

ANNEX I

ACADEMIC ANALYSIS

The status of freedom of religion or belief (FoRB) in selected non-EU countries during 2022

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Introduction

This report aims to clarify the status of freedom of religion or belief (FoRB) in selected non-EU countries during 2022, providing policy advice to EU policy makers and, in particular, the Dutch Ministry of Foreign Affairs. This study is guided by the EU Guidelines on FoRB, adopted in 2013, which outline the EU's principles and priority areas in this field. Given the EU's commitment to promoting universal human right standards, this report evaluates FoRB situations in selected third countries within the framework of international law.¹ The following sections outline the methodology of the analysis (1) and provide critical reflections regarding the reporting process (2).

1. Methodology

The objective of this report is similar to the aims of the 2018 Report of the European Parliament Intergroup on Freedom of Religion or Belief and Religious Tolerance (FoRB&RT).² Therefore, the methodology of the present report is almost identical to the methodology of the 2018 FoRB&RT Report. The essential elements of this methodology are explained in this section. Additional reflections on the reporting methodology are provided below, in section 2. Further information regarding the methodology, and the critical aspects thereof, are available in an Annex to the 2018 FoRB&RT Report³ and in a scholarly article published by the researchers who worked on that report.⁴

Key countries selection

Since this report aims at assessing the FoRB situation in key third countries, several criteria were used to determine countries that could be of particular relevance to the EU. It should be noted from the onset that this report does not focus only on countries characterised by severe violations of FoRB. Some of the 'worst offenders' of FoRB are, of course, included in the report, but the majority of the countries discussed here were selected because of some aspects of their relation to the EU - and not necessarily because of their FoRB situation as such. By selecting countries in this way, this report seeks to shed light on the FoRB situation in countries that are particularly relevant for the EU in order to illuminate issues that EU policy makers may consider addressing in dialogues with representatives of those countries. In some cases, violations of FoRB are indeed severe, in others less so; some countries may even serve, in some respects, as examples to the EU and the international community.

The selection of countries was performed in two phases. Firstly, researchers excluded 'non-problematic' countries from the scope of the analysis (consistently with the approach adopted for the 2018 FoRB&RT Report). 'Non-problematic countries' were defined as the countries

¹ For some of the selected countries, reference has been made to the ratification of UN-treaties on human rights. In other cases, such references have been omitted, although the state of ratification has been taken into account in their overall analysis. For a full survey of ratification of the 18 UN Human Rights Treaties, see: <https://indicators.ohchr.org/>.

² The Report is available at the address

https://www.religiousfreedom.eu/wp-content/uploads/2018/09/RS_report_v6_digital.pdf.

³ The Annex is available at the address

https://www.religiousfreedom.eu/wp-content/uploads/2018/09/RS_Annex_v1_forprint_withbleed.pdf.

⁴ Mauro Gatti et al., «Quantifying Persecution: Developing an International Law-based Measurement of Freedom of Religion or Belief», *The Review of Faith & International Affairs* 17, 2 (3 April 2019): 87–96, <https://doi.org/10.1080/15570274.2019.1608648>.

that scored “moderate” or “low” in both indexes of FoRB formulated by Pew, i.e. the government restriction index and the social hostilities indexes.⁵ EU Member States and former Member States were also excluded from the scope of the analysis (even if they would not otherwise be considered as ‘non-problematic’).

Secondly, researchers identified - among the remaining countries - those that are likely to be more relevant for the EU’s external action. Instead of creating a ranking of third countries on the basis of a quantitative approach, like the 2018 FoRB&RT Report, the present report focuses on six groups of countries that are arguably important for the EU, for different reasons:

- (a) **Worst offenders of FoRB.** The countries were identified by comparing the states identified as most problematic in terms of FoRB across different other reports on FoRB, notably the report by USCIRF,⁶ Pew,⁷ Humanists International,⁸ and Open Doors.⁹ Worst offenders were identified as: Afghanistan, China, India, Nigeria, North Korea, and Pakistan.
- (b) **Biggest EU trade partners.** The 10 biggest trade partners of the EU were identified on the basis of Eurostat data for 2021.¹⁰ Countries that were deemed as ‘non-problematic’ (see above), such as the United States, or that were listed as ‘worst offenders’ were excluded from the list of the biggest trade partners. The list of the trade partners thus formulated included: Russia, Türkiye, South Korea, Brazil, Mexico, Ukraine, Vietnam, Saudi Arabia, South Africa, and Morocco.
- (c) **Countries of origin of asylum-seekers in the EU.** The list of countries of origin of refugees in EU is based on the top 15 nationalities of first-time asylum applicants of the EU. It is acknowledged, of course, that this does not imply in any way that asylum-seekers sought refuge in Europe because of religious persecution - also war or economic reasons could be the primary triggers. Countries deemed as ‘non problematic’, ‘worst offenders’ or ‘biggest EU trade partners’ were excluded from the list of countries of origin of asylum seekers. This list eventually included: Syria, Iraq, Bangladesh, Somalia, and Eritrea.

⁵ See Pew, How COVID-19 Restrictions Affected Religious Groups Around the World in 2020, <https://www.pewresearch.org/religion/2022/11/29/how-covid-19-restrictions-affected-religious-groups-around-the-world-in-2020/>. The list of non-problematic countries includes: Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Bahamas, Barbados, Belize, Benin, Bolivia, Bosnia-Herzegovina, Botswana, Burundi, Cambodia, Canada, Cape Verde, Chad, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Eswatini, Federated States of Micronesia, Fiji, Gabon, Gambia, Georgia, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hong Kong, Hungary, Iceland, Ireland, Italy, Ivory Coast, Jamaica, Japan, Kiribati, Kosovo, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Macao, Madagascar, Malawi, Malta, Marshall Islands, Mauritius, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of the Congo, Rwanda, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Sudan, Spain, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Sweden, Switzerland, Taiwan, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tuvalu, Uganda, United States, Uruguay, Vanuatu, Venezuela, Zambia, and Zimbabwe.

⁶ Countries of particular concern, according to USCIRF, <https://www.uscifr.gov/countries>. USCIRF does not rank these countries; they are presented in alphabetical order.

⁷ Pew, Government Restrictions Index (2020 report, p. 62); Pew, Social hostilities Index (2020 report, p. 65).

⁸ Humanists international, Freedom of Thought Report. The ranking in the table is based on the open data provided by Humanists international, at this address

https://docs.google.com/spreadsheets/d/1DHbP_FmNPqm0EuFrBFaBu8y621eUICXPp7tZ9hZJg0w/edit#gid=52538281.

⁹ Open doors, World Watch List, <https://www.opendoors.org/en-US/persecution/countries/>.

¹⁰ Available here, https://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_122530.pdf.

- (d) **Neighbourhood and EU candidate countries.** This list was compiled excluding ‘non problematic’ countries and states already appearing in one of the lists above. The list of the Neighbourhood and EU candidate countries eventually included: Algeria, Azerbaijan, Belarus, Egypt, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Tunisia, Türkiye, Ukraine.¹¹
- (e) **Countries that have crucial resources the EU is dependent on.** This set of countries was defined on the basis of their resources that are both vital to the EU and restricted in their global location, like oil, gas, and ores like lithium, cobalt and copper. After excluding ‘non-problematic’ countries, the list eventually included Saudi-Arabia, Iran, Iraq (high oil reserves), Russia, Iran, Qatar, Turkmenistan (high gas reserves), and Democratic Republic of Congo (high concentration of rare and valuable ores).
- (f) **Countries concerned by EU sanctions.** This list was based on the information published on <https://www.sanctionsmap.eu/>. Countries deemed as ‘non-problematic’ and those that appear in one of the lists above were excluded from this list. Eventually, this list included: Central African Republic, Mali, Myanmar, Sudan, and Yemen.

This approach led to the selection of 41 key countries.

The report includes data on religious demographics per country, which have been taken over from the CIA World Factbook,¹² unless stated otherwise. It should be noted that religious demographics are to be understood as indicative, as they are not necessarily accurate and may be subject to different estimates, not least because religious belonging is in itself subjective.

Assessment of FoRB Situation

Having selected the key countries, the researchers assessed their FoRB situation. Consistently with the 2018 FoRB&RT Report, the present analysis attention focuses on five aspects of FoRB, which correspond to **five priority areas** identified by the 2013 Guidelines on FoRB adopted by the European Union:¹³

1. Adopting and Changing One’s Religion or Belief.¹⁴
2. Manifestation of One’s Religion by Expression of One’s Convictions.¹⁵
3. Other Types of Manifestation of Religion or Belief.¹⁶
4. Discrimination Based on Religion or Belief.¹⁷
5. Protection from Violence.¹⁸

¹¹ The lists of candidate and Neighbourhood, respectively, countries can be found in Annex I to Regulation 2021/1529/EU, OJ L 330, 20 September 2021, p. 1, and Annex I to Regulation 2021/947/EU, OJ L 209, 14 June 2021, p. 1.

¹² See <https://www.cia.gov/the-world-factbook/countries/>.

¹³ The EU’s Guidelines on FoRB identify *eight* priority areas. However, three of them were excluded from the analysis because they either do not correspond to specific international standards or overlap with other priority areas.

¹⁴ In the Guidelines, this priority area is defined as “Changing or leaving one’s religion or belief”.

¹⁵ In the Guidelines: Freedom of Expression.

¹⁶ In the Guidelines: Manifestation of religion or belief.

¹⁷ In the Guidelines: Discrimination.

¹⁸ In the Guidelines: Violence.

It should be noted that the present analysis does not consider other aspects of FoRB and religion at large, such as the funding of religious organisations or the existence of a state religion; such issues are taken into account only to the extent that they impact the 'priority areas' mentioned above.

The state of FoRB in the aforementioned five priority areas was analysed in light of international law, i.e. 'universal' human rights standards, which are binding on both the EU and its Member States, on the one hand, and third States, on the other hand. The 2018 FoRB&RT report identified the relevant universal FoRB standards regarding the aforementioned priority areas and provided a list of criteria for the analysis of each priority area (reproduced in Annex 1 to this report). These criteria enabled the classification of the FoRB situation in any country, regarding each priority area, as "severe violations", "problematic issues", or "minor concerns". The reports take firstly into account the legal provisions related to FoRB matters in third states, but also gives attention to sociopolitical realities.

The criteria for assessment employed by the researchers are included as Annex 1 to this report. Further information regarding the formulation of these criteria can be found in an Annex to the 2018 FoRB&RT Report.¹⁹

The evaluation of the five key areas, based on relevant legal standards, resulted in assigning scores to each country, one for each priority area. Countries received 2 points for each "severe violation" and 1 point for each "problematic issue." "Minor concerns" received 0 points. Distinctions between "severe violations" and "problematic issues" are not provided for in international law. Nevertheless, these distinctions are introduced to account for particularly grave human rights violations. For example, sanctioning blasphemy through administrative measures leads to 'problematic issues' under priority area 2, whereas imposing the death penalty on blasphemers entails a 'severe violation'.

An overall score was then calculated for each country as a sum of the scores for each priority area, ranging from a minimum of 0 to a maximum of 10 (2 points allotted per each of the 5 priority areas). To enhance clarity, specific point ranges were designated, categorizing the FoRB situation in each country as follows:

Minor Concerns (0-3 points)
Problematic Issues (4-7 points)
Severe Violations (8-10 points)

The rationale for each score is explained in the country analyses, with reference to the sources that justify the score.

Various sources were utilized for the analysis, with the choice depending on the specific country. Recent UN documents, such as those regarding the Universal Periodic Review, were consulted where available. Other sources include reports from governmental sources, notably the US State Department's International Religious Freedom Report, as well as non-governmental organisations, including belief-related organisations (e.g. Open Doors or Humanists), as well as general human rights organisations (e.g. Human Rights Watch or Amnesty International). Depending on the

¹⁹ The annex to the 2018 FoRB&RT Report is available at the address https://www.religiousfreedom.eu/wp-content/uploads/2018/09/RS_Annex_v1_forprint_withbleed.pdf, see p. 94-98.

specificities of each country, other sources have been used, including reports of local NGOs and articles of international and local newspapers.

The report **takes into account events occurring in 2022**. Sources have been updated until 1st October 2023.

The focus of the report is on the territories on which a state has power of legislation and enforcement. In other words, **FoRB violations in occupied territories are discussed under the occupying state**. This does not imply an acceptance of the land claim, but rather seeks to indicate clearly under which responsibility the FoRB violations are taking place. Concretely, this means, e.g., that FoRB violations in the occupied territories of Palestine are discussed under 'Israel' and FoRB violations in the occupied territories of Ukraine are discussed under 'Russia.'

2. Reflections on reporting

Positionality

The authors realise that their own positionality colours the descriptions, analyses and evaluations of the FoRB situation in the countries under consideration. At the same time, the advantage of the diversity of the research team should also be mentioned, as this can be expected to mitigate blind spots to a certain extent. Three out of four researchers are male, one is female. Three come from three different countries within the EU (Belgium, Italy and the Netherlands), one comes from a neighbouring country (Georgia). Also in view of religious affiliation, the team is diverse. This diversity is used for the triangulation of positionality. While individual researchers often have been the first authors of each country report, all reports have been checked by the other authors as well.

Parameters

This report has been written with several parameters that are not necessarily the authors' choice. The categories used for 'freedom of religion or belief', for instance, are those defined by the European Union, for which this report is written. And the country information available is often determined by sources that make it their work to provide such information and the languages in which they are written, hence the richness of Christian evangelical and Jewish sources about freedom of religion or belief but much less so Islamic or Buddhist sources. Some other issues that came up with the countries analysed in this report were the following:

Classification

The categories of Freedom of religion or belief used in this report are not always helpful to elucidate that country's situation. This is especially the case in Muslim-majority countries. For instance, blasphemy is in this report discussed under category 2, but such an act is in these countries often perceived and treated as an act of apostasy which in this report is listed as category 1.

Proselytization and conversion

Quite a few Muslim majority countries score badly on '*Manifestation of One's Religion by Expression of One's Convictions*'. This is partly due to the issues of proselytization and conversion. While the manifestation of Christianity by indigenous Christians is allowed in most Muslim-majority countries - Saudi Arabia being the exception -, proselytisation is perceived as a

disturbance of public order, especially when it may lead to conversion from Islam which, as 'apostasy' is usually socially or even legally unacceptable. Governmental action against proselytisation is even more vehement when such activities are undertaken by foreigners, usually evangelical Westerners.

Dysfunctional states

The assessment of several countries is complicated by their dysfunctionality. In countries like Syria, Yemen, Somalia, Libya, a situation of civil war has created separate spheres of governance, whereby the internationally recognized government has no influence in territories ruled by opposing groups. Similarly, Palestine is not only greatly impacted by the legal and *de facto* status of occupation by Israel, but the two Palestinian territories of Gaza and West Bank have effectively separate governments. Proper assessment of FoRB matters in Ukraine is complicated because of the broad impact of the Russian aggression. In all these cases, freedom of religion or belief is often treated quite differently in the separate territories, which complicates a single grading for that country.

'Structural' legal discrimination

While the annual reporting of human rights issues is usually based on that year's incidents, structural (mostly legal) forms of discrimination should not be overlooked. For instance, all Muslim-majority countries (except for Türkiye) maintain a system of religious family law for most religious communities (e.g., Muslims, Christians, Jews). These religious laws are usually discriminatory on religious grounds, for example by forbidding religiously mixed marriages. Similarly, quite a few Muslim-majority countries have ratified human rights treaties, but often with the reservation that the convention does not apply if contrary to 'Sharia'.

Abbreviations

CCP – Common Commercial Policy

CoE – Council of Europe

CJEU - Court of Justice of the European Union

DRC – Democratic Republic of the Congo

EU – European Union

EUCAP Sahel Mali - European Union CSDP mission in Mali

FoRB – Freedom of Religion or Belief

ICCPR - International Covenant on Civil and Political Rights

ISIS – Islamic State of Iraq and the Levant

MINUSMA - Multidimensional Integrated Stabilization Mission in Mali

NGO – Non Governmental Organisation

OSCE – Organization for Security and Co-operation in Europe

UNHCR – United Nations High Commissioner for Refugees

US – United States

Afghanistan

Final score: 10 (Severe violations)

Political Framework

The Taliban reclaimed control in Afghanistan in the summer of 2021 after fighting an armed rebellion against the US-backed government in Kabul for twenty years. Many human rights and fundamental freedoms are under pressure. One of the changes brought about by the new regime was excluding women from the workplace and education. The international community has mostly withdrawn the support it had given to the previous government, plunging Afghanistan in an economic crisis. Since the Taliban take-over, information about what is happening on the ground is very limited.

Legal Framework

The Taliban have proclaimed that the nation is an 'Islamic emirate' (and not an 'Islamic Republic' as the Constitution declares), that the laws of the previous government are no longer in effect, and that only the Sharia is applicable.²⁰ Their intention was to have a new constitution by 2022,²¹ but by summer 2023 this was still not the case. Until then, the Taliban rule on an *ad hoc* basis, based on their interpretation of the Sharia. However, apart from the strict gender separation, many of those rules are not so different from those in the 2004 Afghan Constitution and the 2017 Afghan Penal Code.

Religious Demographics

The Afghan population is almost exclusively Muslim with an estimated Sunni majority of 85-90% and Shite minority of 10-15%. Most Shiites are of Hazara ethnicity.

ForB Situation

1. Adopting and Changing One's Religion or Belief

According to the Sharia, conversion by a Muslim to another faith (also known as apostasy) is forbidden, and is punishable by death.²² The Afghan Penal Code of 2017 had also (albeit indirectly) criminalized apostasy (article 2). The death penalty for apostasy is not known to have been imposed in 2022. Muslim family law does not recognize conversions from Islam to other religions, which has repercussions to matters of marriage, divorce, custody, and inheritance. Conversion by a non-Muslim to Islam is permitted even if it is not allowed by the original non-Islamic faith of the converter.

²⁰ "Testimony to the US Commission on International Religious Freedom," Fereshta Abbasi, Human Rights Watch, August 24, 2022.

²¹ "In Afghanistan, Taliban states plan to form commission in 2022 to draft new constitution," Constitutionnet.org.

²² R. Peters, *Crime and Punishment in Islamic Law*, Cambridge University Press, 2005: 64-65.

2. Manifestation of One's Religion by Expression of One's Convictions

According to the Sharia, blasphemy and proselytizing are both derivatives of apostasy, which is forbidden (see above). Blasphemy by a Muslim, in any form of expression, is interpreted as the rejection of Islam, rendering the blasphemer an apostate. A non-Muslim who insults Islam is punishable with imprisonment or even death. Proselytizing with the intention of converting Muslims to another faith is interpreted as inviting Muslims to commit the criminal offense of apostasy.²³ The 2017 Afghan Penal Code prohibits insulting 'religions' (Arts. 323-325). Purportedly, persecution of these crimes has not taken place in 2022.

3. Other Types of Manifestation of Religion or Belief

It has been reported that non-Sunni Muslim communities have taken to practising their religion in secret.²⁴

4. Discrimination Based on Religion or Belief

Prejudice against non-Sunni Muslim communities, in particular the Shiite Hazaris, Ahmadiyya, Sikh, Ahmadiyya and Bahá'ís has always been widespread in the past decades, and these communities have often suffered discrimination and sometimes even violence.²⁵ It appears that this situation has worsened. Since the takeover of the Taliban, it has been reported that members from non-Sunni Muslim have sought relocation outside of Afghanistan out of concern that the Taliban's interpretation of Sharia would result in persecution and harm.²⁶

5. Protection from Violence

Violence against non-Sunni minorities appears to be perpetrated mostly by the Afghan branch of ISIS ('ISKAP'). It has continued to carry out systematic and deliberate attacks against these communities, notably by bombing places of worship, educational institutions and public transport, mostly targeting Hazari Shiites, but also the last remaining Sikh temple in Kabul²⁷. On September 30, a suicide attack was executed on female students preparing for exams in a Hazara neighbourhood in Kabul.²⁸ While the Taliban in 2021 apparently had tightened security at Shia mosques when requested by Shia Hazara community officials,²⁹ the Taliban's failure (or unwillingness) to do so in 2022 has prompted Hazari activists to conclude that it is part of a Taliban strategy to erase the Hazari presence in Afghanistan.³⁰

²³ US State Department, *International Religious Freedom Report: Afghanistan 2022*, p.5.

²⁴ Religious Freedom Institute, *Inside Afghanistan after the fall. Report on Fact-Finding Trip (May 8-19, 2022)*, p. 8.

²⁵ Religious Freedom Institute, *Inside Afghanistan after the fall. Report on Fact-Finding Trip (May 8-19, 2022)*, p. 6, 8.

²⁶ US State Department, *International Religious Freedom Report: Afghanistan 2022*, p. 9.

²⁷ US State Department, *International Religious Freedom Report: Afghanistan 2022*, p. 13-14; Amnesty International, *Amnesty International Report 2022/23; Human Rights Report, World Report 2022* (New York: Redux, 2022), p. 19.

²⁸ US State Department, *International Religious Freedom Report: Afghanistan 2022*, p.8.

²⁹ US State Department, *International Religious Freedom Report: Afghanistan 2021*, p.11

³⁰ "Security Council Emphasizes That Punitive Restrictions on Women's Rights, Escalating Hunger, Insecurity Taking Devastating Toll in Afghanistan," [Meetings Coverage Security Council](#), United Nations; US State Department, *International Religious Freedom Report: Afghanistan 2022*, p.8.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	2 – Severe violations
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	2 – Severe violations
4. Discrimination Based on Religion or Belief	2 – Severe violations
5. Protection from Violence	2 – Severe violations

Algeria

Final score: 6 (Problematic issues)

Political Framework

Algeria is a semi-presidential republic of which the democratic character is contested. Authorities routinely arrest dissenters and activists; at the end of 2022, at least 280 activists remained in prison on charges relating to the peaceful exercise of their rights to freedom of expression and assembly.³¹ Public authorities even dissolved human rights NGOs, such as the Ligue Algérienne pour la Défense des Droits de l'Homme and the Rassemblement Actions Jeunesse.³²

Legal Framework

The Constitution of Algeria recognises Islam as State religion (Art. 2). It protects the manifestation of religious beliefs, in accordance with the law, as well as freedom of expression and association (Arts 51-53). The State ensures the protection of places of worship from political and ideological influence (Art. 51).³³ The Constitution prohibits State institutions from engaging in practices inconsistent with Islamic morals (Art. 11). The President of Algeria must be a Muslim (Art. 87). Algeria has ratified several international human rights instruments, including the International Covenant on Civil and Political Rights; Algeria placed a reservation regarding Art. 23(4) ICCPR, regarding the equality of rights of spouses as to marriage.

Religious Demographics

99% of the population is Muslim, predominantly Sunni. Religious minorities include, among others, Christians, Jews, Ahmadi Muslims, Shia Muslims, and Ibadi Muslims.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The law does not prohibit religious conversion and grants the right to have and practice a religion.³⁴

However, individuals who convert from Islam to another religion cannot inherit from Muslims in the absence of a will.³⁵ The education system is expected to instil the values of Islam in pupils and Islamic studies are compulsory at the levels of primary and secondary school.³⁶

³¹ Amnesty International Report 2022/2023: *The State of the World's Human Rights*, 2023.

³² Algérie : Selon une experte de l'ONU, la répression contre la société civile et les défenseurs des droits de l'homme doit cesser,

<https://www.ohchr.org/fr/press-releases/2023/02/algeria-un-expert-says-crackdown-civil-society-and-human-rights-defenders>.

³³ The Constitution of Algeria is available at <https://www.joradp.dz/TRV/FConsti.pdf>.

³⁴ US State Department, *2022 Report on International Religious Freedom*, 2023.

³⁵ Family code, Art. 138, available at http://www.jafbase.fr/docMaghreb/Algeriecode_famille.pdf.

³⁶ Loi d'orientation sur l'éducation nationale, n. 08-04 of 23 January 2008, Art. 2.

2. Manifestation of One's Religion by Expression of One's Convictions

The law prohibits proselytism aimed at Muslims, with penalties up to five years of imprisonment.³⁷ Blasphemy and insult to religion – including but not limited to Islam – are prohibited with punishment up to five years in prison.³⁸ Restrictions to expression of religious convictions are enforced by public authorities. For instance, Slimane Bouhafs, a Christian convert and human rights activist, received a 3-year sentence for insulting Islam in 2016;³⁹ in 2021, he was charged with other crimes, such as belonging to a terrorist organisation.⁴⁰ Reportedly, several other individuals have been prosecuted or sentenced to imprisonment in 2022.⁴¹

3. Other Types of Manifestation of Religion or Belief

The State manages mosques and hires Imams.⁴² The collective practice of non-Islamic religious beliefs can be performed only in specific buildings, after having obtained state authorization; the collection of donations is also subject to state authorization. The violation of these rules is punished with a fine or imprisonment up to three years.⁴³ These rules seem to be enforced in practice. For example, Foudhil Bahloul, a Christian convert, was sentenced to a six-month suspended prison term in 2021 because he collected an unauthorized donation of 200 euros.⁴⁴ Public authorities have not authorized the opening of any non-Muslim place of worship since 2006 and have closed several churches since 2018,⁴⁵ including 26 Protestant churches.⁴⁶

4. Discrimination Based on Religion or Belief

The law prohibits discrimination on grounds of religious belonging.⁴⁷ Nonetheless, certain laws have discriminatory character. The family code, for instance, prohibits non-Muslim men from marrying Muslim women.⁴⁸

Moreover, formally neutral laws are applied with discriminatory effect. The Ahmadi Muslims, in particular, are routinely the object of discrimination: the State refused to register them as a 'Muslim' organisation and denied them permission to open a place of worship; several Ahmadi

³⁷ Algerian Penal code, Art. 144.

³⁸ US State Department.

³⁹ Human Rights Watch, *Algeria: 3-Year Sentence for Insulting Islam*, 7 September 2016, <https://www.hrw.org/news/2016/09/07/algeria-3-year-sentence-insulting-islam>.

⁴⁰ Front Line Defenders, *Algeria: Court of appeal confirms the three-year prison sentence of human rights defenders Slimane Bouhafs and Kamira Nait Sid*, 18 July 2023,

<https://www.frontlinedefenders.org/en/case/court-appeal-confirms-three-year-prison-sentence-human-rights-defenders-slimane-bouhafs-and>.

⁴¹ World Evangelical Alliance et al, ALGERIA: Freedom of Religion or Belief - Joint Submission to the Human Rights Council's Universal Periodic Review Working Group, the 41 st Session, 30 March 2022, para. 11.

⁴² US State Department.

⁴³ Ordonnance n° 06-03 du 29 Moharram 1427 correspondant au 28 février 2006 fixant les conditions et règles d'exercice des cultes autres que musulman, available at <https://www.joradp.dz/ftp/jo-francais/2006/f2006012.pdf>, p. 23, Art. 5-9 and 13.

⁴⁴ Amnesty International, *Algeria: Quash conviction of Christian convert and overturn repressive law used to prosecute him*, 7 December 2021.

⁴⁵ Portes ouvertes, *Une étape vers la réouverture des églises protestantes en Algérie?*, <https://www.portesouvertes.fr/informer/actualite/une-etape-vers-la-reouverture-des-eglises-protestantes-en-algerie>, 10 november 2022; Amnesty International Report 2022/2023: *The State of the World's Human Rights*; US State Department, *2022 Report on International Religious Freedom*.

⁴⁶ World Evangelical Alliance et al, ALGERIA: Freedom of Religion or Belief, cit., para. 6.

⁴⁷ Ordonnance n° 06-03 du 29 Moharram 1427 correspondant au 28 février 2006 fixant les conditions et règles d'exercice des cultes autres que musulman, available at <https://www.joradp.dz/ftp/jo-francais/2006/f2006012.pdf>, p. 23, Art. 4.

⁴⁸ Family code, Art. 30, available at http://www.jafbase.fr/docMaghreb/Algeriecode_famille.pdf.

individuals have been charged with crimes, such as religious insult and unauthorized collective practice of religion, and have sometimes been jailed.⁴⁹

5. Protection from Violence

There have been reports of converts expressing concerns for their safety, as well as cases of hate speech and death threats, particularly online.⁵⁰ The available information, at any rate, does not suggest a widespread presence of violence related to religion or belief.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 – Problematic issues
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	2 – Severe violations
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	0 – Minor concerns

⁴⁹ Amnesty International, *Algérie. Des membres de la minorité religieuse ahmadie doivent être libérés*, 12 June 2022, <https://www.amnesty.org/fr/latest/news/2022/06/algeria-release-members-of-ahmadi-religious-minority/>.

⁵⁰ US State Department, *2022 Report on International Religious Freedom*.

Azerbaijan

Final score: 5 (Problematic issues)

Political Framework

Azerbaijan is a former Soviet state and the largest country in the Southern Caucasus. Politically it is described as an authoritarian regime, established and run by the Aliyev family. Ilham Aliyev took over power from his father in 2003 and still rules the country today. The President is elected for seven-year mandates and can be re-elected for an unlimited number of times.⁵¹ Aliyev created the position of vice-president in 2017 for his wife Mehriban.⁵² The political environment is neither pluralistic nor competitive: in 2019 Aliyev dissolved Milli Mejlis (the parliament) and the next year launched snap elections, which resulted in the desired number of seats for the president's "New Azerbaijan Party."⁵³ After the last "anti-terrorist" operation in September 2023 Azerbaijan gained full control of the region and put at stake the status of 120 000 ethnic Armenians living in the disputed territory.⁵⁴

Legal Framework

Azerbaijan is a secular country. The constitution stipulates the separation of religion and state. Article 48 protects the freedom of conscience and religion as well as the rights of individuals to express their faith and practice rituals, provided they do not violate public order or morality.

Religious life is regulated through the State Committee on Religious Associations of the Republic of Azerbaijan⁵⁵ and the Law on the Freedom of Religious Belief,⁵⁶ which was most recently amended in 2021.⁵⁷

Religious Demographics

Azerbaijan is a Muslim country, but it must be noted that the religious affiliation for the majority of Azerbaijanis is largely nominal. Muslims comprise 97.3% (predominantly Shia), Christian 2.6%, other <0.1, unaffiliated <0.1 (2020 est.). Number of actual practising adherents is probably much lower.

ForB Situation

1. Adopting and Changing One's Religion or Belief

The Constitution protects the right of citizens to hold or change their religious views. The Law on Religion states: "Everyone has the right to believe in any religion... A person may not be prevented from learning about religion."⁵⁸ Parents have the right to bring up children in accordance with their religious beliefs and

⁵¹ "Azerbaijan: Freedom in the World 2023 Country Report," Freedom House, accessed July 16, 2023, <https://freedomhouse.org/country/azerbaijan/freedom-world/2023>.

⁵² "Biography » I VICE-PRESIDENT » Official Web-Site of President of Azerbaijan Republic," accessed July 16, 2023, <https://president.az/en/pages/view/first-vice-president/biography>.

⁵³ Freedom House, cit.

⁵⁴ Nagorno-Karabakh Conflict," Global Conflict Tracker, accessed December 9, 2023, <https://cfr.org/global-conflict-tracker/conflict/nagorno-karabakh-conflict>.

⁵⁵ "Dini Qurumlarla İş Üzrə Dövlət Komitəsi," dqdk.gov.az, accessed July 16, 2023, <https://scwra.gov.az/az/view/index/>.

⁵⁶ "Legislation," dqdk.gov.az, accessed July 16, 2023, <https://scwra.gov.az/en/view/pages/301>.

⁵⁷ Forum 18 News Service, "AZERBAIJAN: Religion Law Amendments 'More Controlling Mechanisms,'" accessed July 17, 2023, https://www.forum18.org/archive.php?article_id=2666.

⁵⁸ "Dini Qurumlarla İş Üzrə Dövlət Komitəsi."

attitudes and forcing children to be educated in a religion is prohibited. In addition the state does not allow religion to be taught in any public setting. Several cases in 2022 show that individuals were fined for organising religious classes or activities for children.⁵⁹

2. Manifestation of One's Religion by Expression of One's Convictions

The constitution protects the right to express or spread religious beliefs. Religious rituals can be carried out if they do not violate public order or public morality. It also states that no one may be required to profess his or her religious beliefs or be persecuted for them. Forced expressions or demonstrations of religious faith are prohibited.⁶⁰ The law prohibits "spreading propaganda of religions humiliating people's dignity and contradicting the principles of humanism" or propaganda inciting religious animosity. Proselytizing is not forbidden for citizens, but is prohibited for foreigners or stateless persons and punishable by one to two years in prison.⁶¹

3. Other Types of Manifestation of Religion or Belief

The law requires mandatory registration. Activities by unregistered religious groups in Azerbaijan are banned and punishable by fines or imprisonment.⁶² The 2021 amendments of the Law on Religion significantly worsened the right of manifestation: now religious ceremonies can be conducted only by Azerbaijani citizens and certain activities can be organized only in approved places.⁶³ The amendment also changed the responsibility of appointing, re-appointing and firing all Islamic clergy every five years. This right was transferred from the Caucasian Muslim Board to a State committee.⁶⁴

Although the constitution provides for alternative service (art.76), no mechanism exists to enact this provision. Objecting Jehovah's Witnesses are often jailed and face summonses, repeated medical examinations and restrictions (such as a ban on leaving Azerbaijan). Two Jehovah's Witnesses were released in 2022 after nine and three months of forced detention, respectively.⁶⁵

The Law on Religion prohibits religious gatherings without state permission. About 20 fines are known in 2022 for holding prayers at home.⁶⁶ Holding religious events for children outside of religious ceremonies often leads to administrative fines. In 2022 two Shia Muslim women were fined (800 euro) for organising children to sing religious songs and uploading it on YouTube.⁶⁷

4. Discrimination Based on Religion or Belief

There is no legally privileged religion in the country, but the Azerbaijani government continuously allocates financial support to different religious groups, such as the Caucasian Muslim Board, the Baku and Azerbaijan Diocese of the Russian Orthodox Church, the religious community of Mountain Jews, the European Jewish community (Ashkenazi), the Apostolic Prefecture of the Catholic Church of Baku, the Albanian-Udi Christian community, and the Foundation for Promoting Moral Values.⁶⁸

⁵⁹ Forum 18 News Service, "AZERBAIJAN: Two Women Fined for Religious Work with Children," accessed July 17, 2023, https://www.forum18.org/archive.php?article_id=2795.

⁶⁰ "Azerbaijan - Asia - Constitute."

⁶¹ "Azerbaijan," *United States Department of State* (blog), accessed July 17, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/azerbaijan/>.

⁶² "Azerbaijan," *United States Department of State*, cit.

⁶³ <https://www.uscirf.gov/user/14>, "Annual Reports | USCIRF," 0211:18:00 2023, <https://www.uscirf.gov/annual-reports>.

⁶⁴ "Forum 18: AZERBAIJAN: Direct Regime Employing and Firing Imams Is 'Role of a Religious Organisation' - 10 June 2022," accessed July 17, 2023, https://www.forum18.org/archive.php?article_id=2749.

⁶⁵ Forum 18 News Service, "AZERBAIJAN: Conscientious Objector's Jail Term Changed to Suspended Sentence," accessed July 17, 2023, https://www.forum18.org/archive.php?article_id=2796.

⁶⁶ Forum 18 News Service, "AZERBAIJAN: Multiple Fines for Muslims Meeting for Prayer in Homes," accessed July 17, 2023, https://www.forum18.org/archive.php?article_id=2794.

⁶⁷ *United States Department of State*, cit.

⁶⁸ "Azerbaijan," *United States Department of State*, cit.

Discriminatory treatment by the State can be observed towards small religious communities or those that are not under strict state control (e.g., the Muslim Unity Movement).⁶⁹ The regime only allows Muslims to operate under the umbrella of the state-controlled Caucasian Muslim Board.

It remains problematic to get legal status for smaller religious groups. The government encourages small religious communities to merge or band together in order to obtain legal status: the Christian group Baku International Fellowship (BIF), a Germany-based Protestant church, got permission to register under the umbrella of the German Lutheran Church, after years of BIF's inability to register independently due to its foreign leadership.⁷⁰ Jehovah's Witnesses continue to remain registered only in Baku. Regional branches of Baptists face a similar problem, but stated they were able to worship openly in other areas, although unable to obtain legal registration.⁷¹

5. Protection from Violence

Violent actions and torture incidents from the police, prison staff and security sources are occasionally being reported, especially towards MUM members. In 2022 the United Nations (UN) Human Rights Committee published a report stating that the regime had violated the rights of six Jehovah's Witnesses in April 2015 by raiding a meeting for worship in a Baku home, opening cases against them, issuing warnings against five and deporting the sixth - a citizen of Georgia.⁷² Two members of the Muslim Unity Movement were tortured in 2022 by the police for protesting against the imprisonment of a fellow member of MUM for six years.⁷³

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 - Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	2 – Serious violations
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	1 - Problematic Issues

⁶⁹ Forum 18 News Service, "AZERBAIJAN: 'Torture Is Nothing New, but Insulting Allah Is Crossing a Red Line,'" accessed July 17, 2023, https://www.forum18.org/archive.php?article_id=2751.

⁷⁰ "Azerbaijan," *United States Department of State*, cit.

⁷¹ "Azerbaijan," *United States Department of State*, cit.

⁷² *United States Department of State 2022*, cit.

⁷³ *United States Department of State 2022*, cit.

Bangladesh

Final score: 7 (Problematic issues)

Political Framework

Bangladesh is a parliamentary republic. Bangladeshi politics are dominated by the Awami League which, according to the parliamentary opposition and several external observers, rigged elections and silenced critical voices in civil society.⁷⁴ Criticism has been levelled, in particular, at the Digital Security Act, a strict law that public authorities allegedly use to restrain free speech online.⁷⁵

Legal Framework

According to Section 2A of the Constitution of Bangladesh, the state religion is Islam, but the State must ensure equal rights 'in the practice of the Hindu, Buddhist, Christian and other religions' (this section does not mention non-religious beliefs).⁷⁶ Freedom of religion and freedom to manifest religion, in their individual and collective aspects, are protected by the Constitution.⁷⁷ Religion-based political parties are banned by the Constitution. The Constitution prohibits discrimination on grounds of religion, as well as the 'abuse of religion'.⁷⁸ Bangladesh has ratified several international conventions on human rights, including the International Covenant on Civil and Political Rights, without any reservation directly affecting FoRB.

Religious Demographics

The population (167 million ca.) consists of about 88% Muslims and 12% other affiliations. Hindus constitute the main minority (about 8%); there are also small groups of Buddhists, and Christians.⁷⁹ The country hosts about 1 million Rohingya refugees, the majority of whom are Muslim.⁸⁰

⁷⁴ Odhikar, *Annual Human Rights Report 2022 - Bangladesh*, 2022, 7–21, https://www.icnl.org/wp-content/uploads/AHRR-2022_English_30.01.2023.pdf; Human Rights Watch, *World Report 2023*, 2023.

⁷⁵ Bangladesh: Bachelet urges review of Digital Security Act following death in custody of writer, 1 March 2021, <https://www.ohchr.org/en/2021/03/bangladesh-bachelet-urges-review-digital-security-act-following-death-custody-writer>; the text of the Act is available here:

<https://www.cirt.gov.bd/wp-content/uploads/2020/02/Digital-Security-Act-2020.pdf>.

⁷⁶ The Constitution of the People's Republic of Bangladesh, Section 2A, available at <http://bdlaws.minlaw.gov.bd/act-367.html>.

⁷⁷ Constitution of Bangladesh, section 41.

⁷⁸ Constitution of Bangladesh, sections 12 and 28.

⁷⁹ Minority Rights Group International, World Directory of Minorities and Indigenous Peoples, minorityrights.org.

⁸⁰ International Crisis Group, Rohingya Refugees in Bangladesh: Limiting the Damage of a Protracted Crisis, 4 October 2023, <https://www.crisisgroup.org/asia/south-east-asia/myanmar-bangladesh/rohingya-refugees-bangladesh-limiting-damage-protracted>.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The law does not prohibit religious conversion but there are various reports of threats and violence against persons who convert.⁸¹

The Constitution recognizes the rights not to receive instruction in a religion other than one's own.⁸² Religious instruction is mandatory in public schools; in principle, individuals belonging to some communities (Muslims, Hindus, Buddhists, and Christians) should receive instruction in the religious belief of their communities though that is not always ensured in the case of religious minorities.⁸³

2. Manifestation of One's Religion by Expression of One's Convictions

The Penal code punishes religious insult with up to two years in prison.⁸⁴ The Digital Security Act criminalises publication in electronic form of any information that hurts religious values or sentiments, with imprisonment for a term up to 5 years (if the crime is repeated, imprisonment may be up to 10 years).⁸⁵ At least 9 persons have been arrested in 2022 under the Digital Security Act for hurting religious values.⁸⁶ Reportedly, the government uses these laws to block news websites arbitrarily;⁸⁷ editors routinely censor themselves.⁸⁸ In addition, the government can confiscate any publication that denigrates religious beliefs.⁸⁹

3. Other Types of Manifestation of Religion or Belief

Under the Constitution and Bangladeshi laws, individuals and organisations generally have a right to manifest religion. However, under the Foreign Donations (Voluntary Activities) Regulations Act (2016), non-governmental organisations, including religious organisations, seeking foreign funding must register with the Ministry of Establishment; they should also seek authorization for conduct of any project and the hiring of foreign consultants and employees. The government can cancel the registration if the organisation makes malicious and indecent comments regarding the Constitution of Bangladesh or any constitutional institution (e.g. the government) or engages in anti-state activities.⁹⁰

⁸¹ US State Department, *2022 Report on International Religious Freedom*, 2023.; Open Doors, *World Watch Research-Bangladesh: Full Country Dossier*, 2022, p. 17, 21; see also Constitution of Bangladesh, section 41.

⁸² Constitution of Bangladesh, section 41.

⁸³ Report of the Special Rapporteur on freedom of religion or belief on his visit to Bangladesh, 22 January 2016, A/HRC/31/18/Add.2, para. 65; US State Department, *2022 Report on International Religious Freedom*; Humanists International, *The Freedom of Thought Report 2022*, 2023.

⁸⁴ Penal Code of Bangladesh, available here <http://bdlaws.minlaw.gov.bd/act-11.html>.

⁸⁵ Digital Security Act, section 28.

⁸⁶ Odhikar, *Annual Human Rights Report 2022 - Bangladesh*, p. 4, 41.

⁸⁷ Summary of Stakeholders' submissions on Bangladesh, cit., para. 32.

⁸⁸ Reporters without Borders, *Press Freedom Index*, 2023, <https://rsf.org/en/index>.

⁸⁹ US State Department, *2022 Report on International Religious Freedom*.

⁹⁰ The Foreign Donations (Voluntary Activities) Regulations Act (2016) is available at https://www.icnl.org/wp-content/uploads/Bangladesh_FDVA.pdf; International Center for Not-For-Profit Law, *Civic Freedom Monitor*, 2023, <https://www.icnl.org/resources/civic-freedom-monitor>; US State Department, *2022 Report on International Religious Freedom*.

4. Discrimination Based on Religion or Belief

Family law contains different rules for different communities and tends to disadvantage women belonging to certain communities. For instance, a Muslim woman cannot marry a non-Muslim man and has fewer divorce rights than the husband. Muslim and Hindus may have multiple wives.⁹¹ Reportedly, the government fails to protect religious minorities from widespread societal discrimination; for instance, it does not adequately protect them from land grabbing.⁹²

5. Protection from Violence

There are numerous reports of religion-related violence, particularly against religious minorities, which are frequently committed with impunity.⁹³ For instance, a Buddhist monk was murdered in the Khagrachhari District, in January 2022.⁹⁴ In March, Islamic radicals assaulted a temple of the International Society for Krishna Consciousness (ISKCON), commonly known as the Hare Krishna Movement, in Dhaka.⁹⁵ In July, a mob vandalised a temple and several houses in a Hindu community in the Narail district.⁹⁶

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 – Problematic issues
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	1 – Problematic issues
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	2 – Severe violations

⁹¹ Humanists International, *The Freedom of Thought Report 2022*; US State Department, *2022 Report on International Religious Freedom*; Bangladesh Legal Aid and Services Trust (BLAST), *Legislative Initiatives and Reforms in the Family Laws*, 2009, available at https://www.blast.org.bd/content/publications/Legislative_Initiatives_Family_Law.pdf.

⁹² US State Department, *2022 Report on International Religious Freedom*; Open Doors, World Watch Research, cit.

⁹³ Odhikar, *Annual Human Rights Report 2022 - Bangladesh*, p. 45-46; South Asia Forum for Freedom of Religion or Belief and Bangladesh Hindu Buddhist Christian Unity Council, *Universal Periodic Report - Stakeholder Report on Freedom of Religion or Belief and Religious Minorities in Bangladesh*, p. 3-6.

⁹⁴ New Age Bangladesh, *Protesters demand justice for slain Buddhist monk*, 7 February 2022, <https://www.newagebd.net/article/162119/articlelist/323/article/35972>; US State Department, *2022 Report*.

⁹⁵ M. Introvigne, *Hare Krishna (ISKCON) in Bangladesh: Why Violence Continues*, *Bitter Winter*, 30 March, 2022 <https://bitterwinter.org/hare-krishna-bangladesh-why-violence-continues>; US State Department, *2022 Report*.

⁹⁶ The Daily Star, *Hindu temple, houses, shops vandalised in Narail*, 16 July 2022, <https://www.thedailystar.net/news/bangladesh/crime-justice/news/hindu-temple-properties-vandalised-3071456>; South Asia Forum for Freedom of Religion or Belief and Bangladesh Hindu Buddhist Christian Unity Council, cit., p. 4.

Belarus

Final score: 4 (Problematic issues)

Political Framework

Belarus is an authoritarian regime controlled by the current president Alexander Lukashenko, who came to power through the first and only free presidential election in 1994.⁹⁷ Belarus ranks low in international measurements of freedom of press and civil liberties and is the only European country using capital punishment.⁹⁸ Violations of freedom of religion or belief have increased after fraudulent presidential elections in 2020 and the invasion of Russia in Ukraine in 2022.

Legal Framework

Freedom of religion or belief is guaranteed by the constitution in article 31, which allows citizens to hold and manifest any belief or non-belief and to participate in the performance of religious rituals and ceremonies not prohibited by law. Article 16 states that activities of religious organizations can be restricted if they are directed against the sovereignty of the Republic of Belarus, its constitutional order or civil harmony.⁹⁹ The Religion Law (2002) is central to the regime's web of restrictions on the exercise of freedom of religion or belief.¹⁰⁰ This law strictly regulates the life of all religious communities. Its implementation is ensured by the Plenipotentiary for Religious and Ethnic Affairs.¹⁰¹

Religious Demographics

Orthodox 48.3%, Catholic 7.1%, other 3.5%, non-believers 41.1% (2011 est.)

ForB Situation

1. Adopting and Changing One's Religion or Belief

The right to adopt, change or hold religion or belief is not prohibited by law.

⁹⁷ "Belarus 2021 International Religious Freedom Report, United States Department of State • Office of International Religious Freedom" (United States Department of State • Office of International Religious Freedom, 2021), <https://www.state.gov/wp-content/uploads/2022/04/BELARUS-2021-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>.

⁹⁸ "Death Penalty in Europe and the Rest of the World: Key Facts | News | European Parliament," February 25, 2019, <https://www.europarl.europa.eu/news/en/headlines/world/20190212STO25910/death-penalty-in-europe-and-the-rest-of-the-world-key-facts>.

⁹⁹ "Конституция Республики Беларусь | Официальный Интернет-Портал Президента Республики Беларусь."

¹⁰⁰ Olga Glace and John Kinahan, "Forum 18, Belarus: Religious Freedom Survey, January 2023," 2023, https://www.forum18.org/archive.php?article_id=2806.

¹⁰¹ "Plenipotentiary for Religions and Nationalities | Official Internet Portal of the President of the Republic of Belarus," accessed March 11, 2023, <https://president.gov.by/en/statebodies/the-plenipotentiary-for-religions-and-nationalities>.

2. Manifestation of One's Religion by Expression of One's Convictions

Restriction of religious manifestation is visible in censoring and limitations regarding the production, distribution and import of religious literature and objects.¹⁰² The regime operates with a "Republican List of Extremist Materials". In 2022 several websites of belief organizations were added to this list.¹⁰³

3. Other Types of Manifestation of Religion or Belief

There are many restrictions regarding the manifestation of one's convictions. Belarus has a compulsory registration policy for all religious organizations having more than 20 members (Article 14).¹⁰⁴ (Re)designation of a place of worship is often disallowed by the state officials. A parish was evicted from its own historical property in Minsk, the Catholic Church of Saints Simon and Helena.¹⁰⁵ The Pentecostal New Life church was not only banned from meeting in its property in Minsk but also disallowed to gather in their parking space.¹⁰⁶ On July 28 2022 Pastor Dmitry Podlobko was fined for the second time for holding an event without official permission, this time for an outdoor baptism in the family-owned pool.¹⁰⁷ As many other religious communities, Evangelical minorities suffered from the Mass Events Law and related decrees which restricts where, what kind and how events can be held.¹⁰⁸

4. Discrimination Based on Religion or Belief

The special agreement between the Belarusian state and the Orthodox Church of Belarus has led to discrimination of other religious communities in Belarus.¹⁰⁹ Even Orthodox communities that are not under the framework of the Orthodox Church of Belarus (Moscow Patriarchate) are often denied registration. Registered Old Believers¹¹⁰ communities face difficulties with construction or use of religious buildings.¹¹¹¹¹²

Clergy with foreign citizenship fall under strict control. Registered communities can invite foreigners to work for them, but the Plenipotentiary for Religious and Ethnic Affairs alone decides

¹⁰² "Положение Об Уполномоченном и Его Аппарате," accessed March 14, 2023, <https://belarus21.by/Articles/1417433557>.

¹⁰³ Glace and Kinahan, "Forum 18, Belarus: Religious Freedom Survey, January 2023."

¹⁰⁴ "Guidelines on the Legal Personality of Religious or Belief Communities," accessed March 10, 2023, <https://www.osce.org/odihr/139046>.

¹⁰⁵ Forum 18 News Service, "BELARUS: Mass Banned at Minsk's Iconic Red Church," accessed March 13, 2023, https://www.forum18.org/archive.php?article_id=2781.

¹⁰⁶ Forum 18 News Service, "BELARUS: Fines, Car Park Worship Ban for New Life Church," accessed March 13, 2023, https://www.forum18.org/archive.php?article_id=2777.

¹⁰⁷ Forum 18, "The Voice of the Martyrs Canada | Pastor Fined for Conducting Baptisms," August 11, 2022, <https://www.vomcanada.com/by-2022-08-11.htm>.

¹⁰⁸ Glace and Kinahan, "Forum 18, Belarus: Religious Freedom Survey, January 2023"; "Belarusian Law on Mass Events Amended | Official Internet Portal of the President of the Republic of Belarus," accessed March 13, 2023, <https://president.gov.by/en/events/belarusian-law-on-mass-events-amended>. "Установлен Порядок Оплаты Услуг По Охране Общественного Порядка, Расходов, Связанных с Медобслуживанием, Уборкой Территории После Проведения Массового Мероприятия," accessed March 13, 2023, <https://etalonline.by/novosti/korotko-o-vazhnom/ustanovlen-poryadok-oplaty-uslug-po-okhrane-obshchestvennogo-poryadka-raskhodov-svyazannykh-s-medobs/>.

¹⁰⁹ "Соглашение о Сотрудничестве / Официальный Портал Белорусской Православной Церкви," accessed March 14, 2023, <http://exarchate.by/resource/Dir0009/Dir0015/index.html>.

¹¹⁰ Old believers are Eastern Orthodox Christians who maintain the liturgical and ritual practices of the Russian Orthodox Church as they were before the reforms of Patriarch Nikon of Moscow between 1652 and 1666.

¹¹¹ Glace and Kinahan, "Forum 18, Belarus: Religious Freedom Survey, January 2023."

¹¹² "Belarus 2021 International Religious Freedom Report, United States Department of State • Office of International Religious Freedom."

whether this work by a foreign citizen is "necessary".¹¹³ Catholic priests reportedly get arbitrary denials to continue their work after having served in Belarus for decades.¹¹⁴

Series of detentions of representatives from various religious communities were reported by human rights monitoring organizations. On 3 March 2022, about 100 mothers of soldiers serving in Belarus' armed forces were met by police at the main Orthodox Cathedral in Minsk. Four of them were arrested for attending an evening prayer service for peace.¹¹⁵ On 8 May 2022, Andrey Nozdryn, an Orthodox parish priest was removed from all his posts in the Hrodna eparchy for his anti-war position.¹¹⁶ The priest of the Nativity of the Blessed Virgin Mary in Prybytko, Rev. Piotr Prakaptsou, was banned from practicing his priesthood for refusing to consecrate Russian military equipment at an airfield near the church.¹¹⁷

Political prisoners in Belarus face serious HR and FoRB violations. They are denied the right for clergy visits and to keep religious literature and objects, such as neck crosses.

5. Protection from Violence

After the Russian invasion of Ukraine in February 2022, Lukashenko's regime started pressuring religious communities to support the state's collaboration with the Russian Federation. Religious leaders and people opposing the war are identified and punished. Torture and inhuman treatment continued to be reported in 2022 and the police is reported to behave particularly violently towards people perceived to be believers.¹¹⁸

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 - Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	1 – Problematic Issues
4. Discrimination Based on Religion or Belief	1 – Problematic Issues
5. Protection from Violence	1 – Problematic Issues

¹¹³ "Положение о Порядке Приглашения Иностранных Граждан и Лиц Без Гражданства в Республику Беларусь в Целях Занятия Религиозной Деятельностью," accessed March 14, 2023, https://belarus21.by/Articles/conf_reg_pol.

¹¹⁴ Glace and Kinahan, "Forum 18, Belarus: Religious Freedom Survey, January 2023."

¹¹⁵ Forum 18 News Service, "BELARUS: Soldiers' Mothers Detained for Prayers for End to War on Ukraine," accessed March 13, 2023, https://www.forum18.org/archive.php?article_id=2724.

¹¹⁶ "A Monitoring of the Persecution in Belarus of People on Religious Grounds During the Political Crisis (UPDATING) — Царква і Палітычны Крызіс у Беларусі," accessed March 13, 2023, <https://belarus2020.churchby.info/monitoring/>.

¹¹⁷ "A Monitoring of the Persecution in Belarus of People on Religious Grounds During the Political Crisis (UPDATING) — Царква і Палітычны Крызіс у Беларусі."

¹¹⁸ "A Monitoring of the Persecution in Belarus of People on Religious Grounds During the Political Crisis (UPDATING) — Царква і Палітычны Крызіс у Беларусі."

Brazil

Final score: 3 (Minor concerns)

Political Framework

Brazil is a federal Republic with a Presidential system of government. The democratic system of Brazil has been challenged over the last few years by the spreading of disinformation, online harassment, and political violence. Various sources report that these issues were exacerbated during Jair Bolsonaro's presidency (2018-2022) and after the 2022 Presidential elections, won by Luiz Inácio Lula da Silva.¹¹⁹

Legal Framework

The Federal Constitution protects freedom of religion or belief and the exercise of religious services and establishes separation between State and organized religion.¹²⁰ Furthermore, the Constitution ensures exemption from military activities on grounds of religion or belief and stipulates that the teaching of religion is optional.¹²¹

Brazil has ratified numerous international human rights conventions, including the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of the Child.

Religious Demographics

Brazil has about 219 million inhabitants. The main groups are Roman Catholics (50%), Evangelicals (31%), and people with no religion (10%). Other minority groups include, *inter alia*, followers of Afro-Brazilian beliefs (2%).

¹¹⁹ See e.g. Article 19, *The Global Expression Report 2022, 2023*; Human Rights Watch, *World Report 2023, 2023*; Freedom House, *Freedom in the Worlds 2023, 2023*.

¹²⁰ Federal Constitution of Brazil, Art. 5, available at https://www.stf.jus.br/arquivo/cms/legislacaoConstituicao/anexo/brazil_federal_constitution.pdf.

¹²¹ Arts 143 and 210.

ForB Situation

1. Adopting and Changing One's Religion or Belief

The Constitution protects freedom of religion or belief, including the right to change one's religion. Religious indoctrination of school pupils is prohibited.

2. Manifestation of One's Religion by Expression of One's Convictions

The criminal code prohibits the insult to persons because of religious reasons as well as the insult to acts or objects of religious worship; the punishment may be a fine or imprisonment up to one year.¹²² Reportedly, this law has been applied over the last few years, at least in a few cases.¹²³

3. Other Types of Manifestation of Religion or Belief

Brazilian Constitution and statutory law protect freedom to manifest religion or belief. Available sources do not report significant obstacles to the manifestation of religion in practice. For instance, religious organisations do not need to register with the government in order to establish places of worship.¹²⁴

4. Discrimination Based on Religion or Belief

The Brazilian constitutional and statutory law prohibit discrimination, including discrimination on grounds of religion or belief.¹²⁵ Nonetheless, various sources reported numerous instances of discrimination and harassment towards members of minority religions, notably natives and followers of Afro-Brazilian religions.¹²⁶ Religious intolerance was apparently stimulated by the incendiary rhetoric of former president Bolsonaro.¹²⁷

5. Protection from Violence

Several episodes of religion-related violence have been reported, particularly in respect of followers of Afro-Brazilian religions¹²⁸ and of native people, notably female religious leaders.¹²⁹

¹²² Criminal code of Brazil, Art. 208, available here:

https://www2.senado.leg.br/bdsf/bitstream/handle/id/529748/codigo_penal_1ed.pdf.

¹²³ Túlio Vianna e Lucas Miranda, «Report on Freedom of Thought and Belief in Brazil: The pressure to criminalize blasphemy and the risk of lawfare», 2022.

¹²⁴ Claudia Cerqueira e Guadalupe Tuñón, «Religious Regulation in Brazil», in *Oxford Research Encyclopedia of Politics*, 2019, <https://doi.org/10.1093/acrefore/9780190228637.013.840>; US State Department, *2022 Report on International Religious Freedom*, 2023.

¹²⁵ Constitution of Brazil, Art. 5(XI); Law 716/1989; Criminal code, Art. 140.

¹²⁶ Danielle Boaz, *Religious Racism in Brazil* (International Commission to Combat Religious Racism, 2022); US State Department, *2022 Report on International Religious Freedom*, 2023; Michael Fox, 'Afro Brazilian religious groups are under attack', *The World*, 29 July 2022.

¹²⁷ See Massimo Introvigne, 'Religious Intolerance in Brazil: Will Lula Protect the Minorities?', *Bitter Winter*, 11 March 2022.

¹²⁸ Danielle Boaz, *Religious Racism in Brazil* (International Commission to Combat Religious Racism, 2022); US State Department, *2022 Report on International Religious Freedom*, 2023.

¹²⁹ Mandates of the Special Rapporteur on freedom of religion or belief; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the rights of Indigenous Peoples; the Special Rapporteur on minority issues; the Special Rapporteur on violence against women and girls, its causes and consequences and the Working Group on discrimination against women and girls, 9 May 2023, Ref.: AL BRA 2/2023, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?Id=27968>; para. 30 see also Human Rights Committee, Concluding observations on the third periodic report of Brazil, 26 July 2023, CCPR/C/BRA/CO/3, para 55.

Apparently, these are not ‘isolated cases’ but occurred in the context of persisting conflicts affecting areas inhabited by native people.¹³⁰

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	0 – Minor concerns
2. Manifestation of One’s Religion by Expression of One’s Convictions	1 – Problematic issues
3. Other Types of Manifestation of Religion or Belief	0 – Minor concerns
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	1 – Problematic issues

¹³⁰ Submission of the Federal government of Brazil, 10 July 2023, p. 11, 14, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37606>.

Central African Republic

Final score: 8 (Serious violations)

Political Framework

The Central African Republic (CAR) gained independence from France in 1960. Until today it is ruled by autocratic regimes and suffers from a lack of state authority and from armed conflicts. It is listed by the UN as the second least developed country in the world drowning in organised crime and corruption.¹³¹ The country has been embroiled in civil war since 2013 when the capital was seized by armed Seleka rebels and president Bozize had to flee. The second term of Faustin-Archange Touadéra's presidency (2020-2023) is still threatened by various armed groups controlling parts of the country. For now, he remains in power with the protection of the notorious Russian Wagner mercenaries.¹³²

Legal Framework

The legal framework of the country is based on French law. The CAR is a presidential republic and is secular according to the constitution.¹³³ It is "proud of its religious diversity" (the preamble) and provides for the separation of State and Religion (art. 25). Freedom of Religion (art. 10) and religious equality are guaranteed (art. 6). The constitution explicitly prohibits "any form of religious fundamentalism [intégrisme] and intolerance" (art. 10).¹³⁴

Religious Demographics

The vast majority of the country are Christians (89%), Muslims constitute 9%, indigenous beliefs religion 1%, unaffiliated 1%. Animistic beliefs and practices are still strongly present and influence the Christian majority.

ForB Situation

1. Adopting and Changing One's Religion or Belief

There is no legal limitation to adopt, change or hold religion, although Muslims and Fulani minorities continue to struggle much due to the never-ending civil confrontations. The Muslim population of the western parts of the country is persecuted for the violence committed by predominantly Muslim rebel group against Christians in 2013. Since then militias are using language that suggests their intent is to eliminate Muslim residents from the Central African Republic. Muslims have been leaving their homes in massive numbers, many becoming refugees in

¹³¹ UNCTAD, "UNCTADstat - General Profile: Central African Republic," UNCTADstat, accessed August 16, 2023, <https://unctadstat.unctad.org/CountryProfile/GeneralProfile/en-GB/140/index.html>.

¹³² Roger Cohen, "Africa's Allegiance to Putin," n.d.

¹³³ "Central_African_Republic_the - Africa - Constitute," accessed August 2, 2023, https://www.constituteproject.org/countries/Africa/Central_African_Republic_the.

¹³⁴ "National Profiles | World Religion," accessed August 1, 2023, <https://www.thearda.com/world-religion/national-profiles?u=44c#RELFREE>.

the neighbouring countries of Congo, Chad and Cameroon.¹³⁵ Compared to 2021, the number of newly displaced people increased in 2022, while the number of returnees decreased.¹³⁶

2. Manifestation of One's Religion by Expression of One's Convictions

The constitution and the government generally permit adherents of all religious groups to worship and proselytize freely.¹³⁷ The law criminalizes, however, witchcraft and sorcery by one to five years in prison or a fine (art.149,150 Penal Code). The prosecution of this practice frequently leads to serious violations and systematically impacts women and children. Half of the prisoners in Bimbo women's prison are condemned for this offence, which is vaguely defined, hence the allegations are mostly unproven.¹³⁸

3. Other Types of Manifestation of Religion or Belief

The rules for obtaining legal recognition as a religious community or organization in the country are more or less flexible. Religious groups are required to be registered with the Ministry of the Interior and Public Security. They need to have 1000 members and the leaders need to have had religious training approved by the ministry.¹³⁹ Registration gives certain benefits, such as customs exemptions. There are no penalties for those who choose not to register.¹⁴⁰ As a result of a growing influence of Russia in the country, the Russian Orthodox Church registration was approved on 4th of July 2022.¹⁴¹

All denominations have the possibility to broadcast weekly on state radio or to run their own radio stations. Religious education is not mandatory, but exists in most schools. The Catholic Church owns a network of schools based on a memorandum of understanding with the ministry of education.

4. Discrimination Based on Religion or Belief

The constitution does not provide for a state/preferred religion, but due to the country's repeated armed conflicts discrimination takes place regularly towards groups on the other side of the barricades, which turns into a conflict of Muslims vs Christians. For the last years Muslim civilians have been disproportionately targeted. The electoral code does not allow citizens outside of the country to vote, which affects mostly Muslim citizens who have fled the country.¹⁴² Muslims also report difficulties in obtaining identification documents. President Touadera is a Christian, but tries to eradicate the imbalance by attending Islamic prayer services and making Mawlid a public holiday.¹⁴³

¹³⁵ "West and Central Africa — Central African Crisis Monthly Dashboard 7," November 28, 2022.

¹³⁶ "Central African Republic | Humanitarian Action," November 30, 2022, <https://humanitarianaction.info/article/central-african-republic-0>.

¹³⁷ "National Profiles | World Religion."

¹³⁸ Nina Cornet Fontaine, "Witchcraft Representations and Judicial Treatment of the Offence of Charlatanism and Witchcraft Practices in the Central African Republic," *Avocats Sans Frontières*, January 5, 2023, <https://asf.be/witchcraft-representations-and-judicial-treatment-of-the-offence-of-charlatanism-and-witchcraft-practices-in-car/>.

¹³⁹ "CAR Report 2023," accessed August 2, 2023, <https://acninternational.org/reports/country/2023/car>.

¹⁴⁰ "National Profiles | World Religion."

¹⁴¹ "ROC's African Exarchate Receives First State Registration in Central African Republic," *OrthoChristian.Com*, accessed August 3, 2023, <https://orthochristian.com/147045.html>.

¹⁴² "Central African Republic," *United States Department of State* (blog), accessed August 3, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/central-african-republic/>.

¹⁴³ "Central African Republic."

5. Protection from Violence

The security services, militia or supporting mercenary groups to systematically harass Muslim civilians. The anti-Balaka militias (mainly presented as Christian but in practice, animists with elements of Christianity) rose up across the country to fight the Seleka, a predominantly Muslim coalition that took control of the capital in 2013. Since then, grave violations, torture, abduction and other crimes continue to be reported towards Muslims suspected to be in collusion with the rebels. Dozens of Muslim civilians and ethnic Fulani were killed in the villages Aïgbado and Yanga in January 2022 by Wagner militia and the anti-Balaka armed group.¹⁴⁴ In return rebels attack Christians too,¹⁴⁵ which leaves the country in a vicious circle of hopelessness.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	2 – Serious violations
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Serious violations
3. Other Types of Manifestation of Religion or Belief	0 - Minor concerns
4. Discrimination Based on Religion or Belief	2 – Serious violations
5. Protection from Violence	2 – Serious violations

¹⁴⁴ Philip Obaji Jr, "Survivors Say Russians Slaughtered 70 in Gold Mine Massacre," *The Daily Beast*, January 31, 2022, sec. world, <https://www.thedailybeast.com/wagner-group-accused-of-killing-70-at-mine-in-aigbado-central-african-republic>.

¹⁴⁵ "Central African Republic."

China

Final score: 10 (Severe violations)

Political Framework

The People's Republic of China is the world's second most populous¹⁴⁶ country and is governed by a communist party. Its authoritarian regime is tightening control over all aspects of life and governance. In October 2022 the CCP leader and state president, Xi Jinping, was appointed to a third five-year term as the party's General Secretary. He continues to consolidate personal power at the expense of civil rights and societal freedoms. The government has been developing intense surveillance and mass data-collection systems, which aim to gain full control over the citizens and crush dissent.¹⁴⁷

Legal Framework

The Constitution of the country is based on Marxist-Leninist atheistic ideology (art.12). It declares freedom of religious belief (art. 36), but limits this to "normal religious activities", without defining what "normal" means. It states that religion may not be used to disrupt public order, interfere in education or impair the health of citizens.¹⁴⁸ China officially recognizes five religions: Buddhism, Catholicism, Islam, Protestantism, and Taoism. Religious life is managed primarily through the "Religious Affairs Regulation" (2005) document, the State Administration for Religious Affairs (SARA)¹⁴⁹, which is responsible for implementing the CCP's regulations.

Religious Demographics

China is officially atheist. Statistics of religious beliefs are notoriously hard to come by, but according to estimates the largest religious group is represented by traditional religion 21.9%, Buddhist comprise 18.2%, Christian 5.1%, Muslim 1.8%, Hindu, Jewish and others less than 0.1%.

ForB Situation

1. Adopting and Changing One's Religion or Belief

The Constitution provides for the right to hold or not to hold a religious belief. State organs, public organisations, and individuals may not discriminate against citizens "who believe in or do not believe in any religion."¹⁵⁰ At the same time, the state machine purposefully submits the controlled religious groups to a Sinicization policy, propagates atheism and prosecutes all outlawed religious

¹⁴⁶ "Population by Country (2023) - Worldometer," accessed September 18, 2023, <https://www.worldometers.info/world-population/population-by-country/>.

¹⁴⁷ "China: Freedom in the World 2023 Country Report," Freedom House, accessed September 18, 2023, <https://freedomhouse.org/country/china/freedom-world/2023>.

¹⁴⁸ "National Profiles | World Religion," accessed September 21, 2023, <https://www.thearda.com/world-religion/national-profiles?u=52c#CON>.

¹⁴⁹ "State Administration for Religious Affairs," accessed September 21, 2023, http://english.www.gov.cn/state_council/2014/10/01/content_281474991091034.htm.

¹⁵⁰ "China (People's Republic of) 1982 (Rev. 2018) Constitution - Constitute," accessed September 21, 2023, https://www.constituteproject.org/constitution/China_2018.

groups.¹⁵¹ Citizens who want to serve in the army or are members of CCP need to be atheists. Criminal law puts a ban on certain religious groups, regarding them as “cult” [xie jiao] organisations (article 300?). The criminal prosecution of individuals belonging to such groups may even amount to terms of life sentence.¹⁵²

2. Manifestation of One’s Religion by Expression of One’s Convictions

Proselytizing in China is legal, but juridically not well-defined. The Constitution states that no state unit, social organization or individual may force a citizen to believe or not believe in a religion. Offenders are subject to administrative and criminal penalties. In practice, unregistered religions or religious groups regarded as “evil cults” are deprived of any form of expressing their convictions. No religious education is allowed. The schools promote non-religion and atheism through joining children CCP Affiliated youth groups, where they pledge commitment to atheism.¹⁵³

3. Other Types of Manifestation of Religion or Belief

Only recognized religions can obtain registration, legally hold worship services, build religious sites and conduct social work. These activities should be conducted in the spirit of patriotism and in accordance with the policies of Sinicization of religion.¹⁵⁴

Unregistered charitable groups are not allowed to raise funds openly, hire employees, open bank accounts or own property. Control of foreign influence is enshrined in the constitution, which states: “Religious bodies and religious affairs are not subject to any foreign domination.”¹⁵⁵

No foreign printed materials can be distributed to any local religious organisations. Draconian measures were introduced in 2022 for publishing any religious content on the internet by unregistered groups.¹⁵⁶

Travelling abroad for “religious training, conferences, pilgrimages, and other activities” also needs special approval. Violators face heavy fines.¹⁵⁷

4. Discrimination Based on Religion or Belief

Uyghurs and other Muslims, Tibetan Buddhists, underground Catholics, house church Protestants, Falun Gong and the Church of Almighty God are perceived as agents of foreign influence and are severely persecuted. Falun Gong is labelled as an “evil cult.”¹⁵⁸ Despite renewal of the Vatican-China agreement on the appointment of bishops, China continues to install bishops selected by the state without the Vatican’s approval.¹⁵⁹ Persecution of Protestant house church

¹⁵¹ Thomas Harvey, “The Sinicization of Religion in China,” Lausanne Movement, September 10, 2019,

<https://lausanne.org/content/lga/2019-09/sinicization-religion-china>.

¹⁵² “China (Includes Hong Kong, Macau, Tibet, and Xinjiang),” *United States Department of State* (blog), accessed September 21, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/china/>.

¹⁵³ 1615 L. St NW, Suite 800 Washington, and DC 20036 USA 202-419-4300 | Main 202-857-8562 | Fax 202-419-4372 | Media Inquiries, “10 Things to Know about China’s Policies on Religion,” *Pew Research Center* (blog), accessed December 9, 2023,

<https://www.pewresearch.org/short-reads/2023/10/23/10-things-to-know-about-chinas-policies-on-religion/>.

¹⁵⁴ United State Commission on International Religious Freedom, “Annual Reports | USCIRF,” 0520:29:35 2023, <https://www.uscirf.gov/annual-reports>.

¹⁵⁵ “Search the ARDA,” accessed September 21, 2023, <https://www.thearda.com/search-the-arda?searchterms=china>.

¹⁵⁶ “China,” accessed September 21, 2023, <https://www.opendoorsuk.org/persecution/world-watch-list/china/>.

¹⁵⁷ “China (Includes Hong Kong, Macau, Tibet, and Xinjiang),” *United States Department of State* (blog), accessed September 21, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/china/>.

¹⁵⁸ <https://www.uscirf.gov/user/14>, “Annual Reports | USCIRF,” 1600:13:31 2023, <https://www.uscirf.gov/annual-reports>.

¹⁵⁹ “China ‘Unilaterally’ Appoints New Catholic Bishop in Shanghai, Vatican Says,” *Radio Free Asia*, accessed September 21, 2023, <https://www.rfa.org/english/news/china/shanghai-catholic-bishop-04052023131448.html>.

members also intensified in 2022. They are persistently forced to join the state-controlled Three-Self Patriotic Movement.¹⁶⁰ The year 2022 was particularly violent for the Falun Gong movement. 7,331 cases of harassment and arrest,¹⁶¹ 633 prison sentences and 172¹⁶² deaths were recorded because of the government-based persecution.

5. Protection from Violence

All Freedom of religion or belief monitoring reports confirm that the government physically abuses, detains, arrests, tortures, imprisons and harasses adherents of both registered and unregistered religious groups for activities related to their religious beliefs and practices.¹⁶³

Suppression of Tibetan Buddhism grew in 2022. The authorities continue to restrict Tibetans' access to their religious sites, ban religious gatherings and destroy sites and symbols. Tibetan monks are reportedly tortured in prison for religious activities honouring the Dalai Lama or possessing his portraits.¹⁶⁴

In 2022 the mal-treatment of Uyghurs and other minorities in Xinjiang was condemned by various authoritative Human Rights organisations and described as a "crime against humanity."¹⁶⁵

In May 2022, Hong Kong authorities arrested 90-year-old Cardinal Joseph Zen Ze-kiun, bishop emeritus of Hong Kong on the accusation of "colluding with foreign forces."¹⁶⁶

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	2 - Serious violations
2. Manifestation of One's Religion by Expression of One's Convictions	2 - Serious violations
3. Other Types of Manifestation of Religion or Belief	2 – Serious violations
4. Discrimination Based on Religion or Belief	2 - Serious violations
5. Protection from Violence	2 - Serious violations

¹⁶⁰ Tao Niu, "House Church Pastor and Elder Arrested in Shanxi," October 3, 2022, <https://bitterwinter.org/house-church-pastor-and-elder-arrested-in-shanxi/>.

¹⁶¹ "Reported in 2022: 7,331 Falun Gong Practitioners Arrested or Harassed for Their Faith | Falun Dafa - Minghui.Org," accessed September 21, 2023, <https://en.minghui.org/html/articles/2023/1/10/206106.html>.

¹⁶² "Reported in 2022: 172 Falun Gong Practitioners Die in the Persecution of Their Faith | Falun Dafa - Minghui.Org," accessed September 21, 2023, <https://en.minghui.org/html/articles/2023/1/7/206074.html>.

¹⁶³ United State Commission on International Religious Freedom, "Annual Reports | USCIRF," 0520:29:35 2023, <https://www.uscirf.gov/annual-reports>.

¹⁶⁴ "Tibetan Pilgrim Arrested at Potala Palace," Free Tibet, June 10, 2022, <https://freetibet.org/latest/tibetan-pilgrim-arrested-at-potala-palace/>.

¹⁶⁵ UN HR Office of the High Commissioner, "OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China," August 31, 2022.

¹⁶⁶ Kate Mayberry, "Why Is 90-Year-Old Cardinal Zen Standing Trial in Hong Kong?," accessed September 21, 2023, <https://www.aljazeera.com/news/2022/9/18/why-is-90-year-old-cardinal-zen-on-trial-in-hong-kong>.

Congo, Democratic Republic of (DRC)

Final score: 2 (Minor concerns)

Political Framework

RDC is a semi-presidential republic. The 2018 presidential elections, won by Félix Tshisekedi, marked the first peaceful transfer of power in the country. RDC is rich in natural resources, such as cobalt and copper. However, 26.4 million individuals find themselves in a state of food insecurity. In addition, armed groups such as M23, ADF, CODECO, Zaïre, and Nyatura carry out heinous attacks against the civilian population in several provinces, notably Ituri and North Kivu; for instance, girls are often abducted and abused, while boys are forced to join the militias. Such violence has led to the internal displacement of about 6 million people. Peacebuilding initiatives have been conducted, in particular, by the Catholic Church, for instance through justice education and mediation efforts between opposition and government groups.¹⁶⁷

Legal Framework

The Constitution protects freedom of religion and belief, including the right to manifest religion, individually and collectively, and prohibits discrimination on religious grounds.¹⁶⁸ The government concluded a Framework Agreement with the Holy See in 2016 and a second agreement on the status of the Catholic Church in 2022.¹⁶⁹

DRC has ratified the International Covenant on Civil and Political Rights (without reservations), as well as other international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

Religious Demographics

DRC has about 112 million inhabitants. Estimates concerning religious demographics vary. According to CIA estimates, Catholics are about 30% of the population, Protestants 27%, other Christians 37%, Muslims 1,3%, and followers of syncretic sects and indigenous beliefs 1,2%.

¹⁶⁷ C. Vail, Catholic Peacebuilding in the Democratic Republic of Congo During the COVID-19 Emergency, Berkeley Center for Religion, Peace, and World Affairs, 24 July 2020, <https://berkeleycenter.georgetown.edu/posts/catholic-peacebuilding-in-the-democratic-republic-of-congo-during-the-covid-19-emergency>.

¹⁶⁸ The Constitution of DRC is available at <https://www.presidence.cd/uploads/files/Constitution%20de%20la%203me%20Republique.%2018%20Fev%202006.pdf>.

¹⁶⁹ Salvatore Cernuzio, RD Congo: signature d'accords historiques entre l'Église et l'État, *Vatican News*, 3 July 2022, <https://www.vaticannews.va/fr/vatican/news/2022-07/rd-congo-signature-des-accords-entre-l-eglise-et-l-etat-en-pre.html>.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The law protects the right to have and change religious belief. The available sources do not report significant interference with this right in practice. Public schools, in particular, do not engage in indoctrination; in fact, they do not provide religious instruction.

2. Manifestation of One's Religion by Expression of One's Convictions

The government proclaimed the 'state of siege' in the provinces of North Kivu and Ituri in 2021, as a reaction to the attacks of armed groups. As a consequence, freedom of expression was reportedly stifled.¹⁷⁰ It has also been argued that, in the past, hate speech laws have been used to silence political opponents.¹⁷¹ In any event, the available sources do not report specific restrictions to expression related to religion or belief.

3. Other Types of Manifestation of Religion or Belief

Freedom to manifest religion or belief is protected by the Constitution and, reportedly, generally respected in practice. Religious organisations do not have a specific status but can register as not-for-profit organisations.¹⁷² Reportedly, religious organisations do not encounter exceeding difficulties in operating in DRC and, reportedly, proliferate in the country.¹⁷³ The government suspended the activities of a Pentecostal church in 2022, the Christian Ministry of Spiritual Combat Church, because of a leadership crisis in the church.¹⁷⁴

4. Discrimination Based on Religion or Belief

Sources report the proliferation of hate messages on social media targeting the Tutsi population of the DRC.¹⁷⁵ This form of hate speech, at any rate, appears to have ethnic, rather than religious, character.

5. Protection from Violence

The conflicts in the Eastern part of the country affects the population at large and, in particular, certain religious communities. For instance, it is reported that several Christians have been killed, in various instances, by the Allied Democratic Forces (ADF), an Islamist group connected to the Islamic State.¹⁷⁶

¹⁷⁰ Human Rights Watch, *World Report 2023*, 2023; Amnesty International Report 2022/2023: *The State of the World's Human Rights*, 2023.

¹⁷¹ USCIRF, *Apostasy, Blasphemy, and Hate Speech Laws in Africa*, 2019, p. 34.

¹⁷² Law 004/2001 of 20 July 2001.

¹⁷³ Juslain Nsambana Bonkako, «Cadre juridique et limites des églises d'évangélisation ou de réveil en RD Congo», *KAS African Law Study Library - Librairie Africaine d'Etudes Juridiques* 1, fasc. 2 (2015): 261–75.

¹⁷⁴ Agence d'information d'Afrique centrale, *Religion : l'église CIFMC fermée jusqu'à nouvel ordre*, 9 August 2022, <https://www.adiac-congo.com/content/religion-leglise-cifmc-fermee-jusqua-nouvel-ordre-140560>; US State Department, *2022 Report on International Religious Freedom*, 2023.

¹⁷⁵ Felix Mukwiza Ndahinda, *Anti-Tutsi Hate Speech Refuels Conflict in Eastern Dr Congo*, 24 August 2022, *Clingendael*, <https://spectator.clingendael.org/en/publication/anti-tutsi-hate-speech-refuels-conflict-eastern-dr-congo>; United Nations Peacekeeping, *UN concerned about increase in violence and hate speech in eastern DRC*, 20 June 2022, <https://peacekeeping.un.org/en/un-concerned-about-increase-violence-and-hate-speech-eastern-drc>.

¹⁷⁶ Portes ouvertes, *Congo: au moins 17 chrétiens tués cet été*, 5 September 2022, <https://www.portesouvertes.fr/informer/actualite/congo-au-moins-17-chretiens-tues-cet-ete>; France 24, 'It's a policy of invasion': ADF rebels expand attacks in DR Congo, 26 April 2022, <https://observers.france24.com/en/tv-shows/the-observers/20220426-drcongo-adf-islamic-state-attacks-ituri-invasion>. See also Human Rights Council, Working Group on the Universal Periodic Review, Thirty-third session, Summary of

It has reported that the DRC authorities seek to expel the Batwa people from their ancestral land, which is located in a national park, thus preventing them from pursuing their traditional way of life, cultural and religious practices.¹⁷⁷

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 – Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	0 – Minor concerns
3. Other Types of Manifestation of Religion or Belief	0 – Minor concerns
4. Discrimination Based on Religion or Belief	0 – Minor concerns
5. Protection from Violence	2 – Severe violations

Stakeholders' submissions on the Democratic Republic of the Congo, 19 February 2019, A/HRC/WG.6/33/COD/3, para. 30.

¹⁷⁷ Summary of Stakeholders' submissions on the Democratic Republic of the Congo, cit., para. 59; DW, Terror against Indigenous Batwa in DRC park, 4 September 2022, <https://www.dw.com/en/violence-against-indigenous-batwa-in-drc-national-park/video-61417836>; RFI, DRC's indigenous Batwa being wiped out in the name of conservation: NGO, 8 April 2022, <https://www.rfi.fr/en/africa/20220408-ngo-recounts-horrors-of-drc-indigenous-batwa-being-wiped-out-in-the-name-of-conservation>.

Egypt

Final score: 5

Political Framework

After ousting the first ever elected civilian president of Egypt, general Sisi was elected as president in 2014, thereby returning the army's longstanding grip on Egypt's politics and economy. Sisi has been facing a deteriorating social and economic situation, and cracked down on any form of dissent, banned the Muslim Brothers as a terrorist organization, and had his constitutional presidential term prolonged with 12 years (until 2034). The situation of human rights in general has been heavily criticized in the past decade for the state's heavy-handed dealing with any form of protest or opposition.¹⁷⁸

Legal Framework

Egypt has ratified the main human rights treaties but has made the reservation with several of these treaties, notably the ICCPR and ICESCR, that they should not conflict with 'the provisions of the Islamic Sharia'.¹⁷⁹ The Egyptian Constitution specifies Islam as the state religion and 'the main principles of Sharia' as the source for legislation (article 2). It also states that the freedom of religion is 'absolute' and that the 'followers of the revealed religions' have 'the freedom of practicing religious rituals and establishing worship places' (article 64). The 'revealed religions' are Islam, Christianity, and Judaism. Egyptian national law contains very few references to issues of religion. An exception is nationality law, whereby Islam, Christianity or Judaism is recorded on one's ID-card (other religions or atheism is not recognized), and personal status law (marriage, divorce, inheritance), whereby religious communities have their own laws: one Islamic law, six Christian and two Jewish. People not aligned to any of these religions will be treated in accordance to Islamic family law.

Religious Demographics

Of the Egyptian population it is estimated that 90% is Sunni Muslim and 10% is Christian (predominantly Coptic, but also other denominations).

¹⁷⁸ A comprehensive report has been issued by a 'taskforce' of 9 Egyptian human rights NGOs: *A Crisis by Design. The Systemic Nature of Human Rights Violations in Egypt. Mid-term UPR Report - January 2023.*

¹⁷⁹ See UN Treaty Collection under chapter IV.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

Egyptian law does not forbid the changing of religion, but in some instances effectively does so in the case of the change from Islam to another religion or the abandonment of Islam. In the case of national registration of identity, while a change of religion to Islam will be registered, the change from Islam will not.¹⁸⁰ Similarly, Muslim family law does not recognize conversions from Islam to other religions, which has repercussions to matters of marriage, divorce, custody, and inheritance. In 2008, the Bahá'ís were granted the right to have a dash on their ID cards instead of a religion, as it was not allowed to have 'Bahá'í' mentioned, but the success was short-lived as now the dash is used as a means of discrimination. Agnosticism or atheism is not a recognized category, so that will not be registered and, in case a Muslim will turn to that belief, will be considered abandonment of Islam.

2. Manifestation of One's Religion by Expression of One's Convictions

The expression of religious convictions has become increasingly curtailed as a matter of national security under the new 'blasphemy' article 98f Penal Code that has been added in 2006 and that criminalizes "whoever exploits religion in order to promote extremist ideologies." It appears that quite a few cases that might otherwise qualify as mild banter or serious debate have resulted in prison sentences based on this article: according to one source, there have been "many" cases of prosecution, detention, and convictions in 2022 "for expressing opinions on issues related to the nature of religions or comparing them".¹⁸¹

3. Other Types of Manifestation of Religion or Belief

Egypt's Church Construction Law (Law No. 80 of 2016) provides a procedure for the building or reconstruction of churches. It was supposed to be an improvement to the unwritten rule that permission was only granted in exceptional cases, but the law's lack of recourse for applicants in case of non-responses or denials of their requests has done little to improve that situation.¹⁸² For instance, the case has been reported of a dilapidated church that received permission for their demolition but subsequently did not get the permission to rebuild.¹⁸³ Also, the requirements for permission for churches are much more elaborate than is the case for mosques.¹⁸⁴

4. Discrimination Based on Religion or Belief

Religiously mixed marriages are forbidden by most of the Egyptian religious personal status laws (but only in the Islamic law, Muslim men are allowed to marry non-Muslim women, but not vice versa). Christians can manifest their religion and maintain their religious family laws, but occasionally experience discrimination or harassment and are barred from high positions in, for example, the police and the military.¹⁸⁵ Shi'ite Muslims are experiencing similar treatment because

¹⁸⁰ Moataz Ahmed El Fegiery, 'Islamic Law and Freedom of Religion: The Case of Apostasy and Its Legal Implications in Egypt', *Muslim World Journal of Human Rights*, 2013; 10(1): 1–26. Also: US State Department, *International Religious Freedom Report: Egypt 2021*, June 2022: p.5.

¹⁸¹ Egyptian Initiative for Personal Rights (EIPR), eipr.org, see under 'press release' of 15 March 2022, 26 December, 2022'.

¹⁸² The Tahrir Institute For Middle East Policy, 'Church Construction Law', July 29 2019 (online publication).

¹⁸³ Egyptian Initiative for Personal Rights (EIPR), eipr.org, see under 'press release Sunday March 13, 2022'.

¹⁸⁴ The Tahrir Institute For Middle East Policy, 'Church Construction Law', July 29 2019 (online publication).

¹⁸⁵ The Institute on Religion and Public Policy, *Report on Religious Freedom in Egypt 2021*, p.4.

they are increasingly perceived as heretics.¹⁸⁶ There has been a noticeable increase in discriminatory actions against members of the Baha'i community.

5. Protection from Violence

Terrorist attacks on Christian churches and people have in the past led to rigorous military protection which continues until today. These attacks are mostly committed by Islamist militant groups currently hiding out in the Sinai mountains. The state also justifies its persecution of any alleged religious incitement as protection.¹⁸⁷ However, this protection regards institutions only: individual people suffering from religiously motivated discrimination or harassment will not easily receive protection from the state.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 – Problematic issues
2. Manifestation of One's Religion by Expression of One's Convictions	1 – Problematic issues
3. Other Types of Manifestation of Religion or Belief	1 – Problematic issues
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	1 – Problematic issues

¹⁸⁶ US State Department, *Egypt 2021 International Religious Freedom Report*, p.14.

¹⁸⁷ The Institute on Religion and Public Policy, *Report on Religious Freedom in Egypt 2021*, p.3.

Eritrea

Final score: 8 (Severe violations)

Political Framework

Eritrea gained independence from Ethiopia in 1993 and since then has not held a national election. The militarised authoritarian state is headed by self-appointed president Isaias Afwerki.¹⁸⁸ He also heads the only political party People's Front for Democracy and Justice (PFDJ). The National Assembly (the parliament of the country) has never met since 2002.¹⁸⁹ Despite gaining independence, Eritrea continues to be involved in periodic armed conflicts with Ethiopia, which lead to extreme militarization of the country and high numbers of refugees.¹⁹⁰

Legal Framework

The Eritrean constitution of 1997 protects the right to freedom of thought, conscience and belief (Article 19). However, this document has not been implemented. Religious life is regulated through the Department of Religious Affairs, based on so-called Proclamation No.73/1995.¹⁹¹ . The main task of the office is to regulate religious activities and institutions, approve their registration applications, which have to be renewed every year, and make sure that religious groups do not interfere in politics or promote different political views.¹⁹²

Religious Demographics

The two major religions in Eritrea are Christianity and Islam. The majority of Christians are Eritrean Orthodox, others are Roman Catholic, Evangelical Lutheran. Muslims are mainly Sunni.

¹⁸⁸ "Liberator to Oppressor: 30 Years under Isaias Afwerki – DW – 05/23/2023," dw.com, accessed August 9, 2023, <https://www.dw.com/en/from-liberator-to-oppressor-30-years-of-eritrea-under-isaias-afwerki/a-65708163>.

¹⁸⁹ "Eritrea: Freedom in the World 2022 Country Report," Freedom House, accessed August 9, 2023, <https://freedomhouse.org/country/eritrea/freedom-world/2022>.

¹⁹⁰ "New UNHCR Data Points to Record Number of Worldwide Refugees in 2022 Driven Largely by the War in Ukraine," June 20, 2023, <https://blogs.worldbank.org/opendata/new-data-unhcr-points-record-high-number-worldwide-refugees-2022>.

¹⁹¹ United Nations High Commissioner for Refugees, "Refworld | Eritrea: Proclamation No. 73/1995 of 1995, Proclamation to Legally Standardize and Articulate Religious Institutions and Activities," Refworld, accessed September 15, 2023, <https://www.refworld.org/docid/48aec42b2.html>.

¹⁹² United State Commission on International Religious Freedom Annual Report 2023, <https://www.uscirf.gov/user/14>, "Annual Reports | USCIRF," 0211:18:00 2023, <https://www.uscirf.gov/annual-reports>.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The country has a ruthless conscription policy.¹⁹³ All citizens between the ages of 18 and 50 years, male and female, must serve in the army for 18 months. During an emergency, the length of this national service can be extended indefinitely, which has been the case since 1998 due to the conflict with Ethiopia. There is also a compulsory militia for all men. There are no alternative service options or exemptions for objectors. Jehovah's Witnesses and others who refuse military services are punished by detention or denied citizenship.¹⁹⁴ Authorities continue to detain 32 Jehovah's Witnesses, some since more than 20 years, for refusing to be conscripted or to renounce their faith.¹⁹⁵

2. Manifestation of One's Religion by Expression of One's Convictions

Art. 196. of the Penal Code (2015) criminalises the Disturbance of Religious or Ethnic Feelings: "A person who intentionally and publicly disparages a ceremony or rite of any lawful religious group, or profanes a place, image or object used for such religious ceremonies...", is punishable with a term of imprisonment (6 to 12 months) or a fine of 20,001 – 50,000 Nakfas (1250 - 3100 EUR).¹⁹⁶ It is unclear how this law is used in practice or how the weak and vague terms "disparages" and "profanes" are interpreted.¹⁹⁷

Dissemination of religious publications through mass media is strictly controlled by the authorities. The latter activity without government approval may result in charges for two-year imprisonment.¹⁹⁸

3. Other Types of Manifestation of Religion or Belief

The country maintains a strict registration policy for religious organisations or groups. In fact, only four religious groups managed to obtain this registration and have to renew it every year: Sunni Islam, the Eritrean Orthodox Church, the Roman Catholic Church, and the Evangelical Church of Eritrea.¹⁹⁹

All groups are required to register and no communal religious activity is allowed without a legal status. Authorities approve the construction of new buildings for worship and strictly control foreign funding.

¹⁹³ "HRW Urges Targeted Sanctions on Eritrea over Forced Conscription," France 24, February 9, 2023, <https://www.france24.com/en/afrique/20230209-hrw-urges-targeted-sanctions-on-eritrea-over-forced-conscription>.

¹⁹⁴ "Eritrea," *United States Department of State* (blog), accessed September 15, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/eritrea/>.

¹⁹⁵ "Eritrea Imprisons Jehovah's Witnesses for Their Faith," JW.ORG, accessed September 15, 2023, <https://www.jw.org/en/news/region/eritrea/jehovahs-witnesses-in-prison/>.

¹⁹⁶ "Eritrea - Penal Code of the State Eritrea, 2015.," accessed September 15, 2023, https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=101051&p_count=4&p_classification=01.

¹⁹⁷ "Eritrea," End Blasphemy Laws, accessed September 21, 2023, <https://end-blasphemy-laws.org/countries/africa-sub-saharan/eritrea/>.

¹⁹⁸ "Eritrea."

¹⁹⁹ <https://www.uscirf.gov/user/14>.

As for the registered groups, the government uses their legal status to control them and interfere in their internal affairs, brings the church-run schools under the administration of the government and punishes anybody who may have a critical position towards the government.²⁰⁰

4. Discrimination Based on Religion or Belief

All non-recognized religious groups are deprived of basic rights and are punished for any “unlawful assembly” with a fine or imprisonment (1 to 6 months).²⁰¹ Jehovah’s Witnesses are a particularly targeted group and are often stripped of citizenship or arbitrarily detained for a lack of legal status or alternative positions on political or military matters.²⁰²

5. Protection from Violence

Major human rights bodies condemn Eritrea’s persistence in violations of basic human rights of believers of all faiths.²⁰³ Their reports are filled with cases of arbitrary detentions, indefinite prison sentences, inhuman treatment and torture of prisoners of conscience, or those charged for worshiping in public or protesting against the government’s lawlessness, etc. The exact number of detained people cannot be determined, due to intimidation of spokespeople by the Government. Arrest of believers may take place for refusal to participate in the national referendum or military service, or even for undefined charges.²⁰⁴ In 2022, former Orthodox Church Patriarch Abune Antonios died after 18 years of house arrest for protesting against government interference in church affairs. His death led to a harsh condemnation of the government by the church and society in the country.²⁰⁵

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	2 – Serious violations
2. Manifestation of One’s Religion by Expression of One’s Convictions	2 – Serious violations
3. Other Types of Manifestation of Religion or Belief	2 – Serious violations
4. Discrimination Based on Religion or Belief	1 – Problematic Issues
5. Protection from Violence	1 – Problematic Issues

²⁰⁰ <https://www.uscirf.gov/user/14>, “Annual Reports | USCIRF.”

²⁰¹ “Eritrea.”

²⁰² “Eritrea Imprisons Jehovah’s Witnesses for Their Faith.”

²⁰³ “Statement of the Special Rapporteur on the Situation of Human Rights Situation in Eritrea, Mr Mohamed Abdelsalam Babiker,” OHCHR, accessed September 15, 2023, <https://www.ohchr.org/en/statements/2021/02/statement-special-rapporteur-situation-human-rights-situation-eritre-a-mr-mohamed>.

²⁰⁴ “Eritrea Imprisons Jehovah’s Witnesses for Their Faith.”

²⁰⁵ <https://www.uscirf.gov/user/14>, “Annual Reports | USCIRF.”

India

Final score: 8 (Severe violations)

Political Framework

India, the most populous country in the world,²⁰⁶ is a parliamentary republic of multi-party democracy. Prime Minister Narendra Modi and his right-wing Hindu nationalist Bharatiya Janata Party (BJP)²⁰⁷ are in power since 2014. They push forward a religious-nationalistic agenda, using governmental institutions to silence political opponents and implementing discriminatory policies, which especially affect Muslims. The summer of 2022 was marked with the election of president Droupadi Murmu, backed by a BJP, and violent confrontations between police and those who protested against the BJP spokesman's alleged insult of the prophet Muhammed.²⁰⁸

Legal Framework

The Indian constitution stipulates that "all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion." (article 25) Federal law provides official minority status and assistance programs to six religious groups: Muslims, Sikhs, Christians, Parsis, Jains and Buddhists. Religious minority affairs are managed by the National Commission for Minorities, which includes representatives of the designated minorities, and the National Human Rights Commission. These agencies have no enforcement power but they conduct investigations on allegations of religious discrimination.²⁰⁹

Religious Demographics

The vast majority of the country are Hindu(79.8%). The largest minority group are Muslims (14.2%). Christians comprise 2.3%, Sikh 1.7%, other religions and unspecified 2%.

ForB Situation

1. Adopting and Changing One's Religion or Belief

One-third of the Indian states operate with laws prohibiting religious conversion, which is in contradiction to the Constitution's guarantees of freedom of conscience and of profession, practice, and propagation of religion. The laws mainly aim to prevent interfaith marriages and it has been suggested that they serve the religious-nationalistic agenda of the ruling party. They do

²⁰⁶ "Population by Country (2023) - Worldometer," accessed September 18, 2023, <https://www.worldometers.info/world-population/population-by-country/>.

²⁰⁷ "India: Freedom in the World 2023 Country Report," Freedom House, accessed September 18, 2023, <https://freedomhouse.org/country/india/freedom-world/2023>.

²⁰⁸ "Photos: Muslims in India Stage Protests over Prophet Comments," accessed September 20, 2023, <https://www.aljazeera.com/gallery/2022/6/12/photos-muslims-in-india-stage-protests-over-prophet-comments>.

²⁰⁹ "Official Website of National Commission for Minorities, Govt. of India," accessed September 19, 2023, <https://www.ncm.nic.in/homepage/homepage.php>.

not mention particular faiths, but in practice appear to target mainly non-Hindus.²¹⁰ The interfaith marriages are seen as a threat and described as “love jihad”, when Muslim men engage in a conspiracy to turn Hindu women away from their religion by seducing them. The penalties for “forced” conversion through marriage may vary from state to state and reach a term of imprisonment of up to 10 years.²¹¹

2. Manifestation of One’s Religion by Expression of One’s Convictions

Proselytism is prohibited in some parts of India. Some states require permission for conversion. Breaching these laws is punished with imprisonment up to three years.

In addition, the federal penal code criminalizes offenses relating to religion, such as “deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs” (article 45). Violations of any of these provisions are punishable by imprisonment for up to three years, a fine, or both. If the offense is committed at a place of worship, imprisonment can be five years.²¹²

Expression of the core humanist principles is also severely restricted. The adherents of atheistic worldview are harassed, threatened and even killed for manifesting their position.²¹³

Although, it does not prevent the ruling BJP to be linked to an ‘escalating trend’ of anti-Muslim hate speech in the country. There were 255 documented incidents of hate speech gatherings targeting Muslims in the first half of 2023.²¹⁴

3. Other Types of Manifestation of Religion or Belief

Registration is required for those religious groups which receive funding from abroad. NGO’s and religious organizations conducting social work and receiving foreign funding are also required to get special permission. The permission can be withdrawn if an organization threatens/endangers “harmony between religious, racial, social, linguistic, or regional groups, castes, or communities.”²¹⁵ Many western NGOs are for this reason leaving the country. The constitution permits private religious schools (article 28).

4. Discrimination Based on Religion or Belief

Encouraged by the government policies, Hindu extremists strive for all Indians to be Hindu and want the country to get rid of Christianity and Islam.

Some of the constitutional provisions also create ground for discrimination against religious minorities: e.g., Art. 25 considers Sikhs, Jains and Buddhists as Hindus and thus excludes them from benefits provided to other religious minorities in education or employment. The constitution

²¹⁰ “India,” *United States Department of State* (blog), accessed September 19, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/india/>.

²¹¹ “India,” *United States Department of State* (blog), accessed September 19, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/india/>.

²¹² “India,” *United States Department of State* (blog), accessed September 19, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/india/>.

²¹³ “India,” *Freedom of Thought Report* (blog), accessed December 9, 2023, <https://fot.humanists.international/countries/asia-southern-asia/india/>.

²¹⁴ “Anti-Muslim Hate Speech in India Spikes around Elections, Report Says | Islamophobia News | Al Jazeera,” accessed December 15, 2023, <https://www.aljazeera.com/news/2023/9/26/anti-muslim-hate-speech-in-india-spikes-around-elections-report-says>.

²¹⁵ “India Code: Section Details,” *Foreign Contribution (Regulation) Act, 2010*. accessed September 20, 2023, https://www.indiacode.nic.in/show-data?actid=AC_CEN_5_24_00024_201042_1517807327802§ionId=7408§ionno=9&orderno=9.

also prohibits the slaughter of cows and keeping its products (art. 48).²¹⁶ This prohibition often creates ground for accusations towards Muslims.²¹⁷

5. Protection from Violence

Conversion from Hinduism to Christianity remains the main trigger for violent attacks on Christians. In 2022 more than 600 Christian lost their homes on Christmas Day after radicals’ attacks on 20 villages in India’s Chhattisgarh state for refusing to “re-convert” to Hinduism.

Demonization of converts from Hinduism into Christianity and Islam often leads to an act of open aggression that is not addressed by the government – and sometimes even supported. Members of the minority religious groups are reportedly attacked, tortured and killed, their homes vandalised by fervent Hindu nationalist groups and cow protection groups.²¹⁸

The government also demonstrates extreme bias towards religious minorities and gets involved in violent actions. In 2022 authorities in several regions demolished Muslim-owned homes and arbitrarily arrested and detained 148 Muslims²¹⁹ after protests that were held earlier that month.²²⁰

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	2 - Serious violations
2. Manifestation of One’s Religion by Expression of One’s Convictions	2 - Serious violations
3. Other Types of Manifestation of Religion or Belief	1 – Problematic Issues
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	2 - Serious violations

²¹⁶ “India 1949 (Rev. 2016) Constitution - Constitute,” accessed September 18, 2023, https://www.constituteproject.org/constitution/India_2016.

²¹⁷ Shaikh Azizur Rahman, “Hindu Right-Wing Activists Arrested in India for Killing Cow, Trying to Frame Muslims,” VOA, April 14, 2023, <https://www.voanews.com/a/hindu-right-wing-activists-arrested-in-india-for-killing-cow-trying-to-frame-muslims/7050248.html>.

²¹⁸ “India,” *United States Department of State* (blog), accessed September 19, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/india/>.

²¹⁹ “India,” *United States Department of State* (blog), accessed September 19, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/india/>.

²²⁰ “India: Freedom in the World 2023 Country Report,” Freedom House, accessed September 18, 2023, <https://freedomhouse.org/country/india/freedom-world/2023>.

Iran

Final score: 9 (Severe violations)

Political Framework

Iran is a self-proclaimed 'Islamic Republic' based on conservative Islamic principles that are strictly upheld, among others by a 'morality police' (*Gasht Ershad*). The situation in Iran had been tense since the massive demonstrations of 2019, but flared up after the death of Mahsa Amini, in September 2022, during her incarceration after being arrested by the morality police for not wearing a headscarf. The incident sparked mass protests throughout the country against the strict dress code for women, but more generally against the treatment of women and the oppressive rule of the regime. The government has responded with violence, mass arrests, and by the end of 2022 an estimated 20 protesters had received death sentences of which two have been executed.²²¹

Legal Framework

According to the Constitution, the Twelver Ja'afari branch of Shia Islam is the official state religion of Iran (Article 12), but the four Sunni schools of Islam and the Shia Zaydi school are recognized (Article 12) as well as the Zoroastrians, Jews, and Christians (Article 13). Those who are not registered as members of these groups are considered Muslim. All laws and regulations in Iran must adhere to 'Islamic criteria' (Article 4). Men and women have equal rights in all domains, but subject to 'Islamic criteria' (Article 20). The Penal Code (1991) is based on Islamic law (sharia) but often surpasses the traditional interpretation of the sharia, like 'enmity against God' (Article 279) and 'corruption on earth' (Article 262) which are both punishable by death.

Religious Demographics

Almost the entire population is Muslim with an estimated 90-95% Shia and 5-10% Sunni 5-10%). About 0.3% of the population is Zoroastrian, Jewish, Bahá'í, and Christian. Recent research suggests significant secularization.²²²

ForB Situation

1. Adopting and Changing One's Religion or Belief

Apostasy by Muslims is punishable by death (Article 225 Penal Code). There are reports that there are over 1 million Christian converts from Islam.²²³ However, prosecution appears to be reluctant: in January 2022, the Ministry of Intelligence Muslim summoned eight individuals who had converted to Christianity, and exerted pressure urging them to renounce their new faith.²²⁴

²²¹ Iran Human Rights, *Annual Report on the Death Sentence in Iran 2022*.

²²² GAMAAN, *Iranians' Attitudes Toward Religion: A 2020 Survey Report*.

²²³ Open Doors, <https://www.opendoors.org.za/christian-persecution/world-watch-list/iran/> (2022).

²²⁴ Iran Human Rights Monitor, "Iranian Christian converts face violations of their rights", 31 January 2022.

2. Manifestation of One's Religion by Expression of One's Convictions

Non-Muslims belonging to religions not recognized by the state face restrictions on public religious expression.²²⁵ Insulting 'divine religions or Islamic schools of thought' is a criminal offence punishable by six months to two years in prison (Articles 499 and 499 *bis* Penal Code). There is no reporting that prosecution for this offence has taken place in 2022. Proselytization is considered an offence against national security and is punishable by two to five years in prison (Articles 499 and 500 Penal Code). Insulting 'sacred values of Islam' is punishable by death (Article 513) and 'any deviant educational or proselytising activity that contradicts or interferes with the sacred religion of Islam' can lead to incarceration (Article 500 *bis*). The latter seems primarily aimed against Bahá'ís.²²⁶ In April 2022, Anooshavan Avedian was sentenced to ten years in prison for teaching "propaganda contrary to and disturbing to the holy religion of Islam" because he held private gatherings at his home to pray and worship.²²⁷

3. Other Types of Manifestation of Religion or Belief

In general, members of recognized religions can conduct religious rituals, form religious societies, and address personal affairs and religious education based on their respective canons.²²⁸ This is different for members of non-recognized religions, such as the Bahá'ís (see below).

4. Discrimination Based on Religion or Belief

Non-Muslims are not eligible for government positions, except for parliamentary seats reserved for recognized religious minority members (Article 64 Constitution). Muslims who are not Shia are barred from holding key positions (e.g., Article 115 Constitution). The Bahá'ís for years have faced "state-driven and systematic persecution"²²⁹ as a 'deviant sect' of Islam. This persecution is based on official policy dating from 1991, stating that the Bahá'ís will not be expelled from the country or be arrested 'without reason', but that their 'progress and development should be blocked'.²³⁰ Part of this blocking is to deny them access to government employment or education and deny them the right to use Bahá'í burial rites.

5. Protection from Violence

Members of non-Muslim communities have faced state violence in 2022. In the case of the Bahá'ís, there appears to be an escalation of violence, with numerous incidents being reported of Bahá'í properties being raided, confiscated, or demolished,²³¹ or of Bahá'í individuals and families being harassed or arrested by security forces.²³² In the case of Christians, there has been continued raiding of church gatherings in houses, resulting in arbitrary arrests, confiscation of personal belongings, prosecution on national security charges, and various punishments such as imprisonment, fines, and internal 'exile'.²³³ However, these raids seem not to be religiously motivated but based on an alleged violation of national security prohibiting secret gatherings.²³⁴

²²⁵ US State Department, *International Religious Freedom Report: Iran 2022*, p. 7.

²²⁶ Article 19, 'Iran: New Penal Code provisions as tools for further attacks on the rights to freedom of expression, religion, and belief', July 2022, p.22.

²²⁷ Article 18, 'Anooshavan Avedian', 24 June 2022.

²²⁸ US State Department, *International Religious Freedom Report: Iran 2022*, p. 8.

²²⁹ OHCHR, 'The Baha'is in Iran', 8 June 2016.

²³⁰ <https://www.bic.org/sites/default/files/pdf/ran/1991%20Bahai%20Question%20Memo%20ENG.pdf>.

²³¹ Amnesty International. "Amnesty International Report 2022/23: The State of the World's Human Rights," p. 199.

²³² OHCHR, Iran: UN experts alarmed by escalating religious persecution, *United Nations*, August 22, 2022.

²³³ Amnesty International. "Amnesty International Report 2022/23: The State of the World's Human Rights," p. 199.

²³⁴ USCIRF, *USCIRF Country Update: Iran July 2022*, July 2022, p.2.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	2 - Serious violations
2. Manifestation of One's Religion by Expression of One's Convictions	2 - Serious violations
3. Other Types of Manifestation of Religion or Belief	1 – Problematic Issues
4. Discrimination Based on Religion or Belief	2 - Serious violations
5. Protection from Violence	2 - Serious violations

Iraq

Final score: 4 (problematic issues)

Political Framework

Iraq is a federal republic that is based on a system of confessionalism (*muhassasa*) that divides political and governmental representation among several religious and ethnic communities. Parliamentary seats and governmental functions are allotted to various religious and ethnic communities, just like the president is Kurdish, the prime minister Shia and the speaker of parliament is Sunni. Since 2019 there have been regular demonstrations against this system as it is held responsible for corruption and failing economic and political progress. In terms of freedom of religion, the autonomous Kurdish Region Iraq appears more liberal than the rest of Iraq; for instance, in 2015 it officially recognized the Bahá'í faith.

Legal Framework

Iraq has ratified the main human rights treaties without reservation. According to the Iraqi Constitution of 2005, Islam is the official religion of the state and 'a foundation source' (meaning: not the only source) of legislation (Article 1). It guarantees 'the Islamic identity' for the Muslim population and 'full religious (*sic*) rights to freedom of religious belief and practice' of non-Muslims (Article 2). The constitution declares equality based on, among others, 'religion, sect, belief' (Article 14). With regard to matters of personal status, people have the freedom to regulate them in accordance with 'religions, sects, beliefs, or choices' (Article 41). This corresponds with the existing practice of Muslims, Christians, and Jews, having their own religious courts to handle matters like marriage and inheritance.

Religious Demographics

The overall majority is Muslim, with an estimated 63% Shia and 32% Sunni. The Christian minority used to be significant but is reduced to an estimated 150-300 thousand persons.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

There is no criminal legal objection to apostasy. However, there is a clear legal bias regarding the change of belief. For non-Muslims the conversion to Islam is welcomed and legally facilitated.²³⁵ For Muslims, on the other hand, administrative law does not allow their conversion to be registered.²³⁶ Muslim family law does not recognize conversions from Islam to other religions, which has repercussions to matters of marriage, divorce, custody, and inheritance. Apostasy from Islam - whether to another religion or resulting in atheism - may also lead to ostracization by the family or tribe and sometimes even to arrest warrants.²³⁷

2. Manifestation of One's Religion by Expression of One's Convictions

The Penal Code does not criminalize blasphemy but protects the 'religious sensibilities' of religious minorities: attacking the creed of a religious minority, ridiculing its religious practices, disrupting, or obstructing their religious ceremonies or meetings, or damaging or defacing their religious buildings or symbols, is punishable with a maximum of 3 years (Article 372 Penal Code). With a purportedly increasing secularism and atheism among youth, there have been instances of state persecution of atheism under the accusation of blasphemy (even though blasphemy is not a criminal offense).²³⁸

3. Other Types of Manifestation of Religion or Belief

Islamic education is mandated in public schools across the country, except in the Iraqi Kurdistan Region (IKR).²³⁹ Muslim students are required to take Islamic education classes, including Qur'an studies, while non-Muslim students are not obliged to participate. Public schools in areas with significant Christian populations offer Christian religious education. National identity cards no longer include information about the bearer's religious affiliation, but the online application process still requests this information.²⁴⁰

4. Discrimination Based on Religion or Belief

Almost all Muslim and Christian family codes contain the religiously discriminatory rule of prohibiting intermarriage with members of other religious communities. The political system of confessionalism (*muhassasa*) is based on ethnicity as well as religion and is therefore with regard to the religious communities by default based on religious discrimination. Some religious groups, including the Bahá'ís, Zoroastrian, and Kaka'i communities, are not permitted to register under their professed religions, resulting in their exclusion from legal protections and privileges.²⁴¹ Contracts signed by institutions associated with unrecognized religious groups are deemed invalid and cannot be presented as admissible evidence in court proceedings. Of the non-recognized religious groups, the Bahá'ís are singled out for official discrimination as the practice of the Bahá'í faith is formally prohibited (Law no. 105 of 1970) with a

²³⁵ US State Department, *International Religious Freedom Report: Iraq 2022*, p. 6.

²³⁶ US State Department, *International Religious Freedom Report: Iraq 2022*, p. 6-7.

²³⁷ European Union Agency for Asylum, *Country Guide: Iraq, 2022*, p.113-116.

²³⁸ European Union Agency for Asylum, "Country Guidance: Iraq", *EEAA*, June 2022, p. 115,

<https://euaa.europa.eu/country-guidance-iraq-2021/214-individuals-considered-have-committed-blasphemy-and-or-apostasy>.

²³⁹ US State Department, *International Religious Freedom Report: Iraq 2022*, p. 10.

²⁴⁰ US State Department, *International Religious Freedom Report: Iraq 2022*, p. 11.

²⁴¹ US State Department, *International Religious Freedom Report: Iraq 2022*, p. 8.

penalty of 10 years in prison, even though this law has not been enforced.²⁴² Concerns have been raised that the legal protection of holy shrines and religious sites might not extend to non-recognized religious communities.²⁴³

Lastly, the federal government reportedly has been utilizing the "de-Baathification" process, originally intended to remove former members of the Baath party from positions of influence following the 2003 regime change, as a pretext for discriminating against Sunni Muslims in government employment and other practices.²⁴⁴

5. Protection from Violence

Religious and ethnic minority groups in Iraq, such as Sunni Arab Muslims, Yazidis, Christians, Kaka'is, who had been displaced for various reasons are reportedly hindered in their wish to return to their homes and communities.²⁴⁵ It is unclear, however, whether this hindrance is for religious reasons, and whether it takes place in a violent manner.

1. Adopting and Changing One's Religion or Belief	1 – Problematic issues
2. Manifestation of One's Religion by Expression of One's Convictions	1 – Problematic issues
3. Other Types of Manifestation of Religion or Belief	0 – Minor concerns
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	1 – Problematic issues

²⁴² Australian Government, DFAT Country Information Report, 1923, p.18.

²⁴³ US State Department, *International Religious Freedom Report: Iraq 2022*, p. 10.

²⁴⁴ USCIRF 2023 Annual Report Iraq, p. 55.

²⁴⁵ Ibid.

Israel

Final score: 6 (Problematic issues)

The following analysis addresses the FoRB situation in both the territory of Israel and the Palestinian territories that it occupies. Violations of FoRB attributed to Palestine are discussed in the section related to that country.

Political Framework

Israel is a parliamentary democracy. Several human rights organisations have classified Israel as an apartheid regime²⁴⁶ because of its treatment of Palestinians within its borders and in the Palestinian territories occupied by Israel (Gaza and West Bank, including East Jerusalem). The EU considers all Israeli settlements in Palestine as incompatible with international law and does not recognise any changes to the pre-1967 borders.²⁴⁷

Legal Framework

Israel does not have a constitutional text, but several 'basic laws' have a quasi-constitutional function. Although freedom of religion or belief is not expressly recognized in a constitutional source, it is 'guaranteed to every person in Israel', according to the case law of the Israeli Supreme Court.²⁴⁸

Israel has ratified several international human rights instruments, including the International Covenant on Civil and Political Rights; it placed a reservation on ICCPR, stating that matters of personal status are governed in Israel by the religious law of the parties concerned.

Religious Demographics

Israel has about 9 million inhabitants, with 74% Jewish, 18% Muslim, 2% Christian, and 1,6% Druze, and 5% with other or no affiliation.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

Israelis who immigrated because of their Jewish ancestry but cannot prove that they meet the Orthodox definition of Jewishness through matrilineal descent are not recognised as Jewish by the Israeli Chief Rabbinate.²⁴⁹ Although these individuals are recorded as 'lacking religion' and may be

²⁴⁶ B'tselem, Apartheid, 12 January 2021, <https://www.btselem.org/apartheid>; Human Rights Watch, *World Report 2023, 2023*; Amnesty International Report 2022/2023: *The State of the World's Human Rights*, 2023.

²⁴⁷ See e.g. Israel/Palestine: Statement by the Spokesperson on settlement expansion and the situation in East Jerusalem, 6 May 2021,

https://www.eeas.europa.eu/eeas/israelpalestine-statement-spokesperson-settlement-expansion-and-situation-east-jerusalem_en.

²⁴⁸ See Adam S. Kramarow, «Synagogue and State: Bringing Balance to the Role of Religion in Israeli Law New Frontiers in the Laws of War», *Journal of Transnational Law & Policy* 23 (2014 2013): 157–204.

²⁴⁹ Associated Press, New reforms look to chip away Israeli chief rabbis' power, 18 March 2022,

<https://apnews.com/article/business-lifestyle-religion-israel-tel-aviv-d66575bd026f2adfc2ccf530b18d314b>; The Times

the object of discriminatory measures (see below, section 4) they are not pressured to change their beliefs or religious practices.

2. Manifestation of One's Religion by Expression of One's Convictions

Penal Law prohibits publications and statements liable crudely to offend the religious faith or sentiment of others, with a penalty of imprisonment up to one year.²⁵⁰ Implementation of this provision is reportedly rare.²⁵¹

The government discourages proselytism on the part of minority religions and requests foreign organisations to refrain from engaging in proselytism.²⁵² For instance, Brigham Young University, which opened a center in Jerusalem, agreed that no member of the Church of Jesus Christ of Latter-day Saints will engage in proselytizing within Israel and Palestine.²⁵³

3. Other Types of Manifestation of Religion or Belief

Israel officially recognizes only some faiths, including Judaism, Christianity, and Islam. Recognised communities benefit from tax exemptions regarding the places of worship and can apply their rules to the personal status of their members.²⁵⁴ Non-registered religious organisations can conduct their activities as non-profit organizations; some even received a property tax exemption for their houses of worship.²⁵⁵

Military service is compulsory for most citizens. Citizens with specific beliefs (e.g. ultra-orthodox Jews or Muslims) usually are not required to serve in the Israeli army, but the law does not generally grant a right to conscientious objection on grounds of religion or belief.²⁵⁶

4. Discrimination Based on Religion or Belief

The Basic Law adopted in 2018 stipulates that 'The realization of the right to national self-determination in the State of Israel is exclusive to the Jewish People.'²⁵⁷

Numerous Israeli laws discriminate against non-Jews, particularly Palestinians (the vast majority of whom are Muslim, see section on Palestine). For instance, the 'Law of Return' grants Jews the right to immigrate from a foreign country with their spouse and children; others (notably, Palestinians) are denied this right. Palestinians with Israeli nationality or residence are even prevented from extending their legal status to spouses with Palestinian passports.²⁵⁸

of Israel, Chief rabbi: Immigrants from former Soviet Union are 'religion-hating gentiles', 7 January 2020, <https://www.timesofisrael.com/chief-rabbi-immigrants-from-former-soviet-union-are-religion-hating-gentiles/>.

²⁵⁰ Penal Law, Art. 173, available at https://main.knesset.gov.il/EN/about/history/documents/kns8_penallaw_eng.pdf.

²⁵¹ Humanists International, *The Freedom of Thought Report 2022*, 2023.

²⁵² Open Doors, World Watch Research - Israel: Full Country Dossier, March 2022, p. 30.

²⁵³ The agreement is available at website of BYU Jerusalem center <https://jerusalemcenter.ce.byu.edu/sites/jerusalemcenter.ce.byu.edu/files/non-proselytizingagreement.pdf>.

²⁵⁴ US State Department, *2022 Report on International Religious Freedom*.

²⁵⁵ Open Doors, Israel: Full Country Dossier, p. 7, 30; US State Department.

²⁵⁶ Haaretz, 'The Overhaul Opened Their Eyes': Israeli Youth Publicly Refuse Draft, 4 September 2023, <https://www.haaretz.com/israel-news/2023-09-04/ty-article/.premium/we-wont-serve-the-dictatorship-in-the-west-bank-israeli-youth-publicly-refuse-draft/0000018a-5e9e-d845-adfe-fefee2380000>; France 24, Meet Israel's teenage 'Refuseniks', who are refusing to enlist in the army, 21 November 2022, <https://observers.france24.com/en/middle-east/20221121-meet-israel-s-teenage-refuseniks-who-refuse-to-enlist-in-the-army>.

²⁵⁷ Basic law 2008, available at <https://main.knesset.gov.il/EN/activity/Documents/BasicLawsPDF/BasicLawNationState.pdf>. See also Human Rights Committee, Concluding observations on the fifth periodic report of Israel, 5 May 2022, CCPR/C/ISR/CO/5, para. 10.

²⁵⁸ A translation of the law is available on the website the Legal Center of the Arab Minority Rights in Israel: https://www.adalah.org/uploads/uploads/The_Citizenship_and_Entry_into_Israel_Law_Eng_150322.pdf. Human Rights Committee, Concluding observations on the fifth periodic report of Israel, cit., paras 44-45.

Marriage and divorce are regulated by religious law: Jews, Muslims and Christian maintain their own religious courts and laws, which are often discriminatory to people with other religions.²⁵⁹ This results, particularly, in discrimination against women belonging to specific religious communities.²⁶⁰ In addition, Israelis who identify as Jewish but do not qualify as such under Jewish religious law are denied religious services such as marriage or burial in state Jewish cemeteries.²⁶¹

5. Protection from Violence

There are numerous reports of use by Israeli authorities of excessive force against Palestinians,²⁶² including persons involved in religious activities or in places of worship. For instance, in April 2022, Israeli forces repeatedly stormed the al-Aqsa mosque compound/Temple Mount, using stun grenades, and batons. 180 Palestinians were injured on 22 April alone.²⁶³ Several other Palestinians were injured in attacks at the al-Aqsa compound during the following days.²⁶⁴ In one of these attacks, the Israeli police reportedly shot and killed a 21-year old Palestinian, Walid Al-Sharif.²⁶⁵ Israeli forces attacked the persons attending the funeral of Walid Al-Sharif and stormed the cemetery where he was to be buried, wounding 71 persons and arresting 20.²⁶⁶ The Israeli police also attacked the funeral of Shireen Abu Akleh, an Al Jazeera journalist killed by Israeli forces. Police used batons on mourners carrying Shireen Abu Akleh's coffin. At least four people were arrested during the incident.²⁶⁷

²⁵⁹ Committee on Economic, Social and Cultural Rights, Concluding observations on the fourth periodic report of Israel, 12 November 2019, E/C.12/ISR/CO/4, para. 38.

²⁶⁰ Committee on the Elimination of Discrimination against Women, Concluding observations on the sixth periodic report of Israel, 17 November 2017, CEDAW/C/ISR/CO/6, para. 56.

²⁶¹ US State Department, *2022 Report on International Religious Freedom*.

²⁶² Human Rights Committee, Concluding observations on the fifth periodic report of Israel, 5 May 2022, CCPR/C/ISR/CO/5, para. 26.

²⁶³ UN Office for the coordination of Humanitarian Affairs, Protection of Civilians Report | 5-18 April 2022, <https://www.ochaopt.org/poc/5-18-april-2022#:~:text=On%2015%20and%2017%20April,worshippers%20at%20the%20Western%20Wall>.

²⁶⁴ Al Jazeera, New Israeli raid at Al-Aqsa mosque leaves Palestinians injured, 22 April 2022, <https://www.aljazeera.com/news/2022/4/22/new-israeli-police-raid-al-aqsa-leaves-palestinians-injured>.

²⁶⁵ Vice World News, Death of a Palestinian Protester: How Did Walid al-Sharif Die?, 18 March 2023, <https://www.vice.com/en/article/bvj8z3/walid-al-sharif-al-aqsa-death-jerusalem>.

²⁶⁶ Al Jazeera, Dozens injured in Israeli police attack on Palestinian funeral, 17 May 2022, <https://www.aljazeera.com/news/2022/5/17/israeli-police-attack-funeral-procession-of-palestinian-man>; The Times of Israel, Clashes erupt during East Jerusalem funeral of Palestinian wounded on Temple Mount, 16 May 2022, https://www.timesofisrael.com/liveblog_entry/palestinians-spar-with-cops-during-funeral-of-palestinian-wounded-on-temple-mount/.

²⁶⁷ Al Jazeera, Israeli forces attack Shireen Abu Akleh's funeral, 13 May 2022, <https://www.aljazeera.com/gallery/2022/5/13/journalist-shireen-abu-akleh>.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 – Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	1 – Problematic issues
3. Other Types of Manifestation of Religion or Belief	1 – Problematic issues
4. Discrimination Based on Religion or Belief	2 – Severe violations
5. Protection from Violence	2 – Severe Violations

Jordan

Final score: 4 (problematic issues)

Political Framework

Jordan is a monarchy with an influential role for the king and limited power for parliament. Political parties were only legalized in Jordan in 1992. The country hosts an estimated 1,3 million Syrian refugees (of a population of 11 million).²⁶⁸ The regional balance as a moderate power is offset with measured repression on the domestic level. The call for social and political reforms, known as the Hirak movement, emerged from the Arab Spring demonstrations in Jordan, and has remained active since.²⁶⁹ During March and April 2022, numerous journalists, politicians, and activists associated with the Hirak movement were detained, reportedly to prevent widespread anti-government demonstrations.²⁷⁰

Legal Framework

Jordan has unconditionally ratified the main human rights treaties. The Constitution of Jordan designates Islam as the official state religion (Article 2) and guarantees the freedom to practise any form of worship and religious rituals, as long as they are in accordance with public order and morality (Article 14). Discrimination based on religion is forbidden (Article 6). Matters of personal status are regulated by the religious laws of the respective communities and are applied by religious courts (Article 99). The Constitution makes no mention of Islamic or Shari'a law apart from the Muslim personal status law (Articles 103-105).

Religious Demographics

Jordan has an estimated 97% Muslim population that is predominantly Sunni, and 2.1% Christians of varied denominations.

²⁶⁸ UNHCR, Operational Data Portal, Syria Regional Refugee Response: Jordan, 2023

²⁶⁹ Curtis Ryan, *Jordan and the Arab Uprisings*, Columbia University Press, 2018.

²⁷⁰ Freedom House, "Freedom in the World 2023: Jordan", <https://freedomhouse.org/country/jordan/freedom-world/2023>.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

There are no legal inhibitions regarding the right to convert to another religion. An exception is the Muslim family law: sharia courts in Jordan do not recognize conversions from Islam to other religions, which has repercussions to matters of marriage, divorce, custody, and inheritance.²⁷¹

2. Manifestation of One's Religion by Expression of One's Convictions

State-recognized Christian communities can live relatively freely if they abstain from proselytization.²⁷² The Penal Code (1960) of Jordan contains a number of articles (273-278) criminalizing various acts of blasphemy, including publicly scorning 'any of the prophets' (which includes Jesus), defiling places of worship, disturbing a religious assembly, or insulting 'the religion of any person'. Specific for Islam is the prohibition to 'publicly violate' the fasting during Ramadan (Article 274). Persecution based on these articles appears to be rare. An exception is an on-going series of high-profile court cases against the poet Zulaika Abu Risha, allegedly instigated by zealous critics.²⁷³ Proselytization activities by Christians targeting Muslims can be prosecuted as 'stirring sectarian or racial prejudices' (Article 150 Penal Code) which is punishable as a matter of 'harming national unity'.

3. Other Types of Manifestation of Religion or Belief

The government imposes regulations on imams, requiring them to adhere to approved themes and texts during Friday sermons. Failure to comply may result in penalties such as suspension, written warnings, sermon restrictions, or dismissal.²⁷⁴ Since 2016, identity cards no longer mention the religion of the bearer (although opponents criticized this measure for denying the Islamic identity²⁷⁵).

4. Discrimination Based on Religion or Belief

The Muslim family code (Law 15/2019) contains the religiously discriminatory rules common in Islamic marriage and inheritance law: a Muslim woman cannot marry a non-Muslim man (art.28 sub a), and a non-Muslim woman cannot inherit from or pass her inheritance to her Muslim husband or children (Art. 281 sub b).

While recognized non-Islamic groups need to register, Islamic religious groups are not required to do so.²⁷⁶ Also, recognized non-Islamic groups do not receive government subsidies that Islamic groups enjoy.²⁷⁷ Non-recognized non-Islamic groups, such as the Bahá'ís and Jehovah's Witnesses, lack legal status and face limitations in performing administrative functions such as opening bank accounts, registering property, and hiring staff²⁷⁸; they will be denied licenses for operating a publishing house or a private school²⁷⁹; they cannot register their marriages and the religious affiliation of their children; and like atheists and agnostics must chose a recognized religion when

²⁷¹ US State Department, *Freedom of Religion Country Reports, Jordan 2022*, p. 3.

²⁷² Open Doors, *Full Country Dossier Jordan 2021*, p.9.

²⁷³ Humanists International, *Freedom of Thought Report - Jordan*, June 2023.

²⁷⁴ US State Department, *Freedom of Religion Report - Jordan 2022*, p. 12

²⁷⁵ "Why did Jordan remove the religion field from civil identity?," *Al Bawaba*, July 3, 2016, <https://www.albawaba.com/ar/858674-أخبار/لماذا-شطب-الأردن-خانة-الديانة-من-الهوية-المدنية-؟>

²⁷⁶ US State Department, *Freedom of Religion Report - Jordan 2022*, p. 4.

²⁷⁷ US State Department, *Freedom of Religion Report - Jordan 2022*, p. 5.

²⁷⁸ US State Department, *Freedom of Religion Report - Jordan 2022*, p. 14.

²⁷⁹ US State Department, *Freedom of Religion Report - Jordan 2022*, p. 13.

required by official documents.²⁸⁰ This discriminatory conduct has reportedly diminished with regard to the Bahá'ís : Bahá'í marriage certificates are being recognized and two Bahá'í cemeteries are registered in the name of the institutions in Jordan.

5. Protection from Violence

Conversion by Muslims to Christianity can have severe consequences in extended family circles.²⁸¹

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 – Problematic issues
2. Manifestation of One's Religion by Expression of One's Convictions	1 – Problematic issues
3. Other Types of Manifestation of Religion or Belief	0 – Minor concerns
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	1 – Problematic issues

²⁸⁰ Freedom House, "Freedom in the World 2023: Jordan", <https://freedomhouse.org/country/jordan/freedom-world/2023>; US Department, p. 15..

²⁸¹ Open Doors, *Full Country Dossier Jordan 2021*, pp.22.-23

Korea, Democratic People's Republic of (North Korea)

Final score: 10 (Severe violations)

Political Framework

The Democratic People's Republic of Korea, also known as North Korea, is a totalitarian one-party state. The state is based on a state ideology that incorporates Marxism, nationalism, and a cult of the ruling dynasty. More than 40% of the population are undernourished. The government severely limits freedom of movement and communication, does not ensure any meaningful judicial protection against state abuses, and violently represses dissent, through arbitrary arrest, forced labour, and execution.²⁸²

Legal Framework

The constitution of North Korea recognizes freedom of religion and equality of rights for all, irrespective of religion. The country acceded to the International Covenant on Civil and Political Rights in 1981 and expressed its intention to withdraw from the ICCPR in 1997, though the ICCPR allows for no such withdrawal; consequently, North Korea remains a party to the ICCPR.

Religious Demographics

The population is estimated to be about 26 million. While religious demographics are unclear, the country is apparently composed mainly of atheists (possibly, 70%), Buddhists (11%), followers of other religions (2%), and persons with unclear religion or belief (17%).²⁸³

ForB Situation

1. Adopting and Changing One's Religion or Belief

The exercise of the freedom of religion is nearly impossible in North Korea.²⁸⁴ Public authorities execute, torture, arrest, and physically abuse persons engaged in religious activities.²⁸⁵

²⁸² See e.g. Human Rights Watch, *World Report 2023*, 2023; Human Rights Council - Working Group on the Universal Periodic Review, Thirty-third session, Summary of Stakeholders' submissions on the Democratic People's Republic of Korea, 18 february 2019, A/HRC/WG.6/33/PRK/3, para. 35.

²⁸³ US State Department, *2022 Report on International Religious Freedom*, 2023

²⁸⁴ Situation of human rights in the Democratic People's Republic of Korea - Note by the Secretary-General, 8 October 2021, A/76/392, para. 18

²⁸⁵ US State Department, *2022 Report on International Religious Freedom*.

2. Manifestation of One’s Religion by Expression of One’s Convictions

Ownership of imported religious material may be punished with imprisonment up to seven years²⁸⁶ or, reportedly, life imprisonment and even death.²⁸⁷

3. Other Types of Manifestation of Religion or Belief

The religious facilities that operate in North Korea are controlled by the state.²⁸⁸ Religion can be practiced only in secret.²⁸⁹

4. Discrimination Based on Religion or Belief

North Korea reportedly uses a system of social classification (*songbun*): each individual is assigned a caste at birth, depending on the background of the family. Religious believers are placed in the lower castes and are discriminated against in several aspects of their lives, including access to food, employment and healthcare.²⁹⁰

5. Protection from Violence

There are numerous reports of violence against persons who manifest religion or belief, including beatings, torture, inhuman, or degrading treatment, and execution.²⁹¹

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	2 – Severe violations
2. Manifestation of One’s Religion by Expression of One’s Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	2 – Severe violations
4. Discrimination Based on Religion or Belief	2 – Severe violations
5. Protection from Violence	2 – Severe violations

²⁸⁶ Situation of human rights in the Democratic People’s Republic of Korea, cit., para. 19.

²⁸⁷ DW, North Korea tightens its repression over religious groups, 6 February 2023, <https://www.dw.com/en/north-korea-tightens-its-repression-over-religious-groups/a-65807139>;

²⁸⁸ US State Department, *2022 Report on International Religious Freedom*.

²⁸⁹ Choi Sun-Young et al., The UN Universal Period Review and the DPRK, NKDB, available at nkdb.org.

²⁹⁰ Human Rights Council - Working Group on the Universal Periodic Review, Thirty-third session, Summary of Stakeholders’ submissions on the Democratic People’s Republic of Korea, 18 february 2019, A/HRC/WG.6/33/PRK/3, para. 23; UN General Assembly resolution 72/188, para. 2 (xi); Situation of human rights in the Democratic People’s Republic of Korea, cit., para. 19.

²⁹¹ Korea future, Persecuting faith: Documenting religious freedom violations in North Korea – volume 2, 2021, available at <https://www.koreafuture.org/news/report-persecuting-faith-volume-2>; see also US State Department, *2022 Report on International Religious Freedom*..

Korea, Republic of (South Korea)

Final score: 1 (Minor concerns)

Political Framework

The Republic of Korea (South Korea) is a democratic country with a presidential form of government, with generally high human rights standards. Concerns are reported regarding, in particular, political expression and the protection of minorities.²⁹² 2022 was marked by tensions with North Korea, which conducted an unprecedented number of ballistic tests over the course of the year.²⁹³

Legal Framework

The Constitution of South Korea provides recognition of state religions and provides for separation of church and state. It protects human rights, including freedom of religion, and prohibits discrimination on grounds of religion. According to the Constitution, human rights can be restricted only when necessary for national security, the maintenance of law and order, or for public welfare.²⁹⁴

South Korea is a party to the International Covenant on Civil and Political Rights (with a reservation regarding freedom of association) and several other international human rights instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination against Women.

Religious Demographics

The country's population is estimated at 52 million, 20% Protestants, 16% Buddhists, 8% Catholics, 57% no affiliation or no religion.

ForB Situation

1. Adopting and Changing One's Religion or Belief

The law of South Korea guarantees the right to choose and change one's religion or belief.

2. Manifestation of One's Religion by Expression of One's Convictions

Military service is compulsory for men. Since 2020, conscientious objection on grounds of belief is possible but under punitive terms:²⁹⁵ objectors are given the possibility to perform alternative activities (performed only in prisons) for three years, i.e. twice the time conscripts spend in the

²⁹² Amnesty International Report 2022/2023: *The State of the World's Human Rights*, 2023; Human Rights Watch, *World Report 2023*, 2023; Freedom House, *Freedom in the Worlds 2023*, 2023.

²⁹³ IISS, North Korea's missile activity in 2022, December 2022, <https://www.iiss.org/en/publications/strategic-comments/2022/north-koreas-missile-activity-in-2022/>.

²⁹⁴ See the Constitution of South Korea, <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/67127/98324/F2042155478/KOR67127%20English.pdf>.

²⁹⁵ On the requirement of non-punitive conditions for conscientious objection, see *inter alia*, paras 56-58.

military.²⁹⁶ A Jehovah’s witness refused alternative service in 2020 and his criminal trial was ongoing at the end of 2022.²⁹⁷ Refusal of performing alternative service is punished with up to three years of imprisonment.

3. Other Types of Manifestation of Religion or Belief

Available sources do not report significant restrictions to other types of manifestation of religion or belief.

4. Discrimination Based on Religion or Belief

While the Constitution prohibits discrimination on grounds of some protected characteristics, including religion, South Korea does not currently have comprehensive legislation on non-discrimination. Occasional episodes of potential intolerance have been reported, such as the halting of construction of a mosque in Daehyeon-dong because of the opposition of residents.²⁹⁸ Available sources, at any rate, do not report widespread episodes of discrimination.

5. Protection from Violence

Sources do not suggest the presence of systematic violence motivated by religion or belief, on the part of either state authorities or individuals.

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	0 – Minor concerns
2. Manifestation of One’s Religion by Expression of One’s Convictions	1– Problematic Issues
3. Other Types of Manifestation of Religion or Belief	0 – Minor concerns
4. Discrimination Based on Religion or Belief	0 – Minor concerns
5. Protection from Violence	0 – Minor concerns

²⁹⁶ Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on freedom of religion or belief, 28 November 2019, KOR 4/2019, p. 5-9, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24979>; Human Rights Council, Summary of stakeholders’ submissions on the Republic of Korea, Working Group on the Universal Periodic Review, 4 November 2022, A/HRC/WG.6/42/KOR/3, paras 35-38; The Globe and Mail, South Korea still punishing conscientious objectors despite promised alternative to military service, activists say, 13 May 2022.

²⁹⁷ Jehovah’s Witness, Court Case Challenges the Punitive Nature of South Korea’s Alternative Civilian Service, 7 December 2022, <https://www.jw.org/en/news/region/south-korea/Court-Case-Challenges-the-Punitive-Nature-of-South-Koreas-Alternative-Civilian-Service/>; US State Department, *2022 Report on International Religious Freedom*, 2023.

²⁹⁸ The Korea Times, Mosque construction triggers standoff in Daegu, 3 May 2022, https://www.koreatimes.co.kr/www/nation/2023/08/113_328375.html.

Lebanon

Final score: 1 (Minor concerns)

Political Framework

Lebanon is a parliamentary democracy employing a system of confessionalism that divides political and governmental representation among several religious communities (Article 95 Constitution). The President of Lebanon must be a Maronite Christian, the President of the National Assembly a Shia Muslim, the prime minister a Sunni Muslim, and the Deputy Speaker of Parliament a Greek Orthodox. The 128 seats in the Lebanese parliament are divided equally among Muslims and Christians, with a subdivision of 18 different denominations. These divisions, however, have contributed to the inability in the past years to overcome one of the worst economic crises in Lebanon's history.²⁹⁹ In 2019, mass demonstrations unsuccessfully called for the abolition this 'sectarian system' of governance. The Lebanese economy is further negatively impacted by an estimated 1 million Syrian refugees (on a population of over 5 million). The relation between Hezbollah, one of the main representatives of the Shiite part of the Lebanese population, and Iran, is close but the degree of influence that Iran may therefore have on Lebanese politics is unclear.

Legal Framework

Lebanon has not signed or ratified any of the relevant international human rights treaties. The state officially recognizes 18 religions. These religious communities have their own religious personal status laws, including marriage, divorce, custody, inheritance, and many also have their own courts whose rulings are recognized by the state (Article 9 Constitution). In cases of personal status, there is no civil law system, only religious law. Members of religious communities that are not recognized such as Hindus, Buddhists or Bahá'ís, are free to practice their religion but have no right to stand for election in parliament, do not qualify for government office, and cannot marry, divorce, or inherit property in accordance with the rules of their own religion.³⁰⁰

ForB Situation

1. Adopting and Changing One's Religion or Belief

Conversion is allowed and regulated by law: the convert must obtain from the officials of the new religion a document attesting the convert's new faith, which the convert then registers with the Personal Status Directorate of the Ministry of Interior (MOI).³⁰¹ Individuals also have the right to remove or modify the indication of their religion on civil registration documents (like ID's) issued by the government, without the need for authorization by religious officials.³⁰² However, it is not an option to have no religion.

²⁹⁹ Lebanon Economic Monitor, *Lebanon Sinking (to the Top 3)*, Spring 2021.

³⁰⁰ Pax for Peace, "Lebanon. Submission to the UN Universal Periodic Review", UPR Working Group of the Human Rights Council, July 2020, p. 3; OHCHR, *Report on Religious Freedom in Lebanon*, The Institute on Religion & Public Policy, p. 2.

³⁰¹ Pax for Peace, "Lebanon. Submission to the UN Universal Periodic Review", UPR Working Group of the Human Rights Council, July 2020, p. 4.

³⁰² U.S. State Department, *International Religious Freedom Report 2021: Lebanon*. p. 4.

2. Manifestation of One's Religion by Expression of One's Convictions

Defamation of and contempt for religion are criminal offenses with a maximum prison term of three years.³⁰³ Prosecution of such cases are rare, and none was reported in 2022. Insulting religious beliefs or inciting religious strife are offenses under the law on news media, and although there are many cases of public and private prosecution for slander, the number of cases for religious reasons is unknown.³⁰⁴

3. Other Types of Manifestation of Religion or Belief

No reporting on these issues in 2022.

4. Discrimination Based on Religion or Belief

Almost all Muslim and Christian family codes contain the religiously discriminatory rule of prohibiting intermarriage with members of other religious communities.

The confessional system of recognition of religions and division of political and governmental positions is based on religion and is therefore by default based on religious discrimination. However, the logic behind the system is that the inclusion of all religions in this system should even out such discrimination. However, the Ismaili Muslim and Jewish communities, while being officially recognized religions, do not have seats in the parliament like other officially recognized religious organizations.³⁰⁵ Also, several of the smaller recognized religious groups, like the Syriac Christians, have reported that while some of their representatives have held high-level civil positions, such as Director General, the more senior and influential roles are always reserved for Maronite or Greek Orthodox Christians.³⁰⁶ Finally, the few (very small) religious communities that are not recognized, such as Hindus, Bahá'ís, Buddhists, have no political or legal rights at all other than freedom to practice their faith.³⁰⁷

5. Protection from Violence

The deplorable state of the economy is the main reason that many Lebanese leave the country. However, some Lebanese Christians have indicated that their departure is motivated by concerns for their safety and the possibility of being treated unfairly in an unstable political climate.³⁰⁸

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 - Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	0 - Minor concerns
3. Other Types of Manifestation of Religion or Belief	0 - Minor concerns
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	0 - Minor concerns

³⁰³ Art. 473 Lebanese Penal Code.

³⁰⁴ U.S. Department of State, *Human Rights Report: Lebanon 2022*, p. 11-12.

³⁰⁵ U.S. Department of State, *Human Rights Report: Lebanon 2022*, p. 26.

³⁰⁶ OHCHR, *Report on Religious Freedom in Lebanon*, The Institute on Religion & Public Policy, p. 2.

³⁰⁷ Ibid.

³⁰⁸ Ibid.

Libya

Final score: 5 (Problematic issues)

Political Framework

Following the postponement of elections in December 2021, Libya experienced a further deterioration in its political and security situation in 2022, with two governments and various militant factions aggravating the existing political stalemate and division within the country. In September 2022, a new United Nations envoy was appointed to facilitate consensus on a constitutional framework and an election timeline, to monitor the cease-fire, and to assist in the withdrawal of foreign forces. The European Union supports the government in Tripoli, its main interest being stability in the region and the stopping of illegal migration through Libya.

Legal Framework

Libya has not signed or ratified any international human rights treaties. The Interim Constitution of 2011 designates Islam as the official religion of the state and recognizes sharia as "the main source of legislation" (article 1). It guarantees "non-Muslims" the freedom to practise their respective religions (article 1), but the current laws only recognize Jews and Christians.³⁰⁹ Equal civil and political rights are guaranteed, without distinction of - among others - religion (article 6). A new constitution (2017) has not yet been agreed upon.

A proper judicial and police enforcement of the law is problematic in the chaotic situation wherein many paramilitary organizations are active.

Religious Demographics

The overall majority of the Libyans is Sunni Muslim, Christians are estimated to be 20-30 thousand, mostly migrant workers (on a population of 6.7 million).

ForB Situation

1. Adopting and Changing One's Religion or Belief

Although there is no law prohibiting adopting or changing one's belief, it has been reported that Muslims who have converted to Christianity face arrest, detainment and sometimes torture (for the purpose of recanting their conversion).³¹⁰ The motive for this treatment is the sharing Christian materials which is construed as a criminal offense under article 207 Penal Code (1954) that prohibits the circulation of views that aim to alter, overthrow or destroy "the fundamental structures of the social order". Also, Muslim family law does not recognize conversions from Islam to other religions, which has repercussion to matters of marriage, divorce, custody, and inheritance.

³⁰⁹ United States Department, International Religious Freedom Report: Libya 2022, p. 4.

³¹⁰ The World Evangelical Alliance, Open Doors & Middle East Concern, "Report to the Human Rights Committee on: Libya Freedom of Religion or Belief (ICCPR art. 18) and non-discrimination (ICCPR art. 26)," August 2020, pp. 2-3.

2. Manifestation of One's Religion by Expression of One's Convictions

The Penal Code (1954) prohibits, under punishment of a fine, insults or mockery of 'any religious faith that publicly performs its rites' (Art. 290). Insults of Islam 'through expressions that are inappropriate for God, prophets, or messengers' are punishable for a maximum penalty of 2 years (article 291). In practice, however, these provisions are predominantly enforced in cases related to Islam.³¹¹

In August 2022, the Logos Hope, a ship operated by a German faith-based organization *Good Books for Everyone* that distributes books, was denied approval to dock in Tripoli harbour after that permission was initially given.³¹² The alleged reason is that the ship's mission was rooted in Christian proselytization.

3. Other Types of Manifestation of Religion or Belief

Religious education in Islam is compulsory in both public and private educational institutions and there are no provisions or options available for students to opt out of this requirement.³¹³ While Christians are permitted to practise their faith to some degree, the government imposes many limitations on how they are allowed to do so.³¹⁴

4. Discrimination Based on Religion or Belief

The Muslim family code (Law 10/1984) contains the religiously discriminatory rules common in Islamic marriage and inheritance law: a Muslim woman cannot marry a non-Muslim man (art.12 sub c), and a non-Muslim woman cannot inherit from or pass her inheritance to her Muslim husband or children.³¹⁵

The Human Rights Council's fact-finding mission reported "shrinking of civic space" due to the practice of conservative Salafist-leaning ideologies.³¹⁶ A prominent theologian, Sheikh al-Sadiq al-Ghariani, is reported to have said Christianity and Judaism are polytheistic religions and not the religion of Abraham.³¹⁷

5. Protection from Violence

The Human Rights Council's fact-finding mission reported in the year 2022 the detainment of persons for, among others, their "expression of divergent religious views".³¹⁸ Also, converts to other religions, as well as atheists, agnostics, and other nonreligious persons, faced threats of violence or dismissal from employment and hostility from their families and communities because of their beliefs.³¹⁹ The very small Christian communities in Libya have indicated that they often felt uncomfortable wearing outward displays of their religion, such as crosses or rosaries, for fear that it could lead to harassment.³²⁰

³¹¹ United States Department, International Religious Freedom Report: Libya 2022.

³¹² United States Department, International Religious Freedom Report: Libya 2022, p. 13.

³¹³ Humanists International, "Libya", August 14, 2020,

<https://fot.humanists.international/countries/africa-northern-africa/libya/>

³¹⁴ European Centre for Law and Justice, "Religious Freedom in Libya", 2020

³¹⁵ Not mentioned as such in the law, but based on the Libyan exception to CEDAW that the Convention "cannot conflict with the laws on personal status derived from the Islamic *Shariah*"

(https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&clang=_en#34).

³¹⁶ Human Rights Council, Report of the Independent Fact-Finding Mission on Lybia, 31 March 2023, A/HRC/52/83, point 68.

³¹⁷ United States Department, International Religious Freedom Report: Libya 2022, p.10

³¹⁸ Human Rights Council, Report of the Independent Fact-Finding Mission on Lybia, 31 March 2023, A/HRC/52/83, points 3, 68

³¹⁹ United States Department, International Religious Freedom Report: Libya 2022

³²⁰ United States Department, International Religious Freedom Report: Libya 2022

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 - Problematic Issues
2. Manifestation of One's Religion by Expression of One's Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	1 - Problematic Issues

Mali

Final score: 5 (Problematic issues)

Political Framework

Starting from the early 1990s, Mali underwent a shift from authoritarian governance, embarking on a path of political transition. Nonetheless, Mali suffered three military coups in 2012, 2020 and 2021. Moreover, since 2012 Mali had to deal with an uprising led by Tuaregs in alliance with armed groups linked to the Islamic state. Despite the Agreement for Peace and Reconciliation concluded by the Mali government and some armed groups in 2015, rebels control a significant and growing part of northern Mali.

In 2013, the UN launched the Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), which should support Malian authorities in the stabilization of the country. The EU has a non-executive crisis management mission in Mali (EUCAP Sahel Mali).

Legal Framework

The current Constitution of Mali dates from 1992. It protects freedom of religion or belief and prohibits discrimination on grounds of religion.³²¹ The ruling Junta proposed a new Constitution in late 2022. According to its drafters, the new Constitution should continue to guarantee freedom of religion.³²²

Mali is party to several international human rights instruments, including the International Covenant on Civil and Political Rights (without reservations), the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child.

Religious Demographics

The population of Mali is estimated at about 21 million, mostly Muslims (ca. 94%) and several small minorities, including Christians (2%), animists, and persons with no religious affiliation.

³²¹ Constitution of Mali, Arts 2 and 4, available at https://www.un.int/mali/sites/www.un.int/files/Mali/decret_nde_g_92-0731_p-ctsp_portant_promulgation_de_la_constitution.pdf.

³²² RFI, Mali's draft constitution marks major shift towards presidential regime, 13 October 2022, <https://www.rfi.fr/en/africa/20221013-mali-s-draft-constitution-marks-major-shift-towards-presidential-regime>.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The law protects the right to have and change religion. The state does not engage in religious indoctrination; the constitution disallows public schools from providing religious instruction. Nevertheless, there are reportedly a number of private madrasas, or Koranic schools, that are beyond the control of the state.³²³

2. Manifestation of One's Religion by Expression of One's Convictions

The law of Mali does not criminalize blasphemy or religious insult as such. However, the criminal code prohibits 'Any manifestation contrary to freedom of conscience and freedom of worship that could incite citizens against one another', punishing it with imprisonment up to 5 years (Article 58). A man was apparently charged with this crime in 2022, after he posted a video online in which he disparaged Islam.³²⁴ The case is currently pending.

Reportedly, there is widespread censorship of the media and self-censorship by journalists and civil society;³²⁵ it is unclear, however, whether such censorship extends to religion or belief.

3. Other Types of Manifestation of Religion or Belief

Public associations, including religious organisations, should register with public authorities. However, registration confers no tax benefits and there is no penalty for failure to register.³²⁶ Parts of the country are controlled by Islamic armed groups. Reportedly, these groups forced the population under their control to follow religious prescriptions such as full-face veil for women and the prohibition of music and tobacco.³²⁷

4. Discrimination Based on Religion or Belief

Both the Constitution and the penal code prohibit discrimination on grounds of religion. Although Islamic organisations requested the transitional government to acknowledge Islam as the state religion in the new constitution, the transitional government remains committed to the reference to secularism.³²⁸

³²³ Committee on Economic, Social and Cultural Rights, Concluding observations on the initial report of Mali, 6 November 2018, E/C.12/MLI/CO/1, para. 51.

³²⁴ ABamako.com, Propos blasphématoires d'un individu contre l'islam : le Procureur Général demande l'ouverture d'une enquête, 1 November 2022, <http://news.abamako.com/h/278124.html>; Le Monde, Au Mali, six personnes en détention après une accusation de blasphème, 4 November 2022, https://www.lemonde.fr/afrique/article/2022/11/04/au-mali-six-personnes-en-detention-apres-une-accusation-de-blaspheme_6148467_3212.htm..

³²⁵ Mali: UN expert gravely concerned by deterioration of security and human rights situation, 15 August 2022, <https://www.ohchr.org/en/press-releases/2022/08/mali-un-expert-gravely-concerned-deterioration-security-and-human-rights>; Human Rights Council - Working Group on the Universal Periodic Review, Forty-third session, Summary of stakeholders' submissions on Mali, 27 January 2023, A/HRC/WG.6/43/MLI/3, para. 41.

³²⁶ US State Department, 2022 Report on International Religious Freedom.

³²⁷ Situation des droits de l'homme au Mali - Rapport de l'Expert indépendant sur la situation des droits de l'homme au Mali, Alioune Tine, 17 March 2022, A/HRC/49/94, para. 37.

³²⁸ Jeuneafrique, Au Mali, des associations font front commun contre la laïcité dans la Constitution, 7 May 2023, <https://www.jeuneafrique.com/1442937/politique/au-mali-des-associations-font-front-commun-contre-la-laicite-dans-la-constitution/>.

5. Protection from Violence

Over the last few years, Islamist armed groups attacked villages, murdered and kidnapped civilians.³²⁹ For instance, Gloria Cecilia Narváez, a Colombian nun, was held by an Islamist group for more than four years and released in 2021;³³⁰ in 2022, Hans-Joachim Lohre, a German priest, was kidnapped and his whereabouts remain unknown.³³¹ It is unclear, at any rate, whether these individuals were some of the many victims, or were specifically targeted for their religious beliefs. Islamist militias, in the areas they control, reportedly Christians access to water and land to grow crops.³³²

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 – Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	1 – Problematic issues
4. Discrimination Based on Religion or Belief	0 – Minor concerns
5. Protection from Violence	2 – Severe violations

³²⁹ Situation des droits de l'homme au Mali, cit., paras 15, 34.

³³⁰ Al Jazeera, Colombia nun freed after 4-year captivity in Mali returns home, 17 November 2021, <https://www.aljazeera.com/news/2021/11/17/nun-returns-home-to-colombia-after-four-year-kidnapping-in-mali>:

³³¹ Agnes Aineah, German Catholic Priest Still Missing 100 Days after Kidnapping in Mali, 28 February, 2023, <https://www.aciafrica.org/news/7767/german-catholic-priest-still-missing-100-days-after-kidnapping-in-mali>.

³³² Open Doors, Mali: Full Country Dossier, January 2023, <https://www.opendoors.org.au/wp-content/uploads/2023/01/Full-Country-Dossier-Mali-2023.pdf>.

Mexico

Final score: 4 (Problematic issues)

Political Framework

Mexico is a federal state with a parliamentary system. The country's commitment to democracy, human rights, and the rule of law are challenged by widespread organized crime, corruption, and impunity.³³³

Legal Framework

The Mexican constitution protects freedom of religion or belief, in its individual and collective dimensions, and prohibits religious discrimination. State and Church are separated; the State can neither establish nor prohibit religions.³³⁴

Mexico is a party to several international human rights instruments, including the International Covenant on Civil and Political Rights; Mexico made a reservation regarding the right to elect and be elected (Art. 25 ICCPR), since the Constitution of Mexico prevents ministers of religion from having either a passive vote or the right to form associations for political purposes.

Religious Demographics

Mexico has approximately 130 million people. About 78% are Catholic, 11% Protestant, and about 11% are unaffiliated or do not practice any religion.

³³³ Sustainable Government Indicators, Mexico, https://www.sgi-network.org/2022/Mexico/Quality_of_Democracy.

³³⁴ Constitution of Mexico, Arts 1, 24, 130, available at https://www.gob.mx/cms/uploads/attachment/file/646405/CPEUM_28-05-21.pdf.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The law protects the right to adopt and change religion. In particular, the Constitution requires public education not to teach religious doctrines;³³⁵ Private schools can teach religion but, in these cases, individuals can decide not to take religion classes.³³⁶

2. Manifestation of One's Religion by Expression of One's Convictions

Available sources report considerable restrictions to freedom of expression in general, because of the activity of public authorities and criminal groups.³³⁷ However, these restrictions do not seem specific to discourse related to religion or belief.

3. Other Types of Manifestation of Religion or Belief

The Constitution prohibits the State from interfering with the internal life of religious groups and grants citizens the right to become ministers of any religion. Active clergy cannot be or support political candidates.³³⁸

Religious groups can operate without being registered with public authorities. If they decide to register, they receive legal personality and tax breaks and are allowed to conduct religious activities outside of places of worship.³³⁹ About 10.000 religious groups are registered in Mexico, including minority religions (e.g. Buddhist or Jewish).³⁴⁰

Criminal groups interfere with religious activities, for instance by attacking or interrupting religious ceremonies.³⁴¹ Reportedly, public authorities interfere with the social activities of religious leaders. For instance, several Catholic priests in 2022 engaging in peacebuilding work, were arrested and charged with participating in the kidnapping of 19 persons.³⁴²

4. Discrimination Based on Religion or Belief

Catholic groups and local authorities reportedly forced individuals from minority religions (notably, Evangelicals) to participate or support religious celebrations; persons who failed to cooperate have been expelled from the communities and even jailed.³⁴³

³³⁵ Constitution of Mexico, cit., Art. 3o.

³³⁶ US State Department, *2022 Report on International Religious Freedom*, 2023.

³³⁷ See e.g. *Amnesty International Report 2022/2023: The State of the World's Human Rights*, 2023.

³³⁸ Constitution of Mexico, cit., Arts 27, 130.

³³⁹ US State Department, *2022 Report on International Religious Freedom*.

³⁴⁰ US State Department.

³⁴¹ Petri e Chiscul, *Reporte sobre libertad religiosa en México*.

³⁴² COPE, México: La diócesis de San Cristóbal de las Casas pide que cese la persecución a sus sacerdotes, 15 July 2022, https://www.cope.es/religion/hoy-en-dia/iglesia-universal/noticias/mexico-diocesis-san-cristobal-las-casas-pide-que-cese-persecucion-sus-sacerdotes-20220715_2199136; Frontline Defenders, International human rights organisations express their concern about the context of risk for Indigenous defenders in the state after joint visit to Chiapas, 12 April 2023, <https://www.frontlinedefenders.org/en/statement-report/after-joint-visit-chiapas-international-human-rights-organisations-express-concern>.

³⁴³ El Universal Oaxaca, Más de 30 personas de 7 familias han sido expulsadas de Chimaltepec, Oaxaca, por no ser católicos, 12 January 2022, <https://oaxaca.eluniversal.com.mx/municipios/mas-de-30-personas-de-7-familias-han-sido-expulsadas-de-chimaltepec-oaxaca-por-no-ser>; El Heraldo de Chiapas, Dejan en libertad a pastor evangélico detenido en Mitzitón, 19 July 2021, <https://www.elheraldodechiapas.com.mx/local/municipios/dejan-en-libertad-a-pastor-evangelico-detenido-en-mitziton-6981376.html>; El heraldo de Chiapas, Pastor Alejandro Jiménez, exige justicia por destrucción de su casa en Mitzitón, 11 January 2022,

The law grants native communities the right to maintain their cultural and traditional methods of local governance, in compliance with human rights. However, Catholic groups and public authorities reportedly restrain the rights of native persons, e.g. by denying prenatal healthcare services to pregnant women because of their religious beliefs, or by forcing natives to participate in the ceremonies of the majority.³⁴⁴

5. Protection from Violence

Mexico is described as one of the most dangerous countries for Catholic priests³⁴⁵ because of the frequent attacks of criminal groups,³⁴⁶ at least three priests were killed in 2022.³⁴⁷

Minority groups reported several cases of harassment and violence performed by Catholic groups; state authorities reportedly failed to prevent and punish the conduct of these organisations.³⁴⁸

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 – Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	0 – Minor concerns
3. Other Types of Manifestation of Religion or Belief	1 – Problematic issues
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	2 – Severe violations

<https://www.elheraldodechiapas.com.mx/local/municipios/pastor-alejandro-jimenez-exige-justicia-por-destruccion-de-su-casa-en-mitziton-7716946.html>; US State Department.

³⁴⁴ CSW, Let Her Be Heard, 2022, <https://www.csw.org.uk/mexicoreport2022.htm>.

³⁴⁵ Zenit, Para 2023, México es también el país más peligroso para los sacerdotes en Latinoamérica. Estas son las cifras, 17 May 2023,

<https://es.zenit.org/2023/05/17/para-2023-mexico-es-tambien-el-pais-mas-peligroso-para-los-sacerdotes-en-latinoamerica-estas-son-las-cifras/>

³⁴⁶ Human Rights Council - Working Group on the Universal Periodic Review, Thirty-first session, Summary of Stakeholders' submissions on Mexico, 24 August 2018, A/HRC/WG.6/31/MEX/3, para. 51.

³⁴⁷ Expansion Política, El peligro de ser sacerdote en México: más de 70 homicidios en tres décadas, 24 June 2022, <https://politica.expansion.mx/presidencia/2022/06/24/el-peligro-de-ser-sacerdote-en-mexico-mas-de-70-homicidios-en-tres-decadas>; Ayuda a la Iglesia Necesitada, Más de cien sacerdotes y religiosas secuestrados, detenidos o asesinados en 2022, 28 December 2022, <https://www.ayudaaliglesianecesitada.org/noticias/mas-de-cien-sacerdotes-y-religiosas-secuestrados-detenidos-o-asesinados-en-2022/>.

³⁴⁸ US State Department, 2022 Report on International Religious Freedom.

Moldova

Final score: 2 (Minor concerns)

Political Framework

The Republic of Moldova is a parliamentary representative democratic republic. It became independent from the USSR in 1991. The unresolved problem of the Transnistria region, which is quasi-separated and supported by Russia, is an obstacle for Moldova to join the EU.³⁴⁹ Separatist tendencies are also present in the Gagauzia region.³⁵⁰ Still, in 2022 Moldova was granted the EU candidate status together with Ukraine.³⁵¹ There are two competing Orthodox churches: the Moldovan Orthodox Church is associated with the Russian Orthodox Church, the other falls under the Orthodox Church in Romania.³⁵²

Legal Framework

The Constitution of 1994 and the Law on Religious Denominations and Their Component Parts (adopted in May 2007) form the legal framework for religious life in the country. The Constitution recognizes and guarantees the right of all citizens to express their religious identity (art. 10).³⁵³ The said Law regulates the relationship between the state and religious denominations, registration policies, terms for religious education, and related matters.³⁵⁴ All denominations have equal rights before the law and public authorities, but the “special importance and leading role of the Orthodox Christian religion and, respectively, the Moldovan Orthodox Church in the life, history and culture of the people of Moldova” is recognized (art. 15.5).

Religious Demographics

The vast majority (90.1%) of the citizens are Orthodox, other Christians constitute 2.6% of the population, and other faiths together with agnostics and atheists comprise less than 1%. A minority of 6.9% do not specify their religious affiliation.

³⁴⁹ “MOLDOVA-TRANSNISTRIA: Moldova Between Aggression and Accommodation | Human Rights Without Frontiers,” accessed March 22, 2023,

https://hrwf.eu/moldova-transnistria-moldova-between-aggression-and-accommodation-part-i/#_ftn4.

³⁵⁰ “Separatism and Gas: Russian Attempts to Destabilise Moldova,” OSW Centre for Eastern Studies, August 23, 2022, <https://www.osw.waw.pl/en/publikacje/osw-commentary/2022-08-23/separatism-and-gas-russian-attempts-to-destabilise-moldova>.

³⁵¹ “Grant EU Candidate Status to Ukraine and Moldova without Delay, MEPs Demand | News | European Parliament,” June 23, 2022, <https://www.europarl.europa.eu/news/en/press-room/20220616IPR33216/grant-eu-candidate-status-to-ukraine-and-moldova-without-delay-meps-demand>.

³⁵² “Moldova’s Orthodox Churches Quietly Divided | ReligionWatch | An Online Publication of Baylor Institute for Studies of Religion,” accessed March 24, 2023, <https://www.religionwatch.com/moldovas-orthodox-churches-quietly-divided/>.

³⁵³ “Moldova (Republic of) 1994 (Rev. 2016) Constitution - Constitute,” accessed March 20, 2023, https://www.constituteproject.org/constitution/Moldova_2016?lang=en.

³⁵⁴ Lawyer Moldova, “Law On Religious Denominations And Their Component Parts,” Pub. L. No. No. 125 (2007), <https://www.lawyer-moldova.com/2012/12/law-on-religious-denominations-and.html>.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

Freedom to adopt and change one's religion is protected by the Law on Religious Denominations (art. 4), as is the freedom of every individual and religious community to join any religious denomination (art. 6). The state excludes any assessment of the legitimacy of religious beliefs (art. 4), but explicitly forbids to belong to two or more religious denominations simultaneously (art. 6). In 2022, no serious infringements of these rights were reported.

2. Manifestation of One's Religion by Expression of One's Convictions

The manifestation of one's religion by expressing religious beliefs is protected by the Law on Religious Denominations as well (art. 2). "Abusive proselytism," however, is prohibited (art. 4).³⁵⁵ The most recent important case of limiting one's religious expression dates back to 2021, when the Government of Moldova dissolved the Falun Gong religious organization and banned its symbols, because they looked like Nazi swastikas. The ECtHR ruled that in this matter the government violated the principles of the ECHR.³⁵⁶

3. Other Types of Manifestation of Religion or Belief

Although the Moldovan Orthodox Church does not support the Russian aggression in Ukraine, its relationship with the state worsened in 2022 due to its canonical subordination to the Russian Patriarchate. Notwithstanding the long tradition of cooperation, the church was disallowed to continue its public broadcastings. A suggestion of the Liberal Party for the church to switch allegiance and join the Patriarchate of the Romanian Orthodox Church was not followed.³⁵⁷ The procedures for registering a religious organization are regulated by the Law on Religious Denominations and are the same for all communities.³⁵⁸ The authorities in the Transnistrian Region continue to reject, though, the requests for registration of local communities of Jehovah's Witnesses. Their activities are considered destructive and contradicting the so-called Transnistrian constitution (which lacks (inter)national recognition).³⁵⁹ Freedom of religious education is ensured by the Constitution (art. 35), with optional Religion classes being organized in public schools.³⁶⁰

4. Discrimination Based on Religion or Belief

From the aforementioned, a tension can be expected between the legal equality of religious denominations and the special place of the Moldovan Orthodox Church in society. This leads to inequality in public life and policies, which can be considered discriminatory. The Metropolitan of Chisinau and Moldova has a diplomatic passport which other religious leaders do not have.³⁶¹ Orthodox symbols and Orthodox church presence are visible in public institutions, public hospitals

³⁵⁵ Lawyer Moldova.

³⁵⁶ "Moldova: Freedom in the World 2022 Country Report," Freedom House, accessed March 24, 2023, <https://freedomhouse.org/country/moldova/freedom-world/2022>.

³⁵⁷ "Metropolitan of Moldova: Church-State Relations Have Deteriorated since February," OrthoChristian.Com, accessed March 24, 2023, <https://orthochristian.com/150699.html>.

³⁵⁸ Lawyer Moldova, Law On Religious Denominations And Their Component Parts.

³⁵⁹ People's Advocate Office, "Report on the Observance of Human Rights and Freedoms in the Republic of Moldova," 2021, 87.

³⁶⁰ "Moldova (Republic of) 1994 (Rev. 2016) Constitution - Constitute."

³⁶¹ "Freedom of Religion in Moldova," in *Wikipedia*, August 23, 2022, https://en.wikipedia.org/w/index.php?title=Freedom_of_religion_in_Moldova&oldid=1106145766.

and some schools.³⁶² It has been repeatedly reported that the Moldovan Orthodox Church and its special position has contributed to discrimination against minority religious groups.³⁶³ Particularly Jehovah’s Witnesses face continued discrimination in Transnistria due to amendments in the law from 2009 requesting for re-registration. Their right of conscientious objection continues to be disrespected.³⁶⁴ Since the Transnistrian law on Alternative Civilian Service was amended in 2019, three Jehovah’s Witnesses have been called for military service and each of them filed a complaint, which was still pending in 2022.³⁶⁵

5. Protection from Violence

In general, the situation with Freedom of religion or belief and fundamental Human Rights in Moldova is changing for the better, although the unsolved Transnistria problem and domination of the MOC has a complex impact on religious life in the country. No cases of violence because of religious affiliation or activities have been reported in 2022.

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	0 - Minor concerns
2. Manifestation of One’s Religion by Expression of One’s Convictions	0 - Minor concerns
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	0 - Minor concerns

³⁶² “Moldova.”

³⁶³ “MOLDOVA-TRANSNISTRIA: Moldova Between Aggression and Accommodation | Human Rights Without Frontiers.”

³⁶⁴ “From the European Association of Jehovah’s Witnesses. Contribution for the 40th Session of the UPR Moldova,” February 2022, file:///Users/tatiana/Downloads/EAJW_UPR40_MDA_E_Main.pdf.

³⁶⁵ “From the European Association of Jehovah’s Witnesses. Contribution for the 40th Session of the UPR Moldova.”

Morocco

Final score: 6 (Problematic issues)

Political Framework

Morocco conducts regular multiparty elections and reforms implemented in 2011 led to a transfer of some authority from the monarchy to the national legislature. Despite this, King Mohammed VI retains significant control of the government and exerts religious authority as ‘commander of the faithful’. Several civil liberties are limited in practice; for instance, Moroccan authorities prosecuted and arrested several activists over the course of 2022. Morocco occupies Western Sahara, which, according to the EU, does not form part of Morocco’s territory.³⁶⁶

Legal Framework

According to the Constitution, ‘Islam is the religion of the state, which guarantees free exercise of religion to all’.³⁶⁷ Morocco is a party to several international human rights conventions, including the International Covenant on Civil and Political Rights (without reservations), the Convention on the Elimination of All Forms of Discrimination against Women (with the reservation that it should “not conflict with the provisions of the Islamic Shariah”), and the Convention on the Rights of the Child (with the reservation that the parents retain “the right of religious guidance over their children”).

Religious Demographics

The population of Morocco is estimated at about 37 million with 99% of the inhabitants Sunni Muslims. Minorities include Christians, Jews, Bahá’ís, and Shia Muslims.

FoRB Situation

1. Adopting and Changing One’s Religion or Belief

The law does not prohibit religious conversion. However, it discourages it, by prohibiting proselytism and blasphemy (see below, section 2) and by attaching negative consequences to apostasy, such as restricting the right to inheritance of non-Muslims (see below, section 4) and, reportedly, may lead to the dissolution of the apostate’s marriage.³⁶⁸ Several sources allege that public authorities and society pressure Muslim citizens not to convert to other religions; because of this pressure, converts often have to live their new faith secretly.³⁶⁹

³⁶⁶ CJEU, *Western Sahara Campaign*, C-266/16, EU:C:2018:118, para. 69.

³⁶⁷ Art. 3 of the Moroccan Constitution, available at

<https://www.chambredesrepresentants.ma/fr/la-constitution-du-royaume-du-maroc-2011>.

³⁶⁸ Chahdi Khalid, «L’apostasie dans le droit positif marocain», *MarocDroit*, consultato 12 agosto 2023,

https://www.marocdroit.com/l-apostasie-dans-le-droit-positif-marocain_a4077.html; Africa Times, *Apostasie: que dit réellement la loi marocaine?*, 29 December 2021,

<https://africatimes.info/les-points-sur-les-i/apostasie-que-dit-reellement-la-loi-marocaine/>.

³⁶⁹ ACN Ireland, *Christian converts face discrimination in Morocco*, 22 February 2021,

<https://www.acnireland.org/journal/2021/2/22/christian-converts-face-discrimination-in-morocco>; US State Department, *2022 Report on International Religious Freedom*, 2023.

2. Manifestation of One's Religion by Expression of One's Convictions

Whoever 'undermines' Islam is subject to imprisonment up to 2 years; if the attacks are performed in a public place or published in a public place, including online, the punishment is imprisonment up to 5 years (Penal code of Morocco, Art. 267-5).³⁷⁰ In 2022, a blogger was sentenced to two years in prison for having satirized the Qur'an on Facebook.³⁷¹

The import of publications that undermine the Islamic religion may be prohibited by the government.³⁷²

The penal code prohibits the use of 'means of seduction' to convert a Muslim to another religion ('shake the faith of a Muslim'); the penalty for this crime is a fine or imprisonment up to 3 years (Article 220).³⁷³ The government reportedly expels foreigners suspected of proselytism.³⁷⁴

In addition, the government restricts the distribution of non-Islamic religious materials and prohibits the distribution of 'extremist' media.³⁷⁵

3. Other Types of Manifestation of Religion or Belief

Muslims that break their fast during Ramadan are subject to fines and imprisonment up to one year (Article 222 Penal Code). Several persons were arrested in 2022 for eating during the day in the period of Ramadan.³⁷⁶

Only Islam and Judaism are officially recognized. Other religious groups can register as associations. However, some minority groups reported difficulties in registering and, therefore, encounter obstacles in attending religious ceremonies.³⁷⁷

The Constitution prohibits the establishment of parties founded on a religious basis; it also prohibits the creation of parties that seek to undermine the Muslim religion (Article 7).³⁷⁸

4. Discrimination Based on Religion or Belief

Rules on personal status (e.g. marriage, inheritance) are inspired by Muslim law. As a consequence, for instance, a Muslim woman may not marry a non-Muslim man; a Muslim man may marry a non-Muslim woman only if she is either Jew or Christian (Article 39 Family Code). Muslims cannot inherit from non-Muslims (and vice-versa) in the absence of a will (Article 332). With respect to personal status, Jews are subject to a separate set of laws (Article 2). Minority religion groups

³⁷⁰ Available at <https://wipolex-res.wipo.int/edocs/lexdocs/laws/fr/ma/ma088fr.html>; see also Code de la presse, Art. 41, available at https://www.access-info.org/wp-content/uploads/Code_Presse_MAROC.2002.pdf.

³⁷¹ Marianne, Maroc : une blogueuse condamnée à deux ans de prison pour atteinte à la religion musulmane, 17 August 2022,

<https://www.marianne.net/monde/afrique/maroc-une-blogueuse-condamnee-a-deux-ans-de-prison-pour-atteinte-a-la-religion-musulmane>; see also Morocco - Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights, 29 August 2022, A/HRC/WG.6/41/MAR/2, para. 27.

³⁷² Code de la presse, cit., Art. 29.

³⁷³ Humanists International, *The Freedom of Thought Report*, 2020..

³⁷⁴ US State Department, *2022 Report on International Religious Freedom*.

³⁷⁵ US State Department.

³⁷⁶ Le Monde, Au Maroc, plusieurs personnes arrêtées dans un café de Casablanca pour non-respect du jeûne du ramadan, 28 April 2022,

https://www.lemonde.fr/afrique/article/2022/04/28/au-maroc-plusieurs-personnes-arretees-dans-un-cafe-de-casablanca-pour-non-respect-du-jeune-du-ramadan_6124005_3212.html.

³⁷⁷ Visit to Morocco Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 28 May 2019, A/HRC/41/54/Add.1; US State Department, *2022 Report on International Religious Freedom*.

³⁷⁸ See also *Loi organique n° 29-11*, Art. 4.

report widespread societal discrimination against Moroccans who practice minority religions, notably converts and non-religious persons.³⁷⁹

5. Protection from Violence

Although some attacks on individuals not observing the fast during Ramadan have been exposed, and a general atmosphere of social hostility is resented by minority believers, converts and non-observing Muslims, no major episodes of religious-related violence have been reported.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 – Problematic issues
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	2 – Severe violations
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	0 – Minor concerns

³⁷⁹ Humanists International, *The Freedom of Thought Report*, 2020; European Centre for Law and Justice (ECLJ), Status of Human Rights in Morocco for the 41st Session of the Universal Periodic Review - UPR Submission—Morocco—41st Session, https://www.upr-info.org/sites/default/files/country-document/2022-10/ECLJ_UPR41_MAR_E_Main.pdf, paras 12-13; US State Department, *2022 Report on International Religious Freedom*.

Myanmar

Final score: 8 (Severe violations)

Political Framework

Myanmar,³⁸⁰ is a country in South-East Asia with a population of 54 million.³⁸¹ The constitutional order created in 2008 was overturned by a coup in 2021. Military junta Tatmadaw led by Senior General Min Aung Hlaing detained President Win Myint and other officials³⁸² and now assumes the executive, legislative, and judicial functions of the country. The overthrowing of the democratically elected government was condemned by the international community.³⁸³ The country is not a party to the International Covenant on Civil and Political Rights.³⁸⁴ The junta does not control all parts of the country (now has “stable” control of just 72 of the country’s 330 townships)³⁸⁵ and uses brutal means against its opponents.³⁸⁶

Legal Framework

The 2008 constitution, drafted by a previous military regime and revised in 2015, guarantees every citizen “the right to freely profess and practice religion subject to public order, morality, or health and to the other provisions of this Constitution” (art.34).³⁸⁷ The constitution “recognizes the special position of Buddhism as the faith professed by the great majority” (art. 361) and also “recognizes Christianity, Islam, Hinduism, and Animism” (art.362).³⁸⁸ Members of religious orders are stripped of the right to participate and vote in elections (art. 392).

The country operates with four laws on “the protection of race and religion,” which regulate polygamy (aiming to limit the number of spouses among Muslims), conversion, mixed marriages and birth control.³⁸⁹ Religious affairs are managed by the Ministry of Religious Affairs and Cultures.³⁹⁰

³⁸⁰ Lin Yang, “Burma or Myanmar: One Country With Two Names?,” VOA, February 4, 2021, https://www.voanews.com/a/east-asia-pacific_burma-or-myanmar-one-country-two-names/6201633.html.

³⁸¹ “Myanmar Population (2023) - Worldometer,” accessed September 22, 2023, <https://www.worldometers.info/world-population/myanmar-population/>.

³⁸² “Myanmar: Country Profile,” Freedom House, March 30, 2022, <https://freedomhouse.org/country/myanmar>.

³⁸³ “United Nations Leads World Condemnation of Coup in Myanmar | Military News | Al Jazeera,” accessed September 22, 2023, <https://www.aljazeera.com/news/2021/2/1/world-condemns-coup-in-myanmar-urges-release-of-detainees>.

³⁸⁴ “United Nations Treaty Collection,” accessed September 22, 2023, https://treaties.un.org/pages/viewdetails.aspx?chapter=4&clang=_en&mtdsg_no=iv-4&src=ind.

³⁸⁵ “SAC-M: Just 17pc of Territory in Myanmar under Stable Junta Control as Conflict Trajectory Favours Resistance - Special Advisory Council for Myanmar,” accessed December 9, 2023, <https://specialadvisorycouncil.org/2022/09/territory-myanmar-stable-junta-control-resistance/>.

³⁸⁶ United State Commission on International Religious Freedom, “Annual Reports | USCIRF,” 0520:29:35 2023, <https://www.uscirtf.gov/annual-reports>.

³⁸⁷ “Myanmar 2008 (Rev. 2015) Constitution - Constitute,” accessed September 22, 2023, https://www.constituteproject.org/constitution/Myanmar_2015.

³⁸⁸ “Myanmar 2008 (Rev. 2015) Constitution - Constitute.”

³⁸⁹ “Burma: Four ‘Race and Religion Protection Laws’ Adopted,” web page, Library of Congress, Washington, D.C. 20540 USA, accessed September 22, 2023, <https://www.loc.gov/item/global-legal-monitor/2015-09-14/burma-four-race-and-religion-protection-laws-adopted/>.

³⁹⁰ “Ministry of Religious Affairs and Culture Myanmar,” ASEF culture360, accessed September 22, 2023, <https://culture360.asef.org/resources/ministry-culture-myanmar/>.

Religious Demographics

Buddhist 87.9%, Christian 6.2%, Muslim 4.3%, Animist 0.8%, Hindu 0.5%, other 0.2%, none 0.1% (2014 est.) The numbers refer to the 2014 national census, including an estimate for the non-enumerated population of Rakhine State, which is assumed to mainly affiliate with the Islamic faith; Muslim population dramatically decreases after large outmigration of the Rohingya population since 2017.³⁹¹

FoRB Situation

1. Adopting and Changing One's Religion or Belief

Conversion in Myanmar is allowed through an approval by the religious boards for religious conversions in the townships. However, the law is rarely applied and many townships do not have conversion boards. The applicant must be older than 18 and must undergo a waiting period of up to 180 days; if the applicant still wishes to convert, the board issues a certificate of religious conversion. The law prescribes punishments for forced conversion or for applying to convert with the intention of harming a religion. This can be monetary fines or imprisonment up to two years.³⁹²

2. Manifestation of One's Religion by Expression of One's Convictions

The Penal Code criminalizes 'blasphemy' and is often used against those who criticize Buddhism. Offenders with "deliberate and malicious intention of outraging the religious feelings" or whomever "insults or attempts to insult the religion or the religious beliefs" will be imprisoned up to two years, or fined, or both.³⁹³ Section 295 criminalizes the destruction, damaging or defilement of any worship or sacred objects with the intention of insulting the religion. In recent cases, individuals have been convicted of 'blasphemy' without evidence of deliberate and malicious intent, which makes the detention arbitrary.³⁹⁴

3. Other Types of Manifestation of Religion or Belief

Since the change of regime in 2021, all religious organisations are obliged to register with the government to operate legally. This official status is required to gain title to land, obtain construction permits, and conduct religious activities. Breaching the rule may result in a prison term of up to five years or a fine of more than K5 million (EUR 2,300), or both.³⁹⁵ Due to the chaos and unclear authority, religious groups (including Buddhists, Christians, Hindus and especially Muslims) report difficulties and delays for years in obtaining permits.³⁹⁶

Authorities continue to require citizens to indicate their religion when applying for passports. Muslims are required to indicate "foreign" ethnicity if they self-identify as Muslim on their application. Their ethnicity automatically is printed as "Bengali" on their national identity card, regardless of their ethnic affiliation.³⁹⁷

4. Discrimination Based on Religion or Belief

Theravada Buddhism is favoured by the government through propaganda and state support, including donations to monasteries and pagodas, encouragement of education at Buddhist monastic schools,

³⁹¹ "Rohingya" (<https://www.hrw.org/tag/rohingya>, n.d.).

³⁹² "Burma."

³⁹³ "Myanmar - Penal Code, 1861.," accessed September 22, 2023, https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=61342&p_country=MMR&p_count=110.

³⁹⁴ "Myanmar," End Blasphemy Laws, accessed September 22, 2023, <https://end-blasphemy-laws.org/countries/asia-central-southern-and-south-eastern/myanmar/>.

³⁹⁵ "Burma," *United States Department of State* (blog), accessed September 22, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/burma/>.

³⁹⁶ "Burma."

³⁹⁷ "Burma."

and support for Buddhist missionary activities.³⁹⁸ The law bans any organization of Buddhist monks other than the nine state-recognized monastic orders. Violations of this ban are punishable by immediate public defrocking and criminal penalties.³⁹⁹ All other minorities face discrimination on various levels. Procedures designed for Christian marriages make it almost impossible to obtain legal recognition. Rohingya Muslims face most discrimination: limitations to freedom of movement, and cut off from access to adequate food, health care, education, under the 1982 Citizenship Law, for decades they are effectively denied citizenship, and by that comprise the largest stateless populations in the world.

5. Protection from Violence

Political unrest, continuous fight for political power and impunity raised the extent of violence towards religious minorities. The Rohingya Muslims crisis, which started in 2017 and forced 1.2 million to flee their homes, has only been exacerbated by growing insecurity following the military coup: The regime continues to maltreat Rohingya Muslims, especially women and children. Some organisations described these actions as genocide and crimes against humanity.⁴⁰⁰

The military regime systematically raids and burns houses of representatives of other religious minorities too, and arbitrarily arrests them. In 2021-2022, government forces damaged or destroyed at least nine Catholic churches in the Diocese of Kloikaw in Kayah State and severely affected at least 16 out of 38 Catholic parishes.⁴⁰¹ Members of Buddhist communities suspected of not supporting the regime are also arrested or killed.⁴⁰²

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	1 - Problematic Issues
2. Manifestation of One’s Religion by Expression of One’s Convictions	2 – Serious violations
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	2 – Serious violations
5. Protection from Violence	2 – Serious violations

³⁹⁸ “Myanmar.”

³⁹⁹ “Burma.”

⁴⁰⁰ “Myanmar: Crimes against Humanity Committed Systematically, Says UN Report | UN News,” August 9, 2022, <https://news.un.org/en/story/2022/08/1124302>.

⁴⁰¹ “Burma.”

⁴⁰² “Nearly 40 Buddhist Clergy Killed and 40 Jailed since Myanmar Coup,” Radio Free Asia, accessed September 22, 2023, <https://www.rfa.org/english/news/myanmar/clergy-04252022200817.html>.

Nigeria

Final score: 8 (Severe violations)

Political Framework

Nigeria is a federal state with a presidential system of government. While the country is nominally democratic, the fairness of the 2019 presidential elections has been questioned by several observers.⁴⁰³ Widespread violence committed by groups such as Boko Haram or Islamic State West Africa Province affects millions of Nigeria in several regions. Law enforcement authorities reportedly engage in abuses, including extrajudicial killings and torture. In addition, there are numerous reports of attacks by Fulani, an ethnic group of mostly Muslim herders, against Christian farmers.⁴⁰⁴

Legal Framework

The Constitution stipulates that neither the federation nor the states can establish a state religion. It protects freedom of religion and prohibits religious discrimination. The Constitution prohibits political parties with membership based on religion and that have names with a religious connotation. Federated states can establish courts based on Islamic law (12 states) or customary law (most federated states), whose judgments can be appealed before civil courts.

Nigeria is a party to the International Covenant on Civil and Political Rights (without reservations) and other international human rights instruments, such as the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

Religious Demographics

The population of Nigeria is estimated at about 230 million, 54% Muslim, 11% Catholic, 35% other Christians, and 1% other religions or beliefs. Islam is dominant in the North-East and North-West, while Christianity predominates in the South-West.⁴⁰⁵

⁴⁰³ Freedom house, Freedom in the World 2023, <https://freedomhouse.org/country/nigeria/freedom-world/2023>.

⁴⁰⁴ See e.g. Vatican News, Nigeria: Over 60 Christians killed in Benue in two months, 20 July 2022, <https://www.vaticannews.va/en/church/news/2022-07/nigeria-insecurity-benue-two-months-aid-church-need-acn.html>; The Christian Post, 70 Christians killed in 2 days by Nigerian militants, sources say, 26 October 2022, <https://www.christianpost.com/news/70-nigerian-christians-killed-in-2-days.html>.

⁴⁰⁵ US State Department, *2022 Report on International Religious Freedom*, 2023.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

Several sources report that Boko Haram kidnaps girls and forces them to convert to Islam, and eventually to marry.⁴⁰⁶

Federal and state penal codes do not prohibit apostasy. Nonetheless, it has been reported that, in states that apply Islamic law, public authorities have brought proceedings against converts.⁴⁰⁷ The application of blasphemy laws, intercommunal and terrorist violence, and social hostility towards minorities, and especially non-religious persons, reportedly restrict the freedom to adopt, change, and abandon one's religion.⁴⁰⁸

The Constitution stipulates that nobody should receive instruction in a 'religion' other than their own or not approved by their parents or guardians, though the application of this rule is reportedly uneven.⁴⁰⁹

2. Manifestation of One's Religion by Expression of One's Convictions

The Federal Criminal Code stipulates that any person who does an act which any class of persons consider as a public insult on their religion, with the intention that they should consider the act such an insult, is liable to imprisonment for 2 years.⁴¹⁰ In state penal codes, penalties may include imprisonment up to 5 years.⁴¹¹ In states where Islamic law is applied, Muslims charged with blasphemy could be sentenced to death and individuals have indeed been sentenced to death,⁴¹² though such penalties have not been carried out yet.⁴¹³

There is a high level of violence against persons who are perceived to engage in blasphemy. For instance, a mob lynched a university student in the Bauchi State in 2022, on the allegation that the

⁴⁰⁶ Al Chukwuma Okoli, Gender and Terror: Boko Haram and the Abuse of Women in Nigeria, *Georgetown Journal of International Affairs*, 2022, <https://gija.georgetown.edu/2022/04/05/gender-and-terror-boko-haram-and-the-abuse-of-women-in-nigeria%E2%80%9C%BC/>; Forbes, Abducted And Enslaved Minority Women And Girls Let Down By Governments Globally, 16 May 2022, <https://www.forbes.com/sites/ewelinaochab/2022/05/16/abducted-and-enslaved-minority-women-and-girls-let-down-by-governments-globally/>.

⁴⁰⁷ ADF International, Converts face Sharia court trials for Christian faith in Nigeria, <https://adfinternational.org/nigeria-persecution/>; see further End Blasphemy Laws, Appeals court orders retrial in case of Nigerian singer, 21 January 2021, <https://end-blasphemy-laws.org/2021/01/appeals-court-orders-retrial-in-case-of-nigerian-singer/>; see also para. 44.

⁴⁰⁸ World Council of Churches et al., Stakeholder submission from a faith-based coalition, coordinated by the World Council of Churches, p. 4, available at https://www.upr-info.org/sites/default/files/documents/2019-04/js15_upr31_nga_e_main.pdf; Aiuto alla Chies, *Perseguitati più che mai*, s.d.; Premium Times Nigeria, SPECIAL REPORT: Atheists face discrimination, forced into hiding in Nigeria's north, 3 August 2023, <https://www.premiumtimesng.com/news/top-news/613840-special-report-atheists-face-discrimination-forced-into-hiding-in-nigerias-north.html>.

⁴⁰⁹ Humanists International, *The Freedom of Thought Report*, 2020.

⁴¹⁰ Nigeria: Criminal Code Act, Section 204, available at https://jurist.ng/criminal_code_act/sec-204.

⁴¹¹ US State Department, *2022 Report on International Religious Freedom*.

⁴¹² Premium Times Nigeria, Alleged Blasphemy: European Parliament urges Nigerian govt to release Kano singer, Sharif-Aminu, others, 21 April 2023, <https://www.premiumtimesng.com/news/top-news/594527-alleged-blasphemy-european-parliament-urges-nigerian-govt-to-release-kano-singer-sharif-aminu-others.html>; UN rights experts urge Nigeria to overturn death sentence for singer who shared song on WhatsApp, 28 September 2020, <https://www.ohchr.org/en/press-releases/2020/09/un-rights-experts-urge-nigeria-overturn-death-sentence-singer-wh-o-shared>.

⁴¹³ Humanists International, *The Freedom of Thought Report 2022, 2023*; US State Department, *2022 Report on International Religious Freedom*.

blasphemed against Islam.⁴¹⁴ Another student, who publicly condemned the lynching, was subsequently arrested by public authorities and charged with exciting contempt of religious creed.⁴¹⁵

3. Other Types of Manifestation of Religion or Belief

Reportedly, in States where Islamic law is applied, construction of churches is restricted or *de facto* prohibited; churches are demolished arbitrarily.⁴¹⁶ States that apply Islamic law impose strict rules that severely interfere with human rights, e.g. by censoring ‘immoral’ media.⁴¹⁷

4. Discrimination Based on Religion or Belief

There are several allegations of incitement to religious hatred,⁴¹⁸ as well as discriminations against Christians in Muslim-majority states, in respect of issues such as access to education or employment.⁴¹⁹ More generally, religious and ethnic discrimination has been reported in both the public and private sector.⁴²⁰

5. Protection from Violence

The violence in the country is widespread; reportedly, about 10.000 people died because of the violence of state and non-state actors in 2022.⁴²¹ Terrorists frequently attack civilians and religious targets. For instance, in June 2022 gunmen stormed churches in the states of Kaduna and Ondo,

⁴¹⁴ Premium Times Nigeria, Nigerian women and religious extremism: Deborah Yakubu, murdered; Rhoda Jatau, imprisoned, 11 June 2023, <https://www.premiumtimesng.com/opinion/603771-nigerian-women-and-religious-extremism-deborah-yakubu-murdered-rhoda-jatau-imprisoned-by-franklyne-ogbunwezeh.html>. See, further, Humanists International, *The Freedom of Thought Report 2022*, 2023

⁴¹⁵ USCIRF, Rhoda Jatau, <https://www.uscifr.gov/religious-prisoners-conscience/forb-victims-database/rhoda-jatau>; European Parliament, The risk of death penalty and execution of singer Yahaya Sharif Aminu for blasphemy in Nigeria, 20 April 2023, https://www.europarl.europa.eu/doceo/document/TA-9-2023-0116_EN.html.

⁴¹⁶ See also, e.g., Foundation for investigative Journalism, SPECIAL REPORT: Demolition, Marginalisation... The Uneasy Survival of Christians in Borno, 23 February 2022, <https://fij.ng/article/special-report-demolition-marginalisation-the-uneasy-survival-of-christians-in-borno/>; Wuzup Nigeria, Outrage as El-Rufai demolishes Kaduna church amid Muslim-Muslim ticket, 13 June 2022, <https://wuzupnigeria.ng/outrage-as-el-rufai-demolishes-kaduna-church-amid-muslim-muslim-ticket/>; The Guardian, Anambra demolishes Pastor Odumeje’s Onitsha Church, 8 July 2022, <https://guardian.ng/news/nigeria/anambra-demolishes-pastor-odumejes-onitsha-church/>.

⁴¹⁷ See e.g. Dateline, Kano censorship board warns against uploading films on YouTube without approval, 14 January 2022, <https://www.dateline.ng/kano-censorship-board-warns-against-uploading-films-on-youtube-without-approval/>; Premium Times Nigeria, Immorality: Kano Censorship Board to monitor Hausa movies on Hausa YouTube, 12 November 2020, <https://www.premiumtimesng.com/regional/nwest/425825-immorality-kano-censorship-board-to-monitor-hausa-movies-on-hausa-youtube.html?tztc=1>.

⁴¹⁸ Visit to Nigeria - Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnès Callamard, 11 June 2021; A/HRC/47/33/Add.2, para. 50; Human Rights Committee, Concluding observations on Nigeria in the absence of its second periodic report, 29 August 2019, CCPR/C/NGA/CO/2, para. 44.

⁴¹⁹ Human Rights Committee, Concluding observations on Nigeria in the absence of its second periodic report, 29 August 2019, CCPR/C/NGA/CO/2, para. 44; Canopy Forum, State and Non-State Violations of Religious Freedom and Implications for National Unity in Nigeria, August 2022, <https://canopyforum.org/2022/08/05/state-and-non-state-violations-of-religious-freedom-and-implications-for-national-unity-in-nigeria>; See also, e.g., The Maravi Post, Discrimination Against Non-Muslim Students in Northern Nigeria, 27 June 2021, <https://www.maravipost.com/discrimination-against-non-muslim-students-in-northern-nigeria/>.

⁴²⁰ Humanists International, *The Freedom of Thought Report 2022*, 2023.

⁴²¹ CFR, Nigeria Security Tracker, <https://www.cfr.org/nigeria/nigeria-security-tracker>. See, further, Humanists International, *The Freedom of Thought Report 2022*, 2023.

killing 3 and 40 people, respectively.⁴²² In September 2022, armed men attacked a mosque in Zamfara state, killing at least 15 persons.⁴²³

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	2 – Severe violations
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	1 – Problematic issues
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	2 – Severe violations

⁴²² News Direct, Terrorists attack Catholic Church in Kaduna, kill three, abduct many, 19 June 2022, <https://newsdirect.ng/breaking-terrorists-attack-catholic-church-in-kaduna-kill-three-abduct-many/>; Vatican News, Nigeria: Suspects in Owo Church attack apprehended, 12 August 2022, <https://www.vaticannews.va/en/church/news/2022-08/nigeria-owo-attack-arrest-catholic-church-military-ondo.html>.

⁴²³ Reuters, Armed bandits kill 15 at mosque in northwest Nigeria, residents say, 24 September 2022, <https://www.reuters.com/world/africa/armed-bandits-kill-15-mosque-northwest-nigeria-residents-2022-09-24/>.

Pakistan

Final score: 10 (Severe violations)

Political Framework

Pakistan is a federal country with a Parliamentary system of government. It regularly holds elections but politics are reportedly manipulated by the army. Religious extremist groups hinders citizens from freely expressing their political preferences. In 2022, prime minister Imran Khan had to resign because of a vote of no confidence and a ruling of the Supreme Court. The legitimacy of the vote was contested by Khan and his supporters. Imran Khan was later arrested, released, and arrested again under anti-terror laws. These events led to mass protests.

Legal Framework

The Constitution recognizes the right to freedom of religion of individuals and denominations. Islam is the state religion. Freedom of speech is protected 'subject to any reasonable restrictions imposed by law in the interest of the glory of Islam'.⁴²⁴ The 1979 Blasphemy laws were targeting the Ahmadiyya community but also had wider repercussions.

Pakistan is a party to the International Covenant on Civil and Political Rights. Pakistan made a number of reservations to the ICCPR but withdrew most of them, with the exception of reservations to Articles 3 and 25, which limit the application of these provisions only to the extent that they are in conformity with domestic law.

Religious Demographics

The population is estimated at 248 million. About 96,5% of the population is Sunni or Shia Muslim. The remaining 3,5% is composed of several minorities, including Christians, Hindu, and Ahmadi Muslims.

ForB Situation

1. Adopting and Changing One's Religion or Belief

While the law does not expressly prohibit apostasy, renouncing Islam can reportedly be considered as blasphemy and, consequently, punished with the death penalty (see below, section 2).⁴²⁵ Moreover, Ahmadis risk being charged with blasphemy if they profess their religion.⁴²⁶

There are reports of girls from religious minorities (mostly underage) who are kidnapped, forced to convert to Islam, and married to Muslim men, with the involvement of religious authorities and the complicity of security forces and the justice system.⁴²⁷

⁴²⁴ Constitution of Pakistan, Art. 19, available at <https://pakistancode.gov.pk/>.

⁴²⁵ US State Department, *2022 Report on International Religious Freedom*, 2023.

⁴²⁶ Mandates of the Special Rapporteur on minority issues and the Special Rapporteur on freedom of religion or belief, 23 July 2018, AL PAK 5/2018, <https://spcommreports.ohchr.org/>; See also Pakistani penal code, Arts 298B and 298C, available at <https://www.pakistani.org/pakistan/legislation/1860/actXLVof1860.html>.

⁴²⁷ Pakistan: UN experts urge action on coerced religious conversions, forced and child marriage, 16 January 2023, <https://www.ohchr.org/en/press-releases/2023/01/pakistan-un-experts-urge-action-coerced-religious-conversions-for>

2. Manifestation of One's Religion by Expression of One's Convictions

Pakistan has one of the strictest blasphemy laws. The Penal code stipulates that whoever defiles the name of the Muhammad must be punished with death or imprisonment for life. Defiling the Qur'an is punished with imprisonment for life. Outraging the religious feelings of Pakistani citizens is punished with imprisonment up to ten years.⁴²⁸

At least 52 persons were charged with blasphemy or related crimes in 2022; over the last few years, several persons have been sentenced to life in prison or death, though no death sentence has been executed yet.⁴²⁹ Blasphemy laws and other laws are reportedly used by the state to justify censorship.⁴³⁰

3. Other Types of Manifestation of Religion or Belief

Most organized religious groups can establish places of worship. However, there are several reports of vandalism and attacks against minorities' places of worship and cemeteries.⁴³¹

Reportedly, religious NGOs that are critical of the government are harassed by public authorities; for instance, the government accused a Catholic NGO of conducting anti-state activities because it denounced the violations of freedom of religion in the country.⁴³²

Laws and practices that discriminate against Ahmadis (see below, section 4) prevent them from calling their places of worship 'mosques' and hinder the establishment of such places; reportedly, Pakistani authorities demolished some of Ahmadi places of worship.⁴³³

[ced-and](#); Human Rights Commission of Pakistan, A Breach of Faith: Freedom of Religion or Belief in 2021-2022, available at

<https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-A-breach-of-faith-freedom-of-religion-or-belief-in-2021-22.pdf>; Centre for Social Justice, Silence of the Lamb II: A Working Paper on Forced Conversions, available at [https://csjpak.org/pdf/Working%20Paper%20on%20Forced%20Conversions%20\(English\).pdf](https://csjpak.org/pdf/Working%20Paper%20on%20Forced%20Conversions%20(English).pdf); Center for Social Justice, Human Rights Observer, March 2023, https://csjpak.org/pdf/Human_Rights_Observer_2023.pdf; International Commission of Jurists, Violations of the Right to Freedom of Religion or Belief in Pakistan, 2021, <https://www.ici.org/wp-content/uploads/2021/07/Pakistan-FoRB-Advocacy-Analysis-biref-2021-ENG.pdf>; Humanists International, Freedom of Thought Report, 2022.

⁴²⁸ Penal code of Pakistan, Arts 295A, 295B, 295C.

⁴²⁹ Human Rights Commission of Pakistan, A Breach of Faith, cit., p. 11. US State Department, *2022 Report on International Religious Freedom*.

⁴³⁰ Humanists International, *The Freedom of Thought Report 2022*, 2023.

⁴³¹ CSW, Pakistan - A submission by CSW, 42nd Session of the Universal Periodic Review, July 2022, available at https://www.upr-info.org/sites/default/files/country-document/2023-03/CSW_UPR42_PAK_E_Main.pdf; The Wire, Hindu Temple Vandalised in Pakistan's Karachi, 9 June 2022, <https://thewire.in/south-asia/hindu-temple-vandalised-in-pakistans-karachi>; The Economic Times, Religious extremists desecrate Ahmadi graves in Pakistan, 29 November 2022, https://economictimes.indiatimes.com/news/international/world-news/religious-extremists-desecrate-ahmadi-graves-in-pakistan/articleshow/95852137.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.

⁴³² Fides, Christian-led civil society organization accused of anti-state activities, 5 September 2022, http://www.fides.org/en/news/72747-ASIA_PAKISTAN_Christian_led_civil_society_organization_accused_of_anti_state_activities; AsiaNews, Pakistan government slams religious freedom NGO: 'It defames us at the UN', 23 August 2022, <https://www.asianews.it/news-en/Pakistan-government-slams-religious-freedom-NGO:-'It-defames-us-at-the-UN'-.56501.html>.

⁴³³ Dawn, Minaret of Ahmadi place of worship removed in Gujranwala, 12 December 2022, <https://www.dawn.com/news/1725918>; Massimo Introvigne, Pakistan: Police Attacks Ahmadi Mosque in Gujranwala, 19 December 2022, <https://bitterwinter.org/pakistan-police-attacks-ahmadi-mosque-gujranwala/>; Zenger, Police Destroys Minority Community's Place Of Worship In Pakistan, 25 March 2021, <https://www.zenger.news/2021/03/25/police-destroys-minority-communitys-place-of-worship-in-pakistan/>.

4. Discrimination Based on Religion or Belief

Identity papers carry an indication of religious affiliation, which increases the vulnerability of religious minorities and is likely to lead to discrimination.⁴³⁴

Although the Constitution stipulates that nobody should receive religious instruction in a religion other than their own, there is Islamic content in several high school subjects (e.g. English or geography) and textbooks use derogatory language in respect of religious minorities.⁴³⁵

The financial support to be provided to former spouses in the event of divorce is not identical for members of different religious groups.⁴³⁶

The President and the Prime minister must be Muslims; senior officials, including members of parliament, must swear an oath to protect the country's Islamic identity.⁴³⁷ A few seats in elected bodies, such as the National Assembly, are reserved to non-Muslims but they are reportedly not assigned to atheists, as atheism is not recognised.⁴³⁸

Several provisions in the law of Pakistan establish discriminatory treatment to Ahmadis. For instance, Ahmadis must register in a separate electoral list and declare themselves non-Muslims in order to be allowed to vote; Ahmadis cannot refer to themselves as 'Muslims' and, to obtain identity documents, they must declare that they consider Mirza Ghulam Ahmad (the founder of the Ahmadiyya movement) to be an imposter and his followers non-Muslim.⁴³⁹

⁴³⁴ Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on minority issues and the Special Rapporteur on freedom of religion or belief, 6 April 2018, available at <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>; US State Department, 2022 *Report on International Religious Freedom*.

⁴³⁵ Centre for Social Justice, Human Rights Observer, cit.; CSW, Pakistan - A submission by CSW, 42nd Session of the Universal Periodic Review, July 2022, available at https://www.upr-info.org/sites/default/files/country-document/2023-03/CSW_UPR42_PAK_E_Main.pdf; Humanists International, *Freedom of Thought Report*, 2022; USCIRF, *Teaching Intolerance in Pakistan: Religious Bias in Public School Textbooks*, 2016, <https://www.uscifr.gov/publications/teaching-intolerance-pakistan-religious-bias-public-school-textbooks>.

⁴³⁶ Committee on the Elimination of Discrimination against Women, Concluding observations on the fifth periodic report of Pakistan, 10 March 2020, CEDAW/C/PAK/CO/5, para 49.

⁴³⁷ Constitution of Pakistan, cit., section 41; third schedule; see also Humanists International, *Freedom of Thought Report*, 2022.

⁴³⁸ Humanists International, *Freedom of Thought Report*, 2022.

⁴³⁹ Mandates of the Special Rapporteur on minority issues and the Special Rapporteur on freedom of religion or belief, 23 July 2018, AL PAK 5/2018, <https://spcommreports.ohchr.org/>; See also Pakistani penal code, Arts 298B and 298C, available at <https://www.pakistani.org/pakistan/legislation/1860/actXLVof1860.html>.

5. Protection from Violence

Several sources report numerous episodes of religiously motivated violence, including murders and lynching.⁴⁴⁰ Several of those charged with, suspected of, or acquitted of blasphemy are killed by mobs or in targeted killings; accusations of blasphemy are reportedly made also to settle private vendettas or discrediting opponents.⁴⁴¹

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	2 – Severe violations
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	2 – Severe violations
4. Discrimination Based on Religion or Belief	2 – Severe violations
5. Protection from Violence	2 – Severe violations

⁴⁴⁰ Human Rights Commission of Pakistan, *A Breach of Faith*, cit., p. 9-11; USCIRF, *Religious Freedom in Pakistan in 2022*, <https://www.uscifr.gov/publications/religious-freedom-pakistan-2022>. US State Department, *2022 Report on International Religious Freedom*; Humanists International, *The Freedom of Thought Report 2022*.

⁴⁴¹ Ibid.

Palestine

(This analysis concerns the FoRB situation in areas controlled by Palestinians. Violations of FoRB attributed to Israel are discussed in the section related to that country.)

Final score: 2 (Minor concerns)

Political Framework

Palestine is not universally recognized as a state and is relatively dysfunctional due to its occupation by Israel and its division in two increasingly separate entities: the relatively secular West Bank and the quite religious (Islamic) Gaza strip. Gaza is under full Palestinian control but is physically isolated from the world by Israel. The West Bank consists of a complex territorial patchwork of Palestinian and Israeli-controlled areas, interspersed with ever-growing towns and cities ('settlements') inhabited by Israeli citizens that reached 700,000 by 2022, whereby the Israeli military has ultimate control. In its 2022 annual report, Human Rights Watch stated that "Israeli authorities are committing the crimes against humanity of apartheid and persecution against millions of Palestinians." (In October 2023, this erupted in violence by Hamas, followed by a military response from Israel, both on an unprecedented scale.)

Legal Framework

Palestine lacks a formal constitution and relies on a combination of historical legal systems (Ottoman, Egyptian, Jordanian, and Israeli) alongside the Basic Law that serves as the provisional constitution. The Basic Law designates Islam as the official religion but respects "all other divine religions" (Article 4) and guarantees freedom of belief, worship, and religious practices, subject to public order and morality (Article 18). The Islamic Sharia is 'a' (meaning: one of the) source of legislation (Article 4). In the West Bank, religious groups that are recognized by the Palestinian Authority (PA) can apply their own religious laws in matters of personal status, such as marriage, divorce, and inheritance and establish their own courts to that purpose.⁴⁴² In Gaza, Hamas has full control, and exerts an authoritarian governance that is more in line with Islamic tenets.

Religious Demographics

In the West Bank and Gaza, an estimated 98% of the Palestinians are Muslim and the remaining 2% are Christian.

⁴⁴² US State Department, *2022 Report on International Religious Freedom of Religion: Westbank and Gaza*, pp. 5, 9.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The process of converting from Christianity to Islam or vice versa involves a legal procedure that requires approval from the relevant the religious courts (Article 37 Palestinian Status Law No. 2 of 1999).⁴⁴³ However, conversion from Islam to Christianity is not always socially acceptable, resulting in some Muslim communities and families taking action against such converts.⁴⁴⁴ In Gaza, these regulations do not apply and changing religion is not allowed for Muslims.

2. Manifestation of One's Religion by Expression of One's Convictions

Palestine uses the Jordanian Penal Code (1960) that contains a number of articles (273-278) criminalizing various acts of blasphemy. However, in the West Bank there is no record of persecution. Non-official churches are restricted from engaging in proselytization activities.⁴⁴⁵ For instance, Jehovah's Witnesses face a continued ban on proselytizing by the Palestinian authorities, although they reported being able to conduct most other functions without significant hindrance.⁴⁴⁶ Little is known from Gaza, where the number of Christians is negligible but it can be assumed that blasphemy or proselytization will not be tolerated.

3. Other Types of Manifestation of Religion or Belief

Religious education is mandatory in grades one to six in public schools Muslim and Christian students can choose which class to attend.⁴⁴⁷ By Presidential decree of 2021, seven seats in the Palestinian Legislative Council were designated for Christian candidates.⁴⁴⁸ Since 2014, the religious affiliation category was removed from Palestinian identity cards.

4. Discrimination Based on Religion or Belief

The Jordanian Muslim family code (Law 15/2019) applies, which contains the religiously discriminatory rules common in Islamic marriage and inheritance law: a Muslim woman cannot marry a non-Muslim man (art.28 sub a), and a non-Muslim woman cannot inherit from or pass her inheritance to her Muslim husband or children (Art. 281 sub b).

The Palestinian authorities provide financial support to Islamic and Christian institutions and places of worship, but not to Jewish.⁴⁴⁹ Official Palestinian media channels frequently disseminate antisemitic content, like the sermon on September 30 by a Palestinian official when an official PA television broadcast featured a sermon delivered by religious affairs officials who referred to Jewish visitors at the Haram al-Sharif/Temple Mount as "apes," and "pigs".⁴⁵⁰

5. Protection from Violence

Places of religious sanctity or worship are regularly locations of violent incidents. Hamas disseminated antisemitic materials and advocated violence against Israelis and Jews through various media channels.⁴⁵¹

⁴⁴³ Ibrahim Fares, "[Freedom of Religion in Palestine: Converting Religions](#)", *Jurist*, May 1, 2013.

⁴⁴⁴ Ashley Muse, "Religious Freedom for Palestinian Christians? Not So Much", *Providence*, December 17, 2019.

⁴⁴⁵ US, International Religious Freedom Report: West Bank and Gaza 2022, p. 10.

⁴⁴⁶ US, International Religious Freedom Report: West Bank and Gaza 2022, p. 42.

⁴⁴⁷ US, International Religious Freedom Report: West Bank and Gaza 2022, pp. 10-11.

⁴⁴⁸ "Abbas decrees a minimum of seven seats for Christian Palestinians", *Arab News*, February 21, 2021.

⁴⁴⁹ US, International Religious Freedom Report: West Bank and Gaza 2022, p. 11.

⁴⁵⁰ US, International Religious Freedom Report: West Bank and Gaza 2022, p. 48.

⁴⁵¹ US, International Religious Freedom Report: West Bank and Gaza 2022, p. 4.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 – Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	0 – Minor concerns
3. Other Types of Manifestation of Religion or Belief	0 – Minor concerns
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	1 – Problematic issues

Qatar

Final score: 5 (Problematic issues)

Political Framework

Qatar is an absolute monarchy, with the Emir holding ultimate authority in decision-making processes. The Advisory Council (Shura Council) consists of 45 members who are appointed by the Emir and have an advisory function. For years, Qatar has been making substantial efforts to gain international prominence, for instance by being the seat of Al Jazeera, and by hosting major global events, such as the FIFA World Cup in 2022. Part of these efforts is the Doha International Center for Interfaith Dialogue (DICID) that regularly organizes international conferences aimed at promoting interfaith dialogue and understanding.⁴⁵²

Legal Framework

Qatar has signed (but not yet ratified) the International Covenant on Civil and Political Rights but made the reservation to article 18 (freedom of religion) that it should "not contravene the Islamic Sharia". The Constitution of Qatar designates Islam as the official state religion and stipulates that sharia law shall be regarded as 'a' (meaning: not the only) 'primary source' of legislation (Article 1). The Constitution guarantees the 'freedom to engage in religious practices' (Article 50) and prohibits religious discrimination (Article 35). Non-Muslims need to register with the Ministry of Foreign Affairs to establish an authorized presence (so far, only Sunni and Shia Islam is recognized, together with eight Christian denominations).⁴⁵³

Religious Demographics

Almost all Qataris are Sunni Muslim, but since they make up only an estimated 20% of the entire population with the remainder being temporary residents, other religions as represented in Qatar as well. The estimated religious composition for the entire population is 65% Muslim, 15% Christian, 16% Hindu, 4% Buddhist, and a small community of Bahá'ís .

ForB Situation

1. Adopting and Changing One's Religion or Belief

The Penal Code (Law 11 of 2004) prescribes that 'the Islamic Shari'a' is applicable to Muslims who apostate from Islam (Article 1) which effectively means the death penalty. However, there have been no recorded instances of punishments for apostasy since the country's independence in 1971.⁴⁵⁴ On the other hand, individuals who convert may face scrutiny, intimidation by law enforcement, potential job loss, social exclusion, and even the risk of losing custody of their children.⁴⁵⁵

⁴⁵² Scott Weiner, *Increasing Religious Freedom Restrictions on Baha'is in Qatar*, United States Commission on International Religious Freedom, June 2022, p. 1.

⁴⁵³ US 2022 Report on Religious Freedom - Qatar, p. 4.

⁴⁵⁴ End Blasphemy Laws, "Qatar", End Blasphemy Laws, last modified on June 18, 2020.

⁴⁵⁵ US 2022 Report on Religious Freedom - Qatar, p. 16.

2. Manifestation of One's Religion by Expression of One's Convictions

Offending the Islam or 'cursing' any of the 'divine religions' is a criminal offense punishable by imprisonment (Article 256). The Penal Code also prohibits the publication of texts that incite social discord or religious strife, with a potential penalty of up to six months of imprisonment (Article 263): this article is interpreted to include proselytization for religions other than Islam.⁴⁵⁶ These legal provisions reportedly contributed to self-censorship regarding discussions or expressions on religious topics.⁴⁵⁷

3. Other Types of Manifestation of Religion or Belief

Public worship or other manifestations in the public domain of religions other than Islam are restricted.⁴⁵⁸ This includes restrictions on Christian congregations, who are not allowed to advertise their religious services or display crosses in outdoor spaces that are visible to the public. Hindus in Qatar are allowed to gather for private worship, but the government has not provided new places for Hindu worship in recent times.⁴⁵⁹

4. Discrimination Based on Religion or Belief

Only upon recognition and registration can religious entities open bank accounts, solicit funds, worship privately, import religious texts, publish religious materials, and hire personnel.⁴⁶⁰

Unregistered groups - that is Hindus, Buddhist and Bahá'ís - do not enjoy these privileges and their worship activities are deemed illegal, with members subject to potential deportation.⁴⁶¹ Qatar's Bahá'í institutions have expressed concerns that these regulations may ultimately result in the eradication of the Bahá'í community in Qatar.⁴⁶²

Qatar has taken steps to revise its official schoolbooks by eradicating religiously intolerant content, but some of that content reportedly still remains.⁴⁶³

5. Protection from Violence

There are no reports of religion-based state violence or the withholding of state protection in case of popular religion-based violence.

⁴⁵⁶ US 2022 Report on Religious Freedom - Qatar, p. 5

⁴⁵⁷ Humanists International, "Qatar", The Freedom of Thought Report, October 7, 2021.

⁴⁵⁸ US 2022 Report on Religious Freedom - Qatar, p. 5

⁴⁵⁹ Scott Weiner, *Increasing Religious Freedom Restrictions on Baha'is in Qatar*, United States Commission on International Religious Freedom, June 2022, p. 1.

⁴⁶⁰ Humanists International, "Qatar", The Freedom of Thought Report, October 7, 2021.

⁴⁶¹ Ibid.

⁴⁶² Scott Weiner, *Increasing Religious Freedom Restrictions on Baha'is in Qatar*, United States Commission on International Religious Freedom, June 2022, p. 3.

⁴⁶³ Scott Weiner, *Increasing Religious Freedom Restrictions on Baha'is in Qatar*, United States Commission on International Religious Freedom, June 2022, p. 1.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 – Problematic issues
2. Manifestation of One's Religion by Expression of One's Convictions	1 – Problematic issues
3. Other Types of Manifestation of Religion or Belief	2 – Severe violations
4. Discrimination Based on Religion or Belief	1 – Problematic issues
5. Protection from Violence	0 – Minor concerns

Russia

Final score: 7 (Problematic issues)

The following analysis addresses the FoRB situation in both the territory of Russia and the Ukrainian territories that it occupies. Violations of FoRB attributed to Ukraine are discussed in the section related to that country.

Political Framework

Russia is known for its authoritarian political system and current belligerent foreign policy. Its president Vladimir Putin amended the constitution in 2020 so that his rule can extend potentially until 2036.⁴⁶⁴ The year 2022 was marked by Russia's full-scale military aggression in Ukraine, which resulted in a trail of draconian legislation within Russia and unprecedented international isolation and sanctions against it. On 7th of April 2022 Russia was suspended from the UN Human Rights Council for "gross and systematic violations and abuses of human rights."⁴⁶⁵

Legal Framework

Legislation concerning religion in Russia is buttressed by (a) the Constitution of December 12, 1993⁴⁶⁶ and (b) the Federal Law on Freedom of Conscience and Religious Association, enacted in 1997 (amended through 2022).⁴⁶⁷ The Law "acknowledges" the special role of Orthodoxy and "respects" four religions (Christianity, Islam, Buddhism and Judaism).⁴⁶⁸ While these fundamental texts guarantee freedom of religion or belief in its classic sense, subsequent legislation has more emphasis on security than on ensuring basic rights and freedoms. In 2016 the Russian Deputy Yarovaya introduced a package on counter-terrorism legislation (the so-called Yarovaya Package),⁴⁶⁹ which was enacted and led to the ban of religious organisations which have links abroad.⁴⁷⁰ The Federal Law on Combating Extremist Activity (2002) and the so-called Blasphemy Law of 2013 criminalize a broad spectrum of religious activities. The war in Ukraine added new problematic laws to this legislation.

⁴⁶⁴ "Russia: Freedom in the World 2022 Country Report," Freedom House, accessed April 4, 2023, <https://freedomhouse.org/country/russia/freedom-world/2022>.

⁴⁶⁵ "UN General Assembly Votes to Suspend Russia from the Human Rights Council | UN News," April 7, 2022, <https://news.un.org/en/story/2022/04/1115782>.

⁴⁶⁶ "The Constitution of the Russian Federation," accessed April 11, 2023, <http://www.constitution.ru/en/10003000-01.htm>.

⁴⁶⁷ "Федеральный Закон 'О Свободе Совести и о Религиозных Объединениях' От 26.09.1997 N 125-ФЗ (Последняя Редакция) \ КонсультантПлюс," accessed April 11, 2023, http://www.consultant.ru/document/cons_doc_LAW_16218/.

⁴⁶⁸ "Федеральный Закон От 26.09.1997 N 125-ФЗ 'О Свободе Совести и о Религиозных Объединениях' (с Изменениями и Дополнениями) | ГАРАНТ," accessed April 25, 2023, <https://base.garant.ru/171640/>.

⁴⁶⁹ "Президент РФ Подписал Законы, Направленные На Борьбу с Терроризмом," accessed April 11, 2023, <http://www.garant.ru/news/782190/>.

⁴⁷⁰ "Russian Federation – WWL 2022 Full Country Dossier," Worl Watch Research (Open Doors International, February 2022), <https://www.opendoors.org/en-US/research-reports/country-dossiers/Russian-Federation-Full-Country-Dossier-February-2022.pdf>.

Religious Demographics

Russia has a legacy of official atheist rule, which results in big numbers of people identifying with religion nominally or identifying as atheist. Russian Orthodoxy is the most widely professed faith in Russia (about 15-20%), the second largest group are Muslims 10-15%, other Christians constitute 2%.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The Federal law on Freedom of Conscience and Religious Associations states in Art.3 that nobody can be subjected to coercion in determining their attitude to religion. It also ensures the right of every individual to either profess or refuse to profess a religion.⁴⁷¹ There is no reporting on practices inhibiting the adoption or change of belief.

The forced imposition of Russian laws and restrictions in the occupied regions of Ukraine mostly violates the right of people to confess their religion if they belong to the communities outlawed or not controlled by Moscow, such as the Ukrainian Orthodox Church, Jehovah's Witnesses (labelled as extremists) and Muslim communities.⁴⁷² The Orthodox Church of the Moscow Patriarchate is the privileged religion in the occupied regions.

2. Manifestation of One's Religion by Expression of One's Convictions

Russian legislation determines and punishes blasphemy, religious insult and illegal missionary activity. Eight cases of law enforcement of Art. 148 of the Criminal Code were carried out in 2022 regarding the offence of religious feelings. The court cases led to fines and all of them were issued either for inappropriate photographs or videos on social media against the backdrop of (mostly Orthodox) sacred objects or for religiously insulting statements.⁴⁷³

Administrative persecution for "illegal missionary work" continued in 2022 and affected representatives of various denominations, with Protestants being targeted more than other believers.⁴⁷⁴ 238 cases were considered and punished with administrative fines up to 30 000 rubles (330 EUR), confiscations or deportation from the country.⁴⁷⁵

3. Other Types of Manifestation of Religion or Belief

A legislative novelty was brought into Administrative Code Article 20.3.3 with the aim to silence protests against the invasion in Ukraine under the title "Public actions aimed at discrediting the use of the Armed Forces of the Russian Federation." Nina Belyayeva was the first known person who faced criminal prosecution based on the above-mentioned law for opposing the war on

⁴⁷¹ "Федеральный Закон 'О Свободе Совести и о Религиозных Объединениях' От 26.09.1997 N 125-ФЗ (Последняя Редакция) \ КонсультантПлюс."

⁴⁷² Kitsoft, "The Violation of Freedom of Religion or Belief | Crimea Platform," accessed March 2, 2023, <https://crimea-platform.org/en/news/violation-freedom-religion-or-belief>.

⁴⁷³ "Проблемы реализации свободы совести в 2022 году / СОБА," accessed April 14, 2023, <https://www.sova-center.ru/religion/publications/2023/03/d47883/>.

⁴⁷⁴ "Проблемы реализации свободы совести в 2022 году / СОБА."

⁴⁷⁵ "Статистика По «незаконному» Миссионерству - 2022 / СОБА," accessed May 10, 2023, https://www.sova-center.ru/religion/news/harassment/intervention/2023/04/d47986/?fbclid=IwAR2dOTXu-q3zF9tPv eC4KR90zpRZhZLVI_aEhNw5mZA7rMpDS3g5bscKSfy.

explicitly religious grounds.⁴⁷⁶ Due to this law a fast-growing number of critical clergy and laypeople face detention, prosecution, and the loss of their jobs.⁴⁷⁷

People living in occupied territories are limited in the expression of their belief through an ill-defined law against missionary activity. Emir Medzhitov and two other Crimean Tatar Muslims were fined under Russian Administrative Code Article 5.26, Part 4 ("Russians conducting missionary activity") for leading prayers in their own communities. Liana Palyokha was fined for leading a worship service in a Pentecostal group in the Dzhankoi District (Crimea).⁴⁷⁸

4. Discrimination Based on Religion or Belief

In 2022 the list of undesirable religious organizations was expanded with two charismatic organizations based in Ukraine: the "All-Ukrainian Spiritual Center Revival" and the charitable foundation "Revival" associated with it. Believers affiliated with these organizations were subjected to administrative and criminal prosecution.⁴⁷⁹

Criminal prosecution of particularly Jehovah's Witnesses on charges of extremist activities continued in 2022. The number of new cases was lower than in earlier years, but the sentences have become more severe. According to reports by the Jehovah's Witnesses, 200 searches of their houses were carried out throughout the year. In early 2023, there were at least 123 Jehovah's Witnesses in colonies (special detention facilities) and pre-trial detention centers. This includes elderly believers and people with disabilities – the oldest of them being 71 years old. 53-year-old disabled Andrey Vlasov was sentenced to seven years of prison in a penal colony.⁴⁸⁰

The imposed Russian legislation limits the manifestation of religion in the occupied regions and has led to forced closure of places of worship and to fines, e.g. for those leading meetings for worship without permission or failing to display their full Russian official legal name on places of worship,⁴⁸¹ literature, and internet posts.⁴⁸² By 2022 four Jehovah's Witnesses were long-term prisoners of conscience in Crimea, sentenced to 6-6,5 years.⁴⁸³ At least twenty cases of illegal imprisonment and maltreatment of Ukrainian religious figures of various faiths by the Russian military in temporarily controlled or occupied Ukrainian territories have been documented.⁴⁸⁴

5. Protection from Violence

Security forces and police reportedly use unjustified violence during searches that are carried out in homes or religious buildings of various religious groups under criminal investigation.⁴⁸⁵ As police arrests are usually accompanied by a degree of brutality, people accused of crimes related to their religion (see above, under 4) suffer such violent treatment as well.

⁴⁷⁶ "Forum 18: RUSSIA: First Known Criminal Investigation for Opposing Ukraine War on Explicitly Religious Grounds - 5 May 2022," accessed April 18, 2023, https://www.forum18.org/archive.php?article_id=2737.

⁴⁷⁷ "Forum 18: RUSSIA: Religious Opposition to War in Ukraine - Prosecutions and Detentions - 6 May 2022," accessed April 18, 2023, https://www.forum18.org/archive.php?article_id=2738.

⁴⁷⁸ "Forum 18: CRIMEA: 'Punished Simply for Conducting Communal Prayers' - 5 July 2022," accessed March 1, 2023, https://www.forum18.org/archive.php?article_id=2755.

⁴⁷⁹ "Проблемы реализации свободы совести в 2022 году / СОБА."

⁴⁸⁰ "Проблемы реализации свободы совести в 2022 году / СОБА."

⁴⁸¹ Forum 18 News Service, "CRIMEA: Catholic Priest Latest Fined for Failing to Use Full Name," accessed March 2, 2023, https://www.forum18.org/archive.php?article_id=2768.

⁴⁸² Forum 18 News, "CRIMEA: Religious Freedom Survey, September 2022," accessed March 2, 2023, https://www.forum18.org/archive.php?article_id=2774.

⁴⁸³ Forum 18 News Service, "CRIMEA: Religious Freedom Survey, September 2022," accessed March 1, 2023, https://www.forum18.org/archive.php?article_id=2774.

⁴⁸⁴ Zaiets and Vasin, "Russian Attacks on Religious Freedom in Ukraine. Research, Analytics, Recommendations," 15.

⁴⁸⁵ "Проблемы реализации свободы совести в 2022 году / СОБА."

The occupational authorities strive to control all religious activity, forcing local religious communities to justify Russian aggression and establish subordination within the Russian religious centres. Pro-Ukrainian religious leaders are compelled to cooperation through threats and torture.⁴⁸⁶

The implementation of the new Russian ideology “Russkiy mir” (Russian world) in the occupied territories limits other manifestations of religion through the persecution of Ukrainian culture and language. In Mariupol, the Russian military burned Ukrainian-language books, including unique religious publications from the library of the Church of Petro Mohyla.⁴⁸⁷ The effects of the Russian aggression are also clear outside the occupied territories. From February 24, 2022, to January 26, 2023, at least 307 religious sites in 15 regions of Ukraine were fully or partly ruined,⁴⁸⁸ among which many objects of the cultural heritage of Ukraine.⁴⁸⁹

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	0 - Minor concerns
2. Manifestation of One’s Religion by Expression of One’s Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	2 - Serious violations
5. Protection from Violence	2 - Serious violations

⁴⁸⁶ Oleksandr Zaiets and Maksym Vasin, “Russian Attacks on Religious Freedom in Ukraine. Research, Analytics, Recommendations” (Kyiv, 2022), 4, <https://irf.in.ua/files/publications/2022.09-IRF-Ukraine-report-ENG.pdf>.

⁴⁸⁷ “У Маріуполі Окупанти Спалили Всі Книги з Бібліотеки Храму Петра Могили, Серед Них Були Унікальні Примірники — Андрющенко,” *Зеркало недели | Дзеркало тижня | Mirror Weekly*, accessed March 1, 2023, <https://zn.ua/ukr/CULTURE/u-mariupoli-okupanti-spalili-vsi-knihi-z-biblioteki-khramu-petra-mohili-sered-nikh-buli-uni-kalni-primirniki-andrjushchenko.html>.

⁴⁸⁸ “11 months of Russia’s full-scale attack: 307 religious sites ruined in Ukraine,” *ДЕСС* (blog), accessed March 1, 2023, <https://dess.gov.ua/ussia-ruined-at-least-307-religious-sites-eng/>.

⁴⁸⁹ “Ancient Buildings / Историчні будівлі Архіву,” *DESTROYED CULTURAL HERITAGE OF UKRAINE* (blog), October 31, 2022, <https://culturecrimes.mkip.gov.ua/?cat=6>.

Saudi Arabia

Final score: 10 (Severe problems)

Political Framework

Saudi Arabia is an absolute monarchy governed by conservative Islamic principles that are strictly upheld, among others by a 'religious police' (*Mutaween*). Political power predominantly rests with the royal family (Al Saud), which experiences internal divisions. Non-royal family members have limited political participation. Although existing in name, Saudi Arabia lacks a separate legislative body and independent judiciary.

Legal Framework

The Basic Law of Saudi Arabia serves as a constitution. It declares the Qur'an and Sunna as the constitution (Art.1) and as the source for 'governance' and all laws (Article 7). Some commercial laws are codified, but most regulation based on the Sharia which is an uncodified scholarly law (although it has been announced that a penal code will be introduced soon⁴⁹⁰). The judiciary has no system of hierarchical or external control. other than the Sharia law itself (Article 46). Saudi Arabia is not a party to the ICCPR and has ratified the CEDAW with the reservation that the convention does not apply if contrary to "Islamic law".

Religious Demographics

Native population: app. 85-90% Sunni Muslim, 10-15% Shia Muslim. Expat population (30% of total population): majority Muslim, also Hindu, Buddhist, Christian.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

According to the Sharia, conversion by a Muslim to another faith (also known as apostasy) is forbidden and is punishable by death.⁴⁹¹ While Saudi Arabia is known for carrying out such sentences, this is not known to have taken place in 2022.

2. Manifestation of One's Religion by Expression of One's Convictions

The government, with limited exceptions, demonstrates a notable lack of tolerance towards public religious practices conducted by adherents of religions other than Sunni Islam.⁴⁹² Restrictions are imposed on the religious practices of Shia Muslims and followers of Sufism.⁴⁹³ It is not allowed to identify as atheist or non-religious, or to register an organization as secular or humanist.⁴⁹⁴

⁴⁹⁰ "Saudi Arabia: Forthcoming Penal Code Should Protect Rights", *Human Rights Watch*, April 29, 2022, <https://www.hrw.org/news/2022/04/29/saudi-arabia-forthcoming-penal-code-should-protect-rights>.

⁴⁹¹ R. Peters, *Crime and Punishment in Islamic Law*, Cambridge University Press, 2005: 64-65.

⁴⁹² Human Rights Watch, *World Reports - Saudi Arabia*, 2022.

⁴⁹³ Freedom House, *Report: Saudi Arabia*, 2022.

⁴⁹⁴ Humanists International, *Freedom of Thought Report: Saudi Arabia*, 2022.

'Advocating atheism' is met with stringent penalties, including imprisonment for up to 20 years.⁴⁹⁵ Criticism of Islam is strictly forbidden and, when construed as blasphemy, is punishable by death.⁴⁹⁶ However, there have been no recorded cases of individuals being sentenced to death since 1992.⁴⁹⁷ The dissemination of content offensive to Islam is a criminal offense, with authorities frequently blocking websites deemed to host, among others, anti-Islamic material.⁴⁹⁸ The Penal Law for Crimes of Terrorism and its Financing (2014, amended in 2017 and 2020) defines terrorism to include "disturbing public order" and "undermining state reputation", which is reportedly also used against people criticizing religion. Consequently, when Sheikh Saleh al Talib expressed religious perspectives that were critical of government policies, he was imprisoned for a duration of 10 years.⁴⁹⁹

3. Other Types of Manifestation of Religion or Belief

Non-Muslim religious minority groups are not allowed to build houses of worship or to worship in public.⁵⁰⁰ The amalgamation of terrorism, public order and Islam also showed in March, when 81 people were executed, including 41 Shi'a Muslims, for their participation in the 2011 protests. The charges against the Shia Muslims included accusations of holding 'deviant beliefs'.⁵⁰¹ Moreover, the head of the religious police (Committee for the Promotion of Virtue and Prevention of Vice) said on television: "One of the most legitimate actions is to preserve religion, lives and money and one of the ways to achieve that is to eliminate violators and eradicate them".⁵⁰²

4. Discrimination Based on Religion or Belief

Applicants for citizenship must declare their adherence to Islam and provide a certificate endorsed by a Muslim religious authority to verify their religious affiliation.⁵⁰³ In accordance with Sharia law, non-Muslims receive much less compensation than Muslims in cases of accidental death or injury.⁵⁰⁴ Derogatory texts in schoolbooks about non-Sunni religious minority groups, such as Christians and Jews, but also Sufis and Shias, are still a matter of concern.⁵⁰⁵

⁴⁹⁵ Freedom House, *Report: Saudi Arabia*, 2022.

⁴⁹⁶ Berkley Center for Religion, Peace & World Affairs, "National Laws on Blasphemy: Saudi Arabia" Georgetown University, <https://berkleycenter.georgetown.edu/essays/national-laws-on-blasphemy-saudi-arabia>.

⁴⁹⁷ US International religious freedom report: Saudi Arabia 2022, p. 5.

⁴⁹⁸ US International religious freedom report: Saudi Arabia 2022, p. 7.

⁴⁹⁹ "Saudi Arabia: Former imam of Mecca's Grand Mosque jailed for 10 years", *Middle East Eye*, August 24, 2022, <https://www.middleeasteye.net/news/saudi-arabia-mecca-grand-mosque-former-imam-sentenced>.

⁵⁰⁰ USCRIF, *Annual Report 2023* (about 2022), p.38.

⁵⁰¹ Amnesty International, "Amnesty International Report 2022/23: Saudi Arabia", p. 316.

⁵⁰² Sebastian Usher, 12 March 2022, on X (<https://twitter.com/sebusher/status/1502745529897398275>).

⁵⁰³ US International religious freedom report: Saudi Arabia 2022, p. 4.

⁵⁰⁴ US International religious freedom report: Saudi Arabia 2022, p. 5.

⁵⁰⁵ IMPACT-se, *Review of Changes and Remaining Problematic Content in Saudi Textbooks 2021–22*, June 2022.

5. Protection from Violence

Non-Muslim religious minority groups have reportedly experienced reduced levels of harassment by security officials compared to previous years.⁵⁰⁶ The oppression in religious matters by the government includes the severe legal punishments and torture in jail. The religious police (*mutawa*), once feared for its brutality in enforcing 'correct' religious practice, appears to be stripped from its prerogatives since the political reforms of the past years.⁵⁰⁷ However, Saudi converts to Christianity face the risk of honour killings against which they cannot rely on protection by the authorities.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	2 - Serious violations
2. Manifestation of One's Religion by Expression of One's Convictions	2 - Serious violations
3. Other Types of Manifestation of Religion or Belief	2 - Serious violations
4. Discrimination Based on Religion or Belief	2 - Serious violations
5. Protection from Violence	2 - Serious violations

⁵⁰⁶ United States Commission on International Religious Freedom, "USCIRF Country Update: Saudi Arabia", December 2022, p. 4.

⁵⁰⁷ AFP, Changing times for Saudi's once feared morality police, 14--2022.

Somalia

Final score: 7 (Problematic issues)

Political Framework

Somalia has become a dysfunctional state since the collapse of an authoritarian regime in 1991 which resulted in three parties vying for control: the internationally recognized Transitional Federal Government (TFG) that controls small parts of the south, including the capital Mogadishu; the Islamist organization al-Shabaab controls most of the south; the north has declared independence as Somaliland and has established a relatively functioning administration. The result is a state of continuous armed conflict that in the past years has centred around Mogadishu where the TFG is pitted against armed opposition groups, especially the Shabaab. The TFG is backed by most western countries including the European Union and received military assistance by the African Union and since May 2022 also from the United States. In 2022, Shabaab has continued targeted and random attacks on TFG territory by means of shelling and suicide attacks.⁵⁰⁸ Civilian casualties during that year, predominantly from al-Shabaab but also from other militias and state security forces were in the high hundreds.⁵⁰⁹ In 2022, a drought has caused a dire humanitarian situation, including famine and almost 3 million internally displaced persons.⁵¹⁰

Legal Framework

The 2012 constitution as upheld by the TFG guarantees equality of its citizens regardless of religion (article 11), although Islam is politically and legally predominant: it is the state religion (article 2.1), laws should be compliant with the general principles of Sharia' (article 2.3), the constitution "is based on the foundations of the Holy Qur'an and the Sunna of our prophet Mohamed (PBUH) and protects the higher objectives of Shari'a and social justice" (article 3.1), and the Shari'a precedes the constitution as the "supreme law of the country" (article 4).

Due to the political situation, there is no unified judiciary. Depending on the region and those in control, the formal judiciary system is often replaced by an informal system applying a combination of customary law (mostly under auspices of clan elders) and Sharia, and sometimes codified law.⁵¹¹ The Penal code, which dates from 1962, serves as the basic framework in most criminal matters but is often not applied when conflicting with sharia.⁵¹²

⁵⁰⁸ Human Rights Watch, Somalia. Events of 2022.

⁵⁰⁹ Amnesty International, 'Somalia 2022'

⁵¹⁰ Unicef, Somalia. Humanitarian Situation Report No.12, January-December 2022.

⁵¹¹ Report of the Independent Expert on the situation of human rights in Somalia (A/HRC/51/65), 19 August 2022, p.8-9

⁵¹² United States Department, "International Religious Freedom Report: Somalia 2022," p. 3.

Religious Demographics

The population of Somalia is almost exclusively Sunni Muslim, with an estimated less than 0.5 % being Christian.

ForB Situation

1. Adopting and Changing One's Religion or Belief

The Penal Code does not prohibit conversion. The Constitution, on the other hand, gives prevalence to sharia, which prohibits apostasy from Islam. Although strictly legally speaking the 2012 Constitution should not be applied retroactively to the 1962 Penal Code, it may be assumed that the rules of sharia are nevertheless given prevalence in matters of religion. Several incidents of harassment and intimidation have been reported in 2022 in cases of suspected apostasy.⁵¹³

2. Manifestation of One's Religion by Expression of One's Convictions

Although the 2012 Constitution guarantees religious freedom, both the Sharia and the 1962 Penal Code prohibit blasphemy and the proselytization of religions other than Islam (articles 313 and 559).⁵¹⁴ It is unclear if and how often such acts are persecuted. In August 2022, a TFG court convicted a Somali resident to five years prison for insulting Islam and spreading Christianity.⁵¹⁵ Christians and members of other non-Muslim religious groups continue to report their inability to openly practice their religion due to fears of societal harassment.⁵¹⁶

3. Other Types of Manifestation of Religion or Belief

Under TFG rule (which effectively does not extend beyond Mogadishu), religious groups must be registered to legally exist and operate. In Somaliland, such registration is not required.⁵¹⁷ To counter Shabaab's strict view of Islam, the TGF continues to implement a national curriculum framework that promotes secular education with an emphasis on Islamic values and instruction in the Somali language.⁵¹⁸ The very few non-Muslims in Somalia have no public places of worship in all Somalia except for the only Catholic church in Somaliland (which in 2002 remained closed), and on the international airport compound.⁵¹⁹

4. Discrimination Based on Religion or Belief

There is little reporting on discrimination between Muslims and non-Muslims. Given the harsh sharia-based rule of the Shabaab, it may be assumed that discrimination takes place of non-Muslims as well as of Muslims who do not adhere to the Shabaab interpretation of Islam.

5. Protection from Violence

Especially in territories under Shabaab rule there are many reports of religious-based violence. These are mostly resulting from their harsh application of sharia rules, but also from the enforcement of their Islamist ideology: for instance, in 2022 two mosques in Mandera had been raided and the assembled believers were demanded to join the fight against the infidel, and a

⁵¹³ United States Department, "International Religious Freedom Report: Somalia 2022," p. 2.

⁵¹⁴ Artt. 313 and 559 Somali Penal Code.

⁵¹⁵ United States Department, "International Religious Freedom Report: Somalia 2022," p. 5

⁵¹⁶ United States Department, "International Religious Freedom Report: Somalia 2022," p. 2.

⁵¹⁷ United States Department, "International Religious Freedom Report: Somalia 2022," p. 4.

⁵¹⁸ United States Department, "International Religious Freedom Report: Somalia 2022," p. 1.

⁵¹⁹ United States Department, "International Religious Freedom Report: Somalia 2022," p. 9.

mosque in Baidoa was bombed during Friday prayers, probably because of the presence of TFG officials.⁵²⁰

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 - Problematic Issues
2. Manifestation of One's Religion by Expression of One's Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	2 - Serious violations
5. Protection from Violence	2 - Serious violations

⁵²⁰ United States Commission on International Religious Freedom, 'Factsheet: Religious Freedom in the Horn of Africa', February 2023.

South Africa

Final score: 0 (Minor concerns)

Political Framework

South Africa is a constitutional democracy rated as strongly democratic.⁵²¹ With the ending of Apartheid in the early 1990s, it was regarded as a beacon of hope and a proponent of Human Rights for the whole continent. But with the years, the situation has deteriorated and by 2022 a high level of corruption and gender-based violence was overwhelming the country.⁵²² President Cyril Ramaphose is facing several trials for corruption and theft, among which suspicion of hiding \$4 million in cash of unknown origin at his farm.⁵²³

Legal Framework

The constitution protects the right to freedom of religion or belief, its expression, and freedom of assembly and association. Section 9 of the constitution and the Equality Act of 2000 prohibit unfair discrimination on various grounds, including religion. Two institutions guard over these rights: the South African Human Rights Commission (SAHRC)⁵²⁴ and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CLR Rights Commission).⁵²⁵ The chair of the CRL is appointed by the president and the commissioners include members of clergy, scholars and politicians.⁵²⁶

Religious Demographics

About 86% in South Africa are Christians, traditional African religions constitute 5.4% of the country's population, Muslims constitute 1.9%, other religions 1.5%, and citizens without any religious affiliation constitute 5.2%.

ForB Situation

1. Adopting and Changing One's Religion or Belief

The constitution stipulates that 'everyone has the right to freedom of conscience, religion, thought, belief and opinion' (art. 15). The government in general follows up this basic right in practice. There is no prosecution for holding or changing religion and forceful indoctrination of kids in public schools is forbidden. The education system is said to follow the country's church-state

⁵²¹ "Index," accessed August 7, 2023, <https://www.systemicpeace.org/index.html>.

⁵²² "South Africa: Freedom in the World 2023 Country Report," Freedom House, accessed August 6, 2023, <https://freedomhouse.org/country/south-africa/freedom-world/2023>.

⁵²³ Wendell Roelf, "Explainer: The Phala Phala Farmgate Scandal Hanging over South Africa's Ramaphosa," *Reuters*, December 1, 2022, sec. Africa, <https://www.reuters.com/world/africa/phala-phala-farmgate-scandal-hanging-over-south-africas-ramaphosa-2022-12-01/>.

⁵²⁴ "Home," The South African Human Rights Commission, accessed August 7, 2023, <https://www.sahrc.org.za/>.

⁵²⁵ "Home - CRL Rights Commission," accessed August 7, 2023, <https://www.crlcommission.org.za/>.

⁵²⁶ "South Africa," *United States Department of State* (blog), accessed August 7, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/south-africa/>.

model: it is neither religious nor anti-religious, but adopts a position of impartiality towards all religions and worldviews. This is called a ‘co-operative model’, in which both the principle of legal separation and the possibility of creative interaction are affirmed.⁵²⁷

2. Manifestation of One’s Religion by Expression of One’s Convictions

Blasphemy is still categorized by South African law as a criminal offense, but it is not codified and is not currently being used. No convictions have been recorded since 1968 and this norm is currently considered unenforceable, due to the strengthening of the anti-discrimination laws and protection of freedom of expression.⁵²⁸

The Equality Act forbids hate speech. It introduces definitions such as “hurtful words” based on various grounds, including religion. The range where it can be activated is broad and vague, but there are no indications that this norm is used de facto as a ‘blasphemy’ law.⁵²⁹

3. Other Types of Manifestation of Religion or Belief

The government does not require religious groups to register. Those who do enjoy certain benefits, such as a tax-exempt status.⁵³⁰ In 2016 the Cultural, Religious and Linguistic Communities Rights Commission proposed a new legislative initiative which requires religious groups to register formally and to get permission to operate from a peer review council consisting of representatives from various religious groups.⁵³¹ The proposal was strongly opposed by Freedom of Religion South Africa, the Southern Africa Catholic Bishops Conference and the International Institute for Religious Freedom. By the end of the reported year this initiative was still under discussion in Parliament.⁵³²

4. Discrimination Based on Religion or Belief

The constitution prohibits discrimination based on religion. The country has a system of Equality Courts, which specialize in matters of discrimination, hate speech and harassment. These courts are present in all nine provinces. The constitution also respects the languages used for religious purposes, including, but not limited to, Arabic, Hebrew, and Sanskrit (art. 31).⁵³³

5. Protection from Violence

In recent years growing antisemitism has been observed.⁵³⁴ In 2022, incidents of verbal assault and vandalism towards the Jewish community in South Africa were reported.⁵³⁵

⁵²⁷ “National Policy on Religion and Education | South African Government,” accessed August 8, 2023, <https://www.gov.za/documents/national-policy-religion-and-education>.

⁵²⁸ “South Africa,” End Blasphemy Laws, accessed August 7, 2023, <https://end-blasphemy-laws.org/countries/africa-sub-saharan/south-africa/>.

⁵²⁹ “South Africa,” *Freedom of Thought Report* (blog), accessed August 7, 2023, <https://fot.humanists.international/countries/africa-southern-africa/south-africa/>. “South Africa.”

⁵³⁰ “South Africa.”

⁵³¹ S. A. T. Articles, “CLR Says That All Churches and Religious Groups Must Register,” *South Africa Today*, July 13, 2017, <https://southafricatoday.net/south-africa-news/clr-says-that-all-churches-and-religious-groups-must-register/>.

⁵³² “South Africa.”

⁵³³ “South Africa 1996 (Rev. 2012) Constitution - Constitute.”

⁵³⁴ “The ADL GLOBAL 100: An Index of Antisemitism,” accessed August 8, 2023, <https://global100.adl.org/country/south-africa/2014>.

⁵³⁵ Tali Feinberg, “Oudtshoorn Cemetery Desecrated Again,” *Jewish Report*, September 1, 2022, <https://www.sajr.co.za/oudtshoorn-cemetery-desecrated-again/>. “Jewish Cemetery Vandalized in South Africa in Third Incident in a Week - Africa, Asia and Australia - Haaretz.Com,” accessed August 8, 2023, <https://www.haaretz.com/world-news/asia-and-australia/2019-06-24/ty-article/jewish-cemetery-vandalized-in-south-africa-in-third-incident-in-a-week/0000017f-db39-d3a5-af7f-fbbf72110000>.

The government imposes, however, harsh measures on those who misuse their religious leadership position, incite religious or ethnic intolerance or violence.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 - Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	0 - Minor concerns
3. Other Types of Manifestation of Religion or Belief	0 - Minor concerns
4. Discrimination Based on Religion or Belief	0 - Minor concerns
5. Protection from Violence	0 - Minor concerns

Sudan

Final score: 5 (problematic issues)

Political Framework

After the overthrow of the military regime in 2019, a transitional government was set up in which the civilian and military cooperated, and a new constitution was ratified, allowing for a 3-year transitional phase. In October 2021, the military staged a coup and declared a state of emergency.⁵³⁶ In May 2022, the state of emergency was lifted, and in December 2022 another, two-year transition period guided by civilians was agreed upon by the military leadership and civilian officials. Throughout 2022, protesters demonstrated for complete civilian rule. According to the US State Department, Sudan has made such progress in stopping freedom of religion or belief violations that the country is not mentioned on the Special Watch List of the US Religious Freedom Reports of 2021 and 2022. (It should be noted that this report refers to the year 2022: by 2023, the situation had dramatically changed for the worse.)

Legal Framework

Sudan has ratified most international human rights treaties unconditionally. While the previous constitution required all national legislation to be based on sharia, the 2019 Constitution does not cite sharia as a source of law although it maintains specific forms of Islamic criminal law (Article 54). The 2019 Constitution guarantees the freedom to worship and assembly and allows for the establishment and maintenance of places of worship (Article 56).

Religious Demographics

The population of Sudan is almost entirely Sunni Muslim, with a very small Christian minority.

ForB Situation

1. Adopting and Changing One's Religion or Belief

The crime of apostasy carrying a death sentence (Article 126, Penal Code 1991) was replaced in 2020 by the prohibition to *accuse* others of apostasy.⁵³⁷ However, persecution for reasons of apostasy still continued in 2022 as was the case when four Muslims who had converted to Christianity were charged with apostasy after worshipping in a church.⁵³⁸ There is unconfirmed reporting that "security agents continue to raid churches and arrest individuals who have converted".⁵³⁹

⁵³⁶ United States Department of State, *Country Reports on Human Rights Practices for 2022: Sudan*.

⁵³⁷ Miscellaneous Amendments Law of 2020 under 21.

⁵³⁸ African Centre for Justice and Peace Studies, "Sudan: Four Christians charged with Apostasy in Central Darfur," ACJP, July 10, 2022.

⁵³⁹ Church Times, 'Sudan's Christians under attack', 22 September 2022.

2. Manifestation of One's Religion by Expression of One's Convictions

While the crime of blasphemy had been maintained, its punishment (flogging) was replaced in July 2020 by a prison sentence of maximum six months.⁵⁴⁰ Also, new crimes have been introduced with the aim to counter Muslim extremism, like the false accusation of apostasy (known as *takfir*)⁵⁴¹ and denouncing people as 'infidels'.⁵⁴² In 2021 it was reported that local media and Muslim and non-Muslim minorities applied self-censorship in order to avoid antagonization of the Sunni majority⁵⁴³ - it is unclear if this was still the case in 2022.

3. Other Types of Manifestation of Religion or Belief

In 2021, minority religious groups complained of the lack of textbooks and qualified professors to offer courses on non-Islamic religions (in particular, Christianity)⁵⁴⁴ - it is unclear if this was still the case in 2022.

4. Discrimination Based on Religion or Belief

While mosque construction is allowed and financially sponsored by the state through the Ministry of Guidance and Endowments, only four churches have received building permits since 2019.⁵⁴⁵ Numerous minority religious groups who wanted to register as a religious organization reported procedural delays.⁵⁴⁶ Also, Shia detainees reportedly were not allowed to pray in the Shiite fashion.⁵⁴⁷ Further, the new rule that the Minister of Justice has the right to pardon any prisoner who has memorized the Qur'an is prejudiced against non-Muslims.⁵⁴⁸

5. Protection from Violence

Violence by military and para-military forces against the civil population has erupted since late 2021 and continued through 2022.⁵⁴⁹ It is unclear to what extent this violence is also related to religion and belief.

⁵⁴⁰ Miscellaneous Amendments (Fundamental Rights and Freedoms) Act of 2020 (MAA). See: Jehanne Henry, "Sudan's Law Reforms a Positive First Step," Human Rights Watch, July 16, 2020.

⁵⁴¹ USCIRF Policy Update: Preserving Religious Freedom Progress in Sudan: November 2021, p. 4.

⁵⁴² Library of Congress, "Sudan: New Law Amending Penal Code Takes Effect," Library of Congress, July 23, 2020.

⁵⁴³ International Religious Freedom Report for 2021: Sudan, p. 11.

⁵⁴⁴ Halima Gikandi, "Sudan's troubled attempt at education reform," The World, July 26, 2021.

⁵⁴⁵ Sudanese Human Rights Initiative, *A Joint Submission on freedom of religion and belief in Sudan by: Sudanese Human Rights Initiative (SHRI)*, March 2021, p. 4.

⁵⁴⁶ International Religious Freedom Report for 2021: Sudan, p. 12.

⁵⁴⁷ *Idem*, p. 10.

⁵⁴⁸ *Idem*, p. 5

Human Rights and Religious Minorities: Sudan. "Human Rights and Religious Minorities: Sudan Volume 728: debated on Thursday 23 February 2023." UK Parliament. February 23, 2023.

<https://hansard.parliament.uk/commons/2023-02-23/debates/B902B35B-8000-43AD-A940-6839F87B4BBE/HumanRightsAndReligiousMinoritiesSudan>.

⁵⁴⁹ Human Rights Watch, *World Report 2023 - Sudan, Events of 2022*.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 - Problematic Issues
2. Manifestation of One's Religion by Expression of One's Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	1 - Problematic Issues

Syria

Final score: 4 (Problematic issues)

Political Framework

After the destruction of the ISIS infrastructure in 2019 by Kurdish and Iraqi forces with help of the Global Coalition, and the brutal suppression of various opposition groups by the Syrian government - with indispensable Russian military help - the Syrian government seems to have regained control of most of the country. In May 2023, Syria was re-admitted to the Arab League. However, there are still regions that lack law and order, with religious militias in power. The more than 6.6 million Syrian refugees see no reason yet to return, 6.7 million Syrians are still internally displaced, and over 90 percent of the Syrian population live below the poverty line.⁵⁵⁰ The government still upholds the secularism of the Baath ideology which allows for religious diversity and freedom as long as it is limited to the private sphere.

Legal Framework

While the state ideology of Baathism is distinctly secular and allows for agnosticism or atheism, the legal structure is based on religious references. The Constitution (revised in 2012) declares no state religion (except that the president should be Muslim - Article 3) and guarantees the freedom of 'all religions' to engage in religious rituals, as long as these activities do not disrupt public order (Article 3) as well as the equality of all citizens without discrimination of, among others, religion (Article 33 sub 3). The formation of political parties based on religious, tribal, class-based or regional affiliations is not allowed (Article 8 sub 4). Matters of personal status are regulated by religious law, whereby one Muslim law, one Druze, eleven Christian and two Jewish laws of marriage and divorce are officially recognized and applied by religious courts.⁵⁵¹

Religious Demographics

The overall majority is Muslim, with approximately 74% Sunni and 16% Shia (including Alawites and Druze). Christians of various denominations used to make up for an estimated 10% of the population but since the civil war their number is reportedly reduced to 2-3% due to migration and flight.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

Although international reports state that apostasy from Islam is prohibited by law in Syria, there is no clear legal prohibition for Muslims or non-Muslims to convert to other religions. However, conversions are generally reportedly rare due to societal conventions and religious rules and converts face pressure from society to move to other areas within the country or to emigrate to

⁵⁵⁰ IOM Global Crisis Response Platform, *Syria Regional Refugee and Resilience Plan 2023*.

⁵⁵¹ M.S. Berger, 'The Legal System of Family Law in Syria', *Bulletin d'études orientales* 1997, 49.

freely practice their new religion.⁵⁵² Also, if a Christian expresses the desire to convert to Islam, it is obligated to inform the Christian's diocese.⁵⁵³

2. Manifestation of One's Religion by Expression of One's Convictions

Defamation of 'religious feelings' is a criminal offense (Art.462 Penal Code). Proselytization is forbidden as a matter of causing tension among religious communities.⁵⁵⁴ Censorship of religious materials in print as well as emission on radio and television is entrusted to the Ministry of Religious Endowments (Awqaf).⁵⁵⁵

3. Other Types of Manifestation of Religion or Belief

All religious groups are required to undergo a registration process with the government and the activities of religious groups and of mosques in particular are closely scrutinized.⁵⁵⁶ A national Council of Islamic Jurisprudence had been established in 2019 to consolidate national religious unity and in particular screen "takfiri extremists and followers of political Islam".⁵⁵⁷ Public schools are non-sectarian and provide mandatory religious instruction covering Islam and Christianity.⁵⁵⁸ Christian and Druze communities are allowed to operate some public schools alongside the regular system.

4. Discrimination Based on Religion or Belief

Religiously mixed marriages are forbidden by most of the Syrian religious personal status laws (only in the Islamic law are Muslim men allowed to marry non-Muslim women, but not vice versa). Christians can manifest their religion and maintain their religious family laws, but in territories with Islamic militant organizations occasionally experience discrimination or harassment.⁵⁵⁹ While foreign Christian organizations are allowed to operate under established churches without formal registration, foreign Islamic NGOs are required to register and obtain approval from the Ministry of Religious Endowments.⁵⁶⁰

5. Protection from Violence

The civil war has had severe impact on religious minorities, including the Bahá'ís , Ahmadiyya, Yazidis, and Christians, with targeted attacks, kidnappings, rapes, property seizures, forced conversions under threat of death, and murder.⁵⁶¹ Most of this violence is perpetrated by radical Islamist groups and the government does not have the power to interfere or prevent this. In 2022, president Assad had organized a three-day conference with Christian churches and NGOs,

⁵⁵² European Union Agency for Asylum, *Syria: Targeting of Individuals Country of Origin Information Report*, September 2022, p.95.

⁵⁵³ United States Office of International Religious Freedom, *International Religious Freedom Report: Syria 2022*, p. 7.

⁵⁵⁴ United States Office of International Religious Freedom, *International Religious Freedom Report: Syria 2022*, p.23.

⁵⁵⁵ United States Office of International Religious Freedom, *International Religious Freedom Report: Syria 2022*, p. 6.

⁵⁵⁶ Ibid.

⁵⁵⁷ Al-Sharq Al-Awsat, 'Assad boosts Jurisprudence Council', November 2021.

⁵⁵⁸ United States Office of International Religious Freedom, *International Religious Freedom Report: Syria 2022*, p. 7.

⁵⁵⁹ European Union Agency for Asylum, *Syria: Targeting of Individuals Country of Origin Information Report*, September 2022, p.96

⁵⁶⁰ United States Office of International Religious Freedom, *International Religious Freedom Report: Syria 2022*, p. 15.

⁵⁶¹ Christian Solidarity Worldwide report during 2021 UN Human Rights Council's Universal Periodic Review on Syria.

proclaiming the need for their protection, the religiously diverse nature of Syria, and accusing Israel for wanting to 'drive out' Christians from the Middle East.⁵⁶²

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 - Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	1 - Problematic Issues

⁵⁶² "Assad claims Israel aims to displace Christians throughout the Middle East", *Middle East Monitor*, March 22, 2022, <https://www.middleeastmonitor.com/20220322-assad-claims-israel-aims-to-displace-christians-throughout-the-middle-east/>

Tunisia

FoRB Situation: 4 (Problematic issues)

Political Framework

Until 2021, Tunisia had a relatively stable political situation, having made significant strides towards democracy following the 2011 revolution that ousted long-time dictator Zine El Abidine Ben Ali. However, in July 2021 Tunisian President Kais Saied dismissed the Prime Minister, suspended Parliament, and assumed full executive powers through a highly contested measure.⁵⁶³ A constitutional referendum in July 2022 granted wide-ranging powers to the President. These events were reportedly accompanied by a general backsliding of the human rights situation in the country, particularly with regards to Sub-Saharan Africans, which are increasingly the object of discrimination and attacks.⁵⁶⁴

Legal Framework

The Constitution of Tunisia affirms the country's attachment to Islam (Arts 5 and 44) but guarantees a wide range of human rights, including equality (Art. 23), freedom of religion or belief (Art. 27), freedom of expression (Art. 37) and freedom of association (Art. 40). Tunisia has also ratified several international human rights agreements, including the International Covenant on Civil and Political Rights (with no reservations directly concerning FoRB).

Religious Demographics

The population is estimated at about 12 millions. About 99% of the population are Sunni Muslims. The remaining 1% is composed of minorities, such as Christians, Shia, and Bahá'ís.

⁵⁶³ African Court on Human and Peoples' Rights, Ibrahim Ben Mohamed Ben Ibrahim Belguith v. Republic Of Tunisia, App. 017/2021, 22 September 2022, para 119; Summary of Stakeholders' submissions on Tunisia, Report of the Office of the United Nations High Commissioner for Human Rights, 25 July 2022 A/HRC/WG.6/41/TUN/3, para. 14.

⁵⁶⁴ Courrier International, Chasse aux migrants en Tunisie : le rapatriement des ressortissants ouest-africains s'organise, 7 March 2023, <https://www.courrierinternational.com/article/racisme-chasse-aux-migrants-en-tunisie-le-rapatriement-des-ressortissants-ouest-africains-s-organise>; Human Rights Watch, *World Report 2023*, 2023; Article 19, *The Global Expression Report 2022*, 2023, 19.

ForRB Situation

1. Adopting and Changing One's Religion or Belief

Tunisia has no law criminalizing apostasy and rather prohibits accusations of unbelief (*Takfir*).⁵⁶⁵ However, there are reports of intense societal pressures against leaving the Muslim faith, including threats and violence.⁵⁶⁶

2. Manifestation of One's Religion by Expression of One's Convictions

Blasphemy is not prohibited as such. However, authorities sanction blasphemy and religious insult on the basis of laws prohibiting incitement of hatred, the harming of public morals, or the disruption of others' lives through telecommunication means. On the basis of these laws, several persons have been sentenced to prison terms over the last few years.⁵⁶⁷ For instance, in late 2021, an activist was sentenced to one year of prison because of his remarks about the sexual life of Muhammad.⁵⁶⁸

3. Other Types of Manifestation of Religion or Belief

Other manifestations of religion, including the holding of religious ceremonies, are generally permitted, though non-Sunni Muslim groups and non-Abrahamic religions encounter difficulties in their operations.⁵⁶⁹ The Bahá'ís, for instance, cannot register as a religious or civil organisation and cannot establish worship centers or cemeteries.⁵⁷⁰ While the law does not compel persons to observe any religion, authorities have occasionally enforced religious observance regarding, in particular, abstinence during Ramadan.⁵⁷¹

⁵⁶⁵ Mohamed Elewa Badar e Polona Florijančič, «Killing in the Name of Islam? Assessing the Tunisian Approach to Criminalising Takfir and Incitement to Religious Hatred against International and Regional Human Rights Instruments», *Nordic Journal of Human Rights* 39, 4 (2021): 481–507, <https://doi.org/10.1080/18918131.2021.2021665>.

⁵⁶⁶ European Centre for Law and Justice, Status of Human Rights in Tunisia for the 41 st Session of the Universal Periodic Review, 2022, <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=10197&file=EnglishTranslation>, paras 5-11; Silvia Quattrini, «Religion, Identity and Ethnicity: The Quest of Tunisian Religious Minorities for Full Citizenship», *ROWAQ ARABI* (blog), 2020, <https://cihrs-rowaq.org/religion-identity-and-ethnicity-the-quest-of-tunisian-religious-minorities-for-full-citizenship/?lang=en>; US State Department, *2022 Report on International Religious Freedom*, 2023.

⁵⁶⁷ Collectif civil pour les libertés individuelles, Rapport des Parties Prenantes Soumis à l'examen Periodique Universel de La Tunisie 4 Eme Cycle 2022, 2022, <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=9725&file=CoverPage>, p. 3; Jubilee Campaign and Set My People Free, Submission for Universal Periodic Review of the Republic of Tunisia, 2022, available at https://www.upr-info.org/sites/default/files/country-document/2022-10/JS16_UPR41_TUN_E_Main.pdf, paras 7-10; End Blasphemy Laws, Tunisia, 2020, <https://end-blasphemy-laws.org/countries/middle-east-and-north-africa/tunisia/>, <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=10014&file=EnglishTranslation>, para. 18.

⁵⁶⁸ Marianne, Tunisia: Mounir Baatour, président d'une association LGBT, condamné pour blasphème, 27 October 2021, <https://www.marianne.net/monde/afrique/tunisie-mounir-baatour-president-dune-association-lgbt-condamne-pour-blaspheme>.

⁵⁶⁹ Minority Rights Group International, Submission in the framework of the Universal Periodic Review of TUNISIA, 2022, https://minorityrights.org/wp-content/uploads/2022/04/UPR41_MRG_Tunisia_FULL.pdf, para 28; Visit to Tunisia - Report of the UN Special Rapporteur on freedom of religion and belief, 1 March 2019, paras 45-52.

⁵⁷⁰ Minority Rights Group International, cit., para 29; Visit to Tunisia - Report of the UN Special Rapporteur on freedom of religion and belief, 1 March 2019, para. 50.

⁵⁷¹ Visit to Tunisia - Report of the Un Special Rapporteur on freedom of religion and belief, 1 March 2019, para. 44.

4. Discrimination Based on Religion or Belief

Religious discrimination takes place in some aspects of Tunisian society. For instance, non-Abrahamic religions cannot register as legal persons.⁵⁷² The President of the Republic must be a Muslim.⁵⁷³ While Muslim women should be able to marry non-Muslim men, some officials reportedly refuse to register such marriages.⁵⁷⁴

5. Protection from Violence

Tunisia has experienced a number of violent incidents carried out in the name of religion over the last few years.⁵⁷⁵ In 2022, there was a stabbing of two police officers guarding a synagogue, as well as the alleged 'breaking up' of a terrorist plot against religious targets.⁵⁷⁶ Reportedly, there was an increase in the use of State violence against segments of society, such as media, LGBT+ persons and migrants, though these attacks did not necessarily have religious motives.⁵⁷⁷

Score on priority areas

Adopting and Changing One's Religion or Belief	1 – Problematic Issues
Manifestation of One's Religion by Expression of One's Convictions	1 - Problematic Issues
Other Types of Manifestation of Religion or Belief	1 – Problematic Issues
Discrimination Based on Religion or Belief	1 – Problematic Issues
Protection from Violence	0 – Minor concerns

⁵⁷² Ibid., para. 44; Collectif civil pour les Libertés Individuelles, cit., para. 10; Minority Rights International, cit., para. 29.

⁵⁷³ Constitution de la République Tunisienne 2022, available at https://www.jurisitetunisie.com/tunisie/codes/Constitution_2022/const1035p.htm, Art. 88.

⁵⁷⁴ Collectif civil pour les Libertés Individuelles, cit., para. 10; Minority Rights International, cit., para. 13.

⁵⁷⁵ Tunisia - Report of the UN Special Rapporteur on freedom of religion and belief, 1 March 2019, para. 57.

⁵⁷⁶ US State Department, *2022 Report on International Religious Freedom*.

⁵⁷⁷ Summary of Stakeholders' submissions on Tunisia cit., para. 32.

Türkiye

Final score: 5 (Problematic issues)

Political Framework

Türkiye since 1924 had pursued a strictly secular policy. But since Erdoğan's cabinet came to power the country has gradually moved to the politics that were more accommodating to Islam. In 2017 Türkiye's political system has shifted from a democratic parliamentary republic to a presidential republic, with a highly centralized political structure. Recep Tayyip Erdoğan has ruled the country for more than 20 years with regular violations of freedoms and rights of its citizens. In 2022 he positioned Türkiye as a broker in Russia's war in Ukraine. Türkiye is a member state of NATO and the Council of Europe and is party to 16 out of 18 international human rights treaties of the United Nations. Türkiye hosts a large number of refugees (3.6 million) but is known for ignoring the problem of Christians and Bahá'ís from Iran, who risk being sent back after UNHCR is no longer in charge of the asylum application process.⁵⁷⁸

Legal Framework

Articles 2 and 24 of the constitution define the state as democratic and secular [*laik*], respecting human rights and guaranteeing the freedom of conscience, religious belief, and conviction.⁵⁷⁹ The Directorate of Religious Affairs (*Diyanet*) and the General Directorate of Foundations (*Vakıflar Genel Müdürlüğü*) exist in the country since 1924 to control both majority Muslim and non-Muslim religious communities.⁵⁸⁰

Religious Demographics

The majority of the citizens in Türkiye is Muslim (99.8%), mostly Sunni and a distinct (app. 10%) Alevi minority, the other 0.2% are representative of Christianity and the Jewish religion.

ForB Situation

1. Adopting and Changing One's Religion or Belief

Adoption and changing religion or belief is not prohibited or persecuted by law. Although converts from Islam may be subjects for societal pressure. Identifying as 'atheist' is especially problematic,

⁵⁷⁸ "For Iranian Christian Refugees, Limbo in Türkiye Can Lead to Danger," *Article 18* (blog), March 16, 2021, <https://articleeighteen.com/analysis/8095/>.

⁵⁷⁹ "Türkiye 1982 (Rev. 2017) Constitution - Constitute," accessed May 22, 2023, https://www.constituteproject.org/constitution/Türkiye_2017?lang=en. "Kyrgyzstan - Asia - Constitute," accessed July 6, 2023, <https://www.constituteproject.org/countries/Asia/Kyrgyzstan>. "Kyrgyzstan - Asia - Constitute," accessed July 6, 2023, <https://www.constituteproject.org/countries/Asia/Kyrgyzstan>.

⁵⁸⁰ "T.C. Diyanet İşleri Başkanlığı | İman | İbadet | Namaz | Ahlak," accessed May 22, 2023, <https://www.diyamet.gov.tr/en-US/>.

and prompts insults, death threats, discrimination at the workplace and equated with satanism or terrorism.⁵⁸¹

2. Manifestation of One's Religion by Expression of One's Convictions

Article 216(3) of the Penal Code criminalizes blasphemy or "insult of religious values."⁵⁸² In January 2022 a criminal complaint was filed against Turkish pop singer Sezen Aksu for uploading her song from 2017 on YouTube, with lyrics mentioning Adam and Eve which insulted religious feelings.⁵⁸³ Another complaint was filed against the earth scientist Prof. Dr. Celal Şengör for stating on a science-themed TV program that "there is no scientific evidence that the Prophet Moses has really existed."⁵⁸⁴ Behind these mediatized cases are numerous other cases of ordinary citizens whose (non-)religious convictions are silenced by this law.

3. Other Types of Manifestation of Religion or Belief

The right to conscientious objection is not recognized in the country. Military service remains compulsory for men aged 20-24 and objectors face "civil death", implying restrictions on their freedom of movement and violations of their right to work.⁵⁸⁵

In the Kurdish region, restrictions of freedom of religion or belief intersect with suppression of ethnic identity. Kurdish students in the south-eastern province of Diyarbakir are effectively being denied the opportunity to take Kurdish language courses. Instead, they are advised to take religious classes in Islam.⁵⁸⁶ They were also not permitted to reopen the Theological School of Halki, as well as any other seminary.⁵⁸⁷

Turkish schools have continued to offer compulsory religious classes. In 2022 the Constitutional court ruled, however, that such mandatory religious education violates freedom of religion. This verdict followed a long legal battle of Alevi parent Huseyin El trying to pull his daughter out of the compulsory classes.⁵⁸⁸ The implications of the verdict are yet to be seen.

4. Discrimination Based on Religion or Belief

In 2022, the government finally regulated elections for the boards of religious foundations. The refusal since 2013 to issue these elections had earlier been called "a great injustice" by the Ecumenical Patriarch Bartholomew.⁵⁸⁹ But the new regulations also included new residency

⁵⁸¹ "Türkiye," *Freedom of Thought Report* (blog), accessed December 9, 2023, <https://fot.humanists.international/countries/asia-western-asia/Türkiye/>.

⁵⁸² United State Commission on International Religious Freedom, "Annual Reports | USCIRF," 0520:29:35 2023, <https://www.uscirf.gov/annual-reports>.

⁵⁸³ "Sezen Aksu Hakkında Suç Duyurusu – DW – 17.01.2022," *dw.com*, accessed June 6, 2023, <https://www.dw.com/tr/sezen-aksu-hakk%C4%B1nda-su%C3%A7-duyurusu/a-60452988>.

⁵⁸⁴ Nur, "Another Case Is to the Atheist Scientist Şengör | Atheism Association Official Site," September 10, 2022, <https://www.ateizmderneği.org.tr/blog/2022/09/10/bir-dava-da-ateist-bilim-insani-sengore/>.

⁵⁸⁵ "New Report: Right to Conscientious Objection to Military Service in Türkiye | War Resisters' International," accessed July 3, 2023, <https://wri-irg.org/en/story/2023/new-report-right-conscientious-objection-military-service-Türkiye>.

⁵⁸⁶ Duvar English, "Students in Diyarbakir deprived of Kurdish language courses, directed towards religious classes," Text, <https://www.duvarenglish.com/students-in-diyarbakir-deprived-of-kurdish-language-courses-directed-towards-religious-classes-says-education-union-news-60178> (Duvar English, January 19, 2022), <https://www.duvarenglish.com/students-in-diyarbakir-deprived-of-kurdish-language-courses-directed-towards-religious-classes-says-education-union-news-60178>.

⁵⁸⁷ United State Commission on International Religious Freedom, "Annual Reports | USCIRF," 66.

⁵⁸⁸ "Türkiye's Top Court Rules Compulsory Religion Courses Violate Rights - Al-Monitor: Independent, Trusted Coverage of the Middle East," April 12, 2022, <https://www.al-monitor.com/originals/2022/04/Türkiyes-top-court-rules-compulsory-religion-courses-violate-rights>.

⁵⁸⁹ "CEMAAT VAKIFLARI SEÇİM YÖNETMELİĞİ" (n.d.), resmigazete.gov.tr/eskiler/2022/06/20220618-9.htm.

requirements, which limited the participation of candidates. The religious minorities viewed the new regulations as another attempt to discriminate and impose more control on them. Discrimination continues against the Alevi, the largest religious minority in Türkiye.⁵⁹⁰ The government refuses to recognize their places of worship. A new initiative of the President to establish a state-run agency to address Alevi problems was met with criticism⁵⁹¹ and considered another attempt of “suffocation” and “the last nail” in the coffin of Alevism.⁵⁹²

5. Protection from Violence

In July a series of targeted violent mob attacks was conducted on Alevi places of worship.⁵⁹³ Physical and verbal assaults on representatives and leaders of this community were also reported.⁵⁹⁴ Other religious communities often experience different forms of violence: in June a Christian Syriac family was attacked by a group of radicals⁵⁹⁵ and in July 36 headstones at the Jewish Hasköy cemetery in Istanbul were vandalised.⁵⁹⁶ ISIS maintains its presence in Türkiye and continues to threaten religious minorities in its spheres of influence.⁵⁹⁷ The state fails to address these issues in a responsible manner.

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	1 - Problematic Issues
2. Manifestation of One’s Religion by Expression of One’s Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	1 - Problematic Issues

⁵⁹⁰ “Who Are the Alevi in Türkiye? | Britannica,” accessed July 3, 2023, <https://www.britannica.com/story/who-are-the-alevis-in-türkiye>.

⁵⁹¹ “Turkish Government Criticized for Creating New Alevi Cultural Agency - Al-Monitor: Independent, Trusted Coverage of the Middle East,” November 9, 2022, <https://www.al-monitor.com/originals/2022/11/turkish-government-criticized-creating-new-alevi-cultural-agency>.

⁵⁹² “Alevi Slam Plan to Found State Body to ‘address’ Their Concerns: ‘An Attempt to Seize Alevi Religiousness,’” accessed July 3, 2023, <https://www.duvarenglish.com/alevis-slam-plan-to-found-state-body-to-address-their-concerns-an-attempt-to-seize-alevi-religiousness-news-61406>.

⁵⁹³ “Ankara’da Alevi Kurumlarına ve Cemevlerine Peşpeşe Saldırı | Agos,” accessed July 3, 2023, <https://www.agos.com.tr/tr/yazi/27332/ankara-da-alevi-kurumlarina-ve-cemevlerine-pestese-saldiri>.

⁵⁹⁴ “Attacks on Alevi Places of Worship Rattle Türkiye - Al-Monitor: Independent, Trusted Coverage of the Middle East,” accessed July 3, 2023, <https://www.al-monitor.com/originals/2022/08/attacks-alevi-places-worship-rattle-türkiye>.

⁵⁹⁵ Stefan J. Bos, “Christian Family Attacked In Türkiye | BosNewsLife,” June 16, 2022, <https://bosnewslife.com/2022/06/16/christian-family-attacked-in-türkiye/>.

⁵⁹⁶ “Teenagers Arrested on Suspicion of Vandalising Türkiye’s Largest Jewish Cemetery | Euronews,” accessed July 3, 2023, <https://www.euronews.com/2022/07/15/teenagers-arrested-on-suspicion-of-vandalising-türkiyes-largest-jewish-cemetery>.

⁵⁹⁷ United State Commission on International Religious Freedom, “Annual Reports | USCIRF,” 66.

Turkmenistan

Final score: 6 (Problematic issues)

Political Framework

Turkmenistan is a sparsely populated presidential republic in Central Asia known for its large gas reserves. It is categorized as a consolidated authoritarian regime.⁵⁹⁸ Until 2008 Turkmenistan had a one-party system, but after a change in the Constitution multiple parties are now allowed in the parliament. Elections are tightly controlled, however, and they bring almost unanimous victory to a pre-known candidate.

In the year 2022 Serdar Berdimuhamedov came to power, but his father, the previous president, has retained significant influence. He was given the title of “National Leader of the Turkmen People.”⁵⁹⁹ The countries’ economy is dominated by the state and corruption is systematic. Freedom of speech is violated and internet access is limited or censored.⁶⁰⁰

Legal Framework

The constitution guarantees freedom of religion (art.18), but religious organizations are considered to be separate from the state and cannot interfere in the state functions.⁶⁰¹ Despite the declared rights and freedoms, Turkmenistan is internationally criticized for its poor human rights conditions.⁶⁰² Religious life is regulated by the law “On the freedom of religion and religious organizations.”⁶⁰³ The State Commission on Religious Organizations and Expert Evaluation of Religious Information Resources (SCROEERIR) is responsible for its implementation.⁶⁰⁴

Religious demographics

93% is Sunni Muslim. There is a 6.4% minority of Christians, mainly adherents of Eastern Orthodox Church and also less than 1% of others such as Buddhists, indigenous religions, Jewish etc.

⁵⁹⁸ “Turkmenistan: Nations in Transit 2023 Country Report,” Freedom House, accessed July 18, 2023, <https://freedomhouse.org/country/turkmenistan/nations-transit/2023>.

⁵⁹⁹ IPHR, “Turkmenistan: UN Human Rights Body Issues Important Findings as the Authorities Continue to Reign in Dissent,” *IPHR* (blog), June 4, 2023, <https://www.iphronline.org/turkmenistan-un-human-rights-body-issues-important-findings-as-the-authorities-continue-to-reign-in-dissent.html>.

⁶⁰⁰ IPHR.

⁶⁰¹ “Turkmenistan 2008 (Rev. 2016) Constitution - Constitute,” accessed July 19, 2023, https://www.constituteproject.org/constitution/Turkmenistan_2016.

⁶⁰² Human Rights Watch, “Turkmenistan: Events of 2021,” in *World Report 2022*, 2021, <https://www.hrw.org/world-report/2022/country-chapters/turkmenistan>.

⁶⁰³ “ЗАКОН ТУРКМЕНИСТАНА
О свободе вероисповедания и религиозных организациях,” April 12, 2016,

<https://turkmenistan.gov.tm/ru/post/26086/zakon-turkmenistana-%3cbr%3e0-svobode-veroispovedaniya-i-religioznykh-organizatsiyakh>.

⁶⁰⁴ “Совет по делам религии при Президенте Туркменистана,” in *Википедия*, April 1, 2023.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The law protects the right to adopt, hold or change religion (art. 5).⁶⁰⁵ Although, changing religion is not societally welcomed. Children have the right to receive spiritual education of their choice alone or jointly with others. This right can be exercised only in a general education institution during lesson-free time and with the permission of the State commission. The time allocated to these lessons should not exceed four hours a week (art. 5).⁶⁰⁶

2. Manifestation of One's Religion by Expression of One's Convictions

Members of unregistered religious groups are not allowed any religious activity, and in particular not proselytising. Their religious activities are punishable as an administrative offence by fines ranging from 100 to 2,000 manat (550 euro), with higher fines for religious leaders and lower fines for members.⁶⁰⁷ Offending the religious feelings of others is punishable by fines as well (Code on Administrative Offences art. 75).⁶⁰⁸ There were no cases of prosecution recorded in the reported year.

3. Other Types of Manifestation of Religion or Belief

SCROEERIR has vast rights on granting or withdrawing the registration of communities, approving religious leaders and literature, and allowing to hold or construct a religious building. Any religious activity without state registration or permission is prohibited, including holding religious meetings. In 2022 five Sunni Muslims were transferred to labour camps after being convicted to 12 years of jail for studying the works of Turkish Muslim theologian Said Nursi.⁶⁰⁹

There is no possibility of conscientious objection in Turkmenistan. Jehovah's Witnesses and others who refuse military service face detention. An unusual event happened in 2021, when 16 objectors (all of them JW) were released by amnesty and no new detentions were recorded in 2022. Still, military conscription offices simultaneously continued to summon young Jehovah's Witnesses.⁶¹⁰

4. Discrimination Based on Religion or Belief

The law stipulates that all religions are equal and no religion can have preferential treatment (art. 6).⁶¹¹ In practice there is no preferred religion, but all religions should comply with the Rukhnama – the book of spiritual writings of former president Saparmurat Niyazov. It serves as a tool of State propaganda and is imposed on all spheres of life, including religious communities.⁶¹²

The government keeps all religious groups under control with different tools. It continues to approve the appointments of all senior Muslim clerics (both Shia and Sunni). The Russian Orthodox Church is financed and ruled independently, but its senior priests are required to be citizens of

⁶⁰⁵ "ЗАКОН ТУРКМЕНИСТАНА
О свободе вероисповедания и религиозных организациях."

⁶⁰⁶ "Совет по делам религии при Президенте Туркменистана."

⁶⁰⁷ "Turkmenistan," *United States Department of State* (blog), accessed July 19, 2023, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/turkmenistan/>.

⁶⁰⁸ "WIPO Lex, Turkmenistan, Code of Turkmenistan on Administrative Offenses," accessed July 31, 2023, <https://www.wipo.int/wipolex/en/legislation/details/13824>.

⁶⁰⁹ Forum 18 News Service, "TURKMENISTAN: Muslim Prisoners of Conscience Transferred to New Labour Camps," accessed July 19, 2023, https://www.forum18.org/archive.php?article_id=2786.

⁶¹⁰ Service.

⁶¹¹ "ЗАКОН ТУРКМЕНИСТАНА
О свободе вероисповедания и религиозных организациях."

⁶¹² "Читать Книгу «Рухнама», Сапармурат Ниязов," accessed July 19, 2023, https://4italka.su/dokumentalnaya_literatura_main/dokumentalnaya_literatura/75925.htm.

Turkmenistan.⁶¹³ Other minority groups can function only if they comply with the country's restrictive laws and cumbersome registration rules.

5. Protection from Violence

Due to a generally poor protection of human rights in the country, violations of rights of believers by police, or prison workers are a common practice. In previous years, Muslim followers of Nursi's teaching and Jehovah's Witnesses have been tortured and some have died from maltreatment, neglect or unrecognized Covid infection in high-security prison Ovadan-Depe and in the Seydi labour camp.⁶¹⁴

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	0 - Minor concerns
2. Manifestation of One's Religion by Expression of One's Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	2 – Serious violations
4. Discrimination Based on Religion or Belief	1 - Problematic Issues
5. Protection from Violence	2 – Serious violations

⁶¹³ "Turkmenistan."

⁶¹⁴ Forum 18 News Service, "TURKMENISTAN: 16 Conscientious Objectors Freed, Muslim Prisoners of Conscience Remain," accessed July 31, 2023, https://www.forum18.org/archive.php?article_id=2656.

Ukraine

Final score: 2 (Minor Issues)

(This analysis concerns the FoRB situation in areas controlled by Ukraine. Violations of FoRB in Ukrainian territory attributed to Russia are discussed in the section related to that country.)

Political Framework

Ukraine is a semi-presidential republic struggling with its post-Soviet legacy. The year 2022 proved to be the most challenging since the nation achieved independence in 1991. The full-scale Russian invasion on February 24, 2022 caused the occupation of 18% of the country's territory. The ongoing war impacted the democratic institutions, ongoing processes of reforms and created many security-versus-democracy dilemmas.⁶¹⁵

Legal Framework

The Ukrainian constitution provides for “the separation of church and religious organizations from the state” and protects “the right to freedom of personal philosophy and religion” (art. 35). The government manages freedom of religion or belief policies based on the law “About freedom of conscience and religious organizations”.⁶¹⁶ The Ministry of Culture and Information Policy is the government agency responsible for religious affairs.

Religious Demographics

Ukraine's population is overwhelmingly Christian and Orthodox. The Orthodox Church representations are complex (and include the Orthodox Church of Ukraine (OCU), the Ukrainian Autocephalous Orthodox Church (UAOC), and the Ukrainian Orthodox - Moscow Patriarchate (UOC-MP)). Ukrainian Greek Catholic minority - 8-10%. Roman Catholic, Protestant, Muslim, Jewish communities represent less than 1% each (2013 est.).

⁶¹⁵ “Ukraine: Nations in Transit 2023 Country Report,” Freedom House, accessed October 25, 2023, <https://freedomhouse.org/country/ukraine/nations-transit/2023>.

⁶¹⁶ “Про свободу совісті та релігійні організації,” Офіційний вебпортал парламенту України, accessed November 16, 2023, <https://zakon.rada.gov.ua/go/987-12>.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The Ukrainian constitution provides much freedom and possibilities of exercising FoRB. Yet, the wartime also has led to compromises of freedoms, such as the recent annulment of the possibility of conscientious objection for joining the military forces.⁶¹⁷ When in February the government announces a martial law and general mobilization of reservists has started, there were some arrests for draft refusal and one case of imprisonment,⁶¹⁸ although most objectors were able to perform alternative services.⁶¹⁹

2. Manifestation of One's Religion by Expression of One's Convictions

The Penal Code determines fines and imprisonment for actions inciting national, racial, or religious enmity and hatred, or the insult of citizens' feelings in respect to their religious convictions.⁶²⁰

Missionary work is a permissible activity (art.21).⁶²¹ There are limitations, though, for foreign religious workers. They may "preach, administer religious ordinances, or practice other canonical activities," but they may do so only for the registered religious organization which invited them and with the approval of the government body that registered the statute of the organization (art.24).⁶²²

3. Other Types of Manifestation of Religion or Belief

To register and obtain legal-entity status, an organization must register either with the Ministry of Culture and Information Policy or with regional government authorities.⁶²³ Religious groups without legal-entity status may also meet and worship as well as publish and distribute religious materials. The law provides for state supported chaplains,⁶²⁴ but prohibits religious instruction as part of the mandatory public school curriculum. There is freedom, though, to conduct voluntary religious education or to establish private religious educational institutions.⁶²⁵

On December 1, 2022 president Zelenskyy announced a ban on the Orthodox Church of the Moscow Patriarchate in Ukraine, allegedly in order to halt subversive activities of Russian special services in Ukraine's religious environment.⁶²⁶

4. Discrimination Based on Religion or Belief

Since the Orthodox Church of Ukraine was incepted in 2018, relations between the OCU and Ukrainian Orthodox Church have been tense. The government demonstrates its favour towards the OCU. Since the beginning of October, the State Security Service has been conducting searches in

⁶¹⁷ Forum 18 News Service, "UKRAINE: First Known Wartime Conscientious Objector Jailing," accessed March 2, 2023, https://www.forum18.org/archive.php?article_id=2803.

⁶¹⁸ Forum 18 News Service, "UKRAINE: First Known Wartime Conscientious Objector Jailing," accessed March 2, 2023, https://www.forum18.org/archive.php?article_id=2803.

⁶¹⁹ "Ukraine," *United States Department of State* (blog), accessed October 25, 2023, <https://www.state.gov/reports/2021-report-on-international-religious-freedom/ukraine/>.

⁶²⁰ "UKRAINE 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT," 2021.

⁶²¹ "Про свободу совісті та релігійні організації."

⁶²² "Про свободу совісті та релігійні організації."

⁶²³ "UKRAINE 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT," 5.

⁶²⁴ "Rada Passes Law on Military Chaplaincy - RISU," Religious Information Service of Ukraine, accessed March 2, 2023, https://risu.ua/en/rada-passes-law-on-military-chaplaincy_n123877.

⁶²⁵ "UKRAINE 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT."

⁶²⁶ "President Zelenskyy Announced a Ban on the Moscow Patriarchate in Ukraine," accessed March 1, 2023, <https://irf.in.ua/p/103>.

churches and monasteries of the Ukrainian Orthodox Church throughout the country, hoping to find evidence of its cooperation with the aggressor country and “cells of the Russian world.” In the reported year the UOC stated that on December 7 a group of OCU members, accompanied by militaries, had tried to take possession of a church building and prevent UOC members from entering it. OCU representatives denied this charge and accused their UOC opponents of using force and hampering their legitimate access to the church.

In 2021 a law was passed defining the concept of antisemitism and reaffirming punishment for crimes motivated by antisemitism. The penalties for incitement of antisemitic acts imply prison sentences of five to eight years. There are no known cases of this law being enforced in the reported year.

5. Protection from Violence

There were no recorded cases of violence initiated or supported by state actors. From non-state actors, violent acts of antisemitism (which used to be frequent in the past) were recorded only once in the reported year. In addition, six incidents of vandalism were recorded towards Kingdom halls of Jehovah’s Witnesses.⁶²⁷

Scores on priority areas

1. Adopting and Changing One’s Religion or Belief	0 - Minor issues
2. Manifestation of One’s Religion by Expression of One’s Convictions	1 - Problematic Issues
3. Other Types of Manifestation of Religion or Belief	1 - Problematic Issues
4. Discrimination Based on Religion or Belief	0 - Minor issues
5. Protection from Violence	0 - Minor issues

⁶²⁷ “Ukraine,” *United States Department of State* (blog), accessed March 2, 2023, <https://www.state.gov/reports/2021-report-on-international-religious-freedom/ukraine/>.

Vietnam

Final score: 8 (Severe violations)

Political Framework

Vietnam is a one-party state controlled by the Communist Party of Vietnam. Vietnam is widely reported to severely restrain civil and political freedoms, particularly in case of individuals and groups critical of the government. Despite reforms that sought to increase the accountability of the judiciary, judges remain beholden to the Communist party.⁶²⁸

Legal Framework

The Constitution of Vietnam recognizes the right to freedom of belief and equality among religions. It prohibits ‘taking advantage’ of a belief or religion in order to violate the law.⁶²⁹ Under the Law on Freedom of Religion or Belief (2016), implemented through government Decree no. 162/2017; these instruments reportedly place considerable restraints on freedom of religion or belief, religious activities, and religious organizations.⁶³⁰

Vietnam is a party to the International Covenant on Civil and Political Rights (with no reservations regarding FoRB), as well as other human rights instruments such as the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

Religious Demographics

According to Vietnam’s census, 14% of the population (total: about 104 million) practices a religion; main religious groups include Catholics (about 6% of the total population), Buddhists (5%), and Protestants (1%). Reportedly, these figures are underestimated.⁶³¹ The Vietnam Government Committee for Religious Affairs reports that religious followers amount to 27% of the population.⁶³²

⁶²⁸ Pip Nicholson e Nguyen Hung Quang, «Independence, Impartiality and Integrity of the Judiciary in Vietnam», in *Asia-Pacific Judiciaries: Independence, Impartiality and Integrity*, a c. di H. P. Lee e Marilyn Pittard (Cambridge: Cambridge University Press, 2017), 372–93, <https://doi.org/10.1017/9781316480946.019>; Human Rights Watch, *World Report 2023*, 2023.

⁶²⁹ The Constitution of Vietnam is available at Vietnam Law & Legal Forum, <https://vietnamlawmagazine.vn/the-2013-constitution-of-the-socialist-republic-of-vietnam-4847.html>.

⁶³⁰ Bui Ngoc Son, «Legal Regulation of Religion in Vietnam», in *Regulating Religion in Asia: Norms, Modes, and Challenges*, a c. di Arif A. Jamal, Daniel P. S. Goh, e Jaclyn L. Neo (Cambridge: Cambridge University Press, 2019), 146–68, <https://doi.org/10.1017/9781108235983.008>; USCIRF, Country Update: An Assessment of Vietnam’s Law on Belief and Religion, 2019, https://www.uscirf.gov/sites/default/files/2019%20Vietnam%20Country%20Update_2.pdf.

⁶³¹ US State Department, *2022 Report on International Religious Freedom*, 2023. ARDA, World Religion: Vietnam, <https://www.thearda.com/world-religion/national-profiles?u=239c>.

⁶³² GCRA, Religions and religious policy in Vietnam, 29 August 2023, <https://religion.vn/religious-policies/religions-and-religious-policy-in-vietnam-postrYaAE0kaEW.html>.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

The law prohibits forcing someone to follow or renounce religious beliefs. Nonetheless, it is reported that members of religious communities, predominantly minority or unregistered groups, are pressured to join recognized religious groups (see below, section 3).⁶³³ Those who refuse to do so are punished with confiscation of goods and the denial of identity documents.⁶³⁴

2. Manifestation of One's Religion by Expression of One's Convictions

Publishers need government approval before publishing any document, including religion-related material.⁶³⁵ Authorities have arrested and detained religious practitioners who criticised the government or the communist party.⁶³⁶ For instance, six Buddhist monks and nuns received prison sentences from three to five years in 2022 for criticising government authorities on the internet.⁶³⁷ A Christian was sentenced to four years imprisonment for reporting religious persecution to international organisations.⁶³⁸

3. Other Types of Manifestation of Religion or Belief

Religious organisations need to register with public authorities in order to be authorized to perform their activities; according to government authorities, 43 religious organisations were recognized by March 2020.⁶³⁹ Government authorities arbitrarily place restrictions on religious activities on the basis of vague legal provisions related to public interest, national security and social unity.⁶⁴⁰ Religious organisations and leaders may face repression from public authorities, in the form of interference with religious celebrations, seizing of land, arbitrary arrests, and incommunicado detention without charges.⁶⁴¹

Military conscription is mandatory for males; the right to conscientious objection is not protected.⁶⁴²

⁶³³ Human Rights Watch, Submission to the Universal Periodic Review of Vietnam, October 2023, <https://www.hrw.org/news/2023/10/03/submission-universal-periodic-review-vietnam>; Human Rights Committee, Concluding observations on the third periodic report of Viet Nam, 29 August 2019, CCPR/C/VNM/CO/3, para. 43

⁶³⁴ Radio Free Asia, Protestant family of 13 expelled from their village, 21 June 2022, <https://www.rfa.org/english/news/vietnam/family-of-13-expelled-from-village-for-following-protestantism-06212022013455.html>; Boat People SOS, Consequences of Statelessness on Hmong Christians: The Children of Subdivision 181 in Vietnam – a Case Study, 30 December 2021, <https://www.ohchr.org/sites/default/files/2022-01/Boat-People-SOS.pdf>; USCIRF, 2023 Annual Report, 2023.

⁶³⁵ US State Department, 2022 Report on International Religious Freedom.

⁶³⁶ Human Rights Watch, Submission to the Universal Periodic Review of Vietnam, cit.; Amnesty International Report 2022/2023: *The State of the World's Human Rights*, 2023. The Vietnamese, Tinh That Bong Lai Practitioners Sentenced To Combined More Than 23 Years In Prison, 23 July 2022, <https://www.thevietnamese.org/2022/07/tinh-that-bong-lai-practitioners-sentenced-to-combined-more-than-23-year-s-in-prison/>.

⁶³⁷ Amnesty International Report 2022/2023: *The State of the World's Human Rights*.

⁶³⁸ USCIRF, 2023 Annual Report.

⁶³⁹ Vietnam Government Committee for Religious Affairs, Updated list of religious organizations given state recognition in Vietnam, 29 April 2020, <https://religion.vn/religious-policies/updated-list-of-religious-organizations-given-state-recognition-in-vietnam-postZQR8G0gndA.html>.

⁶⁴⁰ Human Rights Watch, Submission to the Universal Periodic Review of Vietnam, cit.

⁶⁴¹ Human Rights Committee, Concluding observations on the third periodic report of Viet Nam, 29 August 2019, CCPR/C/VNM/CO/3, paras 25 and 43; Aiuto alla Chiesa che soffre, *Perseguitati più che mai: Rapporto sui cristiani oppressi per la loro fede 2020–2022*, 2022; USCIRF, 2023 Annual Report.

⁶⁴² See the Law 78/2015 on Military Service; US State Department, 2022 Report on International Religious Freedom.

4. Discrimination Based on Religion or Belief

Members of religious minorities, particularly those belonging to ethnic minorities are reportedly denied identification documents, as well as access to education, employment and other public services.⁶⁴³ Converts from ethnic minorities, such as Hmong, are also more likely to be subject to pressure and persecution because of their faith.⁶⁴⁴ The government bans and persecutes certain religions which it deems 'evil'.⁶⁴⁵ The level of repression may vary, depending on the particular denomination affected: historical Christian communities reportedly enjoy a certain amount of freedom, while non-traditional Protestants face intense pressure.⁶⁴⁶

5. Protection from Violence

There are reports of violence, and incitement to violence, against members of religious communities perpetrated both by government authorities and non-State actors.⁶⁴⁷ For instance, in August 2022, the police raided and destroyed the places of worship of a banned religious group (Duong Van Minh).⁶⁴⁸ In December, authorities destroyed a temple belonging to the independent Unified Church of Vietnam.⁶⁴⁹

Reportedly, there is widespread use of torture and ill-treatment against detained persons, including members of ethnic and religious minorities.⁶⁵⁰

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	1 – Problematic issues
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	2 – Severe violations
4. Discrimination Based on Religion or Belief	2 – Severe violations

⁶⁴³ Boat People SOS, Consequences of Statelessness on Hmong Christians, cit.; Interim report of the Special Rapporteur on freedom of religion or belief, Ahmed Shaheed Elimination of all forms of religious intolerance, 12 October 2020, A/75/385, para. 43; Human Rights Committee, Concluding observations on the third periodic report of Viet Nam, 29 August 2019, CCPR/C/VNM/CO/3, para. 55.

⁶⁴⁴ USCIRF, 2023 Annual Report, 2023.

⁶⁴⁵ Human Rights Watch, Submission to the Universal Periodic Review of Vietnam, cit.; The Vietnamese, Vietnam's Three-Pronged Crackdown on Religious Activists in the Central Highlands, 21 July 2023, <https://www.thevietnamese.org/2023/07/vietnams-three-pronged-approach-to-persecute-religious-freedom-activists-in-the-central-highlands/>.

⁶⁴⁶ Open Doors, Vietnam, <https://www.opendoorsuk.org/persecution/world-watch-list/vietnam/>.

⁶⁴⁷ Boat People SOS, Joint letter to President Biden - May 2022, Human Rights Committee, Concluding observations on the third periodic report of Viet Nam, 29 August 2019, CCPR/C/VNM/CO/3, para. 43

⁶⁴⁸ The Vietnamese, Cao Bang authorities destroy funeral homes, storm into residences and dismantle altars, 27 December 2022, <https://www.thevietnamese.org/2022/12/religion-bulletin-august-2022-cao-bang-dismantles-duong-van-minh-practitioners-altar-replaces-it-with-a-portrait-of-ho-chi-minh/>; Radio Free Asia, Vietnamese police raid centers of banned religious sect, 9 August 2022, <https://www.rfa.org/english/news/vietnam/raid-08092022152321.html>

⁶⁴⁹ Radio Free Asia, Authorities destroy Unified Church of Vietnam's Son Linh Pagoda, 13 december 2022, <https://www.rfa.org/english/news/vietnam/son-linh-pagoda-destroyed-12132022232958.html>; Boat People SOS, Joint letter to President Biden, cit.

⁶⁵⁰ Human Rights Watch, *World Report 2023*; Human Rights Committee, Concluding observations on the third periodic report of Viet Nam, cit., para. 27.

Yemen

Final score: 9 (Severe violations)

Political Framework

Yemen has been steeped in civil war since 2015. In 2022, the anti-government Houthi rebels controlled one-third of the country that contains the majority of the population, while the internationally recognised government has retreated to Aden from where it controls the remaining two thirds of Yemen territory. The conflict reflects an old cultural, political, and religious divide between North and South Yemen. A distinct religious aspect of the civil war is that the Houthi rebels enforce a Shiite (Zaydi) interpretation of Islam, backed by Iran. By the end of 2022, two thirds of the population (21.6 million people) required humanitarian assistance and an estimated 14 percent (4.5 million people) have been internally displaced.⁶⁵¹ The situation has rendered the administrative, political, and judicial infrastructure mostly dysfunctional.

Legal Framework

According to the Constitution of 1991 (with amendments until 2015), Islam is the religion of the state (article 2) and the Sharia is 'the' (that is: the only) source of 'all legislation' (article 3). Among the many freedoms mentioned in the Constitution, none refers to religion. Yemen has ratified the International Convention on Civil and Political Rights without any reservation. How this relates to certain rules of sharia which are clearly in violation of human rights standards, is unclear.

Religious demography

More than 99 percent of the Yemenis is Muslim, belonging either to the majority of Sunni Muslims or the large minority of Zaydi Muslims (a distinct form of Shiite Islam). The very small non-Muslim communities are Hindus (approximately 150,000 in 2010) and Bahá'ís (approximately 2,000 in 2016⁶⁵²) or Christians (mostly from the Horn of Africa). The formerly large Jewish minority has almost in its entirety migrated to Israel in the 1970s with an estimated 1,500-2,000 persons remaining.

⁶⁵¹ UN Yemen Country Results Report 2022

⁶⁵² For figures for Hindus and Baha'i, see: US State Department, *International Religious Freedom Report 2022: Yemen*, p.4.

FoRB Situation

1. Adopting and Changing One's Religion or Belief

According to the Penal Code of 1994, apostasy from Islam is a capital offence, but that punishment can be averted if the accused repents (article 259). The Yemeni delegation at the Human Rights Committee justified this punishment by explaining that apostasy could potentially jeopardize the security and stability of the society.⁶⁵³ There are no known cases of persecution, but there are reports of harassment of Muslims who converted to Christianity.⁶⁵⁴

2. Manifestation of One's Religion by Expression of One's Convictions (blasphemy, proselytization, censorship)

Ridicule or contempt of religion is punishable with 3 years prison (Article 194 Penal Code), ridicule or contempt of Islam 'or any of its sects' with 5 years (Article 195) and 'wilful distortion' of the Qur'an with 5 years (Article 260). There are no known cases of persecution.

3. Other Types of Manifestation of Religion or Belief

Public schools in Yemen are mandated to include instruction on Islam, while other religions are excluded from the curriculum.⁶⁵⁵ However, in Houthi-controlled areas the authorities intentionally modify the curriculum to align with their Zaydi ideology⁶⁵⁶ that may even include the dissemination of "hateful rhetoric" against religious minorities⁶⁵⁷ and pressure on preachers and mosques to indoctrinate children with sectarian radicalization.⁶⁵⁸

4. Discrimination Based on Religion or Belief

The Muslim family code (Law 20/1992) contains the religiously discriminatory rules common in Islamic marriage and inheritance law: a Muslim woman cannot marry a non-Muslim man (article 26 sub 1), and a non-Muslim woman cannot inherit from or pass her inheritance to her Muslim husband or children (article 305).

Discrimination is exerted by both government and Houthi forces. With regard to discrimination of Muslims, emergency relief is reportedly mostly distributed through local Muslims and mosques which allegedly discriminate against all who are not considered to be devout Muslims.⁶⁵⁹ The Houthis are said to suppress Islamic religious practices other than Zaydi Islam.⁶⁶⁰ Regarding non-Muslims, the Bahá'í community seems a particular target of discrimination with unlawful confiscation of businesses and properties, and persuasion of employers to not hire Bahá'í individuals.⁶⁶¹ Prisoners and detainees belonging to religious minorities encountered constraints on the free exercise of their faiths.⁶⁶²

⁶⁵³ Human Rights Committee, "Human Rights Committee Concludes Examination Of Yemen's Report On Compliance With International Covenant", United Nations, July 18, 2002.

⁶⁵⁴ Open Doors, *World Watch List 2023 - Yemen*.

⁶⁵⁵ US State Department, *International Religious Freedom Report 2022: Yemen*, p. 6.

⁶⁵⁶ Freedom House, *Yemen 2022*.

⁶⁵⁷ Report of the Special Rapporteur on freedom of religion or belief (A/HRC/49/44), 2 March 2022, p.5

⁶⁵⁸ US State Department, *International Religious Freedom Report 2022: Yemen*, p. 13.

⁶⁵⁹ Open Doors, *World Watch List 2023 - Yemen*.

⁶⁶⁰ US State Department, *International Religious Freedom Report 2022: Yemen*, p. 13.

⁶⁶¹ Rights of persons belonging to religious or belief minorities in situations of conflict or insecurity - Report of the Special Rapporteur on freedom of religion or belief (A/HRC/49/44), 2 March 2022, p.12.

⁶⁶² US State Department, *International Religious Freedom Report 2022: Yemen*, p. 8.

5. Protection from Violence

The Houthis use coercion, blackmail, and intimidation tactics to force Jewish and Bahá'í communities to leave the country⁶⁶³ (resulting in the small Jewish community dwindling from 1,500/2,000 in 2016 to just 1 in 2022).⁶⁶⁴ There are repeated reports about abuses against Sunni mosques by Houthi forces, and against Houthi Shi'a religious sites by government forces.⁶⁶⁵ Christians suffer mostly under the oppression of clans or Islamic militant organizations that can do so with impunity.⁶⁶⁶ When the Christians are Muslims who have converted to Christianity, the government reportedly does not intervene in the mentioned occurrences of harassment and violence.

Scores on priority areas

1. Adopting and Changing One's Religion or Belief	2 – Severe violations
2. Manifestation of One's Religion by Expression of One's Convictions	2 – Severe violations
3. Other Types of Manifestation of Religion or Belief	1 – Problematic issues
4. Discrimination Based on Religion or Belief	2 – Severe violations
5. Protection from Violence	2 – Severe violations

⁶⁶³ Rights of persons belonging to religious or belief minorities in situations of conflict or insecurity - Report of the Special Rapporteur on freedom of religion or belief (A/HRC/49/44), 2 March 2022, p. 6; US State Department, *International Religious Freedom Report 2022: Yemen*, p. 8.

⁶⁶⁴ *idem*, p.6.

⁶⁶⁵ *idem*, p.7.

⁶⁶⁶ Open Doors International, *Yemen: Full Country Dossier*, December 2022, p.24

Criteria for Assessment

The following criteria, which were used for the formulation of the country analyses in this report, are drawn from the 2018 FoRB&RT Report and are based on international legal standards in the area of freedom of religion or belief. An explanation of these standards, and of the genesis of the criteria used for this analysis, is contained in an Annex to the 2018 FoRB&RT Report.⁶⁶⁷

Priority Area 1: Adopting and Changing One's Religion or Belief

- **Severe violations – 2 points**
 - If the State punishes the adoption, the abandoning, the maintenance, or the changing⁶⁶⁸ of a religion or belief with death, forced labour, or prison terms exceeding 2 years.
 - If individuals systematically attack other individuals who adopt, change, abandon, or maintain a religion or belief.
- **Problematic issues – 1 point**
 - The State punishes the adoption, the changing, the abandoning, or the maintaining of a religion or belief, with imprisonment for a period inferior to 2 years, the payment of significant fines, or a significant limitation to individual rights.
 - If the State fails to prevent or respond to occasional attacks against individuals who adopt, change, abandon, or maintain a religion or belief.
 - If, pursuant to a law or a widespread practice, children receive religious indoctrination⁶⁶⁹ against the will of their parents or their own.
- **Minor concerns, in other cases. – 0 points.**

Priority Area 2: Manifestation of One's Religion by Expression of One's Convictions

- **Severe violations – 2 points**
 - If the state punishes blasphemy, religious insult, or proselytism with imprisonment for more than 2 years, corporal punishment, or the death penalty.
 - If individuals systematically attack persons committing, or suspected of having committed, blasphemy or religious offence.
 - If the state routinely censors the publication and distribution of literature or of websites related to religion or belief.
- **Problematic issues – 1 point**
 - If the state punishes blasphemy, religious offence or proselytism with imprisonment for less than 2 years or significant administrative sanctions (e.g. fines).

⁶⁶⁷ The Annex is available at the address https://www.religiousfreedom.eu/wp-content/uploads/2018/09/RS_Annex_v1_forprint_withbleed.pdf; see pages 94-98.

⁶⁶⁸ E.g. in case of conversion.

⁶⁶⁹ By “indoctrination” we refer to attempts at forcing children to embrace specific beliefs – not to the mere teaching of general information about religion.

- If individuals occasionally attack persons committing, or suspected of having committed, blasphemy, religious offence, or proselytism.
- **Minor concerns in other cases – 0 points**

Priority Area 3: Other Types of Manifestation of Religion or Belief

- **Severe violations – 2 points**
 - If the state systematically applies disproportionate or unmotivated restrictions to the freedom to manifest religion or belief, to the extent that it prevents individuals and communities from practicing their religion or belief (e.g. through religious services or teaching)
 - If non state actors systematically interfere with other individuals' freedom to manifest religion or belief, to the extent that they prevent individuals and communities from practicing their religion or belief
- **Problematic issues – 1 point**
 - If the State applies disproportionate or unmotivated restrictions to the freedom to manifest religion or belief in specific contexts (e.g. in schools), without generally preventing individuals from manifesting religion or belief in other contexts
 - If non state actors occasionally interfere with other individuals' freedom to manifest religion or belief, to the extent that they prevent individuals and communities from practicing their religion or belief
 -
- **Minor concerns in other cases – 0 points**

Priority Area 4: Discrimination Based on Religion or Belief

- **Severe violations – 2 points**
 - If the state engages in systematic discrimination based on religion or belief against one or more communities or their members,⁶⁷⁰ to the extent that it prevents communities and their members from practicing their religion or belief
 - If non-state actors systematically engage in systematic discrimination based on religion or belief, the extent that they prevent communities and their members from practicing their religion or belief
- **Problematic issues – 1 point**
 - If the state engages in occasional discrimination based on religion or belief against one or more communities and their members
 - If non-state actors frequently, but not systematically, engage in discrimination based on religion or belief
- **Minor concerns in other cases – 0 points**

⁶⁷⁰ For instance, through the selective application of laws not directly related to religion, such as those on the sale of alcohol, or those on dress codes.

Priority Area 5: Protection from Violence

- **Severe violations – 2 points**
 - If the State commits, sponsors, or tolerates religion-related acts of violence (including violence against persons and property)
 - If the State fails to prevent or respond to systematic events of religion-related violence (including violence against persons and property)

- **Problematic issues – 1 point**
 - If the State fails to prevent or respond to occasional events of religion-related violence (including violence against persons and property)

- **Minor concerns in other cases – 0 points**