Freedom of Religion or Belief
World Report 2012

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Introduction

Mapping freedom of religion or belief by identifying countries of particular concern is a difficult challenge to undertake. Indeed, what do we understand by freedom of religion or belief? What are the criteria for evaluation and how to view them in a balanced fashion? Can we distinguish the worse violators in black-and-white or a colour map from those respecting them “more or less”? How does one evaluate and rank a country like North Korea, which in the aftermath of the 1950-1953 War carried out a mass religious cleansing to such an extent that there is virtually no independent religious life in the country today? How does one evaluate and rank a country like Nigeria, where Christian communities in some regions are repeatedly attacked by Muslim groups on religious but also other grounds? Should a high number of incidents in India, Iran or China propel these countries to the top of a list of worst violators of freedom of religion or belief?

This report has endeavoured to take these questions into consideration. Under freedom of religion or belief, HRWF Int’l affirms Article 18 of the ICCPR, which says:

“Art. 18 (1): Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom [...] either individually or in community with others and in public or private to manifest his religion or belief in worship, observance, practice and teaching.

(2): No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

(3): Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.”

Trying to evaluate specific country situations within a single framework while balancing the various components of freedom of religion or belief would be a daunting if not impossible task. However, countries of particular concern clearly emerge when these components are addressed separately. This approach is all the more useful, because it permits a better identification of restrictive constitutional and legislative provisions as well as the imposition of excessive penalties in respect to the administrative, civil and penal codes of the countries concerned. In this way, NGOs, states and interstate organisations, such as the European Union, that want to promote human rights in the world can more easily identify their priorities for action.

This report aims to facilitate advocacy and is divided into several parts. The first three parts identify and analyse a number of constitutional and legislative provisions which restrict freedom of religion or belief in some problematic countries, in particular:
(1) freedom to change one’s religion or belief: Afghanistan, Egypt, Jordan, Iran, Malaysia, Mauritania, Saudi Arabia, Somalia, Sudan, Yemen;

(2) freedom of expression within the framework of freedom of religion or belief: Azerbaijan, China, Eritrea, Kazakhstan, Laos, North Korea, Russia, Tajikistan, Uzbekistan, Vietnam;

(3) freedom of association, worship and assembly: Afghanistan, Algeria, Brunei, Egypt, Indonesia, Iran, Maldives, North Korea, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan.

However, challenges to freedom of religion or belief issues can have other roots, such as social hostility leading to repeated and systematic acts of violence or conflicts between religious communities, despite adequate legal protections and the goodwill of the government.

The fourth part addresses the issue of freedom of religion or belief from another angle. It lists ten countries (Azerbaijan, Egypt, India, Indonesia, Iran, Kazakhstan, Nigeria, Pakistan, Russia, Uzbekistan) which distinguished themselves in 2012 by a very high number of incidents related to freedom of religion or belief on various grounds, such as repressive governmental policies, social hostility and inter-ethnic or inter-communal tensions. These countries were selected on the basis of data collected by HRWF Int’l from numerous public and private sources. Many concrete examples support this ranking and illustrate the different facets of the violations that have been identified. They are also contextualized and analysed.

If countries punish the exercise of freedom of religion or belief by death or heavy prison terms or by exorbitant fines – sometimes of up to 100 times the minimum monthly salary – such countries must be named publicly, held accountable and urged to revise their constitution, their laws and their practices.

Willy Fautré, Director of Human Rights Without Frontiers Int’l
Freedom to Choose, Change or Renounce Religion or Belief

Eight countries provide for death penalty in case of change of religion

The Universal Declaration of Human Rights (UDHR) sets forth, in article 18, the principle that ‘everyone has the right to freedom of thought, conscience and religion’ and clearly states that such a 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, practise, worship and observance’.

Article 18 of the International Covenant on Civil and Political Rights (ICCPR) offers general recognition of the right ‘to have or to adopt’ a religion of one's choice.

It is now established that religious freedom cannot be dissociated from the freedom to change religion.

As long ago as 1986, Elisabeth Odio Bénito wrote of the 1948 UDHR and the 1981 ICCPR that although they varied slightly in wording, both held identical meaning: that everyone had the right to leave one's religion or belief and to adopt another or to remain without any at all. That meaning, added Bénito, was implicit in the concept of the right to freedom of thought, conscience, religion and belief, regardless of how the concept was presented.

In its general comment 22 on article 18 of the ICCPR, the Human Rights Committee reached the same conclusion. It observes that the freedom to ‘have or to adopt’ a religion or belief necessarily entails a freedom to choose a religion or belief, including the right to replace one's current religion or belief with another or to adopt atheistic views, as well as the right to retain one's religion or belief.

The freedom to have a religion or not to have a religion as well as the freedom to change religion or belief is a fundamental right.

Human Rights Without Frontiers has identified 10 countries among many others where the individual freedom to change religion or belief is grossly violated. In 8 countries, apostasy is punishable by death: Afghanistan, Iran, Malaysia, Mauritania, Saudi Arabia, Somalia, Sudan and Yemen. Although capital punishment is rarely practised for apostasy, it should not be disregarded. Indeed, it should be vigorously combated bring in contradiction to UN human rights
instruments: each of the aforementioned countries, apart from Malaysia and Saudi Arabia, is a party to the ICCPR.

The criminalization of conversion usually goes together with the ban to propagate one’s religion or belief. This policy literally kills the individual right to change one’s religion and all other components of FORB: freedom of expression, freedom of association, freedom of worship, freedom of religious education of one’s children, just to name a few. The threat of the death penalty, imprisonment, civil death or alienation from one’s own family and society has a devastating effect on the conscience of potential converts. Moreover, the ‘generous’ possibility to recant under coercion amounts to no less than a rape of their conscience. In many cases, converts leave their country in search of a safe haven for themselves and their family.

The criminalization of conversion dramatically impedes the individual right to share one’s religion or beliefs and any missionary activity. It solidifies a culture of religious permeability and protectionism, which rejects religious diversity and leads to social hostility and religious cleansing.

If the death penalty has proven difficult to be eradicated, this is mainly due to the religious basis of many countries’ legal systems which are mainly based primarily on Shari’a. In criminal law determined by Shari’a, most crimes classified as Hudud are punishable by death, because they are considered dangerous for Islamic society. The death penalty represents the most prominent clash between the UN human rights framework and Shari’a. Moreover, some execution methods envisaged in the sacred texts, such as flogging, stoning and amputation, violate international conventions that prohibit torture and cruel and inhuman treatments.

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1 According to Amnesty International report “Death Penalty Worldwide”, 360 juridical executions in Iran were reported in 2011 and 282 from January to November 2012 but the Directorate General for External Policies says in its brochure “The death penalty in the Middle East and North Africa” that the yearly number of executions can reach 700 when both executions held in secret and those conducted in public are included. In Saudi Arabia, more than 60 people were executed in 2012 and 250 people are on the death row. In Yemen, 41 cases of juridical executions were reported in 2011.

2 Hudud crimes include adultery, apostasy, armed robbery and rebellion.
**COUNTRIES OF PARTICULAR CONCERN**

1. Afghanistan  
2. Iran  
3. Malaysia  
4. Mauritania  
5. Saudi Arabia  
6. Somalia  
7. Sudan  
8. Yemen  

9. Egypt  
10. Jordan

The first eight countries ranked in alphabetical order provide for death penalty. The final two do not.
Countries Providing for the Death Penalty

AFGHANISTAN

By law, conversion from Islam to any other religion is considered apostasy and a crime against Islam. The criminal code does not define apostasy as a crime, and the constitution forbids punishment for any crime not defined in the criminal code. However, the penal code states that egregious crimes, including apostasy, are punishable in accordance with Hanafi religious jurisprudence and handled by the Attorney General’s Office. Under some interpretations of Islamic law by Shia and Sunni Islamic clergy, apostasy is punishable by death.

Male citizens over age 18 or female citizens over age 16 of sound mind who convert from Islam have three days to recant their change of religion or possibly face death by stoning, deprivation of all property and possessions and/or the invalidation of their marriage. They would also lose their employment and be rejected from their families and villages.

The General Directorate of Fatwas and Accounts under the Supreme Court ruled in May 2007 that the Baha’i Faith was distinct from Islam and therefore a form of blasphemy. It held that all Muslims who converted to the Baha’i Faith were apostates. It is however unclear how the government would treat second-generation Baha’is born into Baha’i families as they are technically not converts. The state and the courts traditionally consider all citizens of the country to be Muslim. The ruling is not expected to affect foreign national Baha’is.

Legal aid for imprisoned converts from Islam remained difficult due to most Afghan lawyers’ personal objection to defending apostates. By the end of 2011, according to the Attorney General’s Office, there were no reported cases of national or local authorities imposing criminal penalties on converts from Islam. All known previously detained converts had been freed by the end of the year.

At the Universal Periodic Review of Afghanistan, an allegation was submitted by the Special Rapporteur on the right to freedom of opinion and expression in respect to a death sentence that had been imposed for apostasy. The Special Rapporteur stated that a law prohibiting conversion would constitute a State policy aiming at influencing individuals’ desire to have or adopt a religion or belief and would therefore not be acceptable under human rights law.

Case

In the spring of 2006, Afghan citizen Abdul Rahman was informally charged with apostasy after his family exposed him as a Christian during child custody proceedings. He had converted 16 years earlier while working for a Christian aid
group. Rahman’s prosecution caused an international stir, but President Karzai refused to intervene directly.

Although Rahman denied any insanity, the case was ultimately dismissed on the ground that he was mentally unfit to stand trial. Despite protests by Afghan citizens and clerics, Rahman was released and subsequently fled to Italy, where he had been promised asylum.

IRAN

The constitution does not provide for the rights of Muslim citizens to choose, change or renounce their religious beliefs and apostasy is not codified as a crime under Iran’s penal code. However, two important provisions in the Iranian Constitution create a de facto legal stance on the punishment of apostates.

Article 12 states, ‘The official religion of Iran is Islam and the Twelver Ja’fari school, and this principle will remain eternally immutable. Other Islamic schools, including the Hanafi, Sha‘fi, Maliki, Hanbali and Zaydi, are to be accorded full respect, and their followers are free to act in accordance with their own jurisprudence in performing their religious rites.’ All these schools agree on capital punishment for the male apostate.

Article 167 of the Constitution allows for judges to deliver verdicts ‘on the basis of authoritative Islamic sources and authentic fatwa’ in the absence of any relevant legislation in the codified law. Since there is no relevant legislation on apostasy, and the constitution refers the judge to the Shari’a for guidance, the death penalty is automatically implied. Converts from Islam are therefore regularly threatened with apostasy charges and the death penalty on the basis of a constitutional appeal to traditional Islamic jurisprudence.

Under the pending new Iranian penal code awaiting final approval, apostasy remains uncodified.

Although there has been no capital punishment in cases of apostasy for almost twenty years, the threat of apostasy charges and capital punishment has been used to pressure converts in detention.

Cases

In 1990, Hossein Soodmand, a convert and pastor, was arrested and pressured to recant his Christian faith. After two months in prison, he was executed by hanging.

The more common threat to life that converts face comes from extrajudicial killings. In 1984, Mehdi Dibaj was arrested on grounds of apostasy and sentenced to death in 1993. He was released in January 1994 after his case attracted the
attention of international media. Six months after his release, his body was found in a forest. The perpetrators of the killing were never identified.

Haik Hovsepian, a pastor who had been Dibaj’s public advocate, disappeared three days after he had helped secure Dibaj’s release. Eleven days later, his body was also found, but the killers were never identified. Tateos Mikalian, the reverend who had become Chair of the Council of Protestants after Hovsepian’s death, was also found dead in 1994, reportedly shot several times in the head.

Over the years, there have been numerous reports of suspicious deaths of Christian leaders by unidentified aggressors: Rev. Arastoo Sayah and Bahram Dehghani; Rev. Mohammad Bagher Yousefi, reportedly hung from a tree in 1996; Pastor Ghorban Tourani, a house church leader whose throat was allegedly cut in front of his home in 2005. The lack of investigation following these murders suggests government complicity in either the killing or cover up.

In September 2008, a prosecutor at the Public and Revolutionary Court in Shiraz requested the death penalty for 53-year-old Mahmoud Mohammad Matin-Azad and 40-year-old Arash Ahmad-Ali Basirat by evoking the judge’s constitutional obligations to refer to Shari’a law and by citing Imam Khomeini’s book, Tahrir-ul-Vasile, which stipulates the death penalty for apostasy. Mr Matin-Azad and Mr Basirat, who had been held in detention since 15th May of the same year, were subsequently released following international pressure.

A more recent case is Youcef Naderkhani’s. Naderkhani, 33, was born to Muslim parents and converted to Christianity at the age of 19. Prior to his arrest, he led a congregation of about 400 Christians in the northern city of Rasht. He was jailed in October 2009. In September 2010 Naderkhani was sentenced to death on charges of apostasy after a court of appeals in Rasht, 243 kilometers northwest of Tehran, found him guilty of leaving Islam. His sentence was upheld by Branch 11 of Gilan Province's Appeals Court on 23rd August, 2010.

At an appeal hearing in June 2011, the Supreme Court of Iran determined that his death sentence could be annulled if he recanted his faith. The judges asked the court in Rasht if he was a practicing Muslim before his conversion. The answer was negative, but that he was nonetheless considered guilty of apostasy due to his Muslim ancestry. There were three court sessions between 25th September and 28th September, 2011 in which Youcef Naderkhani was asked to repent, but he refused.

In December 2011, the head of Iran’s Judiciary, Ayatollah Sadeq Larijani, reportedly ordered the presiding judge over the trial in Rasht to make no moves on Naderkhani’s case for one year.

Nadarkhani’s case was then sent to Supreme Leader Ayatollah Khamenei for a decision on his death sentence, even though legally the lower court still had the authority to issue an order for execution.
In September 2012, a court acquitted Pastor Nadarkhani of apostasy but sentenced him to three years for evangelising Muslims, the typical substitution for an apostasy charge in order to avoid international criticism. Since he had already spent close to three years in Lakan Prison in Rasht, the pastor was released after posting bail.

On the basis of other charges – such as propaganda against the regime, acting against national security, contact with a foreign enemy or anti-regime groups, colluding with enemy foreigners - converts can face trial before the Revolutionary Courts.

MALAYSIA

The Constitution of Malaysia defines ethnic Malays as Muslim. Muslims may not legally convert to another religion except in extremely rare circumstances, although members of other religions are permitted to convert to Islam.

The Syariah Criminal Code (II) Act 1993 of the State of Kelantan and the Terengganu Syariah Criminal Offence Act 2002 both stipulate the death penalty for an apostate who refuses to repent after three days. In most Malaysian states apostasy is punishable with a fine up to 5,000RM (around 780 USD), 3 years imprisonment, 6 lashes of a cane or any combination of these punishments.  

State-level Shari’a courts have authority to order individuals who request to convert from Islam or who profess belief in a ‘deviant’ Islamic sect to enter religious rehabilitation centres.

In the States of Malacca and Sabah, if a Muslim attempts to change his religion, either by words or by conduct, that person is to be detained in the Islamic Rehabilitation Centre for rehabilitation purposes and is required to repent in accordance with Islamic law. Upon confirmation of repentance, the person is released.  

The government does not release statistics on the number of persons sentenced to religious rehabilitation centres. In a written letter to Parliament on 14th June 2011, Islamic Affairs Minister Jamil Khir Baharom stated that the total number of applications by Muslims to change their religious status in Shari’a court from 2000 to 2010 was 863, of which 168 were approved. He later explained that the Shari’a court had determined that the 168 applicants were not Muslims to begin with.

On 24th January 2011 an opposition Sabah Progressive Party (SAPP) figure publicly stated that the government cannot arbitrarily move to enforce anti-apostasy laws in Sabah. He was responding to a December 2010 official media report that the Sabah Islamic Affairs Department (JHEAINS) planned to enforce the apostasy law beginning in 2011 as part of its five-year strategic plan, as announced by JHEAINS Director Amri A. Suratman. Catholic Archbishop Murphy Pakiam called on the federal government to intervene, saying that the apostasy law ‘will create fear.’

The law and government policy does not restrict changing one’s religious beliefs and affiliation for non-Muslims. Conversion to Islam raises several issues. A non-Muslim wishing to marry a Muslim must convert to Islam before the marriage can be recognized as valid. A minor (defined by federal law as under the age of 18) may not convert to another faith without explicit permission of his or her guardian; however, some states have passed laws providing for conversion to Islam without permission after age 15. Although the constitution provides that federal law takes precedence over state law, in practice many issues of legal conflicts among federal, state and Shari’a law have not been clearly resolved. The constitution provides that the religion of a minor is decided by his or her parent or guardian.

There were reports of minors being converted to Islam in cases where one parent voluntarily converted to Islam and converted the children without the consent of the non-Muslim parent. Shari’a courts usually upheld the conversions of minors despite the opposition of one parent. In most cases the government did not act to prevent such conversions. Religious leaders have urged the government to move forward with a proposal to encourage Muslim converts to publicly announce their religious status. Under the proposal, upon a conversion the relevant administrative authorities would automatically document the conversion so that the information would be made available to interested parties in an effort to avoid disputes over the status of Muslim converts upon their death.

Muslims who wish to convert from Islam face tremendous obstacles, because neither the right to leave Islam nor the legal process of conversion is clear. A Muslim who wants to convert to another religion must obtain permission from a Shari’a court; however, such courts grant such permission only in extremely rare circumstances, opting instead to sentence applicants to rehabilitation until they accept Islam fully. Generally, the only conversions recognized were for non-ethnic Malay individuals who had previously converted to Islam for marriage but were seeking to reconvert to their previous religious affiliation after their marriages dissolved.

Law and government policy sometimes require and often exert significant pressure on individuals to convert or reconvert to Islam. A non-Muslim who wishes to marry a Muslim must convert to Islam first. The religion of a minor child is decided by his or her parent or guardian.
MAURITANIA

The country’s legislation has been based on Shari’a since 1983. Apostasy is a capital offence punishable by death but this law has never been codified and there have been no reports of official executions of converts.

Article 306 of the Penal Code of Mauritania states, “All Muslims guilty of apostasy, either spoken or by overt action, will be asked to repent during a period of three days. If he does not repent during this period, he is condemned to death as apostate and his belongings confiscated by the State Treasury.”

Due to this position, all non-Muslims are restricted from being citizens of the country and persons who convert from Islam lose their citizenship.

SAUDI ARABIA

There is no written clause or legislation regarding apostasy, but the fact that the country seeks to follow traditional Islamic jurisprudence through Shari’acourts automatically makes apostasy a criminal act punishable by death.

Children born to Muslim fathers are by law deemed Muslim, and conversion from Islam to another religion is considered apostasy.

Cases

In 2012, Raif Badawi, a 31-year old blogger who founded ‘Saudi Arabian Liberals’, a website for political and social debate, was accused of apostasy.

On 17th June 2012, he was arrested on a charge of insulting Islam through electronic channels and in December of that year was also cited for apostasy, a conviction which carries an automatic death sentence. Badawi’s trial began in June 2012 in a Jeddah District Court and was rife with irregularities.

According to his lawyer, the original trial judge was replaced by another judge who had previously advocated that Badawi be punished for apostasy. His lawyer has contested the judge’s impartiality in the case.

The charges against Badawi relate to a number of articles, including one he wrote about Valentine’s Day, the celebration of which is prohibited in Saudi Arabia.

He was accused of ridiculing Saudi Arabia’s Commission on the Promotion of Virtue and Prevention of Vice – also known as the religious police – in the conclusion of his article: “Congratulations to us for the Commission on the Promotion of Virtue for teaching us virtue and for its eagerness to ensure that all members of the Saudi public are among the people of paradise.”
The charges against Badawi also mention his failure to remove articles by other people on his website – including one insinuating that the al-Imam Mohamed in Saud University had become ‘a den for terrorists’.

On 22nd December, the General Court in Jeddah had Raif Badawi, age 25, sign documents that permitted his trial on apostasy charges to go ahead, after his case had been passed on by a District Court on 17th December.

Badawi was first detained on apostasy charges in 2008 but was released after a day of questioning. The government banned him from leaving the country and froze his bank accounts in 2009. The family of Badawi's wife subsequently filed a court action to forcibly divorce the couple on grounds of Badawi's alleged apostasy.

On 24th December 2012, Saudi novelist and political analyst Turki al-Hamad was arrested after a series of tweets on religion and other topics. The arrest was ordered by Saudi Interior Minister Prince Muhammad bin Nayef bin Abdel Aziz, who was tipped off by a religious organisation that alleged insults to Islam he had made on Twitter. However, the official charges against al-Hamad were not immediately announced.

The posted comments had attacked radical Islamists he said were twisting the Prophet Mohammed's 'message of love' and described as 'a neo-Nazism which is on the rise in the Arab world – Islamic extremism'.

The postings provoked fierce debate on social networking sites in Saudi Arabia between his supporters and detractors.

No executions on the grounds of apostasy have been reported of late.

**SOMALIA**

Somalia is fragmented into regions administered in whole or in part by different entities, including the central authority Transitional Federal Government (TFG), based in Mogadishu; the semi-autonomous region of Puntland in the northeast, aligned with the TFG; and the self-declared independent Republic of Somaliland in the northwest.

The central and southern regions, including the capital of Mogadishu, have been struggling against Islamist militias since 2006. These militias have gained control of large portions of the country, where they have assumed governing and judicial authority. The major militias – al-Shabaab, Hizbul Islam and Ahlu sunna Waljam’a – follow a strict interpretation of Islam and impose Shari’alaw on the areas they control. Human Rights Watch stated that al-Shabaab rules the region with a ‘draconian interpretation which goes well beyond its traditional application
in Somalia. Many of the measures used by the *al-Shabaab* and justified in the name of Shari’a contravene regional and international human rights standards.’

Somaliland and Puntland have their own constitutions, which provide some protection for religious freedom, although both prohibit apostasy and the propagation of religions other than Islam. The prohibition on apostasy has also been interpreted to mean that conversion from Islam to other religions was prohibited.

The Puntland constitution, which was approved by parliament in 2009 and adopted by a constituent assembly on April 18, states that no one can be forced to a faith different from one’s own beliefs. However, it also states that Muslims cannot commit apostasy (renounce their religion) and prohibits propagation of any religion other than Islam. This section of the Puntland constitution also is interpreted to mean that conversion from Islam to other religions is prohibited.

The Somaliland constitution states that it protects the right of freedom of belief. However, it also states that Islamic law does not accept that a Muslim person can renounce his or her beliefs (apostasy) and prohibits the promotion of any religion other than Islam. This section of the Somaliland constitution also is interpreted to mean that conversion from Islam to other religions is prohibited.

The Somali Penal Code, which applies to all regions of the country, although not always enforced, does not prohibit conversion from Islam.

**Cases**

In 2008 an Al Shabab video swept the internet portraying the brutal beheading of 25-year-old aid worker **Mansour Mohammed.** His crime was simply his conversion from Islam to Christianity.

On 2\(^{nd}\) January 2012, al Shabaab militia claimed responsibility for the murder of **Zakaria Hussein Omar,** age 26, in Cee-carfiid village, about 15 kilometres (nine miles) outside of the Somali capital. Omar had worked for a Christian humanitarian organization that al Shabaab banned in 2011.

His body was left lying for 20 hours before nomads found it and carried it into Mogadishu, a close friend said.

Omar converted to Christianity seven years earlier while in Ethiopia, where he lived with relatives. He returned to Somalia in 2008 and completed his university education in 2009 with a degree in accounting.

On 2\(^{nd}\) September 2011, **Juma Nuradin Kamil,** a Christian convert from Islam who had been kidnapped on 21\(^{st}\) August by al Shabaab militias, was found decapitated on the outskirts of Hudur City in Bakool region, in south-western Somalia.
With estimates of al Shabaab’s size ranging from 3,000 to 7,000, the insurgents seek to impose a strict version of Shari’a, but the transitional government in Mogadishu fighting to retain control of the country, treats Christians little better than the al Shabaab extremists do. While proclaiming himself a moderate, President Sheikh Sharif Sheik Ahmed has embraced a version of Shari’athat mandates the death penalty for those who leave Islam.

**SUDAN**

Converting from Islam to another religion is punishable under the law by imprisonment or death, but there is no penalty for converting from another religion to Islam. A person convicted of conversion is given the opportunity to recant his or her conversion before capital punishment is carried out.

Article 126 of the Sudanese Penal Code of 1991 stipulates:

> Every Muslim who advocates the renunciation of the creed of Islam, or who publicly declares his renouncement thereof by an express statement or conclusive act, shall be deemed to commit the offence of apostasy.

> Whoever commits apostasy shall be given a chance to repent during a period to be determined by the court; if he persists in his apostasy, and is not a recent convert to Islam, he shall be punished with death.

> The penalty provided for apostasy shall be remitted whenever the apostate recants his apostasy before execution.

Even though the 1991 Penal Code remains in use, Article 38 of the Interim National Constitution, which came into force in 2005, includes the provision that ‘no person shall be coerced to adopt such faith that he/she does not believe in, nor to practice rites or services to which he/she does not voluntarily consent.’

Under the government’s interpretation of Islamic law, a Muslim man may marry a Christian or Jewish woman, but a Muslim woman cannot marry a non-Muslim unless he converts to Islam.
YEMEN

Under Islamic law as applied in Yemen, the conversion of a Muslim to another religion is considered apostasy, which is a capital offense, although one that is rarely enforced.

The government imposes restrictions on conversion from Islam. Under Shari’alaw, the conversion of a Muslim to another religion is considered apostasy, which the government interprets as a crime punishable by death. In recent years, the police in Yemen have arrested people for apostasy. Those arrested are only released if they renounce their new faith and vow to embrace Islam again.

There is no commensurate law pertaining to conversion under Yemeni civil law.

Countries Providing for Civil Death

EGYPT

There are no laws that stipulate the death penalty for apostates, but the Prosecutor-General has the right to punish an apostate with ‘civil death’ on the basis of several laws that negatively affect the personal status of converts from Islam. These include the risk of having one’s marriage annulled, losing rights over one’s children and other such actions.

In 1995, the Court of Cassation set case law precedent when it ruled that “the invalidity of the marriage of a female Muslim apostate, if she gets married after apostasy to a non-Muslim and separation, is enforceable... and the impermissibility of changing the name or religion status of the apostate in the identity card information... a woman apostate does not originally have the right to marry either a Muslim or a non-Muslim; she is considered dead, and the dead is not subject to marriage.”

The same ruling also disqualifies a female apostate from family inheritance in accordance with Law No. 77 of 1943.

The government interprets Shari’a as forbidding Muslims from converting to another religion. Although there are no statutory prohibitions on conversion, the government does not recognize conversions to Christianity or other religions of

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5 Court of Cassation, Case No 1359, Judicial Year 28,27 Nov. 1984; Case No 162, Judicial Year 62, 16 May 1995.
6 For a detailed legal study of apostasy in Egypt, see Hebatallah Ghali: Rights of Muslim Converts in Egypt, unpublished thesis submitted to the Department of Law, American University in Cairo, December 2006.
citizens born as Muslims. This policy, along with the refusal of local officials to legally recognize such conversions, constitutes a prohibition in practice.

In January 2008 the Cairo Administrative Court ruled that freedom to convert does not extend to Muslim citizens. The court stated that the freedom to practice religious rites is subject to limits, especially those entailed by the maintenance of public order, public morals and conformity to the provisions and principles of Islam, which forbid Muslims to convert. The court stated that ‘public order’ is defined as the official religion being Islam, that most of the population professes Islam and that Islamic law is the primary source of legislation. The ruling is not binding in other courts.

JORDAN

Jordan has no codified law on apostasy. Neither the constitution nor the penal code nor civil legislation bans conversion from Islam or efforts to proselytize Muslims. While the government freely allows conversion to Islam and from one recognized non-Islamic faith to another, it prohibits conversion from Islam in that it accords primacy to Islamic law, which governs Muslims’ personal status and prohibits them from converting.

As the government does not allow conversion from Islam, it also does not recognize converts from Islam as falling under the jurisdiction of their new religious community’s laws in matters of personal status; rather, converts from Islam are still considered Muslims. In general under Islamic law, these converts are regarded as apostates, and any member of society may file an apostasy complaint against them. In cases decided by an Islamic law court, judges have annulled converts’ marriages, transferred child custody to a non-parent Muslim family member, denied inheritance rights, conveyed an individual’s property rights to Muslim family members, removed individuals from official records and confiscated their identity cards, leaving them without any rights. In this way, even though apostasy is not a codified ‘crime’ in Jordan, a convert from Islam faces the risk of ‘civil death’.

Other states also have some problematic legislation or jurisprudence or practices dealing with the right to change religion, such as Comoros, Kuwait, Laos, Maldives, the United Arab Emirates and Vietnam.
SOURCES

- Database of Human Rights Without Frontiers
- No Place to Call Home. Experiences of Apostates from Islam, by Christian Solidarity Worldwide
- Universal Periodic Review material at http://www.upr-info.org
Freedom of Association, Worship and Assembly

Freedom of association is a basic right, the observance of which is essential for the free exercise of many fundamental freedoms, including freedom of religion or belief.

Freedom of association, worship and assembly covers a series of specific rights such as:

- to acquire a legal personality or juridical status;
- to assemble in connection with a religion or belief, and to establish and maintain places for these purposes;
- to establish and maintain appropriate institutions;
- to teach a religion or belief in places suitable for these purposes;
- to receive voluntary financial contributions;
- to train and appoint leaders;
- to observe days of rest and holidays and ceremonies as prescribed by the respective religion or belief;
- to communicate with individuals and communities in matters of religion and belief, at the national and international level.

The UN Commission on Human Rights resolution 2005/40 (paragraphs 4 (c) and 4 (e)) urges States, “to review, whenever relevant, existing registration practices in order to ensure the right of all persons to manifest their religion or belief, alone or in community with others and in public or in private;”

and the UN Human Rights Council resolution 6/37 (paragraphs 12 (e) and 12 (h)) urges States, “to ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom for all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected.”

In the Rapporteur’s Digest on Freedom of Religion or Belief, the UN Document with reference E/CN.4/2005/61, paras. 56-58, states about freedom of association for religious or belief communities:

56. The Special Rapporteur has noted in this regard, on the basis of information brought before her, that registration appeared often to be used as a means to limit the right of freedom of religion or belief of members of certain religious communities.
57. In this regard, the Special Rapporteur would like to expressly refer to the “Guidelines for Review of Legislation Pertaining to Religion or Belief”, prepared by the Organization for Security and Cooperation in Europe/Office of Democratic Institutions and Human Rights (OSCE/ODIHR) Advisory Panel of Experts on Freedom of Religion and Belief in consultation with the Council of Europe's Venice Commission in 2004. [“Guidelines for Review of Legislation Pertaining to Religion or Belief” prepared by the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief in consultation with the Council of Europe's Commission for Democracy Through Law (Venice Commission), adopted by the Venice Commission at its fifty-ninth plenary session (Venice, 18-19 June 2004) (see www.osce.org/documents/odihr).] Since the panel has extensive experience in compiling information about international norms and best practices based on universal documents and standards, its guidelines are particularly relevant for the situations analysed by the Special Rapporteur.

58. Some main points to take into consideration with regard to registration are that:

- Registration should not be compulsory, i.e. it should not be a precondition for practising one’s religion, but only for the acquisition of a legal personality and related benefits;
- In the latter case, registration procedures should be easy and quick and not depend on extensive formal requirements in terms of the number of members or the time a particular religious group has existed;
- Registration should not depend on reviews of the substantive content of the belief, the structure, the clergy, etc.;
- No religious group should be empowered to decide about the registration of another religious group.

The “Guidelines for Review of Legislation Pertaining to Religion or Belief”, prepared by OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion and Belief in consultation with the Council of Europe's Venice Commission in 2004, say among other things:

Religious association laws that govern acquisition of legal personality through registration, incorporation, and the like are particularly significant for religious organizations. The following are some of the major problem areas that should be addressed:

- Registration of religious organizations should not be mandatory *per se*, although it is appropriate to require registration for the purposes of obtaining legal personality and similar benefits;
- Individuals and groups should be free to practise their religion without registration if they so desire;
• High minimum membership requirements should not be allowed with respect to obtaining legal personality;
• It is not appropriate to require lengthy existence in the State before registration is permitted;
• Other excessively burdensome constraints or time delays prior to obtaining legal personality should be questioned;
• Provisions that grant excessive governmental discretion in giving approvals should not be allowed; official discretion in limiting religious freedom, whether as a result of vague provisions or otherwise, should be carefully limited;
• Intervention in internal religious affairs by engaging in substantive review of ecclesiastical structures, imposing bureaucratic review or restraints with respect to religious appointments, and the like, should not be allowed (see Section II.D above);
• Provisions that operate retroactively or that fail to protect vested interests (for example, by requiring re-registration of religious entities under new criteria) should be questioned;
• Adequate transition rules should be provided when new rules are introduced;
• Consistent with principles of autonomy, the State should not decide that any particular religious group should be subordinate to another religious group or that religions should be structured on a hierarchical pattern (a registered religious entity should not have veto power over the registration of any other religious entity).

This chapter of the report addresses these issues in the light of the aforementioned international standards in a number of countries of particular concern. All of them happen to be Communist or former Communist authoritarian regimes.

### COUNTRIES OF PARTICULAR CONCERN

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Apart from North Korea and Eritrea, which are countries of particular concern, all the other states are ranked in alphabetical order.
The legal framework concerning freedom of religion or belief includes the Constitution, the “Freedom of Religion Act”, the “Law on Freedom and Assembly” and the “Code of Administrative Offenses”.

A number of legal provisions enable the government to restrict religious activities. A complex compulsory state registration system makes all exercise of freedom of religion or belief – including the legal right to exist – dependent on state authorisation. Carrying out any religious activity without state registration in public or in private, including prayer meetings in private homes, is forbidden. Places of worship have been forcibly closed. Activities outside registered church buildings are forbidden and praying outside mosques has been banned. Violations of the law can lead to exorbitant administrative fines as well as criminal penalties.

Unregistered communities facing possible punishment for exercising freedom of religion or belief without state permission include all Muslim communities outside the control of the state-backed Caucasian Muslim Board and all communities which were not registered in 2009, including most Baptist, Seventh-day Adventist, Jehovah’s Witness and many Protestant communities.

**Freedom of Association**

The 1992 Law on Religion was very liberal with regard to registration of religious communities. In the wake of this law, re-registration took place in 1994, then again in 1999 after new changes to the Law and then once more in 2001 after the State Committee for Work with Religious Associations (SCWRA) was established.

Since 2001, it has become increasingly difficult for many groups to secure legal registration. Unregistered organizations are often deemed illegal and are therefore subject to attacks and closures by local authorities. The SCWRA continues to delay or deny registration to a number of Christian groups. Jehovah’s Witnesses have lodged numerous complaints with the European Court of Human Rights in this regard. Their cases are pending.

On 18th March 2009, new amendments to the wording of Articles 18 and 48 in the Constitution were approved by referendum. These amendments prompted the SCWRA to impose re-registration with the government by 1st January 2010 and to issue fines in case of non-compliance. The revised law came into force on 31st May 2009, giving officials the authority to ban religious organisations for violating social order or social rules and for inciting people to refuse to execute duties required by the law. Religious organisations can also be banned for failing to observe the requirements of the executive body with regard to submission of information on a) documents necessary for state registration and b) changes made to information about their organisation. Most controversial are the territorial
restrictions imposed via the model statute, which reinforce provisions in the Religion Law. Article 1.1 of the “model statute” states that the community is founded for religious activity "on its own property", while Article 1.11 includes the bald statement: “The territory of activity: The community can only function on the territory of its own legal address.”

Article 12 of the revised law requires “information on the citizenship, residence and date of birth of people founding the religious society, a copy of their identity cards, the basis of their religious teachings, information on the date of establishment of the religion and community, the form and methods of its activity, traditions, attitude to the family, marriage and education [and] information on limitations on rights and duties of the members of the community. Other documents demanded by the Law on State Registration of the Juridical Person shall also be submitted with the application.” The Article does not indicate by what authority, standards or competence state officials decide registration applications or appeals against their decisions.

On 30th June 2009, Azerbaijan's Parliament, the Milli Mejlis, adopted additional controversial amendments to the Religion Law which targeted faith-based NGOs.

From July 2011 Article 12 was amended to require a minimum of 50 adults “or their authorised representatives” to submit an application for registration and not just 10 adults as previously mandated. This particular provision appears to have been retrospectively applied to communities whose applications were submitted even before the end of 2009 but have not been processed, as in the case of the Protestant Cathedral of Praise Church.

On 16th October 2012, the Venice Commission of the Council of Europe and the OSCE/ODIHR issued their Joint Opinion about the Law on Religious Belief. On freedom of association, the Commission stated:

Paragraph 1 of Article 12 of the Law provides that religious associations may qualify for preferences granted by the Law (receipt of state subsidies, opening of bank accounts and owning of property of a legal entity, etc.) only after formal registration. They may exercise freedom of belief and religious worship without state registration; however, they will not be public law entities with all the ensuing consequences.

In accordance with Article 44.1 of the Civil Code of the Republic of Azerbaijan, civil rights and obligations of an entity arise as from the time of its state registration. Thus, without having civil rights, a religious organization with no state registration, is deprived of the opportunity to dispose of the property, to engage production and economic activity and to exercise other rights conferred on a legal entity (see Articles 18 and 19 of the Law “On Freedom of Religious Belief”).
Given the specific nature of religious organizations and exceptional sensitivity of this sphere, state authorities in charge of registration of ordinary legal persons are not involved, in any form, in a substantive review of the statute or character of a religious entity, since this matter falls under the exclusive competence of the State Committee for the Work with Religious Associations.

As regards the recommendation to set a deadline for the state to decide on state registration, it should be emphasized that although such deadline is not foreseen in the Law, this matter is governed by Article 8.1 of the Law of the Republic of Azerbaijan “On State Registration and State Register of Legal Entities”, which stipulates that state registration of non-profit legal persons is performed within a period not exceeding 40 days.

As for the remarks of the distinguished experts concerning the lack of administrative appeal and judicial review in cases when registration is denied, we would like to recall that this issue is regulated by the Law of the Republic of Azerbaijan “On judicial appeal against decisions or actions (inaction) violating the rights and freedoms of citizens” which sets out the procedure and terms for filing complaints, adoption of decisions on complaints, enforcement of such decisions, etc. In this regard, one should also mention the Administrative Procedure Code of the Republic of Azerbaijan, which establishes procedures for considering and resolving by courts disputes arising from legal relations that are governed by administrative legislation.”

In this regard, the Commission recommended reforming the system of state registration of religious communities by:

- allowing individuals and religious communities to practice religion without state registration, if they so choose;
- clarifying which information and documents are required for state registration;
- ensuring that state authorities in charge of registration do not engage in a substantive review of the statute or character of a religious group;
- setting a deadline for the state authorities to decide on registration.

The Commission further analyses the provisions of the Law (Article 12-1) about the liquidation of religious associations and notes that:

[...]Whatever the ground for the liquidation, a religious association may be liquidated only under judicial procedure, which excludes probability of arbitrariness and undue influence by a state authority when considering and adopting relevant decision.
As for the appeal procedure for religious associations faced with liquidation or other sanctions, it should be noted again that this matter is governed by the Law of the Republic of Azerbaijan “On judicial appeal against decisions or actions (inaction) violating the rights and freedoms of citizens”. Again, we should also mention here the Administrative Procedure Code.

With regard to administrative sanctions that could be applied to religious organizations that violate the law, it is to be noted that under Article 30 of the Law, officials, natural and legal persons shall be held liable as provided for in the legislation of the Republic of Azerbaijan for breach of legislation in the field of freedom of religious belief. The relevant legislation is the Code of Administrative Offences, Article 300 of which provides for a number of administrative sanctions, including fines for such breaches.

The Commission also recommended amending the rules governing the liquidation of religious organizations by:

- removing clauses which are unduly restrictive or overly vague - providing, besides liquidation, for a range of administrative sanctions of varying severity, which could be proportionately applied to religious organizations that breach the law; and
- providing for an appeal procedure for religious organizations facing liquidation or other sanctions.

**Freedom of Worship and Assembly**

Article 49 of the Constitution of the Republic of Azerbaijan adopted on 12th November 1995 stipulates that everyone has the right to freedom of assembly with others. Pursuant to this article, permission is not as a rule required from the authorities to conduct peaceful assemblies, meetings, demonstrations, etc. The only condition for the practice of freedom of assembly (or peaceful assembly) is to notify the relevant bodies of the executive power in advance.

The Law of the Republic of Azerbaijan on “the Freedom of Assembly” which was adopted in 1998 failed to deal with the actual protection of such right but instead addressed the issues of prohibition and restriction of assembly.

On 30th May 2008, relevant changes to the law were made that reaffirmed the right to freedom of assembly and the right to effective recourse in case of violation thereof. However, serious shortcomings still remain to be overcome. For instance, it has been reported that all notification letters of planned assembly that were sent to local administrations were rejected. Also, it has been reported that force has been used to prevent assembly.
Despite limited legal reforms, raids on religious organizations, whether registered or unregistered, regardless of denomination or persuasion, frequently occur.

**Administrative Code: Exorbitant Fines**

**Administrative Code Article 299** punishes “violation of the procedure for creating or running religious organisations” as follows:

- Article 299.0.1 punishes “religious leaders who fail to register their communities with the state”;
- Article 299.0.2 punishes “violating legislation on holding religious meetings, marches and other religious ceremonies”;
- Article 299.0.3 punishes “clergy and religious associations holding special religious meetings for children and young people as well as the holding by religious bodies of literature circles or other specialised groups”;  
- Article 299.0.4 punishes “religious activity not within a religious association's registered address”.
- Article 299.0.5 punishes “activity by a religious association that is not in accordance with its statute”.

The December 2010 fines for all offences under Article 299 were raised from those set in 2009:

- for individuals to between 1,500 and 2,000 Manats;  
- and for officials to between 7,000 and 8,000 Manats.

These increases are up to 16 times more than the previous penalties. Each 1,000 Manats is equivalent to 970 EUR or 1,275 USD.

**Administrative Code Article 300** punishes "violation of legislation on freedom of religion" as follows:

- Article 300.0.1 punishes “producing, importing or exporting religious literature, religious objects, and other information material without permission from the State Committee for Work with Religious Organisations”;
- Article 300.0.2 punishes “distributing religious literature, religious objects and information material without State Committee permission”;
- Article 300.0.3 punishes “selling religious literature, religious objects and information material in places not approved by the State Committee for the sale of such religious material”;

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8 The minimum monthly wage from 1 December 2011 was about to 93.50 Manats (90 EUR, or 119 USD).
Article 300.0.4 punishes “the conduct of religious propaganda by foreigners or stateless persons”. If literature is used, this “offence” is to be punished by an unspecified article of the Criminal Code.

The increased December 2011 fines for Article 300 ‘offences’ are:
- for individuals, whether Azeri citizens or foreigners, to between 2,000 and 2,500 Manats;
- for officials to between 8,000 and 9,000 Manats;
- and for organisations to between 20,000 and 25,000 Manats.

These increases are up to 20 times more than the previous penalties. Each 1,000 Manats is equivalent to 970 EUR or 1,275 USD.

**CHINA**

The Chinese Constitution grants the freedom of religious belief, provided that any religious activities involved are “normal.” The Constitution also stipulates that “religious bodies and religious affairs are not subject to any foreign domination” (Article 36).

The Chinese government’s religion policy is governed by the “National Regulations on Religious Affairs” (NRRA), first issued in March 2005 and then updated in 2007. The NRRA requires all religious groups and venues to affiliate with a government-approved association, thus permitting government control of every aspect of religious practice.

According to Regulation 145 “On Management of Places for Religious Activities” (January 1994) and the “Regulation Procedures for Religious Activities” (May 1994), applicant groups must have a professional religious leader approved by the relevant patriotic association, a fixed meeting point and activities confined to a specific area. Any unregistered activity is illegal and may be prosecuted under the “Regulations Governing Public Order Offenses.” These regulations were amended in 1994 to include “carrying out activities under the name of a social organization without registration,” “organizing activities of superstitious sects and secret societies to disrupt public order,” and “disturbing public order and damaging people’s health through religious activities.”

The government seeks to restrict hereby religious practice to government-sanctioned organizations and registered places of worship and to control the growth and scope of activities of religious groups. In this way, the government is also trying to prevent the rise of groups that are guided by authorities that lay beyond its sphere of influence.
The administrative control of the registered religious associations is operated through two major institutions: the “State Administration for Religious Affairs” (SARA), which is under the authority of the State Council of the People’s Republic of China and the “United Front Work Department” (UFWD), which is under the authority of the Central Committee of the Communist Party of China. Both institutions have bureaus in the Autonomous Regions as well as at the provincial and municipal level. These agencies are responsible for monitoring and judging the legitimacy of religious activities within their area. Even still, the SARA and the UFWD provide so-called policy "guidance and supervision" on the implementation of government regulations regarding religious activities, including those of foreigners.

Another role of these state control agencies is to exploit the national religious leadership bodies to serve as advocates for the Chinese government’s religious policy and domestic and foreign political agendas.

**State-recognition and registration of religions**

The government of China recognizes five religions: Protestantism, Catholicism, Buddhism, Taoism and Islam. For each of the five state-sanctioned religions there is a government-affiliated association that monitors and supervises its activities: the “Chinese Buddhist Association”, the “Chinese Catholic Patriotic Association”, the “Protestant Three-Self Patriotic Movement”, the “Chinese Islamic Association” and the “Chinese Taoist Association”.

All religious groups must register with the appropriate religious organization to be allowed to carry out their activities legally. They must also accept strict government supervision and can only preach inside designated temples, churches and mosques. If these organizations are not registered, all their activities are illegal.

In a January 2011 speech, SARA chief Wang Zuo’an stated that “the starting point and stopping point of work on religion is to unite and mobilize, to the greatest degree, the religious masses’ zeal to build socialism with Chinese characteristics.” In other words, SARA’s mission is not to implement international norms for religious freedom.

Of the estimated 130 million Christians in China, only about 20 million belong to a state association.

**Catholics**

China severed ties with the Vatican in 1951 over the Holy See’s diplomatic recognition of Taiwan.
The Chinese government created in 1957 its own National Catholic Church, called the Chinese Catholic Patriotic Association (CCPA). The Roman Catholic Church in China, therefore, has two faces: the government-established CCPA and the Roman Catholic Church, which is loyal to the Pope. The Roman Church thus became illegal and was forced underground. The Chinese Government officially recognizes only those clerics who openly declare their independence from the Vatican. There are believed to be up to 20 million Catholics in China, with only 5.3 million belonging to the CCPA.

Despite this official policy, an estimated 90% of CCPA bishops and priests are secretly ordained by the Vatican and in many provinces, CCPA and unregistered Catholic clergy and congregations work in close collaboration.

Protestants

Unregistered churches, including those known as “house churches,” and their members are liable to discrimination, harassment and even prosecution under the “Regulations Governing Public Order Offences.” These regulations include such subsets as “Carrying out activities under the name of a social organization without registration,” “Organizing activities of superstitious sects and secret societies to disrupt public order,” and “Disturbing public order and damaging people’s health through religious activities.”

Despite the restrictions, harassment, arrests and government surveillance, the number of religious adherents to Protestant churches are on the increase in China. The government continues to tolerate regular and public worship activities of both legally-approved and some unregistered religious groups. Even still, tolerance for unregistered religious activity can vary, depending on province or locality.

According to official figures, some 10 million Protestants are members of churches registered under the Protestant Three-Self Patriotic Movement. The number of Protestants gathering in unregistered “house churches” is estimated to exceed 50 million.

Tibetan Buddhists

On 14th May 1995, the Dalai Lama recognised a six-year old boy from Tibet named Gendun Choekyi Nyima as the new Panchen Lama, the highest-ranking lama in the Gelugpa lineage after the Dalai Lama himself. Soon after the announcement, Chinese troops abducted the child and his family and taken to an unknown location. Their whereabouts remains one of China’s most keenly guarded secrets.

Subsequently, the Chinese government appointed another six-year-old child, Gyaincain Norbu, as the correct Panchen Lama and then moved to an unknown place of safety in Beijing, ostensibly to protect him from threats to his life.
Interestingly, the Chinese-appointed Panchen Lama made his debut on the world stage in 2006 at China's first international religious forum since 1949, organized by the state-controlled Chinese Buddhist Association.

On 31st January 2008, the Chinese-appointed Panchen Lama, then aged 17, pledged his support for the Communist Party during a formal visit to China's top legislator, Wu Bangguo. According to the official Xinhua News Agency, the meeting took place at Beijing's Great Hall of the People, the seat of China's legislature.

The 2005 Regional Ethnic Autonomy Law provides a specific framework for the five autonomous regions to adapt national laws “in the light of existing local conditions.” In the Tibet Autonomous Region (TAR), this adaptation was promulgated on 1st January 2007 under the name “TAR Measures for Implementation of Regulations for Religious Affairs,” thereby replacing the “TAR Temporary Measures for the Management of Religious Affairs” of 20th December 1991. The 56 articles of the new regulations reaffirm the supremacy of the Chinese Communist Party and strengthen the already tight control of Beijing over religious practice and teachings. They also require approvals from multiple tiers of government for a number of activities.

The Chinese government thereby maintains control of the teachings, worship sites and selection of religious leaders of Tibetan Buddhism, and it systematically arrests and detains individuals who support the Dalai Lama or oppose government policy.

In August 2011, nine of the ten Tibetan autonomous areas in China issued new measures to subordinate internal Tibetan Buddhist affairs to central government regulations, particularly over monasteries that had resisted management by law and supervision by public entities. These measures were harmonised with regressive regulations that were passed earlier that year at a local level, which allowed religious personnel to be removed for perceived disloyalty to government policy, determined quotas for the number of monks and nuns who can live at monasteries, provided for more secular oversight of monastic groups through existing “Democratic Management Committees” and required religious personnel to re-register based on conformity with unspecified political, professional and personal criteria. These measures constitute a severe violation of the freedoms of religion, speech, and association,9 as they threaten the ability of Tibetan Buddhists to educate, select their own leaders and manage their own affairs.

**Uyghur Muslims**

Most Chinese Muslims are Uyghurs and live in the Xinjiang Uyghur Autonomous Region (XUAR).

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For more than a decade, Chinese officials have unreservedly used the “war on terror” as a justification for their repressive treatment of the Uyghur Muslim population. Since 11th September 2001, Xinjiang authorities have used combating terrorism as justification for placing restrictions on the peaceful religious practices of Uyghur Muslims. As a result, Xinjiang authorities have on occasion charged Uyghur Muslims with committing the “three evils” of terrorism, separatism and extremism.

Over the past year, the government has intensified its campaign to curtail “religious extremism” and “illegal religious gatherings” and to “weaken religious consciousness.” The exact meaning of these terms is vague and undefined, although authorities have reportedly targeted 23 kinds of “illegal religious activity,” including student prayer, holding unauthorized religious classes, “distortion of religious doctrine,” conducting certain marriage and divorce practices and advocating “Pan-Islamism” and “Pan-Turkism.” Regional regulations and local directives restricting religious practice in Uyghur areas are harsher than those found in other parts of China.

In Uyghur areas, imams are required to undergo annual political training seminars to retain their licenses. Local security forces monitor imams and other religious leaders. Imams at Uyghur mosques are also reportedly required to meet monthly with officials from the Religious Affairs Bureau and the Public Security Bureau to receive advice on the content of their sermons. Failure to attend such meetings can result in the imam’s expulsion or detention.

*Falun Gong*

The government actively represses and harasses religious activity that it views as “superstitious,” a “cult,” a threat to national security or social harmony or falling outside the vague parameters of “normal” religious practices.

On 10th June 1999, under direct orders from Jiang Zemin, then leader of the Chinese Communist Party, the Central Committee formed the “610 Office,” an organization with the sole mission of cracking down on Falun Gong.

On 22nd July 1999, the Ministry of Civil Affairs under the State Council banned “the Research Society of Falun Dafa and the Falun Gong organization under its control.”

The 610 Office possesses powers far beyond those that are officially authorized under the Chinese constitution. It has absolute power over every administrative level in the Party and all other political and judiciary systems. The 610 Office has full control over any issue that has to do with Falun Gong. Besides its central office in Beijing, the 610 Office has branches in all Chinese cities, villages, governmental agencies, institutions and schools.
ERITREA

Freedom of association, worship and assembly in Eritrea cannot be properly understood without knowing the particular nature of its political regime. Since independence in May 1993, Eritrea has been ruled by the People’s Front for Justice and Democracy party (PFDJ), led by President Isaias Afwerki. In this one-party system, no elections are ever conducted and no opposition parties are permitted.

No independent civil society organisations exist. The government is also hostile to NGOs and human rights organisations are not allowed to operate. Independent public gatherings are prohibited. Thousands of Eritreans with religious or civil society affiliations and allegiances are imprisoned for their real or imagined opposition to the government.

Eritrea, a military regime

Since 1994, Eritrea has called up both men and women for military service in regular rounds of recruitment. Under the “Proclamation on National Service No. 82 /1995” all people between the ages of 18 and 40 are liable to national service, comprising six months of military training followed by twelve months of active military service or development service under the control of the army. Subsequent reserve duties can be required up to the age of 50. In situations of mobilisation or war, however, not only are reservists subject to recall; active national service can be extended indefinitely. Since the 1998-2000 war with Ethiopia, Eritrea has in practice remained in an almost permanent state of mobilisation.

Given that the total population (male and female) aged between 16 and 49 is estimated at some 1,700,000 – with the number reaching conscription age annually somewhat less than 125,000 – this implies that approximately 20% of the country’s population that is susceptible to military service is currently enrolled in the army.

Recognition and registration of religions

The Eritrean government officially recognizes only four religious communities: the (Coptic) Orthodox Church of Eritrea, the country’s largest Christian denomination and the institutional expression of the country’s traditionally-dominant form of Christianity; Sunni Islam; the Roman Catholic Church; and the Evangelical Church of Eritrea, a Lutheran-affiliated denomination. The government imposes a number of invasive control measures over these groups, preventing them to operate freely. The government strictly controls and dominates the internal affairs of all four recognized religions, including the appointment of religious leaders and the oversight and monitoring of religious activities. The groups are required to submit activity reports to the government every six months.
In 2002, the government tightened its control over civil society and imposed a registration requirement on all religious groups other than the four officially-recognized religions. The requirement mandated that communities provide detailed financial and membership information, as well as background on their activities in Eritrea. Among those affected were Protestant Evangelical and Pentecostal Christian denominations as well as the Baha’is. Some of these religious communities had previously operated in Eritrea for decades.

The Coptic Orthodox Church

In 2005-2006, the government imposed a series of restrictive measures against the Coptic Orthodox Church. In July 2005, the authorities revoked the exemption of Orthodox priests, monks and deacons from mandatory national service, resulting in a shortage of clergy, particularly in smaller rural churches. In 2006, the legitimate Patriarch of the Eritrean Orthodox Church, Abune Antonios, was removed from office in violation of canon law. He was initially deprived of administrative powers by a government–appointed layman and placed under strict house arrest. He was then forcibly evicted from his official residence and ultimately replaced by a bishop neither appointed nor recognised by the Orthodox Papacy in Egypt. After this unwarranted interference in ecclesiastical affairs, the government proceeded to effectively seize control of the Church’s finances.

According to the Eritrean Orthodox Church North America Archdioceses, more than 1,700 Orthodox clergy have been forced out of the Church. Hundreds have fled the country and 24 imprisoned.

The Roman Catholic Church

In June 2006, the country’s three Catholic bishops informed the government that the bearing of arms was “not in accordance” with the role of clergy. In March 2007, it was reported that the Church had refused to supply the government with a comprehensive list of clergy and their whereabouts. The Church also refused to honour a government request to either reduce their numbers or send them to the military.

Five months later, the government reportedly ordered that control of Catholic-run schools, clinics, orphanages and women’s vocational training centres should be handed over to the Ministry of Social Welfare and Labour. Finally in November 2007, 14 foreign Catholic charity workers were deported from the country.

Muslims

The Department of Religious Affairs appoints the Mufti of the Muslim community against its will. The government does not permit Muslim religious activities or groups that it considers radical. Government officials point to the actions of foreign or foreign-inspired Muslim fundamentalists, whom they believe are
seeking to radicalize the traditional Eritrean practice of Islam and thus possibly create tensions in a society that is roughly half Christian and half Muslim.

**Evangelicals and Pentecostals**

The government’s campaign against religious activities by persons belonging to unregistered denominations frequently targets Evangelical and Pentecostal Christians. Eritrean security forces continued to conduct mass arrests of Evangelical and Pentecostal Christians, including at prayer meetings.

The US State Department, non-governmental human rights organizations and Christian advocacy groups estimate that most of the 2,000 to 3,000 persons imprisoned on religious grounds in Eritrea are Evangelical or Pentecostal Christians.

**Jehovah’s Witnesses**

Jehovah’s Witnesses were the first religious group to experience repression after independence, because they did not participate in the 1993 independence referendum and refused to perform military service. In October 1994, a presidential directive put an end to their civil, political, social and economic rights. They could no longer access government employment, accommodation, schools, hospitals or other government services generally available to Eritrean citizens. Most significantly, they were denied the official identity cards necessary, amongst other things, for registration of births, deaths and marriages, purchasing property and for gaining passports, internal and external travel permits and commercial licenses. Those Witnesses who declined military service are detained indefinitely.

**Freedom of worship and assembly**

Because of the government’s registration requirement, no group can legally hold public religious activities until its registration is approved. This has resulted in places of worship being closed and public religious activities, including worship services, of all unregistered religious communities being prohibited.

The Presbyterian Church, Methodist Church, Seventh-day Adventists and the Baha’i community have all tried to register, but due to the government’s inaction on their registration applications, they lack a legal basis on which to practice their religions publicly, including holding prayer meetings or weddings.

Government violations of religious freedom are particularly severe in the armed forces, where members are banned from attending Protestant prayer meetings, subject to punishment by imprisonment.
**Eritrean Refugees**

Hundreds of thousands of Eritreans have fled the country, due to the Eritrean government's repression and human rights violations. The office of the UN High Commissioner for Refugees estimates more than 220,000 Eritreans have been forced to flee. While the majority of Eritrean refugees are escaping mandatory military service, the UNHCR reports that increasingly large numbers are claiming religious persecution. Pentecostal Christians make up a large percentage of these cases, followed by Jehovah’s Witnesses. Christian Solidarity Worldwide reports that the number of Eritrean Orthodox clergy leaving the country has increased since the government revoked their exemption from mandatory military service.

**KAZAKHSTAN**


In October 2011, President Nazarbaev signed two new laws on freedom of religion or belief. The laws were strongly criticized by the OSCE, which Kazakhstan chaired in 2010, as well as by domestic civil society and religious communities. The new religion law establishes a complex four-tiered registration system, bans unregistered religious activity, imposes compulsory religious censorship and requires both central and local government approval to build or open new places of worship. All registered religious organizations must re-register under strict new criteria or face liquidation by the courts.

On 12th October, the chief of Kazakhstan’s Agency on Religions, Qairat Lama Sharif, said one third of the country’s religious organizations would be shut down. He made this statement at a roundtable meeting in Almaty on the implementation of the new law, which requires the re-registration of all religious groups or face possible closure.

Re-registration was closed on 25th October amid complaints by religious groups that the process was “complex,” “burdensome,” “arbitrary,” “unnecessary” and “expensive”.

Under Religion Law Article 12, Part 4, national religious organisations need at least 5,000 adult citizens from all regions of the country, the capital and all major towns. At least 300 members must be present in each of these jurisdictions. Under Article 12, Part 3, regional religious organisations likewise need 500 adult citizens who belong to at least two different registered local religious organisations located in two different regions or main towns.
Article 7, Part 2 allows “Worship services, religious rites, ceremonies and/or meetings” to be held in homes, but only with the undefined limitation, “if needed on condition that they respect the rights and interests of nearby residents.”

In early 2012, Kazakhstan's authorities cancelled the registration of 579 “small religious groups” across the country, essentially depriving them of the right to exist. In February 2012, in the first known use of expanded penalties, a leader of an unregistered Baptist community in eastern Kazakhstan was fined a year and a half’s average local wages (equivalent to 3,273 USD).

Even before the new Kazakh religion law came into effect, police acted against undesirable religious groups. In November 2011, Kazakh officials closed mosques, churches and Muslim and Russian Orthodox prayer rooms in prisons and social care institutions, due to a new ban on religious activity in state institutions. Registered religious community branches affiliated with Central Grace Presbyterian Church in Karaganda and the Seventh-day Adventist Church in Astana as well as Kazakhstan’s registered Baptist Union communities were officially warned to halt activity and return registration certificates. The Church of Scientology reported that two of its members were found guilty for unregistered religious activity and that police raided church properties. The Jehovah's Witness national organisation was refused continuation of its status after the government’s Agency for Religious Affairs (ARA) issued an unfavourable opinion on the group. All public Ahmadi places of worship were closed and Ahmadis were barred from using private homes for worship.

In contrast to the troubles of these religious communities, Kazakhstan's Muslim and Catholic communities have received quite different treatment. All Muslim communities which belong to the state-backed Muslim Board are exempted from re-registration. In effect, this means that only the majority Hanafi Sunni groups have succeeded in obtaining re-registration. Catholic communities were exempted as well because of an Agreement between the Holy See and Kazakhstan.

Administrative Code: Exorbitant Fines

Article 253 of the Code of Administrative Offences punishes the use of land for purposes other than its designated purpose. Punishments can range from a simple warning to a fine for individuals of up to 10 Minimal Financial Indicator (MFIs), for officials and small business owners of between 10 and 30 MFIs and for large business owners of between 50 and 120 MFIs. This provision has been used against the Ahmadi community.

The Almaty City authorities on 2nd March effectively stopped the local Ahmadi Community from worshipping in their legally registered building in the city's Medeu District. The Land Agency on the same day sent two City Land Inspectors, Yerlan Kalibayev and Askar Duysekov, to inspect the Community's use of the
property. The inspectors fined the Community 48,540 Tenge (250 EUR or 330 USD) for allegedly violating Kazakhstan's Administrative Code's Article 253.

**Article 374-1 of the Administrative Code** was first introduced in July 2005 as part of new “national security” amendments to various laws - including the Religion Law - which severely increased the controls of religion. It states:

- The leadership of the activity of public and religious associations that have not been registered in the proper manner and also those organisations whose activity has been halted or banned will attract a fine amounting to 100 times the minimum monthly wage, currently 971 Tenge [6 EUR];

- Participation in the activity of public and religious associations that have not been registered in the proper manner and also those organisations whose activity has been halted or banned will attract a fine amounting to 50 times the minimum monthly wage;

- The financing of the activity of public and religious associations that have not been registered in the proper manner and also those organisations whose activity has been halted or banned will attract a fine amounting to 200 times the minimum monthly wage.

**Article 375, Part 1** of the Code of Administrative Offences addresses the “Refusal by leaders of religious associations to register them with state bodies, carrying out of activity by religious associations not in accordance with their statute, participating in the activity of or financing political parties, violating the rules governing holding of religious events outside the location of a religious association, organising of special children's or youth meetings not related to worship and forcing individuals to carry out religious rituals.”

**Article 375** punishes leaders of religious organisations that break any law with fines of up to 30 times the minimum monthly wage, while the organisations themselves can be fined up to 200 times the minimum monthly wage and banned for up to six months. Religious organisations that “systematically carry out activity in defiance of their statute” or refuse to stop activities that led to their being suspended face fines of up to 300 times the minimum monthly wage and a total ban on their activities, while leaders of such organisations can be fined up to 40 times the minimum monthly wage.

**Article 376** gives the ARA the right to prepare cases under Article 374-1 for prosecution.

In several cases, refusal to pay fines or to halt worship by communities which have been “banned” has led Baptist pastors to face further charges under **Article 524 of the Code of Administrative Offences** (failure to carry out court decisions).
LAOS

In Laos, Theravada Buddhism is the religion of nearly all ethnic or Lowland Lao, who constitute 40 to 50% of the overall population of the country. The remainder of Laotians belong to at least 48 distinct ethnic minority groups.

As a Communist authoritarian state based on a one-party system, Laos seeks to regulate religion and is the final arbiter on permissible religious activities.

While the national constitution generally provides its citizens with the right to religious freedom, Article 9 states that “All acts of creating division of religions and classes of people are prohibited”. This provision is often construed by local and provincial governments to restrict religious practice, including proselytizing under the alleged ground of preventing division in minority ethnic groups. This has sometimes led to the forcible eviction of Christian communities from villages hostile to Protestantism and attempts to force Protestant converts in ethnic groups to renounce their faith. The Lao government’s toleration of religious activity varies according to the region, ethnicity, and religious group.

The Prime Minister’s 2012 Decree on Religious Practice (Decree No 92/PM) is the main legal instrument defining the rules of religious life.

The decree contributes to an increase in religious tolerance but is also a tool used by local and provincial governments to restrict religious practice. A provision of Decree 92 prohibits any activities that create social division” or “chaos” and has been used by officials to arrest and arbitrarily detain ethnic minority Christians. The decree legalized many religious activities but they can often only be undertaken with prior governmental approval.

**Recognition and registration of religions**

The government of Laos recognizes five religions: Buddhism, Protestantism (about 100,000), Catholicism (about 40-45,000), the Baha’i Faith (about 15,000) and Islam (about 7,000). While officially recognizing Protestantism, only the Lao Evangelical Church (LEC) and the Seventh Day Adventists (SDA) have been authorised. The government has refused to recognize the Methodist Church and requires other Protestant groups to register under the LEC and the SDA. The groups that refuse to register have heavy government restrictions imposed upon them.

Decree 92 requires religious groups to register with the Lao Front for National Reconstruction (LFNC), a front for the Lao People’s Revolutionary Party, which is responsible for monitoring religious activity and enforcing governmental policy. State approval is required for a wide range of religious activities: appointment of clergy or staff (Articles 8-9), preaching (Article 12), printing of religious literature (Article 14), construction of religious buildings (Article 16) and relations with
foreign co-religionists (Article 17-20). Article 13 sets out a vaguely defined proscription of "conducting activities against the Lao PDR regime, and dividing ethnic groups or religions in order to cause social disorder".

**Freedom of worship and assembly**

As Decree 92 only permits worship in officially sanctioned places, ‘house churches’ are often raided. Christians have no other choice to assemble in private homes as they are often denied permission to build churches. As many as about 200 LEC congregations do not have permanent church structures and cannot manage to get building permits from local authorities.

The central government seems unable or unwilling to hold provincial and regional authorities accountable for these abuses.

**NORTH KOREA**

North Korea is widely considered to be the most repressive regime in the world. There is no civil society and no institution is independent from the state. In practice, there is no freedom of religion, no freedom of association, no freedom of worship or assembly and no freedom of expression.

Since its *de facto* independence in 1948, North Korea has successfully carried out a systematic policy of religious cleansing. In the mid-20th century, 30% of Pyongyang inhabitants were Catholic and 1% in the rest of the country. Subsequently, all Catholic monasteries and churches were destroyed, monks and priests arrested, imprisoned or sentenced to death. During the same period, Protestants, Buddhists and Chondokoyists underwent the same fate. Chondokoyists are followers of a belief system mixing teachings of Confucianism, Taoism, Shamanism and Catholicism.

After World War II and the end of the Japanese occupation, the Korean Peninsula was divided in two occupied zones, the northern part occupied by the Soviet Union and the southern part by the United States. With a UN supervised election in 1948, two separate governments came to power. This led to the 1950-1953 Korean War.

North Korea became a single-party state led by the Korean Workers’ Party under the banner of the *Juche* ideology of self-reliance. After the ending of the Korean War, religious organizations were completely dismantled, leaving no room for independent religious activities or collective resistance. This period of obliterated religious freedom, during which religion was dismantled, can be divided into two stages.

The first stage occurred between 1958 and 1960, during which "intensive guidance" was given by the party headquarters. Under this guidance, a system of
mutual surveillance among residents was put in place. As a result, religious activities, if any, were easily exposed.

The second stage occurred between 1967 and 1970, during which residents were forced to re-register residence. The regime classified citizens into 51 different classes and gave numbers to religious people. The 51 classes were further divided into three groups: the core class (core masses), the wavering class (basic masses) and the hostile class (complex masses). According to this classification, religious persons were given numbers according to their religion, such as ‘37’ for Protestants, ‘38’ for Buddhists and ‘39’ for Catholics. These people were classified as hostile people, put under surveillance and punished.

During that period, religions and faith groups and their members vanished. Religious events and rituals were no longer to be held. In 1971, Kim Il-sung stated in his meeting with Ryokichi Minobe, then-governor of Tokyo, that there was no more religion in the North. His religious cleansing policy had achieved its final objective.

After his death, Kim Il-sung was declared the country’s Eternal President and Juche became the official state ideology, replacing Marxism-Leninism when the country adopted a new constitution in 1972.

The Juche is the religion of the state and no other worldview is tolerated. Any religion is perceived as a challenge to the cult of personality of the Kim family and a foreign threat to national security. According to the 1992 constitution:

> Citizens have freedom of religious beliefs. This right is granted by approving the construction of religious buildings and the holding of religious ceremonies. Religion must not be used as a pretext for drawing in foreign forces or for harming the State and social order.

This provision shows the limits of religious freedom in theory while in practice it is non-existent.

Between 1988 and 1997, North Korea built religious facilities for political purposes in a bid to appear as if religious freedom was guaranteed.

In 1988, the North Korean government created “religious federations” for Buddhists, Chondokyists, Protestants and Catholics in reaction to international criticisms about its record on religious freedom. These federations are said to be highly politicised and were intended to demonstrate a revival of religious life in North Korea. They maintain Buddhist temples and shrines as cultural heritage sites and showpieces for tourists, but they are not used for worship or pilgrimages. The federations have also been exploited by the regime to channel assistance programs from foreign donors.
In 1988, North Korea authorized the building of some churches in Pyongyang – one Catholic church in Changchung and two Protestant churches in Pongsu and Chilgol – although there are no Catholic or Protestant clergy in North Korea. In 2006, an Orthodox church was built in Pyongyang, reportedly administered by a North Korean priest who had studied in Russia. When these churches are finally permitted to operate, they will only serve expatriates and tourists.

Since 1998, underground religious activities have been increasing in North Korea. Religious teachings have been secretly propagated in the wake of defectors' voluntary return or deportation from China and with the unofficial support of South Korean churches.

Article 68 of the 2012 Constitution\(^\text{10}\) states that “citizens shall have the right of faith. This right guarantees them chances to build religious facilities or perform religious rituals. The right cannot be used to invite foreign forces or disturb state or social order.”

On 3\(^{rd}\) September 2011, a delegation of South Korean Buddhist monks was invited by North Korea to celebrate the 1000\(^{th}\) anniversary of the Tripitaka, one of the most important Buddhist relics in the country which is a common heritage of both South and North Korea. Also in September 2011, a 24-member delegation representing the seven main religions of South Korea was invited to Pyongyang as a sign of peace and reconciliation on the Peninsula. In November 2011, a group of South Korean pastors went to North Korea, prayed for peace and visited the two Protestant churches of Pyongyang. These exchanges, authorized by the North Korean regime, were obviously organized for political objectives.

Early in 2013, the North Korea Database in Seoul published a report about religious freedom in North Korea, including a comparative table of religions as publicized by the Pyongyang regime.

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\(^{10}\) This article introduced in the 9\(^{th}\) April 1992 Constitution remained unchanged when it was revised on 8\(^{th}\) September 1998 and 9\(^{th}\) April 2012. In the 1948 Constitution, Article 14 was saying “Citizens shall have the right to have faith and perform religious rituals” and Article 54 of the 28\(^{th}\) December 1972 was saying “Citizens shall have the right to have faith and carry out anti-religious propaganda.”
North Korea claims there are 500 officially approved “house churches” in the country. According to the 2012 Report of the US Commission on International Religious Freedom, “there are credible reports from South Korean academics that the participants in these gatherings are individuals whose families were Christians before 1950 and as such are allowed to gather for worship without leaders or religious materials”.

According to the US Commission on International Religious Freedom, “North Korea experts in South Korea, using testimony from refugees, estimate that there may be 6,000 Christians incarcerated in Prison No 15 in the northern part of the country” on a total population of 150,000 – 200,000 prisoners in the country.

State Security Agency (SSA) personnel are trained to identify clandestine religious activity, to infiltrate ethnic Korean communities in northern China and interrogate North Korean defectors, victims of *refoulement* from China, about their possible contacts with South Korean missionaries working there underground. Despite this heavy surveillance, missionary activities are expanding inside North Korea.

<table>
<thead>
<tr>
<th>Religion</th>
<th>Number of Religious Facilities</th>
<th>Number of Believers</th>
<th>Number of Priests</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chondoism</td>
<td>99 52 (800 places of prayer) 52 (801 places of prayer)</td>
<td>1.69 mil 15,000 0 15,000 0</td>
<td>– 250 250</td>
<td>Korean Chondoism Central Committee</td>
</tr>
<tr>
<td>Buddhism</td>
<td>518 60 65</td>
<td>375,000 10,000 0 10,000 0</td>
<td>732 200 300</td>
<td>Korean Buddhist Union</td>
</tr>
<tr>
<td>Protestantism</td>
<td>2,000 0 2 (500 home churches) 3 (500 home churches)</td>
<td>200,000 12,000 0 13,000 0</td>
<td>908 300 20 pastors 300 30 pastors</td>
<td>Korean Christian Union</td>
</tr>
<tr>
<td>Catholicism</td>
<td>4 dioceses 1 (2 temporary churches; 3 parishes; 500 home churches)</td>
<td>57,000 3,000 0 3,000 0</td>
<td>262 (3 bishops, 90 priests) 0 0</td>
<td>Korean Catholic Council</td>
</tr>
<tr>
<td>Russian Orthodox Church</td>
<td>0 0 1</td>
<td>– – 5</td>
<td>– – 5</td>
<td>Korean Orthodox Church Committee</td>
</tr>
<tr>
<td>Total</td>
<td>2.617 4 dioceses 115 123</td>
<td>2,322,000 0 (24.3%) 40,000 0 (0.2%) 41,000 0 (0.2%)</td>
<td>1,902 750 855</td>
<td>5</td>
</tr>
</tbody>
</table>
Pyongyang perceives these activities as a threat to national security. According to the Seoul-based Database Centre for North Korean Human Rights, anyone found distributing religious materials, holding unapproved religious gatherings or having on-going contacts with foreign religious groups risks political prison camp imprisonment and even execution.

The US Commission on International Religious Freedom also stated in its 2012 Report:

In May 2010, 23 Christians were reportedly arrested for belonging to an underground church in Kuwol-dong, Pyongsong City, South Pyongan Province. Three reportedly were executed and the others sent to the Yoduk political prison camp. South Korean NGOs claim that in June 2009, Ri Hyon Ok was publicly executed for distributing Bibles in the city of Ryongchon. Her family, including her parents, husband and three children reportedly were sent to a political prison camp the day after her execution. In March 2006, Son Jong Nam was sentenced to death for spying reportedly based on evidence that he converted to Protestantism. According to Son’s brother, Son was tortured and died in prison in July 2010.

RUSSIA

The 1997 “Law on Freedom of Conscience and Association”11 makes registration compulsory12 and establishes three broad categories of religious communities: Religious Groups, Local Religious Organizations and Centralized Religious Organizations. Different legal status and privileges apply to each of these categories.

Religious Group: Religious groups have the right to conduct religious rituals, hold worship services and teach religious doctrine. They are not registered with the government and thus have no legal personality. As such, they cannot open bank accounts, purchase or rent buildings, enjoy tax benefits or publish literature. Individual members of Religious Groups may purchase or rent property for the purpose of conducting religious activities; however, in reality, this is often difficult for members of unregistered religions.

11 See http://www2.stetson.edu/~psteeves/relnews/freedomofconscienceeng.html
12 Despite the European Court on Human Rights’ ruling that Russia’s 15-years’-existence rule violated the European Convention of Human Rights, the Church of Scientology of St Petersburg (2011), the Moscow Community of Jehovah’s Witnesses (2010) and an Armenian Catholic parish in Moscow (2010) are still denied registration. The Salvation Army had to litigate all the way to the European Court of Human Rights before being re-registered in 2009. Lack of registration has consequences. In September 2012, police presided over the destruction of the unregistered Holy Trinity Pentecostal Church near Moscow, which Pentecostals had reportedly been trying to register for more than 15 years.
In order for a Religious Group to advance into the next category of religious communities (i.e. to become a Local Religious Organization), it must exist as a Religious Group for at least 15 years.

_Local Religious Organization:_ A Local Religious Organization consists of at least 10 individuals over the age of 18 who are permanently residing in a given area. Local Religious Organizations are registered both federally and locally and are thus granted rights to the privileges and benefits which are not available to Religious Groups, such as to open bank accounts, purchase or rent buildings for religious purposes or access certain tax benefits.

_Centralized Religious Organization:_ According to Article 9 of the Law, a Centralized Religious Organization is created by combining at least three Local Religious Organizations. In addition to the privileges and benefits granted to Local Religious Organizations, Central Religious Organizations may open additional Local Religious Organizations without having to pass through a 15 year waiting period. Also, once a Central Organization has been in existence for more than 50 years it may use the word Russia or Russian in its official title.

While the 1997 Law reiterates the constitutional declaration that all religions have equal rights and are free from interference from the state, the Preamble also makes mention of the “special contribution” of Orthodoxy to the culture and history of Russia. The Preamble also grants “traditional” status to four religions: Russian Orthodoxy, Judaism, Islam, and Buddhism.

The Law includes a list of justification for the forceful liquidation of religious organizations. They are found in Article 14, as follows:

**Article 14. The Liquidation of a Religious Organization and the Banning of a Religious Organization’s Activities in the Event of Their Breaking the Law**

1. Religious organizations can be liquidated:

   By a court decision in the case of frequent and gross infringement of the norms of the Constitution of the Russian Federation, or infringement of this federal law and other federal laws, or in the case of systematic activities by a religious organization which contradict the goals for which it was created (the goals in its charter).

2. Grounds for liquidating a religious organization or for banning the activities of a religious organization or religious group by judicial order are:

   - The undermining of social order and security or threats to the security of the State;
   - Actions aimed at forcibly changing the foundations of the Constitutional structure or destroying the unity of the Russian Federation;
• The creation of armed units;
• Propaganda of war, the igniting of social, racial, national or religious dissension or hatred between people;
• Forcing a family to disintegrate;
• The infringement of the person, the rights and freedom of a citizen;
• The infliction of damage established in accordance with the law on the morality or health of citizens, including the use in connection with their religious activities of narcotic or psychoactive substances, hypnosis, the performing of depraved or other disorderly actions;
• Encouraging suicide or the refusal on religious grounds of medical help to persons in life-endangering or health-endangering conditions;
• Hindering the receiving of compulsory education;
• Forcing members and followers of the religious association or other persons to alienate property which belongs to them for the use of the religious association;
• Hindering a citizen from leaving a religious association by threatening harm to life, health, property if there is a danger of this threat actually being carried out, or by using force or other illegal actions;
• Inciting citizens to refuse to fulfil their civic obligations established by law, or to perform other disorderly actions.

According to Article 25, each religious organization is subject to supervision and observation by the Prosecutor General’s Office of the Russian Federation as well as by the local administrative organ with which it was registered.

Officials can initiate court cases that may result in the banning of certain communities. In 2009, the Russian Supreme Court liquidated the local religious organization of Jehovah’s Witnesses in Taganrog, partly due to a court designation of some of their religious texts as extremist.

*The 2002 “Law On Fighting Extremist Activity”*\(^{13}\) gives authorities the power to criminalize a broad spectrum of religious speech, literature, and activities.

By 2004, the government began attempts to prosecute extremism and issue warnings against certain religious activities. Nearly all of these bans, warnings or prosecution enacted since that time have been grounded on the argument that the religious activities, speech or literature in question were in violation of the 2002 Law which prohibits propaganda of superiority, inferiority or exclusivity of citizens to their attitude towards religion or religious affiliation.

Article 13 provides for a federal list to be established for banned extremist materials. Because any court (local, regional, federal, etc.) may add materials to the federal list, a ban on a particular item in one municipal area on the grounds that

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\(^{13}\) The full text of the law may be found in Russian at: [http://www.rg.ru/2002/07/30/extremizm-dok.html](http://www.rg.ru/2002/07/30/extremizm-dok.html)
it has been found extremist effectively bans the item across the entire country. The law does not provide guidelines for removing a ban on specific materials.

The first amendment of the 2002 Law was read in the State Duma in 2006. Among other changes to the Law, the definition of what exactly qualifies as extremist activity was broadened to include non-violent acts of civil disobedience. As a result, the Law now defines extremist activity as “incitement to racial, nationalistic or religious enmity and also social enmity.” The vagueness of this definition leaves the door open for authorities to label any religious teachings which contradict those of the “traditional religions” as “inciting to religious enmity.”

Muslims, especially Readers of Said Nursi's works, Jehovah’s Witnesses and the Church of Scientology are particular targets of anti-'extremism' raids and prosecutions. Numerous Jehovah's Witness publications and works by Nursi are among more than 100 bona fide religious publications banned through the courts and placed on the Justice Ministry's Federal List of Extremist Materials.

On 20th June 2012, the Council of Europe's advisory body of experts on legislation, the European Commission for Democracy through Law, better known as the Venice Commission, published its Opinion on the Russian Federation Federal Law on Combating Extremist Activity (“the Extremism Law”) as to whether the Law, as applied, violates international human rights standards.

In its Conclusions, the Venice Commission summarizes the main shortcomings of the Extremism Law which violate international human rights standards: broad and vague definitions that are not fused with the concept of violence and therefore invite abuse and arbitrary application; arbitrary procedures and harsh sanctions that offend the right to freedom of religion or belief and freedom of expression; and the lack of a precise, proportionate and consistent approach required by the European Convention on Human Rights. The Commission calls for adequate amendments of the Law to remedy all these shortcomings:

74. However, the manner in which this aim is pursued in the Extremism Law is problematic. In the Commission’s view, the Extremism Law, on account of its broad and imprecise wording, particularly insofar as the “basic notions” defined by the Law - such as the definition of “extremism,” “extremist actions,” “extremist organizations” or “extremist

14 For a more detailed examination of the 2006 amendment and possible reasons for concern, see the first two articles on the webpage http://halldor2.wordpress.com/2006/07/03/
16 As of 1 February 2013, 68 Jehovah's Witness publications and 19 of the works of Said Nursi in Russian translations, as well as works related to the Chinese spiritual movement Falun Gong, are among those to have been declared to be "extremist", banned by local courts and placed on the Federal List.
materials” - are concerned, gives too wide discretion in its interpretation and application, thus leading to arbitrariness.

76. The specific instruments that the Law provides for in order to counter extremism - the written warnings and notices - and the related punitive measures (liquidation and/or ban on the activities of public religious or other organizations, closure of media outlets) raise problems in the light of the freedom of association and the freedom of expression as protected by the ECHR and need to be adequately amended.

77. The Venice Commission recalls that it is of crucial importance that in a law such as the Extremism Law, which has the capacity of imposing severe restrictions on fundamental freedoms, a consistent and proportionate approach that avoids all arbitrariness be taken. As such, the Extremism Law has the capacity of imposing disproportionate restrictions of fundamental rights and freedoms as enshrined in the European Convention on Human Rights (in particular Articles 6, 9, 10 and 11) and infringe the principles of legality, necessity and proportionality. In the light of the above comments, the Venice Commission recommends that this fundamental shortcoming be addressed in relation to each of the definitions and instruments provided by the Law in order to bring them in line with the European Convention on Human Rights.

**Code of Administrative Offences**

Article 20.2, Part 1 punishes violations of “the established procedure for organising or conducting a gathering, meeting, demonstration, procession or picket,” which are set out in the 2004 Demonstrations Law. In June 2012, corresponding fines were increased by at least 10-fold, up to a maximum of 20,000 Roubles for individuals.

Article 20.29 was added to the Code of Administrative Offences in July 2007. The Article punishes “Production or distribution of extremist materials” with a fine of up to 3,000 Roubles (about three weeks' official minimum wage) or up to 15 days' detention for individuals and the confiscation of the materials. Organisations can be punished with a fine of between 50,000 and 100,000 Roubles or a ban of up to 90 days, as well as confiscation of the materials.

On 15th May 2012, the Jehovah's Witness community in Dalnerechensk in Primorsky Region was closed down for 60 days after it was convicted under Article 20.29. The case was launched after a 27 April search of the community's place of worship uncovered 16 copies of various Jehovah's Witness works on the Federal List.
Criminal Code Articles

The Russian government uses the country’s extremism law to prosecute religious individuals and groups who are perceived, often unjustifiably, as security threats. Russia’s 2002 Extremism Law defines extremist activity in a religious context as “propaganda of the exclusivity, superiority or inferiority of citizens according to their attitude toward religion” and after 2007 amendments no longer requires the threat or the use of violence.

Article 282, Part 1 (“Actions directed at the incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of an individual or group of persons on the basis of...attitude to religion, ... conducted publicly or through the media”) carries a maximum punishment of two years’ imprisonment.

Article 282, Part 2 (c) (“Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity conducted by an organised group”) carries a maximum punishment of five years’ imprisonment.

Article 282.1, Part 1 (“Creation or leadership of an extremist organisation”) carries a maximum punishment of four years' imprisonment.

Article 282.1, Part 2 (“Participation in an extremist organisation”) carries a maximum punishment of two years' imprisonment.\(^\text{18}\)

Article 282.2, Part 1 (“Organisation of the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity”) carries a maximum punishment of three years' imprisonment.

Article 282.2, Part 2 (“Participation in the activity of a social or religious association or other organisation in relation to which a court has adopted a decision legally in force on liquidation or ban on the activity in connection with the carrying out of extremist activity”) carries a maximum punishment of two years’ imprisonment.

\(^{18}\)In December 2011, the criminal code was amended to add prison terms starting in 2013 of up to three years for organizing or participating in a banned group.
TAJKISTAN


Freedom of Association

On 26th March 2009, the 1994 Religion Law was repealed and replaced by the Law on Freedom of Conscience and Religious Associations. The 2009 Religion Law requires religious groups to register. There are two types of registration: religious organizations with a legal personality and religious communities without a legal personality.

National religious centres, central mosques, central prayer places, religious educational institutions, churches and synagogues can apply for registration as religious organizations. Other religious entities, including smaller central mosques and prayer mosques, can register only as religious communities.

A religious organization can only be created by a minimum of 10 Tajik adult founding members who have lived in the area for at least five years.

The Law regulates registration, size and location of mosques, limiting the number of mosques that may be registered within a given population area. ‘Friday’ mosques are allowed in districts with 10,000 to 20,000 persons; ‘five-time’ daily prayer mosques are allowed in areas with populations of 100 to 1,000. In Dushanbe, ‘Friday’ mosques are allowed in areas with 30,000 to 50,000 persons and ‘five-time’ daily prayer mosques are allowed in areas with populations of 1,000 to 5,000. Mosques that exceed the quota for an area can be closed.

The 2009 religion law imposed a re-registration deadline of 1st January 2010. The US State Department reported that by the end of 2010, most religious groups had applied for re-registration. As of March 2011, however, some mosques had been denied re-registration and many others were still waiting for registration. According to a February 2012 letter from the Tajik embassy to the US Commission on International Religious Freedom, 4,000 religious organizations, 74 of which are non-Muslim, had been registered. Muslim structures include 3,366 mosques, 345 Friday mosques, 41 central mosques and one national Islamic Religious Centre, representing a modest increase over official statistics a year previously. These figures did not include Ismaili Jamatkhonas (places of worship).

Non-violent unregistered religious groups, which were denied registration or do not want to register, are deemed illegal.
The Religious Community of Jehovah’s Witnesses in Dushanbe, which was first registered in Tajikistan in 1994 and re-registered on 15th January 1997, was banned throughout the entire country in October 2007. On 18th January 2010, the Ministry of Culture refused to re-register Jehovah’s Witnesses in Dushanbe. On December 16, 2010, the Cassation collegium of the Highest Economical Court turned down the appeal for re-registration. A supervisory appeal could still be filed to the Supervisory Collegium of the Highest Economical Court.

The government also banned the Jamaati Tabligh movement (an Islamic missionary organization), Hizb ut-Tahrir and the Salafiya movement which it considers “extremist”.

**Freedom of Worship and Assembly**

In recent years, the Tajik government has closed dozens of places of worship of unregistered religious groups, mosques and prayer rooms. In a number of cases, they have been demolished.

Muslim prayers are only allowed in four locations: the mosque, cemetery, home and at holy shrines. Imams are forbidden to preach outside mosques. The 2011 Parental Responsibility Law bans almost all religious activity involving children, including mosque attendance and participation in funerals. The police sometimes stop minors from entering mosques. The 57-member Organization of Islamic Cooperation, of which Tajikistan is a member, publicly expressed its concern about the law. Christian and other religious communities and international human rights NGOs have likewise been critical of the law.

**Code of Administrative Offenses: Exorbitant Fines**

Article 474 (“Violation of legislation on religious organisations”) prescribes fines for “carrying out religious activity without state registration or re-registration of the organisation”, “violation of the procedures established in law for organising and holding religious events”, “teaching religious knowledge without [state] permission", "carrying out prayers, religious rites, rituals or ceremonies in places not established [for this]”, and repeat “offences”.

For first offences, individuals face fines of 7 to 10 state Financial Indicators\(^\text{19}\), religious leaders 20 to 30 state Financial Indicators and registered religious organisations 100 to 200 state Financial Indicators. Fines for second “offences” within one year of a previous conviction are 12 to 20 state Financial Indicators for individuals, 40 to 50 state Financial Indicators for religious leaders and 300 to 400 state Financial Indicators for registered religious organisations.

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\(^{19}\) The amount that the Financial Indicator represents is changed from time to time. It was about 35 Somonis, 6 EUR or 8 USD in 2010. The official minimum monthly wage and pension from 1 July 2010 was 80 Somonis per month (15 EUR, or 19 USD).
Article 477 is entitled “Leadership or participation in the activity of social or religious organisations not registered in accordance with the established procedure of the law of Tajikistan, or financing of them”. Leading such an unregistered organisation, or an organisation whose activity has been legally halted or banned, leads to a fine of 30 to 50 state Financial Indicators. Participation in such an organisation leads to a fine of 3 to 7 state Financial Indicators. Financing such organisations leads to fines on individuals of 10 to 20 state Financial Indicators, on officials of 40 to 50 state Financial Indicators and on registered organisations of 200 to 300 state Financial Indicators.

**Criminal Code: Heavy Prison Terms**

The Tajik parliament amended the criminal code in June 2011 and set maximum two-year prison terms as punishment for organizers and participants in unapproved gatherings, meetings or street processions. This includes unregistered or unapproved religious meetings.

The criminal code also punishes the organization of an alleged religious extremist study group and participation in it without regard to the place of study. Alleged participants in such groups can face prison terms of five to eight years and the organizers eight to twelve years. Property confiscation also may be imposed.

Although it is legitimate for a state to protect its citizens against violent and terrorist groups, the 2003 Law “On the Fight With Extremism,” along the provision of the criminal code dealing with extremism, is a serious source of concern when peaceful groups such as Jehovah’s Witnesses are labelled extremist.

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**UZBEKISTAN**


Registration is obligatory for a religious group to work in a legal framework, although the law provides strict and burdensome criteria.

Many religious groups are unable to meet the registration requirements, which include a minimum membership of 100 Uzbek citizens, a registration fee which is 50 times the minimum monthly wage, numerous documents setting out the group’s rules and meeting protocols, certification of other requirements and proof of a valid legal address. Registration of a central body also requires that it be present in eight of the 13 provinces, which is impossible for most minority religious groups. Uzbek officials reportedly set up administrative hurdles to registration, such as rejecting applications that meet registration requirements, claiming that applicants
have falsified congregation lists, finding grammatical or minor errors in a religious group’s charter, creating difficulties in certifying addresses or claiming improper fire and sanitation inspections.

The Council of Churches Baptists refuses in principle to seek registration. Jehovah’s Witnesses have only been able to register one group in Chirchik, but their applications have been repeatedly turned down in Tashkent and other places. Reportedly, Jewish groups have not been allowed to register in various cities. Many unregistered religious movements functioning outside state-sanctioned structures are branded ‘extremist’ by the Uzbek government and are exposed to harassment by the authorities, including Jehovah’s Witnesses or Baha’is.

The Uzbek government has banned certain Islamic organizations it labels Wahhabi or Jihadist. Alleged membership in these groups, which include Hizb ut-Tahrir (HT), Akromiya, Tabligh Jamaat, Nur (Said Nursi Readers) and others, is a crime under Uzbek law.

Under the Uzbek religion law, worship meetings and all other religious activities are illegal for unregistered religious groups. They may be subject to massive fines and police raids as well as threats or use of physical violence, detention and arrest.

The US Commission on International Religious Freedom has received information from the Initiative Group of Independent Human Rights Defenders of Uzbekistan concerning 65 Muslim political prisoners in Uzbekistan who were arrested or sentenced in 2011 and early 2012. A detailed list of these individuals is included in the appendix to its 2012 Annual Report. Many of these individuals have been imprisoned because they reject state control over religious practice or because the Uzbek government claims they are associated with extremist groups. According to international and Uzbek human rights advocates, however, the only crime of many of these individuals is the independent practice and intensive study of Islam.

**Administrative Code: Huge fines and administrative arrests**

According to Forum 18:

Article 201, Part 2 bans: “Violation of the procedure for holding religious meetings, street processions or other religious ceremonies”. This is punishable with a fine of between 60 and 80 times the minimum monthly wage, or administrative arrest of up to 15 days;

Article 202 bans: “Granting to the participants of unsanctioned gatherings, meetings, and street demonstrations premises or other property (means of

20 See the list at [http://www.uscirf.gov/images/Appendices%20Combined.pdf](http://www.uscirf.gov/images/Appendices%20Combined.pdf)
communication, copying and other machines, equipment, transportation), or the creation of other conditions for conducting such activity" is punished with a fine of between 50 and 100 times the minimum monthly salary for ordinary citizens, and between 70 and 150 times the minimum monthly salary for officials;

Article 240 Part 1 ("Violation of the Religion Law") bans: “Carrying out of unauthorised religious activity, evasion by leaders of religious organisations of registration of the charter of the organisation, the organisation and conduct of worship by religious ministers and of special children's and youth meetings, as well as vocational, literature and other study groups not relating to worship”. Punishments range from fines of 50 to 100 times the minimum monthly salary to administrative arrest for up to 15 days.

Criminal Code: Huge fines and prison terms

The Criminal Code formally distinguishes between “illegal” groups, which are those that are not registered properly and “prohibited” groups, such as the Islamic political party Hizb-ut-Tahrir, Tabligh Jamaat, and other groups branded with the general term “Wahhabi.” In practice, the courts ignore the distinction between illegal and prohibited groups and frequently convict members of “unapproved” Muslim groups under both statutes.

Article 216. Illegal organization of civil associations or religious organizations

Illegal organization or renewal of activity of illegal civil associations or religious organizations, as well as active participation in their activity - is punishable with a fine from 50 to 100 minimum wages or either incarceration for up to six months or imprisonment for up to five years.

Article 216-1. An inclination to participation in the activity of illegal civil associations and religious organizations

An inclination to participation in the activity of civil associations, religious organizations, movements, and sects which are illegal in the Republic of Uzbekistan, after receiving the administrative penalty for said activity - is punishable by a fine in the amount from 25 to 50 minimum wages, corrective work for up to three years, or either incarceration for up to six months or imprisonment for up to three years.

Article 216-2. Violation of legislation on religious organizations

The implementation of unlawful religious activity, the deviation of the leaders of religious organizations from their charter, the organization and implementation by religious workers or members of a religious organization of special children or youth meetings as well as labour, literature and other clubs or groups after receiving the administrative penalty for said activity - is punishable by a fine in the amount from 50 to 100 minimum wages or either by incarceration for up to six months or imprisonment for up to three years.
Converting believers of one faith to another (proselytising) and other missionary activity after receiving the administrative penalty for said activity - is punishable with a fine in the amount from 50 to 100 minimum wages or either by incarceration for up to six months or imprisonment for up to three years.

Article 244-2. Creation, leadership, and participation in religious extremism, separatism, fundamentalism or other prohibited organizations

The creation, leadership, or participation in religious extremism, separatism, fundamentalism or other prohibited organizations - is punishable by imprisonment for a term from five to fifteen years. These same acts, entailing serious consequences - are punishable by imprisonment for a term from 15 to 20 years.

VIETNAM

Vietnam is an authoritarian state ruled by the Communist Party, which has tightened controls on religious freedom, freedom of expression, association and assembly.

Registration of religions

The “Ordinance Regarding Religious Beliefs and Religious Organisations” (21/2004/PL UBTQH) and the “Decree on Religion” (22/2005/ND-CP) serve as the primary documents governing religious practice.

The Ordinance which came into force on 15th November 2004 requires religious groups to operate within government-approved parameters. Chapter 3, Articles 16-25, sets out provisions for the registration system of religious organisations and for their activities. There are 31 recognized religious organizations affiliated with 11 recognized religions (Buddhism, Islam, the Baha’i Faith, Catholicism, Protestantism, Hoa Hao, Cao Dai, Pure Land Buddhist Home Practice, the Four Debts of Gratitude, Threefold Enlightened Truth Path and Threefold Southern Tradition). Individual denominations within these recognized groups also must be registered.

“Appropriate” lower-level authorities must approve leadership, activities, and the establishment of seminaries or religious classes. The appointment of priests or other religious officials requires official authorisation only for a higher-level foreign religious organization, such as the Vatican. The ordinance explicitly bans forced renunciations of faith. The ordinance requires religious organizations to inform appropriate authorities of their annual activities or the investiture and transfer of clerics.
On 1st March 2005, the “Decree on Religion”, commonly known as “Decree 22” was promulgated as a set of guidelines for the implementation of the Ordinance, including the complex and ill-defined process for the registration and recognition of denominations and congregations. It delineates specific procedures by which an unrecognized religious organization may register its places of worship, clerics, and activities to operate openly and apply for official recognition. The decree specifies that a religious organization must have 20 years of “stable religious operation” in the country to be recognized by the government and states that past operation in the country can be counted toward this requirement.

The decree also clarifies the procedures for religious organizations and individual congregations applying for official recognition. To obtain official recognition, a denomination must receive national-level registration, which according to the legal framework involves several legal stages. First, the religious organization must apply for and receive registration in each local administrative area in which it operates. Registration requires a religious organization to file information with relevant authorities about its structure, leadership, and activities. After maintaining national registration for one year, the eligible religious group may apply for full legal recognition after hosting a national convention where it elects leaders. The decree further specifies that appropriate authorities must provide a written response to requests for official recognition within 30, 45, 60, or 90 days, depending on the scope of the request. In the case of a refusal, a specific reason must be included in the written response, although this requirement is not followed consistently. There is no specific mechanism for appeal in the ordinance, nor are the reasons for denying a request restricted in any way.

Religious congregations whose applications for registration are denied or who do not meet the Ordinance’s vague provisions are technically illegal and can be harassed or disbanded without warning. Hundreds of religious groups are in such a situation.

National security and national solidarity concepts override any legal protection of religious communities. Article 8.2 of the Ordinance prohibits the “abuse” of religion to undermine national unity, “sow division among the people, ethnic groups or religions” or “spread superstitious practices”. Article 15 provides that religious activities will be suspended if they “negatively affect the unity of the people or the nation’s fine cultural traditions.” Regional authorities have construed these provisions in such a way that they have coerced Christians in some ethnic communities into renouncing their faith in order to preserve the harmony and unity of society.

Protestants

The Protestant Church in Vietnam is fragmented and comprises a large number of denominations.
As of October 2008, five Protestant bodies had completed the process of being granted full denominational recognition, the highest level of registration, and three were in the latter stages of this process. Denominations with this status have been required to abolish all levels of administration between the headquarters and local congregations, which generates significant administrative obstacles for their operation. Two further groups had received denominational registration, which is the intermediate level.

The rate at which individual congregations have been registered has come to a standstill, leaving those that are unregistered in an unclear legal condition, vulnerable to harassment and under the threat of possible closure. This is a consequence largely of government delays or refusals to register congregations which have applied. It is also a consequence of the inconsistent and arbitrary approaches taken by officials around the country and of continued reluctance on the part of some congregations to apply for registration.

Congregations without clear denominational affiliation are the most likely to encounter problems with registration, although new churches and those with ethnic minority congregations are also liable to face particular difficulties.

Restrictive measures have been taken to stop the growth of Protestantism among the Montagnards in the Central Highlands and the Hmong in the Northwest Provinces: attempts of forced renunciations of faith, despite a national decree prohibiting this practice, disturbing church gatherings, closing house churches, confiscating property and so on.

Catholics

A number of bishops and priests have been ordained without incident. However, all students must be approved by local authorities before enrolling in a seminary and prior to their ordination as priests. There are sometimes local restrictions on the number of seminarians.

Buddhists

The Unified Buddhist Church of Vietnam (UBCV) and the Khmer Buddhists are not allowed to operate legally and independently of the official Buddhist organisations and the Vietnam Buddhist Sangha. As a consequence, they are regularly harassed. Their monks cannot organise provincial boards or carry out charitable activities. The police routinely disband religious ceremonies, question monks and monitor their movements and activities, prevent them from holding festivals on Buddha’s Birthday and the Lunar New Year.
Hoa Hao and Cao Dai

The government continues to ban and discourage participation in independent factions of the Hoa Hao and Cao Dai, two religious traditions specific to Vietnam claiming to have respectively four and three million members. A number of Hoa Hao and Cao Dai leaders refuse to participate in the government-appointed management committees and have formed independent groups.
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Freedom of Expression in the Framework of Freedom of Religion or Belief

On 13 August 2012, the interim report “Elimination of all forms of religious intolerance” of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, was submitted to the UN General Assembly, Sixty-seventh session, Item 70 (b) of the provisional agenda. In the section “Right to try to convert others by means of non-coercive persuasion”, it was written:

26. Freedom of religion or belief is not confined to the dimension of a person’s forum internum but also includes the freedom to manifest one’s religion or belief in external acts, such as “worship, observance, practice and teaching”. Such forum externum manifestations can be undertaken “either individually or in community with others and in public or private”. It cannot be denied that this covers non-coercive attempts to persuade others, sometimes also called “missionary work”. Communicative outreach activities aimed at persuading others, including religious discourse, can be further based on article 19 (2) of the International Covenant on Civil and Political Rights, which provides that the right to freedom of expression shall include “freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”.

27. Similar to freedom of expression, freedom of religion or belief has a strong communicative dimension which includes, inter alia, the freedom to communicate within one’s own religious or belief group, share one’s conviction with others, broaden one’s horizons by communicating with people of different convictions, cherish and develop contacts across State boundaries, receive and disseminate information about religious or belief issues and try to persuade others in a non-coercive manner. Indeed, freedom of religion or belief and freedom of expression are two mutually reinforcing human rights.

Freedom of expression in the framework of freedom of religion or belief includes: unimpeded access to religious books and publications; the right to import religious printed, electronic or audio-visual material; the right to produce such material; the right to use the language of one’s choice during religious services and in the public square; the right to communicate with co-religionists inside and outside the country; the right to share one’s beliefs with others and to try to make new members without any coercion. However, restrictive laws in a number of countries
have a deterrent effect so that individuals and organizations refrain from using these rights and practice self-censorship. Only rarely do violations of these rights occur, because people fear inhumane forms of repression, such as imprisonment, public flogging, whipping or even the death penalty.

No right is absolute, including the freedom of religion or belief and the freedom of expression. However, the inflation of unfounded or instrumentalized blasphemy cases in many Muslim countries in recent years has been a source of particular concern, especially as it has covered a wide range of situations perceived as outraging religious feelings, defaming Islam or insulting the Qur’an or the Prophet.

The countries which were examined in this report provide for prison terms or the death penalty in their legislation for specific cases related to some form of freedom of expression. In addition, extra-judicial killings are not to be ignored in the muzzling of the freedom of expression.

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The first four countries provide for the death penalty or imprisonment. The legislation of all the other countries provide for prison terms.
Countries Providing for Death Penalty or Imprisonment

AFGHANISTAN

The Constitution protects freedom of expression and of the press. However, the Mass Media Law of Afghanistan, passed in 2006 and amended in 2009, prohibits publicizing and promoting religions other than Islam.

There were unconfirmed reports of harassment of Christians thought to be involved in proselytizing. There were reports of international aid organizations being falsely accused of or affiliated with proselytizing. Some Christians avoided situations where they might be perceived as seeking to spread their religion to the larger community.

Many authorities and public opinion continued to be openly hostile to proselytizing by Christian organizations and individuals to practicing Muslims as being contrary to the beliefs of Islam.

Blasphemy laws

There is no reference in the penal code to spoken or written utterance of insults or profanity against God, religion, sacred symbols or religious books.

Blasphemy in the Afghan context can include anti-Islamic writings or speech or the “defamation” of Islam. It is a capital crime under some interpretations of Islamic law in the country. The civil law is silent on blasphemy and the courts therefore rely on Islamic law to address this issue, based on Article 3 of the constitution. An Islamic judge may impose a death sentence for blasphemy, if committed by a male over age 18 or a female over age 16 of sound mind. Similar to apostates, those accused of blasphemy are given three days to recant or face death.

A number of people have been sentenced to death or prison terms up to 20 years on the grounds of blasphemy over the last few years.

The interpretation of an activity as a case of blasphemy can be very flexible and concern a wide range of situations, such as publishing allegedly blasphemous cartoons by journalists, publishing a translation of the Qur’an without providing accompanying Arabic verses for comparison or downloading and distributing online materials that question polygamy or the treatment of women in Islam.

The General Directorate of Fatwas and Accounts under the Supreme Court ruled in May 2007 that the Baha’i Faith was distinct from Islam and constituted a form of blasphemy.
In Iran non-Muslims may not engage in public religious expression, persuasion or try to convert Muslims. **Proselytizing of Muslims by non-Muslims is illegal and can be punishable by death.** The government enforces this prohibition by closely monitoring the activities of Evangelical Christians and discouraging Muslims from entering church premises. Christians of all denominations report the presence of security cameras outside their churches, allegedly to confirm that no non-Christsians participate in services. Worshippers are also subject to identity checks by authorities posted outside places of worship.

Many converts from Islam to Christianity have been arrested, detained and prosecuted because of their evangelistic activities among Muslims. The accusations can be quite varied: crimes against national security, propaganda against the regime, crimes against the Islamic Order, insulting the Supreme Leader, enemy of God and so on.

There are restrictions on published religious material and Bibles are regularly confiscated. The use of the Farsi language is banned during religious meetings to avoid missionary activities among Iranian Muslims. Christian Bibles are frequently confiscated and publishing houses are pressured by government officials to cease operations.

Broad restrictions on Baha’is severely undermined their ability to practice their faith freely or to maintain links with coreligionists abroad. Baha’is have often been charged officially with “espionage on behalf of Zionism,” especially when communicating with or sending monetary contributions to the Baha’i headquarters in Israel.

Shi’a dissidents are also victims of restrictions on their freedom of thought and expression. For example, Ayatollah Mohammad Kazemeni Boroujerdi advocates the separation of religion and state and has spoken out on behalf of the rights of Iran’s religious minorities as well as those of its Shi’a Muslim majority. In October 2006, he was arrested and imprisoned without charge. He and seventeen of his followers initially were tried by a special court with jurisdiction over Shi’a clerics and then sentenced to death on spurious charges, including enmity against God and spreading propaganda against the regime. On appeal, the death sentence was withdrawn and Ayatollah Boroujerdi was sentenced to 11 years in prison. He is currently serving his prison term.
NORTH KOREA

North Korea is the world’s most repressive regime in the world. There is no civil society and no institution is independent from the state. There is no freedom of religion, no freedom of association, no freedom of worship or assembly and no freedom of expression.

Since its de facto independence in 1948, North Korea has successfully carried out a systematic policy of religious cleansing. Since then, the Juche has been the religion of the state and no other worldview is tolerated. Any religion is perceived as a challenge of the cult of personality of the Kim dynasty and a foreign threat to national security.

According to information gathered by the Database Centre for North Korean Human Rights, anyone caught distributing religious materials is subject to severe punishment ranging from labour camp imprisonment to execution.

In June 2009, Ri Hyon Ok was publicly executed for distributing Bibles in the city of Ryongchon. Her family, including her parents, husband, and three children, reportedly were sent to a political prison camp the day after her execution. In March 2006, Son Jong Nam was sentenced to death for spying reportedly based on evidence that he converted to Protestantism. According to Son’s brother, Son was tortured and died in prison in July 2010.

PAKISTAN

Missionaries (except Ahmadis) are permitted to proselytize as long as there is no preaching against Islam and the missionaries acknowledge that they are not Muslim.

However, anti-blasphemy laws, which cover a wide range of issues, strictly limit freedom of expression.

Blasphemy

Pakistan’s blasphemy laws and anti-Ahmadiyya provisions are key concerns. The state is silent on this issue, but prosecutions under the blasphemy laws show no sign of abating. Accusations are frequently instrumentalized to settle personal scores, to target religious minorities or to further extremist agendas. Local court hearings are often attended by large and aggressive groups of supporters from the claimant’s side, threatening defendants, lawyers and judges alike. The majority of the victims are Muslim; however, religious minorities represent a disproportionate percentage and are more likely to experience violence following a blasphemy accusation.
Freedom of speech is subject to “reasonable restrictions in the interest of the glory of Islam,” as stipulated in sections 295(a), (b), and (c) of the penal code\textsuperscript{21}. The consequences for contravening the country’s blasphemy laws are death for “defiling Prophet Muhammad”; life imprisonment for “defiling, damaging, or desecrating the Qur’an”; and \textbf{10 years’ imprisonment} for “insulting another’s religious feelings.” In cases in which a non-Muslim group claimed its religious feelings were insulted, the blasphemy laws are rarely enforced, and cases are rarely prosecuted. A 2005 law requires that a senior police official investigate any blasphemy charge before a complaint is filed.

Abuses under the blasphemy law and other discriminatory laws continued in 2012, and the government failed to take adequate measures in order to prevent these incidents or reform the laws to prevent abuse.

A 1974 constitutional amendment declared that Ahmadis are non-Muslims. Sections 298 (b) and 298 (c) of the Penal Code, commonly referred to as the “anti-Ahmadi laws,” prohibit Ahmadis from calling themselves Muslims, referring to their religious beliefs as Islam, preaching or propagating their religious beliefs, inviting others to accept Ahmadi teachings or insulting the religious feelings of Muslims. The punishment for violation of these provisions is \textbf{imprisonment for up to three years} and a fine. Religious parties oppose any amendments to the constitution affecting its Islamic clauses, especially the ones relating to Ahmadis.

\textit{Extra-judicial killings}

While nobody has been executed on blasphemy charges in the last few years, Pakistan’s blasphemy laws have created a permissive climate of mob violence and vigilantism conducive to \textbf{extra-judicial killings} with impunity.

In July 2010, Christian pastor Rashid Emmanuel and his brother, who were accused of blasphemy, were shot by a protestor after handwriting experts concluded that their signatures did \textit{not} match those on a blasphemous pamphlet. On November 8, 2010, a district court in Nankana Sahib, Punjab, sentenced a Christian woman, Aasia Bibi, to death for blasphemy, the first such sentence for

\begin{quote}
\textsuperscript{21} “Section 295A: Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs. Whoever, with malicious and deliberate intention of outraging the religious feelings of any class of the citizens of Pakistan, by words, either spoken or written or by visible representations, insults or attempts to insult the religion or religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to ten years, or with fine, or with both.”

“Section 295B: Defiling the Holy Koran. Whoever wilfully defiles, damages or desecrates a copy of the Holy Koran or of an extract there from or used it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life.”

“Section 295C: Use of derogatory remarks in respect of the Holy Prophet. Whoever, by words either spoken or written, or by visible representation, or by imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Mohammad (peace upon him) shall be punished by death and shall also be liable to fine.”
\end{quote}
blasphemy handed down against a woman. Sherry Rehman, a Muslim MP and current Pakistani Ambassador to the United States, received death threats after she introduced a bill that, if passed, would have ensured that punishments for blasphemy are proportionate and penalise false or frivolous accusations. A few months later, Shahbaz Bhatti, a long-time Christian activist for religious freedom and Federal Minister for Minority Affairs, was assassinated by Pakistani Taliban, because he too spoke out against Pakistan’s blasphemy laws. Pakistan has failed to combat this climate of vigilantism.

Cases in 2012

In early December 2012, Nadeem Yousuf, a 22-year-old man suspected of burning the Quran and therefore accused of blasphemy, died in police custody. According to his family, he suffered from mental health problems.

On 10th October 2012, a case of blasphemy was reported to police in a middle-class neighbourhood of Gulshan-i-Iqbal. A teenage Christian boy was accused of sending text messages containing ‘blasphemous’ content to his area residents. The house of the accused boy, who belongs to a religious minority community, was ransacked and furniture set on fire in a violent protest.

On 8th September 2012, after spending three weeks in Adial Jail Rawalpindi, a Pakistani Christian girl accused of blasphemy against the Qur’an was freed on bail.

On 20th August 2012, Pakistani authorities arrested a Christian girl, Rimsha Masih to investigated whether she violated the country’s blasphemy laws after furious neighbours surrounded her house and demanded the police take action. The 11-year-old girl, who was said to be mentally handicapped, reportedly burned pages from the Qur’an. In November, a court in Pakistan dropped the controversial blasphemy case as the accuser, a Muslim cleric, admitted to having planted evidence.

On 26th March 2012, Dildar Masih, a 27-year-old Christian and father of two young children, was acquitted of blasphemy charges. He had been falsely charged after rescuing his 8-year-old nephew from a beating at the hands of Muslim boys In the end, prosecutors failed to produce any evidence against him.

On 14th March 2012, Naseem Ahmed, a 42-year-old father of three, was convicted of desecrating the Qur’an and sentenced to life imprisonment. Naseem claims that when he set a stack of school books on fire, he had no idea that the Qur’ans was in the pile. A neighbour overheard Naseem being admonished and called the police.

On 28 February 2012, a Pakistani attorney filed a petition against four Danish citizens for uploading blasphemous material in Denmark that could be viewed on the Internet in Pakistan.
On 28 February 2012, the 26-year-old Christian was charged with insulting the Prophet Muhammad. Shamim’s family claims that she was falsely accused of blasphemy by relatives for refusing to convert to Islam.

In January 2012, Soofi Mohammad Ishaq, a cleric, was sentenced to death for blasphemy, under sections 295-A and 295-C of the Pakistan Penal Code. Allegations were brought by rival clerics.

According to the E-magazine Minorities Concerns of Pakistan (September 2012), around 4000 cases have been reported and around 1000 of them have been registered since the 1980s, when General Zia-ul-Haq introduced blasphemy laws. Non-Muslims, who are four per cent of Pakistan’s population, are 57 per cent of those charged with blasphemy. Most cases are filed in Punjab (around 80 per cent of the country’s Christians live in this province) where sectarian and militant groups enjoy the support of the provincial government controlled by the Pakistan Muslim League (Nawaz Group), the largest political force in the country.

Since 1990, fifty-two (52) people have been extra-judicially murdered on charges of blasphemy: 25 were Muslims, 15 were Christians, 5 were Ahmadis, one was Buddhist and one was Hindu, according to the Centre for Research and Security Studies (CRSS), a research group based in Islamabad.

Of the known blasphemy cases in Pakistan from 1953 to July 2012, there were 434 ‘offenders’, among them 258 were Muslims, 114 Christians, 57 Ahmadis and 4 Hindus.

The 2012 Annual Report of the U.S. Commission on International Religious Freedom has released a list of 79 prisoners arrested/sentenced for alleged activities considered blasphemous or religiously insulting.
Countries Providing for Imprisonment

ALGERIA

The government permits missionary groups to conduct humanitarian activities as long as they do not proselytize.

Converts who actively proselytize face the risk of arrest for missionary activities.

In 2006, the Algerian Parliament passed a new “Law on the conditions and rule for the exercise of religious worship other than Islam” (Ordinance 06-03). The law provides for a prison term between two and five years, and a fine of 5000 EUR for anyone who “incites, constrains or uses any seductive means aimed at converting a Muslim to another religion, or uses to this end establishments for teaching, education, health; organisations of a social or cultural nature; training institutions or any other establishment, or any financial means”, and who “makes, stores or distributes printed documents or audio-visual productions or who makes use of any other support or means that aims to shake the faith of a Muslim”. It even criminalizes objections or protests against the legislation itself.

There is no reciprocal legislation banning Muslim proselytism of non-Muslims.

Government officials also use blasphemy laws against Christians and punish theological dissent or non-observance among Muslims.

In May 2011, the governor of Bejaia closed seven unregistered churches under its anti-proselytism law.

During 2012, no new case against proselytizing was reported.

Blasphemy

The Algerian Penal Code criminalizes insults against Islam or Muhammad. Article 144 provides that anyone who insult[s] the prophet and any of the messengers of God, or denigrat[es] the creed and precepts of Islam, whether by writing, drawing, declaration, or any other means, may be imprisoned for up to five years and fined 50,000 to 100,000 dinars. Because the language of the statute is not precise, it is open to interpretation and manipulation by police and judicial officials.

In September 2010, ten Algerian citizens were arrested for eating in public during Ramadan, which was deemed to violate the sanctity of Ramadan, although no law specifically prohibits eating during Ramadan. Freedom House reported in 2010 that a number of people had been arrested under Algeria’s blasphemy laws for not fasting during Ramadan.
On 14th April 2011, Siagh Krimo was arrested in Oran for sharing a CD about
Christianity with one of his neighbours and prosecuted under Article 144 bis 2 of
the Algerian Penal Code. On 4th May 2011, he was sentenced to five years in prison
and a substantial fine on grounds of blasphemy. The five-year sentence - the
maximum sentence for blasphemy - was significantly harsher than the two-year
prison term the prosecutor had proposed in light of the prosecution’s failure to
present the testimony of the accuser. Krimo appealed the decision.

BRUNEI

Proselytizing by any group other than the official Shafi’i sect is prohibited.

A 1964 fatwa issued by the state mufti strongly discourages Muslims from
assisting non-Muslim organizations in propagating their faiths.

The government periodically warns the population about “outsiders” preaching
radical Islamic fundamentalist or unorthodox beliefs and also warns Muslims
against Christian evangelists.

The government maintained strict customs controls on the importation of non-
Islamic religious texts such as Bibles, as well as on Islamic religious teaching
materials or scriptures intended for sale or distribution.

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 2,000 BND (1,200 EUR).

EGYPT

Although neither the Constitution nor the Penal Code prohibits proselytizing, the
Egyptian government has used Article 98(f) of the Penal Code to prosecute alleged
proselytizing by non-Muslims. For more than 15 years the government has refused
re-entry, denied residency renewal requests or expelled expatriates they suspected
of engaging in proselytism.

The Islamic Research Center (IRC) of Al-Azhar University has legal authority to
censor and since 2004 to confiscate any publications dealing with the Qur’an and
hadith (oral traditions). Al-Azhar also has the legal right to recommend
confiscations on the basis of a court order.
**Blasphemy**

Egyptian law prohibits blasphemy through Article 98(f) of its Penal Code. Amended by Law 147/2006, the article states the penalty for blasphemy and similar crimes:

**Confinement for a period of not less than six months and not exceeding five years,** or a fine of not less than five hundred pounds and not exceeding one thousand pounds shall be the penalty inflicted on whoever makes use of religion in propagating, either by words, in writing or by any other means, extreme ideas for the purpose of inciting strife, ridiculing or insulting a heavenly religion or a sect following it or damaging national unity.

This article has been used to detain and prosecute members of religious groups whose practices deviate society from mainstream Islamic beliefs. Sometimes the courts hold an accused guilty of “incitement to hate Muslims” and “insulting Islam.”

**Blasphemy and defamation cases after the Arab Spring**

Since the breakout of the revolution, a number of blasphemy cases were registered in Egypt. Two cases each were filed against Coptic businessman Naguib Sawiris and against the comedian Adel Imam. Additional cases were also filed against the former deputy Prime Minister Yehia al-Gamal, the journalist Ahmed Ragab and Mostafa Hussein, a caricaturist.

Other notable blasphemy cases include the following:

In March 2012, Makarem Diab, a Coptic Christian was given a six-year sentence for “blasphemy” against Islam, “insulting the Prophet” and “provoking students.” The charges were related to an argument that Diab had the previous month with Abd Al Hameed, a fellow employee at Deer Al Gabrawy Preparatory School. Diab was allowed to appeal his sentence, while Al Hameed organised a protest outside the courthouse, composed of Muslim attorneys.

In May 2012, the 16-year-old Gamal Abdu Massoud was sentenced to three years in jail for defaming Islam, because he posted a drawing on his Facebook page that mocked Islam and the Prophet Mohammed.

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23 http://www.egyptindependent.com/opinion/stop-blasphemy-trials
In September 2012, Egyptian courts held a trial for radical Muslim blogger Ahmed Mohammed Abdullah, known as Abu Islam, who tore up pages of the New Testament while protesting in front of the United States Embassy in Cairo.

In September 2012, Albert Saber, a 27-year-old blogger and secular activist, was arrested at his home in Cairo. Police accused him of defaming Islam and the sanctity of all religions, although a warrant was never issued. Saber was accused by a group of citizens of posting the anti-Islamic video “Innocence of Muslims” on his personal social networking sites. Saber was sentenced in December 2012 to three years in prison for blasphemy and contempt of religion.

In October 2012, two brothers, Mina Nadi, 9, and Nabil Nadi, 10, were accused of destroying a copy of the Quran and urinating on it. The accusation came after two residents in the town of Marco filed complaints with authorities. The boys were placed in juvenile detention but were eventually released some days later after a deal was reached between Muslims, Christians and security officials in the area.

**INDONESIA**

In 2008 the government issued a joint ministerial decree banning proselytizing by the Ahmadiyya. Violation of the decree carries a maximum five-year prison sentence on charges of blasphemy. Freedom of expression is however limited on the grounds of alternative charges.

**Blasphemy**

In April 2010 the Constitutional Court upheld the 1965 Blasphemy Law, holding that the government maintains the power to impose limitations on religious freedoms based upon security considerations. The law provides for a maximum sentence of five years’ imprisonment for blasphemy.

Blasphemy charges are used to harass or arrest individuals practicing dissident versions of Islam or one of the six official religions.

Indonesia’s deviancy or blasphemy law is implemented by Article 156(a) of the criminal code, which punishes hostility, hatred or contempt against religions or disgracing a religion with up to five years in jail.

Since 2003, over 150 individuals have been detained and dozens of others sentenced under Article 156(a), according to the Annual Report 2012 of the US Commission on International Religious Freedom. Most cases have been against dissident Muslims, including al-Qiyadah al-Islamiyah, Jamaah Alamulla, and Santriloka, but also some are against Christian groups, such as the Sion City of Allah.
On 14th June 2012, Alexander Aan, a 31-year-old civil servant in West Sumatra, was sentenced to two and a half years of imprisonment and a fine of 100 million rupiah (10,600 USD) for ‘disseminating information aimed at inflicting religious hatred’. In January 2012, on an atheist Facebook group he had founded, he doubted the existence of God and declared heaven, hell, angels and devils to be "myths". He also posted an article describing Mohammad as "attracted to his daughter-in-law" and comic strips depicting him and a servant having sex. The posts were seen by the Indonesian Council of Ulema, who reported him to the police for blasphemy. In the final judgments, the charges of religious blasphemy and "calling for others to embrace atheism" were dropped. Alexander Aan also expressed regret for his actions in a written statement, adding that he "prayed for God's mercy".

On 7th June 2012, Tajul Muluk, the leader of an Islamic Shia boarding school (pesantren), was tried for religious blasphemy by Sampang District Court, East Java, on the grounds of religious blasphemy. He had asserted that the current version of the Qur’an is not the original one.

On 14th March, Andreas Guntur, the leader of the spiritual group Amanat Keagungan Ilahi (AKI), was sentenced to four years in prison for blasphemy. A fatwa was issued against AKI by the Indonesia Council of Ulema in 2009, claiming that they rejected conventional Islamic rituals.

MALDIVES

The regulations state that “it is illegal to propagate any religion other than Islam.” The penalty for contravening the Religious Unity Act regulations is two to five years in jail or house arrest, depending on the gravity of the offense.

The government actively prohibits non-Muslim clergy and missionaries from proselytizing or conducting public worship services.

QATAR

According to the criminal code, individuals caught proselytizing on behalf of an organization, society or foundation of any religion other than Islam may be sentenced to a prison term of up to 10 years. Proselytizing on one’s own accord for any religion other than Islam can result in a sentence of up to five years. Individuals who possess written or recorded materials or items that support or promote missionary activity can be sentenced to a prison term of up to two years and fined 10,000 Qatari riyals (2,746 USD). However, the government has not convicted anyone for proselytizing since the law’s 1973 inception. In practice, individuals or groups caught proselytizing are deported without legal proceedings.
SAUDI ARABIA

Consistent with Shari’alaw, Saudi Arabia does not have a codified penal code. This lack of a formal penal code permits arbitrary and indeterminate charges contrary to the international standards of the rule of law. Proselytizing Muslims is forbidden.

False accusations of blasphemy are regularly used and abused against Christians. Discussing one’s Christian faith on a blog or preaching Christianity in public is also punishable by a prison term. A teacher talking to pupils about his views on a number of current topics, such as Christianity, Judaism and the causes of terrorism, was sentenced to three years in prison and lashes a few years ago.

The Saudi government denies its citizens basic rights to free speech.

SOMALIA

The country is fragmented into regions administered in whole or in part by different entities, including the central authority Transitional Federal Government (TFG), situated in Mogadishu; the semi-autonomous region of Puntland in the northeast, aligned with the TFG; and the self-declared independent Republic of Somaliland in the northwest.

The Puntland constitution, which was approved by parliament in 2009 and adopted by a constituent assembly on April 18, prohibits propagation of any religion other than Islam.

The Somaliland constitution prohibits the promotion of any religion other than Islam.

The Somali Penal Code, which applies to all regions of the country, although not always enforced, prohibits blasphemy or “defamation” of Islam. Chapter 1, Art. 313, of the Penal Code states: “Whoever publicly brings the religion of Islam into contempt shall be punished with imprisonment of up to two years, and whoever publicly insults the religion of Islam by bringing into contempt persons professing it or places or objects dedicated to worship, shall be liable to the same punishment.”

SUDAN

Non-Muslim groups acknowledge that they could potentially face apostasy charges if they proselytize Muslims due to the vague wording of the apostasy law.
The penalty for blasphemy and “defamation” of Islam is **up to six months in prison**, whipping, and/or a fine.
**SOURCES**

- Database of Human Rights Without Frontiers
- No Place to Call Home. Experiences of Apostates from Islam, by Christian Solidarity Worldwide
- Universal Periodic Review material at [http://www.upr-info.org](http://www.upr-info.org)
Freedom of Religion or Belief
Incidents of Particular Concern in 10 Countries in 2012

The freedom to change one’s religion, freedom of expression, freedom of association, freedom of worship and assembly – all these freedoms can be restricted by laws that are contrary to international standards, as we have seen in the previous sections of this report. Governments may try to justify these policies by appealing to the need to preserve national unity, prevent terrorism or safeguard national security. Sanctions against those who do not comply with government policies can be harsh, ranging from the imposition of exorbitant fines to imprisonment and even to the death penalty.

Freedom of religion is also at stake when social and religious forces threaten the lives of individuals because of their religious identity or their religious activities. For instance, the Arab revolutions in some countries have opened the door to such forces hostile towards non-Muslim religions as well as towards minority Muslim groups. Inter-communal tensions, harassment and acts of violence by individuals or groups are a serious source of concern in a number of countries.

This chapter of the report identifies a number of states where government policies and social hostility have led to a significant number of incidents impeding the free exercise of religion or belief in 2012. Human Rights Without Frontiers has recorded such incidents throughout the year in a number of Muslim and former Communist countries but also in one predominantly Hindu country: Azerbaijan, China, Egypt, India, Indonesia, Iran, Kazakhstan, Nigeria, Pakistan, Russia and Uzbekistan. The reported incidents are listed in chronological order and followed by an analysis.

24 HRWF database comprises more than 700 incidents that occurred in about 80 countries in 2012.
The Republic of Azerbaijan gained its independence in 1991 after the collapse of the Soviet Union. Of the nine million Azerbaijanis, 96% are Muslims: 65% are Shia and 35% Sunni. The state names these two communities the country’s “traditional” religious groups along with the Russian Orthodox Church and Jews; however, other religious groups, such as Protestants, Catholics, Baha’is, Molokans (Russian Orthodox Old Believers) and Hare Krishna are also present in the country.

Azerbaijan is commonly considered to be the first secular republic in the Muslim world. However, religious freedom in the country is restricted, despite constitutional and international legal guarantees. In 2012, concerns for religious freedom include the ban of unregistered (and therefore illegal) religious gatherings, restrictions on religious literature and the imprisonment of conscientious objectors to military service on religious grounds.

For the fifth time since the country’s independence, re-registration has been imposed on religious groups by the 2009 Religion Law. Criteria have become increasingly strict. Without state registration, religious communities cannot legally exercise their right of freely assemble (Administrative Code Article 299). In 2012, only 576 religious communities were listed as registered on the State Committee website, even though an estimated 2,000 religious groups currently function in some form.

Under Azerbaijani Law (Administrative Code Article 300 and Criminal Code Article 167-2), all religious literature must be authorised by the State Committee, which also specifies the number of copies that can be printed or imported. This has led to a number of raids on private homes with authorities confiscating literature and the imposition of heavy fines.

In addition, despite a constitutional provision for an alternative to “regular military service” and a pledge to introduce such an alternative upon the country’s 2001 entrance into the Council of Europe, the Azerbaijan government has yet to meet this commitment. Notably, the Criminal Code Article 321.1 punishes “evasion without lawful ground” of military service with up to two years’ imprisonment. This has resulted in the detention of several conscientious objectors due to their religious beliefs.

Repressive actions toward unregistered Christians

On 6th February 2012, Baptist Pastor Telman Aliev was fined an unknown amount for conducting a religious activity at an address different to the one at which the religious community was registered. Although based in Baku, Aliev was leading a house church in Neftchala in southern Azerbaijan. The gathering was
raided in December 2011, leading to the seizure of several books. In January, he was charged with “infringing the rights of citizens under the guise of conducting religious rituals” (Criminal Code Article 168). The charges were later dropped and all the books except one were returned. Even still, the following month Aliev was summoned to court and then fined for preaching in another location than his hometown.

On 12th May, an unregistered Seventh-day Adventist Church in Gyanja’s Kapaz district was raided by 20 police officers during its regular service of worship. Although there was no legal obligation for it, the police asked to see written parental authorizations for all children who were present. After several hours of interrogation, the officers warned church members that they could be prosecuted. One of the members was later ordered by the police to pay 1,700 Manats (2,165 USD) through a private bank account. No court has been involved and the duty officer of Kapaz district has denied these allegations.

On 17th May, three members of the Council of Churches Baptist (Ilgar Mamedov, Akif Babaev and Telman Yarmetov) were detained by the police for speaking publicly about their beliefs in the village of Mujuk. The police chief ordered the confiscation of all their literature (120 items from 13 different publishers) as well as Yarmetov's car. A case was lodged against them under Criminal Code Article 167-2, even though they were told it would be closed under an amnesty. The car was returned in October.

On 31st July, Baku Appeal Court rejected the appeal of the Greater Grace Adventist Church to abandon plans by the authorities to liquidate the church. Registered since 1993 with the Justice Ministry, the State Committee claims that the group had failed to re-register under the 2009 Religion Law and is therefore illegal.

On 21st September at 9pm, a Baptist family was stopped at a border crossing at Yalama in Khachmaz District as they were returning from Russia. Officers seized 700 brochures of a religious nature, 50 books and 70 booklets along with the vehicle where the literature was hidden. One of them, Pyotr Byakov, was detained until the next morning. The confiscated literature was sent for "expert analysis" to see if it was "against the law".

On 7th November, two Baptist-owned homes were raided by police in Aliabad in north-western Zakatala Region. The police accused the owners of conducting illegal religious gatherings. Several items of Christian literature were seized and two Baptists, Ramiz Osmanov and Hamid Habanov, were detained at Zakatala Police Station. Osmanov was released after an hour and a half, while Habanov was detained until 5pm the next day.
Repression of Jehovah’s Witnesses

In February 2012, the Jehovah’s Witness community in Baku lost a case in the Supreme Court to overturn an earlier decision to deny them re-registration. They filed the case at the European Court of Human Rights in Strasbourg.

On 27th April, the home of Indira Abbasova, a Jehovah’s Witness from Sumgait (north of Baku) was raided by the police. Accused of engaging in “propaganda of a banned, radical religious group”, she was threatened with being fined under Article 299 and 300 of the Code of Administrative Offences. One hundred religious books and 10 discs were seized during the raid.

On 5th July, Gyanja-based Jehovah's Witnesses Asim Mammadov and Rashad Niftaliev were taken to court after being unable to pay the massive fines, imposed on them in 2011, for meeting for worship without the compulsory state registration. Although all three were released with a formal warning, Mammadov was sentenced by the same court on 18th July to three days’ imprisonment under Article 313-1.1 of the Code of Administrative Offences (“failure to fulfil an official’s order in connection with a court decision”). He was released on 21st July.

On 23rd July, Jehovah’s Witness Amid Zohrabov, from Lokbatan near Baku, was forcibly conscripted into the army after being summoned by the local Conscription Office. He was transported to Unit No. 707 in Gazakh Region in northwest Azerbaijan and freed on 7th August.

On 25th September, a Jehovah’s Witness conscientious objector, Fakhraddin Mirzayev, was sentenced to one year’s imprisonment. The initial court decision was upheld on 21st November by Gyanja Appeal Court. Mirzayev is presently serving his sentence in Salayan prison camp.

On 1st November, Baku Appeal Court rejected an appeal by the Jehovah’s Witness community, lodged in December 2011, seeking compensation for restrictions placed on their imported literature. On two occasions quantities had been reduced by 80 per cent by the State Committee. The court ruled that the amount of authorized imported literature was considered sufficient for use within the community itself. It also stated that censorship was necessary “to create an environment of freedom of conscience” and equality among religious groups, as all of them were subject to the same restrictions. Even still, the State Committee found nothing harmful in any of the concerned publications.

Restrictions placed on Muslims

In mid-January 2012, a room used by a group of Muslims for prayers had to close in Baku’s Yasamal District after the State Committee accused the Society for the Deaf, owner of the building, of allowing an unregistered religious group to meet
on their premises. The Society for the Deaf then told the group it could not use the room until it had officially registered.

On 2nd March, about 15 officers of the District Police and the secret police of the National Security Ministry (NSM) raided the home of Mehman Halilov, a Said Nursi reader from Shamakhi District, west of Baku. Three hundred books, 134 discs, two computers and a computer memory stick were seized.

On 16th March, ten police officers raided the home of Yashar Aliyev, a Muslim from Turan (northern Sheki District). The Interior Ministry said a large number of books and magazines as well as three discs were seized. The books – mainly copies of Said Nursi's collection of sermons Risale-i Nur (Messages of Light) – were sent to the State Committee for “expert analysis”. No charges were filed.

On 28th April, three Turkish students from Gyanja - Sadulla Genc, Salim Samir and Togrul Kiraz - were detained for eight hours by police after being accused of joining an “illegal” religious meeting affiliated with the Said Nursi movement. The students claimed that they were visiting friends, but as the evening drew on and the time came for Namaz (Muslim prayers), they decided to pray together. On 7th June, a court imposed fines of 2,000 Manats each (2,550 USD) and sentenced them to deportation. But after several hearings and some Turkish diplomatic intervention, they were allowed to remain in the country.

On 31st May, police and NSM secret police officers raided the home of Zeka Miragayev, a Muslim from Baku, during his absence. The search was conducted without warrant. Thirty copies of the Qur'an and 24 other books, including some by Said Nursi, were confiscated. The police also took 34 Manats (43 USD) and 500 USD. None of the books have been returned. In August, Miragayev lodged a legal challenge against the unauthorised search, but both the police and NSM denied the seizures. Another hearing had been set for January 2013.

On 12th June, two Muslims from Gyanja, Rovshen Iskenderov and Etibar Iskenderov, were fined 1,600 Manats each (2,000 USD) by Nizami District Court. They were detained on 28th April for 20 hours at the local police station, following a raid on a private religious gathering. On 9th July 2012, Gyanja Appeal Court dismissed appeals by both defendants.

In August, several mosques in Gyanja were banned from holding the traditional iftar meals, evening meals breaking the day fast during Ramadan. Associated prayer evenings were also forbidden. After several denials, state officials then said the ban was because the community didn’t have the “necessary conditions” for preparing and serving food.

On 7th September, Sumgait's Administrative Economic Court liquidated the only registered Muslim Community in Hirdalan (Absheron District, near Baku), leaving the town’s 40,000 residents without any legal place of worship. Registered since
2004, the community failed to re-register by the 1st January 2010 as required by the 2009 Religion Law. The action was officially announced four months later by the State Committee.

Analysis

In recent years, Azerbaijan has more strongly restricted freedom of religion or belief on a number of fronts. For the fifth time since the country’s independence, 2009 Religion Law has imposed on religious groups. Criteria have become increasingly strict and administrative hurdles have led to many failures to re-register. Without state registration, religious communities cannot legally exercise their right to freely assemble. In 2012, only 576 religious communities were registered on the State Committee website, even though an estimated 2,000 religious groups currently function in some form. In addition, all Muslim religious communities are monitored by the state-sponsored Caucasian Muslim Board, partly for security reasons in respect to neighbouring Iran.

Under Azerbaijani Law, all religious literature must be authorised by the State Committee, which also specifies the number of copies that can be printed or imported. This has led to a number of raids on private homes with authorities confiscating literature and the imposition of heavy fines. Such seizures impact particularly readers of Turkish Sunni theologian Said Nursi as well as Christians and Jehovah’s Witnesses.

Another concern highlighted by the reported cases is the issue of conscientious objectors, most notably within the Jehovah’s Witness community. Despite a constitutional provision for an alternative to regular military service and a pledge to introduce such an alternative upon the country’s 2001 entrance into the Council of Europe, the Azerbaijan government has yet to meet this commitment. Presently, the Criminal Code punishes “evasion without lawful ground” of military service with up to two years’ imprisonment.

It is difficult to draw causal links between the cases that are described here. Azerbaijan’s restrictive legal framework is reflective of the general hostility that ethnic Azerbaijanim face when joining “nontraditional” religious groups. Such hostilities are most visible in more remote regions, where intergroup contact is limited and legal protections are low. Even still, news and popular media portray “nontraditional” religious groups as undermining national unity, leading to the deepening of social hostilities in some localities.

Old habits die hard in Azerbaijan. In some ways, the repression of minority religions is sadly reminiscent of similar policies that were pursued under the Soviet regime. The reflex to control and to be suspicious of foreign influences is still part of the country’s political ethos. However, it is precisely at a policy level that the Azerbaijani government has opportunity to change course and to open the
political space for all of its citizens to enjoy. Positive leadership in this direction is much needed at this time.
The People’s Republic of China, through its State Administration for Religious Affairs (SARA), manages government relations with the five authorized religious bodies: Taoism, Buddhism (8%), Christianity (6%) and Islam (3%). All five are monitored by state-related religious organisations, such as the Chinese Patriotic Catholic Association (CPCA), the Islamic Association of China, the China Christian Council (CCC) and the Three-Self Patriotic Movement (TSPM) for Protestants.

However, there are many religious beliefs that do not have the approval of the government and are often classified as ‘cults’, for example, Falun Gong, the Almighty God Church and numerous unregistered house churches. During 2012, these illegal groups were subject to increased governmental pressure through a complex and pervasive system of control, leading to widespread raids, closures, arrests and confiscations.

Repression of unregistered Christian groups

Raid on unregistered churches

On 2nd January 2012, more than 10 people from the Religious Affairs Bureau raided the Canaan Church in Xilinhot, Inner Mongolia. They destroyed property and detained Pastor Wang Dawei and two other Christians for interrogation. Following the raid, officials pressured the Church to be affiliated with the TSPM.

On 30th January, six priests were arrested at a rally organised by the underground Catholic community of the Diocese of Suiyuan in Inner Mongolia, including the rector of the underground seminary, Fr. Joseph Ban Zhanxiong. The following day the diocesan administrator, Fr. Gao Jiangping, was arrested along with another priest. The remaining seminarians went into hiding.

In March, a house church in Daqing, Heilongjiang province, was raided by Domestic Security Protection agents and officials of the Bureau of Religious Affairs. More than 150 church leaders were detained and family members threatened to keep quiet.

On 31st March, a prayer meeting was raided by police and government officials in Ulanhot, Inner Mongolia. Many items were confiscated and participants were warned not to hold religious meetings marking Easter.

On 1st April, a worship service by the Nanguan House Church in Zhengzhou, Henan Province, was raided by local officials. Officers made more than 50 arrests and illegally confiscated an offering box containing 1000 yuan (157 USD) in donations.
On 30th May, a house church of over 1,000 members in Zhanggongqiao Village, Sichuan Province, was raided, assets confiscated and closed down by the authorities.

On 26th June, the Chinese Theological Society was forced to end its first teachers’ training camp, which was being held in Foshan, Guangdong Province. The association had been previously harassed and investigated by officials of the Ministry of State Security.

In late August, authorities sealed off a house church in Gaobu Town and the water supply and electricity shut down. Similar tactics were recorded during the same period in other parts of China, including the Zhongfu Wanmin Church in Tangxia Town, three house churches in Dongguan and one in Huangjiang Town.

On 26th August, government authorities raided a Sunday service in a house church in Fangji Town, Henan Province. Two days later, one of the members, Brother Yi, was taken to the police station and seriously beaten. Another member, Sister Wu, was interrogated for several hours and her mobile confiscated.

On 14th September, local DSPS agents and government religious officials forced a house church in Shanghai to discontinue a training of pastors.

In December, a 1000-member house church in the south-western province of Sichuan was warned by the authorities not to hold Christmas celebrations. A similar case was also recorded in the eastern province of Shan. The church had earlier been pressured to register and join the official TSPM.

On 23rd December, the Zhenguang house church in Shanghai’s Pudong New District was raided by the police. A resident pastor from South Korea was detained for two hours and threatened with deportation.

Raided and arrests due to other religious activities

On 26th March 2012, in Wenzhou, coastal Zhejiang Province, the offices and warehouse of the well-known house church publications ‘Kernel of Wheat’ and ‘A Foreign Land’ were raided.

On 28th March, the licensed Christian ‘Grace Like Rain’ bookstore was raided by the police and government officials in the Shanxi provincial capital of Taiyuan. All of the store’s stock was confiscated and the store managers were taken to the Domestic Security Protection Department for questioning.

On 14th April, 53 local house church leaders were arrested in Ye county, Henan province, for holding a Bible study. After an investigation, 48 detainees were released, while the others were held in detention centres awaiting trial.
On 3rd July, nine women in Urumqi City, Shayibak District, were fined and detained for 15 days after organising a Christian summer camp for teenagers.

On 7th July, Thaddeus Ma Daqin, Bishop of Shanghai, was placed under house arrest after renouncing the state-run Chinese Patriotic Catholic Association (CPCA) soon after his consecration as Bishop. He had been one of the rare bishops to receive the approval of both the CPCA and Pope Benedict XVI. Supporters of Bishop Ma, including nuns, were sanctioned or forced to attend "political education" classes. In December, Bishop Ma was stripped of his title by the Chinese authorities.

On 29th July, Pastor Jin Yongsheng was arrested whilst he was providing public health education along with other local Christians in Zhifu Village, Inner Mongolia. After being severely beaten several times, he was sentenced to 15 days administrative detention and given a fine of 1,000 yuan for “engaging in proselytizing in the name of rendering medical service.”

On 1st August, six Christians who were providing medical services to rural areas of Inner Mongolia were detained by local police for “engaging in illegal evangelism”. Medical equipment was confiscated and two of the Christians were sentenced to two years of labour camp.

On 24th August, police raided and broke up a summer camp organized by a house church in Lounan County, Shaanxi Province.

On 27th October, six Christians were held in police custody for four days for preaching and distributing religious literature in the southern city of Shenzhen.

In December, members of the Protestant Chinese House Church Alliance were detained in Nanjing for “engaging in illegal religious activities”, because they were evangelizing.

On 9th December, authorities in the southern province of Guangdong detained 16 Protestants for holding a meeting in public about the meaning of Christmas. All 16 were released with verbal warnings.

**Restrictions on meeting places**

On 1st January 2012, police detained at least 48 members of Shouwang Church who had gathered for outdoor worship. Forty members were released before midnight, but the remaining members were placed under house arrest. The church had tried several times to rent meeting space in various places but failed due to intervention by local authorities.
On 13th March, the TSPM church in Dafeng County, Jiangsu Province, was demolished by the government’s joint law enforcement team. Two church members were beaten during the intervention.

On 22nd April, Hongqiao Church in Xianan District was attacked by a mob led by local government officials. The attackers stole money, changed the locks on the church doors and forced the church members to vacate the premises.

In June, the management committee of a legally-registered Protestant church in Jinan, capital of Shandong Province, was forcibly removed to make way for the church’s demolition. The land had been reclaimed for commercial purposes.

In September, local authorities in Longgang District pressured a property owner to terminate the rental contract for a house church to meet. The agreement had been signed only 20 days previously.

On 14th September, a registered Catholic church was burnt down in Caibang Village, Hubei Province.

In November, a TSPM church was denied permission to stage a public protest against the planned eviction and demolition of their property by real estate developers in the city of Yushu, Jilin Province. Three members of the church had been beaten on 20th July by the developers.

In December a house church in Dongguan was facing eviction from its premises after police put pressure on the landlord to terminate the lease.

**Liquidation of Buddhist properties and repression of religious practices**

In February 2012, Chinese authorities forcibly closed a number of Buddhist monasteries in Nagchu Prefecture, Tibet Autonomous Region. They sent in 'work teams' to first seize the monasteries and then transferred the property rights over to the Chinese government. Monks were forced to attend 'patriotic re-education' sessions, which led to many monks abandoning their monasteries.

In July, Zhejiang provincial authorities in charge of managing Putuo Mountain, a site sacred to Buddhists, announced that its assets would be sold to raise funds for the further development of the site. No Buddhist authorities were ever consulted.

By the end of 2012, nearly one hundred cases of self-immolation by Tibetan monks had been recorded. These suicides are motivated by multiple causes, including protest against political repression, cultural assimilation and environmental destruction. Nonetheless, religious restrictions placed upon the religious practice of Tibetan monks are also a salient element.
Muslims in prison for engaging in religious education

On 31st May 2012, three separate public hearings in Kashgar sentenced nine Muslim men to prison terms ranging from six to 15 years for their involvement with illegal religious schools or religious instruction. The heaviest sentence, 15 years of imprisonment, was handed down to Sadike Ku'erban for spreading ‘extremist religious thought and inciting others to wage a holy war’.

Analysis

A fundamental explanation for China’s wide-scale and increasing violations of religious freedom may be found in the country's ‘core interests’ that it considers non-negotiable: state sovereignty; national security; territorial integrity and national reunification; China's political system; overall social stability; and sustainable economic and social development.

The Chinese authorities consistently determine their policy on Tibetan Buddhists and Uyghur Muslims on the basis of their ‘core interests’ concerning Tibet and Xinjiang: national security and territorial integrity.

China’s policy with regard to the Catholic Church is viewed through the lens of its core interest of sovereignty.

The repression against unregistered Protestant groups, whose active proselytism affects all segments of society, including officials of the Communist Party, can be explained by the fact that these groups’ activities are perceived as a challenge a threat to China’s political system.

In September 2011, the SARA published plans for a three-phase campaign to eradicate Protestant house churches:

- From January through June 2012, local authorities were to conduct an investigation of house churches and create dossiers on each of them.
- The second phase, taking place for the following two to three years, was to strongly encourage unregistered churches to affiliate with the TSPM.
- And within 10 years, churches refusing to comply would be shut down.

China Aid, a Christian advocacy organisation, says to have already documented a sharp increase in cases of government pressure against house churches. Despite the rhetoric and reforms of China’s recent history, the Chinese government continues to impose crushing restrictions on religious groups, unregistered as well as registered. The Chinese Communist Party (CPP) has taken on the role of ‘accompanying religion to adapt to a socialist society’. In the CPP lexicon, ‘accompanying’ obviously means control of the most ruthless sort.
The motivation behind the repression of religious groups has more to do with fear of loss of influence than anything else. Whenever numbers of adherents increase, whether house church members or practitioners of Falun Gong, the government response has been disproportionately severe.

The CPP would do well to reconcile its policies with diverse interests of the population that it seeks to govern, including those of religious groups, rather than trying to compel such groups to ‘adapt’ to a mythical social project where everyone believes the same. If state sovereignty, national security, territorial integrity, social stability and sustainable economic development are indeed among its self-declared ‘core interests’, then assuring the protection of minorities, including religious minorities, should be among its strategies to achieve this. Clearly, the violation of the rights of minorities within any country creates a destabilising force with which to reckon.

Paradoxically, the Chinese state, by its own actions, has already undermined its ‘core interests’ and risks the very scenarios that it has sought to avoid.
In January 2011, what has become known as the Arab Spring reached Egypt. After several days of demonstrations and clashes, President Hosni Mubarak resigned on the 11th of February, transferring his powers to the Armed Forces, dissolving Parliament and suspending the Constitution. In the months to follow, the country’s political landscape was to change dramatically. The rise of a new political party, related to the Muslim Brotherhood, would secure in 2012 the election of its candidate for president, Mohamed Morsi.

Islam is the official religion of Egypt with most of its population being Muslim. The Egyptian constitution describes Islam as the "state's religion" and refers to the "principles of Islamic Law" as the main source of legislation.

Ninety per cent of the 82 million people living in Egypt are Sunni Muslims. The Shia community accounts for roughly one per cent of the total population. All mosques must be licensed with the Ministry of Islamic Endowments. The government appoints and pays the salaries of the imams and even monitors their sermons. At the same time, the proportion of mosques operating outside of government supervision has manifestly increased in recent years.

Only believers in one of the three Abrahamic religions – Islam, Christianity and Judaism – are guaranteed the freedom of worship, thereby excluding followers of other religions. This is particularly pertinent for Egyptian Baha’is (less than 1,500), who have experienced long time antagonism from the government. For example, Dr. Ibrahim Ghoniem, Egypt’s acting Minister of Education, issued in 2012 several policy statements that Baha’i children would be excluded from enrolling in the public school system.

In 1960, President Nasser dissolved all Baha’i assemblies, confiscated their property, banned all Baha’is activities and stripped them of legal recognition. Another presidential decree the same year also banned the religious activities of Jehovah's Witnesses (currently estimated to be between 1000 and 1,500). Egyptian authorities continue to conduct unwarranted surveillance and to impede gatherings of unofficial religious groups.

Egyptian law also forbids blasphemy or insulting the prophets. Chillingly, blasphemy convictions were on the rise in 2012. Unfortunately, guidance on how to balance the country’s broad protections of freedom of expression against other provisions protecting people or religions from insults has not been forthcoming.

**Blasphemy and defamation**

On 1st February 2012, popular comedian Adel Imam was sentenced in absentia to three months in jail for offending Islam. He was accused of blasphemy for
ridiculing Islamic traditions in his movies and defaming Egyptian women. Imam appealed his sentence and was acquitted of all charges in September.

On 16th March, Makarem Diab, a Coptic Christian was given a six-year sentence for blasphemy against Islam, “insulting the Prophet” and “provoking students.” The charges were related to an argument that Diab had the previous month with a fellow employee.

On 4th April, 16-year-old Gamal Abdou Massoud was sentenced to three years in jail for defaming Islam, because he posted a picture on his Facebook page that mocked Islam and the Prophet Mohammed.


On 13th September, Albert Saber, a 27-year-old blogger and secular activist, was arrested at his home in Cairo for defaming Islam, although a warrant was never issued for his arrest. Saber was accused of posting the anti-Islamic video “Innocence of Muslims” on his personal social networking sites. Saber was sentenced in December to three years in prison for blasphemy and contempt of religion.

On 2nd October, two brothers, Mina Nadi, age 9, and Nabil Nadi, age 10, were detained by local authorities after being accused of destroying a copy of the Quran and urinating on it. The boys were placed in juvenile detention but were eventually released some days later after a deal was reached between Muslims, Christians and security officials in the area.

On 28th November, an Egyptian court convicted in absentia seven Egyptian Coptic Christians and a Florida-based American pastor, sentencing them to death on charges linked to the anti-Islam film “Innocence of Muslims” that had sparked riots in parts of the Muslim world.

**Violence against Copts and other Christians**

In January 2012, a mob of over 3,000 Muslims attacked Copts in the village of Kobry-el-Sharbat, el-Ameriya, Alexandria. Coptic homes and shops were looted before being set on fire. Two Copts and a Muslim were injured. The violence started after a rumour was spread that a Coptic man, Mourad Samy Guirgis, had an intimate photo of a Muslim woman on his mobile phone. According to police, the woman concerned denied the whole story, and no compromising photos were found on the cell phone. Later on, in a “reconciliation meeting” demands were made for a number of Coptic families to be expelled from the village, otherwise Kobry el-Sharbat would be attacked again.
On 4th March, Rev. Makarious Bolous of the Mar Gerges Church in Aswan was sentenced to six months in jail for a minor construction violation at his church building. Neither the imams who called for the attack nor the Muslim villagers who destroyed the church building in September 2011 were charged with any crime.

On 4th March, loudspeakers from minarets in Abu Al-Reesh, Aswan Province, summoned Muslims to surround the guesthouse of a Christian school. 1,500 villagers came brandishing swords and knives and chanting Islamic slogans. “People of Abu Al-Reesh... the Christians are building a church and building a monastery,” was the message, according to the owner of the school. ‘The Christians took our ancestors’ land and are building a church.’

Two nuns, volunteer teachers at Notre Dame Language Schools, barricaded themselves inside the school’s guesthouse for about eight hours. The attackers tried to push their way into the building as the nuns kept calling for help. The mob ransacked the entire building, stealing security cameras, electrical equipment and a satellite dish among other items.

School employees called police, but initially only three officers showed up. By the time that four more trucks arrived with reinforcements, the authorities were unable to control the mob. The nuns were brought through the crowd amid men shouting that they were ‘pigs’ and ‘infidels’ who wanted to build a church. One of the nuns was later hospitalized over the emotional trauma.

On 20th March, in Qena, Upper Egypt, a group of Salafi Muslims cut off the ear of Ayman Anwar Metry in a knife attack while trying to force him to convert. Metry was accused of having an affair with a Muslim woman. The judge later dismissed all charges against the assailants.

On 21st May, a judge sentenced 12 Coptic Christians to life in prison for their alleged part in a riot in Abu-Qurgas village, Minya Province, which left two Muslims and one Christian dead. The eight Muslims who were charged with the same crimes in the same riot were all acquitted.

On 26th July, in Shubra el Khayma, Qaliubya Province, Dr Maher Ghaly asked a group of Muslim Salafis from his window not to fire their weapons in the air in celebration of another day of the Ramadan fast. He explained to them that in his household there were sick persons and children who were greatly disturbed by the gunfire. In response, they shot him. One of his eyes was destroyed. His other eye suffered permanent damage to the cornea.

On 27th July, a Coptic professional garment presser in the village of Dahshur, Sameh Samy, accidentally burnt the shirt of his Muslim client, Ahmad Ramadan. Fighting broke out between Muslim villagers and Sameh’s family,
which resulted in a Muslim man suffering third-degree burns. The man subsequently died in a Cairo hospital.

The day before his death, the man’s family members told the media that should he die, the whole village would avenge his death, prompting more than 120 Christian families to flee their homes. A Muslim Brotherhood cleric further terrorised Coptic villagers by declaring that the village church of St. George would be burned down, its priest and all Christian inhabitants killed and their homes torched.

A few days later, police did indeed disperse a mob attempting to set fire to the church. The crowd later returned and torched several homes and three police cars. Six villagers and 10 police were wounded in the violence.

On 10th October, Iman Abu Bakr Kilany, a science teacher was dismissed from her school in Luxor for cutting the hair of two 12-year-old girl pupils, because they were not wearing Islamic headscarves.

On 5th November, in the Shoubra el Kheima district of northern Cairo, a group of Salafi Muslims occupied the construction site of a Coptic Orthodox Church service centre under construction. The Maspero Youth Union, a Copt activist group, said on its Facebook page that the intruders insisted the church did not have the necessary permits to build. Government officials later determined the church had all the required permissions in place.

Analysis

During this transitional period, Egypt has a critical window of opportunity to guarantee constitutional freedoms and protections for every Egyptian citizen, including for members of religious minorities. Given the delicate political situation in Egypt today, this task will require diplomacy, persistence and especially political will to affect any meaningful change.

It is sometimes said that more pressing issues, such as unemployment, poverty and corruption, should take priority in this historical moment. However, radicalised Islamist forces are already poised to dominate the debate on cultural and religious matters and pose a potential threat to democratic freedoms and security in Egypt. The institutionalisation of essential legal protections for religious minorities is urgently needed at this time. This would go far toward addressing the structural difficulties that have fuelled the country’s recent record of religious discrimination and violence.

More specifically, Egypt needs to improve conditions for religious freedom by repealing discriminatory decrees against religious minorities, abolishing the blasphemy codes and passing laws that apply consistently and democratically to all religions in the country.
Egypt should also bring to justice those who have committed violence against fellow Egyptians on account of their religion or belief. The government has been hesitant to prosecute acts of violence against minorities, favouring instead informal “reconciliation sessions”. Reconciliation sessions, which are based on traditional Arabic tribal councils, were increasingly used during the Mubarak administration. However, these sessions generally precluded criminal prosecution for crimes against religious minorities, thereby contributing to a climate of impunity that encouraged further assaults.

It is only now in the aftermath of political upheaval in Egypt and after initial enthusiasm turns to more sober analysis that we can begin to view with better perspective more specific concerns, such as the respect for the freedom of religion or belief. Important challenges to religious freedom lay ahead, challenges that warrant the studied attention of policy makers, religious leaders themselves and anyone that hopes for a democratic future for the Egyptian people.
ININDIA

The Republic of India is a mosaic of cultural traditions, religions and political entities. India has a population of 1.22 billion with the majority being Hindu (74.3%), followed by Muslims (14.2%), Christians (5.8%), Sikhs (1.9%) and Buddhists (0.8%).

In regard to religious freedom, social hostility and violence directed against Christians continued to be notable concerns in 2012. These hostilities are often used as political strategies to gain support for nationalist ideologies. Widespread animosity toward minorities is exploited by public office-holders and buttressed by vague and ambiguous laws.

The concept of *Hindutva*, a word referring to “Hindu-ness”, is used to promote Hindu nationalism within the country. Several political parties, including the prominent Bharatiya Janata Party (BJP), and paramilitary organisations, like Rashtriya Swayamsevak Sangh (RSS) and Bajrang Dal, continued to gain support by evoking fears and resentment toward religious minority groups in India. The results have sometimes been explosive.

**Incidents of harassment, violence and social hostility directed toward Christians**

On 1st January, Bajrang Dal members attacked a New Year’s prayer service in Humnoor (Bagalkot, Karnataka), beating Pastor Siddu Seemanth Gunike and other Christians and accusing them of forcing people to convert to Christianity.

On 9th January, Raikia police arrested and jailed Pastor Sukadeb Digal on false charges of forced conversions in Sipainju village (Kandhamal, Orissa).

On 9th January, in Karnataka, a group of nine Hindu extremists forcibly entered the home of a Christian and injured ten people.

On 9th January, armed Hindu extremists beat Christians at a prayer service in Anekal, (Bangalore, Karnataka), accusing them of forced conversions. The pastor and several others were seriously injured. No arrests were made.

On 17th January, Bajrang Dal members beat Pastor Kiran and another church member in Yadagirgutta (Andhra Pradesh) after accusing them of forced conversions. The victims were arrested but later released.

On 23rd January, RSS members disrupted a prayer meeting led by Pastor Chandrakanth Chavan of New Life Fellowship in Haliyal (Kanara, Karnataka). The pastor was beaten, stripped naked and paraded through the village.
On 29th January, in Chaibasa district (Jharkhand), a mob closed down all the exit points of a village and attacked the Christians in the village with weapons. The mob beat **Pastor Rajendra Babu** and three other Christians – **Madan Muduiya, Sunil and Vinod**. The mob also locked some Christians in a room, including children, and attempted to set it on fire. The arrival of police halted the violence.

On 31st January, Bajrang Dal members in Indira Nagar (Dongargarh, Chhattisgarh) disrupted the screening of a Christian film, destroyed equipment and beat **Pastor Rajendra Masih**.

On 31st January, RSS members surrounded Nirmala Convent School in Korba (Chhattisgarh) and tried to force those present to make a ritual offering to a Hindu goddess. The principal, a Christian religious sister, refused; however, a Hindu teacher was later forced to conduct the ritual.

On 1st February, police arrested **Pastor Harish Sahu** of New Life Fellowship and another Christian after Hindu extremists accused them of forcible conversion in Jorapara, (Raipur, Chhattisgarh). Both were sent to jail and released the next day.

On 2nd February, police and Hindu extremists searched the home of **Pastor Kiran Thippanna Das** in Kamataka. During the search, the police and others took tracts and Bibles and later filed a complaint against him, accusing him of forceful conversion. The pastor was summoned by authorities three days later, who gave him twenty-four hours to leave the village or face going to jail.

On 15th February, RSS members interrupted a prayer service in Pandhi village (Chhattisgarh) and tried to force the pastors, **Daulat Ram and Sunam Kumar Besra**, to stop the meeting. The RSS members tore down the tent that was being used and attacked the Christians who had come to pray. Several of them suffered serious injuries.

On 3rd March, in Salimagocha village (Ganjam, Orissa) a recent Catholic convert, **Goresa Mallick**, was murdered by a group of 15 Hindus from a neighbouring village. His body was then burned in the woods.

On 4th March, Hindu extremists disrupted the worship service of New Life Church in Ankola (Uttar Kannada, Karnataka). After beating **Pastor K. Manohar**, his wife **Lavanya** and other church members, they then took them to the police station and accused them of forceful conversion. Pastor Manohar was charged with hurting religious feelings and was imprisoned.

On 9th March, **Rekha Khatoon** was evicted from her home after she had expressed thanksgiving for healing in Christ’s name in a predominantly Muslim village in Mushidabad, West Bengal. Her parents joined with Muslim extremists to beat her, leaving her nearly unconscious.
On 11th March, Bajrang Dal members stormed a house church in Multai (Betu, Madhya Pradesh), accusing its pastor, Motilal Gujare, of forcible conversion. Police arrived and arrested Pastor Gujare along with a church member, Prakash Masih. Both were released on bail on 15th March.

On 12th March, Bajrang Dal members attacked a prayer meeting led by members of the Apostolic Faith Church in Kalkaji (New Delhi). The perpetrators claimed that the Christians had been desecrating idols and insulting Hindu gods.

On 15th March, five pastors – Weleston Kisku, Animesh Das, Nripen Das, Satyanarayan Soren and Rajesh Das – and two unidentified Christians were verbally and physically mistreated by a group of men in Asansol (Burdwan, West Bengal). The Christians were charged with promoting enmity and hurting religious feelings. Their appeal was rejected.

On 24th March, Rampur police disrupted the Yeshu Mahatsava Convention (Celebration of Jesus Christ) in Chadidiha (Uttar Pradesh). The Vishwa Hindu Parishad (World Hindu Council) had filed a complaint against the organizers for forced conversions.

On 25th March, RSS members disrupted a Christian service in Dhanegaon (Chhinwara, Madhya Pradesh). They started beating several church members, including Pastors Harichand Varti, Santaram Parteti and Mayram Padame, and dragged them to the police station. The three pastors were charged with “promoting enmity between different groups on grounds of religion” and for “deliberate and malicious acts intended to outrage religious feelings or any class by insulting its religion or religious beliefs” (ref. section 153a of the Indian Penal Code).

On 28th March, church members in Gadag (Karnataka) were beaten by RSS members whilst distributing Christian literature. The Christians were arrested for forcible conversion and later released.

On 2nd April, Hindus destroyed Bibles and Christian literature after learning that children at a crisis centre had attended church services in Akkarapettai village (Tamil Nadu).

On 7th April, RSS members entered a “Festival of Deliverance” meeting, organised by the Maharajganj Baptist Church in Uttar Pradesh. The RSS beat several Christians, including Pastor Ram Chander, Vish Prasad and his wife, Ambika Prasad, a convert from Hinduism. A few attackers were arrested but released the same day without charges.

On 8th April, a police inspector in Mangalore (Karnataka) beat a Christian pastor, accusing him of forcible conversion. The pastor was also warned to vacate his rented house or face further harm.
On 11th April, a mob attacked and beat a Christian pastor on his way to preach in Emapur (Villupuram, Tamil Nadu). The mob of Hindu extremists also pressured his landlord to evict him from his place of residence where his congregation meets.

On 16th April, Hindu extremists in Dharmapuri (Andhra Pradesh) accused a pastor, who was distributing pocket calendars, of forcible conversion. They filed a complaint against him for violating a government order which bans propagation of other religions near several Hindu temples across the country.

On 17th April, a group of Muslims in Bandipora (Kashmir) beat a Christian couple, Mafford Maharaj Singh and Kusum, along with a young woman, Sammena Bano, of “Grace Upon Grace Church”, while they were distributing pamphlets on the market.

On 20th April, Hindu extremists in Balgal village (Chhattisgarh) disrupted the burial of a convert to Christianity, beating the pastor and other Christians, including children and old people. After a complaint was lodged for the attack, many Christians received threats.

On 21st April, about a hundred BJP members beat fifteen Christians for preaching about Christ in Paganeri (Shivagangai, Tamil Nadu). The BJP members also burnt Bibles and seized a vehicle.

On 12th August, two young Christian converts, Lakshmi and Vimla Rathod, fled their home in Padmavati Nagar (Pune, Maharashtra), after their parents forced them to drink cow urine. The youth had been discovered reading the Bible, after which they were threatened with "honour killing," assaulted and locked in a room for several days.

On 5th September, fifteen Hindu radicals attacked Rev. Damodara and other Christians in the village of Sagar (Shimoga, Karnataka). The police beat several worshipers who were present and accused them of forcible conversion.

On 29th September, police raided a Christian-sponsored child-development centre in Anekal Taluk (Karnataka), accusing it of luring children to Christianity by providing them with food, clothes and education. The police raid provoked the closing of the centre for a month.

On 30th September, Hindu extremists and police raided a prayer meeting of Philadelphia Church in Ambednagar (Uttar Pradesh). The mob accused Pastor Pannalal and ten other believers of stealing articles from families in the area. The Christians were arrested and released on bail the following day.

On 2nd October, Hindus interrupted a baptism in Kanthapada (Balasore, Orissa) and beat the pastor, Jayaram Marandi, and others who were present. The attackers
then took the Christian group to the police station and accused them of forcibly converting Hindus. The Christians were released the next day without any charges being filed.

On 11th October, twenty Hindu extremists accused Pastor John Samuel Kim from the Jerusalem Prayer House in Kannur (Karnataka) of forcibly converting others in the village. The pastor was beaten and left unconscious on the side of the road. The next morning he was attacked again whilst in hospital.

Analysis

Indian society is marked by incredible diversities of ethnic, linguistic, religious, class and caste identities. In such an environment, tensions are not surprising and their sources difficult to decipher. Nonetheless, the rise of nationalist groups, that base their Indian or regional identity on religion, is undoubtedly a threat to interreligious harmony in India today. For example, the leveraging of Hindutva to harass Christians and resist Muslim influence has exacerbated violence in many parts of the county.

However, it would be a mistake to place all the blame at the feet of radical Indian nationalists. For instance, there are restrictive legal structures that are in need of reform for the promotion of interreligious reconciliation within the country. For example, although the Constitution proclaims India a secular state, it is clear that its drafting was strongly shaped by Hindu bias during the constitutional debate of the 1940’s. These features remain in force today and continue to exert considerable influence upon Indians’ sense of national identity.

Also, the Indian Penal Code includes sections which may not have been intended in their original expression to curtail religious freedom but are now being exploited for this very purpose. There have also been Freedom of Religion Acts, adopted by several states, which prohibit religious conversion. One result of these laws has been an increase of social hostility directed towards non-Hindu religious groups, Christians being the main target.

In addition to reactionary legal structures, some context-specific conflicts have impacted religious tensions in their respective regions. This is the case for the disputed region of Kashmir Valley, for example, where 95% Muslim of the population are Muslim, and for West Bengal, which has a minority Muslim population while sharing a border with Muslim-majority Bangladesh. Here politics shape societal consciousness, for better or for worse.

Finally, it is also worth noting that despite constitutional guarantees for the freedom of religion, in cases of violence or harassment against minority religious groups, state officials and police are frequently negligent in the enforcement of this right. Greater efforts toward bringing to justice the perpetrators of religiously-motivated crimes would go a long way toward mitigating the impact of such acts.
Unfortunately, where political will is lacking on the part of policy makers, there is little motivation at more local levels to strengthen protections for those who are most vulnerable and in need of protection.
Indonesia is the world’s largest Muslim country with the majority adhering to Sunni Islam. The Constitution provides for the freedom of religion, while officially recognizing five religions: Islam, Buddhism, Hinduism, Catholicism and Protestantism. According to a 2010 census report, 87 per cent of the population are Muslim, 7 per cent Protestant, 3 per cent Roman Catholic and 2 per cent Hindu. In practice, other religions can exist and be registered as social organisations, although they might face certain restrictions. According to the first principle of Pancasila, the state ideology established by Sukarno in 1945, every national is supposed to have a belief “in one supreme God”; therefore, atheism is technically outlawed. However, conversions between faiths are legal and occur regularly.

Despite Indonesia’s recent advances in the protection of human rights, religious freedoms are commonly impeded due to social rather than legal factors. International attention has been drawn to the escalation of Islamist activities, resulting in wider discrimination towards religious minorities, increased religious tensions and societal violence. In some parts of the country, extremist groups have been permitted to operate with impunity, restricting the freedom to assemble and perpetrating violent attacks, abuse and discriminatory practices against religious minorities. These concerns continued in 2012 and threatened to undermine Indonesia’s tradition of tolerance and democratic values.

**Attacks against Christians**

On 22nd January 2012, a Sunday worship service of the Taman Yasmin Indonesian Christian Church was disrupted when a group of protesters arrived and demanded that the congregation stop the service. Members of two Islamist groups – the Islamic Reform Movement and the Muslim Communications Forum – had gathered near the site of the Yasmin church, intimidating the congregation and shouting at them to leave. The police officers who arrived at the scene shortly after the first attacks failed to guarantee protection of the congregation.

In February, three Christian churches of Mangseng village in Perwira Town, Bekasi, were closed, because they did not have building permits.

On 23rd February, President Yudhoyono refused to enforce a Supreme Court ruling that a local government allow a West Java church to worship in its building.

On 21st March, public officials closed down the construction site of a Catholic church in West Sumatra Province and fenced off the area with barbed wire.

On 14th March, a group of Yasmin Church members staged a peaceful demonstration in front of Merdeka Palace to urge President Yudhoyono to respect the freedom of religion and worship in Indonesia.
On 16th March, the Indonesia Christian Church in Indramayu, West Java Province, was attacked by an unidentified gunman. Some casualties were reported.

In April, the election of a hard-line Islamic governor for Aceh Province triggered a general rise of intolerance towards religious minorities in the region. This was especially evidenced through mass demonstrations in support of the demolition of church buildings.

In April, local authorities closed down a small Pentecostal church in Tangerang city, Banten Province, following an attack by members of the radical Islamic Defenders Front.

In May, seventeen churches were closed in Aceh Province. In May, a church was set afire in Picuan, East Minahasa, North Sulawesi, with scores of homes and cars also torched.

On 17th May, a mob of six hundred Islamists threw bags of urine and ditch water at a group of about one hundred members of the Philadelphia Batak Christian Protestant Church situated on a disputed territory in Bekesi, near Jakarta in West Java Province.

In June, a mob of Muslim extremists attacked a Christian prayer house in Aceh Province. The building was damaged and worshippers were forced to stop the service.

In October, nine additional churches were closed in Aceh Province, officials citing the lack of correct building permits.

**Violence against Shi’a Muslims**

At the end of 2011, a Shiite-oriented pesantren – an Islamic boarding school – was burnt down on Madura Island in an arson attack by a group of armed anti-Shiite protesters.

In January 2012, the Sampang branch of the Indonesian Ulema Council released a fatwa against **Tajul Muluk**, the leader of the pesantren, calling Tajul’s teachings “deviant” and charging him with blasphemy.

On 12th July, Tajul was sentenced to two years in prison under Article 156a of the Criminal Code for “defamation of religion” and Article 335 of the Criminal Code for “unpleasant acts”.

In August, Tajul's Shiite community in Sampang was again attacked by a 500-person mob. One person was reported killed and another hospitalized.
Violence targeting the Ahmadiyah

Since 2008, at least 50 Ahmadiyah mosques have been damaged, 36 mosques and meeting points forcibly closed and three Ahmadiyah followers killed in mob violence. While in most parts of Indonesia Ahmadiyah have an official right to gather for worship, some regions, i.e. East and West Java, South Sulawesi and Lombok Provinces, experience increased pressure from extremist groups and from governmental authorities that ban public Ahmadiyah practice. Over the past year attacks and intimidation persisted. Several schools and mosques were closed in West Java and mob-attacks targeting Ahmadiyah places of worship took place.

On 20th April 2012, a group of Islamic extremists attacked an Ahmadiyah mosque in the town of Singaparna, West Java province, smashing windows and breaking equipment inside.

In July, a mob attacked members of Bogor’s Ahmadiyah community. Four members were injured.

Indonesian human rights organisations have also documented forced conversions to Sunni Islam.

Atheist receives prison sentence

In January 2012, Alexander Aan, a civil servant in the Pulau Punjung sub-district of West Sumatra Province, posted on Facebook statements that questioned the existence of God and uploaded controversial cartoons of the Prophet Muhammad. His post asked, “If God exists, why do bad things happen? ... There should only be good things if God is merciful.” The posts were seen by the Indonesian Council of Ulema, who then reported him to the police for blasphemy.

On 15th June Aan was sentenced to two-and-a-half years in prison and was fined the equivalent of 10 600 USD for “disseminating information aimed at inciting religious hatred or hostility.” The charges of religious blasphemy and “calling for others to embrace atheism” were dismissed. During the sentencing, the judge described Aan’s actions as having “caused anxiety to the community and tarnished Islam.” In a written statement, Aan expressed regret for his actions, adding that he “prayed for God’s mercy.”

Forced application of Shari’a

Aceh province is the only part of Indonesia where Shari’alaw has been implemented in response to Presidential Decree 11/2003. This order permits local authorities to establish Shari’acourts and operate a vice patrol, known as Wilayatul

Hisbah, in order to punish Muslims for gambling, consuming alcohol, disobeying rules of morality or more serious crimes.

In June 2012, Wilayatul Hisbah witnessed several women wearing “indecently tight” clothes while driving a motorbike, provoking an initiative to ban shops from selling tight-fitting clothes.

In October, three men were flogged in Aceh Province for gambling.

In December, sixteen persons were caned for violating Shari’alaw with various offenses, including gambling and adultery.

**Analysis**

Indonesian President Susilo Bambang Yudhoyono has championed issues of religious pluralism and has promised to protect the rights of religious minorities; however, legislative support on the part of his government has been far from enthusiastic. Problematic laws still threaten the rights of religious groups and impose restrictions on their everyday life. For instance, there is the on-going concern for distinctions made in legal documents between the six state sanctioned religions and those minority groups with no legal status. As a result, many couples face difficulties when trying to regularise their marriages. Individuals can also meet obstacles to employment if belonging to an unauthorised religious minority.

Targeted reforms of Indonesia’s laws that address freedoms of religion or belief would do much to restore the country’s reputation for respect and tolerance. Presently, the country’s ‘blasphemy law’ criminalises minority groups that are not recognised by the state. This law alone is susceptible to gross misinterpretation and can be applied in ways that are not consistent with international human rights standards. In addition to ‘unauthorised’ religious beliefs, Indonesian atheists can find themselves vulnerable to unjust prosecution, as illustrated in the case of Alexander Aan. At a minimum, Indonesia’s blasphemy law must be repealed.

However, government action is not all that is needed. A major concern for religious freedom in Indonesia today is the alarming rise in societal violence and terrorist activity directed towards minority groups. In 2012, numerous cases of vandalism, mob attacks, social pressure and the disruption of religious activities were documented. Clearly, Indonesia’s government has a key role to play in mitigating such incidents. Even given the difficulties of governing a country as large and complex as Indonesia, government commitment has been weak toward the protection of religious minorities. This is mirrored in the failure of police and security forces to protect these minorities when situations of violence erupt.

It will require courage on the part of Indonesia’s leadership to address the political barriers that obstruct change. Societal changes will indeed continue to shape Indonesian society. As always, the question is what kind.
IRAN

The Islamic Republic of Iran is a theocratic republic based on the Twelver Jafari School, the prominent school of jurisprudence of Shi’a Islam. The current constitution was enacted when the Shah was overthrown during the Islamic revolution in 1979.

Although the official religion of Iran is the Shi’a Twelver Jafari School, the constitution provides for ‘full respect’ for Sunni Islam, Christianity, Judaism and Zoroastrianism. Baha’i and other minorities are instead considered cults and suffer severe limitations to their freedom.

The country has a population of about 75 million people. 98% of the population are Muslim (89% Shi’a, 9% Sunni) and the remaining 2% is made up of Baha’i (325,000), Christians (300,000), Zoroastrians (45,000), Jews (25,000) and a minority of other cults (US Department of State Country Reports – Iran 2011).

Persecution of Christians

Churches targeted

On 10th February 2012, Iran’s Ministry of Intelligence ordered the last two officially registered churches to discontinue holding Friday Farsi-language services in Tehran.

On 21st February, authorities raided a house church in Kermanshah and arrested thirteen Christians who had gathered to worship. Authorities verbally and physically abused the worshipers during the arrest. Most of them were released the next day but three remained in prison.

On 12th October, seven Christians from the Church of Iran were arrested in a private house while they were having a prayer meeting. Mohammad (Vahid) Roghangir, Suroush Saraie, Roxana Forughi, Eskandar Rezaie, Bijan Haghighi, Mehdi Ameruni and Shahin Lahooti were detained in Plaque 100, the Intelligence Ministry’s notorious detention centre. Older people who had attended the prayer gathering were also threatened but were not taken into custody. Bijan Haghighi, was released on 25th October after posting bail of 25,000 USD. Roxana Forughi was released on 1st November after posting bail of a similar amount.

On 10th December, two Christians from the Church of Iran, Behzad Taalipasand and Mohammadreza (Johann) Omidi, were detained in the morning in the northern city of Rasht.
Repression of pastors

Pastor Yousef Nadarkhani, from Rasht, was born to a Muslim family but converted at the age of 19. On 13th October 2009, he was arrested in Rasht on the grounds of apostasy and evangelizing Muslims. In September 2010, he was sentenced to death for apostasy. In September last year, he was acquitted of apostasy but sentenced to three years in prison for evangelizing Muslims. Pastor Nadarkhani was initially released after it had been shown that he had already spent close to three years in prison; however, this decision was overturned, because the director of Lakan prison claimed he had been released too early. Nadarkhani had then to return to jail in December to serve out the remaining 45 days. He was finally released on 7th January 2013.

Pastor Vruir Avanessian, an Armenian pastor leading a Pentecostal church in Narmak (suburb of Tehran) was arrested and detained twice in 2012: for one week in February and then again on 27th December.

Pastor Farhad Sabokroh, his wife and other members of his Assembly of God church were arrested on 23rd December 2011, in Khuzestan Province and jailed in Karoun prison in Ahwaz. Pastor Sabokroh and another member were released on bail after serving two months in prison. The pastor’s wife was released on 1st December 2012, after submitting the deed of a house as bail.

Pastor Saeed Abedini, pastor of an Evangelical church, was arrested in September 2012 on the grounds that he was “attempting to undermine the Iranian government through the spread of Christianity.” According to him, he was just planning to build a non-religious orphanage. He could face the death penalty.

Pastor Noorollah Ghabitizadeh was arrested in Isfahan on 24th December 2010 for proselytizing Muslims and sent to Dastgerd prison. He was released in early August 2012 after 577 days of captivity.

Pastor Mehdi Furutan was arrested in January 2012 on the grounds of crimes against national security and blasphemy against Islam. He was sentenced to one year in prison.

Raids and arrests of Muslim converts

In 2012, dozens of converts to Christianity were arrested and sentenced to prison terms (See HRWF Report “FORB Prisoners’ List in the World in 2012”).

In early February, Iranian authorities arrested Christian converts from Islam while they were meeting for worship at a home in the southern city of Shiraz. One of the arrested converts was Mojtaba Hosseini, who had previously been detained in 2008 along with eight other Christian converts. The others could not be identified. Five of them were held in Adel-Abad prison. They were reportedly confined in
cells that housed violent criminals and were charged with “creating illegal groups”, “participating in a house church service,” “propagation against the Islamic regime” and “defaming Islamic holy figures through Christian evangelizing.”

On 22\textsuperscript{nd} February, intelligence officers arrested a number of Christians at their homes between 6 and 7am: Hekmat Salimi, pastor of St. Paul Anglican Church, a convert of 30 years and author of theological books; Giti Hakimpoor, 78, a pastor at St. Luke’s Anglican Church; Shahram Ghaedi, an actor; Maryam Del-Aram, 54; Shahnaz Zarifi, a mother of two; and Enayat Jafari. During the raid, the authorities confiscated valuables, Bibles, computers, identification cards and other documents. Another Christian, Majid Enayat, was arrested on the same day at his workplace.

On 27\textsuperscript{th} December, while approximately 50 newly converted Christians had gathered at a residential home in the northern district of Tehran to celebrate Christmas, the government security forces began a pre-planned and coordinated raid that resulted in the arrest and interrogation for several hours of all individuals present, including the Armenian pastor Vruir Avanes.

Repression of Baha’is

Arrests of Baha’is

According to the Baha’i International Community, 57 Baha’is were arrested and detained in Iran in 2012. Some of the cases of major concern are detailed below. Mothers and their babies or young children were also subjected to arrest and detention by Iranian authorities. Prison conditions were frequently unhygienic and resulted in illnesses among the children.

In December 2012, six Baha’is were arrested in Tabriz, Ghazvin, Shiraz and Mehrshahr. One of them, Neda Majidi, was of particular concern as her one-year old son was also imprisoned with her.

In September 2012, Taraneh Torabi (Ehsani) was arrested in Sangsar and was detained along with her three-month old baby boy. Taraneh was given a five-year and ten-month prison sentence that was later commuted to a 30-month prison sentence after appeal. On 30\textsuperscript{th} October her husband, Erfan Ehsani, was arrested and sentenced to one year in prison.

Zohreh Nikayin (Tebyanian) was arrested and detained with her eight-month old baby on 22\textsuperscript{th} September 2012. She was charged with forming illegal administrative groups, known as moral education classes, with intent to attract Muslims and to promote the ideologies of the Baha’i faith as well as other charges. She was sentenced to seven years in prison, but this was reduced to twenty-three months on appeal.
Long term detention of Baha’is

Vahid Mahmoudi, Mahmoud Badavam, Noushin Khadem, Farhad Sedghi, Riaz Sobhani, Ramin Zibaie and Kamran Mortezaie were arrested in May 2011 and charged with being members of a deviant sect with the goal of taking action against the security of the country. The defendants said that they were arrested for their involvement with the Baha’i Institute for Higher Education (BIHE). In October 2011, they were sentenced to four- or five-year prison terms, but in January 2012 Vahid Mahmoudi was released after his sentence was suspended.

Fariba Kamalabaditaefi, Jamaloddin Khanjani, Afif Naimi, Saeid Rezaie Tazangi, Behrouz Azizi Tavakkoli and Vahid Tizfahm had been arrested in Evin (Tehran) and Gohardasht (Karaj) in March and May of 2008. They were charged with espionage, propaganda activities against the Islamic order, the establishment of an illegal administration, cooperation with Israel, acting against the security of the country, and corruption on earth because they were leaders of the Baha’i community in Iran. All seven were given 20-year prison sentences, but in September 2010 authorities informed the seven Baha’is orally that their sentences were reduced to ten years. However prison authorities later told the seven in March 2011 that their original 20-year sentences had been reinstated.

Mahvash Shahriari Sabet was arrested on 5th March 2008 in Mashhad, Razavi Khorasan, and charged with forming an illegal cult, engaging in espionage and acting against national security. He was detained in Tehran (Evin) and given a 20-year prison sentence on 14th June 2010.

Alibakhsh Bazrafkan was arrested on 31st October 2009 in Yasouf (Kohgiluye and Boyer-Ahmad) and charged with plotting an overthrow of the government, acting against national security and spreading propaganda against the regime. On 7th December 2009, he was sentenced to a two and a half month imprisonment and five years of internal exile.

Manijeh Nasrollah was arrested on 17th June 2009 in Semnan and charged with acting against national security through propagandist activity in the interests of groups and populations hostile to the regime related to Baha’is. Manijeh was also charged with belonging to illegal groups and populations related to Baha’is. On 30th June 2009, he was sentenced to three and a half years in prison.
Arrest of Sunni Muslims

On 25th October 2012, eight people from the Kurdish-Sunni minority in Moochesh were arrested and transferred to Kamyaran prison on the basis of illegally spreading their religion.

Arrest and Imprisonment of Shi’a Muslim Ayatollah

Ayatollah Mohammad Kazemeni Boroujerdi was arrested in October 2006 and charged with enmity against God and spreading propaganda against the regime. Ayatollah Boroujerdi argued that he was just advocating the separation of religion and state and speaking out on behalf of the rights of Iran’s religious minorities, as well as those of its Shi’a Muslim majority. Initially he was given a death sentence by the court; however, subsequently this was changed to eleven years in prison, a government ban on practicing his clerical duties and the confiscation of his home and belongings.

Analysis

In September 2012, the UN Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran joined with the Special Rapporteur on Freedom of Religion or Belief to call for a “thorough and independent review” of “all cases against individuals arrested and prosecuted on charges related to the enjoyment of the right to freedom of religion and belief.” This action indicates a serious concern on the part of the international community for the freedom of religious minorities in Iran today.

In recent years, the Iranian authorities have taken measures to consolidate their position in the face of growing liberalism and calls for a secular state. These have included the use of harassment and discriminatory policies that aim to buttress the regime’s political agenda. Furthermore, the implication of government authorities in these actions at every level suggests an authoritarianism that hides behind only a façade of legality, undermines the democratic ideal of an independent judiciary and strengthens a culture of impunity. This environment can only foster more discontent in the Iranian people and create further alienation from the government.

Tightening international sanctions – triggered by Iran’s nuclear programme – has fed the deepening economic crisis in Iran. In response, Iranian officials have found in religious minorities an easy scapegoat towards which to channel the dissatisfaction of the Iranian people; however, it would be unfair to link too closely incidents of violence and discrimination to any widespread hostilities among Iranians themselves. Indeed, Iran has historically been home to multiple religions and traditions. This has encouraged a rich culture of interreligious tolerance and understanding within its borders.
There exists therefore the paradoxical situation in which a very repressive government seeks to exert power over a broadly tolerant society. Yet this situation is not irreversible. Official rhetoric may stimulate a measure of societal hostility towards minorities in the short run, but if public space for these groups remains so restrictive, this can only worsen an already bad situation.
KAZAKHSTAN

Kazakhstan is a country in Central Asia with a population of about 16 million. More than 70% of the population is Muslim (mainly Sunni of the Hanafi School), 26.2% is Christian (mainly Russian Orthodox) and the rest is made up by other minorities such as Jews and non-believers. This ethnic composition of the country is divided between two major groups: the Kazakhs (63.1% of population, mainly Muslims) and the Russians (23.7%, mainly Christian).

The 2011 Religious Law has made it compulsory for religious groups to re-register through a new enrolment system. The system requires religious groups to have at least 50 members to be registered locally, 500 regionally and 5000 at a national level. This has meant that many small religious communities have been unable to be registered and are therefore deemed illegal under the law. Since the enactment of the 2011 law, 579 religious groups have reportedly had to cease functioning. This has meant that only Hanafi Muslim communities and the Russian Orthodox Church, the two majority religions, are able to freely operate.

In 2012, Kazakhstan’s Agency for Religious Affairs continued to curtail religious freedom through the refusal to re-register religious communities, fining members for ‘illegal worship activities’ and disbanding churches for ostensibly administrative reasons. This year has been one of the worst for religious freedom in Kazakhstan since the country’s independence.

Repression of Muslims

On 14th February 2012, a local mosque in Abai District, Karaganda Region, which had previously been legally registered, was ordered to re-register or face closure.
On 14th April, the Kazakh Agency for Religious Affairs put all mosques under the authority of the Muslim Board.

On 15th November, the Muslim Board announced that the Tatar-Bashkir Din-Muhammad Mosque in Petropavl had closed. The Tatar Muslims had feared such an outcome since the enactment of the 2011 Religion Law. The mosque was built 160 years ago and was the only institution to teach the Tatar language and tradition to the children of the city.

On 29th November, the Tautan Molla Mosque was closed by the Karaganda Regional Inter-District Economic Court, following a law-suit filed by the Regional Justice Department against the mosque.

On 5th of December, the Azeri Fatimai Shia Community in Zhetisu District of Almaty reported that their mosque had been disbanded by the Kazakh authorities and their property confiscated. The seizure followed a decision made by an Almaty court in November.
Repression of Christians

On 29th January 2012, the North Kazakhstan Regional Department of the Agency for Religious Affairs raided the Protestant New Life Church.

On 3rd February, the Kazakh Agency for Religious Affairs advocated the creation of more ‘anti-sect’ centres in addition to the 20 centres that had already been established.

On 11th February, Aleksei Asetov, a member of the Baptist Church in Ekibastuz, was fined the exorbitant amount of 18 times the average local wage (2486 EUR). The reason for the fine was that he led an unregistered religious organisation.

On 20th February, members of the Turkestan’s Office of the Prosecutor inspected the Protestant Grace Church. The next day they told Pastor Vladimir Tsoy that it was illegal for him to use his house for public services.

On 22nd February, the Central Grace Presbyterian Church and the Seventh-day Adventist Church, both legally registered, were ordered to give back their registration certificate.

On 3rd March, members of the Council of Baptist Churches of Shchuchinsk, Akmola, were barred from distributing religious books. Local police confiscated up to 100 religious books.

On 10th March, three Baptists, Zhukov, Milkin and Yermakov, were detained for a few hours by Burabay Police and then released. They had been identified earlier as being in possession of suspect religious material.

On 1st May, Larissa Kim, the wife of a Christian pastor, was fined 8,090 Tenge (44 EUR) after an inspection by Land Inspector Askar Kuttybayev. She had previously received official warnings that her home was to be used only for residence purposes and not for religious activities.

On 22nd May, the Jesus Methodist Church was obliged to ‘voluntarily’ shut down its activities. The ruling came as a consequence of a fine that had been imposed on the spouse of a Christian pastor for using her home in Taldykorgan – the church’s registered legal address – to conduct religious services. The authorities also fined the church for a statement made in the press regarding the closure.

On 27th May, Vasily Stakhnev learnt in a hearing that two of his neighbours had signed a police declaration that he had placed a religious book under their door. The Zhyryanovsk District Specialised Administrative Court ruled his actions as illegal missionary activity and fined him 860 EUR.
On 5th September, Kazakh authorities arrested Makset Djabbarbergenov, an Uzbek religious refugee, in Almaty. Shortly after his arrest, Djabbarbergenov was sentenced to prison until his extradition hearing. Uzbekistan has demanded his repatriation so that he can go on trial for the ‘unauthorized practice of religion’.

On 21st September, the Love Church decided to close down after an order to suspend all activities by the South Kazakhstan Region's Specialised Economic Court. The reason given for the order was that the church did not comply with fire safety regulations.

On 3rd October, the Grace Church in Astana was raided by nine police officers during a religious service. The authorities made reference to a criminal case that had been pending against the church since late 2011 of none of the church members were aware. The charge was an alleged violation of Article 103 of the Kazakh Criminal Code, which addresses “intentional inflicting of serious harm to health”. Members of the church believe that the case has been brought against them to prevent them from re-registering.

On 12th October, the New Life Church in Oral, West Kazakhstan, was raided and religious literature confiscated. The inspection lasted seven hours.

On the same day, the chief of Kazakhstan's Agency on Religious Affairs stated that one-third of religious groups in the country would be disbanded due to the new law on religion.

On 28th November, the South Kazakhstan Regional Economic Court shut down the Light of the World Pentecostal Church. The day before the deadline for re-registration, the church was notified that it had allegedly given false information about the founders of the church, prompting legal action by the local authorities.

On 3rd December, a regional court in South Kazakhstan closed seven Protestant churches. All churches were forced to formally consent to the closures. The official reason for the closures was that documents submitted contained inaccurate information.

Repression of Ahmadis

On 2nd March 2012, the Ahmadi Muslim community had to close their last mosque as a result of a fine imposed for their use of a private house for religious activities. The Ahmadi community now has no place to express their faith in the entire country.

Harassment of Jehovah’s Witnesses

On 28th February 2012, two Jehovah’s Witnesses were detained for a few hours after speaking about religion in Karasu, Kostanai Region.
Detention and Harassment of Hare Krishna devotees

On 27th April 2012, the Hare Krishna community claimed that two of their members had been detained in early April for distributing ‘extremist literature’. The identity cards of both men were confiscated and not returned.

Analysis

The fight against extremism is the common justification raised for Kazakhstan’s repressive policies on religion. The 2005 anti-extremist law empowers the Committee for National Security (KNB) to determine which organisations are to be considered ‘terrorist’ and grants the KNB broad powers to suppress them. Predictably, the 2005 law has also been applied to religious entities.

The 2011 Law on Religion has drawn sharp criticism from the Organisation for Security and Cooperation in Europe (OSCE), which contends that the law leaves too much space for the government to manoeuvre in its efforts to suppress religious extremism. It gives the government the power to act ‘legally’ while denying a mandated re-registration to religious groups, effectively cancelling their right to exist and to conduct normal activities. It also opens the door for the imposition of exorbitant fines and the detention of religious workers who do not conform to the new regulations.

The decision to require all Muslim communities to register with the government-sponsored Muslim Board is likewise an example of the state’s intention to tightly control and neutralise potentially politicised movements, including religious ones. The election law is also intended to limit the political empowerment of religious groups by prohibiting political parties that are based on religious affiliation.

Indeed, the laws that have been enacted in Kazakhstan are part of the regime’s strategy to mitigate its political opposition. The government’s official support of the Russian Orthodox Church and sponsorship of the Muslim Board are ultimately strategies of control. Other religious groups are delegitimised and represented in the media as dangerous and harmful to the family and to society. The creation of anti-sect centres – notably by an NGO closely aligned with the President’s party – is likewise an example of the government’s aim to extend religious freedom only to those monolithic institutions that respond positively to the state.

This policy leaves no room for smaller non-traditional religious movements to operate. Such groups are forced to remain on the margins of official recognition. And as they tend to be more independent, they are perceived to be a threat to state hegemony.

This situation allows the state to assume the appearance of ‘neutrality’ toward religion, when in fact religious freedoms have seldom been so reduced in Kazakhstan as they are today. Legal restrictions and the systematic harassment of
members of non-traditional religions suggest worrisome trends that merit the attention of the international community.
NIGERIA

Nigeria is the most populous African country, having about 170 million inhabitants. The three main ethnic groups are the Hausa, who are mainly Muslim, the Igbo, mainly Christian, and the Yoruba, whose members are more or less equally divided between the two faiths. Islam (50.4%) and Christianity (48.2%) are the main religions of Nigeria. The country’s geography represents this division, with the North mainly Muslim, the South predominantly Christian.

Since the return to democracy in 1999, there has been an explosion of ethnic and religious violence, resulting in some 14,000 deaths, many thousands of displaced people and the destruction of hundreds of buildings, religious sites and private homes (US Commission on International Religious Freedom 2012). The states which have suffered the most from religion-related violence are Plateau, Bauchi and Kaduna.

Boko Haram, a terrorist organisation committed to eradicating Western influence in Nigeria, is particularly relevant to the prevalence of interreligious violence. Indeed, the very name of the organization means ‘Western education is forbidden’. The group was founded in 2001 as an indigenous terrorist group, but since 2009 it has taken on a Jihadist tone and is linked by some analysts to Al-Qaida in the Maghreb. The group operates mainly in the North and in the Middle Belt, aiming to establish Shari’alaw throughout the country through the use of terror, killings and suicide attacks. Boko Haram’s targets are not limited to Christians and the Nigerian authorities; Muslims who criticize Boko Haram are also targeted.

Attacks on Christians

On 5th January 2012, Boko Haram killed at least six people in Gombe, Adamawa. A spokesperson for the Islamist group said that these attacks were an attempt to expand its influence in the region.

On 6th January, seventeen Christians were killed by Islamist terrorists during a meeting in a town hall in Mubi, in the state of Adamawa.

The same day, in Yola, the capital of Adamawa, Islamists killed more than twelve people when they attacked the Christ Apostolic Church.

On 7th January, hundreds of Christians fled from northern Nigeria as a consequence of attacks from Boko Haram and its subsequent ultimatum to Christians to either leave their religion or face death. After the period of the ultimatum passed, four attacks in different cities in Northern Nigeria killed 37 Christians and resulted in a large flow of people towards the south.
On 22nd January, Boko Haram targeted two churches in Bauchi Metropolis, an Evangelical Church of West Africa (ECWA) congregation and Our Lady of St Lauretto Catholic Church. Both churches were damaged, but no one was killed or injured. St Paul’s Anglican Secondary School was also attacked and destroyed in Tafawa Balewa Town. The attack resulted in the death of several Christians.

On 2nd June, the village of Sansun, in Southern Kaduna State, was attacked by Fulani tribesman. Two Christians, Matthew Aetung and his son, were killed, while his wife was severely injured and their house burned down.

On 4th June, a car full of explosives killed at least 15 and injured many more at Christian services in Bauchi, North Nigeria. The churches attacked were the Living Faith Church in Yelwa Tudu and the nearby Harvest Field Church of Christ, the latter suffering the most casualties.

On 6th June, Boko Haram attacked a Pentecostal church in Jos, the Christ’s Chosen Church of God, which resulted in the death of two Christians on the spot and 40 people wounded, some severely. Boko Haram also claimed responsibility for the shooting of another two Christians in Borno during a religious service.

On 17th June, three churches were bombed in Kaduna. At around 9am, the Evangelical Church Winning All of Wusasa was hit by a car filled with explosives. The blast killed twenty-four people and injured more than a hundred. Shortly afterwards, Boko Haram members detonated rudimentary explosive devices at Christ the King Catholic Church in Saboni Gari. At the same time, the Shalom Church, a Pentecostal congregation in Trikania suffered from a bombing which killed ten people. As a consequence of these attacks, several Muslims were killed out of retaliation by Christians.

On 26th February, the morning service at a Church of Christ in Nigeria congregation was attacked, when a car full of explosives was driven into the church. The car crashed against the wall of the building after having broken through the check point at the gate. Reports say that up to five people were killed with another 38 injured. The two perpetrators died in the attack.

On 11th March, a car full of explosives was driven into a Catholic church in the area of Jos. Three people died and 14 were injured.

On 9th April, a suicide bomber killed at least 38 people during an Easter celebration in Kaduna City. The explosion severely affected three churches belonging to the Evangelical Church Winning All, the Good News Church and the All Nations Christian Assembly.

On 21st April, in Mainduguri, in North-East Nigeria, eight people were killed by Boko Haram during an attack which lasted intermittently for two days.
On 29th April, Boko Haram members raided a lecture theatre used by Christians in Kano, killing 15 people and injuring others.

On 9th May, Islamist extremists attacked the Rinyam village killing seven Christians, including two children.

In the same period, the villages of Rim, Gwarim, Wereng, Fang, Riyas, Jwol, Foron and others were attacked by Muslim herdsmen incited by extremists. 20 people were reported to have died and more were injured. Also, several houses in these villages were set on fire to scare the fleeing Christians from coming back.

On 29th October, a car full of explosives exploded during a mass at St Rita’s Church in northern Nigeria. The death toll amounted to around 50 people, while more than a hundred were wounded. On 23rd September, two people died and 48 were wounded as a result of a suicide attack at St John’s Church in Bauchi.

On 1st December, nine Christians were killed when Boko Haram torched about twenty houses and a church in Kwaple village. On the same day three others churches were burned in a separate attack. The buildings belonged to the Church of the Brethren, the Church of Christ in Nigeria, the Deeper Life Church Gamboru Ngala and the Church of the Brethren in Chibok.

For the third year in a row, Christians have suffered terrorist attacks from Boko Haram on Christmas day. On 25th December Firi Village, in Yobe State, was raided and many houses torched. Moreover, six people members of the Church of Christ in Nigeria, including the pastor, died while attending the Christmas Eve service.

At the same time in Borno State, another Christmas service was targeted by Islamist terrorists, resulting in an additional six deaths, including the deacon of the church.

**Attacks against Muslims**

On 14th August 2012, an explosion killed three people on their way to a mosque in Kaduna. Although the actual reasons behind the attack are not clear, some contend that the attacks were a result of the mosque’s inviting Christians to participate in the breaking of the Ramadan fast.

On 23rd July, a teenaged suicide bomber killed five people in Maiduguri, north-eastern Nigeria, in an attack directed against one of the country’s Muslim leaders, the Shehu of Borno. The Shehu survived. The Shehu’s brother had been killed the previous year at a mosque in Maiduguri.
Analysis

The roots of Boko Haram violence in Nigeria are complex. On the surface, the organisation’s declared objective to impose Shari’alaw could be considered religious extremism. However, the profile of Boko Haram targets, which include both Christians and Muslims as well as political authorities, suggest the presence of other key motivating factors. Indeed, religion is often a pretext for a broader agenda and disguises deeper divisions within a country. The present violence in Nigeria is not purely religious in nature, although the results are religious freedom violations. Religion and religious identity are intertwined in ethnic, political, economic and social controversies and can be misused by politicians, religious leaders or others to rouse their constituencies for political gain or other purposes (US Commission on Religion Freedom 2012 Report).

These factors have produced deep mistrust and hostility between religions. They also reveal corresponding ethnic tensions within the country.

For example, Boko Haram violence has triggered more clashes between Hausa Muslims and Igbo Christians in the Middle Belt. The advancing Sahara desert has increased the southward flow of cattle-herding Hausa from the North, who are predominantly Muslim, thereby stirring up conflicts with the established Igbo Christians in the South. These clashes may appear religious in nature but are in fact more about control of land resources. Aggravating this situation is the fact that Nigerian law establishes a different standard for rights and opportunities for indigenous people in the South and for settlers coming from the North. This situation can only lead to more frustration and tensions.

Finally, the inability or unwillingness of the central government to prosecute Boko Haram crimes has served to prolong the violence. The country’s complex and multi-layered judicial system has likewise emboldened the perpetrators of these crimes and contributed to a general climate of impunity. Together these factors have stifled progress toward putting an end to the violence and securing a more peaceable future for Nigeria.
Pakistan has a population of 187.3 million. Islam is the state religion and is practiced by up to 98% of the people. The Muslim majority is mainly made up of Sunni Muslims although it is estimated that 5% to 20% of Muslims are Shi’a. Christians, Hindus and other minorities make up the remainder of the population.

The Constitution of Pakistan guarantees all citizens the freedom to “profess, practice and propagate their religion subject to law, public order and morality;” however, religious freedom in Pakistan is a growing concern because of laws that have been enacted limiting the freedom of minorities. These include blasphemy laws, the anti-Ahmadi laws and the Hudood Ordinances.

The penalty for blasphemy can be life imprisonment or even death, if the accused has offended the Qu’ran or Prophet Muhammad.

Ahmadiyya is an Islamic reformist movement, founded toward the end of the 19th century. Although Pakistan is the home of the largest Ahmadi population in the world, a 1974 amendment to the Pakistani Constitution declares that they cannot be considered Muslims. In addition, an ordinance passed in 1984 made it illegal for Ahmadis to declare themselves Muslims and also prohibited them from using Islamic greetings in public places or calling their religious place of worship “mosques”. To obtain a passport, Ahmadis have to declare that their founder is a false prophet.

The Hudood Ordinance, decreed in 1979 by the military regime of General Zia-ul-Haq, authorises severe punishment for offenses such as extra-marital sex, adultery, theft and alcohol consumption. The law effectively institutionalises Shari’a provisions for Muslims and non-Muslims alike. It has had a particularly severe impact on women, who can be jailed after being raped. The Women’s Protection Bill in 2006 aimed to repeal this act, but a 2010 ruling of the Federal Shari’a Court declared the Women’s Protection Bill unconstitutional.

**Attacks on Ahmadis**

On 29th February, **Chaudhry Muhammad Akram**, an 80-year old Ahmadi, was killed in Nawab Shah, Sindh. His grandson also received serious injuries in the attack. The two were shot by two people on a motorbike as they were returning home. Akram had been living in Australia since 2005 and was in Pakistan only for a visit.

On 7th March, **Maqsood Ahmad**, a 58-year old Ahmadi, was killed in Rabwah, Punjab. Before his killing, he had received death threats. Colleagues also expressed that they might stop working with him because of his faith.
On 10th July, six Ahmadi minarets were demolished in Kharian, Punjab, by the local administration. The action was taken after local authorities had received a request by a Muslim organisation, Tehreek-e-Tahaffuz-e-Islam, that Ahmadis were not allowed to call themselves Muslims and could not call their place of worship “mosques”. Although the police and the Muslim organization asserted that they had the full consent of the local Ahmadi community, the Ahmadi community denied it had given permission.

On 19th August, Muslims asked the police to remove Quranic verses from Ahmadi graves, on the basis of the 1974 law that prohibits Ahmadis saying they are Muslims.

On 19th October, Saad Farooq, a member of the Ahmadi community, was killed on his way home from a religious service. He was shot dead while driving his motorcycle. Some of his relatives, who were in a car beside him, were also shot and three of them had to go to hospital.

On 23rd October, Abdul Hamid Khan and Bashir Ahmad were murdered in Baldia Town, in the province of Sindh, because they were Ahmadi.

On 3rd December, an Ahmadi graveyard in Model Town, Punjab, was desecrated by more than twelve men. About 120 grave stones were vandalised. The perpetrators apparently targeted the graves because of Quranic verses on the headstones.

Attacks on Christians

On 23rd February, two Christians, Sajid Masih and Boota Masih, were attacked and wounded in a raid by Muslim extremists on the Grace Ministry Church in Faisalabad, Punjab. Sajid was shot several times; Boota was pushed from the roof. The attackers accused the church of trying to convert Muslims to Christianity. The church’s pastor and his family had already received death threats.

On 28th February, Shamim Bibi, a 26-year old Christian woman, was arrested on the charge of insulting Prophet Muhammad. Her brothers claim that she was arrested for refusing to convert to Islam.

On 1st March, two Christians, Issac Samson and Indrias Javaid, were kidnapped by Muslim extremists. They were employed at the Good Samaritan Hospital in Karachi, Sindh.

On 8th May, Asher Masih, her sister and mother-in-law, all Christians, were attacked in their house in Dhamala Village, Punjab. Asher was pregnant and lost the twins she was carrying as a result of her injuries.

On 21st August, a 14-year old Christian orphan disappeared in Faisalabad, Punjab. His body was found two days later, his body having been mutilated.
On 8th September, Rimsha Masih, a 14-year old Christian girl from Mera Jafar, near Islamabad, was arrested under the Blasphemy Law. She had allegedly desecrated the Qur’an by burning some of its pages. Significant in this case, however, is the fact that the girl lived with Down’s Syndrome. After spending three weeks in prison, she was released on bail.

On 21st September, an Anglican school and a neighbouring school were targeted by extremist Muslims in Mardan, Khyber Pakhtunkhwa Province. The two schools were looted and set afire.

On 4th October, Khawaja Zahur Ahmad was killed in Satellite Town, Punjab, by a gunman. Sometime before his killing, a mob of Islamist extremists had gathered to harass him and scream insults outside his home. His family believes that he was killed only because of his Christian religion.

On 5th October, Shumaila Bibi, a 24 year-old Christian from Faisalabad, Punjab, was kidnapped, raped and forced to marry and convert to Islam. She managed to escape from her husband and his family and go to the police; however, the authorities sided with the husband, saying that she converted and married freely. Her case is still pending in court.

**Attacks on Hindus**

On 3rd March, Asha Kumari, a 16-year old Hindu girl, was abducted while attending a beautician’s course and was forced to convert and marry. On 13th April, she presented herself in court with her new husband, declaring that she had freely converted to Islam. However, her relatives claim that she made this statement out of fear of retaliation against her family.

On 26th March, Rinkel Kumari testified to the Pakistani Supreme Court concerning her experience of being abducted and forced to convert to Islam. She contended that Pakistan assured justice only for Muslims to the neglect of all other religious groups.

In the first two weeks of August, about 150 Hindus fled their native Pakistan for India, claiming discrimination on religious grounds. Although officially on pilgrimage, most of the Pakistani Hindus said they had no intention of returning to Pakistan. Many of them had been subjected to kidnapping, robbery and attempts of forced conversion.

On 21st September, a mob from a Pashtun village attacked the Hindu temple of Sri Krishna Ram. The attackers were reportedly singing “Kill the Hindus, kill the children of the Hindus.” The attackers destroyed the temple, including religious images and ornamentation. No one was injured in the attack, but it deprived the local Hindu community of their place of worship.
Attacks on Shi’a Muslims

On 5th January, a deputy police superintendent, Ibrahim Astori, was murdered near his home in the Baltistan Region. He was a Shi’a Muslim involved in several cases against extremist religious killings, such as that of Syed Asad Zaidi, the Deputy Speaker of the Northern Area Legislative Assembly.

On 18th June, four students of the Shia Hazara community were killed and many more wounded in a bus explosion near Quetta, Baluchistan.

On 18th September, Shi’a pilgrims returning to Pakistan after a visit to a shrine in Iran were targeted by a bomb just south of Quetta, Baluchistan. Three died from the explosion.

On the same day, at least 10 people died and 24 were wounded by an explosion near a mosque belonging to the Bohra Ismaili community in Karachi. The attack took place in the middle of the day and was clearly targeting the community, according to head of the Karachi anti-terrorism unit.

On 22nd November, a Shi’a procession in Rawalpindi, Punjab, was targeted by a Taliban suicide bomber killing 23 people. The attack took place in the Shi’a holy month of Muharram.

Analysis

Religious violence in Pakistan is rooted in the deep social hostility that exists within the country toward minorities and toward perceived threats to national identity. Much attention has been given to efforts to repeal Pakistan’s infamous Blasphemy Law, which has repeatedly been applied in an arbitrary fashion, as in the above-mentioned case of the 14-year-old Christian girl with Down’s Syndrome. Most external observers are quick to point out the tragically absurd nature of her case.

This underscores one of the major difficulties with the Blasphemy Law. It is poorly defined and opens the door for abuse in its application by local officials. It has therefore become a vehicle for coercing, threatening and punishing religious minorities. The maximum penalty for blasphemy under Pakistani law is death.

There is clear hostility in Pakistan toward minority religious groups, not only within the politico-military establishment that governs the country but also within the society itself. Repressive legal structures toward religious minorities are indicators of this wider hostility. In this environment, public officials are not eager to enforce the few legal protections that do exist and to prosecute criminal acts. Indeed, those who try to defend minority rights in Pakistan today are routinely threatened and sometimes killed.
Discrimination and violence toward religious minorities also find justification in the pervasive idea that Pakistan belongs only to Sunni Muslims. Other religions are even vilified in the media and in the educational system. For instance, Hindus are blamed in Pakistani school textbooks for the division of Pakistan and Bangladesh.

The challenge ahead for Pakistan’s future lay in the country’s ability to embrace pluralism at the heart of Pakistani society. This is a long-term project for sure, albeit one in which the national government has a clear role to play. The expunging of unjust and regressive laws that have been used to wrongfully target religious minorities is a matter of urgent concern. Also, giving priority to national reconciliation and to the respect of minorities would set a new direction for the country’s future. Strong leadership in this sense is urgently needed at this time.
RUSSIA

The Russian Federation became an independent state after the collapse of the Soviet Union. An unprecedented openness in post-Soviet Russia resulted in a rapid diversification of religious beliefs.

However, the conservatism of Russian society has resisted the many new religious movements that have entered the country, subjecting them to discrimination and labelling them as “sects”. The Russian Orthodox Church has regularly stated its opposition to “non-traditional religions”.

Non-Orthodox minorities are monitored by an ‘Expert Council’ under the leadership of an Orthodox priest, Alexander Dvorkin, who is known to repeatedly make derogatory statements against Evangelicals, Pentecostals, Jehovah’s Witnesses, Mormons, Hare Krishna devotees, Falun Gong practitioners and others. Alexander Dvorkin is also the vice-president of FECRIS, the European Federation of Centres for Research and Information founded in Paris in 1994 which unites 25 anti-sect organisations in Europe.

Federal agencies, such as the Federal Registration Service, and many local authorities have tried to restrict the rights and activities of religious minorities in Russia. The controversial 1997 law “on Freedom of Conscience and Religious Associations” created further legal obstacles for religious communities attempting to register and comply with the law.

In 2012, the Russian Government hardened even more its opposition toward minority groups, applying its anti-extremism law in its efforts to curb religious movements like the Jehovah’s Witnesses and Muslim readers of the Turkish theologian Said Nursi. This tough line against perceived threats to Russian social values may indicate even tougher times ahead for religious freedom in the country.

Repression against Jehovah’s Witnesses

On 17th January 2012, police in Tyazhinsky, Kemerovo Region, repeatedly intimidated two Jehovah’s Witness women, checking their passports and inhibiting their freedom of movement. They were escorted to a police station, were interrogated and were subjected to foul language and threats of further actions against them.

On 16th February, 10 police officers surrounded premises where 30 Jehovah's Witnesses were meeting for worship in the town of Elabuga in Tatarstan. After the meeting, police spent several hours taking down the details of those present and confiscated all the religious literature they found. Some of them were escorted to a police station, where they were interrogated, photographed and threatened.
On 23rd February, three officials disrupted a Jehovah's Witness religious meeting in the town of Novotroitsk in Orenburg Region.

On 28th February Jehovah’s Witness Yelena Grigoryeva was accused of inciting hatred and enmity under Article 282(1) of the Criminal Code. She was spreading her religious beliefs and distributing material found on the Federal List of Extremist Materials.

On 16th March, three houses owned by Jehovah’s Witnesses were raided in Novocheboksarsk, Chuvashia. All religious literature as well as disks and personal notes were confiscated. The following day, three women living in these houses were interrogated by an officer from the Federal Security Service (FSB). The women were not permitted access to legal counsel.

On 17th and 18th March, police raided the Culture Hall, which was rented for use of 700 Jehovah's Witnesses in Roslavl, Smolensk Region. On 5th April, police and officers of the local FSB Anti-Extremism Centre raided a Jehovah's Witness meeting in the city of Kaliningrad. The meeting was to commemorate the Memorial of Christ's Death, an important Jehovah's Witness event of the year. Other such raids took place in Dobryanka, Perm Region, and Promyshlennaya, Kemerovo Region.

On 19th April, Krasnodar's Lenin District Court obliged the local internet company Megafon to block access to several websites considered to be carrying ‘extremist’ material. Among the websites was the Jehovah's Witness website jw-russia.org.

On 4th May, 15 raids were conducted in Jehovah's Witness homes and places of worship in five towns in Orenburg Region. Religious literature, disks, photos, personal notes and documents were confiscated.

On 5th May, officials from the Prosecutor's Office and the FSB questioned 14 people coming out of a Jehovah's Witness meeting in the town of Uchaly in Bashkortostan. Some of them were questioned up to three hours.

On 15th May, the Jehovah's Witness community in Dalnerechensk, Primorsky Region, was closed down for 60 days under Article 20.29 of the Code of Administrative Violations.

On 31st May, 14 Jehovah’s Witnesses in Taganrog were charged with organising and participating in criminal activity because of their religious activities.

On 26th July, four Jehovah’s Witnesses in Chuvashia were detained for 48 hours and remanded in custody by court order for another 78 hours. Five criminal cases were initiated against them for distributing Jehovah’s Witness publications and for ‘creating an extremist community and participating in it.’ Two of the detainees were released on 30th July and then rearrested to be held for another 10 hours.
without food until late into the evening. The other two Witnesses were retained in custody until the conclusion of the investigation.

On 30th July, authorities in Chuvashia opened a criminal case against 10 Jehovah's Witnesses for ‘establishing an extremist community’.

On 1st August, a Jehovah’s Witness was arrested, but the court refused the investigator’s request for his detention and all criminal charges were dropped.

In August, Jehovah’s Witnesses were preparing to hold an annual religious service on a plot of land in the village of Petrovskiy, Chelyabinsk Region. Local authorities temporarily seized the property and prohibited the religious service. When the Witnesses tried to alternatively rent a community centre in the city of Troitsk, FSB officials installed hidden video and audio surveillance in the rented building.

On 16th August, Valeriy Lisyev and Pavel Popov were issued summons to appear before the police for questioning. At the Main Directorate of Internal Affairs, the two men were interrogated for six hours. Mr Popov was ordered to undress completely. Officers seized his phone and verbally abused him. During the interrogation of Mr Lisyev, the same officer struck him repeatedly on the head and neck. The Ministry of Internal Affairs for the Krasnoarmeyskiy District, Chelyabinsk Region, then permanently prohibited the Jehovah’s Witnesses from holding services in the area. Mr Lisyev was also ordered to sell his land.

On 17th August, the electricity of the Troitsk Community Centre was shut off. Eventually, the Jehovah’s Witnesses, who were using the facility, had to hold their service in a forest area. The authorities said that the rented premises no longer met safety standards.

On 20th August, officials from the Main Directorate of the Ministry of Internal Affairs ordered that all financial records and legal documents be handed over by the Administrative Centre of Jehovah’s Witnesses near Saint Petersburg. The Administrative Centre was also ordered to submit to an inspection of its territory.

On 16th November, Jehovah’s Witness T. Kosnikovskaya was charged under Article 11.4 of Administrative Code of Ryazan Region for talking about religious topics with her neighbours’ daughter.

On 23rd November, two Jehovah’s Witnesses houses were raided in Kostomuksha, Karelia. Police officers confiscated religious literature, DVDs and the personal belongings of church members.
On 26th December, an NGO based in Belgorod distributed leaflets giving 17 characteristics of ‘destructive sects’. The list included Jehovah’s Witnesses, Scientology and Hare Krishna.

Between 11th September 2009 and 31st December 2012, there were 1,511 cases of violations against Jehovah’s Witnesses. Law-enforcement officials unlawfully detained 1,425 believers, carried out 151 searches and disrupted or interfered in 38 religious services. Individual citizens hostile to Jehovah’s Witnesses committed 129 assaults against 245 believers, and also 96 acts of vandalism against buildings used by Jehovah’s Witnesses for religious worship. State officials also failed to take adequate measures to prevent such crimes occurring nor did they punish the perpetrators.

Raids, arrests and sanctions of Muslims

On 19th January 2012, the Orenburg Regional Court freed Asylzhan Kelmukhambetov from prison after he had served seven months of his 18-month term. A follower of Muslim theologian Said Nursi, Kelmukhambetov had been sentenced in June 2011 on charges of extremism for possessing banned Nursi literature. Kelmukhambetov won his second appeal but was still fined 100,000 roubles (2,470 EUR) for extremism.

On 11th February, police in Kaliningrad raided a small Muslim prayer service in the home of Amir Abuev, a follower of Said Nursi. Abuev was arrested on charges of religious extremism. The raid lasted eight hours and resulted in the seizure of several hundred books, DVDs, a laptop computer and two mobile phones. Some of the confiscated literature and DVDs were on the Federal List of Extremist Materials. Abuev was released after being detained for 48 hours but later summoned to undergo a psychiatric evaluation.

On 12th March, four Russian translations of works by Said Nursi were placed on the Federal List of Extremist Materials, bringing the total number of banned Nursi works to 19.

On 21st March, Dagestan’s Lenin District Court ordered the destruction of 70 copies of 15 different works by Said Nursi. The books belonged to Zayavdin Dapayev, who is serving a suspended three-year sentence for extremism.

On 23rd March, several leaders of Corrective Labour Colony IK-7 in the Ural Mountains were subject to disciplinary action after the Udmurt Republic Prosecutor’s Office found three banned Nursi works in the colony’s library.

On 19th July, as Muslims prepared to begin observing Ramadan, the Mufti of Tatarstan, Ildus Faizov, was wounded in a car explosion. His former deputy, Valiulla Yakupov, was shot dead an hour later.
On 13th September, Eldar Bakhtiyarov was fined 3,000 roubles for selling a Muslim book mentioned in a state-banned literature list.

On 21st September, 50 Muslims in Moscow were detained on their way to the mosque. They were brought to the local police station for fingerprinting and then released.

On 1st October, Blagoveshchensk Court found Denis Manuilin, a 33-year-old convert to Islam, guilty under Article 20.29. He was given the maximum fine of 3,000 roubles.

On 15th October, five schoolgirls were barred from entering a school building in Stavropol Region, because they were wearing a hijab. The headmistress said that the hijab breaks the principle of "laïcité" required in educational institutions.

On 17th October, Al-Ikhlas Mosque in Kazan was raided by police officers.

On 26th October, police detained 10 drivers who had put Islamic flags on their cars. The text on the flag declared “There’s no God but God, Muhammad is a messenger of God”.

On 30th October, unknown attackers shot dead an imam and two relatives, thought to be his son and father, as they drove to a mosque in the Russian North Caucasus region of Dagestan.

On 12th December, four Muslim students at a university in Bashkortostan were warned against wearing the hijab or any religion-related accessories.

Restrictions, raids and closures of Protestant churches

On 13th February 2012, two Baptist congregations in Samara came under fire for filing statutes that allegedly violate state law. In Bezenchuk District, the House of the Gospel Baptist Church was warned to retract statutes that violate Russian law, namely listing “Holy Scripture” as a governing document and requiring members to support the church. In Borskoe District, prosecutor Aleksandr Bobkov warned the Christ the Saviour Baptist Church that “Holy Scripture” – or any religious work – cannot act as a foundational document for an organisation.

On 15th July, in the North Caucasus Republic of Adygea, police raided the Sunday morning service of the Revival Pentecostal Church. Officers inspected the building, checked the identity documents of all present and questioned some of the worshippers about the community's beliefs and religious literature.

On 23rd August, a Christian Song Festival was interrupted in Fokino, Primorskiy region, when police officers raided the venue. All the participants were interrogated.
On 6th September, the building of the Church of the Holy Trinity in Novokosino, Moscow, was bulldozed by the authorities. The Church headed by Pastor Vasily Romanyuk belonged to the community of the Russian Church of Evangelical Christians (Pentecostal).

On 9th September, Pastor Vasily Romanyuk was charged with holding an unapproved religious meeting in the ruins of his bulldozed church.

On 20th September, a Pentecostal Church building was destroyed in Kulotino, Novgorod region. Two years previously, a local court had ruled that the building was constructed without state authorisation and should be demolished.

On 10th October, a Protestant church was raided in Kaluga by local police. Church members claim that no valid search warrant had been presented.

On 30th November, an unregistered Baptist school was closed in Krasnodar region following a court decision that the school lacked state authorisation to conduct educational activities.

**Hostility toward Mormons**

On 6th April 2012, the headmaster of an Art College in Kemerovo tried to persuade one of the students to leave the school because he was a Mormon. Ludmila Gubkina repeatedly attacked the member of the Church of the Risen Christ during public faith-discussions saying that “Mormons do not need art”.

On 31st October, a pro-Kremlin youth organization in Russia called for a ban on Mormons, which it accused of pursuing “questionable activities” in support of “anti-Russian interests”.

**Coercive actions toward Hare Krishna**

On 22nd May 2012, police raided an evening lecture by Izhevsk's Hare Krishna community, saying that the group was unregistered.

On 17th September, a state-authorized Hare Krishna procession was stopped in Sochi, Krasnodar Region, when local police and the mayor of the city blocked the way of the worshippers.
Analysis

The year 2012 showed no improvement of religious freedom conditions in Russia. On the contrary, large-scale discrimination has been documented, targeting minority groups as well as followers of traditional teachings. The government repeatedly used the 1997 law as a tool to tighten controls on religious communities by imposing high bureaucratic hurdles and conducting regular raids and interrogations of religious believers. It also classified certain publications and web-pages of minority groups as extremist.

Intensification of ties between the Russian Government and the Russian Orthodox Church has also led to the public exclusion of non-traditional denominations, both from political and social discourse, under the guise of protecting human values and national identity.

Orthodox views have been actively promoted by state officials, creating a welcoming atmosphere for introducing a number of controversial laws. One highly visible example in 2012 was the Church’s support for the so-called LGBT propaganda law. Religious education in Russia has also been subject to a major emphasis on Orthodox theology in school curricula.

Xenophobic sentiments and intolerance in Russia have risen to alarming levels. At the same time, Vladimir Putin has declared his intention to fight “totalitarian sects” in the country. All these developments do not bode well for religious minorities in Russia today. Many analysts fear for even further deterioration of human rights and increased religious discrimination.

Representatives of religious minority groups, particularly Jehovah‘s Witnesses and Muslim Said Nursi readers, have become subjects of repeated harassment and prosecution by public officials as well as targets for societal hostility and abuse. In the latter, state officials have not taken adequate measures to prevent criminal acts directed toward religious minorities nor bring the perpetrators to justice.

The present government continues to lose credibility in the eyes of many of its citizens. Accordingly, it has become increasingly difficult to justify state pressure on minority groups within Russia, including those who simply wish to exercise their right to the free expression of their religion or belief.
The Republic of Uzbekistan has a population of 28.2 million people. An estimated 90% of the population is Muslim. About 5% are Russian Orthodox while 3% profess another form of Christianity. Jews number about 15-20,000.

The majority of Muslim inhabitants adhere to the Sunni branch of Islam. There is a small minority of Shi'a Muslims which are concentrated in the provinces of Bukhara and Samarkand, constituting an estimated 1% of the population and which are only a few registered congregations throughout the entire country.

Article 61 of Uzbekistan’s constitution provides for a separation of state and religion and prohibits government interference in religious activities. Article 31 guarantees freedom of conscience and Article 29 guarantees freedom of thought, speech and belief, including the right to seek out, obtain and propagate these beliefs. Article 52 obliges all citizens to perform military service and provides in theory for an alternative civilian service. Article 18 says that all citizens of Uzbekistan shall have equal rights and freedoms and shall be equal before the law, without discrimination based on religion. Article 57 prohibits the formation of political parties or armed associations which endorse religious hostility.

The Uzbek government is one of the most authoritarian states in the world. All religious communities are subject to compulsory state registration before they can engage in any religious activity. However, the complexity of the bureaucratic procedure results in the failure of many religious groups to obtain authorization. Uzbek law also prohibits certain religious activities, such as proselytizing as well as teaching about faith, publishing, importing and distributing religious materials without a license. Originally, this restrictive policy was explained by the state as an attempt to minimise the threat of Islamic extremists aiming to overthrow the government. The application of the law, however, has demonstrated that the policy is a one-size-fits-all approach resulting in many religious minority groups targeted by police repression.

In summary, several parts of state law violate Uzbekistan’s international commitments to religious freedom and freedom of expression.

In 2012, Christian groups, primarily Protestants, as well as Jehovah’s Witnesses and Muslims suffered repression in the form of raids on religious meetings and members’ homes, interrogation of members, confiscation of religious material and the imposition of heavy fines.

Repression of Protestants

On 3rd January 2012, the homes of Protestants Suvorova and Shokir Rahmatullayev were raided by the police. Suvorova was consequently fined ten
times the minimum monthly salary. The verdict stated that she broke Administrative Code Articles 240, Part 2 (“Attracting believers of one confession to another and other missionary activity”) and 241 (“Teaching religious beliefs without specialised religious education and without permission from the central organ of a [registered] religious organization as well as teaching religious beliefs privately”). Christian books and 25 DVD discs confiscated from Suworova's home were destroyed.

On 15th January, Odiljon Solijanov, a member of an unregistered Council of Churches Baptist church, was stopped by Pap District Police officers whilst handing out Christian books and taken to the nearest police station. All of his books were confiscated.

On 24th January, Khursheda Telyayeva, a Protestant, was fined 20 times the minimum monthly wage and her religious literature confiscated after her home was raided. According to the court’s verdict, the confiscated Christian books were ordered to be handed over to Samarkand Regional Muslim Board.

On 5th February, Police and National Security Service (NSS) secret police raided a Baptist Church. Officers confiscated the Church's two pianos, sound system, eight Christian theology study books, a song-book, eight audio cassette-tapes and six DVDs. Pastor Kim was fined 100 times the minimum monthly wage after the state Religious Affairs Committee ruled that Christian literature confiscated during the raid was allowed only for "internal use" by registered religious organisations.

On 13th February, three members of the state-registered Baptist church in Tashkent were stopped by customs officials for not declaring their personal Bibles. They were consequently fined under the Administrative Code's Article 227-22 Part 1 ("Non-declaration or inaccurate declaration of goods transported through the customs border").

On 26th February an unregistered Baptist Church in Mubarek was raided during Sunday worship.

On 4th April, Larisa Lankina and five other members of an unregistered Baptist Church in Tashkent were fined 100 times the minimum monthly wage each. They were fined under two articles of the Code of Administrative Offences: Article 184-3 (“Production, storage or distribution of works promoting national, ethnic, racial or religious hatred”) and Article 240 (“Violation of the Religion Law”).

On 23rd April, the home of Roman Nizamutdinov, a Baptist, was searched without authorization. Nizamutdinov was later fined the equivalent of 40 times the minimum monthly salary under the Code of Administrative Violations' Article 184-2.
On 29th April, 12 police officers raided and tried to video-record the Sunday service of Baptist Yelena Kim and the Council of Churches Baptist congregation at her home in Fergana. The reason for the raid was given as Yelena Kim’s violation of Article 241 (“Teaching religious beliefs without specialized religious education”).

On 4th May, police raided a small unregistered Baptist congregation. Officers filmed and photographed the people present and conducted a search.

On 18th May, Judge Akbar Aminov of Urganch Criminal Court in the north-west fined Sharofat Allamova ten times the monthly minimum wage for possessing Christian books and DVDs. She was found guilty of violating Administrative Code's Article 184-2.

On 8th July, a local police officer along with 15 plain-clothed officers raided the home of a Baptist church member, Viktor Kotov. He was given a fine of five times the minimum monthly wage for violating Article 240-1.

On 30th July, two Protestants from the north-western Khorezm region were fined under Administrative Code Article 241.

In August, Muhabbat Mamatkulova, an Orthodox believer from Kokand city, was fined for teaching Christianity to her daughter under Article 241 of state Administrative Code – “teaching religious beliefs without specialised religious education”. However, the fines were cancelled after Metropolitan Vikenty of Uzbekistan's Russian Orthodox Church petitioned on behalf of the accused.

On 7th August, 53-year-old Valentina Pleshakova and her daughter Natalya were found guilty of violating Article 184-2, Article 194-1 and Article 195 of State Administrative Code. Both of them were fined 20 times the monthly minimum wage. The fines were cancelled a few days later, because the mother was a pensioner and the daughter disabled.

On 9th August, 15 police officers raided the Apple Orchard camp in Bostanlyk District where members of Tashkent’s officially registered Baptist Church were having a summer holiday. The officials searched the cars parked at the resort and the personal belongings of the holiday makers.

On 9th November, Vadim Shim, a member of an unregistered local Protestant Church called Mir (peace), was fined under the Code of Administrative Offences' Article 184-2 for possessing religious literature in his car and garage. All the books, brochures, cassette-tapes and magazines were subsequently destroyed.
On 29th November, a Protestant was fined 100 times the minimum monthly wage in Tashkent region for allegedly illegally distributing religious literature. Furthermore, religious books such as Bibles and New Testaments were ordered to be destroyed.

On 1st December, 12 police officers raided 80 Protestants who were on holiday in the village of Sailyk, because they were meeting to discuss their faith and singing Christian songs.

Repression of Jehovah's Witnesses

On 26th January 2012, the homes of two Jehovah’s Witnesses families were raided by police officers. They were found guilty of violating the Code of Administrative Offences Article 240, Article 184-2, Article 201-2 and Article 202. Pavel Toporov and his son-in-law, Dmitri Kozlov, as well as Ivan Lebedev, an acquaintance of the family, were given 15 days administrative arrest. Svetlana Toporova, Pavel Toporov's wife, as well as his two daughters – Lyudmila Kozlova, Dmitri Kozlov's wife, and Anna Toporova – each received administrative fines of 100 times the minimum monthly wage.

On 11th June, Ahmedov, a Jehovah's Witness prisoner of conscience, was given a new sentence of two and a half years' imprisonment under Criminal Code Article 221, which punishes violations of prison regime. It is believed that he will remain in jail until he renounces his faith.

On 15th July, Gulchehra Abdullayeva, a 54-year-old Jehovah's Witness in Khorezm Region of western Uzbekistan, was detained by three officers at her home on a charge of smuggling religious literature from Kazakhstan. She was also found guilty of violating Administrative Code Article 241 - teaching religious beliefs without specialised religious education.

On 25th July, two long-term Uzbekistan residents, both Jehovah's Witnesses, were deported from the country despite having a valid residence permit. The women were found guilty of violating Administrative Code Articles 240, 241 and 184-2.

On 10th December, a member of the Jehovah’s Witnesses Church in Tashkent region was fined ten times the minimum monthly wage for violating Article 184-2, which incriminates “illegal production, storage or import into Uzbekistan with a purpose to distribute or distribution of religious materials by physical persons”.

Repression of Muslims

In October 2012, nine Muslims from Tashkent Region were facing a criminal trial for meeting to discuss their faith and learning how to pray the Namaz. Uzbekistan's NSS secret police arrested the men between May and July on charges
of establishing, leading and participating in an illegal extremist religious organization. The indictment also focused on the men's alleged ownership of recordings of sermons by several Muslim clerics. On 22nd November, the Court gave two defendants seven-year imprisonment sentences whilst the other seven defendants received three year suspended prison terms.

On 9th November, human rights activists protested in front of the presidential residence in Tashkent region, claiming that four detained Muslim women should be released. Nasiba Ashirmatova, Makhsuma Rahimhudzhaeva, Iroda Mirzukurova and Makhinur Kholmatova were arrested earlier in February under Article 241 of state Administrative Code.

Analysis

The situation with human rights in Uzbekistan remained appalling in 2012 highlighted by repeated reports of abuses of religious freedom, including religious prisoners and detainees. In the majority of cases this discrimination was based on a restrictive policy of the state government penalizing any activity beyond state-controlled religious institutions. However, a very complicated registration procedure discourages many communities from obtaining a legal status, hence putting its activity at risk. In addition to this, the state outlaws a whole range of religious practices in order to prevent any possible extremist resistance. The policy ultimately leads to massive repressions towards peaceful individuals and religious minority groups who in fact pose no credible threat to security. The list of prosecuted believers includes mainly Jehovah’s Witnesses, Protestants both from registered and unregistered churches, and Muslims who choose to practice Islam beyond the state-authorised teaching. Religious literature is also carefully selected by a national Council on Religious Affairs prohibiting any publication with “suspicious content”. This trend reveals a clear intention of the Uzbek government to control any religious activity within the state using such tools as regular police raids, significant fines and detentions.

Uzbek society is in contrast very tolerant to the members of religious minorities with rare cases of societal discrimination documented. Still newly converted believers are usually subject to high pressure on behalf of their family and friends willing them to turn back to their original religious views.

Freedom of religion of belief in Uzbekistan is challenged by poor state of human rights in general. Internet censorship, restrictions on foreign travel for religious purposes and shared climate of impunity makes it especially difficult to advance policies granting the security of religious behaviour.
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Conclusion

This report on freedom of religion or belief in the world illuminates the extreme complexity of this case and its interconnection with a multitude of other variables: globalization, the almost instantaneous circulation of information and ideas on a worldwide scale by the mass media, the displacements of peoples for political or economic reasons, the conflicts between ethnic and/or religious communities, the fight against religious based terrorism, questions of territorial integrity and national security, etc.

This report identifies two principal categories of countries – Muslim countries and Communist or former Communist countries – which have put in place a constitutional and legislative framework restricting the fundamentals of religious freedom or belief: the freedom to believe or not believe and the freedom to change religions, as well as the freedom to express one’s religion or one’s beliefs whether individually or collectively, in the public sphere or in private.

Communist and former Communist countries, which have jettisoned their political ideology and have moved to become authoritarian regimes, make every effort to control the religious environment and to reduce the existent religious diversity by making certain groups illegal through denying them official recognition or legal status.

Most countries with majority Muslim populations establish religious protectionism by criminalizing both conversion from Islam to another religion, as well as the spreading of all other religions or even of all other systems of non-religious beliefs. This official hostility to and rejection of existing religious heterogeneity are moreover fed by deep, subterraneous social currents prominent in these countries which can in an unpredictable manner dislodge social earthquake fault lines and volcanic eruptions of variable intensity and consequences, such as those occurring recently in Nigeria or in Egypt.

The tendency is toward religious homogenization by persecution and intimidation. Often religious minorities find safety only by flight and emigration toward other havens still open to religious pluralism. This is the case for Christians in Egypt threatened in their ancestral land. It is the case with Christian converts in Iran, if they want to avoid prison or a death sentence. It is the case of the Ahmadis in Pakistan and the Baha’is in most Muslim countries.

Ethnic or social groups converted to a religion different from the national majority are equally threatened, rejected or pressured to convert. This is the case in countries which are mostly Buddhist – the Rohyngas Muslims in Myanmar, the Hmongs and the Christian Montagnards in Vietnam – or mostly Hindu where the Dalits in India have become Christian.
If we are not more vigilant, the current efforts to destroy religious diversity will only increase the potential risk for the development of new types of quiet religious cleansing, which often go unnoticed by the majority of the world. Such was the case after the Korean War (1950-1953) when, in the name of a political ideology known as Juche, North Korea conducted a massive, but relatively unknown, religious cleansing.

The policies of death or of forced emigration in an ever increasing numbers of countries could lead to the same result: countries purified of Christians, of Jews, of Muslims, of Ahmadis, of Baha’is…where questions concerning the treatment of religious minorities and how to protect religious freedom or religious beliefs will no longer be asked.

The emergence of homogeneous, purified religious blocks challenging each other over their differences threatens to lead the world to the much dreaded clash of civilizations.

Is this the type of world that we want?