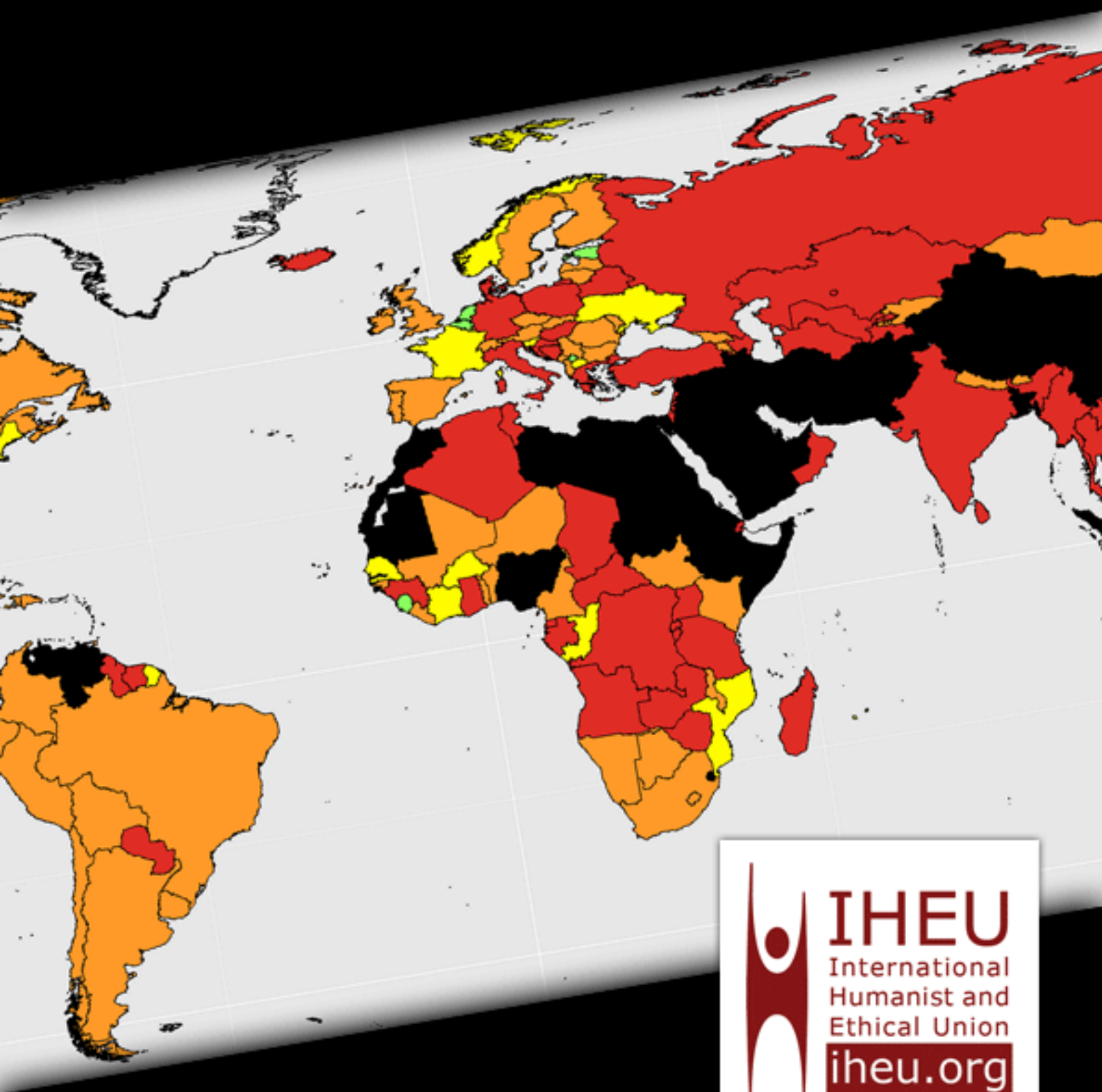


# FREEDOM OF THOUGHT 2014

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



*Freedom of Thought 2014: 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 world union of more than 120 Humanist, atheist, rationalist, secular, ethical culture, and freethought organizations from more than 40 countries. Its mission is to represent and support the global Humanist movement, build a world in which human rights are respected and all can live a life of dignity.

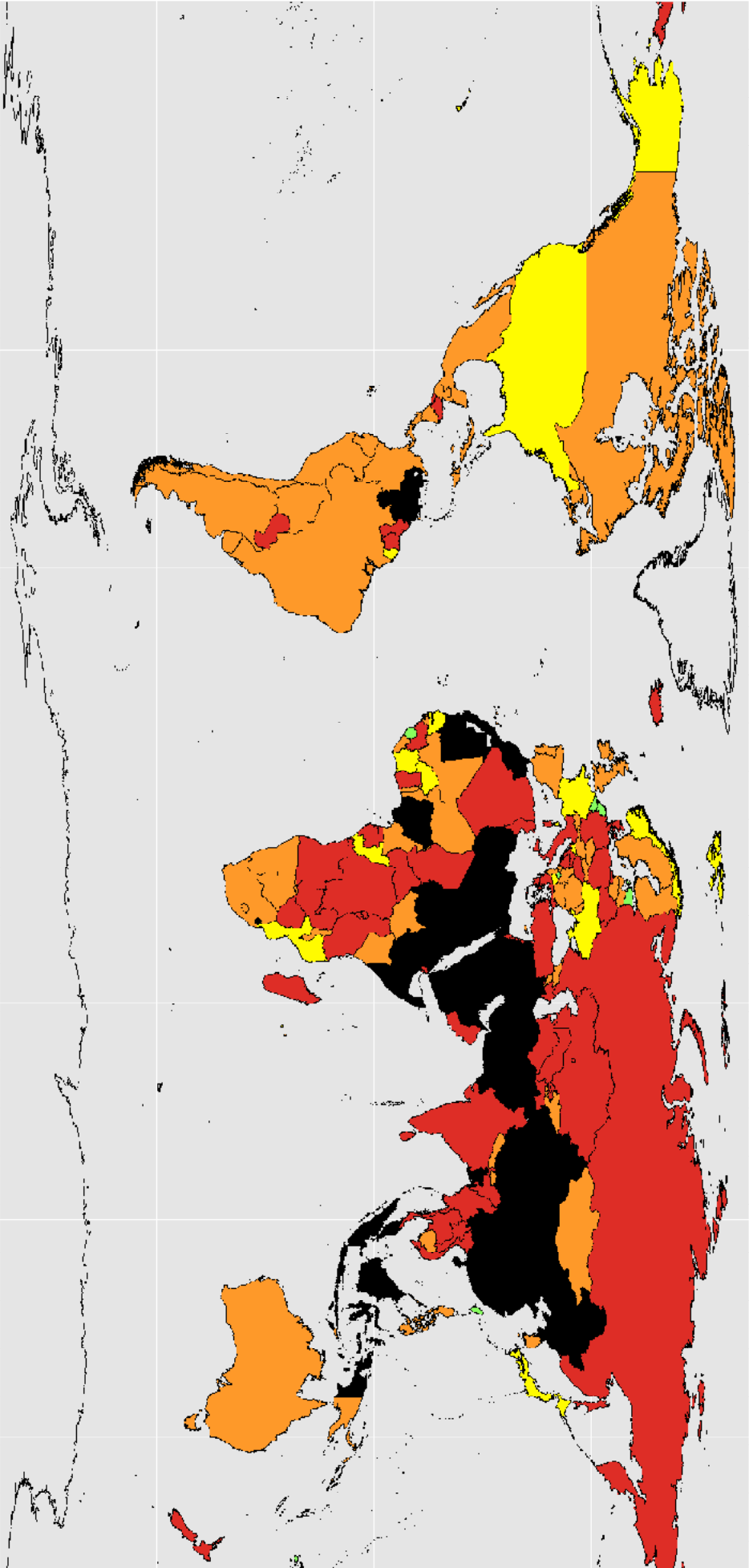
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The cover image features a detail from a map produced using the data from this report.

# THE FREEDOM OF THOUGHT REPORT 2014

**International Humanist  
and Ethical Union**



GRAVE VIOLATIONS

SEVERE DISCRIMINATION

Systemic Discrimination

Mostly satisfactory

Free and Equal

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*“In too many countries, caveats and legal loopholes have been intentionally created to try to circumvent or supersede international human rights obligations. This trend continues, with efforts to introduce parallel “Islamic human rights” frameworks, or ad hoc constitutional opt-outs, sabotaging the very basis of specifically human rights: namely, that we have them because we are human and they derive from our humanity. Human rights do not derive from any one religion or from religion in general, and human rights must not be bypassed or suspended based on spurious claims to collective belief or to the alleged necessity of keeping a particular ruling party in power! States have no moral jurisdiction to evade human rights obligations, either to enforce conformity to beliefs, nor to evade criticism and suppress opposition.*

*The rights of the non-religious, and the rights of religious minorities and non-conformists, are a touchstone for the freedoms of thought and expression at large. Discrimination and persecution against the non-religious in particular is very often bound up with political suppression, with fears about progressive values, or with oppression in the name of religion. Humanists and secularists are often among the first to ask questions, and to raise the alarm when human rights are being trampled, when religion is misused or abused, or — even with the best intentions — if religion has become part of the problem. Silence the non-religious, and you silence some of the leading voices of responsible concern in society.*

*In our work, in Pakistan and Uganda respectively, striving to advance the lives, livelihoods and liberties in particular of women and girls, our success will be proportionate to how much freedom of thought and expression we are able to create. Yes, create! It is not simply about having these freedoms, or being granted them, for having being granted they can always be revoked, or degraded over time. We must actively work, all of us, to continually create these freedoms by living them and championing them.”*

*Gulalai Ismail and Agnes Ojera*

# General Introduction

The Freedom of Thought report is the first 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 extralegal persecution, social discrimination and personal experience where possible.

In building this survey we use the global human rights agreements that most affect freethinkers as freethinkers: the right to freedom of thought, conscience, or religion; the right to freedom of expression; and, to some extent, the rights to freedom of assembly and association. 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 atheists and freethinkers. For example, there are laws that deny atheists' right to exist, 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 source), and others who consider themselves non-religious, are a large and growing population across the world. A detailed survey in 2012 revealed that religious people make up 59% of the world population, while those who identify as “atheist” make up 13%, and an additional 23% identify as “not religious” (while not self-identifying as “atheist”). The report by the WIN-Gallup International Association <[wingia.com/web/files/news/14/file/14.pdf](http://wingia.com/web/files/news/14/file/14.pdf)> is in line with other recent global surveys. It shows that atheism and the non-religious population are growing rapidly—religion dropped by 9% and atheism rose by 3% between 2005 and 2012—and that religion declines in proportion to the rise in education and personal income, which is a trend that looks set to continue.

## 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. Then in 1981 it was given broader application and detail by the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

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

*“1. The right to freedom of thought, conscience and religion (which includes the freedom to hold beliefs) in article 18.1 is far-reaching and profound; it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others....*

*2. Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms ‘belief’ and ‘religion’ are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions.”*

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

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

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

## 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 long survive.

## 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 in a religious group, discrimination automatically follows. For example, in Lebanon the entire system of government is based on sectarian quotas—with different rights and roles available to Sunni Muslims than to Shiite Muslim than to Maronite Christians, etc. This practice not only codifies and encourages religious discrimination but it also discourages people from leaving the religion of 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 report, we also found that religious privilege is not only a form of anti-religious discrimination in and of itself, but that it is also a signifier of more general societal discrimination against atheists. When a religion is singled out as special, then it generally follows that the members of that religion receive advantages not available to others. Even when there is just a vague state preference for generic religion, or belief in a god, we see it reinforcing societal prejudice and discrimination against the non-religious. For example, the US has a range of laws and practices that equate being religious with being an American, and vice versa. Sometimes these are dismissed as mere “Ceremonial Deism.” But when every court and every dollar has “In God We Trust” prominently displayed, and when children start their day in the state school by pledging their allegiance to “One Nation under God,” it inculcates a conviction that to be American is to believe in God. The only mention of religion in the US constitution is the statement that “no religious test shall ever be required as a qualification to any office”; yet the idea that only religious Americans can be good Americans is so powerful that not one out of the 535 members of the US Congress publicly admits to being non-religious.

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

# Editorial Introduction

The 2014 edition of our report, published 10 December 2014 to mark Human Rights Day, has been largely re-written from the ground up, with most countries examined afresh, by new researchers from around the world, with new sources, and new on-the-ground witnesses.

There are a few trends in 2014 that must be highlighted. One is the steady march of militant groups like Islamic State in Iraq and Syria (ISIS, also ISIL, or IS, or QGIS, or Daesh) and Boko Haram. Neither are new. ISIS (or many of its members) have been fighting in Syria for years; Boko Haram has been marauding northern Nigeria for years. Now, their heinous actions have gained a traction in themselves, and now lie in the global spotlight of ideological conflict and terrorist outrage.

But there is a subtler trend we also wish to draw attention to with this year's *Freedom of Thought Report*.

## Hate campaigns against the non-religious

There is a long-standing prohibition of “apostasy” and of “blasphemy” associated with Islam that is perpetuated by many modern Islamic states in various forms and to various degrees of severity. In the worst cases, people can spend years in jail, or be executed, or murdered extrajudicially for these distinctively religious ‘crimes’. History’s familiarity with such illiberal controls must not blind the international community or human rights advocates to the abhorrence of those laws, nor to the reality that sovereign states, today, are criminalizing people just because they ask questions about, vocalise dissenting views on, or offer positive alternatives to, a set of state-sanctioned beliefs.

In 2014, in addition to laws such as those targeting “apostasy” and “blasphemy”, we have seen a marked increase in specific targeting of “atheists” and “humanism” *as such*, using these terms in a broadly correct way (the users know what they are saying) but with intent clearly borne of ignorance or intolerance toward these groups. Some examples:

In January, Saudi Arabia enacted a new law equating “atheism” with “terrorism”. Though the law sought to criminalise numerous things, some already illegal, the very first article of the kingdom’s new “terror” regulations banned “Calling for atheist thought in any form, or calling into question the fundamentals of the Islamic religion.”

In May, Malaysian Prime Minister Najib Razak branded “humanism and secularism as well as liberalism” as “deviant”. He described these secular worldviews and values, as well as the international human rights framework - which he dismissed as “human rightsism” – as a threat to Islam and therefore a threat to the state.

In June, Egyptian authorities proposed and carried out an organized backlash against young atheists. Nuamat Sati of the Ministry of Youth announced a campaign to spread awareness of “the dangers of atheism” and why it is “a threat to society”, so that young atheists in particular, who are increasingly vocal on social media, would be given “a chance to reconsider their decisions and go back to their religion.” This has not been an idle threat, nor an exercise in verbal debate about the philosophical



merits of religion! Rather, senior ministers have conflated advocacy of non-religious views with radicalism, and police have detained atheists for voicing their views on religion, usually online, and sometimes in traditional media.

This year will be marked by a surge in this phenomenon of state officials and political leaders agitating specifically against non-religious people, just because they have no religious beliefs, in terms that would normally be associated with hate speech or social persecution against ethnic or religious minorities.

## What does it mean?

Whether targeted as “apostates” or “infidels” or – more directly – as atheists or humanists, or indeed the far broader “liberals”, it is human beings being targeted, restricted and denied their basic rights. If you’re on the receiving end of persecution it may not feel very different which label is being thrown back at you.

But the simmering trend toward targeting “atheists” as such risks broadening existing prohibitions and agitation. A blasphemy accusation in Pakistan, for example, can hang on a very thin wisp of rumour. As new terms are introduced – new names to call people, new stereotypes to look out for, new modes of speech to latch onto, or indeed, new lines of *false* accusation to plot – the scope for bigotry and persecution increases.

But there may be some sense in which this trend is—while certainly not positive itself—at least a negative side-effect of a different, parallel, positive trend: If atheism and humanism and liberalism *as such* are entering the national discourse in a given country, divorced of the religious connotations of “apostasy”, then in some sense the presumption, or the *frame* of dissent has fallen away. It is easy to paint an “apostate” as a kind of traitor (though they are no such thing), defined by their “renouncing” a particular religion (though they may never have assented to it in the first place). Whereas an “atheist’s” objection is *prima facie* more general, a “humanist’s” advocacy is *prima facie* an expression of some broader positive standpoint.

*Precisely in recognising atheism and humanism as cohesive worldviews, secular and naturalistic but not reducible to a stance on any one religion or authority, the haters may inadvertently be familiarising their societies to the very ideas they are trying to resist.* If 2014 has seen something of a surge in hate directed at atheists, it is at least a backlash against a steadily globalising conception of non-religious identities.

This freeing up of secular worldviews from the perceived baggage of *dissenting-from-your-religion* has not yet helped protect anyone. On the contrary, we’re in the backlash phase. Atheists, humanists, the non-religious in general, and anyone else “liberal” enough to be considered subversive, remain at risk. Maybe even at heightened risk because there is a whole new way to recognise the non-religious as *other*. However, the non-religious are also recognising themselves more, stumbling upon new terms and new arguments through international media and the internet, coming together online, talking, in some countries meeting in secret. The non-religious are raising their heads above the parapet. There is a backlash, but it’s a backlash that is a response to a surge of new ideas and new connections, and we can hold onto that.

# Preface: How to Use this Report

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

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

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

## The Rating System

Every country in this report is assigned a "Freedom of Thought" status. The status classifications 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, if the boundary condition "Official symbolic deference to religion" is met (perhaps because local councils are always opened with a prayer) then the status "Mostly Satisfactory" has been triggered. However, if the boundary condition "It is illegal or unrecognised to identify as an atheist or as non-religious" is met, then the status "Grave violations" has been triggered and the country will be classed with the latter, more severe 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 five “strands”, or areas of interest, that we are examining.

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>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>‘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>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>‘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>Systemic religious privilege results in significant social discrimination</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</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>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 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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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>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>
<p>Anomalous discrimination by local or provincial authorities, or overseas territories</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>
<p>Freedom of thought, conscience, religion or belief is upheld</p>	<p>The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief</p>	<p>No discrimination in education</p>	<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	<p>No restrictions on freedom of expression or advocacy or humanist values</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>	<p>Insufficient information or detail not included in this report</p>	<p>Insufficient information or detail not included in this report</p>

The grey row does not contribute toward any given status. Occasionally the text in the grey row may 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 freer 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 revised tabulated display 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. *This report is the evolving product of an organization with very limited resources and the editor is keenly aware the*

*breadth of information on some countries is lacking.* As we said last year, given the way the ratings are designed, as we add more information ratings are likely to get worse in some countries, and that is certainly true this year. Most countries that have a new rating this year have a worse rating, and in most cases this is because we are satisfied that additional, worse boundary conditions have been met.

## Cautions

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

In some countries the secrecy of courts, or state control of media, or lack of reporting, make it impossible to produce a complete account of individual cases. In some countries vague laws or broad legal powers delegated to local authorities make it difficult to ascertain exactly how laws are applied (or not applied) on the ground.

So, 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 fill us in, via the website: [freethoughtreport.com](https://freethoughtreport.com).

Note that 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, or that lower level boundary conditions are being omitted because more "serious" conditions apply.

## A note on countries

We defer to the United Nations geo-schema [unstats.un.org/unsd/methods/m49/m49regin.htm](https://unstats.un.org/unsd/methods/m49/m49regin.htm) 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 countries 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".

# Credits

**Editor:**

Bob Churchill

**Senior volunteer researchers:**

John Bishop

Benjamin David

Imad Iddine Habib

John Hulks

Veronika Kuchta

Winsie Lee

Blakeley Nixon

Elizabeth O'Casey

Yannis Savathrakis

Benjamin Titze

**Volunteer researchers:**

Matthew Bulger

Vicky Harrison

Matthew Haughton

Jemma Jones

Iyabo Ojo

Rachel Robertson

Leevan Shareef

Ioana-Noemy Toma

Levent Topakoğlu

Siddiq Wali

Josh Younespour

and two anonymous contributors

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American Humanist Association (AHA)

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German Humanist Association

(Humanistischer Verband Deutschlands, HVD)

Humanist Association of the Netherlands

(Humanistisch Verbond)

Union of Rationalist Atheists and Agnostics

(Unione degli Atei e degli Agnostici

Razionalisti, UAAR)

**Volunteer cartographer:**

Emma Bell

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**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**

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
				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
	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	
		Insufficient information or detail not included in this report		

## Constitution, government, secularism

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](http://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](http://state.gov/documents/organization/222237.pdf)

## **Government domination over the media**

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.

<https://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.

<https://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 Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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
	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
Systemic religious privilege results in significant social discrimination  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)  'Apostasy' is outlawed and punishable with a prison sentence		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	'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 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 law

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.

<[www.beit-salam.km/article.php3?id\\_article=34](http://www.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.

## State control of religious identity

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](http://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](http://worthynews.com/3101-comoros-christians-oppressed-on-indian-ocean-islands)

## “Apostasy”

Apostasy (from Islam) is a criminal offence in Comoros. As well as this there is serious negative social discrimination against 'apostates'. See Individual Cases below.

Anyone with nationality cannot practice a faith other than Islam.

## Education

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.

## Social issues

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 and media

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.”*

[www.state.gov/documents/organization/204316.pdf](http://www.state.gov/documents/organization/204316.pdf)

## Individual 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

**Rating: Severe 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
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			
		Insufficient information or detail not included in this report		

## Constitution and law

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.

## Islam in life and family

More than 99% of the population identifies as Sunni Muslim. Citizens officially are considered Muslims if they do not specifically identify with a faith; there are consequently no figures available on the number of atheists in the country. However, the law does not impose sanctions on those who do not observe Islamic teachings or practice other religious beliefs. Nor does the constitution specifically prohibit proselytizing.

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."

## **Education**

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

## **Freedom of expression and media**

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

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
	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	
Systemic religious privilege results in significant social discrimination	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	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  Discriminatory prominence is given to religious bodies, traditions or leaders  Religious groups control some public or social services	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		Criticism of religion is restricted in law or a de facto ‘blasphemy’ law is in effect

## Constitution and law

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.



## Control of religious expression

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](http://refworld.org/docid/53d9077d14.html)>

<[opendoorsusa.org/pray/prayer-updates/2013/05-May/Persecution-in-Eritrea-at-Its-Highest-Level-Ever](http://opendoorsusa.org/pray/prayer-updates/2013/05-May/Persecution-in-Eritrea-at-Its-Highest-Level-Ever)>

<[churchinchains.ie/node/635](http://churchinchains.ie/node/635)>

<[release-eritrea.com/](http://release-eritrea.com/)>

## 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.

## Political control

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 organisation is restricted to the country’s ruling party, the Peoples Front for Democracy and Justice (PFDJ). Unions are also prohibited with the exception of PFDJ subsidiaries.

## **Education**

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.

## **Freedom of expression and media**

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 organisations 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 of Christian, one-third of 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**

				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
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report		

## Constitution

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."

### **"Scoffing" at religion is outlawed**

The constitution also 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."*

### **Education**

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."

### **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.

## **Political and media suppression**

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.

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#.VGtYFvnF9HU](http://freedomhouse.org/report/freedom-world/2013/ethiopia#.VGtYFvnF9HU)

# 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 Organisation of Islamic Cooperation (OIC) in 2011.

## 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
				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
Freedom of thought, conscience, religion or belief is upheld	Freedom of thought, conscience, religion or belief is upheld			

## Constitution and law

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.

<[www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm](http://www.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.

## Freedom of expression and media

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/](http://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>](http://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/>](http://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>](http://freedomhouse.org/report/freedom-press/2014/kenya#.VE1dZPmsVjk)

## Social issues

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](http://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](http://equalrightstrust.org/ertdocumentbank/In%20the%20Spirit%20of%20Harambee.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 50<sup>th</sup> 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](http://secularism.org.uk/blog/2014/08/dont-merge-human-rights-with-religion-even-in-africa)

## Testimonies



*“To be honest, 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**

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
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	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				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
	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report		

## Constitution in effect suspended

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.

## **Many religious groups, treated differently**

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 Comorian 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.

## **Religion and politics**

Religious leaders’ involvement in politics has led to societal tension and religious discrimination.

## **Freedom of expression and media**

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. In 2012, several public sector unions had gone on strikes and most were allowed by the transitional government to go forward.

[freedomhouse.org/report/freedom-world/2013/madagascar#.VFk5Z\\_nF9HU](http://freedomhouse.org/report/freedom-world/2013/madagascar#.VFk5Z_nF9HU)

# Malawi

Landlocked in southern central Africa, the former British colony known as Nyasaland gained independence in 1964 and became a republic in 1966.

## 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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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 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>Anomalous discrimination by local or provincial authorities, or overseas territories</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>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 law

The constitution of the republic of Malawi confirms protection of human rights, such as the 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.

<http://www.sdn.org.mw/constitut/brfindx.html>

However the Malawi Human Rights Commission report 2013, and the Malawi Association of Secular Humanism (an IHEU Member Organization), recorded some cases of these rights being violated.

## Voices for humanism and secularism

Though, as in many sub-Saharan African states, the number of atheists and non-religious is comparatively small, and the number willing to express these views even smaller, the name

and understanding of “humanism” is perhaps more widely known than elsewhere, thanks to the advocacy and campaigns of George Thindwa and the Malawi Association for Secular Humanism (Malawi ASH).

In 2014 Thindwa praised the acceptance of most Malawians to his humanist views, saying:

*“So far, we have had no challenges in doing our work. ... people are beginning to view our organisation from a charitable point especially after noting that our priority is caring for the vulnerable... We have actually never [been] mistreated by any government” in Malawi. 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.”* <[malawivoice.com/2014/07/22/george-thindwa-salutes-malawians-embracing-secular-humanism/](http://malawivoice.com/2014/07/22/george-thindwa-salutes-malawians-embracing-secular-humanism/)>

During the country’s recent debate on legalizing homosexuality, in which religious arguments of course play a significant role, lawyer Wapona Kita described Malawi as a secular state, and 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](http://newstimeafrica.com/archives/28230)>

## Religion-only seats

However, 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](http://sdnp.org.mw/constitut/chapter6.html)>

## Democracy and freedom issues

Before 2012, Malawi’s democratic values were on a downward trend, with new restrictions on civilian rights introduced by the prior president. After his death, the new president Joyce Banda pledged to suspend anti-homosexuality laws in 2012, but this process was widely resisted. The Malawi Law Society supported the Malawi Council of Churches, arguing against the suspension of anti-gay law that the process proposed for its legalization was itself supposedly undemocratic and would therefore set a “dangerous precedent”.

<[pambazuka.net/en/category/features/85774](http://pambazuka.net/en/category/features/85774)>

The freedom house report 2013 rated Malawi as a “partly free” country, noting the peaceful transfer of power.

<[freedomhouse.org/report/freedom-world/2013/malawi#.VDf5\\_fldWHQ](http://freedomhouse.org/report/freedom-world/2013/malawi#.VDf5_fldWHQ)>

## Religion, polygamy and justice for women

Christianity and Islam are the two predominant religions in Malawi. Though Christianity is the largest religion (about two thirds of the population), 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/>](http://thewip.net/2013/04/10/kheliwes-story-male-polygamy-and-hiv-infection-in-malawi/)

## Superstition and “Witchcraft”

Superstitious practices linked to traditional beliefs persist in Malawian religious society. A widespread belief in “witchcraft” crosses the whole country. Witches are assumed to be in union with the devil who tell them to terrify Christians, or that witches are after children to convert them to witchcraft. An anonymous Malawian freethinker describes very detailed his experience with Christianity and superstitious beliefs in witchcraft and Satanism, describing how children are coerced into confessing.

[<skeptick.com/tippling/2014/01/11/being-an-atheist-in-the-midst-of-malawian-witchcraft/ >](http://skeptick.com/tippling/2014/01/11/being-an-atheist-in-the-midst-of-malawian-witchcraft/)

Dr George Thindwa, executive director of the Malawian Association of Secular Humanism (Malawi ASH) advocates disbelief of witchcraft publicly, challenging it as an unevidenced superstition. The association secured funding in recent years to run a large project, protecting “witchcraft’s” true victims: those accused of being “witches”.

[<faceofmalawi.com/2014/03/atheists-secure-mk-200-million-to-dispel-witchcraft-myth/#sthash.V50E189h.dpbs>](http://faceofmalawi.com/2014/03/atheists-secure-mk-200-million-to-dispel-witchcraft-myth/#sthash.V50E189h.dpbs)

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-enforce-laws-on-witchcraft/ >](http://nyasatimes.com/2013/08/15/anti-god-activist-thindwa-urges-police-to-enforce-laws-on-witchcraft/)

Progress has been made in recent years. The Malawian law commission reviewed the Witchcraft Act after receiving various calls for reform. Regarding the existence of witchcraft the commission said:

*“Assuming the law is amended to recognize that witchcraft exists and thereby criminalize the practice, there would be a taxing issue of evidence. Under that new regime of law on witchcraft, persons suspected of practicing witchcraft would face criminal charges. It is trite law that for one to be convicted of a criminal offence the prosecution must have proven its case beyond reasonable doubt. However those who believe in witchcraft allege that it involves use of supernatural or non-natural powers. Therefore proving the allegations would be very difficult. It has been argued that some witchcraft offences ought to be offences of strict liability. However the court does not subscribe thereto.”*

[<sdnp.org.mw/lawcom/index.htm?http%3A//www.sdn.org.mw/lawcom/reports.htm >](http://sdnp.org.mw/lawcom/index.htm?http%3A//www.sdn.org.mw/lawcom/reports.htm)

## Education

Though Malawi is a multi-faith country, Bible Knowledge is mandatory in all Malawian Secondary schools. In 2001 the system was expanded into a broader education curriculum

which considers and teaches other world religions. Today, bible knowledge is a required subject in public primary schools and is an elective in public secondary school.

[refworld.org/country,,,MWI,,53d9074cd,0.html](http://refworld.org/country,,,MWI,,53d9074cd,0.html) >

Though discrimination and interreligious tension are not a huge social problem, as recently as 2010 there was an incident in which Muslims burnt Bibles to express their protest against Christian influence in Islamic schools.

## **Reactionary religion**

According to the 2013 report “Minority Religious Communities at Risk” by the First Freedom Center, the opinion research found that in Malawi “religious leaders advocated a legally mandated dress code”.

[firstfreedom.org/PDF/minority-report-2013.pdf](http://firstfreedom.org/PDF/minority-report-2013.pdf) >

In 2012, following worldwide publicity around the “anti-Muhammad” video *Innocence of Muslims* (supposedly a trailer), the chairman of the Muslim Association of Malawi (MAM) declared, that “Muslims are ready to defend and die for their religion”. Though the Malawi Muslims Official Website distanced the Muslim community from the remarks made by the chairman (MAM).

[nyasatimes.com/2012/09/19/malawi-muslims-divided-over-reactions-on-anti-islam-film/](http://nyasatimes.com/2012/09/19/malawi-muslims-divided-over-reactions-on-anti-islam-film/)>

# Mauritius

**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>				
	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 law

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 and media

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

Rating: Mostly Satisfactory

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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.

## Freedom of expression and media

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.

**Rating: Severe 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
			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>Religious groups control some public or social services</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>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>There is a nominal state church with few privileges or progress is being made toward disestablishment</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>

## Belief Demographics

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.

## The Constitution

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).

## **Blasphemy and Freedom of Speech**

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.

## **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**

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.

## **General Human Rights Issues**

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.

## Religious 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>

## Individual Cases



In an interview with Rwandan writer and atheist **Eric Bright**, Bright 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”.

<http://www.mysecretatheistblog.com/2013/03/atheism-in-rwanda-interview-with-eric.htm>

## 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**

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
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	Insufficient information or detail not included in this report	

## Constitution and law

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

## 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.

## Freedom of expression and media

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.

# Somalia

**Rating: Grave Violations** 

*This country is found to be improving slightly, at least since before 2012; the nation is still beset with terrorist outrages and deeply rooted, discriminatory and inconsistent legal system, but there are slight signs of progress and longer-term security improvements, under the internationally-backed government.*

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
State legislation is largely or entirely derived from religious law or by religious authorities	<p>[In areas controlled by Al-Shabaab] '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>			[In areas controlled by Al-Shabaab] 'Blasphemy' or criticism of religion is outlawed and punishable by death
Systemic religious privilege results in significant social discrimination	<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>'Apostasy' is outlawed and punishable with a prison sentence</p>	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<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>

## Long-term crisis

Somalia 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. 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.

## **Constitution and law**

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

### **Freedom of expression and media**

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.*

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
				Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Freedom of thought, conscience, religion or belief is upheld	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 law

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 organisations, but this has yet to be tested.

## Evolving culture

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](http://iheyo.org/node/1171)

## **Education**

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.

## **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**

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

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		
	Insufficient information or detail not included in this report			

## Constitution and law

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>

## 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](http://sharia-in-africa.net/pages/project/tanzania.php)

## Social issues

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](http://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."*

[www.bbc.co.uk/news/world-africa-29572974](http://www.bbc.co.uk/news/world-africa-29572974)

## Individual 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](http://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 Organisation of Islamic Cooperation (OIC).

**Rating: Severe Discrimination** ↓

*This country is found to be declining due to illiberal new legislation passed into law with senior officials citing religious justifications, and criminal attacks on humanist representatives apparently related to their human rights work.*

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

## Constitution and law

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.

## Religion in 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/](http://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

[indexoncensorship.org/2014/03/porn-bill-uganda/](http://indexoncensorship.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/](http://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/](http://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.

## **Education**

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).

## Freedom of expression and media

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.

## Individual 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/>](http://iheu.org/humanist-group-needs-help-after-robbery/)

[<iheu.org/after-attack-on-humanist-leader-take-a-stand/>](http://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

Zambia has a population of 12.5 million people. Eighty seven percent of the population is Christian, one percent is Muslim or Hindu, and seven percent adhere to indigenous or other beliefs. Five percent of the population did not report belonging to any religion. The country's official religion is Christianity. The government has severely restricted freedom of the press.

**Rating: Severe 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
				Expression of core humanist principles on democracy, freedom or human rights is severely restricted
There is systematic religious privilege  Discriminatory prominence is given to religious bodies, traditions or leaders	There is an established church or state religion  Legal or constitutional provisions exclude non-religious views from freedom of belief	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		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 Religion

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

Since 2011 a new government has made some moves to improve this situation. Nonetheless, a strong Christian bias remains in government policy and looks unlikely to change.

A draft new constitution circulated during 2013, and continued to cause acrimonious debate into 2014. The president, Michael Sata, died on a visit to the UK in October 2014 as the government was about to publish a final draft, and it has not been enacted at the time of writing.

[dw.de/zambians-push-government-to-enact-new-constitution/a-17519511](http://dw.de/zambians-push-government-to-enact-new-constitution/a-17519511)

In line with the current constitution, earlier drafts of the proposed new constitution opened by declaring the people of Zambia “acknowledge the supremacy of God Almighty; declare the Republic a Christian Nation, but uphold the right of every person to enjoy that person’s freedom of conscience or religion.” The draft also singled out "anti-Christian" views as not protected; it states the freedoms of conscience, religion, thought, belief and opinion, but then immediately and explicitly notes that such freedoms do "not extend to - (a) anti-Christian teaching and practice...". It is readily conceivable, but remains to be seen, whether the primacy given to Christianity, and the prohibition on “anti-Christian teaching” will be used to curtail a broad range of discussion on Christian teachings and practice.

## **Education**

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

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

## **Freedom of expressions**

The Constitution guarantees freedom of speech and the press, but as of 2013, the government often restricted these rights in practice. Although 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 favor 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 had 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](http://freedomhouse.org/report/freedom-world/2014/zambia-0#.VIQD1DHF9qJ)>



# 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.

**Rating: Severe 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
Systemic religious privilege results in significant social discrimination		Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative		'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  Discriminatory prominence is given to religious bodies, traditions or leaders  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	

## Constitutions and laws

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 outlines the right to freedom of conscience, stating:

*"Every person has the right to freedom of conscience, which includes- freedom of thought, opinion, religion or belief; and freedom to practise and propagandize 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.

## Demography

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.

## Blasphemy

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.

## 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](http://archive.frontpagemag.com/readArticle.aspx?ARTID=35012)

## Freedom of expression and media

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](http://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#.VIIf1TGsVwJ?](http://freedomhouse.org/report/freedom-world/2012/zimbabwe#.VIIf1TGsVwJ?)

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](http://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-](http://newzimbabwe.com/opinion-9389-)

[Media+joins+%E2%80%98prophet%E2%80%99+cult+worship/opinion.aspx](http://Media+joins+%E2%80%98prophet%E2%80%99+cult+worship/opinion.aspx)

## Education

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.

[ahrlj.up.ac.za/mutangi-t](http://ahrlj.up.ac.za/mutangi-t)

# **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**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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.

## Religious recognition

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

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

### **Freedom of expression and media**

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 a democratic sovereign state in the west central Africa region with a population of 22.5million. The preamble to the constitution enshrines the intention to “assert our firm determination to build the Cameroonian Fatherland on the basis of the ideals of fraternity, justice and progress” and to “ensure the well-being of every citizen without discrimination, by raising living standards”. Cameroon is a member state of the Organisation of Islamic Cooperation (OIC).

## 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 value
Discriminatory prominence is given to religious bodies, traditions or leaders  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	
Anomalous discrimination by local or provincial authorities, or overseas territories	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 law

The constitution declares secularism 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”.

Cameroon was ranked 16th in the Gallop Global Religiosity Index 2012, with approximately 82% declaring religious belief, of which 40% are Christians, 40% subscribing to traditional indigenous animist beliefs and 20% Muslims.

There is no official state religion, however Christian and Islamic holy days are celebrated as national holidays.

## Registering religions

Religious groups other than “traditional, indigenous” religions are required to register and seek approval of the Ministry of Territorial Administration and Decentralization (MINATD),

and 47 religious groups are currently so registered. MINATD has the power to suspend the activities of groups that do not register. MINATD are also able to suspend any religious group for "disturbing public order" or for "deviating from its original focus".

Those that adhere to traditional, indigenous beliefs are not required to register with MINATD. For groups that do wish to register, lengthy administrative processes have created a backlog in registration, with no new religious groups having been registered since 2010.

However, this has generally lead to the state taking a tolerant stance to the practices of unregistered groups with the majority of them operating openly and without impediment on the whole, due to the government's policy of "administrative tolerance". However, there have been some reports of government interference with Pentecostal churches.

## Closure of Pentecostal churches

In August 2013, a 9-year-old girl collapsed and died during a "prayer session" at the Winners' Chapel, a Pentecostal church in Bamenda. The girl's mother, Mih Theresa, told CNN that the pastor had been trying to "cast out demons" that possessed her daughter.

As a response, the government shut down at least 34 Pentecostal churches situated across the country and vowed to close at least 100 more. Officials claimed that the churches were a "menace to their country's well-being" and, "We will get rid of all the so-called Christian Pentecostal pastors who misuse the name of Jesus Christ to fake miracles and kill citizens in their churches. They have outstretched their liberty."

[<edition.cnn.com/2013/08/14/world/africa/cameroon-churches/>](http://edition.cnn.com/2013/08/14/world/africa/cameroon-churches/)

There is certainly a genuine interest in investigating and closing churches that may be found to be defrauding congregations or engaging in abusive exorcism ceremonies. However, there was some criticism that the crackdown was linked to some churches' criticisms of the government, or that the mass closures overshot the boundaries of a legitimate response to the Bamenda death.

*"Authorizing only the Catholic, Presbyterian, Baptist, Muslim and a few other churches, is a strict violation of the right to religion."*

*— Boniface Tum, Bishop at a Cameroonian Church of God,*

Although there were not any reports of citizens imprisoned on the basis of their chosen religion, 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.

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

## Education

Many religious groups operate primary and secondary schools which receive subsidies and grants from the government. 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.



There is also state sponsored religious television and radio broadcasting with Christian and Islamic programming throughout the week.

## Freedom of expression and media

According to Amnesty International's 2013 Cameroon Human Rights Report, there are serious issues relating to freedom of speech and expression - with numerous reports of governmental intimidation and intolerance of anyone that criticizes the state. Journalists investigating corruption are known to have been arrested by security services, held for questioning and in some cases imprisoned for "defamation". Members of opposing political parties and human rights defenders are also amongst those known to have been affected.

In a 2012 report, the UN Special Rapporteur on the promotion and protection of free speech and expression stated that "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 pretrial 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; the official censorship law requires that publishers send material to the Territorial Administration Service for hours prior to publication. Government officials have the capacity to shut down newspapers on the basis of alleged "threats to public order".

[cpj.org/attacks96/countries/africa/cameroonlinks.html](http://cpj.org/attacks96/countries/africa/cameroonlinks.html)>

[freedomhouse.org/report/freedom-world/2014/cameroon-0#.VGJxHfmsVul](http://freedomhouse.org/report/freedom-world/2014/cameroon-0#.VGJxHfmsVul)>

## Social issues

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](http://hrw.org/sites/default/files/reports/cameroon1010WebVersion.pdf)>

[iheu.org/lgbti-rights-and-democracy-populist-discrimination-is-still-discrimination](http://iheu.org/lgbti-rights-and-democracy-populist-discrimination-is-still-discrimination)>

[hrw.org/node/113634](http://hrw.org/node/113634)>

The Penal Code states "Whoever has sexual relations with a person of the same sex shall be punished with imprisonment", though it is often the case that individuals only perceived to be homosexual are criminalised. Roger Jean-Claude Mbede, for example, was arrested for sending a text message to another male that was deemed to be of an amorous nature. Mr.

Mbede was charged with homosexuality and allegedly stripped naked, beaten and coerced into a confession, subsequently receiving a three year prison sentence out of a possible maximum of five years. The text message, sent to a male friend, read "I'm very much in love with you".

[rfkcenter.org/cameroonian-lawyer-michel-togue-says-it-a-duty-to-defend-human-rights](http://rfkcenter.org/cameroonian-lawyer-michel-togue-says-it-a-duty-to-defend-human-rights)>

[amnesty.org.uk/blogs/press-release-me-let-me-go/gay-law-nigeria-uganda-cameroon-roger-jean-claude-mbede-david-kato](http://amnesty.org.uk/blogs/press-release-me-let-me-go/gay-law-nigeria-uganda-cameroon-roger-jean-claude-mbede-david-kato)>

# 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 Organisation of Islamic Cooperation (OIC) in 2002.

## 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*

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
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	Insufficient information or detail not included in this report	

## Demography

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.

## Constitution and law

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.

## Conflict

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."*

[www.amnesty.org/en/news/central-african-republic-ethnic-cleansing-sectarian-violence-2014-02-12](http://www.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

The Republic of Chad, is a landlocked country sharing borders with Libya, Sudan, Central African Republic, Cameroon, Nigeria, and Niger. A desert zone lies in the north, an arid Sahelian belt in the centre and a more fertile Sudanese savanna zone in the south. The geography, geopolitics and oil resources have contributed to cycles of violence and rampant corruption.

**Rating: Severe 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
Systemic religious privilege results in significant social discrimination				
Discriminatory prominence is given to religious bodies, traditions or leaders  State-funding of religious institutions or salaries, or discriminatory tax exemptions  Religious groups control some public or social services		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 law

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.

## Religious oversight and Muslim advantage

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.

### **Freedom of expression and media**

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

# Congo, 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**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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 and media

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 Organisation of Islamic Cooperation (OIC) in 2011.

**Rating: Mostly Satisfactory**

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
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 discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution and laws

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](http://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 particularly lively civil society.

## Education

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#.VBIYY\\_k7um4](http://freedomhouse.org/report/freedom-world/2014/congo-republic-brazzaville-0#.VBIYY_k7um4)

## **Freedom of expression and media**

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.

# 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**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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 and media

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

# Equatorial Guinea

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**

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
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	Insufficient information or detail not included in this report	

## Constitution and law

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**

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 and media**

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**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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 and media

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.

**Rating: Mostly Satisfactory**

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

## Constitution and laws

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.

## Belief Demographics

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 <[state.gov/documents/organization/222299.pdf](http://state.gov/documents/organization/222299.pdf)>. 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.

## Freedom of expression and media

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](http://freedomhouse.org/report/freedom-world/2014/s-o-tom-and-pr-ncipe-0#.VGutk_IKKS0)>

# **AFRICA**

## **Northern Africa**

# Algeria

Algeria is declared a Sunni Islamic State by the Algerian Constitution. The Constitution bans non-Muslims from holding high-level government positions as well as forcing non-religious congregations to meet in secret. Those who denounce their Islamic faith are imprisoned, fined, and coerced to re-convert. This country is a member of the League of Arab States (LAS), as well as the Organisation of Islamic Cooperation (OIC).

**Rating: Severe 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>State legislation is partly derived from religious law or by religious authorities</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>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>'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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 an established church or state religion</p>			<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p>



## **Constitution and laws**

Islam is the state religion in Algeria; it enjoys significant legal privilege and widely dominates society. The constitution provides for the inviolable right to creed and opinion, but religious freedom is not mentioned. Ordinance 06-03 prohibits discrimination on the basis of religion and guarantees state protection for non-Muslims. However, these provisions are significantly weakened by a variety of other legal instruments and societal practices.

Islam is the state religion and 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. 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 little evidence that any have registered officially. Secularism advocates 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.

## **Blasphemy**

Blasphemy laws are 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. 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.

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. Distribution of materials which may “shake the faith” of a Muslim or “undermine the Islamic faith” is also prohibited. Apostasy is not illegal.

## **Family law**

There is religious control over family law. Under the family code, Muslim women may not marry non-Muslim men, while Muslim men may not marry women of non-monotheistic religious groups. Children born by a Muslim father are considered Muslim.

## **Education**

Islamic studies are mandatory in public schools at primary level; these are 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.

# Egypt

The Arab Republic of Egypt is a country of over 87 million people, spanning the north-eastern corner of Africa and the southwestern corner of Asia. The country has one of the longest recorded histories in the world and a civilisation going back to the 3rd millenium BC. Egypt is a member of the League of Arab States (LAS), as well as the Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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
	It is illegal or unrecognised to identify as an atheist or as non-religious		<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>Systemic religious privilege results in significant social discrimination</p> <p>State legislation is partly derived from religious law or by religious authorities</p>		Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<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>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of</p>		There is state funding of at least some religious schools	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts</p>	

religious institutions or salaries, or discriminatory tax exemptions			rule in civil or family matters on a coercive or discriminatory basis	
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## Belief Demographics

Egypt today is a predominantly Muslim country with a sizeable Christian minority. 91% of Egyptians are identified as Sunni Muslims whilst 9% identify as (mostly Coptic) Christian. There are said to be fewer than 100 Jews in the country. The state only recognises Islam, Christianity and Judaism as belief systems, so obtaining accurate figures on minority religions and the non-religious is difficult.

Egypt was one of the centres of the 2011 Arab Spring. Protests centred on Tahrir Square in Cairo led to the resignation of long-time President Hosni Mubarak to be, eventually, replaced in an election by Muslim Brotherhood supported Mohammed Morsi. Morsi was himself overthrown by a coup in 2013 leaving the country to be ruled by the military under President Sisi. This recent history has stirred up several new concerns about discriminatory and persecutory practices specifically targeting religious minorities as well as atheists.

## Constitution and Legal Code

The current 2014 document 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.

However, the constitution remains aggressively religious. It places Islam at its core whilst only recognising other “Abrahamic” religions as legitimate forms of worship. According to an unofficial translation on the Egyptian government website the introduction of the document explains:

*“We are drafting a Constitution that affirms that the principles of Islamic Sharia are the principal source of legislation, and that the reference for the interpretation of such principles lies in the body of the relevant Supreme Constitutional Court Rulings...”*

— <<http://www.sis.gov.eg/Newvr/Dustor-en001.pdf>>

The constitution itself starts with, “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.”

## Blasphemy Law

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

<<http://www1.umn.edu/humanrts/research/Egypt/criminal-code.pdf>>

The “heavenly religions” refers only to the Jewish, Christian and Muslim religions. The law has been used to limit the freedom of speech of religious minorities and non-religious groups alike. Though there is no codified law against apostasy, the blasphemy law has been used against so-called apostates.

[loc.gov/law/help/apostasy/index.php#egypt](http://loc.gov/law/help/apostasy/index.php#egypt)

## Family law

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 may be socially impossible for some individuals to opt out due to pressure to conform to religion.

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 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. The law provides for “khul” (divorce), 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.

[state.gov/documents/organization/222499.pdf](http://state.gov/documents/organization/222499.pdf)

## ID Card Controversy

Egyptian State ID cards include a section on religion. The only recognised religions in Egyptian law are Judaism, Christianity and Islam. Religion or belief minorities, such as Baha’is, and the non-religious, are not recognised. 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. Since the Arab spring the ID card issue has become a major campaigns issue for the Coptic Christian minority as sectarian tensions have increased.

## Education

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.

[state.gov/documents/organization/222499.pdf](http://state.gov/documents/organization/222499.pdf)

## Organized campaign against young atheists

There were reports throughout 2014, beginning in June, that the Ministry of Youth, Ministry of Endowments had started a campaign to eradicate atheism or “re-educate” atheists. The initiative is linked to a wider campaign that also targeted “religious extremists”, most of whom would be associated with the recently outlawed Muslim Brotherhood, and this link seems to be explicitly associating “atheism” with “danger” and extremism. The scheme was aimed at “confronting and abolishing [atheism] through religious, educational and psychological means handled by experts in these fields.”

<<http://www.madamasr.com/news/govt-announces-campaign-save-youth-atheism>>

*“The first [goal of the campaign] is to spread awareness concerning the dangers of atheism and how it creates a threat to society, as well as the controversial issues that might push the youth to atheism. The second [goal] is to treat this phenomenon by having a dialogue with atheists and giving them a chance to reconsider their decisions and go back to their religion.”*

— Nuamat Sati of the Ministry of Youth

<[al-monitor.com/pulse/originals/2014/07/egypt-government-fears-atheism.html](http://al-monitor.com/pulse/originals/2014/07/egypt-government-fears-atheism.html)>

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 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. “...Al-Azhar are drafting a constructive mechanism to address atheism,” said a spokesman for Egypt's Coptic Orthodox Church. Despite characterising their planned efforts as a “scholarly response”, the burgeoning programme has alarmist and scapegoating overtones: “Society should resist this phenomenon [of atheism] because it will have a negative impact on upcoming generations,” said Salib Matta, a priest and member of the Coptic Orthodox Church's leadership body. The new Egyptian Council of Churches organized, in late October, a workshop for young people at which the Coptic Orthodox Pope Tawadros II told of the “dangers” of atheism. Ahmed al-Tayeb, Egypt's Grand Imam and leader of the Al-Azhar, said on state television in October that the atheist “fad” was borrowed by Egyptian youth from the West and “It is regretful... that some young people now openly brag about being atheists” because atheism and “materialistic” ideas are “shallow by nature.”

<[www.worldbulletin.net/africa/148163/egypts-muslim-christian-authorities-unite-against-atheism](http://www.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, go far beyond merely advocating for religion or criticising atheism. Rather, these programmes malign atheism 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.

## Individual Cases



In October 2014 **Ahmad** and **Saly Al-Harkan** were attacked in their home by a group of men. After fleeing the scene Ahmad and Saly (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, for discussing atheism and the right to express atheism. They were released by the prosecutor but remain under legal threat.



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



On 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.



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.



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



On 4 April 2012, An Egyptian court sentenced 17-year-old Christian boy, **Gamal Abdou Massoud** to three years in jail for publishing cartoons on his Facebook page that “mocked” Islam and the Prophet Mohammad. Massoud was also accused of

distributing some of his cartoons to his school friends in a village in the southern city of Assiut, home to a large Christian population. The child's court in Assiut sentenced Gamal Abdou Massoud to three years in prison “after he insulted Islam and published and distributed pictures that insulted Islam and its Prophet.” The cartoons, published by Massoud in December, had already prompted some Muslims to attack Christians, with several Christian houses burned and several people injured in the violence.



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



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.



# Libya

Libya is a North African country of 6 million inhabitants. It 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 Revolution in 2011.

**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.*

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
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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  Discriminatory prominence is given to religious bodies, traditions or leaders	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		Criticism of religion is restricted in law or a de facto ‘blasphemy’ law is in effect

## Political turmoil

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.

## **Constitution and law**

The interim constitution provided limited protection of freedom religion or belief, as well as freedom of expression, but other laws and policies restrict these rights. The interim constitution stated that Islam is the state religion and Islamic law is the principal source of legislation, but that non-Muslims are accorded the freedom to practice their beliefs. Article 6 of the interim constitution stated “there shall be no discrimination among Libyans on the basis of religion or sect” with regard to legal, political, and civil rights.

## **Prior rights**

There was 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 was also no law prohibiting conversion from Islam to another religion; however, in practice the government had been prohibiting proselytizing to Muslims.

## **Education**

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.

## **Family law**

Sharia (Islamic law) governs family matters for Muslims, including inheritance, divorce, and the right to own property. Under this body of law, a non-Muslim woman who marries a Muslim man is not required to convert to Islam, although many do so; however, a non-Muslim man must convert to Islam to marry a Muslim woman. Citizens must be at least 40 years old to perform the Hajj. The Ministry for Awqaf and Islamic Affairs administers non-Muslim family law issues, although without a parallel legal framework. The ministry draws upon neighboring countries’ family law precedents for non-Muslims.

## **Freedom of expression and media**

There was a blossoming of free media, and open public debate after the overthrow of the Qadhafi. In June 2012, Libya’s Supreme Court struck down a law that would have restricted any speech deemed insulting to the country’s people and institutions. However, media freedom advocacy groups have reported an increase in restrictions on journalists since the early days of the revolution. On-going sectarian and political violence has seen rising violence and murder whose targets include journalists and other public figures. While freedom of assembly has also increased since Qadafi, the continuing street violence, and threats from more organized militias, often deter peaceful assemblies and the public expression of dissenting views.

# Morocco

Morocco, officially the Kingdom of Morocco, is a country with over 30 million inhabitants. It is separated by only 14 km from its northern neighbour, Spain by the Strait of Gibraltar. 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 Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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>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>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>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>State legislation is partly derived from religious law or by religious authorities</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>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>Discriminatory prominence is given to religious bodies, traditions or leaders</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>		

## Constitution and laws

Morocco saw a less strict application of many laws that violate human rights and civil norms, following the "Arab Spring" revolution, but it didn't last long. Morocco counts 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.

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 Bahá'ís since the 1960's, and more recently Christians, and Shiites, as well as the non-religious. These minorities are subject to harassment, investigations and detentions by authorities, interrupting and arresting them during their private religious meetings and rituals.

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).

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 International Covenant on Civil and Political Rights (ICCPR), and very recently the A/HRC/25/L.19 resolution on the freedom of religion or belief [un.org/en/ga/search/view\\_doc.asp?symbol=A/HRC/25/L.19](http://un.org/en/ga/search/view_doc.asp?symbol=A/HRC/25/L.19), their primacy over national laws is compromised and paradoxical, as 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”.

Education is intended to engender “the immutable national constants” which include Islam, among others (Article 31) (see Education below).

## **Authority from religion**

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).

## **Don't question Islam**

Political parties are prohibited from questioning or criticising Islam, or monarchy (Article 7). 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 effectively outlaws any call for secular or constitutional reforms. 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 the establishment of any association which question or criticise Islam, or monarchy (Article 3). It is therefore illegal to establish any Humanist or overtly secular association. 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.

## **Calls for apostasy executions**

Apostasy is not a crime under civil or criminal law, however there is plenty of scope under blasphemy laws (see below) for apostates to be punished.

In 2013 the council issued a fatwa 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 a 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.

[atheistica.com/2013/04/20/morocco-a-religious-institution-leaded-by-king-mohammed-issued-fatwa-to-kill-apostates/](http://atheistica.com/2013/04/20/morocco-a-religious-institution-leaded-by-king-mohammed-issued-fatwa-to-kill-apostates/)

## **Default Muslims**

Moroccans are considered to be Sunnite Malikite Muslims, or Jews (about 6,000) according to the religion of their fathers. Jews can convert legally to Sunnite Malikite Islam, but conversion *from* Islam is prohibited. Islamic and religious laws, which present an important part of the laws, are applied respectively. Given that citizens are assumed to be Muslim and cannot convert, the application of all Islamic laws should be considered discriminatory.

[cia.gov/library/publications/the-world-factbook/geos/mo.html](http://cia.gov/library/publications/the-world-factbook/geos/mo.html)

The Moroccan penal code is generally a mix of the Islamic law and French protectorate-era laws. However, notable discriminatory religious laws were introduced during the French protectorate, such as the Article 222 which 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 or sickness], shall be punished by one to six months in prison," as well as a fine. The prohibition has been contested by activists (see Individual Cases below).

## **"Blasphemy" laws**

Article 220 of the penal code stipulates that "anyone who employs incitements to shake the faith of a Muslim or to convert him to another religion" incurs a sentence of 3 to 6 months' imprisonment and a fine of 115 to 575 MAD. In practice, it is used against all religious minorities, as an excuse to interrupt religious meetings and rituals, and against apostates and converts, mostly Christians and non religious. Many foreign missionaries are declared as a danger and expelled from the country.

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.

Any Publication that criticises the monarchy, Islam and “sacred institutions” is prohibited under the article 179. This article is generally used as a political weapon against journalists, activists and artists who criticise the government and its institutions (see Individual Cases below).

## **Social issues**

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

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.

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).

Abortion is strictly illegal, including anyone who somehow facilitates it. (Articles from 449 to 458)

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.

## **Non-religion persecuted as a distinct minority**

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 right after the creation of a Council of Ex-Muslims of Morocco.

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 (see Individual Cases below).

## Family law

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*), both religious and established mainly by religious scholars which enforces not just religious laws, but a single and exclusive interpretation of it. 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 minors' marriage (Article 20), and prohibits interreligious marriage; "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.

Polygamy 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).

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 has the right to ensure that adoptive children are raised in the Islamic faith.

The *Moudawana* took from Islamic laws even its most ridiculous 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).

## Education

Religious instruction is compulsory in all national schools, both public and private, according to the Sunnite Malikite 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.

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)

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.

## “Terroristic” religion in schools

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 emphasizes that religious belief is a free choice for 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](http://moroccoboard.com/viewpoint-5/112-mostapha-saout/5852-morocco-extremist-values-in-religious-school-books)>

## Individual Cases



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

[en.rsf.org/morocco-blogger-gets-two-year-jail-15-06-2012,42803.html](http://en.rsf.org/morocco-blogger-gets-two-year-jail-15-06-2012,42803.html)>



**Kacem El Ghazzali** was a Moroccan atheist still at high school when he started an anonymous secularist blog in 2010. Critics tracked him down revealing his identity and threatening his life for “apostasy” and “blasphemy”. He then appeared the Arabic language version of the international news network France 24 to talk about his atheism. After the TV interview the principal of 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.

Kacem El Ghazzali spoke in Geneva summit for Human rights how the Moroccan Association for Human Rights, refused to grant him any form of assistance, as it will discredit them in the eye of the population.

[<spiegel.de/international/world/moroccan-blogger-champions-freedom-in-swiss-exile-a-891561.html>](http://spiegel.de/international/world/moroccan-blogger-champions-freedom-in-swiss-exile-a-891561.html)



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.



14 young Moroccan metalheads were detained in 2003, nine of them were members of local heavy metal bands, and five fans were given sentences of between three months and a year after being found in possession of skeletons, skulls, cobras, vipers and "a collection of diabolical CDs". The accused, aged 20 to 35, were arrested three weeks ago for allegedly disturbing public order and wearing satanic, "anti-Islamic" T-shirts depicting the devil and death. It was all too much for the judge, who found it "suspicious" that one of the musicians penned lyrics in English rather than Arabic, and declared that "normal people go to concerts in a suit and tie".

Not even the heavy metal fans' court recitals of sections of the Koran were able to persuade him that they were not intent on undermining the country's official religion. One defence lawyer called the trial a "witch-hunt aimed at pleasing Islamists". The conservative Islamic daily Attajdid rounded on the heavy metal fans' supporters, claiming they were part of a movement to "encourage all forms of delinquency, alcohol and licentiousness which are ignored by the authorities".

[<theguardian.com/world/2003/mar/11/arts.artsnews>](http://theguardian.com/world/2003/mar/11/arts.artsnews)



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>](http://menara.ma/ar/2012/09/20/270659.html)



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. <[ex-muslim.org.uk/wp-content/uploads/2013/12/Apostasy\\_Report\\_Web1.pdf](http://ex-muslim.org.uk/wp-content/uploads/2013/12/Apostasy_Report_Web1.pdf)>



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](http://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.

# 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 Organisation of Islamic Cooperation (OIC).

**Rating: Grave Violations** ↓

*This country is found to be declining due to continuing long-term persecution and a hardening of Islamist penetration into the state following the secession of South Sudan.*

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
State legislation is largely or entirely derived from religious law or by religious authorities	'Apostasy' or conversion from a specific religion is outlawed and punishable by death		Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious  It is illegal to 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	'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	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

## Constitution and laws

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 "indecent" 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. The death sentence of Christian woman, Meriam Yahya Ibrahim, provided the most well-publicised case of apostasy in 2014. She had been given a death sentence on charges of apostasy. 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 and travelled to Italy.

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**

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

## **Freedom of expression and media**

Restrictions on the media, including censorship have continued throughout 2014. 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. September 2014 saw the release of the journalist Hassan Ishag who had been detained for three months.

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](http://gov.uk/government/publications/sudan-country-of-concern/sudan-country-of-concern-latest-update-30-september-2014)

# Tunisia

After the Arab Spring revolution, 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. Tunisia is a member of the League of Arab states (LAS), as well as the Organization of Islamic Cooperation (OIC).

**Rating: Severe 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>Systemic religious privilege results in significant social discrimination</p> <p>State legislation is partly derived from religious law or by religious authorities</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>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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 an established church or state religion</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>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 law

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* and the incitement of violence and hatred."

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.

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

## **Funding religion**

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

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

## **Education**

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

## **Blasphemy and free expression**

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

The penal code criminalizes speech likely "to cause harm to the public order or public morals." Another provision of the penal code criminalizes undermining public morals by

“intentionally disturbing other persons in a way that offends the sense of public decency.” The telecommunications code criminalizes “harming others or disrupting their lives through public communication networks.” Speech that is deemed offensive to traditional religious values, including speech deemed blasphemous, is prosecuted under these provisions.

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

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

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

## Individual 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.”



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.



**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

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

## Constitution and laws

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

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 and media**

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 2m) with a symbolic monarch. It has been particularly hard hit by the AIDS epidemic, exacerbating poverty and other social issues. The country is completely enclosed within South Africa and there have been movements to solicit annexation by the surrounding 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
		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		Insufficient information or detail not included in this report	

## Constitution and law

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.”

## Freedom of worship

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**

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 and media**

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

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
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 restrictions on freedom of expression or advocacy or humanist values
		Insufficient information or detail not included in this report		

## Constitution and laws

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".

## Religious groups and inter-faith relations

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 and media

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\\_9\\_attacked\\_after\\_winning\\_title](edgemedianetwork.com/news/international/news/129688/%E2%80%99mr_gay_namibia%E2%80%99_9_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 encompasses a wide variety of cultures, languages and religions. Race remains a huge source of social tension in post-Apartheid South Africa.

## 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
				Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Freedom of thought, conscience, religion or belief is upheld	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 law

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

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



## **Freedom of expression and media**

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

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

# Swaziland

The Kingdom of Swaziland is a sovereign state in Southern Africa surrounded – with the exception of Mozambique to its east – by South Africa. It is around 83% Christian with a significant further 15% said to practice traditional African religions.

## Rating: Grave Violations

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
				Expression of core Humanist principles on democracy, freedom and human rights is brutally suppressed
Systemic religious privilege results in significant social discrimination				
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		
	Official symbolic deference to religion			
			Insufficient information or detail not included in this report	

## Constitution and law

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

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 and media**

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 Organisation of Islamic Cooperation (OIC).

## 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
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 discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution and law

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

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

## Religious ploys and non-religious freedoms

The freedom of the non-religious to organise is illustrated by the 2011 seminar *Laïcité au Benin (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](http://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 led to the killing of children, in some cases with no legal consequences for the perpetrators.

[themediaproject.org/religion-news/magic-and-murder-benin](http://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**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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 and media

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**

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
	Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious
Freedom of thought, conscience, religion or belief is upheld			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 laws

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.

## Demography

There are several religious groups in Cape Verde, that include small Muslim and Bahá'í 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](http://capeverde.com/religion.html)

The organisation 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](http://206.155.102.64/country,...CPV,,53d9079c14,0.html)

## **Human rights**

There have been reports of human rights problems in the following areas: cases of police violence toward prisoners and detainees, delayed trials, and violence and discrimination against women. Other human rights problems included child abuse and some instances of child sexual exploitation and child labour.

[206.155.102.64/country,...CPV,,53284b4db,0.html](http://206.155.102.64/country,...CPV,,53284b4db,0.html)

# Côte d'Ivoire

Rating: Mostly Satisfactory

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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

## Conflict and human rights

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

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

# Gambia

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**

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
			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	'Apostasy' is outlawed and punishable with a prison sentence		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
Discriminatory prominence is given to religious bodies, traditions or leaders  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		

## Constitution and law

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.

## **Family law**

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.

## **Education**

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

## **Social issues**

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 and media**

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**

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
		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 law

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 organisations freely operate and play an imperative role in guaranteeing government accountability and transparency in the country.

## Social issues

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.

## Education

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](http://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](http://news.wypr.org/post/prayer-ghana-s-public-schools-sparks-debate)

## Pressure against atheism

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](http://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

These Testimonies from <[ghanahumanists.wordpress.com/personal-journeys/](https://ghanahumanists.wordpress.com/personal-journeys/)>, 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 Organisation of Islamic Cooperation (OIC).

**Rating: Severe 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
				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		Insufficient information or detail not included in this report	

## Constitution and laws

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](http://freedomhouse.org/report/freedom-world/2013/guinea#.VGYuoaOwRrM)>

## Religion in society

In July 2013 there were 3 days of sectarian violence 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.

## **Education**

The majority of schools are religious in nature. Islamic schools predominate and *madrassah*, 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.

## **Freedom of expression and media**

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 Organisation of Islamic Cooperation (OIC).

**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
				Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Freedom of thought, conscience, religion or belief is upheld	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 laws

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.

## Demography

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](http://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**

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
Discriminatory prominence is given to religious bodies, traditions or leaders		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			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 laws

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.

## Demography

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 countries “traditional” religion, but heavily based around taboo and witchcraft superstitions, there have been reports of persecution against Christians by Poro members.

## 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/>](http://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>](http://liberianobserver.com/news-religion/god-angry-liberia%20)

## Education

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>](http://classbase.com/countries/Liberia/Education-System)

## Social issues

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>](http://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>](http://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.

# 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

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
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			
		Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

## Civil war and instability

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.

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

## Constitution and law

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**

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

## **Freedom of expression and media**

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 Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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
State legislation is largely or entirely derived from religious law or by religious authorities	'Apostasy' or conversion from a specific religion is outlawed and punishable by death  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  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 repressed
Systemic religious privilege results in significant social discrimination	The non-religious are barred from some government offices (including posts reserved for particular religions or sects)		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	'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	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;

				Concerns that secular or religious authorities interfere in specifically religious freedoms
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## Constitution and law

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.

## Apostasy

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.

Article 306 of the Mauritanian penal code, stipulates apostasy as a crime punishable by death. Anyone found guilty of converting from Islam will 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. It should be noted however, that the death sentence has not been applied by the government since the 1980’s. Non-Muslims are only allowed private worship after they are granted permission to do so from the state.

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 \$14,00 to whoever killed the writer responsible for the article.

## Education

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

## Freedom of expression and media

Press freedom is guaranteed by the constitution. Nevertheless, 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.

## Individual Cases



In January 2014, 28-year old blogger, **Cheikh Ould Mohamed M’Kheitir**, was arrested for publishing an article seen by some as lacking respect for the prophet Muhammad and constituting an act of apostasy. His article sought to highlight the deeply hierarchical structure of Mauritanian society based on traditions dating back to the times of Prophet Muhammad and to critique discrimination suffered by the lower social classes in the country.

Following M’Kheitir’s arrest there were a number of protests condemning his actions and angry at the pace with which his case was being dealt. There were numerous calls, including by imams, scholars and professors, for M’Kheitir’s execution. One preacher, Abi Ould Ali, offered 4,000 Euros to anyone who killed the blogger. 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.”

# 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 Organisation of Islamic Cooperation (OIC).

## 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
		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;
	The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief			

## Constitution

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 organisations 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](http://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 organisations 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.

## Invisible non-religion

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](http://state.gov/documents/organization/220358.pdf)

## Religious Schools

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/](http://trust.org/item/20141030132537-tci14/)

## Freedom of Expression

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](http://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

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
	'Apostasy' or conversion from a specific religion is outlawed and punishable by death <i>[in some Islamist controlled areas]</i>			'Blasphemy' or criticism of religion is outlawed and punishable by death <i>[in some Islamist controlled areas]</i>
Systemic religious privilege results in significant social discrimination  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	The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism  It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization  Religious control over family law or legislation on moral matters <i>[in some Islamist controlled areas]</i>	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  Discriminatory prominence is given to religious bodies, traditions or leaders			Some religious courts rule in civil or family matters on a coercive or discriminatory basis	

## Constitution and law

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.

## **De facto state religion**

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](http://evangelicalfellowship.ca/page.aspx?pid=684)

[democracyweb.org/religion/nigeria.php](http://democracyweb.org/religion/nigeria.php)

[ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c](http://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.

## **Education**

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](http://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](http://ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c)

## Individual 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](http://iheu.org/?s=mubarak+bala)

[bbc.co.uk/news/world-africa-28158813](http://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](http://gamji.com/article9000/news9553.htm)>

[dialogueseriesnew.blogspot.de/2011/10/usa-africa-dialogue-series-humanism-and.html](http://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**

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
			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	Insufficient information or detail not included in this report		

## Constitution and law

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

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.

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

## Family law

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 and media**

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 country is regarded as one of the most religiously tolerant nations in the world. Muslims and Christians collaborate and interact with each other peacefully. Religious violence is very rare.

**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
	The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No discrimination in education		
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 law

*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

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

# Togo

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

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>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>		<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</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 law

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.

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.

## **Education**

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 and media**

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.

# 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 organisation and practice illustrates preferential treatment in favour of the Antigua Christian Council.

## 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
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 discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution law

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

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

## Social issues

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 and media

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

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>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>		<p>Insufficient information or detail not included in this report</p>	<p>Insufficient information or detail not included in this report</p>

## Constitution and law

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

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 and media**

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**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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 and media

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**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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 and media

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

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 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>		
Anomalous discrimination by local or provincial authorities, or overseas territories	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	No restrictions on freedom of expression or advocacy or humanist values

## Constitution and law

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

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.

## Demography

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

[the new humanism.org/authors/jonathan-bellot/articles/less-than-paradise](http://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](http://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

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  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		Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
			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 laws

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.

## Religious privilege

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 organisation.

The law provides for government recognition of marriages performed by all religious groups on condition they otherwise comply with related regulations.

## Education

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](http://206.155.102.64/country,..._DOM,,53d90783b.0.html)>

## **Social issues**

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/](http://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 and media**

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**

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
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				'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		Insufficient information or detail not included in this report	

## Constitution and law

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.

## Written blasphemy

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

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

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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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>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>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 law

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, as well as providing financial support to some Catholic

schools in the country. This assistance is not available to other religious groups. Furthermore, organised missionary groups and missionaries who identified with a broad range of religious groups operate privately-funded schools, clinics, orphanages and hospitals.

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](http://caribbean360.com/news/caribbean-countries-discriminate-against-rastafarians-muslims-report)

## Social issues

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](http://patheos.com/blogs/friendlyatheist/2013/07/25/religious-groups-in-haiti-protest-marriage-equality-and-threaten-to-burn-down-parliament)

## Freedom of expression and media

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](http://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

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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</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>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>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>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>Official symbolic deference to religion</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 laws

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.

## Demography

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.

## Social issues

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/>](http://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/>](http://jamaicahumanistsociety.org/a-secular-humanist-take-on-the-marital-rape-law/)

## 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.

## **Education**

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.

## **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.



# 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**

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
Anomalous discrimination by local or provincial authorities, or overseas territories	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 laws

*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](http://state.gov/documents/organization/171792.pdf)

The constitution of Saint Kitts and Nevis protects freedom of expression and religion, however some government endorsement of religion does occur.

## Education

Thought it would appear 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

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				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 laws

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**

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

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
				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	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	

## Constitutions and laws

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](http://ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_132645.pdf) >

## Demography

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”.

[kaieteurnews.com/2013/05/28/caribbean-countries-discriminate-against-rastafarians-muslims-report/](http://kaieteurnews.com/2013/05/28/caribbean-countries-discriminate-against-rastafarians-muslims-report/)

## **Blasphemy**

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

## **Education**

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.

# 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**

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 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	Insufficient information or detail not included in this report

## Constitution and law

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

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 and media

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

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  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	

Despite its preamble, the Belize constitution, drawing on the language of the Universal Declaration of Human Rights, appears to 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 propagate 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."

Discrimination on religious grounds is illegal. In practice, the interaction of churches and religious organisations with the government and political system is powerful. Historically the



provision of most education is in the hands of the many (Christian) religious organisations 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.

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

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>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is an established church or state religion</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>Freedom of thought, conscience, religion or belief is upheld</p>			<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	<p>No restrictions on freedom of expression or advocacy or humanist values</p>

## Constitution and law

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](http://ncbuy.com/reference/country/humanrights.html?code=cs&sec=2c)>

<[religion-freedom-report.org.uk/wp-content/uploads/country-reports/costa\\_rica.pdf](http://religion-freedom-report.org.uk/wp-content/uploads/country-reports/costa_rica.pdf)>

<[cesdepu.com/nbdp/copol.htm](http://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](http://state.gov/documents/organization/208680.pdf)

## Education

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/EIPais/evangelicos-desatan-ofensiva--contra-educacion-sexual.aspx](http://nacion.com/2012-07-17/EIPais/evangelicos-desatan-ofensiva--contra-educacion-sexual.aspx)

## Freedom of expression and media

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**

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
				'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 law

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.

## **Insulting religious beliefs**

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.

## **Education**

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.

## **Freedom of expression and media**

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.

## 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
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 law

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.

The Guatemalan criminal justice system continued to demonstrate progress in 2013, with investigations, prosecutions, and guilty verdicts in a number of high-profile cases related to government corruption, murder, extortion, and organized crime. According to the attorney general's office, the number of convictions nearly doubled between 2009 and 2012.

(*Freedom in the World 2014: Guatemala*)

[206.155.102.64/country,...GTM,,53d63a5cb,0.html](http://206.155.102.64/country,...GTM,,53d63a5cb,0.html)

### Education

There is no national framework for determining the nature or content of religious instruction, leaving it wide open to interpretation. [206.155.102.64/country,...GTM,,53d90770b,0.html](http://206.155.102.64/country,...GTM,,53d90770b,0.html)

## **Demography**

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.

## **Freedom of expression and media**

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**

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
				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 law

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.

## Only these religions

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 and media**

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

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
				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
Freedom of thought, conscience, religion or belief is upheld	The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution and law

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.

<<http://www.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 organisation 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.

## Religious discrimination

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/)

## Education

The constitution demands that public education must be secular. Religious groups are allowed to operate private schools.

## Freedom of expression and media

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).

<<https://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.

<[http://www.hrw.org/sites/default/files/related\\_material/mexico\\_8.pdf](http://www.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

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
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 laws

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.

## Not a humanist education

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](http://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](http://religiousfreedom.com/index.php?option=com_content&view=article&id=134&Itemid=56)>

## **Wider human rights issues**

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](http://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](http://freedomhouse.org/report/freedom-press/2013/nicaragua#.VFV3gPmsWHR)>

LGBT people face rising homophobic violence. <[ticotimes.net/2012/11/09/homophobic-crime-increasing-in-nicaragua?](http://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**

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
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 law

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

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

## Freedom of expression and media

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

## American



# Canada

Canada is a federal parliamentary democracy, extending north into the Arctic Ocean, and sharing the worlds' 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 spread across three territories.

## 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>Discriminatory prominence is given to religious bodies, traditions or leaders</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>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>Anomalous discrimination by local or provincial authorities, or overseas territories</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 law

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.

## Blasphemous libel law

However, 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.

Conversely, 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, alinea (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](http://carters.ca/pub/bulletin/church/2004/chchlb02.htm)

## 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)

## Education

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.

## 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.

## 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](http://oneschoolsystem.org).

## 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.

## “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 perform 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), Humanist 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.

## Individual 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](http://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](http://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/>](http://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>](http://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**

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
Anomalous discrimination by local or provincial authorities, or overseas territories	Official symbolic deference to religion		Localised or infrequent but recurring and widespread social marginalisation or prejudice against the non-religious	
		No discrimination in education		No restrictions on freedom of expression or advocacy or humanist values

## Belief Demographics

The US is a country with a Christian majority and has among the highest religiosity in the western world, though there has been a marked rise in the number of people identifying as “none” in recent years. According to a recent survey, almost 6% of the US public are atheist/agnostics while 14% have no particular religious affiliation.

[pewforum.org/2012/10/09/nones-on-the-rise/](http://pewforum.org/2012/10/09/nones-on-the-rise/) >

## The Constitution

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”. 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.

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”.

### “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](http://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.

[dontsaythepledge.com/](http://dontsaythepledge.com/)

[religionnews.com/2014/05/28/atheists-lose-latest-legal-fight-god-trust/](http://religionnews.com/2014/05/28/atheists-lose-latest-legal-fight-god-trust/)

### 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](http://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](http://ffrf.org/faq/feeds/item/14017-religious-tests-for-public-office)



Numerous federal test cases have declared these laws as unconstitutional. But there has been insufficient political will to amend them.

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

A 2006 law in Kentucky requires the state Office of Homeland Security to post plaques acknowledging that Almighty God has been integral to keeping the state safe on penalty of up to 12 months in prison (the Kentucky state Supreme Court has refused to review the constitutionality of the law); While there are no laws pertaining to this, through tradition both houses of Congress, most state legislatures, and most city and local council meetings begin with prayer.

## **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 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>](http://economist.com/blogs/economist-explains/2014/03/economist-explains-19)

[<msnbc.com/msnbc/hobby-lobby-supreme-court-wins-narrow-ruling>](http://msnbc.com/msnbc/hobby-lobby-supreme-court-wins-narrow-ruling)

## **Social and Political Pressure on the Non-religious**

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 atheists and the non-religious are made to feel like lesser Americans or non-Americans.

Recent opinion polls have suggested that the majority of Americans would be less likely to vote for a presidential candidate if they were an atheist. The 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/](http://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/](http://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 recent surveys actually represent an improvement in the reputation of atheists when compared to similar studies undertaken in previous years.

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

This serves to feed the social idea that to be American is to be religious, which in turn creates an atmosphere in which elected officials feel the need to play into that idea. In other words: in America, you might have the right to be an atheist, but being public about it can have debilitating consequences for your chances of success in life, especially in certain states. For example, there are several Congress members who refuse to list their religious affiliation but exactly zero of the 535 members of Congress claim to be non-religious.

## Education

The role of religion in American public schools has been a source of heated debate for decades. The Establishment Clause of the First amendment 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](http://secular.org/issues/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](http://aclu.org/religion-belief/aclu-and-freedom-religion-and-belief)>

[infidels.org/library/modern/church-state/decisions.html](http://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](http://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](http://nytimes.com/2014/11/18/nyregion/east-ramapo-school-board-is-criticized-by-new-york-city-monitor.html? r=0)>

## Individual Cases



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

<[salon.com/2012/12/03/go\\_to\\_church\\_or\\_go\\_to\\_jail/](http://salon.com/2012/12/03/go_to_church_or_go_to_jail/)>



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

<[nytimes.com/2005/07/12/national/12chaplains.html?pagewanted=all](http://nytimes.com/2005/07/12/national/12chaplains.html?pagewanted=all)>

<[airforcetimes.com/news/2008/08/airforce\\_chaplain\\_080708/](http://airforcetimes.com/news/2008/08/airforce_chaplain_080708/)>



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

<[archive.truthout.org/article/jason-leopold-soldier-who-sued-army-facing-threats](http://archive.truthout.org/article/jason-leopold-soldier-who-sued-army-facing-threats)>

<[militaryreligiousfreedom.org/press-releases/jeremy\\_hall\\_harassed.html](http://militaryreligiousfreedom.org/press-releases/jeremy_hall_harassed.html)>



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

<[talk2action.org/story/2008/11/30/11914/687/Front\\_Page/Creationism\\_The\\_Latest\\_In\\_Military\\_Suicide\\_Prevention](http://talk2action.org/story/2008/11/30/11914/687/Front_Page/Creationism_The_Latest_In_Military_Suicide_Prevention)>



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

<[huffingtonpost.com/chris-rodda/us-soldiers-punished-for- b\\_687051.html](http://huffingtonpost.com/chris-rodda/us-soldiers-punished-for- b_687051.html)>

[current.com/community/92621350\\_soldiers-punished-for-not-attending-christian-concert.htm](http://current.com/community/92621350_soldiers-punished-for-not-attending-christian-concert.htm)>



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

[npr.org/2011/01/13/132904866/armys-spiritual-fitness-test-angers-some-soldiers](http://npr.org/2011/01/13/132904866/armys-spiritual-fitness-test-angers-some-soldiers)>



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

[militaryatheists.org/news/2012/01/army-chaplains-deny-soldier-right-to-identify-as-humanist/](http://militaryatheists.org/news/2012/01/army-chaplains-deny-soldier-right-to-identify-as-humanist/)>

[kxxv.com/story/16773546/soldiers-want-to-add-humanist-to-religious-preference](http://kxxv.com/story/16773546/soldiers-want-to-add-humanist-to-religious-preference)>



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

[military.com/daily-news/2012/12/04/west-pointer-quits-over-proselytizing.html](http://military.com/daily-news/2012/12/04/west-pointer-quits-over-proselytizing.html)>

[huffingtonpost.com/blake-page/west-point-religious-freedom\\_b\\_2232279.html](http://huffingtonpost.com/blake-page/west-point-religious-freedom_b_2232279.html)>



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

[starnewsonline.com/article/20131115/ARTICLES/131119829?p=1&tc=pg](http://starnewsonline.com/article/20131115/ARTICLES/131119829?p=1&tc=pg)>



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

[thinkprogress.org/justice/2013/04/26/1926221/mississippi-church-state/](http://thinkprogress.org/justice/2013/04/26/1926221/mississippi-church-state/)>



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

[washingtonblade.com/2013/08/07/mayor-vincent-gray-signs-lgbt-bills-in-city-hall-ceremony-birth-certificate-gay-marriage-washington-dc-officiant/](http://washingtonblade.com/2013/08/07/mayor-vincent-gray-signs-lgbt-bills-in-city-hall-ceremony-birth-certificate-gay-marriage-washington-dc-officiant/)>

# AMERICAS

## South America

# Argentina

Argentina is a 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

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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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>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>Official symbolic deference to religion</p>			<p>Some concerns about political or media freedoms, not specific to the non-religious</p>
			<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	

## 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.

## Constitution

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 organisation 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 organisation 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/](http://argentinaindependent.com/currentaffairs/church-state-argentina-long-road-secularism/)>

## 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](http://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/](http://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 Speech

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](http://state.gov/j/drl/rls/hrrpt/humanrightsreport)>

## Individual 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

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
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 law

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.”

## 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.



## **Education**

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.

## **Freedom of expression and media**

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.

## 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
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 laws

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-idUSL2N0RP0WG20140928](http://reuters.com/article/2014/09/28/brazil-election-evangelicals-insight-pix-idUSL2N0RP0WG20140928)

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.

## Belief demographics

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.

## 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".

## Freedom of expression and media

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. Freedom House reported that at least 25 journalists were physically attacked by police during protests in 2013.

[freedomhouse.org/report/freedom-world/2014/brazil-0#.V#H8A6zGsVul](http://freedomhouse.org/report/freedom-world/2014/brazil-0#.V#H8A6zGsVul)

## Education

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](http://www.pulsamerica.co.uk/2013/03/25/brazil-49-of-schools-have-obligatory-religious-classes)>

## **FIFA World Cup protests**

The months of May, June and 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 allege heavy-handed tactics employed by the police. Injured parties often included members of the press attempting to report on the protests. Atila Roque, the Director of 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". To date, numerous internal investigations by the civil Police Internal Affairs division into police abuses during peaceful demonstrations have yet to be concluded and no police officers have been subject to criminal proceedings for their actions.

<[amnesty.org.uk/brazil-world-cup-right-to-protest#.VID\\_FjGsVuJ](http://amnesty.org.uk/brazil-world-cup-right-to-protest#.VID_FjGsVuJ)>

<[hrw.org/world-report/2014/country-chapters/brazil](http://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](http://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 and media**

The internet is unrestricted across the country and intellectual and academic freedom is upheld.

# Chile

Chile consists of several religious populations. Roman Catholicism is the dominant religion that coexists with Protestants, Evangelicals, other religious groups as well as agnostics/atheists, which occasionally face discrimination. The Chilean Constitution assures freedom of religion and separation of church and state.

## 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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</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>The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief</p>		<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	

## Constitution and Law

The Constitution grants freedom of belief and practice that are not opposed to “morality, good customs or the public order”. Churches may be established 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. Although the government routinely gave permits for student demonstrations starting in 2011, police had allegedly used excessive force against protesters. Although the law protects worker and union rights, private employers’ use of anti-union practices 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](http://constituteproject.org/constitution/Chile_2012.pdf)>

<[berkeleycenter.georgetown.edu/essays/religious-freedom-in-chile](http://berkeleycenter.georgetown.edu/essays/religious-freedom-in-chile)>

## Education

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](http://berkeleycenter.georgetown.edu/essays/religious-freedom-in-chile)>

## 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](http://constituteproject.org/constitution/Chile_2012.pdf)>

<[berkeleycenter.georgetown.edu/essays/religious-freedom-in-chile](http://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.

<[iclsr.org/content/blurb/files/Chile.pdf](http://iclsr.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.

[iclrs.org/content/blurb/files/Chile.pdf](http://iclrs.org/content/blurb/files/Chile.pdf)

## **Freedom of expression and media**

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#.VIQxljHF9qI](http://freedomhouse.org/report/freedom-world/2013/chile#.VIQxljHF9qI)

# 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**

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
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 law

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 declares unconstitutional any official government reference to a religious characterization of the country.

## **Education**

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 and media**

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

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 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;
Freedom of thought, conscience, religion or belief is upheld	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

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

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 organisations. This has declined and public provision has grown. Public schools are prohibited from providing religious instruction.

## 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**

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
				'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		Insufficient information or detail not included in this report	

## Constitution and law

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

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

## **Wider human rights issues**

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**

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
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
Anomalous discrimination by local or provincial authorities, or overseas territories	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 law

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](http://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](http://religiousfreedom.com/index.php?option=com_content&view=article&id=136&Itemid=56)

## Education

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](http://un.org/apps/news/story.asp?NewsID=37951#.VISnYTGsWn9)

## Freedom of expression and media

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](http://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

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>Preferential treatment is given to a religion or religion in general</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 a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p>	<p>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>		
<p>Anomalous discrimination by local or provincial authorities, or overseas territories</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>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 law

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)



## 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/](http://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 organisations had been registered. The implementation of the law has been discriminatory against non-Catholic religious organisations 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](http://206.155.102.64/country....PER..53d9072d14.0.html)

## Education

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.

## **Freedom of expression and media**

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**

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
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				'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		Insufficient information or detail not included in this report	

## Constitution and law

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**

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 and media**

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.*

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
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 discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No restrictions on freedom of expression or advocacy or humanist values

## Constitution and secularism

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.

Rights to freedom of assembly and association are guaranteed by law, and the government generally respects this in practice. A broad range of community organisations 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

## 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>

Concomitantly, Uruguay scored highly in liberal and progressive measures:

*When it comes to social views and attitudes toward morality, Uruguay consistently stands out for its liberalism. It is the only country surveyed where a majority of the public favors allowing same-sex couples to legally marry (62%), and where as many as half of adults (54%) say that abortion should be legal in all or most cases. 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](http://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.

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).

## Other rights and freedoms

Uruguay's constitution guarantees free expression and 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](http://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 innovative 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](http://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](http://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>](http://gadebate.un.org/68/uruguay)

[<un.org/apps/news/story.asp?NewsID=45989#.VGn5lfnkwp>](http://un.org/apps/news/story.asp?NewsID=45989#.VGn5lfnkwp)

## 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

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

## Constitution and law

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](http://uscirf.gov/sites/default/files/resources/2012ARChapters/venezuela%202012.pdf)

## Catholic privilege

A 1964 agreement between the Venezuelan government and the Catholic Church established special government subsidies for Catholic schools and institutions, including social programs. The government provides much funding to religious organizations, but most of it goes to Catholic institutions. 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](http://berkeleycenter.georgetown.edu/essays/religious-freedom-in-venezuela)>

[justice.gov/eoir/vll/country/Religion\\_Public\\_policy/Venezuela%20Immigration%20Report.pdf](http://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.

[uscgb.org/issues-and-action/religious-liberty/fortnight-for-freedom/upload/Fighting-to-Feed-and-Educate-the-People-in-Venezuela.pdf](http://uscgb.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](http://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](http://berkeleycenter.georgetown.edu/essays/religious-freedom-in-venezuela)>  
<[justice.gov/eoir/vll/country/Religion\\_Public\\_policy/Venezuela%20Immigration%20Report.pdf](http://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#.VIJUhdHF9gJ](http://freedomhouse.org/report/freedom-world/2013/venezuela#.VIJUhdHF9gJ)>

## **Freedom of expression and media**

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](http://justice.gov/eoir/vll/country/Religion_Public_policy/Venezuela%20Immigration%20Report.pdf)>

# ASIA

# Central Asia

# Kazakhstan

Kazakhstan is a member state of the Organisation of Islamic Cooperation (OIC).

**Rating: Severe 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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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.

## 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).

## Freedom of expression and media

The government also severely limits freedom of expression. Major broadcast media, especially national television networks, are at least partly owned by the state or by members or associates of the president's family. The same is true for major newspapers. The

independent media that does survive is heavily regulated, and frequently censored and harassed.

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

Highlighted Cases:

## Individual 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](http://eurasianet.org/node/68375)>

[odfoundation.eu/en/publications/1222/kazakhstan\\_civic\\_activist\\_prosecuted\\_for\\_his\\_religious\\_beliefs](http://odfoundation.eu/en/publications/1222/kazakhstan_civic_activist_prosecuted_for_his_religious_beliefs)>

# Kyrgyzstan

**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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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

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.

## Religion Law controls both religious and secular expression

The Religion law also allows for intrusive state controls on religious literature deemed “non-traditional” (that is, mainly literature other than Muslim Board and Russian Orthodox texts) as well as on other materials. For example, in September 2012 the Dutch film “I am Gay and Muslim” was banned.

## Freedom of expression and media

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.

# 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 Organisation of Islamic Cooperation (OIC).

**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
				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
	<i>[No conditions hold in this strand]</i>	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

## Constitution and law

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](http://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 and media**

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 Zuhurov 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

**Rating: Severe 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
Systemic religious privilege results in significant social discrimination				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	Insufficient information or detail not included in this report	

## Constitution and law

The authoritarian regime of Turkmenistan provides for freedom of religion or belief and freedom of expression in its constitution, but in practice systematically and severely violates these rights.

While the former Soviet republic of Turkmenistan has lost most of its formal Marxist ideology, it has kept most of its totalitarian practices. Turkmenistan is a one-party state, with the communist party rebranded as the Democratic Party of Turkmenistan (DPT). Its ideology is a mishmash of nationalism and personality cult, with Islam thrown in as part of the Turkmen cultural identity.

The constitution guarantees freedoms of peaceful assembly and association, but in practice, these rights are severely restricted.

## Islam in the service of socialist nationalism

The government does not officially favour any religion, and in fact subjugates all religions to the ideology and control of the ruling party. But, in a religious twist on the bombastic traditions of Stalinist architecture, the government has funded the construction of huge mosques in the country's major cities as part of its program to promote a national identity. The mosques' imams are required to preach the party line.

## **Education**

The government does not promote religious education, and there is no official religious instruction in public schools.

## **Freedom of expression and media**

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 Organisation of Islamic Cooperation (OIC).

**Rating: Severe 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
			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
<i>[No condition holds in this strand]</i>	<i>[No condition holds in this strand]</i>	Insufficient information or detail not included in this report		

## Constitution and laws

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.

## 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 organisations 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](http://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](http://forum18.org/archive.php?article_id=1832)

[forum18.org/archive.php?article\\_id=1900](http://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*

## Individual 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](http://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

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
			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
<i>[No condition holds in this strand]</i>	<i>[No condition holds in this strand]</i>	Insufficient information or detail not included in this report		

## Constitution and laws

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](http://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](http://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

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.

## Other human rights issues

China continues to violently subdue any individuals or organisations 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 

*This country is found to be declining due to a specific law, the anti-whistleblowing “Special Secrets” law which commentators have described as criminalizing investigative journalism.*

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
				Some concerns about political or media freedoms, not specific to the non-religious;
Freedom of thought, conscience, religion or belief is upheld	The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution and laws

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](http://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 and media

There is reason for concern, however, about the adoption of a new “special secrets” law in late 2013. Under this new law, whistleblowers leaking vaguely defined “state secrets” and 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. The law is likely to produce harmful chilling effects for freedom of expression.

Reporters Without Borders said that, in effect, the law “is making investigative journalism illegal”.

The newspaper *Asahi Shimbun* said the law “almost limitlessly widens the range of what can be considered confidential.” Navanethem Pillay, UN high commissioner for human rights (until 2014) condemned the law saying, “They [Japanese lawmakers] should not rush through the law without first putting in proper safeguards for access of information and freedom of expression as guaranteed in Japan’s constitution and international human rights law”.

The law was passed and promulgated in December 2013 and is due to come into force on 10 December 2014.

<[hrw.org/news/2013/11/25/japan-amend-special-secrets-bill-protect-public-interest](http://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](http://theguardian.com/world/2013/dec/05/whistleblowers-japan-crackdown-state-secrets)>

<[ajw.asahi.com/article/behind\\_news/politics/AJ201312070057](http://ajw.asahi.com/article/behind_news/politics/AJ201312070057)>

# 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

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 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 law

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**

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 and media**

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**

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
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 law

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.

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.

# South Korea

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**

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
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 discrimination in education		
			Insufficient information or detail not included in this report	

## Constitution and law

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](http://ohchr.org/Documents/Publications/ConscientiousObjection_en.pdf)

Religious institutions are tax exempt, with no such exemptions for specifically secular or humanist groups.

## Education

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.

<<http://www.educationcareers.ie/blog/2013/corporal-punishment-banned-in-seoul-south-korea/>>

## **Media and free expression**

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](http://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.

## **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.



# Taiwan

The independence and sovereign limits of Taiwan are disputed.

**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 law

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.

## Education

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.

**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 Organisation 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.*

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
State legislation is largely or entirely derived from religious law or by religious authorities	The non-religious are barred from holding government office  It is illegal or unrecognised to identify as an atheist or as non-religious		Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious	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	'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	Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views  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
Discriminatory prominence is given to religious bodies, traditions or leaders  State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is an established church or state religion	There is state funding of at least some religious schools		

## Constitution and law

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#.VGiH01esUi4](http://un.org/apps/news/story.asp?NewsID=47552#.VGiH01esUi4)>

## **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 PehinUdana Khatib Datu Seri Maharaja Dato Seri Setia Ustaz Hj Abdul AzizJuned, 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**

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.

## **Social and family law issues**

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.

## **Wider human rights issues**

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**

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>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</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>Insufficient information or detail not included in this report</p>	

## Constitution and law

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

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 and media

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**  

*This country is found to be in flux, due to reported collusion by state authorities in suppression of “deviant” religion or belief minorities and, in Aceh, harassment by Islamic “vice” patrols, however there are realistic pledges of reform on freedom of religion or belief under the new government.*

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>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>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>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>State legislation is partly derived from religious law or by religious authorities</p>			<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters [in Aceh province]</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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</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>		

## Constitution and law

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/>](http://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>](http://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>](http://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...

## Six religions, no non-religion

However, 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](http://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](http://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](http://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”.

## 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 “reeducation,” which includes the forcible shaving of their punk-rock hairstyles and a traditional cleansing ceremony.

## Education

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](http://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](http://lcweb2.loc.gov/frd/cs/pdf/CS_Indonesia.pdf)

## Freedom of expression and media

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.

## Individual 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**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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](http://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 and media**

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. Despite a degree of specifically religious freedom among the significant non-Muslim religious minorities including Christians, Buddhists and Hindus, and the small number (~1%) prepared to state as non-religious, nevertheless 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 localised death penalties on the books for “apostasy”.

**Rating: Grave Violations** ↓

*This country is found to be declining due to alienating rhetoric against “atheists” and “humanists” voiced in 2014 by the Prime Minister, as well as ongoing legal disputes over the freedoms of religious minorities contributing to interreligious tension.*

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>‘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>		Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious	It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed
<p>Systemic religious privilege results in significant social discrimination</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>‘Apostasy’ is outlawed and punishable with a prison sentence</p>	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<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>‘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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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>
<p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>Official symbolic deference to religion</p>			<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

## Constitution and law

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.

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.

## 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.”*

<http://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.”*

— IHEU president, Sonja Eggerickx

<http://iheu.org/humanism-and-secularism-are-threat-to-islam-and-the-state-says-malaysian-prime-minister/>

## Enforced religious identity

The constitution defines all ethnic Malays as Muslim and severely restricts what kind of Islam may be practiced in the country. 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

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.

Nationally, Muslims who seek to convert to another religion must first obtain approval from a Sharia court to declare themselves “apostates.” This effectively prohibits the conversion of Muslims, since Sharia courts seldom grant such requests and can impose penalties (such as enforced “rehabilitation”) on “apostates”.

Articles 295-298A of the penal code allow up to three years in prison and a US \$1,000 fine penalties for those who “commit offenses against religion”.

### **Death for “apostasy”**

Amending the penal code is the exclusive prerogative of the federal government. Despite contradicting federal law, the state governments of Kelantan and Terengganu passed laws in 1993 and 2002, respectively, making apostasy a capital offense.

Apostasy is defined as the conversion from Islam to another faith. Despite their long-standing nature, no one has been convicted under these laws and, according to a 1993 statement by the Attorney General, the laws could not be enforced without a constitutional amendment. However, the death-for-apostasy laws remain on the books, with all the “chill factor” and demonization of religious conversion and atheism that this implies.

### **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.

### **Education**

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).

[state.gov/documents/organization/222357.pdf](http://state.gov/documents/organization/222357.pdf)

## Freedom of expression and media

Freedom of expression is constitutionally guaranteed but restricted in practice. Parliament reformed the restrictive Printing Presses and Publications Act in April 2012. However, the revised law retained the home minister's authority to suspend or revoke publishing licenses but allowed such decisions to be appealed to judicial review. The amendments also eliminated the requirement that publications and printers obtain annual operating permits. Another legal change in 2012, made owners and editors of websites, providers of web-hosting services, and owners of computers or mobile devices used to publish content online accountable for information published on their sites or through their services.

State broadcasters and publishers reflect government views. Most private publishers and broadcasters are controlled by parties or business groups allied with the government, and they generally censor programming according to government guidelines. Books and films are directly censored or banned for profanity, violence, and political and religious material.

The internet has emerged as a primary outlet for free discussion and for exposing cases of political corruption. The government has responded in recent years by engaging in legal harassment of critical bloggers. The Malaysian Communication and Multimedia Commission (MCMC), an agency responsible in part for regulating the internet, has been known to monitor online content and order outlets or bloggers to remove material it views as provocative or subversive.

Freedoms of assembly and association are limited on the grounds of maintaining security and public order. The Peaceful Assembly Act, passed in late 2011, lifted a rule requiring police permits for nearly all public gatherings. However, other provisions were seen as a bid to restrict rather than safeguard freedom of assembly, including a prohibition on street protests and the levying of excessive fines for noncompliance with this rule.

# Myanmar (Burma)

Controversially renamed Myanmar by its military regime, the country otherwise known as Burma is emerging from decades of repressive military rule under emergency powers.

**Rating: Severe Discrimination** ↓

*This country is found to be declining following the December 2014 presidential approval of a law demanded by Buddhist extremists which further tighten family laws and interreligious controls.*

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
Systemic religious privilege results in significant social discrimination	The non-religious are barred from some government offices (including posts reserved for particular religions or sects) <i>[by unwritten convention]</i>		Prohibitive interreligious social control (including interreligious marriage bans)	
Discriminatory prominence is given to religious bodies, traditions or leaders  State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is an established church or state religion	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		Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
	Official symbolic deference to religion			

## Constitution and law

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 has been proposed, which was given presidential approval in December 2014. The controversial religion and family bill would place massive new restrictions on family life. The law is described as:

*“the result of 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](http://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 to marginalise non-Buddhists and assert the Buddhism as a kind of nationalistic ideology.

## **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.

## **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.

## **Education**

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.

## **Freedom of expression and media**

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.

### **Other human rights issues**

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. Spanish and US influences remain strong, especially in terms of religion (mainly Roman Catholic) and government. Nominally Roman Catholics are a significant majority religion, with Islam as a minority religion (10%). The Philippines has a number of active human rights and non-religious groups.

## 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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</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>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>Anomalous discrimination by local or provincial authorities, or overseas territories</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 law

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

The Roman Catholic Church in the Philippines has historically played a significant role in politics. 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

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](http://refworld.org/docid/53b2b8b1b.html)

## 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.

<http://www.refworld.org/docid/53edb3684.html>

The Organisation 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://www.un.org/doc/UNDOC/GEN/N10/311/28/PDF/N1031128.pdf)

# Singapore

Singapore is a wealthy city-state of 5.5 million inhabitants, linked to mainland Malaysia. It gained independence from the United Kingdom in 1964. Today, Singapore is a parliamentary constitutional republic, known for the conservatism of its leaders and its strict social controls.

## 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
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 laws

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](http://newhumanist.org.uk/articles/4104/secularism-in-singapore)

## 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/>](http://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/>](http://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.

## Education

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>](http://206.155.102.64/country....SGP..53d9071714.0.html)

## Freedom of expression and media

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 Political Action Party has had a monopoly on power since independence from Britain.

## Other human rights issues

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.html](http://206.155.102.64/country,,,SGP,,54577fbf4,0.html)

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](http://206.155.102.64/country,,,SGP,,53b2b8aa8,0.html)

Public assemblies must be approved by the police. The government may prohibit the importation of undesirable publications.

# Thailand

**Rating: Severe 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
	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  Discriminatory prominence is given to religious bodies, traditions or leaders  State-funding of religious institutions or salaries, or discriminatory tax exemptions		Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		
	Official symbolic deference to religion			
			Insufficient information or detail not included in this report	

## Constitution and law

The constitution protects freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, the state favours Buddhism in several ways, and there is strict enforcement of punitive laws against criticism of the monarchy.

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.

## **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).

## **Education**

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 and media**

In recent years, the government has blocked very large numbers of websites for allegedly insulting the monarchy. Aggressive enforcement of the country’s *lèse-majesté* laws since the 2006 coup has created widespread anxiety and stifled freedom of expression in the media. Due to the secrecy surrounding most such cases, it is unclear exactly how many charges of insulting the monarch go to trial but previous estimates suggest that there are several hundred cases a year. In some cases, people accused by personal enemies of defaming the king in private conversation, have been held without bail for extended periods—almost a year in one case in 2013—before their case was heard in court. Although the laws prohibit defamation of the monarchy, the authorities have also used them to target more general critics of the government, exacerbating self-censorship. Defendants can face decades in prison for multiple counts. The 2007 constitution restored freedom of expression guarantees that were eliminated by the 2006 coup, though the use of laws to silence critics is growing.

## **Other human rights issues**

The 2007 constitution restored freedom of assembly guarantees, though the government may invoke the Internal Security Act (ISA) or declare a state of emergency to curtail major demonstration.

There have been mass protests in Thailand during the last few years and calls for the current Prime Minister Yingluck Shinawatra to step down. In February 2014 the Constitutional Court declared the general elections invalid due to disruption by the opposition, and in May 2014 the same court ordered the PM and other minister to leave office, and 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. The government has reported that the next elections may not be until 2016.



# 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

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>Discriminatory prominence is given to religious bodies, traditions or leaders</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>		<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p>
	Insufficient information or detail not included in this report		Insufficient information or detail not included in this report	

## Constitution and law

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 organisation 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

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.

### **Other human rights issues**

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**

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
				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]	[No condition holds in this strand]	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 law

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](http://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.

## **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 organisations and other non-government agencies. Registration of organisations 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 organisations, 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 organisations: 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.

## **Education**

The government does not permit religious instruction in public schools; but nor is atheism taught officially.

## **Freedom of expression and media**

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."

### **Other human rights issues**

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](http://206.155.102.64/country...,VNM,,53fc364d29.0.html)

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](http://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 13 years since the removal of the Taliban and 10 years since Afghanistan has had a democratically elected government with its first ever democratic transfer of power to the new president in 2014. In spite of some development, Afghanistan still struggles to safeguard the rights of its citizens. Afghanistan is a member state of the Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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
State legislation is largely or entirely derived from religious law or by religious authorities	'Apostasy' or conversion from a specific religion is outlawed and punishable by death	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>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p>
Systemic religious privilege results in significant social discrimination		Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<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 law

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.

Although the constitution protects certain basic rights such as freedom of religion and belief, or freedom of press, it is not only frequently violated by the government and regional leaders and local chiefs, but such laws are contradictory too. For example, despite constitutional guarantees of freedom of religion, apostasy is still punishable by death.

Effective enforcement of the constitution is a continuing challenge due to its contradictory commitments, inexperienced judges and the lack of a tradition of judicial review.

The constitution is derived from religious law and religion has been given an overarching authority, which in turn contradicts its own articles.

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.”

## Religious law

While government policies strongly favour Islam, often in its most conservative interpretations, government control is very limited outside of major cities. In the rest of the country the situation is far worse. Violence, insecurity, and repression continue to deny and violate human rights nationwide, particularly outside urban areas.

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 (see below), 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.

The government does not designate religion on national identity cards and does not require individuals to declare belief in Islam in order to receive citizenship; therefore some basic citizenship rights of non-Muslims are not explicitly codified. As a result, non-Muslims can be tried under Hanafi jurisprudence.

In accordance with Muslim personal law, courts do not always accord Muslims and non-Muslims the same rights. This includes significant interreligious control. A Muslim man may marry a non-Muslim woman, but the woman must first convert if she is not an adherent of one of the other two Abrahamic faiths (Christianity or Judaism). Moreover, a Muslim woman is not allowed to marry a non-Muslim man.

## **Apostasy**

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.

## **Blasphemy**

The criminal code also makes no specific references to blasphemy; courts therefore rely on Islamic law to address this issue. Blasphemy – which can include anti-Islamic writings or speech – is a capital crime under some interpretations of Islamic law. 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 Afghanis (US\$60 to \$240); physical attacks on non-religious people are, by exclusion from this law, not technically as serious.

## Death penalty

In the latest Paghman gang rape, on August 23 2014, the primary court convicted 7 men suspected of armed robbery and extramarital sex (zina) (sex outside of marriage). Human Rights Watch questioned the competent, impartial, and independent conduct judicial review and the case was marked by serious flaws by police in a trial that violated international due process standards as well as protections under Afghan law and the constitution. These included alleged coerced confessions and inadequate time to prepare a defense. President Hamid Karzai, in a televised meeting with women's rights activists on September 6, referenced the Paghman gang rape and said, "I request the honorable chief justice to give them the death sentence." The president's statements further undermined the defendants' presumption of innocence under Afghan and international law and their right to a fair trial by interfering with the independence of the judiciary. A day before leaving office, Karzi signed the execution of the five men convicted.

In spite of human rights organizations calling for the new President Ashraf Ghani to delay the execution of the five men convicted without an independent review of the handling of the case by the government, including the police and the prosecutor's office, the men, were executed on October 8, 2014.

*"The police and court have responded to a horrific crime with a botched trial that makes a mockery of justice for both victims and defendants. This case sadly demonstrates that the Afghan justice system, despite more than a decade of promised reform, still has a long way to go before genuine justice is handed down."*

<http://hrw.org/news/2014/09/08/afghanistan-gang-rape-trial-badly-flawed>

## Education

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.

## Freedom of expression and media

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. For example, take an opinion piece published October 2014 in the Afghanistan Express, where a journalist named AJ Ahwar admonished Muslims for remaining silent in the face of ISIS and the Taliban. He also criticised Islam for not accepting other religions and minorities such as homosexuals and Hazaras, a Shiite minority in Afghanistan. In spite of a public apology issued days after the controversial article, the Afghanistan Express explained that the op-ed was published due to a “technical mistake”. It triggered some demonstrations in several cities with protesters denouncing the articles as blasphemous and calling the government to punish the publications. According to BBC Farsi Afghanistan the government ordered the Interior Ministry officials to arrest those responsible for the publication of the "Anti-Islamic" article.

[theafghanistanexpress.com/statement-of-apology](http://theafghanistanexpress.com/statement-of-apology)>

[afghanistan/2014/10/141021\\_k03\\_afghan\\_newspaper\\_apology](http://afghanistan/2014/10/141021_k03_afghan_newspaper_apology)>

The Washington Post publish an article indicating that the Afghan government is investigating a newspaper for a ‘blasphemous article’.

[washingtonpost.com/world/asia\\_pacific/new-afghan-government-investigates-newspaper-for-blasphemous-article/2014/10/22/d8ffc136-59ea-11e4-b812-38518ae74c67\\_story.html](http://washingtonpost.com/world/asia_pacific/new-afghan-government-investigates-newspaper-for-blasphemous-article/2014/10/22/d8ffc136-59ea-11e4-b812-38518ae74c67_story.html)>

## Individual Cases



In January 2008, the Afghan Senate supported the death penalty for the 23-year old journalist **Sayed Pervez Kambaksh** for blasphemy. He downloaded and distributed an article (written by Arash “The Atheist” Bikhoda) that critically discussed certain Qu’ran verses about women. In October 2008, Kambaksh’s sentence was commuted to 20 years imprisonment. In August 2009, Kambaksh left Afghanistan after a grant of amnesty by President Hamid Karzai.

[bbc.co.uk/2/hi/south\\_asia/7204341.stm](http://bbc.co.uk/2/hi/south_asia/7204341.stm)>

## Testimonies



*“The general environment in Afghanistan can be hostile towards religious minorities and it is even worse for cases of atheism, or cases deemed to be blasphemous. Both, the public and the judicial system are hostile particularly towards the cases of conversion out of Islam.*

*In the past penalties suggested for those accused of conversion out of Islam has included capital*

*punishment, however, due to international interventions, none has been carried out. Articles published in newspapers, magazines, online media, books, or statements delivered through radio and TV channels are closely monitored and any issue considered to be in confrontation with Islamic values can cause serious public and official outrage. As a deeply religious country Afghanistan has a long way to go towards religious freedom and freedom of expression.”*

— Ramin Anwari, Human Rights activist in Kabul



*“It is not only the people but also the government and Afghan law which regards atheism as a grave crime. I cannot freely express my atheist views. If people know I am an atheist, I would not have time to reach the authorities before facing punishment. That is why, like many atheists in Afghanistan, I pretend I am a moderate Muslim, even my own family does not grant me immunity. My views are only shared with other freethinkers, Humanists and atheists, through the internet and social media such as Facebook, which I use under a pseudonym.”*

— Jamshid Arsalan

# Bangladesh

Though in theory a secular democracy, the ruling government have frequently given into pressure from Islamist parties, and continue to prosecute atheists and others on malicious charges for “insult to religion” and related crimes, despite broader commitments to freedom of expression.

## Rating: Grave Violations

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 a pattern of impunity or collusion in violence by non-state actors against the nonreligious</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>Systemic religious privilege results in significant social discrimination</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>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>
	[No condition holds in this strand]			

## Constitution and law

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.

## **De facto “blasphemy” laws**

Communal violence and political dysfunction remain significant problems in Bangladesh. In 2013, several atheist and freethought bloggers were the victims of physical assaults, as well as government prosecutions for blasphemy crimes in all but name, with one critic of Islam murdered by machete. (See Individual Cases, below.)

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 August 2013, following the unrest by Hefazat Islami against Atheist Bloggers, Bangladesh Government has amended the Information and Communication (ICT) Act, criminalizing defamation of religion, creating a de facto “blasphemy” law. 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.

<[www.voicebd.org/node/417](http://www.voicebd.org/node/417)>

<[www.fidh.org/International-Federation-for-Human-Rights/asia/bangladesh/bangladesh-information-and-communication-technology-amendment-act-likely-13875](http://www.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](http://icj.wpengine.netdna-cdn.com/wp-content/uploads/2013/11/ICT-Brief-Final-Draft-20-November-2013.pdf)>

## **Religious involvement in state family law**

Family law has separate provisions for Muslims, Hindus, and Christians.

The long out-dated 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 between Muslim and Hindus are not allowed under any law. Couples married under this act are not allowed adoption of child, succession, maintenance, custody and guardianship of children and inheritance is not clearly defined either, creating an unclear legal situation. Citizens of Bangladesh are seen as either Muslims, Hindu, Buddhist, Jain etc, but not as ‘person’, thereby no two ‘persons’ can just get married.

Social barriers, and potential outrage from religious bodies, make “secular” marriages under this act 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>](http://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.

## **Education**

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.

## **Religious tension**

Violence against Ahmadi Muslims (considered heretical by other branches of Islam) and Buddhists has increased in recent years. The Buddhists mostly belong to indigenous hill tribes in south eastern Bangladesh (Chittagong Hill Tracts). In September 2012, following the posting of a photograph of a burnt Koran on Facebook, more than 20 Buddhist temples, along with homes and shops, were attacked and set on fire by Muslim protestors.

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 “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](http://bdnews24.com/bangladesh/2014/11/08/temples-vandalised-in-brahmanbaria)>

## Freedom of expression and media

Bangladesh guarantees freedom of expression, with some restrictions for “public order” concerns (such as “The Innocence of Muslims” uproar mentioned above), and its media are vibrant and diverse. However, not only does the government show some intolerance of media criticism, but journalists continue to be threatened and attacked with impunity by political and religious groups. This in turn leads to self-censorship on some religious and political topics.

Various forms of artistic expression by freethinkers— including blogs, books and films—have been banned or censored.

In September 2012, the government blocked the video-sharing site YouTube following a global uproar over “The Innocence of Muslims” video produced in the United States.

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](http://thefinancialexpress-bd.com/2014/12/01/68756)>

## Individual Cases



In February, 2013, the atheist blogger **Ahmed Rajib Haide** (aka Thaba Baba), was murdered in a machete attack at his home. His head was hacked open with a machete the day after he took part in the Shahbag movement, a major rally against leaders of the country's largest Islamic party. He was associated with secularist views in line with Shahbag.

[google.com/hostednews/afp/article/ALeqM5gvgXRcLgESI9K6wFCyhmT32zJswg](http://google.com/hostednews/afp/article/ALeqM5gvgXRcLgESI9K6wFCyhmT32zJswg)>

[hindustantimes.com/world-news/Bangladesh/Militant-atheist-blogger-stabbed-in-Bangladesh/Article1-989966.aspx](http://hindustantimes.com/world-news/Bangladesh/Militant-atheist-blogger-stabbed-in-Bangladesh/Article1-989966.aspx)>



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.

The month before Ahmed Rajib Haide was killed, 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>](http://iheu.org/story/arrests-atheist-bloggers-shows-bangladesh-authorities-are-walking-trap-set-fundamentalists)



Former minister **Latif Siddqui** 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.



On January 4, 2012, the principal of a technical college, **Yunus Ali**, was arrested for keeping a copy of Taslima Nasrin’s book *Shame* in the school library. The book tells the story of a Hindu family persecuted in Bangladesh. It was deemed blasphemous and banned by the Bangladeshi government in 1993 and Dr. Nasrin was forced to flee abroad to escape blasphemy charges and death threats.



On March 21, 2012, the Dhaka High Court ordered five Facebook pages and a website to be shut down after Dhaka University professors claimed the pages contained remarks and cartoons about the Prophet Muhammad, the Holy Qu’ran, Jesus, Buddha, and the Hindu Gods that insulted religious sentiments.



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/>](http://advocacy.globalvoicesonline.org/2014/04/01/teenage-bloggers-in-bangladesh-arrested-for-blasphemous-facebook-posts/)



**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.



**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](http://dhakatribune.com/bangladesh/2014/oct/09/1-held-rangamati-hurting-religious-sentiment)>



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 defamation against law] 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**

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>				<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 law

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

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 and media**

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.*

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

Systemic religious privilege results in significant social discrimination				'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
				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
	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 law

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.

In 2013 a prominent leader of the Indian Humanist movement was assassinated, apparently because of his work combating superstition or Hindu nationalism (see Individual Cases below). The authorities were quick to promise action, but no suspect was ever charged, and authorities accused of prematurely ruling out extremist Hindu nationalist parties.

The presidency of Narendra Modi has been linked to a rise in Hindu nationalism, with increased reports of attacks on religious minorities.

## “Insult” and “blasphemy”

Section 295 of the Indian Penal Code criminalises insult to religion; it allows up to three years imprisonment and fines for “whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or otherwise, insults or attempts to insult the religion or the religious beliefs of a class.”

In addition, in 2011 the Indian Ministry of Communications and Information Technology issued new rules requiring operators of social media networks to screen and remove blasphemous content within 36 hours of receiving a complaint.

## Freedom of expression and media

Freedom of expression is protected by the constitution and there is a vigorous and diverse range of media outlets. Independent television and print sectors have grown substantially over the past decade. However, radio remains dominated by the state and private radio stations are not allowed to air news content.

Despite this vibrant media landscape, journalists continue to face a number of constraints. The government has used security laws, criminal defamation legislation, hate-speech laws, and contempt-of-court charges to curb critical voices.

Internet access is largely unrestricted, although some states have passed legislation that requires internet cafés to register with the state government and maintain user registries. Under Indian internet crime law, the burden is on website operators to demonstrate their innocence. Potentially inflammatory books, films, and internet sites are occasionally banned or censored.

There are some restrictions on freedoms of assembly and association. Section 144 of the criminal procedure code empowers the authorities to restrict free assembly and impose curfews whenever “immediate prevention or speedy remedy” is required. State laws based on this standard are often abused to limit the holding of meetings and assemblies. Nevertheless, protest events take place regularly in practice.

## Individual Cases



In April 2012, the Catholic Church filed a complaint under Section 295 of the country’s penal code against **Sanal Edamaruku**, president of the Indian Rationalist Association. Edamaruku had reportedly exposed a supposed “miracle” by revealing that a weeping Jesus on the cross was actually the result of a leaky drain. The local police requested Edamaruku turn himself in and face the charges. He now lives in exile in Finland.



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 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](http://iheu.org/story/leading-indian-rationalist-assassinated-gunmen)

# Iran

**Rating: Grave Violations**

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>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>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>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</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>Insufficient information or detail not included in this report</p>		

## Constitution and law

There is no freedom of religion or belief in the Islamic Republic of Iran, and the freedoms of expression, association and assembly are severely restricted by the theocratic regime.



Iranian law bars any criticism of Islam or deviation from the ruling Islamic standards. Government leaders use these laws to persecute religious minorities and dissidents.

Article 110 of the Constitution lists all the powers granted to the Spiritual Leader (a Muslim religious and political leader), appointed by his peers for an unlimited duration. Among others, the Spiritual Leader exercises his control over the judiciary, the army, the police, the radio, the television, but also over the President and the Parliament, institutions elected by the people.

Article 91 of the Constitution establishes a body known as the “Guardian Council” whose function is to examine the compatibility of all legislation enacted by the Islamic Consultative Assembly with “the criteria of Islam and the Constitution” and who can therefore veto any and all legislation. Half of the members of the Guardian Council are appointed by the Spiritual Leader and the other half are elected by the Islamic Consultative Assembly from among the Muslim jurists nominated by the Head of the Judicial Power (who is, himself, appointed by the Spiritual Leader).

The Guardian Council exercise a double control of any draft legislation, with two different procedures: conformity with the Constitution (all 12 elected members vote, a simple majority recognizes the constitutionality) and conformity with Islam (only the six religious leaders elected personally by the Spiritual leader vote, and a simple majority is required to declare the compatibility of a draft legislation with Islam).

Consequently, four religious leaders may block all draft legislation enacted by the Parliament. The Guardian Council and the Supreme Leader thus centralize all powers in Iran.

Articles 12 and 13 of the Constitution divides citizens of the Islamic Republic of Iran into four religious categories: Muslims, Zoroastrians, Jews and Christians. Nonbelievers are effectively left out and aren't afforded any rights or protections. They must declare their faith in one of the four officially recognized religions in order to be able to claim a number of legal rights, such as the possibility to apply for the general examination to enter any university in Iran. Other belief groups outside of the four recognized religions, such as Bahá'ís, also suffer from this discrimination—for example, Bahá'ís are actively prevented from attending any university.

Only Muslims are able to take part in the Government of the Islamic Republic of Iran and to conduct public affairs at a high level. According to the Constitution, non-Muslims cannot hold the following key decision-making positions: President of the Islamic Republic of Iran, who must be a Shi'a Muslim (Article 1156); Commanders in the Islamic Army (Article 1447); Judges, at any level (Article 163 and law of 1983 on the selection of judges 8).

Moreover, non-Muslims are not eligible to become members of the Parliament (the Islamic Consultative Assembly) through the general elections and non-Muslims cannot become members of the Guardian Council—the most powerful governing body in Iran.

Iran operates harsh form of Sharia—Islamic law—that punishes a wide range of political, social and moral offenses with flogging, amputation, and execution. Amendments to Iran's penal code in 2013 eliminated execution by stoning. However, Iran still carries out hundreds of executions by hanging every year. Many executions are for the crime of “enmity against God”(moharebeh). Although this crime is framed as a religious offense, and may be used

against atheists and other religious dissenters, it is most often used as a punishment for political acts that challenge the regime (on the basis that to oppose the theocratic regime is to oppose Allah).

## **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 8811). However, a non-Muslim man who commits adultery with a Muslim woman is subject to the death penalty (Article 82-c12). If a Muslim man commits adultery with a non-Muslim woman, the Penal Code does not specify any penalty.
- **Homosexuality:** Likewise, homosexuality “without consummation” between two Muslim men is punished by 100 lashes (Article 12113) but if the “active party” is non-Muslim and the other Muslim, the non-Muslim is subject to the death penalty.
- **Crimes against the Deceased:** Article 49418 stipulates penalties for crimes against a deceased Muslim but the Penal Code does not edict any penalties for the violation of the corpse of a non-Muslim.

## **Freedom of expression and media**

The Press Court has extensive power to prosecute journalists and control print media. It uses this power to prevent publication of anything that could be seen as critical of the regime or contrary to its strict interpretation of Shi'a Islam. Numerous periodicals are closed for morality or security offenses every year. In 2012, even the head of the state news agency, Ali Akbar Javanfek, was jailed for six months for publishing content “contrary to Islamic standards.”

Books can only be published after receiving approval from the Ministry of Culture. Books deemed critical of the regime, or contrary to its strict interpretation of Shia Islam, cannot be published, and their authors are liable to be prosecuted. In 2010, authorities banned the sale of any books that had received a publishing license prior to 2007. Some 250 “subversive” books were banned ahead of the 2012 Tehran International Book Fair.

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

servicing a one-year prison term in May 2012. In addition, Iranian journalists living abroad have been intimidated by the Iranian government, for example by the harassment of family members who still live in Iran.

Iran ranks second in the world for the number of jailed journalists, according to the Committee to Protect Journalists. In December 2012, there were 45 journalists in jail because of their writing. In July 2013, following the election of a new president of Iran, widely seen as more moderate than his predecessor, Iranian authorities jailed seven more journalists (see individual case below) and arrested several others in a renewed media crackdown.

Access to the Internet has soared over the last five years in Iran. As with the “Arab Spring” uprisings, in 2009 many Iranians used mobile phones and social media to organize and publicize widespread protests—the “Green Movement” against the regime. In fact the use of social networking technology was so central to the popular protests that the democratic uprising became known as “The Twitter Revolution.” The government responded by creating draconian new laws to restrict access to communication tools, persecute dissidents for their online activity, and strengthen the government’s already powerful censorship system. The major social-media sites—such as Facebook, Twitter, and YouTube—were blocked after the 2009 election. In 2012, the authorities unveiled new regulations that require cybercafés to record the personal information and browsing histories of every customer. The first phase of a national intranet, aimed at disconnecting the population from the WorldWideWeb, was launched in September 2012.

Iranian filmmakers are subject to tight restrictions. In January 2012, the government ordered the closure of the House of Cinema, an independent association that supported around 5,000 Iranian filmmakers and artists.

Freedom of association and assembly are severely limited in Iran. The constitutional prohibition against public demonstrations that “are detrimental to the fundamental principles of Islam” is used to ban any demonstration the authorities may not like. The government condones violent groups of vigilante, and extra-legal paramilitary groups—such as the Basij and Ansar-i Hezbollah—that are used to break up demonstrations by assaulting the protestors, often resulting in permanent injuries and even death. Even peaceful, non-political protests are put down with brutal force.

## Individual Cases



On July 13, 2013, seven members of the Dervish religious minority were sentenced to a total of 56 years for running a news website.

[cpj.org/2013/07/iran-jails-at-least-10-journalists-in-two-week-spa.php](http://cpj.org/2013/07/iran-jails-at-least-10-journalists-in-two-week-spa.php)



On Jan. 17, 2012, the country’s Supreme Court confirmed the previously handed down death sentence for 35-year-old web designer and Canadian resident **Saeed Malekpour**. He had returned to Iran in 2008 to visit his dying father and was arrested for “insulting and desecrating Islam” for creating a computer program used by others to download pornography.

# Maldives

**Rating: Grave Violations**

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>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>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>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>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is an established church or state religion</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>		

## Constitution and law

The constitution and other laws do not permit freedom of religion or belief. While freedom of expression is guaranteed by the constitution, it is not respected in practice. The constitution designates Islam as the official state religion, and the government and many citizens at all levels interpret this provision to impose a requirement that all citizens must be Muslims.

The government follows civil law based on Islamic law. Civil law is subordinate to Islamic law. In a situation not covered by civil law, and in certain cases such as divorce and adultery, Islamic law is applied.

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. It excludes religion from a list of attributes for which people should not be discriminated against.

## **Education**

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 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 and media**

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.

## **Don't contradict Islam!**

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.

## **Do practice Islam!**

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.

## Individual Cases



In June 2010, **Mohammed Nazim** asked a Muslim preacher, at a large public event, how Islam viewed people such as himself who had tried to believe in Islam but could not. The preacher replied that Islam requires the death penalty for those who leave Islam. Several members of the enraged crowd attempted to attack Nazim and he was hustled away by the police. The Islamic Ministry arranged for Nazim to receive “religious counseling” before determining if he should be executed for apostasy. During this prison counseling, Mohammed saved his life by assenting to embrace Islam.



One month later, **Ismail Mohamed Didi** faced the same choice as Mohamamed Nazim: believe or die. He chose death. On July 13 2010, the 25 year-old air traffic controller was found hanged from the control tower of the Maldives international airport, after killing himself to escape persecution for his rejection of religion. Shortly before his death, Ismail Mohamed Didi wrote that he had “foolishly admitted my stance on religion” to work colleagues and the news had “spread like wildfire.” He added that “A lot of my close friends and girlfriend have been prohibited from seeing me by their parents. I have even received a couple of anonymous phone calls threatening violence if I do not repent and start practicing Islam... Maldivians are proud of their religious homogeneity and I am learning the hard way that there is no place for non-Muslim Maldivians in this society.”

# Nepal

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. Just over 80% of the Nepalese population is Hindu; the rest is made up of Buddhists, Muslims, Kirant, Christians and non-believers. Those without any religious affiliation constitute just under 1% of the population.

## 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
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
	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 law

The 2007 interim constitution has been the constitution of Nepal since it became a Parliamentary Monarchy, in the intervening years Nepal has failed to create the new Constitution required by the Comprehensive Peace Agreement signed in 2006. Nepal's Constituent Assembly is currently in the process of framing the new Constitution. The interim constitution establishes Nepal as a secular state and provides for freedom of thought. In October 2014, the Prime Minister, Sushil Koirala's, made a commitment that the new constitution would guarantee freedom of religion or belief. Caste-based discrimination is criminalised in Nepal.

Religious conversion is currently permitted. However, concern has been expressed about a proposed anti-conversion clause for the new constitution and reported calls by some political leaders for a constitutional ban on all religious conversions.

Proselytization is prohibited and can be punished with fines, imprisonment or, in the cases of non-citizens, expulsion from the country. There have been however, no reports of imprisonment or expulsion occurring in response to proselytization.

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](http://state.gov/documents/organization/222549.pdf)

Religious groups can establish and run their own schools. Apart from religious schools, the state does not make compulsory religious registration for religious organisations. The Department of Education prepares the curricula for registered religious schools. Some religious organisations have complained however, that registration is in practice required since it is necessary in order to gain land ownership.

## **Freedom of expression and media**

Freedom of the press, opinion, and expression are guaranteed by the 2007 interim constitution and direct censorship is explicitly outlawed. Nevertheless, in practice freedom of the press has not been consistently protected. This year has seen a number of reports of instances of attempted intimidation of journalists by local law enforcers. In January 2014 the state-owned media monitoring body, Press Council Nepal, directed a television station to stop broadcasting news about a hospital.



# Pakistan

Pakistan has a population of 180 million, with about 97% subscribing to the Muslim faith (the majority being Sunni). 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 Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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
	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
Systemic religious privilege results in significant social discrimination  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	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	
State-funding of religious institutions or salaries, or discriminatory tax exemptions	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	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
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## Inadequate constitutional commitment and law

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.

## 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](http://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/>](http://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/>](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. Rights activist Asma Jahangir, who in 2014 was awarded France's highest civilian award and Sweden's alternative to the Nobel Prize for her decades of rights work, said the new condemnation offered a chance for change: "There is a positive development, that religious scholars and parties including Jamat-e-Islami went there and came forward against the incident, which is a good omen... I think it is a very big change and we should appreciate and welcome it."

[<http://www.samaa.tv/pakistan/22-Nov-2014/asma-hopes-fall-in-blasphemy-laws-abuse>](http://www.samaa.tv/pakistan/22-Nov-2014/asma-hopes-fall-in-blasphemy-laws-abuse)

However, particularly harrowing or high profile blasphemy cases have in the recent past (such as the relatively critical response to the Rimsha Masih case in 2012) lead to

widespread domestic criticism and some hope for change, without ultimately resulting in any lasting political momentum for reform.

<<http://iheu.org/pakistan-time-has-come-politicians-police-and-clerics-must-confront-blasphemy-mobs-unison-and/>>

## **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](http://loc.gov/law/help/apostasy/index.php#pakistan)>

## **Education**

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](http://uscirf.gov/sites/default/files/Pakistan%202014.pdf)>

## **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.

## 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.

## 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.

## Individual Cases



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 and special coordinator for the Human Rights Commission of Pakistan in Multan, agreed to defend Junaid Hafeez. The trial was conducted in jail because of the threat to his life. Rehman received death threats for representing Hafeez and he reported them to the Multan Bar Association several times but 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 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 with Dominion status 1948 with a republic being established 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**

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
Systemic religious privilege results in significant social discrimination			<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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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>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>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>



	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	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
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## 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](http://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](http://gallup.com/poll/114211/Alabamians-Iranians-Common.aspx)>

## The Law and Constitution

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>

## 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 and media

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 Eknaligoda in 2010, have not been adequately investigated, leading to a climate of complete

impunity. The government continues to censor the internet, temporarily blocking access to the independent news site Colombo Telegraph in 2012, as well as the websites of Tamil language news sites. In May 2012, the Free Media Movement, a press advocacy group, brought a case to the Supreme Court on behalf of five websites that had been shut down in 2011, but the case was quickly dismissed.

## 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.

## Education

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.

## Individual 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](http://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.

## 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>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</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>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</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 law

The constitution guarantees freedom of thought, conscience and religion; however, some laws and policies restrict this freedom. The constitution and the law establish separation of church and state, but recognize “the exclusive mission of the Armenian Apostolic Church as a national church in the spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia.”

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 organisations 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**

The law mandates that public education be secular. However, courses in the history of the Armenian Apostolic Church are part of the public school curriculum and are taught by public school teachers. The church has the right to participate in the development of the syllabus and textbooks for this course and to define the qualifications of its teachers. The church may also nominate candidates to teach the course. The class is mandatory; students are not permitted to opt out of the course, and no alternatives are available to students of other religions or no religion. Critics say the law focuses more on inculcating Church doctrine than on teaching the history of the Church. Public schools are required to display portraits of the head of the Armenian Apostolic Church alongside those of the president.

In addition, the law grants the Armenian Apostolic Church the right to organize voluntary extracurricular religious classes in state educational institutions. Other religious groups may provide religious instruction to members only in their own facilities.

## **Freedom of expression and media**

There are limits on press freedom. The authorities use informal pressure to maintain control over broadcast outlets, the chief source of news for most Armenians. State-run Armenian Public Television is the only station with nationwide coverage, and the owners of most private channels have close government ties.

# Azerbaijan

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 Organisation of Islamic Cooperation (OIC).

**Rating: Severe 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
			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
<i>[No condition holds in this strand]</i>	<i>[No condition holds in this strand]</i>	Insufficient information or detail not included in this report		

## Constitution and law

The constitution and other laws and policies provide for freedom of thought, conscience and religion, as well as freedom of opinion and expression. Azerbaijan is constitutionally secular and in fact calls itself a "humanist" state, but this is self-assigned and nominal. Azerbaijan in fact contravenes core humanist values; it restricts democracy, freedom and human rights. In practice the authoritarian regime of Heydar Aliyev restricts freedom of religion or belief, and severely violates freedom of expression and media freedom.

Under the constitution, persons do have the right to choose and change religious affiliation and beliefs, including atheism, to join or establish the religious group of their choice, and to engage in religious practice. The law on religious freedom expressly prohibits the government from interfering in the religious activities of any individual or group; however, there are significant exceptions. 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 Individual Cases below.)

## Education

There is no religious curriculum at elementary and high schools.

## Freedom of expression and media

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.”

## Individual 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

**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.*

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

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  Discriminatory prominence is given to religious bodies, traditions or leaders	There is an established church or state religion			

## Political crisis

Bahrain has experienced prolonged unrest in recent years. In 2011 protestors, predominantly from the majority Shia community, demanded political reform and an end to the political hegemony of the Sunni minority. The sectarian dimension of the political uprising resulted in substantial intra-Muslim conflict, including government attacks on Shiite religious buildings and the violent oppression of Shiite protestors.

Over the past several years the Bahrain 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 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 protestors. Thousands of people were fired from their jobs for supporting the protests.

## Constitution and law

The constitution does not explicitly protect freedom of religion or belief, but it does make some provision for the freedom of conscience, the inviolability of places of worship, and the freedom to perform religious rites and hold religious parades and meetings, in accordance with the customs observed in the country. The constitution stipulates that there shall be no



discrimination in the rights and duties of citizens on grounds of religion. However, the constitution also states that Islam is the official religion and that Islamic law is a principal source for legislation.

The civil and criminal legal systems consist of a complex mix of courts based on diverse legal sources, including both Shiite and Sunni schools of Islamic jurisprudence, tribal law, and other civil codes. Sharia governs personal status, and a person's rights can vary according to Shiite or Sunni interpretation, as determined by the individual's faith or by the courts.

In May 2009, the government adopted the country's first personal status law, which regulates family matters such as inheritance, child custody, marriage, and divorce. The law is only applicable to the Sunni population as Shiite clerics and lawmakers opposed legislation that would have applied to Shiite courts.

## **Blasphemy**

Articles 309 and 310 of the penal code outlaw Blasphemy in Bahrain with "a punishment for a period not exceeding one year or a fine not exceeding BD 100 shall be inflicted upon any person who commits an offence by any method of expression against one of the recognized religious communities or ridicules the rituals thereof".

## **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 restrictions on non-Muslims' right to choose, change, or practice their religion or belief, including the study, discussion, and promulgation of those beliefs. The constitution prohibits discrimination in the rights and duties of citizens on the basis of religion or belief; however, there are no further laws to prevent discrimination, nor procedures to file a grievance.

## **Freedom of expression and media**

Freedom of expression, including freedom of the press, is severely restricted by the Bahrain government, as is freedom of association. In February 2011, during the "Arab Spring", Bahraini activists, mostly from economically and politically disadvantaged Shiite communities, organized peaceful demonstrations to call for political reform and an end to sectarian discrimination. The government responded violently, declaring martial law. While martial law has since been lifted, the government crackdown against pro-democracy and Shiite protestors continues to perpetrate widespread and severe human rights violations.

The government owns all television and radio broadcasters. The government also bans and blocks access to websites deemed critical of government policy. Following the 2011 Arab Spring protests, the authorities have done everything in their power to control the flow of information about the protests. Suppression of free expression and the media include: the interrogation and expulsion of foreign journalists; intimidation of those willing to be

interviewed by the foreign media; harassment and prosecution of those who campaign for freedom of expression; and arrests of photographers, bloggers and netizens.

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.

## Education

Islamic studies are a part of the curriculum in government schools and mandatory for all public school students.

## Individual 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-idUSBRE87B0C020120812](http://reuters.com/article/2012/08/12/us-bahrain-insult-idUSBRE87B0C020120812)



**Karim Fakhrawi**, a founder of the opposition Al-Wasat newspaper and a member of its board, died in custody a week after going to police to make a complaint about the potential demolition of his house. Bahrain has sentenced two policemen to seven years in jail each for beating him to death. Sayed Hadi al-Mousawi, Head of the Human Rights department at Al-Wefaq, the main opposition movement has criticised both the length and the charges against the policemen "The prosecutor changed the charges from 'torture leading to death' to 'beating leading to death'. They don't want to admit that there was torture". Al-Wefaq have recently been banned (October 2014).

[bahrainjdm.hopto.org/2013/01/07/bahrain-defies-bici-report-in-sentence-over-death-of-karim-fakhrawi](http://bahrainjdm.hopto.org/2013/01/07/bahrain-defies-bici-report-in-sentence-over-death-of-karim-fakhrawi)

[bbc.co.uk/news/world-middle-east-20874049](http://bbc.co.uk/news/world-middle-east-20874049)

# 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

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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</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>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>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	

### Constitution and law

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](http://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=IConiWXuPMgC&redir\\_esc=y](http://books.google.co.uk/books/about/Religion_and_Law_in_Cyprus.html?id=IConiWXuPMgC&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 organisations and are granted tax exempt status, but are not eligible for the allocation of any governmental financial support.

## Education

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#.VGS24vmsVul](http://freedomhouse.org/report/freedom-world/2014/cyprus-0#.VGS24vmsVul)

## 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 guarantee by enacting a de facto blasphemy law in which it is a prisonable offense to essentially insult religions.

*“Any person who with the deliberate intention of wounding the religious feelings of any person, or makes any gestures in the sight of that person, or places any object in the sight of that person, is guilty of a misdemeanor and is liable to imprisonment for one year.*

*...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.*

*— Articles 141 and 142, Cyprus Criminal Code*

## Military service and conscientious objection

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](http://wri-irg.org/node/13264)

[amnesty.org.uk/press-releases/cyprus-conscientious-objector-status-must-be-amended](http://amnesty.org.uk/press-releases/cyprus-conscientious-objector-status-must-be-amended)

## **Freedom of expression and media**

The state provides unrestricted access to the internet, and there is a strong level of political and press freedom. Non governmental organisations, human rights organisations and trade unions operate without impediment or governmental interference.

[freedomhouse.org/report/freedom-world/2014/cyprus-0#.VGS\\_JvmsVul](http://freedomhouse.org/report/freedom-world/2014/cyprus-0#.VGS_JvmsVul)

# Georgia

## 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>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is an established church or state religion</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 law

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**

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 Organisation 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 2014. Targeting religious minorities including Muslims and 'apostates', ISIS has degraded security across large parts of the country.*

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>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>'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>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 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 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>Systemic religious privilege results in significant social discrimination</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</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>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 law

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](http://dw.de/iraqs-religious-minorities-flee-north/a-16707733)>

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 the Al-Qaeda in Iraq and participated in military fights against US-led forces. The group joined later other Sunni groups.

The first report on religious and ethnic minorities , published since the proclamation of Islamic State of Iraq and Syria describes the situation of religious minorities as an unfolding catastrophe. More than 12,000 have been killed, where the religious minorities were the main targets of terrorists.

<[minorityrights.org/12721/reports/from-crisis-to-catastrophe-the-situation-of-minorities-in-iraq.htm](http://minorityrights.org/12721/reports/from-crisis-to-catastrophe-the-situation-of-minorities-in-iraq.htm)>

Nina Shea, Director of the Center for Religious Freedom reported in her publication (July 2014):

*"Hundreds of Christians have been fleeing from Mosul, Iraq's second biggest city. Last week the Islamist group gave Christians three choices: convert to Islam, pay the jizyah tax required of non-Muslims or face execution. Meanwhile, IS insurgents stole nearly everything from the Christians they threatened to kill."* <[hudson.org/research/10472-iraq-s-christians-systematically-targeted-for-extinction-](http://hudson.org/research/10472-iraq-s-christians-systematically-targeted-for-extinction-) >

## 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](http://al-monitor.com/pulse/originals/2013/08/iraq-women-workplace-challenges.html)>

Women and young girls are systematically facing discrimination from military extremist groups. ISIS terrorists separate them from their families and force them to marry ISIS fighters.

<[youtube.com/watch?v=ZRk09u2ulJM](http://youtube.com/watch?v=ZRk09u2ulJM)>

## Education

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, Yezidi).

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 childrens 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](http://news.artnet.com/art-world/isis-cuts-art-music-and-history-education-in-iraq-103714)>

## Freedom of expression and media

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](http://yourmiddleeast.com/features/without-god-in-baghdad_21355)>

There are several individual 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.

## Anti-gay hatred

Homosexuals are also hated and persecuted in Iraq. Especially post-Saddam Iraq became terrifying for homosexuals. Militant and extremist religious groups are searching over the internet for gays, disguising themselves being gay and setting up meetings which become bloody and crime scenes. The vigilantes are then treated as “heroes in a perverse culture of intolerance and bigotry”.

<[bbc.co.uk/news/world-middle-east-19525137](http://bbc.co.uk/news/world-middle-east-19525137) >

## Individual 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](http://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](http://independent.co.uk/news/world/middle-east/isis-publicly-execute-leading-lawyer-and-human-rights-activist-in-iraq-9756197.html)>

# Israel

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, which flared up into a protracted and bloody conflict again in 2014.

**Rating: Severe 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>Systemic religious privilege results in significant social discrimination</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>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>'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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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>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>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p>

## Belief Demographics

Israel has a population of just over 8.2 million people. Those identifying as Jews represent an estimated 75% of the population, with 20.7% identifying as Arab (most of whom are Muslim). Smaller religious minorities such as Druze, Christian and Baha'is account for around 4%.

[http://jewishvirtuallibrary.org/jsource/Society\\_&\\_Culture/newpop.html](http://jewishvirtuallibrary.org/jsource/Society_&_Culture/newpop.html)

However, while identifying as Jewish, up to 50% of Israeli Jews regard themselves as “Hiloni” or Secular, in that they may participate in Jewish customs and holy days but are not explicitly religious.

## The “Basic Laws”

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.

## Religious discrimination

However, governmental and legal discrimination against non-Jews, and non-Orthodox Jews, including those identifying with secular or Humanistic Judaism, continues.

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>

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.

## Religious family law and “Personal Status”

A left over from the ottoman legal system, each officially recognized religious community (Jewish, Druze, Christian and Muslim etc) has wide ranging legal authority over its members in matters of marriage, divorce, and burial under the catch all term “personal status”. This has the effect of limiting the freedom of many individuals who may not otherwise subject themselves to the authority of those religious communities.

[mfa.gov.il/mfa/aboutisrael/state/democracy/pages/the%20judiciary-%20the%20court%20system.aspx](http://mfa.gov.il/mfa/aboutisrael/state/democracy/pages/the%20judiciary-%20the%20court%20system.aspx)

Not the least affected are women, who are often marginalised by religious laws that limit freedom of choice in matters of divorce and marriage. It was only recently that Palestinian women in Israel were given the same access to the limited number of civil courts as Jewish and Christian Israelis.

[pstatus.org/en/?todo=about](http://pstatus.org/en/?todo=about)

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.

Furthermore, orthodox Judaism only recognises someone as Jewish if they have a Jewish mother. This has the effect that 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 fathers’ side.

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.,

[haaretz.com/jewish-world/shavuot/premium-1.596576](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. 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.

[jewishvirtuallibrary.org/jsource/Politics/courts.html](http://jewishvirtuallibrary.org/jsource/Politics/courts.html)

There is also no same-sex marriage. In 2010, a bill was passed that allows a limited right to an alternative form of civil marriage (“couplehood union” status) for Israelis who declare a non-religious status. However, religious parties have regularly prevented the state from enacting anti-discrimination laws for sexual minorities, including proposals to introduce same-sex marriage and gay adoption rights, and in November 2013 Jewish Home attempted to veto equal child benefits for same-sex parents fearing a “silent revolution” that would upset what is known as the “status quo” (the tense balance of secular and religious authorities in the country).

## Education

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”, the majority of which are Jewish. In both types of State schools have a %75

mandated curriculum. In standard state schools the supplemental 25% is set by local education committee whilst in religious schools the remaining curriculum is devoted to religious studies.

[jewishagency.org/content/types-schools-israel](http://jewishagency.org/content/types-schools-israel)

A study in 2011 found that 65% of State-Religious elementary schools in Israel practice gender segregation.

[haaretz.com/print-edition/news/number-of-gender-segregated-religious-schools-in-israel-tripled-during-past-decade-1.399527](http://haaretz.com/print-edition/news/number-of-gender-segregated-religious-schools-in-israel-tripled-during-past-decade-1.399527)

## **Freedom of expression and media**

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.

## **Blasphemy**

There is also a de-facto blasphemy law. 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](http://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 6.6 million. Jordan significantly restricts freedom of religion, belief, and expression. The constitution, and government policy and practice, strongly favours Islam and punishes criticism of Islam as well as criticism of the ruling family and system of government. Jordan is a founding member of the Organisation of Islamic Cooperation.

**Rating: Grave Violations**

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
State legislation is largely or entirely derived from religious law or by religious authorities	It is illegal or unrecognised to identify as an atheist or as non-religious		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	'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
Discriminatory prominence is given to religious bodies, traditions or leaders  State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is an established church or state religion			
		Insufficient information or detail not included in this report		

## Constitution and law

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. According to the Constitution, the state religion is Islam and the King must be Muslim.

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.



## Apostasy and atheism

Atheists must associate themselves with a recognized religion for purposes of official identification. Employment applications for government positions occasionally contain questions about an applicant's religion.

There is no express statutory law against apostasy, however...

*"conversion trials are heard by Islamic courts and may be instituted by any member of the community. ... if someone is convicted of apostasy, the Islamic courts adjudicating matters of personal status have the power to void the person's marriage and deny his/her right to inherit from a spouse and from Muslim relatives.*

*A person could also be subjected to accusations of apostasy with all its consequences for activities other than conversion. In one reported case from 2010, Jordanian poet Islam Samhan was accused of apostasy for poems he wrote."*

[loc.gov/law/help/apostasy/index.php#jordan](http://loc.gov/law/help/apostasy/index.php#jordan)

## Blasphemy

Under the Jordanian Penal Code (Article 273), anyone blaspheming Islam, "demeaning" Islam, hurting Muslim feelings, or "insulting" Prophet Muhammad is liable for imprisonment of one to three years.

## Family law

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. Matters of personal status of non-Muslims whose religion is recognized by the Government are under the jurisdiction of Tribunals of Religious Communities, according to Article 108.

## Freedom of expression and media

Freedom of expression is restricted. Some subjects are explicitly forbidden, such as criticism of Islam and the royal family. In addition there are other unwritten rules against the expression of critical opinion on religious and social issues. Even reporting of facts that may cast a negative light on the institutions of religion and state can result in arrest. Although imprisonment was abolished as a penalty for press offenses in 2007, journalists can still be jailed under the penal code. Self-censorship is common.

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.

### **Other human rights issues**

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.

# 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 Organisation 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.*

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
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	‘Apostasy’ is outlawed and punishable with a prison sentence		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	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;

## Demography

Approximately 70% of citizens 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.

## **Constitution and law**

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, 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.

## **Blasphemy and apostasy**

There are laws against blasphemy and apostasy with the government actively enforcing them.

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.

In 2013, Kuwait's Council of Ministers rejected amendments by the country's parliament to make blasphemy a capital crime.

## **Religious privilege and discrimination**

Kuwait has laws against proselytization. Nevertheless, its government provides financial support to Sunni Muslims who proselytize foreign residents.

Whilst religion is not designated on national identity documents, the law does prohibit the naturalization of non-Muslims.

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. Penalties for such behaviours include a month's imprisonment.

## **Education**

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.

## Freedom of expression and media

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.

## Individual 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](http://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.

# Lebanon

The Lebanese Republic has a population of around 4.1 million people bordered by Syria to north and east and Israel to the south. 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). Lebanon is a member of the League of Arab States (LAS), as well as the Organisation of Islamic Cooperation (OIC).

**Rating: Severe 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
Systemic religious privilege results in significant social discrimination  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		'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

## Laws and the Constitution

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.

In March 2014, 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/](http://ginosblog.com/2014/04/01/lebanese-president-equates-atheists-to-terrorists/)

The constitution requires the state to respect all religious groups and denominations and declares respect for the personal status and religious interests of persons of every religious group. The constitution declares equality of rights and duties for all citizens without discrimination or preference but stipulates that there be a balance of power among the major religious groups. A constitutional provision apportions political offices according to religious affiliation.

## **The Sectarian System**

The constitution provides that Christians and Muslims be represented equally in parliament, the cabinet, and high-level civil service positions. It also provides that these posts be distributed proportionally among the recognized religious groups. The constitutional provision for the distribution of political power and positions according to the principle of religious representation is designed to prevent a single group from gaining a dominant position. The 1943 “National Pact” stipulates that the president, prime minister, and speaker of parliament be Maronite Christian, Sunni Muslim, and Shia Muslim, respectively. This distribution of political power operates at both the national and local levels of government.

The 1989 Taif Agreement, which ended the country’s 15-year civil war, reaffirms this arrangement while mandating equal Muslim and Christian representation in parliament and reducing the power of the Maronite Christian presidency. In addition, the Taif Agreement endorses the constitutional provision of appointing most senior government officials according to religious affiliation. This practice exists in all three branches of government. The agreement also stipulates a cabinet with power allocated equally between Muslims and Christians.

## **ID Cards**

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.

## **Marriage Law**

There were until 2013 no procedures for civil marriage. However in early 2013 the ratification of a civil marriage between Kholoud Sukkarieh and Nidal Darwish has been a step toward secularizing family law. Caretaker interior minister Marwan Charbel signed the couple's marriage contract in April 2013, making them the first couple in Lebanon and the Arab world to get a civil marriage in their home country. Prior to 2012 the government of Lebanon did not recognize civil marriage ceremonies performed outside the country, irrespective of the religious affiliation of each individual, interreligious marriage would also have to convert or have a civil marriage outside the country.

In most cases the government permits recognized religious groups to administer their own family and personal status laws, such as marriage, divorce, child custody, and inheritance. Unrecognized groups may own property and assemble for worship without government

interference; however, they may not perform legally recognized marriage or divorce proceedings, and they have no standing to determine inheritance issues. An individual may change religions if the change is approved by the head of the religious group the person wishes to join. The government permits the publication of religious materials of every religious group in different languages.

The government does not officially recognize some religious groups such as Bahais, Buddhists, Hindus, and unregistered Protestant groups. Members of these groups do not qualify for certain government positions, but they are permitted to perform their religious rites freely. Government records list some members of unregistered religious groups as belonging to recognized religious groups. The penal code stipulates a maximum prison term of one year for anyone convicted of “blaspheming God publicly.” Wider issues on thought and expression and other human rights.

The constitution guarantees freedom of expression and Lebanon has a long tradition of press freedom. While there is some government interference in reporting on politically sensitive issues, a greater threat comes from the threat of violence against reporters. Freedom of assembly is protected by the constitution and has generally been unrestricted in practice.

## **Blasphemy Law**

Article 473 of the Penal Code of Lebanon says people can be sentenced for a maximum of 1 year for blaspheming or otherwise insulting a religion - although, importantly, it has never been used.

## **Education**

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 majority-christian schools, a priest will go, and in majority-muslim 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 allowed christian children to opt-out of the islamic religious education.

< <http://english.al-akhbar.com/content/lebanons-education-system-training-children-civil-strife> >



## Freedom of Expression

Freedom of expression is generally protected and respected, but with a few important (and many minor) caveats. It is illegal to criticise religious leaders and the president, and one man was arrested for doing so in 2013, and 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, and 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)>

## Individual 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."

# Oman

**Rating: Severe 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
Systemic religious privilege results in significant social discrimination  State legislation is partly derived from religious law or by religious authorities			Religious control over family law or legislation on moral matters	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
Discriminatory prominence is given to religious bodies, traditions or leaders	There is an established church or state religion  Legal or constitutional provisions exclude non-religious views from freedom of belief	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		

## Constitution and law

Oman imposes substantial restrictions on freedom of religion or belief and the freedoms of expression, assembly and association. The Basic Law declares that Islam is the state religion and that Sharia is the basis of legislation, however legislation is largely based on civil code and civil courts replaced Sharia courts in 1999. The Basic Law prohibits discrimination based on religion and protects the right to practice religious rites on condition that doing so does not disrupt public order.

The right to peaceful assembly within limits is provided for by the Basic Law. However, all public gatherings require official permission, and the government has the authority to prevent organized public meetings without any appeal process.

## Apostasy

Despite theoretical constitutional protections, apostasy is harshly punished; though it is not a criminal or civil offense per se, the Personal Status and Family Legal Code prohibits a father who converts from Islam from retaining paternal rights over his children.

## Blasphemy

It is a criminal offense to defame any faith. The law prescribes a maximum three-year sentence and fine of 500 rials (US\$1,300) for anyone who "publicly blasphemes God or His

prophets,” commits an affront to religious groups by spoken or written word, or breaches the peace of a lawful religious gathering.

Using the Internet in a way that “might prejudice public order or religious values” is also a crime, with a penalty of between one month and a year in prison, and fines of not less than 1,000 rials (US\$2,600). The law also provides for a maximum 10 years imprisonment for inciting religious or sectarian strife.

## **Religious discrimination**

The law prohibits public proselytizing by all religious groups, although the government allows religious groups to proselytize privately within legally registered houses of worship and Islamic propagation centers.

The country’s civil courts adjudicate cases governed by the Personal Status and Family Legal Code. However, the code exempts non-Muslims from its provisions in matters pertaining to family or personal status, allowing them to seek adjudication under the religious laws of their faith. Shia Muslims may resolve family and personal status cases according to Shia jurisprudence outside the courts, and retain the right to transfer their case to a civil court if they cannot find a resolution within Shia religious tradition. Although the government records religion on birth certificates, it is not printed on other official identity documents.

## **Education**

Islamic studies are mandatory for Muslim students in public school grades K-12. Non-Muslim students are exempt from this requirement, and many private schools provide alternative religious studies.

## **Freedom of expression and media**

Freedom of expression is limited, and criticism of the sultan is prohibited. The 2004 Private Radio and Television Companies Law allows for the establishment of private broadcast media outlets. The government permits private print publications, but many of these accept government subsidies, practice self-censorship, or face punishment for crossing political red-lines. In September 2011, Youssef al-Haj and Ibrahim Ma’mari of the newspaper Al-Zaman were convicted of “insulting” the minister of justice and sentenced to five months in prison after reporting in May on allegations of corruption at the ministry. In January 2012, an appeals court upheld the convictions, but suspended their sentences.

Omanis have access to the internet but the government censors politically sensitive content and pornographic content. The sultan issued a decree in 2008 expanding government oversight and regulation of electronic communications, including on personal blogs. Starting in 2012, authorities increased the monitoring of social media and arrested several Omanis for posting “negative” or “insulting” material, spreading rumors about national security, or inciting protests. Thirty-two activists received prison sentences ranging from 6 to 18 months for posting comments on social media that were considered slanderous to Sultan Qaboos.

## Individual Cases



In 2012, a dozen activists were fined and sentenced to one year in prison for participating in protests held in support of writers and bloggers who had been arrested for libeling the Sultan.

# Qatar

Qatar has just under 2 million residents, 1.5 million of them are expatriates. Islam is the majority religion. 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 Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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
	'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
Systemic religious privilege results in significant social discrimination  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	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  Discriminatory prominence is given to religious bodies, traditions or leaders	There is an established church or state religion  Legal or constitutional provisions exclude non-religious views from freedom of belief			

## Constitution and law

Islam is the state religion of Qatar, and its legislation draws from a mix of Sharia and secular laws. Islam, Christianity, and Judaism are recognized by the law, no other belief systems such recognition. 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".

## **Apostasy**

Converting to another religion from Islam is considered apostasy and, although not recently used, apostasy remains a capital offense in Qatar.

## **Blasphemy**

Defamation, desecration, or committing blasphemy against Islam, Christianity, or Judaism is punishable by up to seven years in prison in Qatar. The production or circulation of material containing slogans, images, or symbols defaming any of the three Abrahamic religions is punishable by a fine of QR 1,000 (\$275) or a one-year prison term.

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.

## **Religious discrimination**

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.

## **Family law**

The unified court system applies Sharia in family law cases and has jurisdiction over both Muslims and non-Muslims. 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.

## **Education**

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.

## **Freedom of expression and media**

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.

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.

## Individual 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, authoritarian in nature, and situated on the Arabian Peninsula. The Saudi government has sought to make improvements in terms of respecting freedom of religion or belief in recent years; however, the country persists in having a highly restrictive regime where 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), as well as the Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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>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>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</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 a 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>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>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is an established church or state religion</p>	<p>There is state funding of at least some religious schools</p> <p>Religious instruction is</p>		



		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;  Concerns that secular or religious authorities interfere in specifically religious freedoms

## Demography

Whilst ranked as "Not Free" by Freedom House, it has a high Human Development Index and a sizeable population of expatriate workers of various faiths. A 2012 poll undertaken in Saudi Arabia found that nearly 25% of those interviewed described themselves as "not religious" and of those 5% declared themselves to be convinced atheists.

## Constitution and laws

There is no freedom of religion or belief in Saudi Arabia. It is explicitly an Islamic state; there is no separation between state and 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.

## Blasphemy and apostasy

Like many Islamic states, the phenomenon of blasphemy is conceived as a deviation from Sunni Islam and is thus treated as apostasy. Notably, apostasy is criminalized and normally met with a death sentence in the country. The death sentence (usually by beheading and crucifixion) is also used to address "crimes" of "witchcraft" and "sorcery".

## Religious discrimination

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.

## Atheism is "terrorism"

In March 2014, the Government brought into law new anti-terrorism legislation, which defines atheism as terrorism. Article 1 of the law defines 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 [...] These regulations dash any hope that King Abdullah intends to open a space for peaceful dissent or independent groups.”*

— Joe Stork, deputy Middle East and North Africa director at Human Rights Watch.

<http://www.hrw.org/news/2014/03/20/saudi-arabia-new-terrorism-regulations-assault-rights>

## Freedom of expression and media

The punishment used for any perceived criticism of the ruling family or the state’s interpretation of Islam is harsh and often secret and obscurantist 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, which provides Saudi Arabia with a dominant regional presence and media influence. The government has also sought to control online media, having blocked access to over 400,000 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.

Because of restrictions, there have been a number of arrests and convictions for social media comments, postings, or activism by human defenders. For example:

- 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 March 2014, Abdullah al-Hamid and Mohammed al-Qahtani completed their first year in prison, serving 11 and 10-year sentences, respectively, for criticizing the government’s human rights abuses and for membership in an unlicensed political and civil rights organization.

- In April 2014, Fadhil al-Manasif, who played a leading role in documenting abuses against demonstrators in the Eastern Province in 2011, received a 15-year sentence, a 15-year travel ban (to follow his prison sentence), and a fine of 100,000 Saudi Riyals (US\$26,666). He was charged with “sowing discord,” “inciting public opinion against the state,” and “communicating with foreign news agencies to exaggerate news and harm the reputation of the kingdom.”
- During the same month, 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 2014, Mikhlif Al-Shammari was sentenced to 200 lashes and two years in prison on charges which included organising an allegedly unauthorised dinner with reformers, visiting fellow activist Sheikh Abdulkarim Alhubail, sympathising with a family whose son was killed in the Al-Qatif demonstrations and stirring up public opinion about the "co-existence between the different sects.

## Religious Police

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.

## Propagation of religious hatred in schools

The problem of propagation of religious hatred in the classroom remains a significant problem 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>>

## Other human rights issues

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.

## Individual Cases



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 sentenced at that time was seven 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

# Palestine

Palestine is a geographic region in western Asia with a tumultuous history and disputed territorial boundaries that have varied widely over time. The region holds a population of approximately 4 million, of which the vast majority are Muslim. In 2014 the Israeli-Palestinian tension flared up into a protracted and bloody conflict.

**Rating: Severe 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
Systemic religious privilege results in significant social discrimination  State legislation is partly derived from religious law or by religious authorities			It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization	'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	Insufficient information or detail not included in this report		

## Charter and law

Freedom of religion or belief and freedom of expression in various parts of the "Palestinian Territories" fall under the jurisdiction of the Palestinian Authority (in much of the West Bank), or Israel, or Hamas (in the Gaza Strip).

The "Basic Law" that functions as a constitution for the Palestinian Authority recognizes international human rights standards, which include freedom of thought and expression, as well as freedom of association and assembly. However, these are only selectively enforced and are frequently violated by the various governing authorities.

The Palestinian Authority (PA)—a quasi-sovereign entity created by the 1993 Oslo Accords—is effectively fractured in two halves—the West Bank controlled by the Fatah-dominated PA, and the Gaza Strip controlled by Hamas. Freedom of religion or belief faces significant government restrictions in both territories.

The 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!"

## **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.

## **Freedom of expression and media**

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.

## Individual 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.

# Syria

The Syrian Arab Republic is in the throes of a civil war with a strong sectarian religious dimension. Even the limited freedoms granted by its constitution are therefore being violated on a massive scale by all sides in the conflict.

## Rating: Grave Violations

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
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
Systemic religious privilege results in significant social discrimination	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	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 law

The state is often referred to, and described by the Assad regime, as "secular" prior to the conflict, and there is no official state religion. However, in fact the constitution requires that the president be Muslim and stipulates that Islamic jurisprudence is a principal source of legislation.

Prior to the civil war, the Syrian constitution, law and other policies provided some limited freedom of religion or belief, but very little freedom of expression, especially with regard to the media.

## Family law

For issues of personal status, or family law, the government requires citizens to be affiliated nominally with Christianity, Judaism, or Islam. Religious affiliation is documented on the birth certificate and is required on legal documentation when marrying or traveling for a religious pilgrimage. The government does not require the designation of religion on a passport or national identity card.

Members of religious groups are subject to their respective religious laws concerning marriage and divorce. A Muslim woman cannot marry a Christian man, but a Christian woman can marry a Muslim man. The personal status law on divorce for Muslims is based on Islamic law, and government-appointed religious judges interpret some of its provisions in



a manner that discriminates against women. In the case of interreligious disputes, Islamic law takes precedence.

## **Education**

All state schools are officially government-run and non-sectarian, although in practice the Christian and Druze communities operate some schools. There is mandatory religious instruction in public schools for all religious groups, with government-approved teachers and curriculums. Religious instruction is provided for Islam and Christianity only, and courses are divided into separate classes for Muslim and Christian students.

By the end of 2013, the UN estimated that more than 100,000 Syrians had been killed in the civil war. Some of these killings had a sectarian motivation: Muslims killing secularists and Christians, Christians killing Muslims, Shias killing Sunnis.

# Turkey

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 renewed 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 Organisation 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, under the current government.*

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

			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  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	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 laws

The Constitution protects freedom of religion or belief, guaranteeing equal protection before the law, irrespective of 'philosophical belief, religion and sect'. It also lists secularism as one of the fundamental characteristics of the republic.

However, there are a few constitutional provisions 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.

## Belief demographics

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](http://redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf)>

## Education

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.

## “Blasphemy” and free expression

Freedom of expression is also protected by the 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](http://theguardian.com/world/2014/mar/21/turkey-blocks-twitter-prime-minister)>

There are legal provisions against blasphemy. Article 216 of the penal code outlaws insulting religious belief with section 3 of the article 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 prosecution of world-renowned Turkish pianist Fazıl Say in 2013 (see Individual Cases below) was only one of the most prominent legal actions against Turkish artists, writers and intellectuals who have made statements about religion and Turkish national identity.

## Don’t laugh

High-level government officials including president Erdoğan continue to promote a more socially conservative and Islamic-inspired rhetoric around individual rights and freedoms. In a widely reported speech to mark Eid al-Fitr in July, 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 [#direnkahkaha](https://twitter.com/hashtag/direnkahkaha) (“resist laughter”) and [#direnkadin](https://twitter.com/hashtag/direnkadin) (“resist woman”).

<[theguardian.com/world/2014/jul/30/turkish-women-defy-deputy-pm-laughter](http://theguardian.com/world/2014/jul/30/turkish-women-defy-deputy-pm-laughter)>

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:

*“...it should be noted that the overall landscape for democracy and human rights has deteriorated significantly during the past year, including serious new restrictions on internet freedom, privacy, and media freedom, with troubling implications for freedom of religion or belief in Turkey. Based on these concerns, USCIRF places Turkey on Tier 2 in 2014.”*  
— United States Commission on International Religious Freedom Annual Report 2014

## Highlighted Cases



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.

<http://www.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.

[hurriyetdailynews.com/court-sentences-founder-of-popular-online-forum-for-blasphemy.aspx?pageID=238&nID=66544&NewsCatID=339](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.

[huffingtonpost.com/2013/04/15/fazil-say-jailed-turkish-pianist-receives-suspended-jail-term-for-twitter-comments\\_n\\_3083849.html](http://huffingtonpost.com/2013/04/15/fazil-say-jailed-turkish-pianist-receives-suspended-jail-term-for-twitter-comments_n_3083849.html)



In October 2014, an **unnamed woman** 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.

[huffingtonpost.com/2014/10/23/turkey-stilettos-quran-tweet\\_n\\_6035198.html](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.

[theguardian.com/world/2008/sep/18/turkey](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 Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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>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>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p>		<p>There is a pattern of impunity or collusion in violence by non-state actors against the 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 repressed</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>State legislation is partly derived from religious law or by religious authorities</p>	<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</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>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>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

## Constitution and law

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.

## Demography

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.

## 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 Shari’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](http://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](http://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.

## Education

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.

## 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]*

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.

<http://www.refworld.org/docid/53284a5310.html>



## Testimony



*"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 Organisation of Islamic Cooperation (OIC).

## Rating: Grave Violations

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
State legislation is largely or entirely derived from religious law or by religious authorities	'Apostasy' or conversion from a specific religion is outlawed and punishable by death  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	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			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
State-funding of religious institutions or salaries, or discriminatory tax exemptions	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		

## Constitution and law

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.

### **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.

### **Education**

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.

### **Freedom of expression and media**

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**

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
Systemic religious privilege results in significant social discrimination		Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	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 law

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 the freedoms, under Article 33 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 groups, sceptics or free thinkers 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](http://206.155.102.64/country,,,BLR,,53d907aa10,0.html)

## Education

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.

## Broader human rights concerns

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](http://206.155.102.64/country,,,BLR,,5412db636,0.html)

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](http://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

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
Discriminatory prominence is given to religious bodies, traditions or leaders  State-funding of religious institutions or salaries, or discriminatory tax exemptions				
	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

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](http://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](http://legirel.cnrs.fr/spip.php?article540&lang=fr)>

<[biblicalstudies.org.uk/pdf/rss/33-4\\_315.pdf](http://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](http://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](http://religiousfreedom.com/index.php?option=com_content&view=article&id=198&Itemid=29)>

<[ecpr.eu/Filestore/PaperProposal/84fd47d2-1b97-4644-8555-79f8a337e9ef.pdf](http://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

In 2011, former Bulgarian Prime Minister Boyko Borisov spoke during a mass at the St. Prokopi 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](http://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.

## Other rights, freedoms, and accountability

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](http://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](http://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](http://lcweb2.loc.gov/frd/cs/profiles/Bulgaria.pdf)

# Czech Republic

A constitutionally secular country, the Czech Republic has a fairly large non-religious population.

## 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>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>	

## Demography

Although the most recent census figures were somewhat skewed because 45% of the population refused to answer the optional question on religion, the census still shows that the percentage of non-believers and those not identifying with a religion or refusing to answer the question has risen from 68% to 79% from 2001 to 2011. However, beneath the secular surface, there are a number of systemic privileges and special permissions granted to religious groups. Another 15,000 identified as “Jedi”.

[czso.cz/sldb2011/eng/redakce.nsf/i/tab\\_7\\_2\\_population\\_by\\_religious\\_belief\\_and\\_by\\_region/\\$File/PVCR072\\_ENG.pdf](http://czso.cz/sldb2011/eng/redakce.nsf/i/tab_7_2_population_by_religious_belief_and_by_region/$File/PVCR072_ENG.pdf)

## Constitution and laws

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 states in Chapter 1, Article 2(1):

*“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.”*

[www.usoud.cz/en/charter-of-fundamental-rights-and-freedoms/](http://www.usoud.cz/en/charter-of-fundamental-rights-and-freedoms/)

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.

## Freedom of expression

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=tre stn~C3~AD~20z~C3~A1kon~C3~ADk&nr=40~2F2009&part=&name=&rpp=100#parCnt](http://portal.gov.cz/app/zakony/zakonPar.jsp?page=3&idBiblio=68040&recShow=362&fulltext=tre stn~C3~AD~20z~C3~A1kon~C3~ADk&nr=40~2F2009&part=&name=&rpp=100#parCnt)

## Special permissions for religious groups

The state funds religious groups including clergy salaries and cultural activities in the billions of Czech crowns (tens of millions of dollars US).

A specific piece of legislation was passed in 2002 that grants special conditions and privileges to religious groups and organisations: 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\\_l-01.pdf](http://host.uniroma3.it/progetti/cedir/cedir/Lex-doc/Cz_l-01.pdf)

This Act grants jurisdiction to the Ministry of Culture (the Ministry) in matters relating to churches and religious societies. Under the Act, churches may register with the Ministry provided they meet certain conditions set out in article 10 and don't contravene any of the exclusions set out in article 5. Under article 6, a church is formed as a legal entity by registration. A registered 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;”*
2002. Act 3/2002 Coll, Article 7

Using the term “specific law”, this Act sets a way for 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.

## Education

According to the “2012 International Religious Freedom Report”, there are 33 religious groups recognised by the state (i.e. registered with the Ministry). Of these, nine have been granted special permissions under *article 7(1)(a) to teach religion in state schools in accordance with specific law*. 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.*”

[state.gov/documents/organization/208518.pdf](http://state.gov/documents/organization/208518.pdf)

# Hungary

The Hungarian Parliament has been dominated by Prime Minister Viktor Orbán’s party since 2010, using their supermajority to adopt constitutional amendments which have broken down oversight and increased government executive powers.

**Rating: Severe Discrimination** ↓

*This country is found to be declining with retrograde, anti-democratic reforms implemented under a far right-wing government since 2010.*

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
Systemic religious privilege results in significant social discrimination				
Religious groups control some public or social services  State-funding of religious institutions or salaries, or discriminatory tax exemptions		There is state funding of at least some religious schools		
				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 law

The constitution and other laws and policies 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 elected in 2010 have raised concerns about how well these rights will be preserved and protected.

Although the state is officially secular, considerable government support, including hundreds of millions of dollars, is given to the main Christian churches.

The constitution provides for freedom of thought, conscience, and religion, including the freedom to choose or change one’s religion. The constitution separates church and state and stipulates that churches are autonomous, but that the state will cooperate with churches on community goals. The constitution’s preamble expresses gratitude to the nation’s first king who united the country with “Christian Europe” 1,000 years ago.

The criminal code has a provision on the “Violation of the Freedom of Conscience and Religion,” which states that whoever restricts another person by violence or threats, or prevents another person from freely exercising his or her religion by violence or by threats, commits a crime. This crime is punishable by up to three years in prison. Public incitement of hatred against any national, ethnic, racial, or religious group is a felony punishable by imprisonment for up to three years. (These restrictions do not appear to have been used as a de facto blasphemy law to prohibit legitimate criticism of religion.)

## **Religious privilege and discrimination**

The four “historic” religious groups (Roman Catholic, Reformed, Lutheran, and Jewish) continued to receive more than 90 percent of state financial support provided to religious groups. All registered religious groups also receive advantageous tax treatment. In addition to taxpayer contributions, the government allocates public funds to registered religious groups. Additional government funding to religious organizations is provided for a range of activities, such as the maintenance of public art collections; support for religious instruction, education, and culture; annual compensation for religious property that was confiscated by the Communist regime but never restituted; and assistance to church personnel serving the smallest villages. In 2011 this financial assistance significantly increased to 34 billion forints (\$154 million) as compared with 23.5 billion forints (\$106 million) in 2010.

A new religion law, which took effect on January 1, 2012, changed the registration process for religious groups from one led by the courts to one requiring the approval of parliament, thereby deregistering more than 350 previously registered religious groups. These groups therefore lost many financial and administrative benefits they had previously received as registered religions. Many religious groups’ attempts to re-register were refused without explanation.

## **Education**

The new religion law continues to help both churches and religious associations to take control of public schools through a formal transfer agreement with the central government. Municipalities, religious groups, or school boards can initiate such transfers, but they can only be executed if the designated religious group is able to collect the signatures of at least 50 percent of the parents and adult students. Churches and religious associations operating public education institutions receive the general “normative subsidy” provided to educational institutions by the state, but officially registered churches are also entitled to a “supplementary subsidy” as well.

## **Freedom of expression and media**

The law prohibits public denial, expression of doubt, or minimization of the Holocaust, genocide, and other crimes committed by the National Socialist and Communist regimes; there is a maximum sentence of three years in prison for such offenses.

The rightwing “Fidesz” party, which took power in 2010 with prime minister Victor Orbán at its head, has a parliamentary supermajority that allows it to change the constitution by itself.

In the past three years the governing party has made significant changes to the laws affecting religious organizations and the media.

Under new media legislation that took effect in 2011, media outlets must register with the new National Media and Infocommunications Authority (NMHH), which has the power to revoke licenses. A new Media Council under the NMHH can close outlets or impose fines of up to \$950,000 for violating vaguely defined content rules. Fidesz, with its parliamentary supermajority, controlled appointments to the Media Council, whose members serve nine-year terms. The council's president, who is directly appointed by the prime minister, nominates the heads of all public media outlets for approval by a Fidesz-dominated board of trustees. Despite minor amendments to the legislation made in March 2011 and again, following a December 2011 Constitutional Court ruling, in May 2012, international press freedom organizations insist that the laws do not adequately protect media independence. European Commission vice president Neelie Kroes stated in June 2012 that the May amendments had addressed only 11 of 66 recommendations made by the Council of Europe.

Domestic ownership of Hungarian media is highly concentrated in the hands of Fidesz allies. The government is the country's largest advertiser and has withdrawn most advertising from independent media since the 2010 elections. According to Freedom House, there is anecdotal evidence that private companies withhold advertising from independent media to avoid losing government contracts. In 2011, Dániel Papp, co-founder of the far-right race-baiting political party Jobbik, was named as editor in chief of the news office at the MTVA media fund, which is responsible for the management of all public media. Extensive layoffs followed. In 2011 the Media Council prevented Klubradio, a radio station that is critical of the Fidesz government, from renewing its broadcasting license for five frequencies.



# Moldova

## 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  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;
			Insufficient information or detail not included in this report	

## Constitution and law

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

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 and media**

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 organisation 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**

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
				'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>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>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 law

The current provisions for official church-state relations were outlined in article 25.2 of the Polish Constitution of 1997, which states that interactions between the Church and the state are based *'on the principle of respect for their autonomy and the mutual independence of each in its own sphere, as well as on the principle of cooperation for the individual and the common good'*.

To an extent, the close relationship between the Catholic Church and the Polish state results from the historical contribution of the Church towards the creation of national identity during the partitions of Poland and the its role as a symbol of hope and resistance during the socialist era. Due to its significance as a symbol of Polish national identity, 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.

According to the European Values Survey (2008), 91 per cent of the Polish population identify themselves as Catholic; the second largest religious denomination is the Orthodox Church, followed by various Protestant denominations. However, loyalty to the Church appears to be on the decline as more and more people are turning away from institutionalised religion and pursuing alternative belief systems. An official survey carried out by the Catholic Church Institute of Statistics this year revealed that the number of Poles attending Sunday mass had decreased by approximately two million over the last ten years, meaning that an average of only 39% of the population attend church and, for the first time since 1980, the number of churchgoers has fallen to below 40%.

Recent research also suggests that younger generations are becoming more selective in their interpretation of religious dictates, with 75% of regular churchgoers aged 18-24 accepting premarital sex, 50% accepting divorce and 20% accepting abortion. This suggests a definite, albeit gradual, process of individualisation of religious attitudes in Poland.

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.

## Reproductive rights

Poland is one of several countries in Europe in which access to abortion is extremely restricted, and the United Nations has previously criticised Poland for its lack of progress in providing women with the right to terminate pregnancies in a safe and legal manner.

Women are only granted the right to have an abortion if the foetus is severely malformed, the pregnancy puts her life at risk, or if the pregnancy was the result of a criminal act.

*'Local groups in Poland note that women seeking abortion face stigma, intimidation, and misinformation from healthcare providers and clergy. Poland's "conscience clause" under article 39 of the Doctor and Dentist Professions Act is a particular concern. Medical personnel may decline to perform abortion on the grounds that it conflicts with their personal values or beliefs. The law states that personnel must refer a woman to an alternate doctor or facility where she has a real possibility of obtaining services, but local women's groups report that such referrals are often not made.'* — Hillary Margolis, Human Rights Watch

<http://hrw.org/news/2014/10/22/dispatches-abortion-and-conscience-clause-poland>

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 will not violate the Ten Commandments by performing abortions, in vitro fertilisation and euthanasia, or by administering birth control. Former Prime Minister Donald Tusk urged medical professionals in Poland to consider the needs of their patients above their own convictions, stating:

*"Regardless of what his conscience is telling him, (a doctor) must carry out the law... Every patient must be sure that ... the doctor will perform all procedures in accordance with the law and in accordance with his duties."*

[federalnewsradio.com/317/3638892/Polands-PM-doctors-duty-is-above-his-faith](http://federalnewsradio.com/317/3638892/Polands-PM-doctors-duty-is-above-his-faith)

In vitro fertilisation also 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. Catholic bishops also strongly opposed calls by the Polish government under Donald Tusk to legalise in vitro fertilisation last year, demonstrating that the Catholic Church is still exerting its influence over individual reproductive rights in Poland.

## Sex Education

The Catholic Church strongly opposes sex education, which was introduced in Polish schools in 1993 in the form of a class called 'Wychowanie do życia w rodzinie' ('Preparation for Family Life'). Its inclusion in the Polish educational curriculum has been the subject of much debate and controversy amongst conservative parties and religious leaders. Archbishop Jozef Michalik, president of the Polish Episcopal Conference from 2004 to 2014, stated that gender ideology instructs schools to "extinguish a sense of shame in the child and teach it about the possibility of taking pleasure from bodily acts."

[blog.foreignpolicy.com/posts/2014/01/10/gender\\_is\\_the\\_new\\_enemy\\_of\\_the\\_polish\\_church](http://blog.foreignpolicy.com/posts/2014/01/10/gender_is_the_new_enemy_of_the_polish_church)

It has been reported that ambiguous legal requirements leave the class material open to interpretation, resulting in irregularities and inconsistencies in its implementation. Students require written consent from their parents to participate, and in rural areas access to such classes is restricted or, in some cases, non-existent.

## Religious education

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. All religious organisations officially recognised by the state have the right to organise religious education classes in schools, provided they do not violate other people's freedom of religion or conscience, and by law nobody can be forced to participate in religious practices.

Religious education is optional in state schools, with students having the option of taking a secular ethics class instead of one in religious studies provided they have written consent from their parents. However, in practice, Polish students do not always have access to ethics classes, especially in smaller schools and in rural areas.

*"Ethics classes are offered in just a small percentage of Polish schools. They are usually held in the late afternoon. Schools organise them in this way so as to discourage rather than encourage students' participation. State schools also often pressure pupils into taking part in religious celebrations such as masses on Papal Days. In addition, school celebrations also include religious elements from the Catholic Church."*

*Lessons also start with a prayer despite there being children in the class who chose not to attend religious education classes. 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. The cross hangs in 90% of classrooms and even in some school gyms.” — Dorota Wójcik, Fundacja Wolność od Religii*

## Apostasy

Apostasy in Poland is an arduous process that requires a handwritten letter of resignation from the Catholic Church, provision of 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. Many 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 statistics.

The rector is obliged to certify the declaration of apostasy with his signature and the seal of the parish, which should then be sent to the diocesan curia for approval. In practice, however, the necessity of bringing forward two witnesses, obtaining additional documentation and the lack of a clear deadline can complicate the process, and church law also prohibits the removal of data from baptismal records. The inability of individuals to access and remove their details from parish records has been strongly criticised by Joanna Senyszyn, a member of the European Parliament, and the Polish Association of Rationalists maintain that the procedure violates the constitutional rights of Polish citizens, namely the freedom to determine one's own religion.

## Blasphemy

*‘Public authorities in the Republic of Poland shall be impartial in matters of personal conviction, whether religious or philosophical, or in relation to outlooks on life, and shall ensure their freedom of expression within public life.’*

— Article 25(2) of the Polish Constitution

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, which allows Catholic clergy and activists to exert their influence in the public sphere:

*‘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 Polish Constitution

Due to the focus on religious objects or places of worship, the use of religious symbols in different forms of art has led to many Article 196 cases (see Individual Cases below).

Although Article 196 does not protect any particular religion, in practice it is only used to investigate alleged insults against Christian religious symbols. It does not appear to have any further impact on the enjoyment of human rights in Poland, other than the obvious effect on individual freedom of expression.

## Gender

Polish bishops are taking a strong stance against so-called “gender ideology”, which they perceive as a negative influence on the Polish family unit, with the highest Church authority issuing a letter entitled “The Dangers Stemming from Gender Ideology” earlier this year. Christian values are often used by clergy as a legitimisation of traditional gender roles and their vision of the role of women in society.

*‘... the Polish church now argues that just about every hot-button social issue is a result of this troubling ideology, including gay marriage, sex change, abortion, non-traditional family models, artificial insemination, and contraception.’*

[http://blog.foreignpolicy.com/posts/2014/01/10/gender\\_is\\_the\\_new\\_enemy\\_of\\_the\\_polish\\_church](http://blog.foreignpolicy.com/posts/2014/01/10/gender_is_the_new_enemy_of_the_polish_church)  
>

## LGBT Rights

Although religious conservatism still persists in Polish society, Poland elected its first openly gay MP, Robert Biedron, and a transgender MP, Anna Grodzka, in the parliamentary election 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 the Polish parliament, despite former Prime Minister Donald Tusk urging lawmakers to support the reform.

## Individual Cases



In April 2014, a pregnant 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 child had been diagnosed with severe health problems. Chazan was within his rights to deny the abortion in accordance with the ‘conscience clause’, but acted illegally by refusing to refer the patient to another physician and 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 her pregnancy and was forced carry the child to full term. The child was born on 30th June 2014 with severe brain defects 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.



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



*“Here 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.*

*“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 Kowalska



*“My name is Michał, I’m 25 years old. I haven’t attended religious education classes since I was 14. My decision not to practice any religion is connected with the inability to verify the right religion out of many. Because of this, I wanted to undergo apostasy. The formal aspects that have to be fulfilled (personal declaration with two witnesses in the parish in which you were baptised), are very discouraging towards doing something as simple as crossing yourself off a list. The behaviour of the parish priest also left much to be desired.”*

— Michał Nowak



# Romania

Romania is a semi-presidential republic with a multi-party system, a member of the EU and NATO. In the 2011 census 81.04% of the population identified themselves as Eastern Orthodox Christians.

## 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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</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>Religious instruction is mandatory in at least some public schools without secular or humanist alternatives</p>		
	Official symbolic deference to religion			
			Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

## Constitution and law

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.

## Religious privilege

The government formally recognizes 18 religions, each of which is eligible for state funding. Under the religion law, state funding is determined by the number of adherents of each recognized religious community reported in the most recent census and “the religion’s actual needs,” a vague provision leaving room for interpretation. The Romanian Orthodox Church receives the large majority of these funds.

Recognized religions also have privileged right to establish schools, teach religion classes in public schools, receive government funds to build places of worship, partially pay clergy salaries with state funds, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, receive tax-exempt status, and own cemeteries.

## Education

Public schools conduct religious instruction. To be excused from religion classes, students must submit requests in writing. The 18 recognized religions are entitled to hold religion classes in public schools. The law entitles students to attend religion classes in their faith irrespective of their number. The instruction is based on the religious affiliation of the students' parents. The constitution and the law allow the establishment of state subsidized educational institutions administered by recognized religions.

In September 2012, the Romanian Secular Humanist Association, *Asociația Secular-Umanistă din România* (ASUR) (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. ASUR also criticized automatic enrolment in religion classes, and began a campaign to inform parents and schools that parents had the right to withdraw children from religion classes. The right to withdraw from religious instruction is not otherwise widely publicised, some schools make it very difficult to apply in practice, and there are social pressures not to opt out.

# Russia

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.*

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
Systemic religious privilege results in significant social discrimination		Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<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 systematic religious privilege</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>			Some religious courts rule in civil or family matters on a coercive or discriminatory basis	
	Official symbolic deference to religion			

## Constitution and law

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](http://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](http://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](http://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.

[theotherussia.org/2010/10/19/moscow-rejects-ad-quoting-constitutional-freedom-of-religion/](http://theotherussia.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](http://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](http://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](http://sfgate.com/news/article/Russia-has-a-Muslim-dilemma-Ethnic-Russians-2466527.php)

## Education

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](http://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](http://eng.kremlin.ru/news/18002)

## 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](http://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](http://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/](http://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](http://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](http://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/>](http://stopfake.org/en/i-just-spent-7-days-watching-only-russian-news-and-reading-pravda-here-s-what-i-learned/)

## Individual 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 organisations 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



*"Together with the world economic crisis, Russian GDP growth has started to decrease, economic growth has stopped, and we are technically not far from a recession. During the last presidential elections Vladimir Putin has made plenty of promises including pensions and military allowances which he doesn't have the money to fulfil. So what could be a better way to distract people's attention from real problems to such 'important' things as morality and migration?"*

— Sergey

[<dazeddigital.com/artsandculture/article/18756/1/putins-war-on-gays>](http://dazeddigital.com/artsandculture/article/18756/1/putins-war-on-gays)



*“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

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>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 an established church or state religion</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>	<p>Insufficient information or detail not included in this report</p>	

## Constitution and law

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


All public elementary school students must take a religion class or ethics class, depending on personal or parental preferences.

## **Freedom of expression and media**

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 led the country finally into a deep conflict with Russia.

Rating: Mostly Satisfactory 

*This country is found to be declining, with serious human rights violations including “religious persecution” occurring in areas occupied by pro-Russian separatists, but the perpetrators are non-state actors and/or Russian militants, not Ukrainian state forces.*

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

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 law

Constitutionally, Ukraine protects religious freedom and freedom of worldview and conscience. Article 35 states, “The Church and religious organisations 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

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.

## 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](http://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/](http://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](http://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**

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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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>There is state funding of at least some religious schools</p>	<p>Insufficient information or detail not included in this report</p>	<p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</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 law

The constitution and other laws and policies protect freedom of religion or belief, as well as freedom of expression, association and assembly. The constitution states that “No person can, because of his religious belief or descent, be deprived of access to the full enjoyment of civil and political rights.” However, the constitution also states that the Evangelical Lutheran Church (ELC) is the state church.

## Religious privilege

The state provides the ELC with financial support of about US\$135 million (€100 million) a year and other benefits and privileges not available to other religious or belief groups. The

constitution also requires that the head of state, the reigning monarch, must be a member of the ELC.

The ELC is the only religious group that receives state subsidies or funding directly through the tax system. General revenues fund approximately 14 percent of the church's budget; the balance comes from a state-run church tax that only members pay. Among the nonreligious activities that the government mandates the ELC to run are the management of nonsectarian cemeteries and the registration of civil unions, births, deaths, and other vital statistics.

## **Blasphemy**

The criminal code contains a de facto blasphemy law, defined in terms of public mockery of or insult to the doctrine or worship of a legally recognized religion. The maximum penalty for a violation of this provision is a fine and up to four months in prison. The provision has not recently been enforced, and attempts to bring cases of alleged blasphemy to court have been dismissed by prosecutors as protected free speech. However, it remains on statute.

The law also prohibits hate speech and penalizes public statements that threaten, insult, or degrade individuals on the basis of their religion or belief.

## **Education**

All public and private schools, including religious schools, receive government financial support. Evangelical Lutheran theology is taught in public schools in accordance with the law; however, a student may withdraw from religion classes with parental consent, and about half of all students do in fact withdraw.

Additionally, the law requires that a Christian studies course also covering world religions be taught in public school. The course is nominally compulsory, although students may be exempted if a parent presents a request in writing. If the student is 15 years old or older, the student and parent must jointly request the student's exemption. The law allows Muslim, Jewish, and Christian prayers to be substituted for collective prayer in such venues as school assemblies as long as preaching is not included.

# Estonia

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**

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	The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No restrictions on freedom of expression or advocacy or humanist values

## Constitution and law

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 organisations 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 organisations 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

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

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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</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>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</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>Insufficient information or detail not included in this report</p>	

## Constitution and laws

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](http://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](http://stat.fi/tup/suoluk/suoluk_vaesto_en.html)

[adherents.com/largecom/com\\_atheist.html](http://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

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.

## Individual 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 and with a population of 325,671 and an area of 103,000 km<sup>2</sup>, is the most sparsely populated country in Europe.

**Rating: Severe 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
				'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	There is an established church or state religion	Religious instruction is mandatory in at least some public schools without secular or humanist alternatives		
			Insufficient information or detail not included in this report	

## Constitution and law

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 rights to freedom of association and peaceful assembly are guaranteed by the constitution and protected in practice.

## Belittling religion

The country's general penal code establishes fines and imprisonment of up to three months for those who publicly deride or belittle the religious doctrines or the worship of a lawful religious association active in the country. The general penal code also establishes penalties of fines and up to two years in prison for verbal or physical assault on an individual or group based on religion.

## State church privileges

The Evangelical Lutheran Church of Iceland (ELCI), which is the state church, enjoys some advantages not available to other religion and belief groups. Members of religious communities are allowed to designate part of their income tax to go to their church. Citizens can choose to direct this "church tax" to the state treasury instead. However, a new law passed on January 30, 2013 guarantees equal legal status and funding for secular life

stance organizations. *Síðmennt*—the Icelandic Ethical Humanist Association (an IHEU member organization)—applied for and was granted such status on May 3, 2013.

## **Education**

A 2008 law requires the teaching of Christian theology in grades 1 through 10. By law, the education minister may exempt pupils from instruction in compulsory subjects such as Christianity, ethics, and theology, and individual school authorities issue exemptions informally. School authorities need not offer other religious or secular instruction in place of these classes. The absence of alternative classes may discourage students or their parents from requesting exemptions and potentially isolates students seeking exemptions or puts them at risk of bullying in schools.

In 2011 the Reykjavik City Council prohibited religious groups from conducting any activities, including the distribution of proselytizing material, in the municipal public schools (grades one through ten) during school hours. Any student visits to the gathering places of religious groups during school hours are under the guidance of a teacher as part of a class on religion. Any such instruction cannot involve the active participation of students in a religious service.

## **Freedom of expression and media**

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.

# 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**

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>Preferential treatment is given to a religion or religion in general</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>Religious schools have powers to discriminate in admissions or employment</p>		<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
	Official symbolic deference to religion			
			Insufficient information or detail not included in this report	

## Sectarian history

The dominant religion in Ireland has traditionally been Roman Catholicism, and the Catholic Church has influenced the island since the 4<sup>th</sup> 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.

## Constitution and law

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/](http://atheist.ie/2014/07/irish-government-again-evades-un-questions-on-oaths-blasphemy-and-religious-discrimination-in-irish-schools/)

## 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

The Church had dominated education in the country since British reforms in the 830s, 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 organisations. 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 organisations like “Educate Together” have established a small number of “Multi Denominational” schools, run independently of any religious patron.

<[educatetogether.ie](http://educatetogether.ie)>

<[teachdontpreach.ie](http://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/](http://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](http://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/](http://atheist.ie/2014/08/un-asks-ireland-about-religious-discrimination-in-irish-schools-video-and-transcript/)

## 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 organisations Atheist Ireland and the Humanist Association of Ireland. The Council of Irish Churches, an organisation 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.”*

[theguardian.com/world/2014/sep/30/ireland-referendum-blasphemy-law](http://theguardian.com/world/2014/sep/30/ireland-referendum-blasphemy-law)

## 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.

## 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

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  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 law

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**

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](http://refworld.org/docid/53d9075610.html)

## **Freedom of expression and media**

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](http://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

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>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 restrictions on freedom of expression or advocacy or humanist values</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 law

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**

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 and media**

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. The country is located in the north of Europe, bordering its Nordic neighbours Sweden and Finland. Norway’s human development index (HDI) is the highest in the world.

**Rating: Mostly Satisfactory**

	There is a nominal state church with few privileges or progress is being made toward disestablishment			
	Official symbolic deference to religion			
Freedom of thought, conscience, religion or belief is upheld		No discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No restrictions on freedom of expression or advocacy or humanist values

## Constitution and laws

Freedom of religion and freedom of expression are protected by the Norwegian Constitution (Articles 16 and 100, respectively). Internet use is not restricted.

[servat.unibe.ch/icl/no00000 .htm](http://servat.unibe.ch/icl/no00000.htm)

Article 16 of the Constitution prominently refers to Christianity, but affirms religious freedom for all inhabitants and equal support for all religions and religious groups:

*“All inhabitants of the realm have the right to free exercise of their religion. The Norwegian Church, an Evangelical-Lutheran Church, remains Norway’s Church and supported as such by the state. Specific provisions on the organisation thereof are laid down by law. All religions and religious groups are supported equally.”*

## Church of Norway

The Evangelical-Lutheran Church (“Church of Norway”; Norwegian: *Den norske kirke*, “The Norwegian Church”) remains a *de facto* state church. In 2012, the ties between the Church of Norway and the state were partly dissolved.

[state.gov/documents/organization/208564.pdf](http://state.gov/documents/organization/208564.pdf)

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 more inclusive wording: “The basis of our values remains our Christian and humanist inheritance.” The head of the Church of Norway is (still) the King of Norway. He is required to profess the Evangelical-



Lutheran religion and must invoke “God, the Almighty and Omniscient” in his oath of accession (Art. 4 and Art. 9, Constitution). A requirement that at least half of the government had to be church members was removed in 2012.

## Financial support of religious groups

The Norwegian state supports the Evangelical-Lutheran Church financially. Other religions or religious groups (non-theistic groups are included in the term) may also register with the government to receive financial support from the state (“All religions and religious groups are supported equally.”, Art. 16, Constitution). The financial support is provided to all groups in proportion to their formally registered membership. The largest non-religious organization is the Norwegian Humanist Association (*Human-Etisk Forbund*) with over 80,000 members.

## Belief demographics

As of 2013, 75.2% of the Norwegian population are affiliated with the Church of Norway.

[ssb.no/en/kultur-og-fritid/statistikker/kirke\\_kostraaar](http://ssb.no/en/kultur-og-fritid/statistikker/kirke_kostraaar)

However, 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/](http://newsinenglish.no/2009/09/30/church-attendance-hits-new-low/)

## Education

The school subject *Religion, livssyn og etikkfag* (“Religion, Life stance and Ethics”, RLE) is mandatory for Norwegian students. The subject covers world religions (most prominently Christianity) comparatively. Students are not required to take part in specific religious activities such as church services or prayer.

# 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

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 a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups			
Freedom of thought, conscience, religion or belief is upheld		No discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No restrictions on freedom of expression or advocacy or humanist values

## Constitution and law

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

## Demography

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 and media

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.

# United Kingdom

The UK is comprised of England, Scotland and Wales on the island of Great Britain, as well as Northern Ireland and a number of smaller islands. The UK's monarchy also acts as the head of the Commonwealth of Nations, an intergovernmental association comprised of 53 member states, predominantly former colonies of the British Empire. The UK's colonial history means that elements of its laws and parliamentary system are echoed in numerous states around the world.

Rating: Systemic Discrimination  

*This country is found to be in flux. Religion has little unwanted influence over most people in daily life, and the number identifying as non-religious in the most recent census has increased dramatically; however some education reforms in the past few years including in 2014 have increased the influence of religion in schools and removed secular options from some courses.*

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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</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 an established church or state religion</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>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>No restrictions on freedom of expression or advocacy or humanist values</p>

## Law and establishment of religion

UK laws and policies protect freedom of religion or belief, as well as freedom of expression, association and assembly. However, the Church of England's status as the established church in England and the Church of Scotland's status as the established church in Scotland grants those churches a privileged constitutional status and position in official ceremonies and informally lends them many other advantages.

The Church of England (C of E) is granted privileged access to the UK Parliament. The 26 most senior C of E bishops are automatically granted membership in the House of Lords – the upper chamber of parliament – where they have the right to speak and vote on all legislation. They acquired this right solely by virtue of their position in the hierarchy of one particular denomination of one particular church. They are unaccountable to the public.

In the face of the established church and wider religious privilege in the UK, the British Humanist Association (BHA) (an IHEU Member Organization) has fought hard to challenge the discrimination felt by the non-religious. Successes from the past year include: the banning of creationism in English state-funded schools, the introduction of the theory of evolution to the English primary-age national curriculum, the passage of the Marriage (Same Sex Couples) Act, Ofqual's U-turn on allowing exam questions to be redacted in English 'faith' schools, the prompting of U-turns on gender segregation guidance by Universities UK and Ofsted, the introduction of secular promises from the UK Scouts and Guides, writing a high-impact letter to the Prime Minister over divisive 'Christian country' remarks, acting as interveners in the Court of Appeal and Supreme Court assisted dying cases, securing victory over discriminatory admissions policies as well as several victories for transparency in the approvals process for Free Schools, playing a key role in the investigations into a number of schools accused of religious takeovers, and providing a voice for whistle-blowers from extremist schools.

[<humanism.org.uk>](http://humanism.org.uk)

Despite these successes, religious privilege remains in many spheres of UK life, in particular education where examples of discrimination and social and economic inequality are numerous and often far removed from the broad and balanced education that the law demands.

## Humanist marriage

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 personalised and meaningful 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, there remains a minority against such a move who are able to exert a disproportionate amount of pressure. The Church

exerted huge pressure on the passage of the same-sex marriage bill through parliament in 2013. Ultimately this resistance was defeated, but is now preventing implementation of regulatory reform provided for by the Same Sex Marriage Act which would pave the way for legal recognition of humanist marriage.

## Education, education, discrimination

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 schools are typically allowed to discriminate against students in their admission policies, favouring those of the faith over those of other faiths and of no faith, or even favouring those of other faiths over those of no faith. In December 2013 the Fair Admissions Campaign mapped this problem and established that 16% of state-funded places in England and Wales, or 1.2 million, are subject to religious selection, when the schools concerned are oversubscribed.

Such schools are also allowed to discriminate against teachers in hiring, discipline and firing, even in subjects that do not relate to the religious mission of the school—based on their religion (either because they are not religious or belong to a different religion or denomination than the school authorities). Typically they are allowed to do so for all teaching staff, regardless of whether there is a genuine occupational requirement. In 2010 the British Humanist Association (an IHEU member) complained to the European Commission that in allowing such discrimination beyond where just a genuine occupational requirement can be shown, this is a breach of the European Employment Directive; in 2012 the Commission took this complaint up as a formal investigation, but disappointingly in 2014 decided that no breach of the Directive is occurring. The BHA is currently trying to find out how this conclusion was reached. Where there is a genuine occupational requirement, staff members may be fired, or simply not hired, because they have sexual relationships outside of marriage, because they get married in a church different to that of the school, or because they get divorced. In 2006 the right to discriminate in employment where a genuine occupational requirement can be shown was extended to non-teaching posts in England.

In addition, a large number of these schools have statutory obligations to provide confessional religious teaching which, again, is entirely publicly funded. Students 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.

The 66% of English and Welsh state schools that are not designated with a religious character are also legally obliged to teach religious education, but equalities legislation ensures that it must be non-confessional in nature. The syllabus is legally 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, with the Religious Education Council for England and Wales last year producing a new curriculum framework for ages 5-14 that is as inclusive of non-religious worldviews as it is of religions. However, at time of publication, the Government is consulting on new qualifications for 14-18 year olds, and these almost entirely exclude non-religious beliefs from study.

In England, Wales and Northern Ireland, every state-funded school (which are 100% or virtually 100% funded by public monies) 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 be wholly or mainly of a broadly Christian character. Schools can apply to have this changed to another faith for some or all of their students, but they cannot have this changed to be secular. Students can be opted out of worship, however the opt-out is rarely used because it singles out students from their peers and is likely to mean they miss out on school notices. Opt-out rights rest with the parents. In England and Wales they transfer to the child at the age of 16, but this likely still raises questions around Gillick competence.

In Scotland, state schools must provide for religious observance six times a year. However, the Humanist Society Scotland and Church of Scotland are currently working together to have this legislation repealed and replaced with inclusive 'Time for Reflection'.

In Scotland, each of the 32 local authorities is required by law to appoint three religious representatives to their education committees. Of these appointees, one must be Roman Catholic, one from the Church of Scotland and one from another religion, non-religious people are not allowed. These appointees are not elected, but entitled to full voting rights as members of the committee. In March 2014, the Humanist Society Scotland submitted a response to a government petition urging these positions to be abolished.

[http://humanism-scotland.org.uk/content/education\\_policy/](http://humanism-scotland.org.uk/content/education_policy/)

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. The Humanist Society Scotland is currently campaigning to remove these privileges and ensure all young people have access to comparative religious and philosophical education, and high-quality up-to-date sex and relationships education. <http://humanism-scotland.org.uk/content/sexeducation/>

Every year, local government bodies hear a number of appeals from parents who have had their children turned down from the local state-funded school because of their religion or non-religious views. The Fair Admissions Campaign and British Humanist Association are frequently contacted by parents facing this discriminatory situation. The BHA also 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.

<http://humanism.org.uk/campaigns/schools-and-education/>

## **Religious exemptions and privileges**

Religious organizations have important exemptions from the Equality Act 2010 that allow them to discriminate in various ways, even when working under contract to provide a public

service. For example, the exemptions from employment equality legislation allow religious employers to discriminate against potential applicants for jobs on grounds of religion or belief and of sexual orientation, where a genuine occupational requirement can be shown, and to discriminate against current employees on those same grounds in ways such as barring the employee from opportunities for promotion or by dismissing them.

In 2012, places of worship were singled out for preferential treatment following the removal of the zero Value Added Tax (VAT) rating concession for alterations to listed buildings announced in the budget. The government set aside £30 million per annum to compensate places of worship for the extra VAT resulting from the withdrawal of the concession.

The government also helps fund the repair and maintenance of all listed places of worship for religious groups nationwide and contributes to the budget of the Church Conservation Trust, which preserves disused Church of England buildings of architectural or historic significance.

## Religious arbitration tribunals

The right to enter voluntarily into an arbitration tribunal, including religious arbitration, is guaranteed in law. However, there are concerns that religious arbitration, in particular under “Sharia councils”, in effect puts some family matters under a parallel and discriminatory legal system. 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. More importantly, those who fail to make use of Sharia law or seek to opt out will be made to feel guilty and can be treated as apostates and outcasts. Even if completely voluntary, which is untrue, the discriminatory nature of the courts would be sufficient reason to bring an end to their use and implementation.”

[<onelawforall.org.uk/about/>](http://onelawforall.org.uk/about/)

## “Conscientious objection”

Discrimination by religious groups is also becoming apparent through claims to “conscientious objection” which, against the spirit of freedom of conscience per se, amount to claims to religious privilege. Accommodating freedom of conscience as such is *prima facie* desirable, and the European Convention on Human Rights protects “freedom of thought, conscience and religion” in article 9(1) but manifestation of the dictates of religion falls under article 9(2) which is subject to limitations “in the interests of public safety, the protection of public order, health or morals, or for the protection of the rights and freedom of others”. Despite this distinction in principle, most commentators focus exclusively on the individual conscience without regard to the consequences. In recent years claims for conscientious objection have been made in several contexts, including magistrates refusing to handle adoptions by lesbian and gay couples, nurses refusing to assist in IVF treatments, pharmacists refusing to dispense the morning after pill, doctors refusing to reveal their



objection to patients wanting an abortion or to refer them elsewhere, Muslims refusing to allow their children to take part in PE unless in single sex groups, and so on.

Such claims are made implicitly or explicitly on the presumption that conscientious objection, especially if religious, should always supervene over other considerations. This is further complicated by objections asserted not as a result of deep moral feelings but as a political act of drawing attention to claims of under-privilege or persecution. This highly political context, with suggestions that conscientious objection applies to institutions as well as individuals and encompasses participation in objectionable action, is at odds with the implicit assumptions of most discussion about conscientious objection.

## Freedom of expression and media

UK law protects freedom of expression and freedom of association and assembly, and the UK is known for its strong and diverse media and active civil society. Freedom of speech has in the past been curtailed by laws that restrict religiously “insulting” expressions and by the chilling effect of the UK’s far-reaching libel laws, however, the libel laws of England and Wales were reformed in 2013 to make it more difficult to use them to suppress free speech.

Following a series of media scandals, including phone hacking and other illegal activities by journalists, in 2013 the UK government introduced new legislation to set up a formal press complaints commission. The legislation is controversial among journalists and campaigners for freedom of expression, and it remains to be seen whether it will restrict legitimate journalistic activity and expression.

## Individual Cases



In 2008 a Christian charity, **Prospects**, which receives public money for its work with people with learning disabilities, was found to have acted illegally when it began – in 2004 – recruiting only practising Christians for almost all posts, and told existing non-Christian staff that they were no longer eligible for promotion. Although the practice was found to be unlawful, religious organizations in analogous positions are probably still operating the same discriminatory rules.



In June 2012, **John Roberts**, a retiree in the county of Lincolnshire, was warned by police, referencing cases brought under Section 5 of the Public Order Act, that he could be arrested if he did not take a sign down from his window saying “religions are fairy stories for adults”. (Section 5 is now being reformed.)

# 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

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
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 discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution and law

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](http://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

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.

## 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](http://state.gov/j/drl/rls/irf/2010_5/168289.htm)

## Freedom of expression and media

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**

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
Preferential treatment is given to a religion or religion in general  Discriminatory prominence is given to religious bodies, traditions or leaders  State-funding of religious institutions or salaries, or discriminatory tax exemptions				
	Official symbolic deference to religion			
		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 law

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**

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
Systemic religious privilege results in significant social discrimination  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)			
Preferential treatment is given to a religion or religion in general  Discriminatory prominence is given to religious bodies, traditions or leaders  Religious groups control some public or social services		Religious schools have powers to discriminate in admissions or employment		
	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	Insufficient information or detail not included in this report

## Constitution and law

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.

## 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.

## **Education**

The law affirms the right of every citizen to religious education. The law calls for an official representative of the various religious communities to be responsible for teaching religious studies in all public and private preschools, primary schools, and universities. These individuals are employees of the schools in which they teach, but receive accreditation from the religious body governing the curriculum.

However, religious education is largely decentralized. Public schools offer religious education classes, but with some exceptions, only in the municipality's majority religion. Students have the legal right to opt out of religion classes, or parents on their behalf in the case of primary school students.

In the Federation's five Bosniak-majority cantons, primary and secondary schools offer Islamic religious instruction as a two-hour-per-week elective course. In cantons with Croat majorities, Croat students attend an elective one-hour-per-week Catholic religion course in primary and middle schools. However, in 13 Croat-majority primary and secondary schools in the Federation, parents can choose between the elective Catholic religion course and a course in ethics. At the beginning of the 2012 school year, the Sarajevo Cantonal Ministry of Education introduced alternative courses to religious education called "Society, Culture, and Religion" in primary schools and "Culture of Religion" in secondary schools for students who do not want to attend religious education classes. Schools in Tuzla offer students a similar option.



# Croatia

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**

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
		Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative		
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		There is state funding of at least some religious schools		
	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	

## Constitution and law

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**

The Catholic catechism is taught in all state schools. Non-Catholic children have some rights to opt out of catechism classes. Schools that have at least seven students from any one non-Catholic religious are allowed separate religion classes for those students. However, non-Catholic students at most schools are not provided with any alternative classes to the catechism classes, such as lessons about ethics or the religion of their choice.

In April 2010 the Constitutional Court refused to rule on the constitutionality of the catechism classes in state schools. The court stated that it lacked jurisdiction in the matter since it was unable to rule on the merits of international treaties (ie. the concordat). The decision was in response to a suit filed in 2000 claiming that the agreement violated the equal rights of all citizens.

## **Freedom of expression and media**

The constitution guarantees freedoms of expression and the press, and these rights are generally respected. However, journalists covering corruption and organized crime report that they are subject to political pressure, intimidation and assaults. There is unlimited access to the Internet. 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.

# 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**

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

				'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		Insufficient information or detail not included in this report	

## Constitution and law

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.

## 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.”

## 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

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.

## Individual 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](http://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/](http://greece.greekreporter.com/2012/11/16/greece-prosecutes-corpus-christi-for-blasphemy/)>



On March 14th, 2013, Greek artist Dionysis Kavalieratos was tried in court on blasphemy charges for three of his Christian-themed cartoons that were displayed in a private Athens art gallery. The gallery owner was a co-defendant. He was acquitted.  
<[onthewaytoithaca.wordpress.com/2013/04/19/greek-artist-acquitted-of-blasphemy-charges/](http://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**

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

		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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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 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>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>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>		<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

## Constitution and law

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. [berkleycenter.georgetown.edu/essays/religious-freedom-in-italy](http://berkleycenter.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 insurance 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.

## 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 Individual Cases, Padovan, below).

Blasphemy *per se* also remains an administrative offense (article 724); it was a penal offense until as late as 1999.

## 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](http://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](http://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](http://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.

## **Education**

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!).

## **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.

[http://huffingtonpost.com/2013/05/28/italian-muslims-face-uncertain-future\\_n\\_3347178.html](http://huffingtonpost.com/2013/05/28/italian-muslims-face-uncertain-future_n_3347178.html)

## Individual 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\\_Frattini\\_MedioOriente.htm](http://esteri.it/MAE/EN/Sala Stampa/ArchivioNotizie/Interviste/2010/10/20101022_Frattini_MedioOriente.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**

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	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 law

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 and media

While the constitution protects freedoms of expression and the press, it makes exceptions for speech that provokes ethnic hostility. Freedom of assembly is guaranteed by the constitution, but with safeguards for national security and public order.

# Malta

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**

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
				'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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 an established church or state religion</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>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>
			<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	

## Constitution and laws

Freedom of conscience, religion, and expression are protected in law and practice (Articles 40 and 41, Constitution of Malta). However, strong preference is given to the Roman Catholic Church, the official state religion of Malta (see below). According to recent estimates well above 90% of the population is affiliated with the Roman Catholic Church.

The Constitution of Malta favours the Roman Catholic religion and 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.*

Section (3) of Article 2 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.*

*[...]*

## Education

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. (EPASI project. Country report: Malta. Claudia Vallejo and Melinda Dooly. Universitat Autònoma de Barcelona, Spain, 2008.)

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](http://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 have begun to introduce Ethics as a new (non-religious) subject to provide an alternative for those students who opt-out of Religious Studies.

[independent.com.mt/articles/2014-01-24/news/ethics-to-be-offered-in-government-schools-instead-of-religion-as-from-september-3770875906/](http://independent.com.mt/articles/2014-01-24/news/ethics-to-be-offered-in-government-schools-instead-of-religion-as-from-september-3770875906/)

The Malta Humanist Association (an IHEU member organization) was consulted for drawing up a syllabus for this new subject.

## 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.

## Blasphemy and “vilification” of religion

Malta’s criminal code contains a bill 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.

## 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>				<p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
	<i>[No condition holds in this strand]</i>	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

## Demography

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.

## Constitution and law

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.

## 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. <[insertia.info/today/2013/08/serbian-orthodox-church-discriminated-in-montenegro-perovic/](http://insertia.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](http://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 and media

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](http://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

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  Discriminatory prominence is given to religious bodies, traditions or leaders	There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups			
		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 law

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

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

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

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 law

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

State schools provide Catholic religious instruction. Students may choose not to participate, but no alternative religious or non-religious instruction is provided.

## **Blasphemy**

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

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>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>				
	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>
			No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## 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.

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.

## **Schools**

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](http://policy.hu/aleksov/book_doc03.pdf)>

## **Freedom of expression and media**

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**

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
		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	Insufficient information or detail not included in this report

## Constitution and law

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.

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

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>Discriminatory prominence is given to religious bodies, traditions or leaders</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>	<p>Insufficient information or detail not included in this report</p>

## Constitution and law

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

The government funds teachers for Catholic, Islamic, Protestant, and Judaic instruction in public schools when at least 10 students request it. The courses are not mandatory. Those students who elect not to take religious education courses are required to take an alternative course covering general social, cultural, and religious themes. Religious groups are



responsible for selecting teachers for their particular religion. Either the national Ministry of Education or the regional entity responsible for education certifies teachers' credentials.

# Macedonia

The Former Yugoslav Republic of Macedonia is a parliamentary democracy with an executive government.

**Rating: Mostly Satisfactory**

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
				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	Insufficient information or detail not included in this report	

## Constitution and law

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. An anti-discrimination law includes discrimination based on religious beliefs.

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

## Freedom of expression and media

The constitution provides for freedom of the press. However, the country's media face political pressure and harassment, resulting in self-censorship.

**EUROPE**

**Western Europe**

# Austria

Austria is a democratic Republic with an elected Federal President and a Democratic parliament.

## 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
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		Insufficient information or detail not included in this report	

## Constitution and law

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

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.

## Individual 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 embracing Brussels, Flanders (Dutch-speaking) and Wallonia (French and some German-speaking). Over 40% of Belgium's population are said to be non-believers/agnostics (no religious affiliation) or atheists.

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	The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No restrictions on freedom of expression or advocacy or humanist values

## Constitution and legislation

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 certain officially recognized religious *or belief* groups agreed with parliament. In determining which groups to recognize, the government examines organisational and reporting requirements. The religious or belief 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 (including evangelicals and Pentecostals), 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 the veil in public; schools have the authority to ban children from wearing headscarves at school. Whether these infringe rights of some Muslim Belgians remains a contested subject.

## **Education**

The public education system, from kindergarten to university, requires strict neutrality in the presentation of religious views, except with regard to the views of teachers of religion or humanism as expressed in the classroom. Religious or "moral" instruction is mandatory in public schools and is provided according to the student's preference. All public schools are required to provide teachers for each of the recognized groups. Public school ethics teachers are nominated by a committee from their group and appointed by the community government's education minister.

Private authorized religious schools following the same curriculum as public schools are known as "free" schools. 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.

## **Freedom of expression and media**

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.

**Rating: Mostly Satisfactory**

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
Anomalous discrimination by local or provincial authorities, or overseas territories				
	The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No restrictions on freedom of expression or advocacy or humanist values

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](http://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.

### **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**

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

				'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>Discriminatory prominence is given to religious bodies, traditions or leaders</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 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 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>Official symbolic deference to religion</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but is optional</p> <p>Private schools are allowed to religiously instruct children</p>		<p>Concerns that secular or religious authorities interfere specifically in religious freedoms</p>
			<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	

## Constitution and law

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. However, systematic discrimination based on religious identity, affiliation, belief or practice has been reported.

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)

## 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/](http://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](http://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.

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.

## 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.

Although the law prohibits discrimination on the basis of religion, a Federal Constitutional Court ruling permits the government to characterize “non-traditional” religious groups as “sects,” “youth religions,” and “youth sects,” and allows the government to provide “accurate information” or warnings about them to the public. The ruling prohibits the government from defaming these religious groups by using terms such as “destructive,” “pseudo-religious,” or “manipulative.”

[state.gov/documents/organization/222431.pdf](http://state.gov/documents/organization/222431.pdf)

In regard to religion, Germany is a much divided society. Especially the population in the states of the former GDR is mostly irreligious 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.

## 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.

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.

## Education

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 unsubscribe themselves when they are 14 years or older. Besides, 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.

## Expression, advocacy of humanist values

§ 166 of the criminal code still contains some kind of “blasphemy”-law which protects special religious and philosophical views from criticism or defamation which is “qualified to disturb to public peace”. Violations are punishable to up to three years in prison and a fine.

Public remembrance and memorials often include representatives of the official churches, representatives of non-religious people are almost always missing.

## Individual 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](http://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](http://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 to 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](http://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](http://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](http://spiegel.de/spiegel/print/d-13685791.html)

# 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

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  State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is an established church or state religion	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 law

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**

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 and media**

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

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>Preferential treatment is given to a religion or religion in general</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>State-funding of religious institutions or salaries</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, 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>
			<p>Insufficient information or detail not included in this report</p>	

## 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/](http://luxembourg.public.lu/fr/actualites/2011/03/07-religion/)

## Constitution and laws

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](http://ncbuy.com/reference/country/humanrights.html?code=lu&sec=2c)>  
<[religiousfreedom.com/index.php?option=com\\_content&id=212](http://religiousfreedom.com/index.php?option=com_content&id=212)>

## **Education**

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 and media**

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](http://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

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 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
Freedom of thought, conscience, religion or belief is upheld			No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution and Law

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](http://monaco-consulate.com/wp-content/uploads/2009/06/Constitution.pdf)

## Education

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 and media

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**

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
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Freedom of thought, conscience, religion or belief is upheld	The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No restrictions on freedom of expression or advocacy or humanist values
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## Constitution and law

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.

### No more “blasphemy”

As of 2013, the Dutch Penal Code no longer criminalizes “blasphemy”. The abolition of anti-blasphemy laws was agreed by the Dutch House of Representatives (lower house) and then finally abolished by the Senate (upper house) in December 2013. However, also in December 2013, a parliamentary motion was approved that, via an amendment to another statute, would broaden prohibited speech to include "serious insult to religion". (The Freedom of Thought-report 2013 stressed its concern about a possible revival of the blasphemy law through this mechanism.) However, in 2014, a special commission advised against the restoration of ‘blasphemy’ in this way. Humanist 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. Dutch Penal Code also penalizes defamation of groups because of their race, religion or conviction, sexual orientation and (dis)abilities, but these laws do not prohibit general criticism of persons, ideas or institutions.

## Education

The educational system is divided between public and 'special' (“*bijzondere*”) schools. Both are funded by the state. Special schools are based on a religious or secular pedagogical system. Approximately 2/3 of all schools are special schools, most of which are religious. Special schools are allowed by law to refuse pupils and teachers on the basis of their

lifestyle or belief-system and have the rights to be secretive about their financial situation and funding, but this applies both to religious and to secular-pedagogical special schools. In practice only the very orthodox religious schools use this measure. This year a majority of political parties in the parliament took the initiative to change this possibility by implementing an acceptance-duty in the law.

Neither the Dutch Humanist Association, *Humanistisch Verbond* nor any other Humanist group, run humanist schools until now, and are in general in favour of public and inclusive schools. However, 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.

### **State funding, but with neutrality**

The government provides no direct financial support for religious or secular, philosophical or humanist organisations. But counsellors (both religious and humanists) in the army, the penal and health-system are fair and equally financed by the government.

### **Social issues**

Netherlands has a reputation as a liberal and largely secular country. More than half of the population is considered to be non-religious. Organised Humanism is prominent and surveys have shown that a large proportion of non-religious identify explicitly with humanism. Given that, government research-institutes are still neglective in changing their dated classification for society.

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 had ended in 2014 due to an initiative-law of the parliament, that has been adapted by both chambers.

Due to the influence of two small orthodox-Protestant parties in negotiations on budget deals, the non-religious political parties made several concessions by delaying the introduction of secular bills. There is still a lack of transparency concerning these arrangements.

Ten years ago, in 2004, filmmaker Theo van Gogh was brutally murdered by an Islam-extremist. This left an important mark on the debate on free speech ever since. During the 10-year anniversary of his death, opinion makers stress that – although you are permitted by law to use one's right of free speech – there is still fear of violence resulting in a certain self-censorship in the public debate about religion in general, and Islam in particular. Social pressure inside conservative religious groups - against for instance women, sexual minorities and more liberal religious views - is of ongoing concern.

# 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

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
Religious groups control some public or social services  State-funding of religious institutions or salaries, or discriminatory tax exemptions	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		
Anomalous discrimination by local or provincial authorities, or overseas territories				
			No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No restrictions on freedom of expression or advocacy or humanist values

## Constitution and law

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.

## **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 261bis 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/](http://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.

## **Education**

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.

## **Freedom of expression and media**

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.



## Individual 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

**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>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>Insufficient information or detail not included in this report</p>	

## Constitution and law

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.

## 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."

## **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. Religious 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.

## **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.

## **Education**

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.

# 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**

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

				'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
Discriminatory prominence is given to religious bodies, traditions or leaders  State-funding of religious institutions or salaries, or discriminatory tax exemptions		There is state funding of at least some religious schools		
	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	

## Constitution and law

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: organisations 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 organisations for the annual registration of Marriage Celebrants than it does for religious organisations; 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**

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 organisations. 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.

## Social issues

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 have also been one of the countries to legalise same sex marriage.

[bbc.co.uk/news/world-22184232](http://bbc.co.uk/news/world-22184232)

## Freedom of expression and media

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.

## Testimonies



*"I, like ... feel unable to fully participate in some activities of the HSNZ [Humanist Society of New Zealand] due to a belief that my job may suffer. What do I base that on? Simply the fact that two of the people in my chain of command are openly religious (with the big boss frequently interjecting "God willing" into many of his speeches), and there are many, many instances of staff being made redundant for way lesser "sins" than professing non-religion - e.g. some form of personality clash or (often minor) disagreement. (It's equally amazing the true sins they can commit and still be retained!) Even though employers are not supposed to discriminate against a number of traits, it's really easy to just invent or exaggerate a reason for getting rid of someone."*

— Anonymous

# 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 law

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).

## 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 and media**

Even after the end of emergency rule, with its extensive censorship of political comment, the government continued to censor the media and limit freedom of political expression. 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>	<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>

## 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) >

## Constitution and law

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.

## Freedom of expression and media

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](http://pressreference.com/No-Sa/Papua-New-Guinea.html) >

## Education

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](http://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.

## 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](http://bbc.co.uk/news/world-asia-21363894)>

[smh.com.au/world/witchhunt-20130419-2huha.html](http://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/>](http://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-1226613576167?nk=38a8d23aab4a46e19948bbef0c05ff3b>](http://theaustralian.com.au/news/world/png-women-in-easter-torture/story-e6frg6so-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>](http://gaynewsnetwork.com.au/news/gay-asylum-seekers-fear-persecution-under-papua-new-guinea-s-anti-gay-laws-13108.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 law

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

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>		<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>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
			<p>Insufficient information or detail not included in this report</p>	

## 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 Vanuatians belong to the John Frum movement, a religious and political organisation 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.

## Constitution and law

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.

### **“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](http://wipo.int/wipolex/en/text.jsp?file_id=198052#LinkTarget_408)

### **Social issues**

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](http://abc.net.au/news/2014-06-21/vanuatu-health-workers-worried-about-increasing-abortion-rat/5533848)

### **Education**

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](http://state.gov/documents/organization/222391.pdf)



# 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**

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 law

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**

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
	Official symbolic deference to religion			
Freedom of thought, conscience, religion or belief is upheld		No discrimination in education		
			Insufficient information or detail not included in this report	Insufficient information or detail not included in this report

## Constitution and law

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

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

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**

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
Anomalous discrimination by local or provincial authorities, or overseas territories	Official symbolic deference to religion			
				No restrictions on freedom of expression or advocacy or humanist values
		Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	

## Constitution and law

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

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](http://state.gov/j/drl/rls/irf/2013/eap/222149.htm)

## **Freedom of expression and media**

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**

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 law

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 and media

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 Modekngai (an indigenous belief). There is no information on those without a religious affiliation.

**Rating: Mostly Satisfactory**

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
	Official symbolic deference to religion			
				No restrictions on freedom of expression or advocacy or 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	

## Constitution and law

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 organisations would receive the same benefit.

## Education

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 organisations.

# 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

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
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	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	
	Official symbolic deference to religion			

## Constitution and laws

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

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.

## **Social pressure**

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

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
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	Insufficient information or detail not included in this report	

## Constitution and law

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.

## Freedom of Expression and Media

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**

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
Preferential treatment is given to a religion or religion in general  Discriminatory prominence is given to religious bodies, traditions or leaders	There is an established church or state 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 law

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.





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

If you have updates, additions or corrections for the report please email [report@IHEU.org](mailto:report@IHEU.org) or visit the report website at [freethoughtreport.com](http://freethoughtreport.com).

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