930218_santa-sede-rep-malta-scuole_en.html>

Regarding State schools, Mary Darmanin (in *Religious Education in a Multicultural Europe: Children, Parents and Schools*, Palgrave Macmillan, 2013) notes: “Although not obliged to be denominational by the Education Act, State schools in Malta function as de facto Catholic schools in terms of their school ethos and formal RE [religious education] curriculum.” Crucifixes are displayed in classrooms of both Catholic and State schools.

In 2014, schools began to introduce Ethics as a new (non-religious) subject to provide an alternative for those students who opt-out of Religious Studies. The Malta Humanist Association was consulted for drawing up a syllabus for this new subject.)

independent.com.mt/articles/2014-01-24/news/ethics-to-be-offered-in-government-schools-instead-of-religion-as-from-september-3770875906/>

Family, community and society

Religious oaths

In courts, the default convention is for oaths to be taken on a crucifix. Although a secular oath may be requested, non-religious defendants and witnesses are likely to abstain from this option, for fear of a negative bias in the proceedings. The same is true for the default oath of service for elected parliamentarians that ends with “so help me God”, which is expected to be accompanied by kissing a crucifix.

Freedom of expression, advocacy of humanist values

“Blasphemy” law

In 2015 there has been renewed public and political debate about whether or not to scrap Malta’s “blasphemy” law. Justice Minister Owen Bonnici proposed striking the “blasphemy” provisions from the criminal code.

[<maltatoday.com.mt/news/national/48576/thou_shalt_not_blaspheme_time_revise_laws>](http://maltatoday.com.mt/news/national/48576/thou_shalt_not_blaspheme_time_revise_laws)

[<timesofmalta.com/articles/view/20150709/local/humanists-welcome-easing-of-blasphemy-obscenity-laws.575937>](http://timesofmalta.com/articles/view/20150709/local/humanists-welcome-easing-of-blasphemy-obscenity-laws.575937)

[<independent.com.mt/articles/2015-07-12/local-news/Blasphemy-and-obscenity-The-censorship-board-is-toothless-Adrian-Buckle-6736138712>](http://independent.com.mt/articles/2015-07-12/local-news/Blasphemy-and-obscenity-The-censorship-board-is-toothless-Adrian-Buckle-6736138712)

Dating back to 1933, Malta’s criminal code contains a statute on “crimes against the religious sentiment”, which avoids the word “blasphemy”, but in effect describes actions in broad terms that encompass blasphemy:

“Article 163: Whosoever by words, gestures, written matter, whether printed or not, or pictures or by some other visible means, 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, shall, on conviction, be liable to imprisonment for a term from one to six months.

Article 164: Whosoever commits any of the acts referred to in the last preceding article against any cult tolerated by law, shall, on conviction, be liable to imprisonment for a term from one to three months.”

Article 163 is not dead letter, but invoked actively. In 2009, for example, a man received a suspended jail sentence for dressing up as Jesus for carnival.

[<independent.com.mt/articles/2012-12-02/news/malta-among-dwindling-number-of-eu-states-still-with-blasphemy-laws-470450177/>](http://independent.com.mt/articles/2012-12-02/news/malta-among-dwindling-number-of-eu-states-still-with-blasphemy-laws-470450177/)

99 convictions for “blasphemy” were recorded between January 2012 and September 2012.

[<maltatoday.com.mt/news/court_and_police/26215/99-convicted-for-public-blasphemy-in-2012-20130420>](http://maltatoday.com.mt/news/court_and_police/26215/99-convicted-for-public-blasphemy-in-2012-20130420)

Montenegro

Montenegro is in terms of both its size and population is one of the smallest European states. After the collapse of the Yugoslav federation in 1989 Montenegro remained a part of a smaller Federal Republic of Yugoslavia but voted in a referendum of 1992 in favour with the federation with Serbia. In 2006, parliament declared independence of the country. The population of Montenegro is around 620,000 according to National Statistics Office estimation 2011, where 72 % of the population identify themselves as Orthodox (Serbian Orthodox Church (SPC) or Montenegrin Orthodox church (CPC), 19 % as “Islamic” and 3.5 % as Roman Catholic.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
	<p>Insufficient information or detail not included in this report</p>	<p>Insufficient information or detail not included in this report</p>	

Constitution and government

The constitution guarantees freedom of thought, expression, conscience and religion for everyone. The right to conversion is explicitly guaranteed (Article 46).

There is no state religion and the constitution states that religious communities should be separated from the state (Article 14). The ministry of Human and Minority Rights is responsible for regulating relations between the state and religious groups. The constitution prohibits direct or indirect discrimination on any grounds. It also prevents of censorship and racial, national and religious hatred or discrimination. Religious groups must register with the police within 15 days after establishing a group. This registration provides the group with status of legal entity.

<http://globalsecurity.org/military/world/europe/me-religion.htm>

However, some government funding is given to religious groups to supplement voluntary contributions.

Family, community and society

Mockery of religion

It is a crime to cause and spread religious hatred. However, this is defined as to include the *mockery* of religious symbols. This 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,

the penalty of imprisonment being restrained to actually hateful acts. Nevertheless, the law appears to place a potential criminal restriction on “mockery” of religion.

Religious tensions

The relationship between CPC and SPC remains still tense. The Serbian Orthodox Church reported discriminations in Montenegro. <inserbia.info/today/2013/08/serbian-orthodox-church-discriminated-in-montenegro-perovic/>

In 2014 a new conflict between the Islamic communities of Montenegro and of Serbia occurred during the opening of a religious kindergarten in Montenegro. The Muslims of Montenegro called the opening as an act of interference in their internal affairs. The leader of the Islamic community in Montenegro urged the authorities to close all religious schools which are based in another country. He also accused the Serbian leader of Islamic community of supporting Wahhabism and religious extremist groups in Montenegro.

<balkaninsight.com/en/article/montenegro-muslims-seek-protection-against-mufti-zukorlic>

Homophobia

Homophobia is still deeply rooted in Montenegro. LGBT people permanently face discrimination and do not enjoy the same rights heterosexuals.

Freedom of expression, advocacy of humanist values

Freedom of the press is guaranteed by the constitution. In 2011 the government completely decriminalized defamation which led to the decreased numbers of defamation. The rights of access of information is protected by the constitution as well, but there are several court case regarding the problematic implementations of the rights.

<freedomhouse.org/report/freedom-press/2014/montenegro#.VGaZb_msWjU>

Portugal

Portugal is a constitutional republic, with a president and prime minister in executive roles, and multi-party elections.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p>		<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	
	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		
			<p>Insufficient information or detail not included in this report</p>

Constitution and government

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.

Education and children's rights

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

San Marino is a microstate encircled by Italy, and in proportion to its population is the world’s most Catholic country.

Rating: Systemic Discrimination

Constitution and government	Education	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general			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 with no secular or humanist alternative, but it is optional		
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

San Marino has no state religion and enshrines and broadly respects non-discrimination principles. However, there is official deference to Catholic symbols and blasphemy laws remain in place.

The constitution and other legal instruments prohibit discrimination on the grounds of religion. These rights are largely respected. While San Marino has no state religion, Roman Catholicism is dominant, and crucifixes can often be found in government offices and courthouses.

A mechanism is in place by which taxpayers can choose to pay 0.3% of their income tax payments to any registered religious group or charity. In practice, the Catholic Church is the main beneficiary of this. It is not clear if this state-run fundraising mechanism would be extended to atheistic and humanist groups, though the various deferential treatment given to the Catholic Church at present, may suggest not.

Education and children’s rights

State schools provide Catholic religious instruction. Students may choose not to participate, but no alternative religious or non-religious instruction is provided.

Freedom of expression, advocacy of humanist values

San Marino still has blasphemy laws in place. Though they do not appear to be used but remain on statute.

In 2007, some Italian groups circulated a book titled “The Little Atheist” in schools. The book promoted an atheistic view and criticized the Catholic Church. The book was publicly denounced by Catholic bishops who dismissed it as “propaganda”, but its circulation does not appear to have been blocked.

Serbia

Serbia generally respects human rights and the freedom of religion following the implementation of its new constitution in 2006. The vast majority of the population, 85%, is Christian Orthodox, and 94% of people belong to one of the seven ‘traditional’ religions recognised by the government. It is estimated only 1.1% of people are atheists.

Rating: Systemic Discrimination

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			
<p>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
		<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	

Constitution and government

Officially, Serbia has no state religion. The constitution specifically invokes the principle of the separation of church and state; however it also recognises seven “traditional” religions, which appear automatically in its Register of Churches and Religious Communities. These are the: Serbian Orthodox Church, Roman Catholic Church, Slovak Evangelical Church, Reformed Christian Church, Evangelical Christian Church, the Islamic Community, and the Jewish community.

Although it is not mandatory for groups outside these seven to register, unregistered groups can experience considerable difficulty when trying to open bank accounts, purchase or sell property, or publish literature. To register, groups need to provide members’ names, identity numbers and signatures, proof the group has over 100 members, a summary of its teachings, ceremonies, goals, basic activities and sources of funding. Throughout 2013, the government rejected a number of “non-traditional” groups that attempted to register – including the League of Baptists, Hare Krishna Movement, Pentecostal Church, and Protestant Evangelical Church of Subotica. At the end of the year, according to Supreme Court data, there were cases filed by three religious communities – the Union of Baptist Churches, Church of Christian Oath, and the Montenegrin Orthodox Church – pending before the Supreme Court appealing the ministry’s decision to deny them registration.

Preferential treatment

The government gives some preferential treatment to the Serbian Orthodox Church, through funding and subsidies for clergy working outside the country. All registered groups’ clergy receive

healthcare and a pension, replacing a system in which the government would sporadically allow these benefits to certain religions based on individual agreements with the clergy and Ministers.

In 2012, the Serbian Constitutional Court ruled the law maintaining the privileged status of the 'traditional seven' was constitutional and not discriminatory.

Education and children's rights

Primary and Secondary students are required to attend classes on at least one of the seven traditional religions, or opt for 'civil education' instead in which students learn about modern day values, including democracy, tolerance and human rights. The number of children opting for the religious education vary: 50% of primary school children pick it, and between 20% and 40% of those at secondary schools. If the number of students picking a class falls below the national minimum, 10%, then the class is not run at all. Students which are not members of one of the seven traditional religions tend to pick civic education.

policy.hu/aleksov/book_doc03.pdf

Family, community and society

Police responses to religiously-motivated vandalism are often sluggish and inconclusive, and rarely lead to arrests, and members of minority groups occasionally experienced social aggression - including things like spray-painted graffiti, rocks and bricks being thrown at churches and cemeteries, general hate speech and a negative portrayal in the media.

Freedom of expression, advocacy of humanist values

While freedom of the press is technically protected under the Serbian constitution, journalists are often verbally and physically attacked and the media as a whole is subject to widespread corruption. The lack of resources available to the media often leads to self-censorship.

Slovenia

Slovenia is a parliamentary democracy located on the Adriatic Sea, a member of the European Union and Nato.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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.

Education and children's rights

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

Spain is a constitutional monarchy with a bicameral parliament.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools	Discriminatory prominence is given to religious bodies, traditions or leaders	
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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, and there is no state religion, although the Roman Catholic Church continues to receive some privileges that are not available to other religions or groups.

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.

Education and children's rights

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.

Europe

Western Europe

Austria

Austria is a democratic Republic with an elected Federal President and a Democratic parliament.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Preferential treatment is given to a religion or religion in general			Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect
	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
		Insufficient information or detail not included in this report	

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. However, there are some restrictions on speech that might offend religious feelings.

De facto blasphemy law

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 has been used in practice to prosecute and fine individuals (see below).

Education and children's rights

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 Helmut 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

Belgium, a nation of 10.8 million, has a federal constitution with three levels of power. The Communities (French, Flemish, German), the Regions (Walloon, Flanders, Brussels) and the Federal State each have their own responsibilities, mandates and scope. Over 40% of Belgium's population are identified as non-believers/agnostics (no religious affiliation) or atheists.

Rating: Free and Equal

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

The Belgian Constitution states that:

“Enjoyment of the rights and freedoms recognised for Belgians must be provided without discrimination. To this end, laws and federal laws guarantee among others the rights and freedoms of ideological and philosophical minorities”

“Freedom of worship, its public practice and freedom to demonstrate one’s opinions on all matters are guaranteed”

“No one can be obliged to contribute in any way whatsoever to the acts and ceremonies of a religion or to observe its days of rest”

Religion or belief neutrality

The government provides subsidies (payment of salaries, maintenance and equipment for facilities and tax exemptions) for officially recognized religious or belief groups agreed with parliament. In determining which groups to recognize, the government examines organizational and reporting requirements. The religious or philosophical opinion group must have a structure or hierarchy, a "sufficient number" of members, and a "long period" of existence in the country. It must offer "social value" to the public, abide by the laws of the state, and respect public order.

The existing recognised groups include Catholicism, Protestantism-Evangelicalism, Judaism, Anglicanism (separately from other Protestant groups), Islam, Orthodox (Greek and Russian) Christianity and Secular Humanism. Unrecognised groups do not receive government subsidies, but may worship freely and openly.

Some controversies

A 2011 study of total public support at all levels of government noted that subsidies were not proportionate to the relevant populations. The Catholic Church received a more than the proportion of its adherents.

The Belgian government has curtailed the wearing of external religious signs in public functions. In Flanders, GO-Schools (Schools of the Flemish Community) have the authority to ban children from wearing the veil at school. Whether these infringe rights of some Muslim Belgians remains a contested subject.

Education and children's rights

The public education system, from kindergarten to university, requires strict neutrality, except with regard to the views of teachers of religion or secular "moral" education. (Education was one of the first aspects of Belgian politics to be administratively separated between the French and Flemish communities.)

Until 2015, either religious or secular "moral" instruction was mandatory in all public schools, but provided according to the student's preference between either the religious or secular, broadly humanist classes. While based on a principle of equality between religious and secular views, some have objected that the courses as such may still constitute instruction with no overall opt-out available, and that — in lieu of a unified citizenship, ethics or philosophical education for all — students are still segregated by religion or belief.

On this basis, in early 2015, the constitutional court found that to compel the student to undertake either one or the other was a breach of their human rights, and that an option to take neither should be implemented in the French Community.

laicite.be/communiqués-de-presse/la-cour-constitutionnelle-a-tranche-les-cours-de-religion-et-de-morale-sont-facultatifs>

Private authorized religious schools following the same curriculum as public schools are known as "free" schools. They 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.

Family, community and society

There have long been concerns, which deepened significantly in 2015, about radical Islamism in parts of Belgium. Terrorists involved in undertaking the November 2015 Paris attacks were linked to Belgium, and Brussels was on high terror alert in the weeks following that attacks. There is some suggestion that Salafist clerics supported by Saudi Arabia have for decades undermined attempts by Moroccan immigrants to integrate, and the Belgian government is currently under significant pressure to "revise" diplomatic relations with Saudi Arabia.

independent.co.uk/news/world/europe/paris-attacks-how-the-influence-of-saudi-arabia-sowed-the-seeds-of-radicalism-in-belgium-a6745996.html>

sputniknews.com/politics/20151127/1030848900/belgium-saudi-arabia-tax.html>

In October 2015, after an 18 year investigation by Belgian authorities members of the Church Of Scientology appeared in court to "face charges of fraud, extortion, running a criminal organization, violating privacy laws and practicing illegal medicine". If convicted the church could in theory be banned from the country although it seems that this would be unlikely in practice.

<http://m.huffpost.com/us/entry/562fbd51e4b06317990facd7?ncid=fbklnkushpimg00000014>>

Freedom of expression, advocacy of humanist values

Freedoms of speech and the press are guaranteed by the constitution and generally respected by the government. Internet access is unrestricted. Belgians have access to numerous private media outlets. The concentration of newspaper ownership has increased in recent decades, leaving most of the country's papers in the hands of a few corporations.

France

In France, the dominant religion is Catholicism but the state is strongly secular. Freedom of religion is supported but its importance is secondary to the freedom and rights of all citizens and public order and morality. France suffered two horrendous terrorist attacks in 2015, first against the offices of satirical magazine *Charlie Hebdo* and a Jewish supermarket in January, supposedly in response to the magazine “insulting Islam”; then coordinated attacks by ISIS against indiscriminate targets across Paris in November.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Anomalous discrimination by local or provincial authorities, or overseas territories			
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

The French constitution was adopted in 1958 and declares France a secular state and guarantees religious freedom and equality. Article 1 states, ‘France is an indivisible, secular, democratic and social Republic, guaranteeing that all citizens regardless of their origin, race or religion are treated as equals before the law and respecting all religious beliefs.’

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. The establishment of secularism in the public sphere put all religions into the private sphere. The government does not have a religious preference and aims at the peaceful co-existence of various faiths.

france.fr/en/institutions-and-values/secularism-and-religious-freedom.html

Local exceptions

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 maintains all the Roman Catholic churches built before 1905, however they are under the ownership of the French government. No other religious buildings are maintained in this way.

Family, community and society

Some religious restrictions, not necessarily unlawful or wrong

France banned the wearing of the face-veil (niqab) in public, along with other face coverings, explained in terms of maintaining social cohesion and disempowering potential terrorists. In July 2014, the European Court of Human Rights ruled that it was within the margin of freedom under European human rights legislation. The French government has also prohibited or limited the activities of religious groups considered to be cults, such as Scientology and Jehovah's Witnesses.

Germany

Germany, a federal parliamentary republic and a nation of 80.6 million, has a federal constitution and consists of 16 constituent states.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
			'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have power to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but is optional		Concerns that secular or religious authorities interfere specifically in religious freedoms

Constitution and government

The constitution (*Grundgesetz*, the Basic Law) and other laws and policies both protect and respect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. A third of Germany's population does not belong to any religious community.

Although the *Grundgesetz* is supposed to ensure state neutrality towards religious institutions, in reality Christian religious institutions are privileged in the social and political spheres. The situation has changed slightly within the last two decades through the inclusion and participation of other religious communities, mainly the Islamic minority, but there have been no groundbreaking changes.

Relevant sections of the Basic Law for the Federal Republic of Germany (*Grundgesetz*, GG) include:

- "Freedom of faith and of conscience, and freedom to profess a religious or philosophical creed, shall be inviolable." (Art. 4 I GG)
- "The undisturbed practice of religion shall be guaranteed." (Art. 4 II GG)
- "Every person shall have the right freely to express and disseminate his opinions in speech, writing and pictures, and to inform himself without hindrance from generally accessible sources. Freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed. There shall be no censorship." (Art. 5 I G)

- “Parents and guardians shall have the right to decide whether children shall receive religious instruction.” (Art. 7 II GG)
- “(1) There shall be no state church. (2) The freedom to form religious societies shall be guaranteed. The union of religious societies within the territory of the Reich shall be subject to no restrictions. ... (7) Associations whose purpose is to foster a philosophical creed shall have the same status as religious societies. (Art. 137 Weimar const. in conjunction with Art. 140 GG)

Systematic discrimination based on religious identity, affiliation, belief or practice has been reported.

[<glaeserne-waende.de>](mailto:glaeserne-waende.de)

General systemic issues

Although the German constitution says that there shall be no state church, some religious communities and especially the two official churches, the Roman Catholic Church and the Evangelical Church in Germany, benefit from a broad range of privileges and advantages.

The Basic Law does not establish a strict separation between state and religion but a model of “partnership” between the State and religious groups with “public law corporation” (PLC) status or groups which are recognized officially in another way, e.g. by special agreements (state treaties).

The German Basic Law and the constitutions of seven out of 16 states do have a preamble saying that these constitutions have been adopted “before god and man”. These words in preambles are usually used to justify religious privileges and to emphasize the role of religion in public life.

In regard to religion, Germany is a much divided society. Especially the population in the states of the former GDR is mostly secular, in a way that lets them be unaware of the presence of religious groups in politics and media and in consequence of the systemic discrimination of non-religious citizens or members of religious minorities through privileges for other religious groups. This unawareness is a result of a wide exclusion of religion and religious groups from public life, media and education during the decades of GDR government.

Establishment of religion

The government provides subsidies (payment of salaries, maintenance and equipment for facilities and tax exemptions) for certain religious or belief groups with PLC status. The funding for the Roman Catholic Church is partly based on concordats and compensation regulations for secularization acts (so-called “historische Staatsleistungen”) at the beginning of the 18th century.

Other religious groups and a few small humanist communities receive state funding based on state-treaties concluded on the principle of equal treatment. The amount of state funding for the different groups varies strongly. The amount of compensation entitled to the two official churches for secularization acts added up to about €480 million in 2013.

[<staatsleistungen.de/881/>](http://staatsleistungen.de/881/)

Church tax

The German authorities are responsible for collecting a church tax (membership fees) for the official churches. The church tax is drawn directly from the salary. To make the tax collection by the authorities possible, the denomination of citizens is officially registered, e.g. on the income tax card of an employee. In consequence, citizens have to reveal their religious identity to the authorities and employers.

To leave a church or an officially registered religious group, authorities in almost all states demand citizens to pay an administrative fee between €30 and €60. It is not possible to leave an officially registered religion (and to end the tax duty on the income) by just declaring the rejection of the belief to this religious group.

Education and children's rights

Religious education (RE) is mandatory in most states and there is no adequate substitute for unaffiliated children.

Though RE is a "mandatory" subject by law, parents can unsubscribe their children from it. Students can opt out themselves when they are 14 years or older. However, school headmasters and teachers often do not give adequate information on the right to unsubscribe from RE. Administrative regulations hinder the possibility to unsubscribe at any time in a school year. In many states there are just small time frames to formally unsubscribe from RE.

In some states there is a subject "ethics" for secondary schools, which often lacks equal equipment in resources and qualification standards. Non-religious life stance subjects as an alternative to religious education in public schools are not allowed in almost all states. Only in the states of Berlin and Brandenburg, where participation in religious education is not mandatory, a non-religious life stance subject ("Humanistische Lebenskunde") is allowed.

Free religious schools (almost fully state funded) are allowed to reject children and employees of other or without a religious affiliation (based on exemptions in labour and anti-discrimination laws).

In two states, North Rhine Westphalia and Lower-Saxony, there are (public) "denominational schools" run by the state, which are allowed to reject and discriminate employees (based on exemptions in labour and anti-discrimination laws).

Many public universities do have state funded faculties for Christian theology. Catholic bishops in the state of Bavaria have the power of veto in philosophical faculties to prevent an unwanted professor.

In Baden-Wuerttemberg, Bavaria, North Rhine Westphalia, Rhineland Palatinate and the Saarland, 'Fear of God' is named as a top goal in education. These legal requirements are in clear contrast to the model of an ideologically neutral state. In some schools creationism is taught to this day, especially in religious education classes which are taught from the first class onwards. Despite the fact that the theory of evolution is scientifically uncontested, teaching of evolution is found only in higher level classes and fewer hours are dedicated to it in the timetable.

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Family, community and society

Demography

About 30 % of Germany's population has no religious affiliation or is a member of any unrecorded religious group. According to REMID, religious affiliation of the population in 2012 was: 29.2 % Protestant, 30.3 % Catholic, 5 % Muslim (including 500.000 Alevis), 0.1 % Jewish, 0.1 % Hindu, 0.3 % Buddhist, 1.8 % Orthodox.

remid.de/info_zahlen_grafik/

In a survey published in 2013, about 22 % said to be non-believers/agnostics or atheists.

bertelsmann-stiftung.de/cps/rde/xbcr/SID-DB530D8B-8661A01C/bst/RelMo_Befunde_Deutschland_final_130428.pdf

A majority of citizens with no religious affiliation and non-religious views live in the eastern and northern part of the country.

The recognised groups include the Roman Catholic Church, the Evangelical Church in Germany (*Evangelische Kirche in Deutschland*, EKD) and several other Protestant denominations, Anglicanism, Orthodox churches (Greek and Russian), the Jewish Community in Germany, several Muslim communities, smaller religious groups and, in a few states, secular humanism. Unrecognised groups may worship freely and openly.

Public services

Social and cultural services in Germany are built upon the *subsidiarity principle*. This means that these services are only run by the state if there is no other local organization which is able or willing to provide them, or if there are special reasons that they should only be run by the state. This is the fundament for the existence of a vast range of big and small charitable organizations which are providing the various services. The work of the institutions offering social services is largely state funded, organizations receive 80 - 100 % of the necessary expenditures from the state.

Both official churches are strongly engaged in this field. Their charitable organizations are the biggest employers in the labour market apart from the public service, with about 1.3 million employees. Diakonie, the social welfare organization of Germany's protestant Churches, and Caritas, the Catholic Church's welfare organization, employ some 1.05 million people, then there are also interns, apprentices and other employees to take into account. The Catholic and Protestant churches and their respective charitable organizations form the fourth largest employer in Germany after companies in the metal and electronics industries, the civil service and the retail sector. 60 per cent of all job positions in the social sector are with Church-affiliated charitable organizations and, in light of these statistics, it's clear that these organizations do not only dominate professions in social care, but also that the volume of employment in social welfare for the whole national economy is highly significant. Disadvantages in this sector therefore hit particularly hard. Church employers have a monopoly in the social care sector; this applies to both provision of services and job vacancies. They are most active in hospices and retirement homes, child care and social care.

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In some parts of Germany there is a strong presence of Church-affiliated agencies in the healthcare system, so they have built up quasi-monopolies in medical service. Here women in particular experience discrimination in the form of restrictions of their right to sexual self-determination, as they are unable to access services to end pregnancies in Catholic-run institutions. This also applies to emergency cases and rape victims.

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Different to the non-denominational organizations, the denominational organizations profit from several exemptions in the law allowing them to exclude the right to strike for their employees and to exclude employees with a different or without a religious affiliation. This results in systemic discrimination against employees of other beliefs and unaffiliated employees, but also non-heterosexual or remarried employees in Catholic institutions.

Public schools and kindergartens in states with higher religious affiliation of its population are holding masses, forcing sometimes even unaffiliated children to participate.

There are Catholic and Protestant chaplains in the German defence forces but no chaplains for unaffiliated soldiers.

Other religious privileges

There are different forms of tax exemptions for religious groups. Officially registered groups profit from the exclusion from administrative fees.

Religious broadcast programmes are fostered through laws and are partly state-funded. There is a broad presence of the official churches in the national public broadcasting programmes and representation on supervisory boards of public television and radio stations.

In some states, crucifixes and Christian crosses are used as official symbols in public schools and courts. In some states, events which include dancing and music are forbidden on certain Christian holidays.

Freedom of expression, advocacy of humanist values

Freedom of speech and the press is guaranteed by the constitution and generally respected by the government. Internet access is unrestricted. Germans have access to numerous private media outlets. The concentration of newspaper ownership has increased in recent decades, leaving most of the country's papers in the hands of a few corporations.

“Blasphemy”

The law on “Defamation of religions” is potentially very broad in application and punishable with a prison sentence. 166 of the criminal code still contains a “blasphemy” law which shields particular religious as well as other philosophical views from criticism or defamation:

Defamation of religions, religious and ideological associations

(1) Whosoever publicly or through dissemination of written materials (section 11(3)) defames the religion or ideology of others in a manner that is capable of disturbing the public peace, shall be liable to imprisonment not exceeding three years or a fine.

(2) Whosoever publicly or through dissemination of written materials (section 11(3)) defames a church or other religious or ideological association within Germany, or their institutions or customs in a manner that is capable of disturbing the public peace, shall incur the same penalty.

Though all cast in terms of “disturbing the public peace”, this is much broader than, for example “incitement to hatred or violence” and is in tension with the EU Guidelines on Freedom of Religion or Belief, which delineate expressions that are intentionally inciting violence against persons, from expressions which may happen to lead to violence because someone hearing those expressions responds violently. The former is legitimately restricted, but the latter, which could fall under the broad description “capable of disturbing the public peace”, means that the law can be used to suppress merely critical or ridiculing speech acts.

end-blasphemy-laws.org/countries/europe/germany/

Humanists have been campaigning for the repeal of the “Defamation of religions” law.

epetitionen.bundestag.de/content/petitionen/2015/01/08/Petition_56759.html

Lack of representation

Public remembrance and memorials often include representatives of the official churches, representatives of non-religious people are almost always missing.

Public Holidays

Humanist holidays such as 21st June (World Humanist Day), 24th November (Evolution day) and 10th December (Human Rights Day) are not legally recognised in any of the federal states. Only schools in Berlin have acknowledged World Humanist Day as a holiday equal to All Saints' Day, Yom Kippur and Eid al-Fitr, therefore pupils in Berlin who ascribe to the Humanist belief system can apply for a day off to celebrate their beliefs in the same way Christians, Jews and Muslims celebrate religious holidays.

glaeserne-waende.de

Highlighted cases

Anna Ignatius, Doctor of Philosophy and non-religious mother of three from the state of Baden-Württemberg, was denied the right to an ethical education for her sons in their schools. In 2007 she formally asked for the establishment of the school subject "ethics". She did so on the legal grounds that non-affiliated parents and students (should) have the same right to get an ethical education as religiously affiliated people have the right to get their religious education. In 2014, the Federal Administrative Court of Germany ruled that she has no right to claim the establishment of the wanted school subject for non-religious children. The court explained that the basic law privileges religious education.

bverwg.de/presse/pressemitteilungen/pressemitteilung.php?jahr=2014&nr=28

In 2013, an administrative court in Berlin ruled that a son of **Beate Turner** does not have the right to claim equal treatment to a law privileging religious holidays. A year ago, Beate Turner informed the teacher of a school class her son was visiting that he wouldn't attend school on 21st June, World Humanist Day. She referred to an administrative provision which allows children of several religious groups to be exempted from compulsory schooling on religious holidays. At the end of the year there was a day of unexcused absence marked in her son's school report.

spiegel.de/schulspiegel/urteil-in-berlin-schulpflicht-gilt-auch-am-welthumanistentag-a-894912.html

The head of a nursery run by the Catholic Church, **Bernadette Knecht**, was dismissed in 2012 after a divorce and moving in with her new partner, although the nursery was 100 % funded by the state.

spiegel.de/karriere/berufsleben/katholische-kirche-kuendigt-kindergaertnerin-kommune-kuendigt-kirche-a-823317.html

The nursery-school teacher **Isa K.** was dismissed after 13 years when it became known in 2012 that she was living in a lesbian relationship.

spiegel.de/panorama/justiz/katholische-kirche-schliesst-vergleich-mit-lesbischer-erzieherin-a-860106.html

The practical philosopher **Ulla Wessels** (teaching at *Saarland University*) was excluded from candidatures for a professorship at the *University of Erlangen-Nürnberg* in 2010. Wessels is non-religious, graduated with a thesis on the abortion laws in Germany and is scientific advisor of an organization known for its critical attitude towards religion. Wessels' exclusion seems to have been a result of the veto right of the Catholic Church ("right to remember") in Bavaria. A lawsuit filed against the exclusion has not brought a decision until today because the appointment process for the professorship was cancelled, thus the concrete subject matter of action became obsolete. At the

moment, Wessels is waiting for a decision on a constitutional complaint against the decision of the former instance which rejected the lawsuit after the appointment process was cancelled.

In 1994, a musical with the title *Das Maria Syndrom*, produced by the philosopher and artist **Michael Schmidt-Salomon**, was censored because it could have violated the criminal code against defamation of religious denominations, §166 StGB.

spiegel.de/spiegel/print/d-13685791.html

In 2012, a **25-year old woman** was turned away by two Church-run clinics when she sought help after waking up on a park bench in the city, having been drugged. She walked into the first centre on the morning of December 15th 2012 and stated she believed she had been sedated with a date rape drug and sexually assaulted. The doctor she spoke to called St Vincent's hospital, run by the Catholic Foundation of the Cellites, to arrange a gynaecological examination but doctors at the hospital refused the request. The doctor who treated the patient alleged that the hospital's ethics committee had decided not to carry out examinations of sexual assault victims following a consultation with the Archbishop of Cologne Joachim Meisner in order to avoid being pressured into issuing the morning-after pill, which is forbidden by the Catholic Church. Another hospital managed by the same organization refused to see the patient. The case was widely reported and caused outrage in Germany, having resulted in the discrimination of a traumatised and vulnerable individual on religious grounds. The organization responsible later labelled the incident as a 'misunderstanding'.

glaeserne-waende.de

Liechtenstein

Liechtenstein is a constitutional monarchy with an elected parliament. Doubly landlocked between Switzerland and Austria, it has an estimated population of 35,000.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>		
	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		
		<p>Insufficient information or detail not included in this report</p>	<p>Insufficient information or detail not included in this report</p>

Constitution and government

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 makes the Catholic Church the "National Church" of the country.

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.

Religious funding

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

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

Luxembourg has no state religion, although the dominant religion is Roman Catholicism. The Constitution allows freedom of religious belief and practice in general, but grants privileges to certain religious groups.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries</p>	<p>There is state funding of at least some religious schools</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	
<p>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction, but it is optional</p> <p>Private schools are allowed to religiously instruct children</p>		<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

The Constitution provides for freedom of religion, and generally respects this right in practice. There is no state religion.

However, the constitution provides for state payment of salaries and pensions for clergy of those religious groups that sign a convention with the government.

The State only recognizes and offers financial support to the Roman Catholic Church, the Anglican Church, the Reformed Protestant Church of Luxembourg, the Protestant Church, the Orthodox Church, the Jewish congregations and pays the salaries of their clergy. Other religious groups do not get church status. The Muslim community has sought formal governmental recognition and funding. According to a government-commissioned report in October 2012, the Catholic Church received 95.6 percent of state funding for religious institutions. A recommendation has been made for a more equal distribution for other faiths.

ncbuy.com/reference/country/humanrights.html?code=lu&sec=2c

religiousfreedom.com/index.php?option=com_content&id=212

Demography

Approximately 72% of the Luxembourgers adhere to forms of Christianity (68.7% are Catholics, 1.8% are Protestants, while 1.9% adhere to other Christian denominations, especially Orthodox Christianity). 2.6% of the population follow non-Christian religions. 25% of the Luxembourgers are unaffiliated.

luxembourg.public.lu/fr/actualites/2011/03/07-religion/

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

The constitution guarantees freedom of expression. Radio Télévision Luxembourg, A single conglomerate, dominates broadcast radio and television. A broad range of opinions are generally represented in newspapers. No restriction is placed on internet access.

freedomhouse.org/report/freedom-world/2013/luxembourg

Monaco

A country with a constitution that protects free speech and expression, Monaco also provides constitutionally protected freedom of and from religion although it does have Roman Catholicism as its official state religion.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is an established church or state religion			
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		Some concerns about political or media freedoms, not specific to the non-religious
		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

Constitution and government

The Monaco constitution article 2 dictates that Monaco is a hereditary and constitutional monarchy. Article 9 of the constitution states that "The Catholic, Apostolic and Roman religion is the religion of the State". Article 23 of the constitution makes clear the rights of being free to practice any or no religion.

monaco-consulate.com/wp-content/uploads/2009/06/Constitution.pdf

Education and children's rights

Monaco has ten state funded schools and while Religious Education is included in the curriculum parents can opt for their children to be removed from RE classes. None of the state funded schools are specifically faith based.

Freedom of expression, advocacy of humanist values

While Monaco doesn't have any blasphemy law it does have a legal protection against criticism of the ruling family. Article 3 of the state constitution states that "The executive power is exercised by the highest authority of the Prince. The Prince's persona is inviolable."

Netherlands

Netherlands is a democratic, constitutional monarchy in Western Europe, generally recognised as a very liberal and progressive country.

Rating: Free and Equal

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

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 upheld.

Education and children's rights

The formal educational system is divided between public and so called 'special' ("bijzondere") schools. Both are funded by the state. Special schools may be based on a religious or a secular pedagogical system. Approximately two-thirds of all primary schools are special schools, most of which are mildly, inclusive religious schools. 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, however this applies both to religious and to secular-pedagogical special schools, and in practice only a small number of very orthodox religious schools use this measure. Recently parliament changed the law that allowed schools to discriminate in the employment of teachers: it is not legal anymore.

In 2015, the Secretary of Education, Culture and Welfare further reformed the educational system, with the express intention of better adapting education to the contemporary, secular society of the Netherlands. As part of this process, various proposals have been made to make more room to incorporate the present and actual wishes of parents, as opposed to assuming classical religious divisions. In this light, a number of public initiatives have been taken to achieve acceptance of Humanism as a visible and important lifestance, and permitting state-funded "humanist schools" with public funding on a par with religious and other secular schools.

Humanists are permitted to, and do, provide ethical education from a humanistic perspective in public primary schools. The funding of this education is in frequent danger, because of budget cuts.

Children in the Netherlands are among the happiest in the world, international surveys show. However, there are concerns that some children brought up in a strict orthodox religious environment, for example, can face social pressure and restrictions in their day-to-day life, or inside informal religious weekend schools.

Family, community and society

The government provides no direct financial support for religious or secular/philosophical (including Humanist organizations). But counsellors (both religious and humanists) in the army, the penal and health-system are equally financed by the government (in the army and penal system this funding is made on the basis of requests and needs).

A growing proportion of non-religious identify explicitly with Humanism. Given this fact, government research initiatives are still failing to update social measures and classifications; for examples Christians are sometimes subdivided into Protestant and Catholic denominations, while the majority of non-religious citizens in the Netherlands are sometimes all identified as 'other'. The Dutch Humanist Association (Humanistisch Verbond) has requested an update of these research categories, in which the lifestance and worldviews of the non-religious are being taken more seriously.

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 did hire new civil servants who could refuse to conduct such ceremonies. This possibility ended in 2014 when a new law was accepted, that no longer allows for civil servants to refuse same-sex marriages.

Social pressure inside conservative religious groups — against for instance the rights of women, sexual minorities and more liberal religious views — is of ongoing concern.

Freedom of expression, advocacy of humanist values

Although the freedom of expression and the freedom of thought and religion is guaranteed by law in the Netherlands, there is serious doubt concerning the reality of this individual freedom within religious communities, mainly Muslim communities. The social and cultural pressure for those being raised in a religious family, not to change religion or become non-religious is sometimes very high, resulting in violence and exclusion. This lack of 'horizontal' freedom remains a concern. Among ex-Muslims there is a fear when being open about their Humanism or atheism they will be excluded in social structures, and because of that keep their views secret from family and friends. They feel social pressure to remain in 'name' a Muslim. The position of girls – seen as the carriers of the family honour – is often even more complicated.

Blasphemy abolished

As of 2014, the Dutch Penal Code no longer criminalizes “blasphemy”. Humanist and freedom of expression campaigners in the Netherlands do not, for the moment, foresee any further attempts to reintroduce anti-blasphemy laws.

It is a crime to engage in public speech that incites hatred against persons on the ground of their race, religion or non-religious belief, gender, sexual orientation and (dis)abilities. The Dutch Penal Code also penalizes defamation of groups because of their race, religion or conviction, sexual orientation and (dis)abilities. Neither of these laws prohibits criticism per se of persons, ideas or institutions and they do not constitute 'blasphemy'-type restrictions.

Switzerland

The constitution of Switzerland and other laws and policies both protect and respect religious freedom in practice. However, some discrimination based on religious identity, belief, or practice have been reported.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	Religious groups control some public or social services	
Anomalous discrimination by local or provincial authorities, or overseas territories			
			No fundamental restrictions on freedom of expression or advocacy of humanist values

Constitution and government

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).

Church taxes

In most of the 26 cantons (with the exception of Geneva and Neuchatel, where church and state are separate) at least two of the three traditional religious communities—Roman Catholic, Old Catholic, or Protestant levy a church tax in general collected by the state. 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 20 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. In most cantons legally recognised churches are privileged with a general tax exemption and receive subsidies paid from general taxation. In the canton of Berne the clergy is on the state payroll. Islamic and other non-traditional religious and atheist groups are excluded from this system.

Education and children's rights

Most public schools provide religious education. This specific form of religious education depends on the predominant creed in each particular canton. Religion classes are mandatory in some Swiss schools. However, waivers are regularly given upon applying for one. The government generally respects academic freedom.

In 2012 the canton of Zürich introduced a new compulsory primary and secondary school subject “Religion and Culture”. Non-religious worldviews are largely ignored and modern-day atheism is portrayed uniquely in connection with former Communist states.

Family, community and society

Social discrimination and hatred

The constitution does provide for freedom of religion and conscience, and the Swiss federal penal code proscribes any type of deprivation of or discrimination against any religion or religious believers.

Anybody who incites racial hatred or discrimination risks being imprisoned for up to 3 years, under Article 261 of the Swiss Criminal Code (SCC). This includes “any person who publicly denigrates or discriminates against another or a group of persons on the grounds of their race, ethnic origin or religion in a manner that violates human dignity, whether verbally, in writing or with images, by using gestures, through acts of aggression or by other means, or any person who on any of these grounds denies, trivialises or seeks justification for genocide or other crimes against humanity”; as such the law appears only to criminalize genuine incitement to hatred and violence and it does not constitute a law against mere “insult”, “offence”, or “blasphemy”.

cybercrime.admin.ch/

However, there have been reports of societal discrimination based on religious identity, belief, or practice. Members of Muslim and Jewish religious minority groups were usually the victims of such incidents.

Despite the government legally protecting and generally respecting the rights of cultural, religious, and linguistic minorities - especially those of African and Central European descent, as well as Roma - they face increasing societal discrimination. A growing anxiety in the country about the burgeoning number growing foreign-born population has resulted in the passage of stricter asylum laws.

Freedom of expression, advocacy of humanist values

Freedom of speech is guaranteed by the Swiss constitution and the country has free media environment. However, the state-owned Swiss Broadcasting Corporation dominates the broadcast market. The merging of newspaper ownership in large media cartels has forced the closure of some small and local newspapers. The law fines public incitement to racial hatred or discrimination and denying crimes against humanity. There is no government constraint on access to the internet.

freedomhouse.org/report/freedom-world

Highlighted cases

In 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 fired for removing the crucifix from the classrooms in the public school at which he taught. In 2012 the cantonal court annulled the instant dismissal.

Oceania

Australia and New Zealand

Australia

A continent in itself, Australia is a federal, parliamentary democracy. With a population in excess of 23.6 million, and a total area of 7,692,024 km², it is one of the most sparsely populated countries in the world.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>Religious groups control some public or social services</p>	<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p>			

Constitution and government

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.

Favouring Christianity

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.

Education and children's rights

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.

Family, community and society

Social services

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.

Freedom of expression, advocacy of humanist values

Unprotected free expression leads to "vilification" laws

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."

New Zealand

New Zealand consists of two main islands and other outlying smaller islands. It has a population of approximately 4.5 million, and has a democratic, parliamentary government.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society. religious courts and tribunals	Expression, advocacy of humanist values
			'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	There is state funding of at least some religious schools	Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		

Constitution and government

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. However there is some discriminatory law and an extant 'blasphemy' law with a possible prison sentence, against the letter of the constitution.

The government does not generally promote any religion; however, a Christian prayer is recited at the opening of every parliamentary session.

Religious advantage

There are some 50 Acts on the statute books that favour religion or Ministers of Religion at the expense of the non-religious community. For example: organizations that "advance religion" are given charitable status and tax exemption regardless of any other charitable activity; all extradition treaties and Mutual Assistance in Criminal Matters agreements with foreign countries provide that New Zealand may refuse assistance or extradition if it is suspected that the offence for which the person is sought relates to their religion but do not provide protection for those who are sought because they have no religion; the Marriage Act 1955 places different and more onerous requirements on non-religious organizations for the annual registration of Marriage Celebrants than it does for religious organizations; and religious workers are given preferential entry to New Zealand.

In addition, a "Statement on Religious Diversity" published and widely promulgated by the Human Rights Commission provides for the "Safety and Protection of Faith Based Communities" but not for non-theistic and other communities.

Exclusory religious symbolism

While the government does not have a state religion, non-denominational religious ceremonies and invocations are common at government events and in numerous other elements 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.

The state subsidizes religious activities through tax and local authority rate exemptions, through grants, and through subsidies to religious schools.

Religious Libel law

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, but it remains on the books.

Education and children's rights

The law, (Education Act 1967, Sections 77 to 81) provides that teaching within state owned "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 parents must opt their children out rather than opt them in and some parents are not notified that the religious instruction is to take place or not informed that they may opt their children out. Those pupils that do opt out are sometimes known to face discriminatory and punitive practices.

While teaching in state owned public secondary schools is generally of a secular character there is no requirement for this and religious instruction or other religious activities such as bible reading and hymn singing 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. The majority of private schools are owned by religious organizations. There is no requirement for teaching in Integrated, Partnership, and other 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. During 2014 it was reported that government grants to the new Partnership schools per pupil were substantially more than grants to equivalent state schools and the government announced its intention to increase the number of Partnership schools.

Family, community and society

Law to prevent Female Genital Mutilation was enacted in 1995 with the addition of sections 204A and 204B to the Crimes Act 1961 but there are no specific laws to prevent forced and underage marriage of a New Zealand citizen taking place in another country.

While New Zealand is ostensibly a secular country and the New Zealand Bill of Rights protects freedom of religion and belief and the Human Rights Act outlaws discrimination on the grounds of religious or ethical belief.

New Zealand has also been one of the countries to legalise same sex marriage.

bbc.co.uk/news/world-22184232>

Freedom of expression, advocacy of humanist values

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.

Oceania

Melanesia

Fiji

Fiji's major religion is Christianity, followed by Hinduism, and a small percentage of Muslims and other small religious minorities. The Christian-Hindu divide is a great cause for religious tensions.

Rating: Free and Equal

General systemic issues	Freedom of thought, conscience, religion or belief; Establishment of religion	Education	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
Freedom of thought, conscience, religion or belief is upheld				
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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.

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).

Family, community and society

Ethnic conflict

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.

Freedom of expression, advocacy of humanist values

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. In 2012, 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

Papua New Guinea is located on the eastern half of the island of New Guinea, which is the second largest island in the world. The country was divided between Germany and UK in 1885. In 1976 Papua New Guinea became an independent country. According to the 2000 census, 96% of the population identified themselves as Christians and the number of Muslims was around 4.000 people. The freedom of religion is guaranteed by the constitution of the country.

Rating: Systemic Discrimination

General systemic issues	Freedom of thought, conscience, religion or belief; Establishment of religion	Education	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
<p>There is systematic religious privilege</p> <p>Religious groups control some public or social services</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		<p>There is state funding of at least some religious schools</p>		<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
	<p>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p>		<p>Some concerns about political or media freedoms, not specific to the non-religious;</p>
			<p>Insufficient information or detail not included in this report</p>	

Constitution and government

The constitution protects the rights to religious freedom, conscience and to freedom of thought. There is no official state religion but the preamble of the PNG constitution points to Christian principles which are the principle of the country.

Demography

According to a publication by the Australian social and political science researcher Dr. Scott Flower, the Muslim minority in Papua New Guinea (PNG) has grown by around 500% since 2001. The reason for this large change of religious demography is the increase of conversions to Islam by indigenous people. This change have caused tensions in Christian-Muslim relation in (PNG). The people decide to embrace Islam because they want to resist or reject the influence of Christianity. They associate Christianity with colonization and the destruction of the traditional culture.

<[academia.edu/1231008/Christian Muslim relations in Papua New Guinea](http://academia.edu/1231008/Christian-Muslim_relations_in_Papua_New_Guinea)>

Education and children's rights

Education in PNG is a shared venture with other agencies. The Catholic Church is one of those agencies. After the independence of PNG churches were pioneers of Western education in PNG. In 1995 churches operated 20 professional schools nurses and other community health workers. The National Department of Education estimates that churches provide 29 % of lower secondary education.

education.stateuniversity.com/pages/1166/Papua-New-Guinea-EDUCATIONAL-SYSTEM-OVERVIEW.html

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.

Family, community and society

Witch hunts

Witch hunt in PNG is still increasingly common. 80% of the population in PNG still live in the bush. According to the PNG's Constitutional and Law Reform Commission 150 attacks a year were reported in the Highlands province of Simbu alone. In February 2013 a 20-year old woman was accused of killing and eating the liver of a 6-year-old boy. She was tortured and burned alive in front of hundreds of people. Police said that they were outnumbered and couldn't save the woman. In PNG witchcraft is often blamed for unexplained misfortunes.

bbc.co.uk/news/world-asia-21363894

smh.com.au/world/witchhunt-20130419-2huha.html

freethinker.co.uk/2013/02/13/leo-igwes-bid-for-help-to-fight-superstition-in-papua-new-guinea-is-rebuffed/

[theaustralian.com.au/news/world/png-women-in-easter-torture/story-e6frg6so-](http://theaustralian.com.au/news/world/png-women-in-easter-torture/story-e6frg6so-1226613576167?nk=38a8d23aab4a46e19948bbef0c05ff3b)

1226613576167?nk=38a8d23aab4a46e19948bbef0c05ff3b

Homophobia

PNG has strict anti-gay laws which "provide a 14 year sentence for consensual sex between same-sex couples". This induced many LGBT personalities to seek for asylum in other countries.

gaynewsnetwork.com.au/news/gay-asylum-seekers-fear-persecution-under-papua-new-guinea-s-anti-gay-laws-13108.html

Freedom of expression, advocacy of humanist values

Freedom of speech is generally guaranteed and the government respects this freedom as well as freedom of media in practice. PNG's Customer Act prohibits importation of films considering blasphemous, depraved or containing contents which include sex, violence and crime. The usual sentence for breaking the law is confiscation and destruction of prohibited goods, but the courts can impose a fine or a sentence of prison up to 2 years. It is unclear whether the prison sentence would apply to specifically "blasphemous" content.

There is no government news agency in PNG but there are several privately operated news agencies. Pacific Media Watch is a non-government, independent organization of journalists which supports freedom of media in the Pacific region.

pressreference.com/No-Sa/Papua-New-Guinea.html

Solomon Islands

The Solomon Islands is a constitutional monarchy as a member of the Commonwealth with a parliamentary system of government.

Rating: Systemic Discrimination

General systemic issues	Freedom of thought, conscience, religion or belief; Establishment of religion	Education	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
There is systematic religious privilege Religious groups control some public or social services		There is state funding of at least some religious schools		
		State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional		
	Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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.

Government Subsidy

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.

Education and children’s rights

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.

Vanuatu

Vanuatu is small island nation spread 85 small islands in the south Pacific. It has a population of around 267,000 people. Formerly known as the New Hebrides, it was under joint British and French administration until it attained independence in the 1980s. The small country is home to as many as 112 languages.

Rating: Systemic Discrimination

General systemic issues	Freedom of thought, conscience, religion or belief; Establishment of religion	Education	Family, community, religious courts and tribunals	Expression, advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		There is state funding of at least some religious schools		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 with no secular or humanist alternative, but it is optional		<p>Some concerns about political or media freedoms, not specific to the non-religious;</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
			Insufficient information or detail not included in this report	

Constitution and government

The constitution is largely secular, though its preamble might exclude non-believers -

“proclaim the establishment of the united and free Republic of Vanuatu founded on traditional Melanesian values, faith in God, and Christian principles”

The document recognises “freedom of conscience and worship” as a fundamental right. Government officials are allowed to choose between a religious oath and a non-religious affirmation.

Demography

86% of the population is Christian, a product of 19th century missionaries from Europe. There are small communities of Muslims and there are significant minorities of indigenous religious adherents. Up to 5% of Vanuatuans belong to the John Frum movement, a religious and political organization that has its origins in a cargo cult that based its religious practices on the activities of US servicemen who served on the Island in the late 1930s. A similar but smaller cult idolises Prince Philip, the Duke of Edinburgh. Those identifying as “none” represent about 1.1% of the population.

Education and children's rights

The government provides funding to religious schools and pays teacher's salaries. These benefits are not available to the few non-Christian religious schools in the country. Religious education is also dominated by Christianity though pupils have the right the right to abstain from RE classes.

state.gov/documents/organization/222391.pdf

Family, community and society

Abortion remains illegal in Vanuatu with the penal code setting a sentence of 2 years for any women who would "intentionally procure her own miscarriage". There are studies that suggest that there has been an increase in the number of illegal and often dangerous abortions. Pressure from religious groups has slowed any reform of this issue.

abc.net.au/news/2014-06-21/vanuatu-health-workers-worried-about-increasing-abortion-rat/5533848

Freedom of expression, advocacy of humanist values

"Insult" to religion

The country's penal code sets a sentences of 2 years for insults to religion, defilement or destruction of religious objects and disrupting a religious assembly.

wipo.int/wipolex/en/text.jsp?file_id=198052#LinkTarget_408

Oceania

Micronesia

Kiribati

Kiribati is a presidential republic, which gained independence from the United Kingdom in 1979 and joined the United Nations as a full member in 1999.

Rating: Free and Equal

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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 government does not favour a particular religious group.

Marshall Islands

The Marshall Islands have a mixed parliamentary-presidential system of governance.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Official symbolic deference to religion			
	No formal discrimination in education		
		Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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.

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.

Education and children's rights

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.

Freedom of expression, advocacy of humanist values

Freedoms of expression and association are protected by law and respected in practice.

Micronesia

The Federated States of Micronesia is a nation made up of hundreds of islands which are ruled by a parliamentary republic without established political parties.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Official symbolic deference to religion Anomalous discrimination by local or provincial authorities, or overseas territories			
			No fundamental restrictions on freedom of expression or advocacy of humanist values
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution and government of Micronesia protect religious freedom and ensure religious equality for all. 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's Declaration of Rights forbids the establishment of a state religion or governmental restrictions on freedom of religion. However, 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.

Education and children's rights

Religious education is absent in public schools, which are completely secular in nature and in what they teach. The government provides a few grants to private, church-affiliated schools.

"There is no religious education in the public schools, but it is part of the curriculum in private religious schools."

-U.S. State Department, 2013 International Religious Freedom Report

state.gov/j/drl/rls/irf/2013/eap/222149.htm

Freedom of expression, advocacy of humanist values

The constitution protects freedom of religion against abuse, either by governmental or private actors. The constitution protects freedom of expression and media freedom. And the news media operate freely.

Nauru

Nauru is a republic and with a population of 9,378 is the second smallest state in the world.

Rating: Free and Equal

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

Constitution and government

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. 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."

Freedom of expression, advocacy of humanist values

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

Palau, part of a former United Nations Trust territory, became independent in 1994. A population of 20,600 people inhabit an archipelago of volcanic and coral islands. The main religions, in Palau, are Christianity and Modekngei (an indigenous belief). There is no information on those without a religious affiliation.

Rating: Mostly Satisfactory

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
Official symbolic deference to religion			
			No fundamental restrictions on freedom of expression or advocacy of humanist values
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

Constitution and government

The constitution preamble states that the people of Palau "venture in to the future with full reliance on our own efforts and the divine guidance of Almighty God."

The constitution itself hints at a more secular approach, in the following statement: "The government shall take no action to deny or impair the freedom of conscience or of philosophical or religious belief of any person nor take any action to compel, prohibit or hinder the exercise of religion. The government shall not recognize or establish a national religion, but may provide assistance to private or parochial school on a fair and equitable basis for non-religious purposes."

There are no reports of political or media freedoms being infringed.

According to the USCRIF Report 2013, religious groups can gain non-profit status, and "religious groups and mission agencies are exempt from paying taxes", but it is not clear if secular worldview organizations would receive the same benefit.

Education and children's rights

Religious instruction in public schools is not permitted. Representatives of any religious group may request government financial support for religious schools. It is unclear whether tax exemptions or financial support for schools are available for non-religious organizations.

Oceania

Polynesia

Samoa

Samoa is a very small Oceanian country of about 200 thousand inhabitants, which maintains a single-party parliamentary democracy. Religious freedom issues persist regarding education and other matters, even though the constitution guarantees religious freedom.

Rating: Severe Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		Systemic religious privilege results in significant social discrimination	Expression of core humanist principles on democracy, freedom or human rights is severely restricted
There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups	There is state funding of at least some religious schools Religious instruction is mandatory in at least some public schools without secular or humanist alternatives	There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion			

Constitution and government

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.

Education and children's rights

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.

Family, community and society

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

Tonga is a constitutional monarchy, an archipelago, spanning 800 kilometres and made up of 176 islands in the Pacific Ocean.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
		Discriminatory prominence is given to religious bodies, traditions or leaders	
			Concerns that secular or religious authorities interfere in specifically religious freedoms
Insufficient information or detail not included in this report	Insufficient information or detail not included in this report		

Constitution and government

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

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.

state.gov/j/drl/rls/irf/2004/35430.htm

2014 saw the second general election under a new democratic system with the majority of Assembly members elected by the people rather than the nobility having equal representation in voting.

Education and children’s rights

The majority of primary schools are state run. Primary education is free between the ages of 6-11, and 6 years of education is compulsory between the ages of 6-14. There are concerns over the quality of state run education, with high drop out levels at secondary level and many students repeating grades at both primary and secondary level. Skills training is also lacking at secondary level.

Church run education institutions outnumber public institutions at all other levels of education. The Free Wesleyan Church runs six colleges, other schools are run by the Roman Catholic Church, the Seventh-Day Adventist Church, the Church of Jesus Christ of the Latter Day Saints and the Bahá’í faith.

The government subsidises three Catholic schools that provide Technical and Vocational Education and Training (TVET).

icde.org/projects/regulatory_frameworks_for_distance_education/country_profiles/tonga/education_system/
>

Freedom of expression, advocacy of humanist values

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.

Tuvalu

Tuvalu is a parliamentary democracy located midway between Hawaii and Australia in the Pacific Ocean.

Rating: Systemic Discrimination

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Expression, advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p>		<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	
			<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
	<p>Insufficient information or detail not included in this report</p>		

Constitution and government

The constitution and other laws and policies protect freedom of 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.

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.



The International Humanist and Ethical Union is the worldwide democratic body for Humanist, atheist, rationalist, secular, ethical culture, and freethought organizations. Its mission is to represent and support the global Humanist movement, and to build a world in which human rights are respected and all can live a dignity. iheu.org