

# The Freedom of Thought Report 2021

## Key Countries Edition

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



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## Copyright & Authors

**Editors:** Emma Wadsworth-Jones, Elizabeth O'Casey

**Associate Editor:** Jessica McDonald

**Lead researchers:** Lillie Ashworth, Seif Zakaria

**Volunteer researchers:** Jessica Marvata, David Oloo, Saba Ismail, Gleb Kretinin, Thibaut Le Forsonney, Lawrence Rickard, Charlie Roden, Kirsty Bouwers, J r my Conrad, Tim Joo, Fatima Yaqoob, Ana Aquino, Tincho Fer, William (Bill) Green, Baris Karacasu, Lily Berrel, and our anonymous contributors.

**Contributors:** Gary McLelland, Dr Ahmed Shaheed

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If you have updates, additions, or corrections for this report, please email [report@humanists.international](mailto:report@humanists.international)

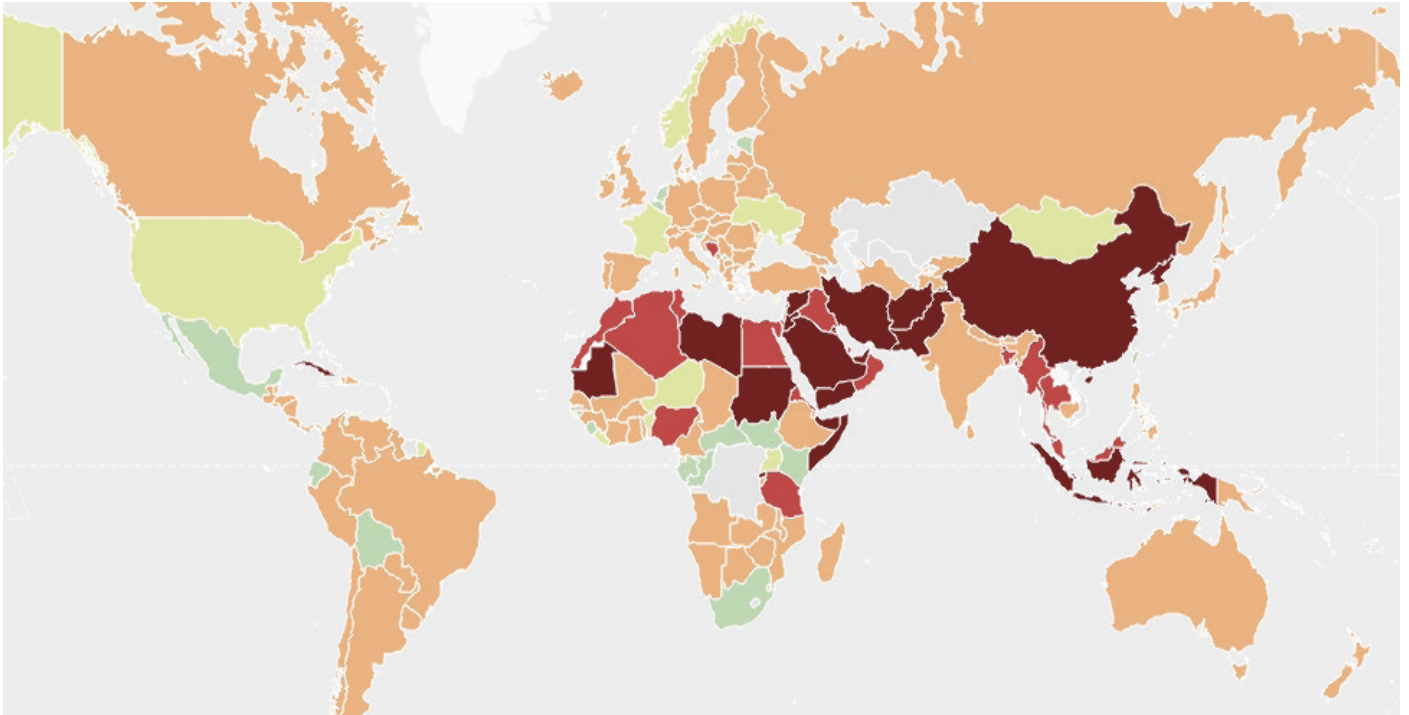
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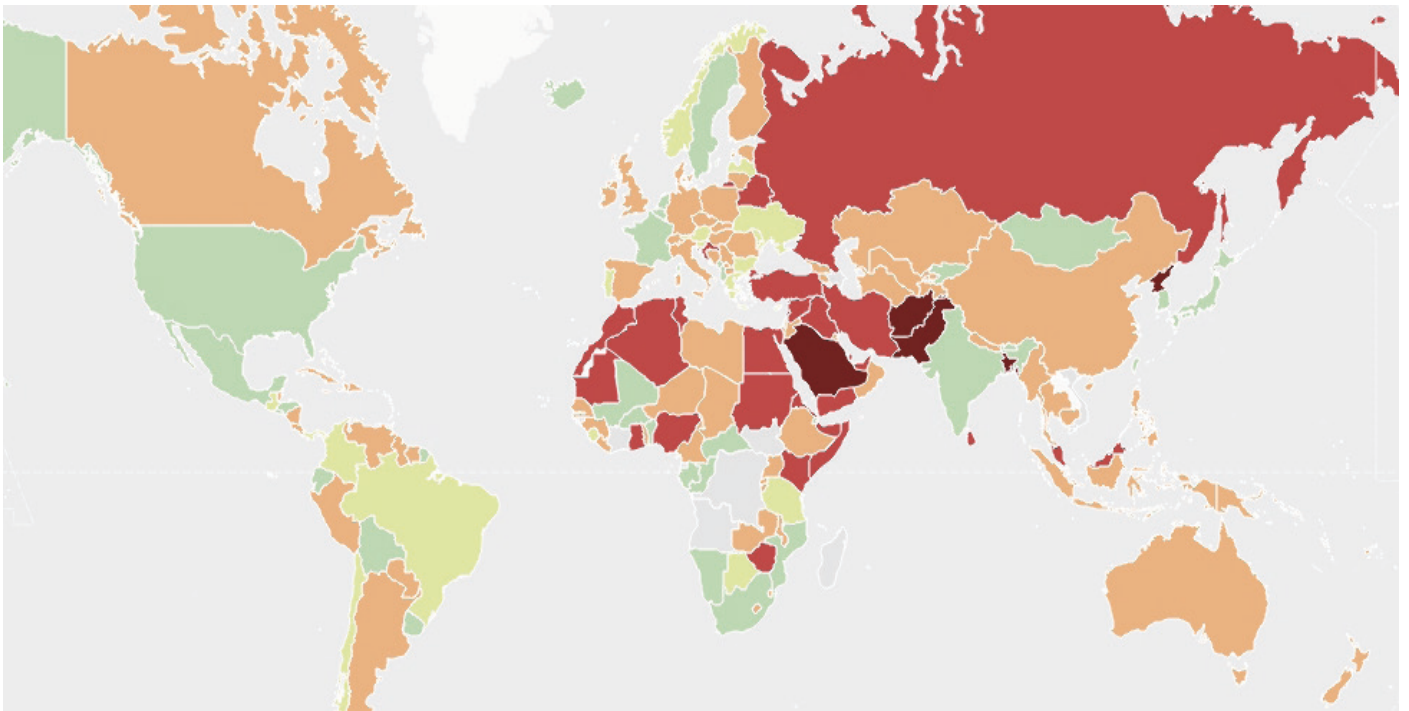
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## Constitution & Government



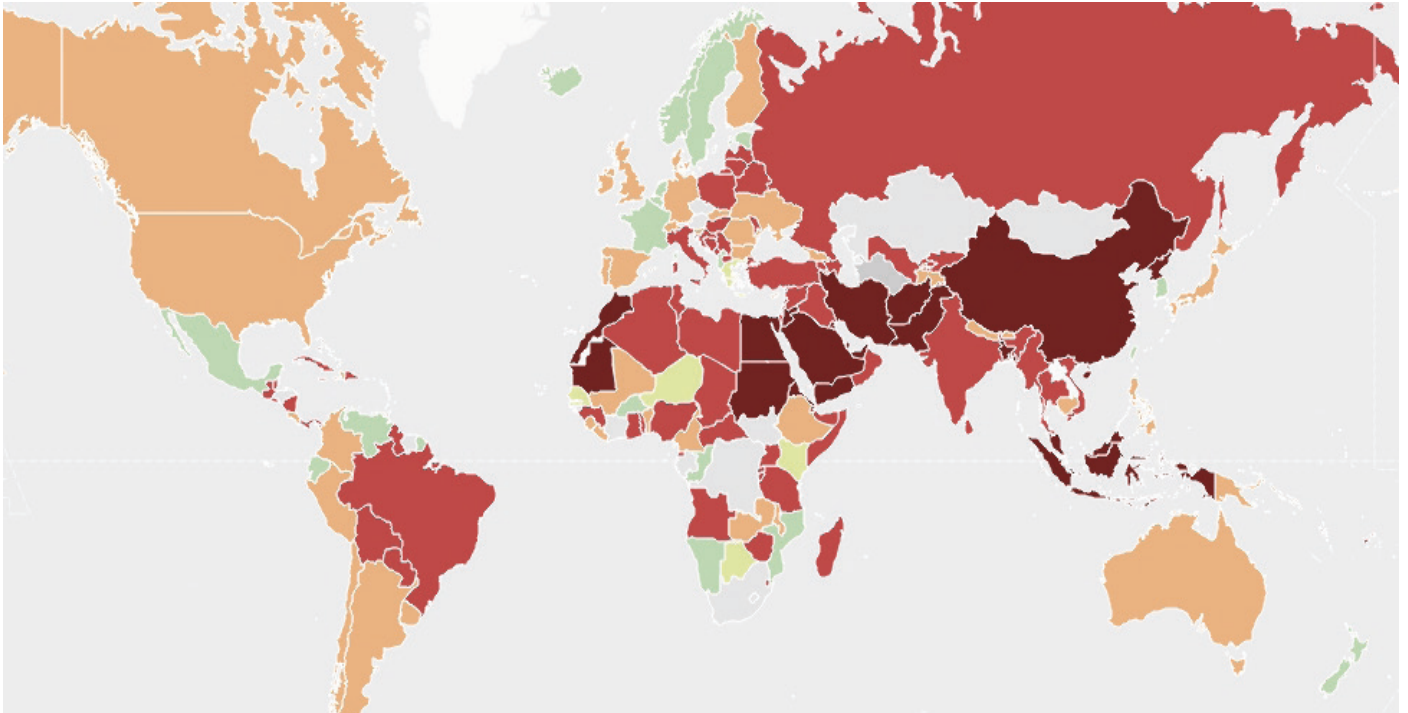
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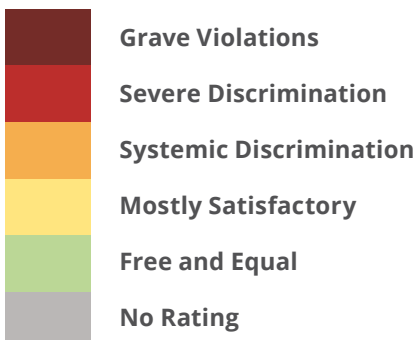
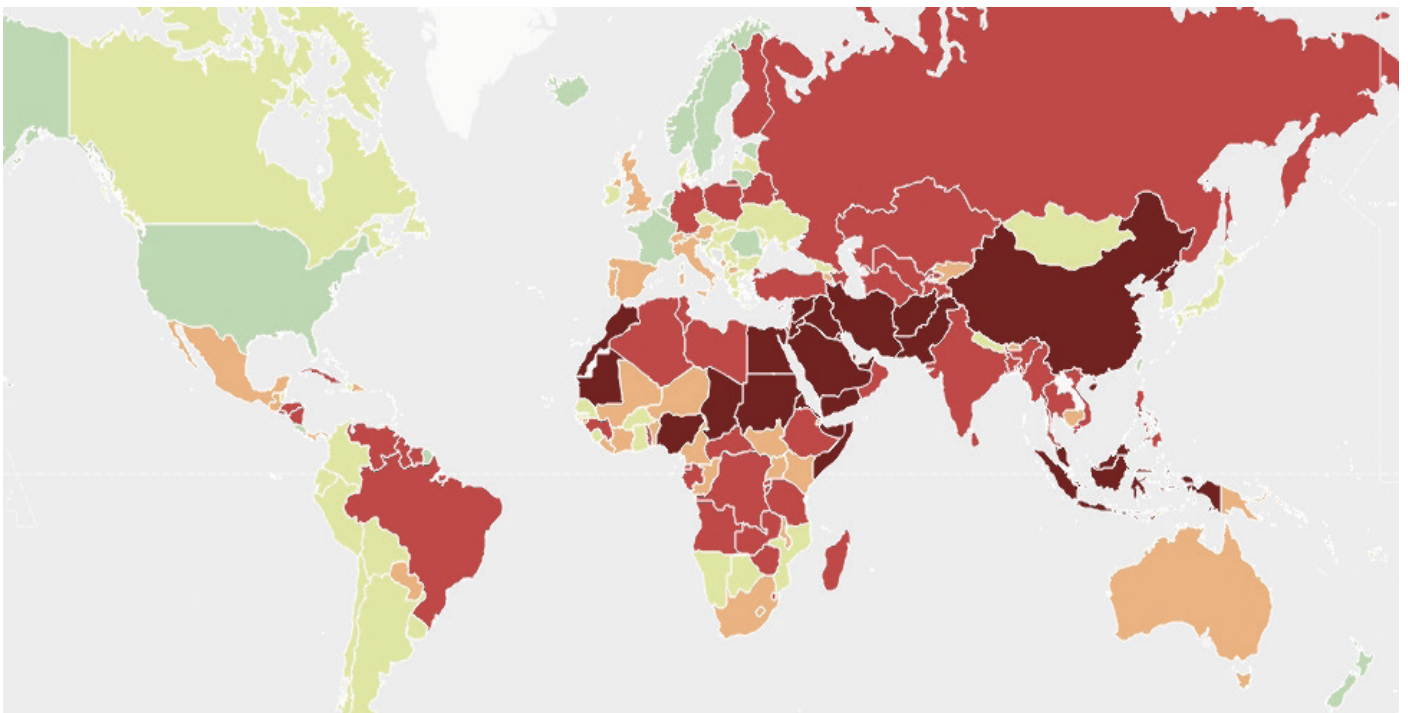
These maps depict the findings of the full Freedom of Thought Report which is available in a complete Online Edition at [fot.humanists.international](https://fot.humanists.international)

The maps correspond to each of the four thematic strands of the Report: Constitution & Government; Education & Children's Rights; Society & Community; Freedom of Expression & Advocacy of Humanist Values. Each map shows the highest severity level (see key, right) of any boundary condition applied in each thematic strand.

## Society & Community

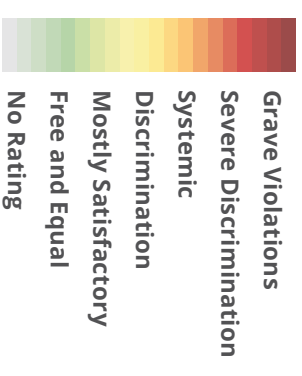


## Freedom of expression, humanist values



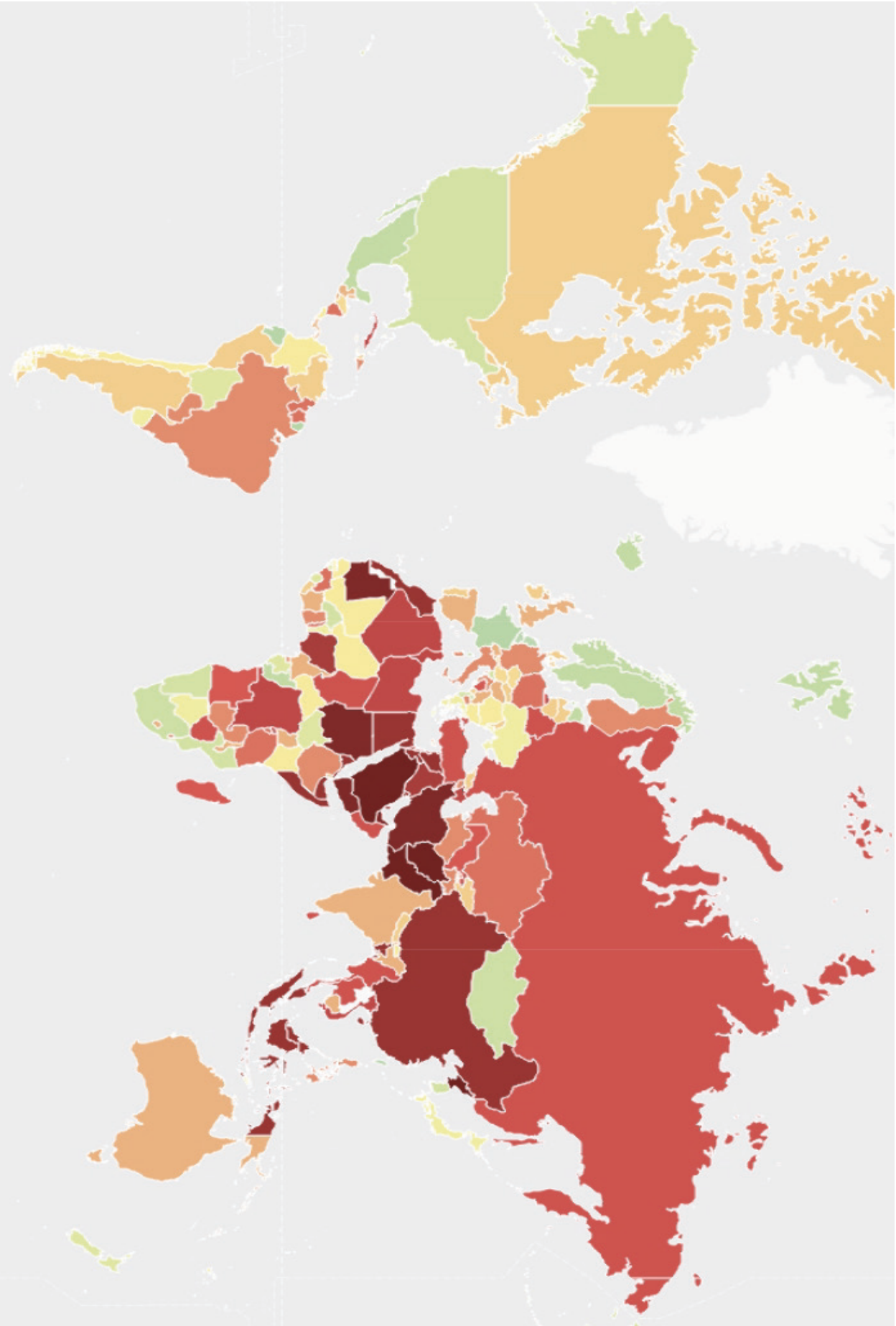
This map depicts the findings of the full Freedom of Thought Report which is available in a complete Online Edition at [fof.humanists.international](http://fof.humanists.international)

The following maps colour each country by the level of the most severe boundary condition(s) applied in each category. For example: if the worst boundary condition that is found to apply in the “freedom of expression” category was at the level of “Severe discrimination” then this country will be coloured red (see the key, right).





Summary Score



# Preface to the 2021 edition

By Andrew Copson

This year's Freedom of Thought Report offers, once again, grim reading. In it we detail the discrimination which humanists and other non-religious people continue to face as a result of daring to express their beliefs and trying to live according to their conscience.

This widespread and continuing hardship is a source of pain to us all, but in this year's preface, I also want to strike a note of achievement and satisfaction.

This is the tenth annual edition of the Freedom of Thought Report. A decade ago, very little light was shone on the global situation of humanists and other non-religious people and the legal and human rights situation globally as it affects us was unexamined.

***“In the last 10 years this report has gained a reputation for solid, dependable research quality, for its progressive and intersectional approach to human rights, and for being an indispensable reference point for policy-makers, parliamentarians, and campaigners internationally.”***

This year's report has seen the introduction of two new boundary conditions, developed in recognition of recurrent issues not previously captured, both of which reflect a challenge to the lives of humanists and other non-religious people. The new conditions highlight that:

1. The dominant influence of religion in public life undermines the right to equality and/or non-discrimination in 24 countries examined in 2021. Such influence often particularly affects the rights of women and LGBTI+ communities.
2. Unregulated conscientious objection clauses can result in the denial of lawful services to women and LGBTI+ people in 4 countries reviewed in 2021.

In addition to these new boundary conditions, one big shadow hangs over the human rights of every person



*Andrew Copson is President of Humanists International*

considered in this report. Last year, we drew attention to the global impact of the COVID-19 pandemic on every vulnerable minority. This year, especially with COP26, our attention is recalled to the climate change crisis. That must surely be foremost in our minds as we consider the long term prospects for those whose marginalization and persecution this report highlights. We know that all reasonable models of climate change are likely to result in ever more numbers of displaced persons around the world. Inevitably, this is going to have an impact on the most vulnerable in all of our societies, and that includes the subjects of this report.

As well as this report's own decennial, 2022 sees us mark the 70th anniversary of the founding of Humanists International.

At our founding Congress in Amsterdam in 1952, the delegates passed a motion saying that the “present situation of our civilization is a challenge to all humanist and ethical groups to extend their activities on an international level.” Much progress has been made in the intervening years. And yet, those words of seven decades ago could be said now without any loss of urgency or resolve. At Humanists International, we recommit ourselves to the ambition they imply, as readers of this report no doubt will also do.

# Foreword to the 2021 edition

By Dr Ahmed Shaheed

Rene Descartes found ‘thinking’ as proof of existence, a recognition that highlights the central role of the freedom of thought for every human being. Enshrined in Article 18 of the Universal Declaration of Human Rights, the freedom of thought is a universal human right that protects everyone, everywhere, every single day. Safeguarding freedom of thought is not only imperative because it is a standalone right that demands absolute protection, but also because it is closely related to other fundamental rights, including the right to freedom of religion or belief, which covers theistic, non-theistic, atheistic, and non-religious beliefs.

On 19 October 2021, I presented my report on “Freedom of Thought” to the UN General Assembly (UN Doc A/76/380) thereby aiming to provide practical guidance to rights-holders and duty-bearers alike on how to respect, protect, and promote this fundamental if unexplored right. In that report, I observe that

***“freedom of thought is not only foundational for enjoying freedom within religion or belief (i.e. in choosing, exercising and converting one’s religion or belief), but also for exercising freedom from religion in thinking freely on all matters without the influence of religion or belief systems.”***

In this regard, both religious and non-religious may cherish freedom of thought as a vehicle for reason, the search for truth, and individual agency.

In consultations conducted and submissions received for the report, I also heard from diverse stakeholders including several members of the Humanist community worldwide about the importance of “free-thinking,” encompassing the need for critical thinking skills through education, and how State and non-State actors may violate the right to freedom of thought. Specifically,



***Dr Ahmed Shaheed is the UN Special Rapporteur on Freedom of Religion or Belief***

I received a number of reports that anti-apostasy and anti-blasphemy laws could infringe upon freedom of thought of vulnerable individuals and groups, including atheists and dissenters from religion. Such laws criminalize and censor free expression of one’s thoughts out of fear of reprisals and restrict access and circulation of materials, including free and open Internet access, which could facilitate critical thinking.

A fundamental point to remember always is that freedom of religion or belief, as a human right, protects human beings, not religions or beliefs, as such. I have repeatedly called on States to repeal anti-blasphemy and anti-apostasy laws since they undermine both freedom of religion or belief and the ability to have healthy dialogue and debates on a wide range of human concerns, including religion or belief. I am deeply concerned that several States have maintained these oppressive laws and even impose the death penalty for those found in breach. Far from promoting public order, as many States that use these laws claim, these laws inhibit social capital and undermine the rule of law and frequently empower vigilante attacks.

Humanists International and other civil society organisations play an invaluable role in documenting human rights violations, holding the powerful to account for their violations of freedom of thought and freedom of religion or belief. I welcome the publication of the 2021 Freedom of Thought Report of Humanists International, in recording the experiences of not just

humanists and the non-religious all over the world, but also those who may be deeply religious but are dissenters, illuminating both key trends and individual cases of concern. Targeting individuals with hatred, violence and discrimination based on their religion or belief identity is contrary to international human rights law, and has no place in any society.

The annual report is not only a useful monitor of developments worldwide, but also a valuable resource to those who champion freedom of thought, conscience and religion or belief for all. Issued on the eve of the 40th anniversary of the UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief (UN Doc A/RES/36/55), the present report is also a timely and compelling call to action.

# General Introduction

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The Freedom of Thought Report by Humanists International is a unique annual report and online resource, looking at the rights and treatment of humanists, and the non-religious generally, in every country in the world.

Specifically, this report looks at how non-religious individuals—whether they call themselves atheists, agnostics, humanists, freethinkers, or are otherwise just simply not religious—are treated because of their lack of religion or absence of belief in a god. We focus on discrimination by state authorities; that is systemic, legal or official forms of discrimination and restrictions on freedom of thought, belief and expression, though we do also try to include some consideration of extra-legal persecution or persecution by non-state actors, social discrimination, and personal experience where possible.

In setting the parameters of this survey, we focus on the global human rights agreements that most affect the non-religious: the right to freedom of thought, conscience, religion or belief; the right to freedom of expression; and, to some extent, the rights to freedom of assembly and association. We consider national laws that compromise or violate these rights, or which otherwise enshrine discrimination against the non-religious. Of course, laws and practices affecting the non-religious often also impact on religious groups, usually religious minorities in a national context, so we also consider the corresponding impact from discriminatory laws on other groups. And sometimes we also consider wider social and ethical issues indicative of the marginalization of humanist values.

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

By limiting the scope of the report to the systemic, legal or official forms of discrimination - so called 'hard' indicators - the effect of social stigma, non-official discrimination and other 'soft' factors which might

affect the lives of the non-religious are underestimated. We acknowledge this limitation, and it is our intention to expand the remit of this report when we have the resources to do so. In 2020, we were funded by the UK Government to undertake a separate report, with a more limited scope into the lived experiences of humanists in eight countries around the world. This report, *The Humanists At Risk: Action Report 2020*, found that in these countries, many humanists reported experiencing bullying, discrimination, ostracism, and social isolation<sup>1</sup>.

Following a revision to our editorial policy, it has now been agreed that each year, one third of all countries across the globe are reviewed as part of a rolling cycle of updates. This year's Key Countries edition examines 15 countries across the globe that have been updated in 2021, including recent developments in Afghanistan, Myanmar, and Uruguay, with all other country entries available online.

## A secularizing world

Any rights violations and discrimination are important, even when only small numbers of people are affected. However, the non-religious are not necessarily a very small group. Atheists (those who do not believe in any god), and humanists (those who embrace a morality centered on human welfare and human flourishing that does not appeal to any supernatural or divine entities), and others who consider themselves non-religious, constitute a large and growing population across the world. A detailed survey in 2012 revealed that religious people make up 59% of the world's population, while those who identify as "atheist" make up 13%, and an additional 23% identify as "not religious" (while not self-identifying as "atheist").

The report by the WIN-Gallup International Association<sup>2</sup> is in line with other recent global surveys. It shows that atheism and the non-religious population are growing rapidly—religion dropped by 9 percentage points and atheism rose by 3 percentage points between 2005 and 2012—and that religion declines in proportion to the rise in education and personal income, which is a trend that looks set to continue. Even in countries which at first glance seem to have few self-identifying non-religious people, it should be remembered that, often, it is these states or societies that are most oppressive of non-religious views.



Far from thinking that a country with seemingly very few non-religious people is probably not contravening the rights of the non-religious, commentators should probably recognize that the apparent absence of non-religious voices may well indicate that the non-religious are self-censoring their views in response to oppressive laws or social taboo, or that they are being actively silenced, as this report documents all too often.

## Freedom of thought under the human rights framework

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

*“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”*

— Article 18, Universal Declaration of Human Rights

This simple but powerful statement was given the force of international law by Article 18 of the International Covenant on Civil and Political Rights in 1976. In 1981, it was given broader application and detail by the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Just as freedom of thought, conscience, religion or belief protects the right of the individual to follow a religion, it also protects the right to reject any religion or belief, to identify as humanist or atheist, and to manifest non-religious convictions through expression, teaching and practice. As the United Nations Human Rights Committee explains (General Comment 22)<sup>3</sup>:

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

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

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

Religious believers and non-believers are equal in human rights because they are all human, irrespective of their religion or beliefs. Just as the profession of religion is protected as a manifestation of belief and conscience, so is the atheist’s criticism of religious beliefs and practices. Just as speaking in support of one’s religious convictions and moral values can be of fundamental meaning and importance to the individual, so can advocating core humanist values of democracy, freedom, rationalism, or campaigning for human rights, equality and the principles of secularism. As the United Nations says, “religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life”.<sup>4</sup>

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

## Other rights and freedoms

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

*“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”*

— Article 19, Universal Declaration of Human Rights

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

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

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

## Rights violations and discrimination against the non-religious

### Apostasy and blasphemy laws

In some countries, it is illegal to be, or to identify as, an atheist. Many other countries, while not outlawing people of different religions, or no religion, forbid leaving the state religion. And in these countries the punishment proscribed in law for "apostasy" (converting religion or declaring oneself not of a religion) is often death. In fact, at least 10 countries in which "apostasy" is punishable with death in whole or in part of the country (Afghanistan, Iran, Malaysia, Maldives, Mauritania, Nigeria, Qatar, Saudi Arabia, United Arab Emirates, Yemen). Pakistan doesn't have a death sentence for apostasy but it does for "blasphemy", and the threshold for blasphemy can be very low. So, in effect you can be put to death for expressing atheism in 11 countries.

More common than crimes relating to simply being an atheist are the criminal measures against expressing atheist views. Many countries have "blasphemy" laws that outlaw criticism of protected religions, religious beliefs, religious figures, or religious institutions. For example, Pakistan has prosecuted more than a thousand people for blasphemy since introducing its current anti-blasphemy laws in 1988. Dozens of those found guilty remain on death row, and there are repeated calls from Islamist leaders to lift the effective moratorium, enforce the death penalty, and make death the only sentence for "blasphemy" convictions.

The "crime" of criticizing a religion is not always called "blasphemy" or "blasphemous libel"; some countries outlaw "defamation of religion"; sometimes it is included under hate speech laws (i.e. some hate speech laws outlaw expressions that fall well below any sensible standard of actually inciting hatred or violence); some quasi-"blasphemy" laws outlaw instead "hurting religious sentiments" or "insulting religion". As documented in this

report, there are legal restrictions against expressing "blasphemy", defaming or insulting religion or religious beliefs, or offending religious feelings etc, in dozens of countries.

"Apostasy" and "blasphemy" laws get a lot of attention because they are often fairly quantifiable and certainly within the context of human rights discourse there is a wide consensus that they constitute human rights violations. There are other laws that severely affect those who reject religion however.

### Other discriminatory laws

Some countries have family law that in effect excludes atheists from getting married (unless they pretend to be religious) or will remove parental rights from parents known to be atheists. Some countries require that certain public officers are restricted to persons of a particular religion, thereby excluding the non-religious. Some governments require citizens to identify their religion (for example on state ID cards or passports) but make it illegal, or do not allow, for them to identify as an atheist or as non-religious. Sometimes, the purpose of citizens identifying their religion is not to discriminate against atheists—or any religion—but to ensure government benefits are given to people in accordance with their faith, or that religious laws enforced by religious courts will apply to them on certain matters, especially family matters. However, in many such countries this means that atheists are marginalized.

In fact, discrimination against the non-religious is often caused, not by a desire to hurt atheists, but by the desire to help one or more religions. The promotion by the state of religious privilege is one of the most common forms of discrimination against atheists. Freedom of religion or belief requires equal and just treatment of all people irrespective of their beliefs. But when states start to define citizens not by their humanity but by their membership of a religious group, discrimination automatically follows. For example, as a result of its 15-year-long civil war and with a view to bringing peace to the country, the entire system of government in Lebanon is based on sectarian quotas, with different rights and roles available to Sunni Muslims, Shiite Muslim and Maronite Christians, etc. This practice not only codifies and encourages religious discrimination but it also discourages people from leaving the religion of their birth, because they will lose all the state privileges that come with belonging to that religion.

Religious privilege is also seen in many countries' public services and public education. The most common and substantial of these privileges is religious control of state-funded schools. For example, in Northern Ireland 94% of state-funded schools are religious in character.

This not only reinforces sectarianism beyond the school gate, but also excludes the non-religious.

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

In compiling this evolving, annual report, we also find that religious privilege is not only a form of discrimination in and of itself, but it is also a signifier of more general societal discrimination against atheists. When a religion is singled out as special, then it generally follows that the members of that religion receive advantages not available to others. Even when there is just a vague state preference for generic religion, or belief in a god, it may reinforce societal prejudice and discrimination against the non-religious. Therefore, we also consider in this report religious discrimination, or religious privilege, even when its supporters claim it is merely ceremonial or symbolic. We agree that some religious signalling by the state is sometimes “only” a matter of symbolism, but what it symbolizes is the state’s preference for religion or for a particular religion, and the second class status or disfavouring of the non-religious.

## References

- <sup>1</sup> <https://humanists.international/get-involved/campaigns/humanists-at-risk-report/>
- <sup>2</sup> <http://www.wingia.com/web/files/news/14/file/14.pdf>
- <sup>3</sup> <https://www.refworld.org/docid/453883fb22.html>
- <sup>4</sup> UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief



# The Ratings System

Every country in this report is assessed against a range of “boundary conditions.” The boundary conditions are statements which may or may not apply to each country. Each boundary condition is associated with one of four thematic strands (these are the vertical columns in the

table below). Also, each boundary condition is placed at a given level of severity (these are the coloured horizontal rows in the table below). The following table lists all the possible boundary conditions.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression, advocacy of humanist values
<b>GRAVE VIOLATIONS</b>			
<p>Complete tyranny precludes all freedoms of expression and thought, religion or belief</p> <p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>Quasi-divine veneration of a ruling elite is enforced, or a single-party regime holds uncontested power, subject to severe punishment</p> <p>The non-religious are barred from holding government office</p>	<p>Religious or ideological indoctrination is utterly pervasive in schools</p> <p>Religious or ideological instruction in a significant number of schools is of a coercive fundamentalist or extremist variety</p>	<p>Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence</p> <p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>'Blasphemy' or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression, advocacy of humanist values
<b>SEVERE DISCRIMINATION</b>			
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p> <p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The dominant influence of religion in public life undermines the right to equality and/or non-discrimination</p> <p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Apostasy' is outlawed and punishable with a prison sentence</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

<b>SYSTEMIC DISCRIMINATION</b>			
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p> <p>Some concerns about children's right to specifically religious freedom</p>	<p>Use of Conscientious Objection clauses resulting in the denial of lawful services to women and LGBTI+ people</p> <p>There is significant social marginalization of the non-religious or stigma associated with expressing atheism, humanism, or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	<p>Expression of core humanist principles on democracy, freedom, or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression, advocacy of humanist values
State-funding of religious institutions or salaries, or discriminatory tax exemptions		Religious groups control some public or social services	

**MOSTLY SATISFACTORY**

<p>There is a nominal state church with few privileges or progress is being made toward disestablishment</p> <p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious or ideological instruction with no secular or humanist alternative, but it is optional</p> <p>State-funded schools provide religious education which may be nominally comprehensive but is substantively biased or borderline confessional</p>	<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p> <p>Localised or infrequent but recurring and widespread social marginalization or prejudice against the non-religious</p>	<p>Some concerns about political or media freedoms, not specific to the non-religious</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
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**FREE AND EQUAL**

The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values
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**NO RATING**

Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report	Insufficient information or detail not included in this report
No condition holds in this strand	No condition holds in this strand	No condition holds in this strand	No condition holds in this strand

Example ratings table for a single country

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression, advocacy of humanist values
		Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views	'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general  State-funding of religious institutions or salaries, or discriminatory tax exemptions	Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)	Some religious courts rule in civil or family matters on a coercive or discriminatory basis	Expression of core humanist principles on democracy, freedom of human rights is somewhat restricted
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious  Concerns that secular or religious authorities interfere in specifically religious freedoms

## How countries are rated

Only the boundary conditions which are found to apply to a given country are shown in that country's own "ratings table." Here is an example ratings table which would be found on a country's individual page.

In the individual country ratings table, rows at the edges of the table are omitted when no boundary conditions were found to apply in those rows. In the example, there is no green row and no dark red row, because no strand was found to meet boundary conditions at the lowest level or at the highest level of severity.

A "signal light" summary system sits alongside the title of each country on its individual page. The "signal light" shows the worst rating received in each strand. In the example table above, the worst-rated boundary conditions applying in the left-most two strands are both at the middle level of severity: orange. The worst-rated boundary conditions applying in the right-most two strands are both at the second highest level of severity: red. (They don't always come in pairs like this!)

A "signal light" shows that the worst boundary conditions applied in this example were at levels, 3, 3, 4 and 4.

Const/Govt	Edu/Child	Society/Comm	Expression

Here is an example "signal light" summary which corresponds to the example ratings table above.

The "signal light" is designed to give an at-a-glance visual summary of the country's rating within the scope of this report.

## Another look at the full list of boundary conditions

It is common for a condition on the more free end of the spectrum (except for the "Free and equal" conditions) to be superseded by a condition on the more severe end of the spectrum. In this case, the less severe condition

may remain implicit, and not listed against the country in the report. For example: If blasphemy is punishable by a maximum sentence of “death,” then the less severe boundary condition stating that blasphemy that is punishable by “imprisonment” may be omitted in an individual country’s ratings table.

The table is designed to break the boundary conditions into separate “strands” of concern, allowing for a clearer visualisation of what information is available or included in the Report. This means that as we gather more information we will be doing a better job at identifying gaps in our own coverage. As stated in earlier edition of this Report, given the way the ratings are designed, some ratings are likely to get worse over time simply because we are satisfied that additional, more severe boundary conditions have been met.

Omission of a boundary condition in the ratings box does not necessarily mean that that condition does not hold in reality; it may be that that information is missing from the Report. We are always interested in new sources of information.

The bottom, grey row does not contribute toward the “severity” rating of a country. Only the null conditions “No condition holds in this strand” or “Insufficient information or detail not included in this report” appear at this level.

## Cautions

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

*Lack of transparency in some countries makes comprehensive analysis of those countries more difficult.* In some countries, usually among the worst offenders, the secrecy of courts, or state control of media, or lack of reporting, make it impossible to produce a complete account. In some countries, vague laws or broad legal powers delegated to local authorities make it difficult to ascertain exactly how laws are applied (or not applied) on the ground.

We may still be overlooking serious concerns in some countries where we have little on-the-ground contact and the last thing we want to achieve is to make already marginalised non-religious people feel like their problems are being ignored or overlooked because we have given the country a better rating than it deserves,

or because we have overlooked issues of concern. If you find yourself in this situation, or you have any other information including mitigation or errata for a given country, please take it as a prompt to reach out to us and make contact via [report@humanists.international](mailto:report@humanists.international).

# Watch List

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Following a revision to our editorial policy it has now been agreed that each year, one third of all countries across the globe are reviewed as part of a rolling cycle of updates. The following are countries that have not been updated in this year's cycle, but that Humanists International continues to monitor closely.

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# Brazil

Const/Govt	Edu/Child	Society/Comm	Expression
Orange	Yellow	Red	Red

The Federative Republic of Brazil is a secular and democratic sovereign state in South America with a population of around 202 million. A highly religious nation, recent years have seen the election of parties promoting conservative religious values.

The election of Jair Bolsonaro in October 2018 highlighted the role of religion in Brazilian politics. Throughout his election campaign, Bolsonaro presented himself as the defender of traditional Christian moral values with the slogan “Brazil above everything, God above everyone.” His election has ensured that Brazil

is governed by a Christian-extreme-right authoritarian agenda that aims to hegemonize Brazilian politics. Jair Bolsonaro offers an ultra-conservative agenda, his speeches filled with openly and harsh misogynistic, racist, anti-LGBTI+ and anti-democratic views. Recent public demonstrations have called for Bolsonaro to be impeached, largely in response to his handling of the COVID-19 pandemic.

# Egypt

Const/Govt	Edu/Child	Society/Comm	Expression
Red	Red	Dark Red	Dark Red

A nation of 100 million people, an estimated 90% of whom follow Sunni Islam, Egypt is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Since 2017, under the pretext of the fight against terrorism, the country has been living under a state of emergency that has given security forces unchecked power to repress dissent. Political opponents, human rights activists, freethinkers and LGBTI+ people are particularly vulnerable categories, while the government exerts a tight grip on the media and civil society organizations.

On 11 September 2021, during the launch of the nation’s Human Rights Strategy, President Abdel Fattah al-Sisi indicated that he respects the right to freedom of religion or belief, including to be non-religious. Humanists International will continue to monitor the landscape closely to see if his words materialize into substantive change in government policy.

# Hungary

Const/Govt	Edu/Child	Society/Comm	Expression
Orange	Orange	Red	Yellow

The populist, nationalist Fidesz party, under Prime Minister Viktor Orbán, has made conscious and explicit efforts to remodel Hungary as an “illiberal democracy” veering away from liberalism and towards an authoritarian democracy. The country is found to be declining, with the introduction of retrograde, anti-democratic reforms implemented under an authoritarian, nationalistic government since 2010, and policies the government has been accused of borrowing from the “far-right.” There is a trend toward a systematic desecularization of the state, giving religious privileges to certain churches, and increasing governmental

control over a significant part of the media. During the current Orbán premiership, respect for LGBTI+ rights has diminished and more politicians have resorted to the use of an openly homophobic rhetoric. In May 2020, in the midst of the COVID-19 pandemic, the Hungarian parliament passed a law voting to end legal recognition of trans and intersex people.

# Iran

Const/Govt	Edu/Child	Society/Comm	Expression

The right to freedom of religion or belief, and the freedoms of expression, association and assembly in the Islamic Republic of Iran are all severely restricted. Iranian law bars any criticism of Islam or deviation from the ruling Islamic standards.

While the Iranian constitution does not itself include any provision criminalizing apostasy, there are several legal provisions that give judges the discretion to find defendants guilty of apostasy.

The government periodically jails and executes dozens of individuals on charges of “enmity against God” (*moharebeh*). Although this crime is framed as a religious offense, and may be used against humanists and other religious dissenters, it is most often used as a punishment for political acts that challenge the regime

(on the basis that to oppose the theocratic regime is to oppose Allah). Iranian writer and human rights defender, Golrokh Ebrahimi Iraee, and blogger Soheil Arabi, are two individuals who have been imprisoned for long periods on these grounds.

The Baha’i faith is not recognized and is routinely described by authorities as a heretical variant on Islam. Its members face immense discrimination.

Highly controversial presidential elections took place in July 2021, with multiple candidates being disqualified in order to secure the victory of Mr. Raisi, a cleric known for his hardline views.

# Pakistan

Const/Govt	Edu/Child	Society/Comm	Expression

Pakistan is approximately 97% Muslim, with the remaining 3% of the population identifying with Christianity, Hinduism, Buddhism or another belief group. The country has suffered chronic sectarian violence against religious and non-religious minorities, with Shia Muslims subjected to the majority of the violence, and many extremely serious incidents against the Christian minority and Ahmadiyya Muslim community. For individual non-religious persons to speak out is uncommon, but those revealed or alleged to

be non-religious tend to provoke swift condemnation. The legal environment in Pakistan is notably repressive; it has brutal blasphemy laws, systemic and legislative religious discrimination and often allows vigilante violence on religious grounds to occur with impunity. Fear of reprisal as a result of “blasphemy” allegations leads many individuals fleeing persecution to reach out to Humanists International for assistance each year.

# Poland

Const/Govt	Edu/Child	Society/Comm	Expression

The Roman Catholic Church is the largest religious organization in Poland and maintains considerable influence in social and political life. In 1993, it was granted special recognition by the Polish state as per a Concordat with the Holy See. Over the past few years, we have witnessed a significant regression in human rights and democratic standards in the country. Recent developments have included the re-election of a

conservative and traditional President, the rise of anti-gender movements and some municipalities declaring “LGBT free zones.” Earlier this year, the government introduced a near-total ban on abortion for women.



# Russia

Const/Govt	Edu/Child	Society/Comm	Expression

The Russian Federation is the world’s largest country by land area. Over the past many years under the renewed Putin regime the country has continued to decline in its human rights standards and failures to uphold democracy and provide accountability. Today, Russia is more repressive than it has ever been in the post-Soviet era. The authorities crack down on critical media, harass peaceful protesters, engage in smear campaigns against independent groups, and use a variety of nefarious means to undermine democratic choice in the country.

The role of clericalism as an aspect of social control is expanding, with authorities continuing to target

“nontraditional” religious minorities with fines, detentions, and criminal charges under the pretext of combating extremism.

Since its revival at the domestic level the Russian Orthodox Church has become a major figure in shaping Russia’s foreign policy, especially in relation to social issues. Through the Russian state, the Orthodox Church has pushed its anti-rights agenda at the United Nations Human Rights Council and elsewhere.

# Saudi Arabia

Const/Govt	Edu/Child	Society/Comm	Expression

The Kingdom of Saudi Arabia is an Islamic state governed by an absolute monarchy in tandem with a powerful religious elite.

Under the rule of Crown Prince Mohammad bin Salma, the regime has claimed to be making improvements in terms of respecting the civil liberties and human rights of its 33 million population; however, most improvements have been minimal, and a highly restrictive regime persists. In 2017, the Crown Prince pledged reforms - including to lift the ban on women driving - however many human rights campaigners and prisoners of conscience remain imprisoned years later, with sporadic fresh crackdowns on those considered dissidents or troublemakers, including peaceful protesters and activists for political reform and freedom of expression. Many activists arrested for campaigning for even those reforms which have taken place remain in jail. Women still need permission from their “guardian” (usually father or husband) to obtain a passport.

In the past few years, Saudi Arabia has looked to boost its reputation abroad via the use of soft power. One of the most notable manifestations of which has been its aggressive use of ‘sportswashing’; in the last couple

of years alone it has spent over one billion dollars in investing or hosting sporting events in a bid to obscure its extremely poor human rights record.

The situation for humanists, the non-religious, progressives, and other dissidents in the country is extremely bad. Most forms of public religious expression must be consistent with the government’s fundamentalist brand of Sunni Islam. An anti-terror law continues to suppress many forms of criticism or dissent in extremely broad terms, and is actively intended to prosecute political and religion or belief minorities. Prosecutions for apostasy or promoting atheism have been made in recent years, with individuals facing possible death sentences and serving long jail terms. Humanists International has a number of cases of individuals in prison it follows for whose rights it advocates.

# Sudan

Const/Govt	Edu/Child	Society/Comm	Expression

Sudan, an Arab republic in which the predominant religion is Islam, has long suffered from severe ethnic strife. It is currently undergoing a political transition process, which began in July 2019 with the overthrow of former President Omar al-Bashir, with the broad aim being to dismantle some of the hardline Islamist policies of the former regime and achieve peace and democracy through civilian rule. For example, progressive reforms were passed in 2020 which saw the abolition of apostasy as a criminal offence, a ban on female genital mutilation (FGM), and the ending of the death penalty and flogging as punishments for same-sex relationships (but keeping a possible sentence of prison terms ranging from five years to life).

Sudan's transition continues to face significant challenges, including lack of accountability for past human rights violations, and the exclusion of women from equal and meaningful participation in the transition process. Notably, calls to enact comprehensive reforms to discriminatory family laws and to address sexual violence have so far been ignored.

# Key Countries Edition

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This “Key Countries Edition” of the Freedom of Thought Report contains some of the best- and worst-performing countries, as well as entries on countries that are mentioned in the introductory material, or which have other significant updates, or regional impact. These country chapters are a sample only. The full report is available in the Online Edition via the website at [fot.humanists.international](https://www.fot.humanists.international) where every country in the world is featured with its own webpage and interactive ratings table.

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# Afghanistan

Const/Govt	Edu/Child	Society/Comm	Expression
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Afghanistan has suffered from chronic instability and conflict in its modern history, from the Cold War to the civil wars between the Mujahedeen and the Taliban. Most recently, Afghanistan has been the stage of the Afghan War (2001-2014) – fought between a coalition of US, NATO and Afghan troops against the Taliban. International actors had maintained a peacekeeping force in Afghanistan until August 2021 when all troops were formally withdrawn following a peace deal brokered between the US and the Taliban. The withdrawal of all troops saw the Taliban violate the peace agreement, swiftly moving in to take control of the country and re-establish the Islamic Emirate of Afghanistan, reinstating Sharia Law.<sup>1</sup>

The predominantly ethnic Pashtun Taliban emerged as a political force in 1996, when they took control of the capital Kabul and changed the name of the country from the Islamic Republic of Afghanistan to the Islamic Emirate of Afghanistan. Their rule was characterised by the near-total exclusion of women from public life and strict application of Islamic law.<sup>2</sup>

Since the takeover, the Taliban have reportedly summarily executed local government officials and state security personnel, as well as raided the homes of government officials, journalists and human rights defenders. In addition, women’s rights have been significantly restricted.<sup>3</sup>

Historically, Afghanistan was religiously diverse, but the vast majority of non-Muslims fled after the Taliban consolidated control of the government in 1996. As a result, current estimates suggest that 99.7% of the country are Muslims – the majority of whom are Sunni.<sup>4</sup> A small proportion, estimated to be less than 1%, are followers of other religions, such as Hinduism, Sikhism, Bahá’í, Christianity, Buddhism, and Zoroastrianism.<sup>5</sup>

There are no estimates available for the number of non-religious or humanist individuals; those living in the country live in secrecy for fear of direct persecution.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities	Religious or ideological indoctrination is utterly pervasive in schools	Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence  Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed  ‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death  ‘Blasphemy’ or criticism of religion is outlawed and punishable by death It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
	Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	

## Constitution and government

As a newly declared “Islamic Emirate”, a religious leader will now serve as the ultimate authority on law and governance of the nation, based on the Taliban’s interpretation of Islam – derived from Deobandi strand of the Hanafi school of Islam.<sup>6</sup>

At the time of writing, Afghanistan’s 2004 Constitution remained in place, however, the Taliban are reported to be planning to re-institute the 1964 Constitution.<sup>7</sup>

Under the current (2004) Constitution,<sup>8</sup> State legislation is largely derived from religious law. Article 3 declares that Islam is the state religion and that “no law can be contrary to the beliefs and provisions of the sacred religion of Islam”, effectively meaning that where tensions exist, or where the Constitution or Penal Code are silent, such as is the case with ‘apostasy’ and ‘blasphemy’, the courts must rely on the Hanafi School of Sunni Islamic jurisprudence, even where doing so would breach the country’s international commitments under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

The 2004 Constitution also grants that Shia law may be applied in cases dealing with personal matters where all parties are Shiite. But there is also no separate law applying to non-Muslims. Non-Muslims may not provide testimony in matters requiring Hanafi jurisprudence.<sup>9</sup> Although officially independent from the government, members of the Ulema Council – the highest religious body in the country – receive financial support from the State.<sup>10</sup>

The government’s national identity cards indicate an individual’s religion as well as nationality, tribe, and ethnicity.<sup>11</sup> In the current political climate, members of religious minority groups fear being targeted as data on their religious affiliation (provided they told the truth) is now in the hands of the Taliban government.<sup>12</sup>

According to the 2004 Constitution, the president and vice president must be Muslim. This requirement is not explicitly applied to government ministers or members of Parliament, but each of their oaths includes swearing allegiance and obedience to the principles of Islam.

On 7 September 2021, the Taliban announced an all-male caretaker government - including an interior minister wanted by the FBI - as well as the reinstatement of the Ministry for the Enforcement of Virtue and Prevention of Vice (al-Amr bi al-Ma’ruf wa al-Nahi `an al-Munkir) – a ministry dedicated to the enforcement of the Taliban’s extreme interpretation of Islamic law.<sup>13</sup>

## Impunity

According to Human Rights Watch,<sup>14</sup>

“Impunity for grave abuses has long been a problem in Afghanistan, where the current and previous governments have largely failed to hold officials accountable for rights violations or prosecuted pro-government warlords and militias for serious abuses. The Taliban claim that they hold members of their ranks, including commanders, accountable for abuses, but this has meant little in practice since Taliban officials have seldom considered many human rights abuses and violations of international humanitarian law as wrongful acts.”

## Education and children's rights

Since the Taliban's takeover in August 2021, girls have once again been banned from obtaining a secondary education.<sup>15</sup>

As a result of conflict and humanitarian crises, the lack of schools and insecurity, many children remain out of school in Afghanistan – the majority of whom are female. The low enrollment of girls is linked to a lack of female teachers, especially in rural areas, and by socio-cultural factors and traditional beliefs.<sup>16</sup> Child marriage is a persistent problem, with 17% of girls married before their 15th birthday.<sup>17</sup> According to Human Rights Watch,<sup>18</sup>

“as Taliban forces advanced in recent years, few among them allowed girls to attend school past puberty; others banned girls' schools entirely.”

At the time of reporting, there remained a lack of clarity as to the direction of education more generally under the Taliban. However, research suggests that the Taliban's stance on education in general may have evolved over the last two decades; it has also been noted that:

“While the Taliban wants more education resources and to be recognised for supporting education, it is increasingly trying to control and shape how education is provided. [...] The Taliban's policies and practices are not black and white, and there is considerable geographic variation.”<sup>19</sup>

Taliban educational policy documents dating to 2019 suggest that:

“The first objective [of education] is to fulfil spiritual needs and development, in so far as education is essential for an Islamic society. Ensuring all forms of education respect and adhere to Islam is a central principle.”

Policy documents suggest that the Taliban also see the value of education to “meet the necessities of life,” including subjects such as Pashto, Dari, sciences, mathematics, and IT, alongside religious instruction. However, global think tank, ODI notes,<sup>20</sup>

“[I]n many ways, the Taliban's vision does not correspond to reports from the ground. Yet the Taliban's policy and statements matter because they express an aspirational vision for education. The Taliban has had a long tradition of articulating its ambitions via policy long before it has the resources and coherence to bring them into being.”

Article 83 of a Taliban policy document<sup>21</sup> reportedly reads:

“Teaching inappropriate and inaccurate subjects such as anti-jihad topics, immoral and anti-religion topics related to Muslim women, and subjects derived from the infidel laws, and other similar topics shall not be allowed.”

## Religion in schools

Historically, the primary focus of all schooling is instruction in Islam. According to the Constitution, the “state shall devise and implement a unified educational curriculum based on the provisions of the sacred religion of Islam, national culture, and in accordance with academic principles, and develop the curriculum of religious subjects on the basis of the Islamic sects existing in Afghanistan.”

In government-controlled schools, religious education has been taught more than general education – this was particularly the case in areas where the Taliban held influence.<sup>22</sup> In privately run madrassas, the schooling has been even more skewed, with the instruction almost entirely religious.<sup>23</sup>

Article 79 of a Taliban education policy document<sup>24</sup> dating to 2019 states that the nation's religious education curriculum is:

“designed for the Muslim boy or/and girl is to teach the beliefs of the holy religion of Islam, the necessary ancillary provisions according to the Qur'an, Sunnah, and the Hanafi sect, to teach the necessary reading and writing skills and also obtaining some historical and geographical knowledge.”

## Violence targeting schools

Over the course of the past two decades, schools have regularly been targeted for attack.<sup>25</sup> In the first six months of 2021, 40 schools were attacked with explosive weapons, resulting in the deaths of 185 teachers and students, the majority of whom were women and girls.<sup>26</sup>

Non-state armed groups – including ISIS-K and the Taliban – used explosive weapons to target girls' education in Afghanistan at least twice a year between 2018 and mid-2021, reportedly killing or injuring at least 160 female students and education personnel and damaging or destroying at least five girls' schools.

## Family, community and society

### Political insecurity and violence against religion or belief minorities

Article 2 of the Constitution explicitly states that followers of religions other than Islam are “free to exercise their faith and perform their religious rites within the limits of the provisions of the law” implying that Islam is privileged in some way – even implying a trump on the law. In practise, religion and belief minorities have faced significant barriers to the free exercise of their rights.

In its 2020 Report on Religious Freedom in Afghanistan,<sup>27</sup> the United States Commission on International Religious Freedom (USCIRF) stated that:

“Despite [efforts made by the authorities], the small communities of religious minorities – including Hindus, Sikhs, Christians, Ahmadi Muslims and Baha’is, who experienced egregious human rights violations under Taliban rule – remained endangered, without the ability to observe their faith publicly for fear of violent reprisal by terrorist groups or society at large.”

Indeed, attacks perpetrated by Islamist militants in Afghanistan did not cease over the course of the implementation of the peace deal.<sup>28</sup> Several of the attacks were targeted at religious minority groups.<sup>29</sup>

Throughout the State Department’s report, the non-religious go unmentioned. From this, one could conclude that it is because holding a religion other than the dominant Sunni Islam is already so dangerous that admitting to holding no religious faith is too dangerous still.

Since the Taliban takeover on 15 August 2021, there have been reports of the Taliban seeking out members of religious or belief minority communities.<sup>30</sup> For example, in August 2021, Amnesty International reported the murder of nine ethnic Hazara men.<sup>31</sup> Humanists International has also received, as yet unconfirmed reports, of the murders of at least two atheists, and disappearance of 4 others since the fall of Kabul. Some, as yet unsubstantiated reports, suggest that the Taliban may also be paying groups to attack them on their behalf so that they can claim innocence.

### Promotion of Virtue and Elimination of Vice

The Ministry for the Enforcement of Virtue and Prevention of Vice (*al-Amr bi al-Ma’ruf wa al-Nahi `an al-Munkir*) – a ministry dedicated to the enforcement of the Taliban’s extreme interpretation of Islamic law – was officially reinstated in September 2021. However, the policing of “vice and virtue” has been an ever-present threat in areas that remained under Taliban control.<sup>32</sup>

During the former Taliban government, the ministry was one of the government’s most powerful offices, banning music and television, requiring women and teenage girls to wear a burqa and be accompanied by a male member of the family (*mahram*) when outdoors, and requiring men to grow beards. Beatings were a common punishment for failures to comply.<sup>33</sup>

So-called “morality” officials have monitored residents’ adherence to Taliban-prescribed social codes regarding dress and behaviour, including policing men’s attendance at Friday prayers and the use of technology. Punishments for infractions since 2001 have ranged depending on those enforcing the rules in the respective province; while corporal punishment has been rare, the Taliban have been known to imprison residents or subject them to beatings.<sup>34</sup>

### Women’s rights

According to the London School of Economics and Political Science (LSE),<sup>35</sup>

“Since the start of the peace process, the Taliban have made persistent claims guaranteeing women’s security in Afghanistan. In the now-defunct Alemarah website, they claimed to have ‘a clear and universal policy regarding rights of women’, and committed to ‘eradicating all unlawful customs and traditions against women’. Since taking Kabul, the Taliban have publicly stated they will allow women to continue to be active in society, benefit from their rights, and work ‘shoulder to shoulder’ with the Taliban within Islamic sharia.”

However, the lived reality for women on the ground is reported to deviate significantly from the Taliban’s initial promises; women’s rights activists having gone into hiding, while women who fail the hijab ‘incorrectly’ face beatings.<sup>36</sup> Unmarried or widowed women between the ages of 15 and 45 are reported to face the threat of forced marriages and sexual enslavement to Taliban fighters.<sup>37</sup>

In September 2021, the Taliban announced that women would not be able to attend university or work until it was possible to ensure segregation of the sexes and an “Islamic environment.”<sup>38</sup> The Taliban imposed a similar “temporary measure” when it came to power in 1996, which was not lifted until the US invasion ousted the Taliban government in 2001.<sup>39</sup>

### Violence against women

The United Nations Assistance Mission in Afghanistan (UNAMA) - established to assist the state and the people of Afghanistan in laying the foundations for sustainable peace and development - reports that:



“violence against women – murder, beating, mutilation, child marriage; giving away girls for dispute resolution (*baad*) and other harmful practices – remain widespread throughout Afghanistan, notwithstanding the Government’s concrete efforts to criminalize these practices and establish measures for accountability.”<sup>40</sup>

Since 2009, the Afghan authorities had sought to improve protections for women facing domestic violence,<sup>41</sup> however, according to research by Human Rights Watch,<sup>42</sup>

“prosecutors, judges, and lawyers who had tried to provide women with a measure of justice are in hiding themselves, fearing reprisals by the Taliban. And with shelters closing, those who called them home have no choice but to return to their abusive families. Afghanistan’s hard-won progress on women’s rights is abruptly disappearing before their eyes.”

In Taliban-held provinces prior to the 15 August 2021 takeover, women and girls who were victims of domestic violence, faced limited possibilities for justice through Taliban courts. Taliban courts have imposed brutal punishments such as lashings on men and women for so-called moral crimes (such as *zina* – sex outside of marriage). These punishments deter women from fleeing abusive situations in the home as they are reported to face false accusations at the hands of their abusers.<sup>43</sup>

In February 2020, the Taliban shot and killed a pregnant woman in Baghlan Province, who had been accused of adultery.<sup>44</sup>

## LGBTI+ Rights

In February 2018, Afghanistan adopted a new Penal Code<sup>45</sup> that explicitly criminalizes consensual same-sex relations. The Penal Code punishes *musaheqeh* (sexual relations between women) with up to one year in prison. It punishes sodomy, defined as “penetration of a male sexual organ into a female or a male anus,” with up to two years in prison.<sup>46</sup>

However, under the Taliban’s strict interpretation of sharia law, members of the LGBTI+ community accused of same-sex sexual relations may face the death penalty or extra-judicial killing.<sup>47</sup> According to Amnesty International, at least one person is thought to have been beheaded by the Taliban in September 2021.<sup>48</sup>

## Freedom of expression, advocacy of humanist values

Freedom of expression is theoretically guaranteed in Afghanistan – unless it acts against national interests or personal privacy – under Article 34 of the Constitution. In practice, however, such freedom has rigid margins and limitations, in particular when it runs up against religion.<sup>49</sup>

Article 3 of the 2004 Constitution (“no law shall contravene the tenets and provisions of the holy religion of Islam in Afghanistan”) is often invoked both by clerics and government officials to contest the application of any secular regulation, including the two human rights conventions that Afghanistan is a party to, and particularly with respect to non-believers, apostates and women’s rights.

The 2009 Mass Media Law prohibits the production, reproduction, printing, and publication of works and materials contrary to the principles of Islam or offensive to other religions and denominations.<sup>50</sup> It also prohibits publicizing and promoting religions other than Islam and bans articles on any topic the authorities deem might harm the physical, spiritual, and moral well-being of persons, especially children and adolescents.

The ambiguity surrounding what constitutes offensive and un-Islamic material offers the potential for restrictions on and abuse of press freedom and intimidation of journalists. These rules also apply to non-Muslims and foreign-owned media outlets.

Throughout the conflict, journalists have been the subject of targeted killings carried out by both state and non-state actors.<sup>51</sup> In August 2021, at least two members of Afghan PEN – a journalist and a poet – were killed in targeted attacks.<sup>52</sup>

## Culture and artistic expression

Bans on technology and the playing of music have been in place in Taliban-controlled areas, such as Helmand or Kunduz provinces, for years; enforced by civilian “police.” Access to technology is also tightly controlled in order to prevent individuals watching videos or listening to music.<sup>53</sup> Enforcement has been gradual, building from warnings for infractions towards beatings for repeated rule-breakers. On 26 August 2021, the Taliban declared that music had once again been banned across the country.

In August 2020, the Taliban reportedly killed a local singer in Takhar Province as he returned home from a wedding.<sup>54</sup> On 28 August 2021, celebrated Afghan folk singer Fawad Andarabi was shot dead at his home in the Andarab Valley in the northern Baghlan province. This incident occurred two days following the announcement by Taliban spokesperson Zabihullah Mujahid that music was forbidden in Islam.<sup>55</sup>



## Freedom of assembly

On 7 September 2021, the Taliban announced that protests, in general, are illegal unless approved ahead of time. Journalists covering some protests have said that Taliban officials have told them that reporting on protests is also now illegal.<sup>56</sup>

Demonstrations against the Taliban's implementation of restrictions on the rights of women and girls have been broken up, with protesters facing beatings.<sup>57</sup>

## Attacks on human rights defenders

Systematic death threats, attacks, and killings of human rights defenders have been rampant across Afghanistan even prior to the withdrawal of US troops. However, according to a briefing produced by Amnesty International, the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT),<sup>58</sup>

“Attacks on human rights defenders have been reported on a near-daily basis since 15 August. The Taliban are conducting door-to-door searches for human rights defenders, forcing many into hiding.”

It is now believed to be almost impossible for human rights defenders to operate on the ground.

## Attacks on journalists and media freedom

According to Human Rights Watch,<sup>59</sup>

“Taliban commanders and fighters have long engaged in a pattern of threats, intimidation, and violence against members of the media, and have been responsible for targeted killings of journalists.”

Taliban authorities in Afghanistan have been detaining and assaulting journalists and imposing new restrictions on media work.<sup>60</sup>

## “Apostasy”

According to the Article 1 of the Penal Code, punishments for Hudud and Qisas crimes, including apostasy are inflicted in accordance with the Hanafi Jurisprudence of Sharia law, which includes the death penalty for non-believers and apostates.

With regard to non-believers and apostates, very few incidents are recorded, though this probably means that many converts and dissenters from Islam generally are simply too afraid to speak out. Assuming or defending any right to criticize, abandon or renounce Islam is considered a taboo even by many people who adhere to broadly democratic values.

The criminal code makes no specific references to religious conversion. However, in the absence of a provision in the Constitution or other laws, Article 130 of the Constitution instructs that court decisions should be in accordance with constitutional limits and Hanafi religious jurisprudence to achieve justice.

Under some interpretations of Islamic law, active in practice under Article 130, converting from Islam to another religion is deemed apostasy and considered an egregious crime. Those found guilty may be given three days to recant, or face death.

## “Blasphemy”

The Penal Code includes punishments for verbal and physical assaults on a follower of any religion and punishment for insults or distortions directed towards Islam, including in cyberspace.<sup>61</sup>

An article in the Penal Code specifies what constitutes an insult to religion, stating, “A person who intentionally insults a religion or disrupts its rites or destroys its permitted places of worship shall be deemed as a perpetrator of the crime of insulting religions and shall be punished according to provisions of this chapter.” The Penal Code specifies that deliberate insults or distortions directed towards Islamic beliefs or laws carry a prison sentence of one to five years and specifies imprisonment for persons using a computer system, program, or data to insult Islam.<sup>62</sup>

The Penal Code addresses “Crimes against Religions” and states that a person who physically attacks a follower of any religion shall receive a short-term prison sentence of not less than three months and a fine of between 3,000 and 12,000 Afghanis (US\$60 to \$240); physical attacks on non-religious people are, by exclusion from this law, not technically as serious.

As the Penal Code makes no specific references to “blasphemy”; courts may therefore rely on Islamic law to address this issue. Blasphemy – which can include anti-Islamic writings or speech – is a capital crime under some interpretations of Islamic law.<sup>63</sup> As a result atheists and freethinkers are forced to hide their beliefs and the only way they can express their thoughts is anonymously through social media. For males over age 18 and females over age 16 of sound mind, an Islamic judge may impose a death sentence for blasphemy. Similar to apostates, those accused of blasphemy are given three days to recant or face death.

When accusations of blasphemy or defamation of religion are made people can be violently targeted.

## Testimonies

*“My curious mind has led me to exploring questions about science and Humanist philosophy. Becoming an atheist as a result of my curiosity, and on some occasions, openly discussing scientific issues and evolution even with my closest friends has put me in trouble. In Afghanistan nothing ends without a reference to God. That reference to god always stopped me from further exploring things openly with people. So I had to explore and talk to likeminded people on social media and Facebook, with, of course, a pseudonym, and openly challenge them and openly ask questions to satisfy my curiosity. The problems I will be facing if my atheistic views become apparent will be too grave, not only from authorities but also from my work colleagues and even my family. When my colleagues go to the mosque to pray I have to go with them, to avoid suspicion or I may be brutally murdered.”*

— Khalid

*“As an atheist I’m facing constant problems with family, friends, and even in dealing with people at the university campus and the community at large. Having any beliefs outside of Islam or that of which is not compatible with Islam and its teachings are considered an unforgivable crime. Such a view is prevalent throughout society, family, friends and even at the university, which is supposed to be a place to question and doubt; Not to mention that such beliefs are systematically reinforced by the constitution and the state’s laws. Thus, I am closet atheist, and my Secular Humanist views are limited to social media and to myself alone. The environment in Afghanistan is suffocating for freethinkers and Humanists. There are two ways available to me and others like me: Either stay quiet for your entire life which in turn is an imposed punishment for a social being like humans, or voice your concern for equality, freedom of thought and expression publicly. But to what cost?”*

— Arash Kargar (pseudonym)

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# Bolivia

Const/Govt	Edu/Child	Society/Comm	Expression

The Plurinational State of Bolivia is a landlocked country and a democratic republic located in South America.

In 2006, the assumption of power of the first indigenous president of Bolivia, Evo Morales, was followed by a review of the role of the Catholic Church in the country and its influence on government. In 2009, this culminated in the adoption of a new Constitution following a national referendum, which declared the country a secular State. The Catholic Church nevertheless remains a prominent force in State politics.<sup>1</sup>

Around 76.8% of the population identifies as Roman Catholic, 16% as Protestant (including evangelical Protestant and Pentecostal groups). Approximately 5% identify as non-believers.<sup>2</sup> Amongst the indigenous population, who constitute around 41% of the population, formal Catholicism is mixed with an attachment to traditional beliefs and rituals.<sup>3</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		The dominant influence of religion in public life undermines the right to equality and/or non-discrimination	
			Some concerns about political or media freedoms, not specific to the non-religious
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution and government

### Secular reforms under the Morales government

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

In 2009, Bolivia voted in a referendum to approve a new secular Constitution that removed Catholicism as the official state religion. The 2009 Constitution provides a number of guarantees with respect to the right to freedom of religion or belief.

Article 4 states that: "the State respects and guarantees freedom of religion and spiritual beliefs according to their view of the world. The State is independent of religion." Article 21 states that all Bolivians have the right "To freedom of belief, spirituality, religion and cult, expressed individually or collectively, in public and in private, for legal purposes."<sup>4</sup>

Despite the separation between religion and State guaranteed by Article 4, the Catholic Church is granted a number of prerogatives and privileges by the State, including exemptions from income, real estate and property taxes. This is due to a number of formal agreements between the Holy See and the state of Bolivia (the first of which was signed in 1957).<sup>5</sup>

Alongside seeing in the new secular Constitution in 2009, the government also signed an agreement, the *Convenio Marco de Cooperación Interinstitucional* (Agreement on Inter-Institutional Cooperation) with the Catholic Church in Bolivia.<sup>6</sup> According to the civil society organization, *Católicas por el Derecho a Decidir-Bolivia* (Catholics for the Right to Decide-Bolivia), the agreement strengthened the status of the church in the country, “which continues to act with a low profile in all aspects of social and political life in the country.” The Church’s ties to business sectors with large economic capacity also have been strengthened by the agreement, according to *Católicas por el Derecho a Decidir-Bolivia*, “especially in the eastern region, which is the centre of the opposition to the current social and political process.”<sup>7</sup>

President Morales identifies as a Catholic, but has not shied away from criticizing the Catholic Church, associating it with the Spanish colonization of Latin America in the 16th century. He is a defender of indigenous rights and beliefs, describing his presidency as the “decolonization” of Bolivia. Morales’ secular reforms have angered and spurred a counter-reaction from religious right-wing groups. Bolivia’s interim president Jeanine Áñez, who took over from Morales after he fled following accusations of election tampering in 2019, notably chose to invoke the Bible in her first public appearance, declaring God as the source of political power.<sup>8</sup>

In November 2020, Morales returned to power after his party won a re-run of the disputed 2019 election.<sup>9</sup>

## Registration and tax requirements

The registration of religious and belief groups is highly regulated. Religious organizations must fulfill a number of requirements in order to register with the government, including the submission of notarized legal documents, information on members and details on the organizations finances and other activities. Pursuant to a Concordat with the Holy See, the Catholic Church is exempt from these registration requirements.

The government is capable of revoking a spiritual or religious organizations operating license “if the organization fails to produce an annual report of activities for more than two consecutive years; does not comply with its stated objectives; carries out activities different from those established in its statute; or carries out activities contrary to the country’s constitution, laws, morality, or ‘good customs.’”<sup>10</sup> Religious and spiritual organizations are required to pay taxes.<sup>11</sup>

## Education and children’s rights

Part of the Morales government’s secular reform process involved changes to the education curriculum, including the requirement that schools be secular.<sup>12</sup>

Article 86 of the Constitution states that:

“Freedom of thought, faith and religious education, as well as the spirituality of the nations and the rural native indigenous peoples, shall be recognized and guaranteed in the educational centers. Mutual respect and coexistence among persons of diverse religions shall be promoted, without dogmatic imposition. There shall be no discrimination on the basis of religious choice with respect to the acceptance and permanence of students in these centers.”

By law, religion classes are optional and the school curriculum should teach ethics courses that promote religious tolerance. All teachers, including those in private religious schools, must receive their training in government-run academies.<sup>13</sup>

## Family, community and society

### Gender equality and reproductive rights

Abortion is criminalized in Bolivia except when the life or health of the woman or girl is at risk or when the pregnancy is the result of rape or incest, and very few women have access to contraception. Indigenous and poorer women are disproportionately affected by poor maternal and reproductive health outcomes.<sup>14</sup>

At the end of 2017, Bolivia issued a newly revised Criminal Code expanding the grounds for abortion before the eighth week of pregnancy to a broader range of circumstances. However, the reform was subject to large protests from anti-choice groups throughout the country. One of the key driving forces behind the protests was the Platform for Life and Family (*Plataforma por la Vida y Familia*),<sup>15</sup> whose president described its work as “necessary to defend the four principles postulated by Benedict XVI, since they are completely threatened in the country.”<sup>16</sup> Also backing the call to repeal the new law was the Catholic Church<sup>17</sup> and international lobbying groups such as the Catholic anti-abortion group, Human Life International and the USA-based Christian advocacy group Alliance Defending Freedom International.<sup>18</sup> As a consequence of the backlash, in January 2018, the Code was repealed in its entirety.

### LGBTI+ rights

Bolivia’s Constitution and laws are progressive on the subject of LGBTI+ rights. Article 14 bans discrimination on the basis of sexual orientation or gender identity. Article 58 recognizes the right of children to express themselves in a gender identity of their choice as a right “inherent to their development.”<sup>19</sup>

In 2016, a Gender Identity Law<sup>20</sup> was approved allowing transgender individuals to change their gender on



official documents, and in 2019 Bolivia's legislature made further progress by passing a law that criminalized hate crimes on the basis of sexual orientation and gender identity.

Despite these legal gains, Bolivia remains a relatively conservative country and the public has been resistant to the idea of full marriage equality.<sup>21</sup> The Constitution limits marriage to between a man and a woman. In December 2020, after a two year legal battle, a court in La Paz granted two men the right to register a civil union, which activists hope will set a precedent for other LGBTI+ couples to access recognition.<sup>22</sup>

## Freedom of expression, advocacy of humanist values

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

Under Morales' government, Front Line Defenders reported that activists "who engage on environmental issues have been subjected to intimidation, threats, surveillance, and criminalisation", that "the defence of indigenous peoples' rights in the face of development projects is especially stigmatised by the Bolivian government" and that judicial harassment against lawyers who work on environmental and indigenous issues is common.<sup>23</sup>

During the interim presidency of Jeanine Áñez, the government initiated a violent military crackdown against government protesters, journalists and those guilty of a broadly defined offence of "sedition", resulting in at least 30 deaths.<sup>24</sup>

Senator Áñez, whose interim presidency was associated with a resurgence of Christian nationalism, also expressed anti-indigenous views publicly and on Twitter, writing "I dream of a Bolivia without satanic indigenous rituals, the city isn't made for Indians, they need to go back to the countryside!"<sup>25</sup> During her tenure, there was a wave of anti-indigenous sentiment and violence, some involving members of the church. For instance, a hardline pastor reportedly attacked traditional indigenous beliefs as evidence of "witchcraft" and claimed that "[Under Morales] we were turning into a backwards nation – people wanted to legalize abortion, to legalize gay marriage, they wanted to legalize the satanistas [satanists]!"<sup>26</sup>

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# Cambodia

Const/Govt	Edu/Child	Society/Comm	Expression

Cambodia is a constitutional monarchy, with a Prime Minister who is head of government and a King who is head of state.

Cambodia remains under the rule of Prime Minister Hun Sen (in power since 1985), following a military coup orchestrated by Hun Sen in 1997. Hun Sen's government is regularly accused of human rights abuses and repressing political opposition. Senior members of Hun Sen's government, including Hun Sen himself,

held positions under the Khmer Rouge and have been implicated in Pol Pot's genocidal regime in the late 1970s.<sup>1</sup>

According to Cambodia's Ministry of Cults and Religion, approximately 95% of the population is Buddhist (of the Theravada school) and around 2% of the population is Muslim.<sup>2</sup> The Muslim population is predominantly ethnically Cham, with most residing in rural areas along the Mekong River.<sup>3</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>There is systematic religious privilege</p> <p>There is an established church or state religion State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Blasphemy or criticism of religion is restricted in law and is punishable by a fine</p>

## Constitution and government

Article 43 of the Constitution establishes Buddhism as the State religion. It also recognizes the right of "freedom of religious belief and worship," without reference to non-religious beliefs, and "on the condition that such freedom does not affect other religious beliefs or violate public order and security." Article 4 of the Constitution states that the motto of the Kingdom of Cambodia is "nation, religion, king."<sup>4</sup>

Buddhism is promoted by the government in a multitude of ways, including through Buddhist instruction in public schools, the appointment by the government of Buddhist monk leaders, and financial support to Buddhist institutions.<sup>5</sup>

Acts of religious groups are overseen by the Ministry of Cults and Religions. All religious groups are required to register with the Ministry of Cults and Religion.<sup>6</sup> There are no penalties for failing to register, but registered religious groups do receive an income tax exemption.<sup>7</sup>

## Education and children's rights

Article 68 of the Constitution<sup>8</sup> states that, "The State shall disseminate and develop the Pali [monastic] schools and the Buddhist Institute." In addition, the General Department of Religious Affairs of the Ministry of Cults and Religions is mandated to "[o]rganize, prepare and cooperate to research, educate, and disseminate Buddhism and [its preachings]."<sup>9</sup>

The standard curriculum contains compulsory religious education classes, with no non-religious alternative. The lessons focus mostly on Buddhism, though there are also lessons on various faiths (excluding humanistic and atheistic beliefs) and a course on "Harmony of Religions". All students in public schools are obliged to attend the lessons.<sup>10</sup>

There are reports of institutionalized sexual abuse taking place within Buddhist monasteries. A local NGO offering counselling and support to victims of sex abuse stated that the "the high importance placed on pagodas in Cambodia [which has] created a culture of gated self-preservation in the nation's largely autonomous Buddhist sanctuaries."<sup>11</sup>



## Family, community and society

### Anti-witchcraft persecution

Buddhism and Buddhist philosophy permeate many aspects of social and cultural life in Cambodia. However, Buddhism in Cambodia is also mixed with the belief in spirits and the supernatural.<sup>12</sup> Persons suspected of being influenced by malevolent forces or “black magic” may be subjected to harassment, eviction, beatings, and killings.

The UN Office of the High Commissioner for Human Rights (OHCHR) reported that between 2012 and 2018, there were at least 49 incidents of witchcraft persecution, among which 35 involved killings and 14 attempted killings or harassment cases in the country.<sup>13</sup> The OHCHR found that most cases occurred in areas with lower levels of economic and social development, and that witchcraft-related crimes, poverty and exclusion are heavily interrelated.

### Freedom of expression, advocacy of humanist values

#### “Offences Against Buddhism” in the 2011 Criminal Code

The 2011 Criminal Code<sup>14</sup> prohibits and penalizes acts that constitute “Infringement on State Religion.” The concerned section is vague and penalizes certain forms of expression that may be perceived as offensive to adherents of Buddhism, such as “the unauthorized wearing of Buddhist monks’ robes in public” (Article 508). “Insult” committed against a Buddhist monk, nun or layman, defined as “words and gestures likely to undermine the dignity of a person”, is also criminalized (Article 516).

In March 2021, the Ministry of Cults and Religion revoked the media license of an online publication for criticizing a Siem Reap monk for lashing three junior monks. The Ministry also indicated its desire to prosecute the social media figure behind the online publication, Pheng Vannak, for “insulting Buddhist monks” under Article 516 of the Criminal Code.<sup>15</sup>

### Freedom of expression and civil society

Front Line Defenders reported in 2019 that “Prime Minister Hun Sen and other senior state officials frequently engaged in rhetoric damaging to civil society. The Prime Minister specifically threatened prominent human rights organizations with closure, and individual defenders with legal action.”<sup>16</sup>

The government has adopted a number of laws which curb freedom of expression and association.

This includes the 2015 Law on Associations and Non-Governmental Organizations (LANGO), which allows termination of a foreign NGO’s license to operate if their activities are deemed to “jeopardize peace, stability, public order or harm the national security, national unity, culture, customs and traditions of the Cambodian national society.”<sup>17</sup> Under LANGO, authorities have shut down independent NGOs and denied them registration.

In February 2018, the government added a lese majeste (insulting the monarchy) clause to its Penal Code. The amendment states that “the use of words, gestures, writings, sketches or objects which undermine the dignity of a person constitutes an insult” and that “insulting the King” can result in up to 5 years imprisonment. Critics of the government and members of the opposition have since been convicted and jailed under the law.<sup>18</sup>

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# Chad

Const/Govt	Edu/Child	Society/Comm	Expression

A landlocked country sharing borders with Libya, Sudan, Central African Republic, Cameroon, Nigeria, and Niger, Chad's geography, geopolitics and oil resources have contributed to cycles of violence and corruption. Since the death of President Idriss Déby on 19 April 2021, the country has been ruled by his son, Mahamat Idriss Déby, leading the transitional military council.<sup>1</sup> Chad is a member of the African Union<sup>2</sup> and a party to the International Covenant on Civil and Political Rights.<sup>3</sup>

According to the most recent reports, the population of 15.8 million people is estimated to be 52% Muslim, 24% Protestant, 20% Roman Catholic, and 3% atheist.<sup>4</sup> The country is also home to small groups of Baha'is and Jehovah's Witnesses.<sup>5</sup> The country is divided geographically by a religious frontier, with a majority of Muslims in the North and Christians in the South.<sup>6</sup> Muslims generally adhere to Sufism and a small minority

to Salafism, but many ethnic differences exist in the practice of Islam in Chad. The majority of Protestants are evangelical Christians.<sup>7</sup>

In May 2016, a special court in Senegal convicted a former president of Chad, Hissène Habré, of crimes against humanity, war crimes, and torture, including rape and sexual slavery. The victims of Habré have yet to receive any reparations. Many serious human rights problems continue to exist in the country today. These include cases of unlawful or arbitrary killings, extrajudicial killings by government or on behalf of government; torture and cases of cruel, inhuman, or degrading treatment or punishment; harsh and life-threatening prison conditions; arbitrary arrest or detention of political prisoners or detainees.<sup>8</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
			Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed
		Discriminatory prominence is given to religious bodies, traditions or leaders	
State-funding of religious institutions or salaries, or discriminatory tax exemptions	Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)	Discriminatory prominence is given to religious bodies, traditions or leaders  Religious groups control some public or social services	

## Constitution and government

Chad's Constitution,<sup>9</sup> adopted in 2018, establishes the State as secular (as was the case in Chad's previous constitutions since 1993). The preamble states:

"[...] political, ethnic and religious tolerance, forgiveness and interreligious dialogue are fundamental values contributing to the consolidation of national unity and cohesion."<sup>10</sup>

Article 28 guarantees freedom of religion or belief, expression and assembly:

"The freedoms of opinion and of expression, of communication, of conscience, of religion, of the press, of association, of assembly, of movement, and of demonstration are guaranteed to all."<sup>11</sup>

However, the preamble also grants the state the right to regulate religious freedom by law to "ensure mutual

respect for the rights of others” and to safeguard “public order and good morals.”<sup>12</sup>

Originally, the 2018 Constitution established an oath for members of the government and other officials who had to swear on the Quran or Bible in order to take-up their role.<sup>13</sup> The mandatory oath was withdrawn by constitutional amendments after it received a lot of criticism from the civil society and religious groups.<sup>14</sup>

Despite the principle of secularism inscribed in the Constitution, Muslims hold a privileged position in the government; Freedom House has observed that, “Christians in the south are largely excluded from political power; some Christians hold government positions, but their voice is limited.”<sup>15</sup>

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

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

## Education and children’s rights

### Education

School attendance is mandatory for children aged between six and 15.<sup>16</sup> The core curriculum does not include religious studies. Public education is secular, but the state allows religious private schools to operate. Islamic schools are increasingly financed by funds from foreign Muslim-majority states, most notably the United Arab Emirates. They often come to replace the failing public education, thus appearing as “a credible social alternative.”<sup>17</sup> Although they are allowed to operate, the HCIA oversees Islamic activities and schools.<sup>18</sup>

Due to a large number of refugees, a number of schools for refugees also exist under the control of the UN Refugee Agency.<sup>19</sup>

## Child Marriage

The legal age of marriage is set at 18, thus making child marriage illegal. However, the courts rarely hold accountable anyone involved in forcing these marriages.<sup>20</sup> According to a UNICEF Report on Child Marriage in the Sahel region (2020), there are one million girls aged under 18 who are married in Chad.<sup>21</sup>

## Female Genital Mutilation (FGM)

It is estimated that between 44%<sup>22</sup> and 50%<sup>23</sup> of the women in Chad have been victims of Female Genital Mutilation (FGM), and that around 4,000 to 5,000 girls are mutilated in Chad each year.<sup>24</sup>

The prevalence of the practice differs depending on numerous factors such as religion, ethnicity, and region. Amongst the women victims of FGM, it is estimated that 50% are Muslim, 40% Catholic, and 15% Protestant. The Multiple Indicator Demographic and Health Survey (*Enquête Démographique et de Santé à Indicateurs Multiples*) has reported that in 51% of cases, women consider the practice not to be required by their religion, and 31% deem FGM to be a religious necessity.<sup>25</sup>

The practice is officially illegal in Chad and carries a jail sentence of up to five years.<sup>26</sup> However, no example of recent procedures involving the law against practitioners of FGM has been found. According to the Ministry of Social Action and Justice, trials are underway in certain regions, but no detail nor evidence of them has been published.<sup>27</sup> As cases of FGM continue to rise in Chad, the National Commission of Human rights has opened an investigation to analyze the growth of the phenomenon and the government’s response.<sup>28</sup>

## Family, community and society

### LGBTI+ rights

Same-sex relations are illegal in Chad under the Penal Code revised in 2017 and are punished by two years’ imprisonment and a fine of between 50,000 and 500,000 Central African CFA francs (approx. USD\$90-900).<sup>29</sup> There is no evidence that this law has been enforced, but the lack of investigation after the death of an openly gay man, Ahmat Fraicheur, in 2020, has shown how the public authorities treat LGBTI+ victims of crime differently.<sup>30</sup> In addition, LGBTI+ people are stigmatized and marginalized, which forces them to “conceal their sexual orientation and gender identity.”<sup>31</sup>

In 2016, the former Prime Minister of Chad and current member of parliament, Delwa Kassiré Coumakoye, asserted that “Homosexuality is condemned by all religions. We do not have to forgive something that God himself rejects, because Westerners have said this.”<sup>32</sup>

## Freedom of expression, advocacy of humanist values

The Constitution provides for freedom of expression and freedom of the press. However, both are severely restricted in practice. Broadcast media are controlled by the state. The government does not restrict access to the internet in theory, but Amnesty International estimates that there has been the equivalent of nearly two and a half years of internet cuts or disruptions since 2016.<sup>33</sup>

The US Department of State's 2020 Country Report on Human Rights Practices in Chad has observed that journalists and human rights defenders have faced threats, harassment and intimidation by the authorities. It also says that, "Local media reported that journalists faced regular arrest after publication, with most released fairly quickly, others held in detention for weeks or months, and some severely mistreated, particularly when articles discussed impunity or criticized the president and his associates."<sup>34</sup>

Whilst the Constitution provides for freedom of peaceful assembly in limited circumstances, the government does not respect this and regularly interferes with opposition protests and civil society gatherings, including via arrests and the use of excessive force or violence against demonstrators.<sup>35</sup>

In June 2018, the authorities amended a number of laws including the Ordinance that regulates associations,<sup>36</sup> failing to take into account recommendations made by national and international human rights organizations. The new regulations control public meetings and demonstrations in public spaces, and have been regularly used by the Chadian government to ban religious gatherings and processions.

According to Amnesty International, "The new law imposes a blanket ban on all "regionalist or community associations" without providing any legal grounds or explanation, and maintains a previous provision which requires that citizens creating associations must receive a prior authorization from the Ministry of Territorial Administration before they can start operating."<sup>37</sup>

Article 25 of the law contains vague provisions forbidding religious associations to undertake any activity deviated from their original purpose and contrary to their apolitical vocation ("*Est interdit aux associations religieuses toute activité déviée de leur objet initial et contraire à leur vocation apolitique*"),<sup>38</sup> which could be used to prevent religious associations to exercise their right to freedom of expression. The former UN Special Rapporteur on the right to peaceful assembly and association, Maina Kiai, had described this decree as turning freedom of religion or belief into a privilege in Chad.<sup>39</sup>

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# Croatia

Const/Govt	Edu/Child	Society/Comm	Expression

Croatia, officially the Republic of Croatia (Croatian: Republika Hrvatska), is a unitary, indivisible democratic, social, and parliamentary constitutional republic. After Croatia formally declared its independence and dissolved its association with Yugoslavia in 1991, the Croatian War of Independence started. The war ended in 1995. The present day borders of Croatia were established in 1998. Croatia is a member of the European Union, the United Nations, the Council of Europe, NATO, the World Trade Organization, and a founding member of the Union for the Mediterranean.

The majority of the population (86.28%) in Croatia identifies as Roman Catholic. After that, 4.44%, identify as Eastern Orthodox Protestants, and 1.47% as Muslim. 3.81% of the population define themselves as atheist or non-religious, and 0.76% people are agnostic or skeptic.<sup>1</sup> In the Eurostat Eurobarometer Poll of 2005, 67% of the population of Croatia responded that “they believe there is a God” and 7% said they do not believe “there is any sort of spirit, God, or life force,” while 25% expressed a belief in “some sort of spirit or life force.”<sup>2</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
	Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	The dominant influence of religion in public life undermines the right to equality and/or non-discrimination	
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>		<p>Use of Conscientious Objection clauses resulting in the denial of lawful services to women and LGBTI+ people</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	
There is state funding of at least some religious schools			Some concerns about political or media freedoms, not specific to the non-religious

## Constitution and government

Following the first multi-party parliamentary elections held in April 1990, the Croatian Parliament adopted a liberal-democratic Constitution.<sup>3</sup>

Whilst the Constitution guarantees the right to freedom of conscience and religion, the free expression of religion or other beliefs (Article 40) and states that all religious communities are equal before the law and separate from the state (Article 41),<sup>4</sup> because of other laws, policies, agreements and social pressures, these rights and equalities are not always upheld in practice.

## Relationship with the Catholic Church

Historically, Croatia was known throughout Europe as Antemurale Christianitatis, a bulwark against Ottoman invasion and a defender of Europe's Christianity. In that spirit, in December 1996 three agreements (“Concordats”) were signed between the Holy See and the Republic of Croatia. These were: the Accord on cooperation in the field of education and culture (“Ugovor o suradnji na području odgoja i kulture”);<sup>5</sup> the Accord on Pastoral Care of Catholics in the armed forces and law enforcement agencies (“Ugovor o dušobrižništvu katoličkih vjernika pripadnika oružanih snaga i redarstvenih



*službi Republike Hrvatske*");<sup>6</sup> and the Accord on Legal Questions ("*Ugovor o pravnim pitanjima*").<sup>7</sup> A fourth agreement, on Economic Affairs, ("*Ugovor između Svete Stolice i Republike Hrvatske o gospodarskim pitanjima*") was signed and ratified in 1998.<sup>8</sup>

These agreements were entered into without any public debate or proper information given to the Croatian population. Although the agreements proved controversial owing to the great one-time and continuous financial and other burdens the agreements put on the Croatian state (relative to the Croatian government budget), no government of Croatia has attempted to amend them. The agreements put obligations chiefly on the Croatian state, and give the Catholic Church a privileged position with respect to other religious and belief groups. According to the Commission for Relations with Religious Communities, the Concordats with the Vatican grant the Catholic Church more than 43 million USD in annual government funding for religious education and other operational costs.

The Catholic Church is recognized as a public entity in Croatia, which results in guaranteed funding from the state budget. The exact amount paid annually by the government is not publicly known; but some have estimated that the amount exceeds one billion Kuna (around 175 million USD or roughly 1% of annual state budget), not including the financing of projects of legal entities incorporated by the Church.<sup>9</sup>

All contributions, charity donations and gifts received by the Church are explicitly exempt from taxation and do not affect financial obligations of the government. The State, via its cities, municipalities and counties, additionally allocates money for churches in their areas, on the argument that the government recognizes socially valuable work of the Catholic Church in cultural, educational, social and ethical matters. The amounts given out are not known, and the Church, as a recipient of these funds, is under no obligation to justify its expenditure and therefore it may not be verified.<sup>10</sup> From the state project "Investing in (local) communities" the Church received 53 million kunas out of a total of 58 million kunas in 2020.<sup>11</sup>

## The status of other religious groups

In addition to the Concordats and other agreements with the Catholic Church, the government has formal agreements with 19 of the registered religious communities that more clearly define activities and cooperation, such as in the areas of marriage and of religious education in public schools. These groups may access state funds for religious activities. A registered religious community may enter into agreements with the government if it had been in existence in Croatia in 1941, or if it has at least 6,000 members. According to the US State Department's 2020 Report on International

Religious Freedom, the government budgeted 22.7 million kuna (3.4 million USD) during that year to non-Catholic religious groups in amounts proportional to their size (which amounts to less than 8% of the funding Croatia gives the Catholic Church).<sup>12</sup>

## Education and children's rights

### Catholic Catechism classes

The preamble of the Croatian Constitution recognizes the "irreplaceable role (of the Catholic Church) in upbringing of Croatian people and its historic and current role in cultural and moral education of people, as well as its role in the field of education and culture."

Catholic Catechism classes are elective, and in theory, children of non-religious parents have the right to opt out of the classes. In practice however this is often not the case. There is no alternative to Catholic education during the first three years of elementary school, and (pursuant to the Accord on cooperation in the field of education and culture, mentioned above) Catholic education must be treated equally to all other subjects "especially in respect to schedule of classes" which effectively prevents schools from scheduling these classes at the same time as other options. Therefore, children who do not wish to attend Catholic Catechism classes are usually left unattended in school hallways or are, despite their right to opt out, asked to stay in classrooms during religious classes since no members of school staff are available to look after them.<sup>13</sup>

Catholic Catechism classes have also been introduced in many public elementary schools throughout the country, regardless of the religion or belief affiliation of the local population. In most cases this is not a part of any official program; however, in some places Catholic Catechism has officially become a part of curriculum. For instance, in the city of Dubrovnik, Catholic Catechism is an official part of the public elementary school curriculum, and no adequate alternative programs are offered for children of non-Catholics.<sup>14</sup>

Lack of adequate care for pupils who do not attend elective religion classes was further aggravated by the COVID-19 pandemic. Due to students no longer being allowed to remain in school hallways or common areas (e.g. libraries), a large number of pupils were required to stay in the classroom during religious education classes and to listen to the subject they did not choose as an elective.<sup>15</sup>

In 2014, the Supreme Court ruled that children who do not attend Catholic Catechism classes are not discriminated against, and that the Ministry of Education is not under any obligation to provide them with any alternative subject, such as a more comprehensive religious education, including secular worldviews, or any



broader philosophical approach to morals and belief.<sup>16</sup>

However, the number of children opting out of Catholic Catechism in public schools is increasing, particularly in urban areas. It has been suggested that people are increasingly willing to speak out against religious proselytizing, as well as to demand termination of accords with the Holy See under which such education is mandated.<sup>17</sup>

Some civil society groups organize humanist workshops for elementary school children. These workshops were created as an alternative to Catholic Catechism in public schools but also provide education on a number of scientific subjects. The number of children attending these workshops is slowly but steadily increasing and workshops based on the same model are now available in several Croatian cities besides Zagreb.<sup>18</sup>

In 2019, the NGO, Center for Civil Courage, was approached by some parents concerned about the violation of their children's right to freedom of belief in primary schools. Their children had been forced to participate in blessings and prayers on so-called "Bread Days."<sup>19</sup>

## Prejudice against minorities in the classroom

Catholic Catechism textbooks for elementary school use material from Pope John Paul II which imply that atheists were responsible for "Auschwitz". These textbooks also contain instructions on how to talk with atheists and make them realize their mistakes.<sup>20</sup>

According to UNICEF-sponsored research among students ("Opinions and attitudes of children and youth in Croatia") young people themselves believe that their peers are most likely to discriminate against young people with disabilities, and next most likely against members of religious and national minorities. In fact, children estimated that in 7% of cases they act "very badly" toward peers who do not attend Catholic Catechism, and a further 10% of cases they act "badly".<sup>21</sup>

## Family, community and society

Croatia's independence marked the beginning of Catholic Reconquista with the Church and its numerous associations, with initiatives sponsored by the Church aimed at reversing the secular character of the state.

At the level of national legislation and political practice, religious institutions systematically undermine the rights of women. For example, by representing discriminatory ideas in public discourse,<sup>22</sup> by strengthening gender stereotypes and patriarchal "values" within religious education,<sup>23</sup> and by infiltrating the health education system and public health care.<sup>24</sup> Women's rights are exposed to intense economic and

ideological pressure<sup>25</sup> after years of attacks, including via threats to the right to have gender and sex education taught in schools, medically assisted insemination regulations, and LGBTI+ rights and marriage equality.<sup>26</sup>

## Sexual and Reproductive Health and Rights

Whilst on paper, abortion has been legal in Croatia since 1978, in practice a woman seeking an abortion faces numerous obstacles.

In recent years, religious groups with an anti-abortion agenda have become increasingly prominent, staging the annual "March for Life" rallies which have drawn thousands onto the streets as well as holding candlelit prayer vigils outside hospitals.<sup>27</sup> These groups also pursue aggressive online disinformation campaigns, which spread unscientific claims and lies and seek to influence hospitals to stop providing abortion services. They have also opened fake abortion clinics providing disinformation and generating confusion among women seeking abortion services, with no apparent intervention by the state.<sup>28</sup>

In 2003 doctors were given the right to refuse to provide abortion services on grounds of "conscientious objection," and since that time access to abortion has become more difficult with religious pressure pushing doctors increasingly to refuse abortions on moral grounds. Currently, nearly 60% of doctors in public hospitals are not performing abortions on the grounds of their religion, and some entire hospitals refuse.<sup>29</sup> While hospitals are under a legal duty to make a referral in such cases, the practice is very unregulated. Many women are forced to have terminations in private clinics or to travel abroad, at extraordinary cost and possible danger to themselves.

## Freedom of expression, advocacy of humanist values

The Constitution guarantees freedoms of expression and the press, and these rights are generally respected. However, Croatia has not fully decriminalized defamation,<sup>30</sup> and there have been pervasive efforts on the part of both State and non-state actors to discourage and even prevent journalists from exercising their freedom of expression.<sup>31</sup> Journalists investigating corruption and organized crimes report that they are subject to political pressure, intimidation and assaults.<sup>32</sup>

Croatian State Radio and Television, the state-run broadcaster, has a formal agreement with the Catholic Church to provide regular, extensive coverage of Catholic events (as many as 10 hours per month). Other religions and denominations receive approximately 10 minutes broadcast time per month or less. All religious communities that have entered into agreements with the government are guaranteed a certain allocation

of time in public media. No such right is guaranteed to secular belief groups. Similarly, no such right is guaranteed to members of religious communities that do not have an agreement with the government.

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# Cuba

Const/Govt	Edu/Child	Society/Comm	Expression

The largest island country in the Caribbean, Cuba has a population of approximately 11 million. The Republic of Cuba is one of the world's last remaining Communist states. There is no official state religion, however a majority of the population are Christian (58.9%). The non-religious make up the next largest group (23.2%), followed by those believing in folk religion (17.6%). Buddhists, Hindus, Jews, and Muslims make up less

than 1% of the population each.<sup>1</sup> Many individuals, particularly Afro-Cubans, practice religions with roots in the Congo River Basin and West Africa, including Yoruba groups. These religious practices are commonly intermingled with Catholicism and other forms of Christianity and some require Catholic baptism for full initiation, making it difficult to accurately estimate their total membership.<sup>2</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
Quasi-divine veneration of a ruling elite is enforced, or a single-party regime holds uncontested power, subject to severe punishment			
		<p>The dominant influence of religion in public life undermines the right to equality and/or non-discrimination</p> <p>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p>
	Some concerns about children's right to specifically religious freedom		

## Constitution and government

The Constitution<sup>3</sup> affirms the secular nature of the state and the right to freedom of religion or belief, although in practice the government tends to restrict this right.

As a result of a national referendum held on 24 February 2019, a new Constitution was adopted. The new Constitution states that "the state recognizes, respects, and guarantees religious liberty" and that "distinct beliefs and religions enjoy equal consideration"

(Article 15). Further, Article 57 states that

"Any person has the right to profess or not profess their religious beliefs, to change them, and to practice the religion of their choice with the required respect to other beliefs and in accordance with the law."

In addition, the Constitution prohibits discrimination based on religious beliefs (Article 43).

The Constitution also "recognizes, respects, and

guarantees" freedom of thought, conscience and expression (Article 54) and the rights of assembly and association (Article 57). In practice, however, the authorities routinely repress and punish dissent and public criticism (for more information see 'Freedom of expression and advocacy of humanist values' below).<sup>4</sup>

The State operates an Office of Religious Affairs, which is responsible for oversight of freedom of religion or belief in the country.

On 2 December 2020, the U.S. Secretary of State again placed Cuba on the Special Watch List "for having engaged in or tolerated severe violations of religious freedom."<sup>5</sup>

## Registration of religious groups

The Law of Associations requires all religious groups to apply to the Ministry Of Justice for official registration akin to that of civil society organizations.<sup>6</sup> Once granted, registered religious groups must still seek permission from the Office of Religious Affairs each time it wants to conduct activities other than regular services, such as holding meetings in approved locations, publishing major decisions from meetings, receiving foreign visitors, importing religious literature, purchasing and operating motor vehicles, and constructing, repairing, or purchasing places of worship.<sup>7</sup>

Groups failing to register face penalties ranging from fines to closure of their organizations and confiscation of their property.<sup>8</sup> Membership of an unregistered association is punishable by up to three months in prison or a fine under Article 208.1 of the Penal Code. Leaders of such groups may be sentenced to up to one year in prison.<sup>9</sup>

## Restrictions on freedom of religion or belief in practise

According to the US State Department's 2020 report on religious freedom in Cuba:<sup>10</sup>

"Many religious groups said notwithstanding the constitutional provisions providing for freedom of conscience and religion and prohibiting discrimination based on religion, the government continued to use threats, detentions, violence, and other coercive tactics to restrict the activities of some religious groups, leaders, and followers, including the right of prisoners to practice religion freely. Religious groups also said the government applied the law in an arbitrary and capricious manner."

Overall, the government commits numerous violations of freedom of religion or belief. These violations, which numbered as high as 220 in 2014, are committed predominantly by the Office of Religious Affairs.<sup>11</sup> The government is reported to deny or ignore requests to

register buildings as places of worship; according to Christian Solidarity Worldwide, some churches have waited for around 25 years for legal permission to exist, without which they are forced to meet illegally. This makes them vulnerable to confiscation or demolition.

Many Cubans are prevented from attending religious services, as evidenced by weekly arrests of women affiliated with the Ladies in White – an internationally acclaimed peaceful civic movement made up of wives and female relatives of jailed dissidents.<sup>12</sup> It is unclear whether their arrests are particularly related to their attendance of mass or their wider advocacy for the release of imprisoned dissidents.

Followers of other religious faiths, such as Muslims and Jews have also faced harassment at the hands of the authorities. According to the US State Department, Jewish parents were informed that they would be charged with "acts against the normal development of a minor" – for which the penalty is a one-year prison sentence – if they sent their children to school wearing *kippahs*.<sup>13</sup> A 2020 report by the United States Commission on International Religious Freedom exposed how many followers of Yoruba practices, such as Santería face harassment, discrimination and even detention, particularly if they belong to an unregistered group.<sup>14</sup> USCIRF also reported attempts by the State to co-opt Santería for political gain.

According to the US State Department:<sup>15</sup>

"Some religious groups continued to report [that] the government allowed them to engage in community service programs and to share their religious beliefs. Other religious groups reported government restrictions varied and were largely based on the government's perceptions of the "political pliancy" of each religious group. Religious leaders continued to report government opposition to and interference in religious groups' providing pastoral services."

On 2 December 2020, the U.S. Secretary of State again placed Cuba on the Special Watch List "for having engaged in or tolerated severe violations of religious freedom."<sup>16</sup>

In response to this and the passage of UN Resolution 43/34<sup>17</sup> "Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief," the Cuban mission enumerated the legal provisions for the protection of freedom of religion or belief which exist in the country, claiming that questions and concerns raised by the US delegation regarding freedom of religion or belief in the country were biased and politically motivated in order to achieve a "change in regime".<sup>18</sup>

Under Article 294 of the Penal Code, disrupting

ceremonies of registered religious groups is punishable by up to one year in prison. The penalty is increased to up to two years if the offence is committed by a public official.<sup>19</sup>

However, abuse of the “freedom to worship” against “the education objectives, the work duty, the defense of the Nation with arms, the veneration of its symbols or any others stipulated in the Constitution” is punishable by up to a year in prison and/or a fine (Article 206 of the Penal Code).

## Education and children’s rights

The government does not permit the existence of private primary and secondary schools, including religious schools, although several international schools in Havana operated under agreements with the government and were given considerable leeway in setting their curricula. Home-schooling is also illegal. In one instance, a Christian pastor and his wife were imprisoned for removing their children from the state-run school system.<sup>20</sup>

Religious education does not form part of the school curriculum, however, the Cuban Mission to the United Nations reports that parents are free to teach children about their religion at home.<sup>21</sup> Select religious groups are also permitted to run after school classes, seminaries and inter-faith training centres.<sup>22</sup>

Academic curricula at all levels of schooling are highly politicized. Consequently, groups such as Jehovah’s Witnesses experienced difficulties accommodating their prohibitions against political involvement in this environment. For instance, some Jehovah’s Witness leaders encouraged their members to avoid university education.<sup>23</sup>

The government restricts academic freedom. Educators and academics must receive permission to attend academic conferences, if not prevented from attending at all. Intellectuals are often dismissed from their positions and discriminated against in other ways for holding views critical of the regime.<sup>24</sup>

## Family, community and society

### LGBTI+ rights

Discrimination on the basis of sexual orientation or gender identity is protected under Article 42 of the Cuban Constitution. Despite these protections, members of the LGBTI+ community continue to face harassment, discrimination and violence. In its report on Cuba,<sup>25</sup> the Inter-American Commission on Human Rights (IACHR), stated:

“The Inter-American Commission has recognized the efforts of the Cuban State in adopting legal measures for the comprehensive protection of lesbian, gay, bisexual, trans and intersex (LGBTI) persons [...]

“However, the IACHR notes with concern that LGBTI people and human rights defenders working on issues of sexual orientation, gender identity and/or expression, and sexual characteristics still suffer violence, discrimination, restrictions on their rights of assembly and association, and curtailment of their freedom of expression and dissemination of thought.”

Article 36 of the 1976 Cuban Constitution defined marriage as “the voluntarily established union between a man and a woman”. However, the 2019 Constitution no longer defines marriage as such. Article 82 reads “Marriage is a social and legal institution. It is one form of family organization. It is based on free will and equality of rights, obligations and legal capacity of the spouses. The law decides how it is constituted and its effects.” However, the full recognition of same-sex marriage will depend on a public consultation of the revised Family Code.<sup>26</sup> A referendum on the subject was deferred following the petition of various evangelical churches, who opposed same-sex marriage.<sup>27</sup>

## Freedom of expression, advocacy of humanist values

### Stifling dissent

Brief and arbitrary detention is a common practice used to harass dissidents in Cuba.<sup>28</sup> The police rarely provide the detained with a reason or warrant for their arrest, and in some cases, detainees are released after receiving official warnings, which prosecutors can use in subsequent criminal trials to show a pattern of “delinquent” behavior.<sup>29</sup>

The Cuban government fails to recognize human rights monitoring as a legitimate activity and denies legal status to local human rights groups.<sup>30</sup> Human rights defenders, independent journalists, bloggers, writers, poets, social media influencers, artists, and academics who publish information considered critical of the government are routinely subject to harassment, violence, smear campaigns, travel restrictions, internet cuts, online harassment, raids on their homes and offices, confiscation of working materials, and arbitrary arrests. They are regularly held *incommunicado*.<sup>31</sup>

According to the CIA World Factbook (2020), the government “owns and controls all broadcast media” and “private ownership of electronic media is prohibited”. Of the several online independent news sites, those that are critical of the government are blocked. Around 57% of the population has access to the



internet, though special authorization is needed to buy computers or access the internet.<sup>32</sup>

Cuban citizens are banned from hosting their writings on foreign servers. Investigators are authorized to engage in electronic surveillance without prior judicial approval by Decree 389.<sup>33</sup> Information gathered under electronic surveillance can be used as evidence in criminal cases.<sup>34</sup> Laws restricting the internet were increasingly used over the course of 2020 to restrict the freedom of expression of independent journalists, including those promoting freedom of religion or belief and other human rights.<sup>35</sup>

Decree 347 of 2018<sup>36</sup> requires the Ministry of Culture to approve public and private cultural activities and bans artistic content found to harm “Ethical and cultural values”. The artists’ collective MSI have organized protests and a hunger strike in November 2020. The authorities retaliated by raiding the movement’s headquarters, at the Havana home of artist Luis Manuel Otero Alcántara.<sup>37</sup>

Under Decree 349<sup>38</sup> all artists – including collectives, musicians and performers – cannot “provide artistic services” in public or private spaces without prior approval from the Ministry of Culture. Those who hire or make payments to people for artistic services without authorization are subject to sanctions, as are the artists. Sanctions include fines, confiscation of materials, cancellation of artistic events, and revocation of licenses. Local independent artists have protested the decree, both before and after it entered force in April 2019.<sup>39</sup>

## Freedom of assembly

The right to assemble is also severely limited. Cubans are not free to create organizations that are not state sponsored, including independent labor unions, think tanks, and political parties.<sup>40</sup>

Detention or the threat of detention is often used to prevent people from participating in peaceful marches or meetings to discuss politics. Detainees are often beaten, threatened, and held incommunicado for hours or days. Police have been criticized for their use of violence to quell protests.<sup>41</sup>

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# Ghana

Const/Govt	Edu/Child	Society/Comm	Expression

Ghana is a West-African parliamentary democracy with a multi-party political system that is largely dominated by two parties — the National Democratic Congress (NDC) and the New Patriotic Party (NPP). Ghana gained independence from Britain in 1957.<sup>1</sup>

According to the latest census data (collected in 2010), approximately 71% of the population is Christian (residing throughout the country), 18% Muslim (mostly residing in the northern regions), 5% adheres to

indigenous or animistic religious beliefs (mostly residing in rural areas), and 6% belongs to other religious groups or has no religious beliefs.<sup>2</sup>

Ghana has a reputation as one of the most democratic countries in Africa. Generally speaking, civil society organizations can operate freely, with the exception of LGBTI+ activists and organizations, who are frequently harassed and intimidated.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
	<p>Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The dominant influence of religion in public life undermines the right to equality and/or non-discrimination</p> <p>Systemic religious privilege results in significant social discrimination</p>	
<p>There is systematic religious privilege Preferential treatment is given to a religion or religion in general</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p>	<p>There is state funding of at least some religious schools</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p>	
<p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>			<p>Some concerns about political or media freedoms, not specific to the non-religious concerns that secular or religious authorities interfere in specifically religious freedoms</p>
		<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	

## Constitution and government

Article 21(1) of the Constitution protects “freedom of thought, conscience and belief” and the “freedom to practice any religion and to manifest such practice”. Article 17 prohibits discrimination on the grounds of religion.<sup>3</sup> The Constitution does not designate a State religion.

To receive formal recognition and status as a legal entity by the government, religious groups must register with the office of the registrar general in the justice ministry. Notwithstanding this provision, there is no penalty for failing to register.<sup>4</sup> Most indigenous religious groups in Ghana do not register.

Registered churches are exempt from paying taxes on non-profit religious, charitable, and educational activities, but must pay taxes on income attributed to for-profit business activities, such as church-run private schools and universities.<sup>5</sup>

While Ghana is a secular State, there is a perception that religion and religious leaders have political influence. In 2017, the government approved a controversial plan to construct a National Cathedral, which will occupy 14 acres of State land and will be situated next to the Parliament building.<sup>6</sup> The government’s position is that the National Cathedral will serve as a symbol of Ghana’s future and its supporters have argued that it will be a space where “religion, democracy and local tradition are seamlessly and symbolically intertwined.”<sup>7</sup> Critics of the project have questioned whether it is an appropriate use of public funds, and have argued that it symbolizes a worrying inter-mingling of politics and religion in an avowedly secular State with a population of mixed religions and beliefs.<sup>8</sup>

The State also pays for Muslims to attend the Hajj, and has a National Hajj Board to oversee the process.<sup>9</sup>

In 2019, a constitutional challenge against the construction of the National Cathedral and the setting up of the Hajj board was brought by a local politician, James Bomfeh, who argued that both measures are a violation of the secular character of Ghana’s Constitution and the duty of the State to respect equality and uphold religious neutrality.

Bomfeh’s case was dismissed by the Supreme Court, who found that the Constitution did not specifically prohibit the Government from “supporting, assisting or cooperating with religious groups.” Instead, the Supreme Court argued that the letter and spirit of the Constitution only forbid the State from “hindering freedom of worship, religion and belief in the country and discrimination on grounds of religion.”<sup>10</sup>

## Education and children’s rights

In Ghana’s national public education curriculum, religious and moral education is a mandatory requirement. These courses embody perspectives from both Islam and Christianity.

In 1987, the government set up an Islamic Education Unit within the Ministry of Education, which is responsible for the integration of a standardized secular curriculum in traditional Islamic schools.<sup>11</sup>

Despite the government directive requiring schools to respect students’ religious practices, members of the Muslim community report that some publicly-funded Christian schools require students to participate in Christian worship services and for female Muslim students to remove their hijabs.<sup>12</sup>

In 2019, the National Coalition for Proper Human Sexual Rights and Family Values (comprising the Christian council, traditional leaders, the Catholic Bishops Conference, Ghana Pentecostal and Charismatic Council, Atta Mills Institute, Coalition of Muslim Organisations and others) blocked proposals to introduce comprehensive sexuality education (CSE) in Ghanaian schools, arguing that this would indoctrinate children with the “LGBTI+ agenda.”<sup>13</sup>

## Family, community and society

### Treatment of humanists

Humanists and atheists in Ghana are a small minority. Many atheists in Ghana are afraid to openly express their beliefs due to fear of persecution. However, the profile of humanism is slowly growing thanks to the work of a group of outspoken atheists, freethinkers and sceptics who form the Humanists Association of Ghana. In 2012, the group organized Ghana’s first ever humanist conference, which brought together humanists from around the world to concentrate on issues relevant to the advancement of humanism in the country.<sup>14</sup> A second conference was organized in 2014 on the theme of “African Youth for Science and Reason”.<sup>15</sup>

### LGBTI+ rights

Section 104 of Ghana’s Criminal Code (1960) criminalizes consensual “unnatural carnal conduct,” a clause which is interpreted by law enforcement to mean same-sex relations. The provision is used to threaten, arrest, and punish LGBTI+ individuals, though actual prosecutions are rare.<sup>16</sup>

Anti-LGBTI+ hate crime and societal discrimination is prevalent in Ghana, and is widely condoned by the media, public officials, and religious figures.<sup>17</sup> For

example, in 2020, opposition MP Dr. Hanna Luisa Bissiw, stated that “homosexuality is a disease” and suggested LGBTI+ people should be euthanized; and an Imam described homosexuality as an “evil that must not be countenanced in any way because it is despised by God”. In 2018, Head Pastor of Osu Church of Christ, Kofi Tawiah stated “homosexuality is considered as a capital offence which is abominable and is accompanied by capital punishment.”<sup>18</sup>

Ghana’s first LGBTI+ community support center and safe house opened in January 2021, but was forced to close 3 months later after being illegally raided by the police and facing pressure from religious lobby groups, the Catholic Church of Ghana, and members of the government. The founding members of the center reported being threatened and fearing for their safety.<sup>19</sup> In March 2021, 22 people were arrested and detained at an event that was falsely claimed by officials to be a “lesbian wedding.”<sup>20</sup>

In August 2021 a draft bill, officially called the ‘Proper Human Sexual Rights and Ghanaian Family Values Bill’ 2021,<sup>21</sup> was introduced to Parliament by a coalition of MPs for its first reading. The bill looks to impose a penalty of up to five years imprisonment for being LGBTI+ and a penalty of up to ten years imprisonment for anyone who engages in advocacy or promotion for LGBTI+ equality. It also places a positive obligation on everyone in Ghana to report any conduct perceived to be of an ‘LGBTI+ nature’ to the police, or to a list of people in the community in the absence of the police. The proposed law also advocates for so-called conversion therapy, a harmful and discredited practice that claims to change a person’s sexual orientation or gender identity.

A group of UN experts have described the bill as representative of “a system of State-sponsored discrimination and violence of such magnitude that its adoption [...] would appear to constitute an immediate and fundamental breach of the State’s obligations under international human rights law.”<sup>22</sup>

The bill was tabled by a Coalition of MPs with the support of the National Coalition for Proper Human Sexual Rights and Family Values, a tripartite movement that, according to one of its Executive Members, Dr Samuel Ofori Onwona, embraces all Christian Councils, all Muslim Councils and all Traditional Leaders in Ghana. The Coalition of Muslim Organisations, Ghana (COMOG), has openly backed the bill. After a first reading in August, Ghana’s Parliament is expected to consider the Bill for adoption in October 2021. It is currently being considered by the Constitutional, Legal and Parliamentary Affairs Committee.<sup>23</sup>

## Harmful traditional practices

Belief in witchcraft and witchcraft-related persecution

threatens the lives, safety and rights of women, the elderly, people with disabilities and children in Ghana. Those who hold witchcraft beliefs in Ghana tend to view witches as the embodiment of evil and witchcraft as a malevolent force.<sup>24</sup>

As Leo Igwe, founder of Advocacy for Alleged Witches (an organization campaigning against witchcraft-related abuse in African countries), writes:

“In northern Ghana, thousands of women have been expelled to witch camps,<sup>25</sup> accused due to anything from disputes over property to explaining away illness or general misfortune. Simply put, persons who are accused of witchcraft are denied their basic humanity and human rights.

“[In Ghana], witch persecution has been linked to the activities of churches, pastors and mallams and to strands of Africanised Christianity and Islam. Christian missionary groups may convert alleged witches or perform exorcisms, which can threaten the lives and health of the victims.”<sup>26</sup>

Self-styled pastors, prophets and ‘spiritualists’ capitalize on the fear of witchcraft in Ghana to enrich themselves financially, including through the selling of anti-witchcraft antidotes (such as holy water, anointing oil, anti-witchcraft cream, protection stickers, etc), while Christian pastors (particularly of the Pentecostal church) make money from identifying “witches” and performing “exorcisms” on children in particular.<sup>27</sup>

## Freedom of expression, advocacy of humanist values

The Constitution guarantees freedom of expression and assembly, and these rights are generally respected in practice.

Ghana has a lively and diverse media presence that includes state and privately owned television and radio stations, multiple independent newspapers and magazines. However, the Ghanaian government has also been known to harass and detain journalists reporting on politically sensitive topics, such as anti-corruption investigations.<sup>28</sup>

Ghana constitutionally guarantees and generally respects the right to peaceful assembly and association. Thousands of active civil society organizations operate freely and play an imperative role in guaranteeing government accountability and transparency in the country.<sup>29</sup>

## Testimonies

*"I think the thing that bugs me the most about Christianity in Ghana is the common assumption that everyone is Christian, coupled with the added assumption that if you are not Christian (i.e. 'saved by the blood'), then you are evil, or at best, misguided and so must be rescued from yourself. Once you've been in this 'game' (of debating creationists and other such religious extremists, not so much to de-convert them as to make sure there IS debate and not just the appearance of a consensus) for a while, you realise that the theists don't believe atheism exists. They think we've just chosen to worship something else as our god. And if you can convince them that we really don't worship anything, they assume that therefore we have no morality. It really is most vexing. Since letting go of Christianity years ago, I finally feel free and healthy and sane, and I honestly have never been happier. Anyway, I'm sure my "de-conversion" story is almost cliché by now."*

— Justice

*"Eventually, I came to the conclusion that, I couldn't take the fiction and I had to be honest, at least with myself. I owed me that. At that time, everything I believed unfolded before me. I felt like I was looking over the edge of an abyss. I could not continue believing. Unbearable cognitive dissonance finally pushed me over the edge.*

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

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

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

— Paa Nii

The above Testimonies, from [ghanahumanists.wordpress.com/personal-journeys/](https://ghanahumanists.wordpress.com/personal-journeys/), are used with permission.

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# Jamaica

Const/Govt	Edu/Child	Society/Comm	Expression

Jamaica is a small island nation in the Caribbean of around 2.8 million people. Where once 98% of the population ascribed to a Christian denomination, this figure has now reduced to 60%. There are significant populations of religious minorities, most notably Rastafarians.<sup>1</sup>

Those who identify as having no religion have increased in recent decades and now represent about 22% of the

population.<sup>2</sup> While there is no formal organization that publicly represents the interests of non-believers, there is a Jamaican Secular Humanist community on social media.

The country obtained its independence from the UK in 1962. It remains a Commonwealth realm with the Queen of England acting as head of state who appoints a Governor General as her representative on the island.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		The dominant influence of religion in public life undermines the right to equality and/or non-discrimination	
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>		<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p>	
			<p>No fundamental restrictions on freedom of expression or advocacy of humanist values</p>



## Constitution and government

The Constitution<sup>3</sup> protects the rights to “freedom of thought, conscience, belief and observance of political doctrines,” as well as freedom of expression, assembly and association, stating that “Parliament shall pass no law and no organ of the State shall take any action which abrogates, abridges or infringes those rights” (Section 13, Subsections 2 and 3).

Section 17 provides further detail on the protections afforded to “freedom of religion” stating:

“Every person shall have the right to freedom of religion including the freedom to change his religion and the right, either alone or in community with others and both in public and in private, to manifest and propagate his religion in worship, teaching, practice and observance.”

In using this terminology, the right granted under the Constitution fails to directly recognize non-religious beliefs. No further reference to freedom of thought, conscience or belief is detailed in the Constitution beyond the references made in Section 13.

Public officials are required to declare an oath before God on taking office.

Although there is no designated state religion, and people in the country are free to publicly and privately worship in any religion of their choosing, according to the Jamaica Tourist Board,

“Christianity is an inextricable part of Jamaica’s society that has helped to shape the lives of our people. It is no wonder over 60% of the population has identified themselves as devoted Christians. In fact, several of the island’s educational institutions and charities are run by religious organizations.”<sup>4</sup>

In addition, some African-based religious practices (obeah) are outlawed under colonial-era laws.<sup>5</sup> However, according to the US Office of International Religious Freedom, such laws are not enforced, but there does not appear to be any intention to repeal such laws in the near future.<sup>6</sup>

It is not necessary for religious groups to register with the government, however if they do, they receive special privileges. These include tax exemptions, and the right for members of the clergy to visit worshippers of their religion while incarcerated.<sup>7</sup>

## Christianity in Politics and Public Life

While there is no single established church or state religion, the Jamaican State formally recognizes some churches through legislation. For example the Moravian Church in Jamaica is formally established under an Act of

Parliament;<sup>8</sup> and in 2013 another Act of Parliament was passed to formally establish the Church of Haile Selassie I.<sup>9</sup> There is also official symbolic deference to religion, for example the Jamaican National Anthem contains explicit Christian references – despite the significant non-Christian and non-religious communities identified above.<sup>10</sup>

Christianity is further systematically privileged in public life, with Jamaican leaders openly affirming their belief in the Christian god in their public capacity. For example, there is the annual National Leadership Prayer Breakfast, which is usually attended by both the Prime Minister and the Leader of the Opposition as well as several Members of Parliament.<sup>11</sup> This public affirmation of Christianity is institutional and occurs at all levels of government. For example, it is the usual practice at many government departments and agencies to open important meetings and other proceedings with prayer. No other religion enjoys these privileges in Jamaica.

Finally, the security forces of the State, which includes the Jamaica Constabulary Force and the Jamaica Defence Force, maintain chaplains.

## Education and children’s rights

Section 17 of the Constitution guarantees the right of each religious body or group to provide religious instruction to persons of the same belief, while also guaranteeing the student’s right not to be “required to receive religious instruction, or to take part in or attend any religious ceremony or observance, which relates to a religion or religious body or denomination other than his own.”

A significant number of public schools in Jamaica are owned and/or operated by churches, who are provided with state subsidies, but required to abide by rules laid down by the Ministry of Education, Youth and Information. According to the US State Department, the public school curriculum includes nondenominational religious education, which focuses on the historical role of religion in society and philosophical thought and includes group visits to Christian, Jewish, Islamic, and Hindu houses of worship. Students may not opt out of religious education, but religious devotion or practice during school hours is optional.<sup>12</sup>

However, a review of publicly available documents relating to the curriculum in primary schools suggests that religion is perceived and taught as fundamental to the shaping of identity and guiding of one’s understanding of the meaning and purpose of life. It is incorporated as a lens through which all subjects are taught, in a holistic approach to primary education. As such, emphasis is “placed on building future citizens with a focus on morals, values, principles, attitudes, integrity, heritage & culture through the curriculum standards



and in the teaching of Religious Education, Civics and Social Studies.”<sup>13</sup>

While the religious education content more generally appears to be open to exploring the variety of religious groups’ beliefs in Jamaica, no attention appears to be paid to the non-religious; instead, students may be asked to compose messages to religious groups “expressing appreciation for the work they do” or “create a short prayer to the Creator.” Further, while exploring how to take care of their bodies, guidance suggests that teachers should draw upon the Bible for stories around healthy eating and discuss how healthy eating “can help us give service to others and worship God.”

The grade 4 curriculum<sup>14</sup> states:

“Religious Education serves as the flagship subject championing and promoting the teaching of religious thinking skills, renowned civic virtues and moral values such as integrity, responsibility, respect, justice, honesty and equality. The aforementioned virtues and values, among others, are utilized to shape the habits and hearts of students, teaching them what it means to be good and virtuous citizens of the highest moral integrity.

“[...]Religion has been an integral part of people’s everyday lives; students are therefore helped to mature in relation to their own patterns of beliefs and behaviours, culture and laws as well as those of others. As such, Religious Education accommodates a broadened and balanced perspective of worldwide and Caribbean religions that helps students to understand more clearly how the beliefs and practices of these groups have affected, shaped and influenced everyday life and culture thereby, enhancing students’ social identities and transforming our world so that we can live and work together in harmony.”

Regulations mandate that religious schools receiving public funding must admit students of all faiths and adhere to ministry standards. Religious schools are not subject to any special restrictions. Most religious schools are affiliated with Catholic or Protestant churches. The Islamic Council of Jamaica runs four schools.<sup>15</sup>

## Family, community and society

The dominant influence of Christianity in public life is often keenly felt on human rights issues.

### Abortion

Abortion remains a crime in Jamaica, punishable by life imprisonment, with or without hard labor. Anyone giving advice about abortion or assisting in the procedure can face up to three years in prison.<sup>16</sup> These laws are rarely

enforced, according to Jamaican pro-choice activists, but are a constant source of fear for those seeking to end their unwanted pregnancies.<sup>17</sup> Doctors have been arrested sporadically and sent to jail over the past ten years for providing abortions.<sup>18</sup>

Pro-abortion activists have reportedly been galvanized by the decriminalization of abortion in Argentina in December 2020, leading to increased debate on the issue.<sup>19</sup> Some activists are reported to have carried signs reading “no religion in my womb.”<sup>20</sup>

Pro-choice legislators are currently working on a draft amendment to the law. However, religious leaders remain firmly opposed to abortion. A petition rejecting a conscience vote by the Love March Movement, a Christian youth group, has attracted around 13,000 signatures; others have organized mass gatherings to protest mid-pandemic.<sup>21</sup>

### Marriage

Under the Constitution, “No form of marriage or other relationship referred to in subsection (1), other than the voluntary union of one man and one woman may be contracted or legally recognized in Jamaica” (Section 18). As such, same-sex marriages are not recognized. Marriage is governed according to the Marriage (Amendment) Act (1979).<sup>22</sup> However, those who are Hindu or Muslim are subject to the respective Marriage Act specific to their belief group.<sup>23</sup>

The minimum age for marriage depends on the law applied. Under the Hindu and Muslim marriage acts, the legal age of both boys and girls is 16. The Marriage (Amendment) Act stipulates that the minimum age for marriage is 18, unless the consent of the father is obtained if the child is aged 16 years or over.

Harmful practices against widows are prohibited through the provisions of the Marriage (Deceased Wife’s Sister or Brother’s Widow) Act 1914, which explicitly states that marriages to the deceased wife’s sister, or brother’s widow, will be deemed void.<sup>24</sup>

Currently Jamaica does not recognize rape within marriage, unless the spouses are separated,<sup>25</sup> although there have been moves to widen the definition to protect women within marriage. Religious groups have been at the forefront of protests against any change to the law.<sup>26</sup> In 2020, the Senate approved a report from a joint select committee that deliberated on the Sexual Offences Act and related statutes, paving the way for legal reform.<sup>27</sup>

## LGBTI+ rights

Jamaica still outlaws sex between men, punishable by up to 10 years hard labour through the colonial-era Offences Against the Person Act.<sup>28</sup> In February 2021, the Inter-American Commission on Human Rights (IACHR) called on Jamaica to repeal all laws prohibiting consensual same-sex conduct.<sup>29</sup> The IACHR argued that Jamaica's laws violate rights to privacy and equal protection under the convention, finding that discriminatory legislation contributes to violence by members of the public.

Some analysts consider Jamaica one of the most homophobic countries on earth. Church groups, including representatives from the largest denomination "the Church of God," have organized rallies against attempts to decriminalize homosexuality, although the government has thus far made no attempts to repeal the anti-LGBTI+ laws.<sup>30</sup>

## Freedom of expression, advocacy of humanist values

Freedom of expression is guaranteed under the Constitution and generally upheld in practice.<sup>31</sup>

### Repeal of 'blasphemous' libel

Until 2013, 'blasphemous libel' was prohibited under the Libel and Slander Act (1973)<sup>32</sup>, however it was unclear if criminal sanctions could be applied.<sup>33</sup>

In 2008, the report of a government committee recommended changes to Jamaica's Defamation Laws, including:

"To abolish the common law offences of criminal libel including blasphemous, obscene and seditious libel."<sup>34</sup>

In 2011, the House of Representatives approved a further report from a joint select committee on this review, but it does not appear to have been followed through and "blasphemous" libel remained on statute.<sup>35</sup>

In 2013, the Jamaican Parliament approved a bill fully abolishing the offence of criminal defamation, and with it blasphemous libel. The 2013 Defamation Act<sup>36</sup> replaces both the 19th-century Libel and Slander Act and the 1963 Defamation Act.<sup>37</sup>

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# Japan

Const/Govt	Edu/Child	Society/Comm	Expression

Japan is an island nation of 126 million inhabitants, located in the Pacific Ocean, east of China. It is a constitutional parliamentary monarchy and a major economic power.

At least 69% of the population is reported to practice Shintoism and/or Buddhism. A further 1.5% of the population are Christian.<sup>1</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
Preferential treatment is given to a religion or religion in general		Discriminatory prominence is given to religious bodies, traditions or leaders	
			Some concerns about political or media freedoms, not specific to the non-religious
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education		No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state

## Constitution and government

Japan's secular Constitution<sup>2</sup> provides strong protections of freedom of thought, conscience, and religion, as well as a clear separation of religion and state:

*Article 19: Freedom of thought and conscience shall not be violated.*

*Article 20: Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority. No person shall be compelled to take part in any religious act, celebration, rite or practice. The State and its organs shall refrain from religious education or any other religious activity...*

*Article 89: No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association ...*

Religious organizations can register as 'religious juridical persons' or 'religious corporations' (*shūkyō hōjin*). Benefits include receiving a more favorable tax status, particularly regarding donations, but only if following strict regulations. The majority of these religious

corporations are Shinto or Buddhist. A number of Christian and Islamic religious corporations also exist, but are decidedly in the minority.<sup>3</sup>

During the imperial abdication and succession to the throne in 2019, there was some outcry about the ceremonies being paid for with public funds, as they feature strong Shinto elements, with the emperor regarded as a direct descendent of the sun goddess Amaterasu.<sup>4</sup>

Although religion is tolerated in Japan and there is little systemic persecution of those religious, the state does specifically track Muslims. It was revealed in 2010 that the Japanese government had ordered the surveillance of at least 70,000 Muslims in the country since 2004. Although it was challenged in court, the Japanese Supreme Court dismissed the case, arguing that they were entitled to compensation for the violation of their right to privacy, but not naming the surveillance as unconstitutional.<sup>5</sup>

## Education and children's rights

The national curriculum in Japan is broadly secular; religion or religious education is not taught in public-funded Japanese schools by law.<sup>6</sup> Some private schools and universities are associated with specific Buddhist sects or other religions.

One noteworthy component of the Japanese education system is the addition of 'moral education' lessons. Unlike other countries, where morality may be embedded in the curriculum, morality is taught as a specific subject in Japanese schools.<sup>7</sup> There has been debate on this topic in the media in Japan, as there were fears that the revision of this education could lead to strongly nationalist teachings.<sup>8</sup>

## Family, community and society

Although the majority of Japanese are considered nominally Buddhist, Shinto, or both, most Japanese consider themselves *mushūkyō*, or 'not religious'. This is not necessarily the same as declared atheism however, as many also continue to pray at shrines and temples, which is seen as a custom. The word religion (*shūkyō*) is still primarily equated with foreign religions and foreignness.<sup>9</sup>

For those who do consider themselves religious, there are several so-called 'new religions', such as Soka Gakkai, which are active in the country and actively recruit followers. Many of these new religions face scrutiny, especially after the 'Aum affair,' where members of the Aum Shinrikyō sect left bags of sarin in the Tokyo metro in 1995, killing 13 and wounding thousands.<sup>10</sup>

Shinto and Buddhist worship do feature heavily in national holidays, as well as festivals (*matsuri*). The *Obon* holiday period in summer is defined by visits to Buddhist family altars, sending prayers to an array of *kami* (gods and deities, including ancestral ones), while the New Year holiday period sees the custom of *hatsumode*, or the first shrine visit of the year, where people pray for the year ahead, amongst other traditions. This is generally seen as part of culture or custom, rather than religion.

## Women's rights

Japan ranked 120th out of 156 countries in the 2021 Global Gender Gap Report, and in practice, women are still subject to a highly patriarchal society.<sup>11</sup>

There are a handful of places in Japan that have banned women under the banner of religion or tradition, including Okinoshima, an island off the southwest coast, and a specific boat used during a festival in Handa, central Japan.<sup>12</sup> Moreover, women are not allowed into professional sumo rings, as they would 'defile' it based on Shinto-Buddhist ideas of purity. Experts say these

ideas are less indicative of women's status in society than holdovers from traditions, invented or otherwise.<sup>13</sup>

## LGBTI+ rights

Gay marriage is not legalized on a national level in Japan. Around 60 municipalities, however, have started accepting a form of civil partnerships for same-sex couples, which is not legally binding. In a landmark ruling in 2021, the Sapporo High Court declared the ban on same-sex marriage 'unconstitutional', although the ruling was considered mostly a symbolic victory. In practice, gay and lesbian people still struggle to come out in Japan in daily life, with society still being relatively conservative on the topic, although younger people appear to support same-sex marriage.<sup>14</sup>

There is no legislation that protects LGBTI+ individuals in Japan. A proposed bill calls to 'promote understanding' of LGBTI+ people, but has thus far fallen short of support in the government.<sup>15</sup>

Transgender people are routinely subject to discrimination, and often struggle to fit into a society where gender norms are closely prescribed. Human Rights Watch has detailed stories of transgender people struggling to fit into the heavily gendered school system (e.g. wearing school uniforms associated with their birth gender) and accessing appropriate health care, amongst other issues. Legally changing one's gender is also a complicated and controversial process that includes surgery, sterilization and a specific psychiatric diagnosis under current law. Changing one's gender is officially only allowed for those over 20, unmarried and without children under 20. Calls to revise this law have been gaining in strength in recent years.<sup>16</sup>

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## Freedom of expression, advocacy of humanist values

Freedom of thought and expression are respected and protected in law and practice. Defamation, insult, and intimidation are criminalized.<sup>17</sup> Internet access is not restricted.

While freedom of expression generally has been upheld and the media is usually considered free across Japan,

there have been serious concerns in recent years about “state secrecy” legislation.

Passed in late 2013 and coming into force on 10 December 2014, critics complain that Japan’s State Secrecy Law targets whistleblowers leaking broadly defined “state secrets” and that journalists publishing leaked information will face up to 10 years in prison, even if publication of such classified information would be justified, e.g. to expose human rights violations or corruption. Prior to its enactment, Reporters Without Borders said that, in effect, the law “is making investigative journalism illegal” and the newspaper Asahi Shimbun said the law “almost limitlessly widens the range of what can be considered confidential.”<sup>18</sup>

During its first 12 months of operation, government agencies were quick to declare numerous “state secrets”, with concerns persisting, despite government assurance that oversight was weak and there was little to prevent the government from declaring inconvenient truths as “secret”. Japan cancelled a visit by the UN Special Rapporteur on Freedom of Expression planned for December 2015.<sup>19</sup>

Since then, however, little attention has been paid to this law. In 2019, the number of state organs subject to it was revised from 70 to 28. Concerns of possible misuse or arbitrary enforcement of the law remain, but there have been no major cases to date where this was the primary concern.<sup>20</sup>

In the past decades, hate speech, primarily against ethnic Korean and Chinese residents in Japan, has become a social issue. A national law to deter hate speech was enacted in 2016, but observers noted that there was no stipulation of punishment for those convicted of hate speech. The city of Kawasaki, which has a large ethnic Korean population, enacted a local law in 2019 that criminally punished hate speech.<sup>21</sup>

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# Kyrgyzstan

Const/Govt	Edu/Child	Society/Comm	Expression

For 75 years under the Soviet system, the Kyrgyz Republic was officially a secular state. Experiencing ethnic tensions, political and economic woes since independence, Kyrgyzstan is a parliamentary republic. The population of Kyrgyzstan is estimated at 6.6 million as of 2021.<sup>1</sup> These include Kyrgyz 73.5%, Uzbek 14.7%,

Russian 5.5%, Dungan 1.1% ethnic groups, which are almost 90% Muslim (mostly Sunni of the Hanafi school), Christian 7-10% (mostly Russian Orthodox), other and non-religious individuals account for 1-3% of the population according to the latest estimates.<sup>2</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views	
Preferential treatment is given to a religion or religion in general			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
			Concerns that secular or religious authorities interfere in specifically religious freedoms
	No formal discrimination in education		

## Constitution and government

The Constitution<sup>3</sup> guarantees separation of the state and religion, and explicitly prohibits the establishment of any religion as a state or mandatory religion (Article 9), specifying that the State is “a sovereign, democratic, secular, unitary and social state governed by the rule of law” (Article 1).<sup>4</sup> However, on 6 May 2006, a decree recognized Sunni Islam and Russian Orthodoxy as traditional religious groups.<sup>5</sup>

The Constitution also prohibits the establishment of religiously-based political parties and the pursuit of political goals by religious groups (Article 8). However, state-religion separation has been undermined in certain cases, when politicians use the clergy to get elected and the clergy use politicians to grow parishes.<sup>6</sup>

The Constitution protects freedom of thought and opinion (Article 32) and freedom of conscience, religion,

and “other convictions” (Article 34). In addition to this, Article 4.1 of the 2008 Law on Freedom of Conscience and Religious Organizations explicitly states that:

“In the Kyrgyz Republic everyone is guaranteed the right to freedom of religion and atheistic conviction.”<sup>7</sup>

However, the existing legal base is underdeveloped and certain laws conflict with others, placing restrictions on rights to freedom of religion or belief, expression, education and association in practise. For example, according to Article 23 of the Constitution, rights and freedoms can be restricted for the purposes of national security, public health order and morality.

## The resurgence of “morality” rhetoric

Censorship is not permitted under the Constitution, however, Article 10 deems the state as the guardian of information security and grants it the ability to restrict

content perceived as violating the values of Kyrgyzstan.<sup>8</sup>

Article 10.4 states that:

“In order to protect the younger generation, events that contradict moral and ethical values, the public consciousness of the people of the Kyrgyz Republic may be limited by law.”<sup>9</sup>

A joint opinion issued by the Venice Commission, the Council of Europe’s independent advisory body on constitutional matters, and OSCE Office for Democratic Institutions and Human Rights (ODIHR) found that numerous provisions of the Constitution were “not in line with international standards and OSCE commitments”.<sup>10</sup>

These changes to the Constitution were followed by the passage of the Decree “on spiritual and moral development and physical education of the individual,” which outlines a plan to “improve the quality of spiritual and moral education of citizens, revive folk traditions, create conditions for the formation and development of a spiritually rich and moral personality.”<sup>11</sup> Human rights groups have raised concerns around the use of the vague concept of “morality” and the rhetoric of traditional values, which they fear may result in discrimination against religious, ethnic and other minority groups in the country, and a restriction on personal freedoms.<sup>12</sup>

In April, a conservative group that reportedly attacked women attending a women’s march in Kyrgyzstan’s capital, Bishkek, welcomed the morality legislation.<sup>13</sup>

## Close scrutiny of religion or belief groups

The Republic has implemented state registration of religious organizations, schools, mosques, and churches. Registration requires a multi-stage process, which religious groups have reported to find cumbersome, sometimes taking up to seven years to complete, if successful.<sup>14</sup> The 2008 Law on Freedom of Conscience and Religious Organizations deems all unregistered groups illegal.<sup>15</sup>

Article 8.2 states that:

“The activity and functioning of religious organizations without record registration with the state body for religious affairs in accordance with this Law is prohibited.”<sup>16</sup>

By law, registered religious groups are designated as NGOs exempt from taxes on their religious activities. They are required to pay tax on any commercial activities.

The State Commission on Religious Affairs (SCRA) – a government organization composed of presidential

appointees, which is responsible for overseeing the implementation of the law’s provisions on religion – is legally authorized to deny the registration to a religious group if it does not comply with the law or is considered a threat to national security, social stability, interethnic and interdenominational harmony, public order, health, or morality.<sup>17</sup> The State has banned 21 “religiously oriented” groups they consider extremist.<sup>18</sup> A number of minority belief groups have reported challenges in obtaining registration and discrimination against their adherents. Such groups include Jehovah’s Witnesses, adherents of Tengrism, and the Ahmadiyya Muslim Community, all of which continue to face difficulties registering as official religious groups.<sup>19</sup> In 2011, the Ahmadiyya Muslim community, were regarded as a “dangerous movement and against traditional Islam.”<sup>20</sup> Moreover, in 2016, the then Chief Mufti Zhalilov publicly demanded that people:

“totally boycott Ahmadis and isolate them from society by: not marrying them; not allowing them to be buried in cemeteries; and not employing them.”<sup>21</sup>

Ahmadi Muslims remained banned as of 2019,<sup>22</sup> and could not be found on the official list of registered religious organizations at the time of this report. Organizations such as the Jehovah’s Witnesses are reported to often face police harassment. The government also monitors and restricts some Islamic groups, including the non-violent Islamist movement Hizb ut-Tahrir and Yakyn Inkar, which practices strict asceticism.

Some unregistered religious communities have nevertheless been able to practise their faiths without state intervention, and authorities have investigated and punished relatively rare acts of violence against religious figures or minorities.<sup>23</sup>

## Legislative framework

The 2009 Law of the Kyrgyz Republic “On the general military duty of citizens of the Kyrgyz Republic, on military and alternative service”<sup>24</sup> permits substitution of military service for alternative service for citizens who are members of a registered religious organization and whose dogma forbids the use of weapons and military service.<sup>25</sup> While the upholding of the right to conscientious objection is in accordance with human rights law, the opt-out applies exclusively to members of registered religious organizations.

At the same time, in accordance with the Law “On the Status of Servicemen”<sup>26</sup> the State and its bodies are under no obligation to meet the needs of the servicemen arising from their religious beliefs.

The Freedom of Conscience and Religious Organizations Law<sup>27</sup> allows for state controls (including examination of production, acquisition, transport, transfer, storage

and distribution) on religious literature deemed “non-traditional”. These controls target mainly religious literature other than Muslim Board and Russian Orthodox as well as any other printed, audio and visual materials concerning freedom of belief, thought and expression in line with the state programs on countering religious extremism, separatism and fundamentalism.

International organizations have criticized Kyrgyzstan several times for excessive use of accusations of extremism. Between 2010 to 2018, at least 258 people were convicted and imprisoned for possession of unauthorized material such as literature or videos vaguely defined as extremist material, under Article 299-2 of the Criminal Code, regardless of whether it contained explicit references to violence.<sup>28</sup> However, a revised Penal Code<sup>29</sup> came into effect in January 2019, which reduced the penalties for several crimes related to terrorism. In particular, possession of extremist literature and/or audio and video material can be treated as a crime only if there is intent to distribute it (Article 315).<sup>30</sup> As a result, the number of people being arrested for extremism or terror-related offences has reduced.<sup>31</sup>

The 2011 Amendments to the Law On Freedom Of Conscience And Religious Organization<sup>32</sup> prohibits “persistent actions aimed at converting believers of one religion to another” (proselytism) as well as any illegal missionary activity.

## Education and children’s rights

According to Silk Road Studies, religious education is flourishing, and despite its small population, Kyrgyzstan counted four times more registered Islamic educational institutions than Kazakhstan, Tajikistan and Uzbekistan combined. There is an ongoing political debate on whether the growth of madrasas poses a threat to the quality of education in the country - however, attempts to regulate studies in these schools have been unsuccessful.<sup>33</sup>

According to the US State Department 2020 Report on International Religious Freedom,<sup>34</sup>

“The law allows public schools an option to offer religion courses that discuss the history and character of religions, as long as the subject of such teaching is not religious doctrine and does not promote any particular religion. Private religious schools need to register with SCRA to operate as such.”

The Articles 5.4 and 6.7 of the Law On Freedom of Conscience And Religious Organization<sup>35</sup> prohibits individual religious education or instruction, such as one-on-one learning, officially in order to prevent individual missionary and proselytist activity.

## Child exploitation

Despite the legislation restricting harsh labor conditions for minors, the government does not effectively enforce the law and child labor is an ongoing problem in Kyrgyzstan. Children work in cotton and tobacco cultivation, mining and construction among other sectors. Others are subjected to commercial sexual exploitation, sometimes as a result of human trafficking; and illicit activities, including trafficking drugs, as a result of human trafficking.<sup>36</sup>

See also kidnapping of women, girls and early marriages in the Society section.

## Family, Community and Society

In terms of protection of rights of non-religious people, there have been no reports of attacks on or discrimination of atheists or non-religious people. Although atheists and agnostics feel safe in Kyrgyzstan, they prefer not to disclose their non-religious identities among religious people, according to the Central Asian Bureau for Analytical Reporting (CABAR.asia).<sup>37</sup>

## Religious tensions

While there was no evidence of widespread societal discrimination or violence against members of different religious groups, there are reports of periodic tensions in rural areas between Muslims and foreign Christian missionaries, as well as individuals from traditionally Muslim ethnic groups who had converted to other religious groups.

Both Muslim and Russian Orthodox spiritual leaders criticized the proselytizing activities of non-traditional Christian groups, and the government seems to turn a blind eye to incidents of hate speech and physical attacks during such tensions.<sup>38</sup> The 2019 case of Jehovah’s Witnesses in Abdraimov village of Bazar-Korgon District showed that members of minority religions experience ostracism and discrimination from society as well as the local authorities.<sup>39</sup>

## Harmful traditional practices limiting women’s rights

Although prohibited by law, the practice of kidnapping women and girls for forced marriage is commonplace. In 2018, the United Nations estimated kidnappers forced 13.8% of girls under the age of 24 into marriage. Many Kyrgyz people, especially the older generation, see these kidnappings as a harmless tradition, but according to The Conversation, since 2018 at least two women, Aizada Kanatbekoya and Burulai Turdaaly Kyzy, were killed by their kidnappers when they attempted to resist the marriage. Both murders spawned protests nationally and in their hometowns, which were reported to be the largest rallies against bride kidnapping since visible public

opposition began in the 1990s.<sup>40</sup>

Men married to kidnapped brides are more likely to abuse their wives and limit their pursuit of education and employment. The negative effect of the practice extends to children of kidnapped brides. Observers reported that there was a greater frequency of early marriage, polygamy, and bride kidnapping in connection with unregistered religious marriages. Although the data on the number of such marriages is unavailable.

In 2018, the Ministry of Internal Affairs reported that over the previous five years, 895 individuals complained to the law enforcement authorities regarding bride kidnapping. Only 168 of the cases reported in 2018 were criminally investigated by police and prosecutors, and the other 727 victims did not file criminal charges against the perpetrator.<sup>41</sup> In 2020, 92 complaints of bride kidnapping were registered in the capital Bishkek alone; of these complaints, 75 were dismissed, 8 were sent to court, and 9 were still being investigated as of early 2021.<sup>42</sup> The government in Kyrgyzstan has started to take the matter more seriously at a legislative level. In 2019, it increased the criminal punishment for kidnapping minors for marriage from a maximum of 7 years to maximum of 10 years.<sup>43</sup>

Domestic violence is reported to be prevalent,<sup>44</sup> and according to Human Rights Watch, impunity for domestic violence is still the norm and authorities do not fully enforce protective measures or hold perpetrators accountable, despite changes in legislation in 2020.<sup>45</sup>

## LGBTI+ rights

The country does not criminalize consensual same-sex sexual conduct between adults or speech that supports LGBTI+ issues. However, homophobia, is widespread with the state failing to protect LGBTI+ persons from discrimination and abuse, with police, in some cases, being involved in harassment and violence to LGBTI+ persons.<sup>46</sup>

Same-sex marriage has yet to be recognized in law.<sup>47</sup>

## Freedom of expression, advocacy of humanist values

### Freedom of opinion and expression

Freedom of opinion and expression is guaranteed under Article 20 (5) of the Constitution. However, observance of the rights to freedom of expression and the press continues to be inconsistent.

As reported by Human Rights Watch in 2020, journalists were harassed by law enforcement, and, in some cases, threatened with criminal sanctions for their critical

reporting. Aibol Kozhomuratov, a social video producer at Current Time TV, tweeted a clip showing a law enforcement officer shooting a weapon at him while he was reporting.<sup>48</sup>

An Organization for Security and Co-operation in Europe (OSCE) Representative said he was “highly concerned” about the defamation lawsuits, which are still pending court review. Human Rights Watch highlighted cases against local media agencies Kloop and Radio Azattyk upon their exposure of high-level corruption in Kyrgyzstan’s customs agency, an attack on Bolot Temirov, the editor-in-chief of FactCheck.kg, and incitement charges against blogger Elmirkbek Sydymanov.<sup>49</sup> Moreover, on 25 July 2020, human rights defender and journalist Azimjon Askarov died in custody while serving a life term for “instigating ethnic hatred, inciting disorder and being complicit in the murder of a police officer” – charges widely denounced as trumped up by international human rights organizations.<sup>50</sup>

While “blasphemy” is not illegal, the State has been known to protect the Muslim majority’s “religious feelings.” For example, in September 2012 the Dutch film “I am Gay and Muslim” was banned.<sup>51</sup>

## Proposals to tighten controls over civil society

According to CIVICUS,<sup>52</sup>

“[p]olitical decision-makers and activists opposed to liberal principles have long accused civil society activists who advocate for universal human rights, including the rights of women and sexual minorities, of promoting values “alien” to national culture and traditions. Such arguments have also been used by the proponents of a draft law pending in parliament that would increase control over NGOs.”

In mid-2021, the government passed a law imposing onerous financial and programmatic reporting requirements on NGOs.<sup>53</sup>

Between January to April 2021, prominent critics of the new Constitution and participants in peaceful rallies against the Constitution and other perceived threats to the rule of law in the country have faced intimidation and harassment.<sup>54</sup>

## Freedom of assembly

Local authorities in Bishkek reportedly sought to restrict freedom of assembly through the court system, with a local court issuing a two-month blanket ban on assemblies in the centre of the capital in February 2021 – the ban was subsequently overturned.<sup>55</sup>

However, the right to assemble and protest appears to have largely been upheld in recent years.

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# Lithuania

Const/Govt	Edu/Child	Society/Comm	Expression

Lithuania, a country in north-eastern Europe, is a parliamentary representative democratic republic with a multi-party system. In March 1990, it declared independence from the Soviet Union.<sup>1</sup> The country is a member of the EU, and NATO.

According to a population census conducted in 2011, the majority (77%) of the population identifies as Catholic, while around 6% of the population stated that they did not belong to any religious community.<sup>2</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		The dominant influence of religion in public life undermines the right to equality and/or non-discrimination	
There is systematic religious privilege  Preferential treatment is given to a religion or religion in general  State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools	Discriminatory prominence is given to religious bodies, traditions or leaders	
			No fundamental restrictions on freedom of expression or advocacy of humanist values

## Constitution and government

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

The Constitution provides that a person's freedom to profess and propagate a religion may be limited only when necessary to protect health, safety, public order, or the fundamental rights and freedoms of others.

Article 43 of the Lithuanian Constitution states that "there shall not be a State religion in Lithuania."<sup>3</sup> In practice however, several aspects of political life in Lithuania raise questions about this claim to secularism.

### "Traditional" privilege

Lithuania formally distinguishes between "traditional"

and other religions and beliefs. Article 5 of the 1995 Law on Religious Communities and Associations states that there are nine "traditional religious communities and associations existing in Lithuania, which comprise a part of Lithuania's historical, spiritual and social heritage: Roman Catholic, Greek Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Judaist, Sunni Muslim and Karaite."<sup>4</sup>

Other (non-traditional) religious associations may be granted state recognition "if they are backed by society and instruction and rites thereof are not contrary to laws and morality."

By law these "traditional" religious groups enjoy benefits not available to others, including secular and non-religious groups, such as government funding determined proportionally, based on the number of believers recorded by the Department of Statistics. There is in fact no legal basis to support these payments to religious groups, who may use the funds at their

discretion, with no duty to report to the State on how the money is spent.<sup>5</sup>

Other privileges afforded to “traditional” religions include the right to teach religion in private or public schools, and the right to register marriages. The law allows all registered religious groups to own property for prayer houses, homes, and other uses and permits construction of facilities necessary for their activities.<sup>6</sup>

## Education and children’s rights

Article 40 of the Constitution establishes public educational institutions as secular.<sup>7</sup> However, the law permits and funds religious instruction in public schools for “traditional” and other state-recognized religious groups. Parents may choose either religious instruction or secular ethics classes for their children. Schools decide which of the traditional religious groups will be represented in their curricula on the basis of requests from parents of children up to age 14, after which students present the requests themselves.<sup>8</sup>

The number of wholly private religious schools is relatively small. There are 30 schools with ties to Catholic or Jewish groups, although students of different religious groups often attend these schools.<sup>9</sup> Catholic private schools receive the benefit of so-called ‘environmental’ funds from the State, under the 2011 Law on Education. These funds cover administrative costs, as well as heating, electricity and water expenses. Public educational institutions are not guaranteed these funds and must compete for these financial resources.<sup>10</sup>

In 2016, the Minister of Education, Science and Sport approved a sex education program. Representatives of the Catholic Church and its main organizational body, Lithuania’s Bishops Conference, were consulted during the design of the program, which ended up adopting a family and abstinence-oriented approach towards sex education, as opposed to following science-backed recommendations from the World Health Organization (WHO).<sup>11</sup>

## Family, Community and Society

### Gender equality and LGBTI+ rights

The Catholic Church exerts a strong influence over Lithuanian politics, culture and society. Catholic priests are involved in most social councils and committees that provide input on State policy relating to ethics, education, and even reproductive rights. The Bishops Conference takes part in policy debates and rallies against abortion, sex education and LGBTI+ rights, and is involved in designing national family planning policy.<sup>12</sup>

In June 2008, with the support of the Catholic Church, Parliament passed the National Family Policy Concept

bill, which recognizes only those families that are based on the marriage of a man and a woman. According to the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), in the period between 2012 and 2018, the Lithuanian Parliament considered nine openly homophobic and/or transphobic legislative initiatives seeking to limit the rights and freedoms of LGBTI+ people. Lithuania remains one of a few jurisdictions in the European Union without any legal recognition of same-sex relationships. Moreover, the intense public debate around the anti-LGBTI+ legislative proposals has created a hostile atmosphere for LGBTI+ people in Lithuania.<sup>13</sup>

Though currently legal, a proposal to ban abortion is debated in Parliament every year. The Draft Law, entitled Protection of the Embryo in the Prenatal Phase, would see abortion being legal only where there is danger to the mother’s life or health, and for pregnancies resulting from rape or incest.<sup>14</sup>

## Freedom of expression, advocacy of humanist values

Freedom of expression and of the press is guaranteed by law and respected in practice.



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# Myanmar (Burma)

Const/Govt	Edu/Child	Society/Comm	Expression

The country was officially renamed Myanmar by the military regime in 1989, though this remains controversial with many ethnic minorities and activist groups that use its former name of Burma. A gradual democratization process led the civilian National League for Democracy and its leader Aung San Suu Kyi to victory in the 2015 election. However, throughout this period the military retained significant constitutional privileges, including the control of several ministries and the right to appoint one quarter of the members of any representative assembly. Nevertheless, the military under Min Aung Hlaing seized power in the 2021 coup d'état.<sup>1</sup> Since then, the increasing state of government

repression and internal conflict have severely hurt activist and civilian life in the country, including for religious and non-religious minority groups. The 2014 Census shows the religious demographic statistics as 89.8% of the population being Buddhist, 6.3% Christian, 2.3% Islam, 0.5% Hindu, 0.8% Animist, 0.2% Other religion, and 0.1% no religion.<sup>2</sup>

Rating: Severe Discrimination

*This country is found to be in flux, with democratic reforms taking effect, but significant pressure from Buddhist extremists and discrimination still taking place.*

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)		Systemic religious privilege results in significant social discrimination  Prohibitive interreligious social control (including interreligious marriage bans)	'Blasphemy' is outlawed or criticism of religion (including de facto 'blasphemy' laws) is restricted and punishable with a prison sentence
There is an established church or state religion  State-funding of religious institutions or salaries, or discriminatory tax exemptions	Religious schools have powers to discriminate in admissions or employment  Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)	Discriminatory prominence is given to religious bodies, traditions or leaders	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Official symbolic deference to religion			

## Constitution and government

Myanmar's 2008 Constitution<sup>3</sup> grants limited rights to freedom of religion or belief, and freedom of expression. However, some articles in the Constitution, as well as other laws and policies, restrict those rights, and the government continues to enforce those restrictions.

Although the country has no official state religion, Article 361 of the Constitution notes that the government "recognizes the special position of Buddhism as the faith

professed by the great majority of the citizens of the Union."<sup>4</sup> The government favors Theravada Buddhism through official propaganda and state support, including donations to monasteries and pagodas, encouragement of education at Buddhist monastic schools, and support for Buddhist missionary activities.

## Religification of state and society

The use of religion as an instrument of government policy started with U Nu, who made Buddhism the

state religion in 1961. Although this was later repealed, subsequent governments have at times appealed to Buddhist nationalists to shore up their rule, including in recent years.<sup>5</sup>

State-controlled media frequently depicts government officials and family members paying homage to Buddhist monks; offering donations at pagodas; officiating at ceremonies at new or restored pagodas; and organizing “people’s donations” of money, food, and uncompensated labor to build or refurbish Buddhist shrines nationwide. The government publishes books on Buddhist religious instruction. However, Buddhist monks have at times also campaigned for reforms, most notably during the 2007 protests.<sup>6</sup> Therefore, the government also tightly controls it, forbidding political activity by Buddhist monks, and keeping Buddhist temples and monasteries under close surveillance.

The government discourages Muslims from enlisting in the military, and Christian or Muslim military officers who aspired to promotion beyond the rank of major were encouraged by their superiors to convert to Buddhism. In effect, adherence or conversion to Buddhism is an unwritten prerequisite for promotion to most senior government and military ranks. The discrimination against Muslims culminated in the Rohingya genocide starting in 2016, while that against Christians continues to exacerbate the conflict with armed groups from the Karen and Kachin peoples.

## Religious recognition

The government has tried to manage the religious identities in the country. Article 362 of the 2008 Constitution “also recognizes Christianity, Islam, Hinduism, and Animism as the religions existing in the Union at the day of the coming into operation of this Constitution.”<sup>7</sup> Most adherents of government-recognized religious groups are allowed to worship as they choose; however, the government imposes restrictions on certain religious activities and frequently limits freedom of religion or belief. Anti-discrimination laws do not apply to ethnic groups not formally recognized under the 1982 Citizenship Law, such as the Muslim Rohingya in northern Rakhine State.<sup>8</sup>

Citizens and permanent residents are required to carry government-issued National Registration Cards (NRCs), also known as Citizenship Scrutiny Cards, which permit holders to access services and prove citizenship.<sup>9</sup> These identification cards often indicate religious affiliation and ethnicity, but there appears to be no consistent criteria governing whether a person’s religion is indicated on the identity card.<sup>10</sup> Citizens also are required to indicate their religion on certain official application forms for documents such as passports, although passports themselves do not indicate the bearer’s religion. Members of many ethnic and religious minorities, particularly Muslims, face problems obtaining NRCs.<sup>11</sup>

## Education and children’s rights

Buddhist doctrine remains part of the state-mandated curriculum in all government-run elementary schools. Students at these schools can opt out of instruction in Buddhism and sometimes do, but all are required to recite a Buddhist prayer daily. Some schools or teachers may allow Muslim students to leave the classroom during this recitation, but there does not appear to be a centrally mandated exemption for non-Buddhist students.

## Family, Community and Society

### Rohingya genocide

The government continues to deny citizenship status to Rohingya, claiming that they did not meet the requirements of the 1982 citizenship law, which required that their ancestors reside in the country before the start of British colonial rule in 1824. As a result, Rohingya are denied secondary and tertiary education, and employment as civil servants. Rohingya couples needed to obtain government permission to marry and faced restrictions on the number of children they could have legally. Authorities also restricted their access to healthcare.<sup>12</sup> Communal violence between Rakhine Buddhists and Rohingya Muslims also led to the targeting of the Kaman community, which is predominantly Muslim.<sup>13</sup> The Kaman people are recognized as an ethnic group belonging to one of Myanmar’s seven ‘national races.’ This indicates that violence was aimed at Muslims in general and forms part of a more general trend of religious intolerance that has grown in recent years.

The violence culminated in the Rohingya genocide. The military began its official campaign against the Rohingya in response to a series of attacks on its police stations by the Arakan Rohingya Salvation Army in October 2016.<sup>14</sup> However, the targeting of Rohingya civilians had already led to a refugee crisis, with an estimated 25,000 persons fleeing state persecution, communal violence, and periodic massacres in early 2015.<sup>15</sup> The estimated number of Rohingya deaths is 25,000, while that for Rohingya refugee numbers rose to 700,000 by March 2018.<sup>16</sup> Most of these displaced persons live in the Kutupalong and Nayapara refugee camps in Bangladesh, the former being the largest of its kind in the world. The military’s actions continued to receive support from the civilian government, with Aung San Suu Kyi defending it at the International Court of Justice in December 2019.<sup>17</sup> Despite her efforts, the ICJ ordered Myanmar to prevent genocidal acts against the Rohingya people in 2020. Though the environment left after the recent coronavirus epidemic and coup d’état have impeded international attempts to push for compliance from the military regime.

## Family law

The period between the constitutional referendum in 2008 and the coup d'état in 2021 saw legislative efforts to marginalize non-Buddhists, despite the climate of liberalization. New legislation gained presidential assent in December 2014. The controversial religion and family law places massive new restrictions on family life. The law is described as:

“The result if [sic] a campaign led by a radical and extremist Buddhist group called the Association for the Protection of Race and Religion which has put forward four proposals that regulate marriage, the practice of worship, polygamy and family planning. Under the proposed norm, anyone wishing to convert to another religion will have to follow complicated bureaucratic procedures or face yet to be decided penalties. It also regulates the marriage of Buddhist women with men of other religions. These women will have to ask permission from the local authorities to celebrate the wedding, prior to it being publicly registered. The spouses may marry ‘only if’ there are no objections and, in case of violation of the law, could face up to several years in prison.”<sup>18</sup>

## Freedom of expression, advocacy of humanist values

Freedoms of association, assembly and expression have increased during the transition from military to civilian rule. The government passed a media law in 2013 that liberalized censorship laws, loosened internet restrictions, and granted rights to journalists.<sup>19</sup> However, legal vagueness has been a persistent problem for the implementation of such laws in practice. The 2008 Constitution grants citizens the right to “express and publish freely their convictions and opinions” in Article 354; however, it also makes these rights subject to adherence to “community peace and tranquillity” and “public order and morality.”<sup>20</sup> This legal vagueness enables intervention by government actors. The prospect of comprehensive reforms to the legal system have collapsed since the 2021 coup d'état.

Freedom of expression has been more intimately tied with other humanist values in activist circles since the start of protests against the 2021 coup d'état. However, this has also been met with ever greater repression by the military government, whose countermeasures have led to the estimated detainment of 7,300 and the deaths of nearly 1,000 civilians.<sup>21</sup>

### “Blasphemy” laws

State actors can also turn to laws established to curb freedom of expression. Myanmar has several blasphemy laws including Section 295 (A) of the Penal Code,<sup>22</sup>

which prohibits:

“Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs.”

Those convicted could face up to two years in prison.

Additionally, Section 298 criminalizes:

“Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished~ with imprisonment of either description for a term which may be extend to one year, or with fine or with both.”

The enforcement of these standards is highly inconsistent. Blasphemy laws are mainly used to protect approved forms of Buddhism but are ignored in other cases. Several politicians, activists and artists have received prison sentences for perceived insults to the religion.<sup>23</sup>

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# Paraguay

Const/Govt	Edu/Child	Society/Comm	Expression

Paraguay is a presidential republic with a population of 7 million that borders Argentina, Bolivia, and Brazil.<sup>1</sup> It is also home to 19 indigenous communities.<sup>2</sup>

According to the most recent census to capture the religious demography of the country (2002), 89% of the

population is Roman Catholic, 6% Protestant, 3% other or unspecified and only 1% non-religious.<sup>3</sup> More recent estimates suggest that the number of non-religious individuals may have risen to 2% of the population, but the wider predominance of Christianity, and Roman Catholicism in particular, remains.<sup>4</sup>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p> <p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>There is state funding of at least some religious schools</p> <p>State-funded schools offer religious or ideological instruction with no secular or humanist alternative, but it is optional</p>	<p>The dominant influence of religion in public life undermines the right to equality and/or non-discrimination</p> <p>Systemic religious privilege results in significant social discrimination</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Some concerns about political or media freedoms, not specific to the non-religious</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

## Constitution and government

Under Article 24 of the Constitution of Paraguay,<sup>5</sup> the country is secular. However, the same provision contains special consideration of the relationship between the State and the Catholic Church clarifying that, "relations between the State and the Catholic Church are based on independence, cooperation, and autonomy".

Political parties with a religious affiliation are not

prohibited under the law. However, ministers or clergy of any religion are ineligible to run as candidates for deputies or senators (Article 197).

Registration with the Vice Ministry of Worship, which sits under the Ministry of Education and Culture, is a requirement for all religious and philosophical groups, but they have no controls imposed on them, and there are many informal churches.<sup>6</sup>



## Cultural dominance of Catholicism

The Roman Catholic Church as the predominant religious group, with considerable historical influence, is said to exert more influence in society and politics than other religious groups. Its “predominant” role in the historical and cultural formation of the nation is officially recognized under Article 89 of the Constitution. Church representatives are reported to often comment publicly on congressional legislation, sometimes impacting the shaping of public policy.<sup>7</sup>

## Education and children’s rights

Chapter VII of the Constitution governs the “Right to Education and Culture.”

Specifically, Article 74 guarantees:

“The right to learn and to equal opportunities to access the benefits of the humanistic culture, of science, and of technology, without any discrimination, is guaranteed.

“The freedom to teach, without any requirement other than suitability [*idoneidad*] and ethical integrity, as well as the right to a religious education and to ideological pluralism are also guaranteed.”

Public schools do not give religious instruction, but private religious schools have the option to do so.

Registered religious organizations are permitted to open private schools and receive state subsidies.<sup>8</sup> According to Freedom House, “Religious groups unaffiliated with the Catholic Church claim the government disproportionately subsidizes Catholic schools.”<sup>9</sup> This would seem to be supported by data from the Ministry of Education and Culture, which indicates that the state provided subsidies to 494 schools over the course of 2020, of which 252 were Roman Catholic and 242 were of various other religious affiliations.<sup>10</sup>

According to the US State Department:<sup>11</sup>

“Students belonging to religious groups other than the one associated with a private religious school may enroll; however, all students are expected to participate in religious activities that are a mandatory part of the schedule.”

In 2017, Paraguay became the first country in the world to ban gender issues from school lessons<sup>12</sup> due to the support of conservative Christian groups based in the US, such as Alliance Defending Freedom (ADF).<sup>13</sup> At the time of the ban, the then Minister for Education swore he would burn any books that contained so-called “gender ideology.”<sup>14</sup>

In April 2020, the Archbishop of Asunción called for a 30% subsidy of teachers’ fees in order to keep its schools open. In response, the Federation of Associations of Parents of Students of Public Institutions of Paraguay (Fedapar) called on the government to grant such subsidies to all private institutions regardless of their religious affiliation, noting the difficulties caused by COVID-19 in access faced by many children whether attending public or private institutions.<sup>15</sup>

## Rights of children and adolescents

Cases of sexual abuse and exploitation of children are reportedly prevalent in Paraguay.<sup>16</sup>

In December 2020, a draft National Plan for Childhood and Adolescence 2020-2024 – which sought to address sexual abuse, issues of violence, and the need for comprehensive sexuality education – was withdrawn for redrafting following statements made by members of the Catholic Church that argued that the Plan would promote the destruction of conservative family values.<sup>17</sup>

It appears that groups opposed to the Plan particularly objected to the proposals around sex education, the teaching of sexuality with a gender lens, and issues surrounding sexual reproductive health.<sup>18</sup> Conservative opponents appeared concerned that the use of the term “gender” was a means to introduce the “LGBTI+ agenda.” The Minister for Children agreed to meet several times more with representatives of parents whose children attend religious schools, the Episcopal Conference of Paraguay and other members of civil society.<sup>19</sup> The Minister was also called to appear for questioning before Congress.

## Family, community, society, religious courts and tribunals

According to OpenDemocracy, “Paraguayan human rights activists are not surprised by the country’s leadership of the ultra-conservative agenda,” labelling it “a lab for anti-rights ideas.”<sup>20</sup>

Paraguay remains one of the only countries in the world not to have a law banning all forms of discrimination.

## The rights of women

Conservative religious elements have rendered the term “gender” somewhat taboo in Paraguayan political life. In 2019, despite a high rate of femicide,<sup>21</sup> the government cut the budget of the Ministry of Women by 5%.<sup>22</sup>

According to SOMOSGAY, a local group fighting for LGBTI+ equality, the newly elected Minister for Education and Science pronounced himself to be against unconventional family units, particularly those run by single mothers.<sup>23</sup>



In 2020, a court in San Lorenzo de Limpio dismissed charges against a Catholic priest accused of sexual harassment despite clear evidence, including his confession, to having groped her. The judges argued that for harassment to be proven there would have to be evidence that the priest was in a position of power over the Church's Coordinator of its Youth Ministry, and that it was not just a one-off occurrence.<sup>24</sup> The woman in question took the case to court after the archdiocese failed to investigate, instead emphasizing that the dignity of the priest must be safeguarded. In December, an appeals court overturned the ruling and ordered a new trial.<sup>25</sup>

## Sexual and reproductive health and rights

Article 61 of the Constitution states:

"The State recognizes the right of persons to freely and responsibly decide the number and the frequency of the birth of their children, as well as to receive, in coordination with the pertinent organs[,] education, scientific orientation, and adequate services in the matter.

"Special plans of reproductive health and maternal-child health [care] for people of scarce resources will be established."

However, under the Penal Code, abortion is only legal in cases where the pregnancy threatens the life of the mother.<sup>26</sup>

Over the course of 2017-2018, at least 10 Paraguayan cities publicly declared themselves to be "pro-life" and "pro-family." Among those to declare themselves as such was the city Mariano Roque Alonso, located in the Central Department, which held a celebration of the declaration in which representatives of various churches were present.<sup>27</sup>

In December 2020, members of the House of Representatives held a minute's silence to memorialize "all the babies that will die" as a result of the legalization of abortion in neighbouring Argentina.<sup>28</sup> Members of the House, reportedly sought to reiterate that the government is pro-life and pro-family, as asserted by a 2018 resolution.<sup>29</sup>

## LGBTI+ rights

LGBTI+ activists suggest that there has been a backward trend in the realization of and respect for their rights in the country since 2018.<sup>30</sup>

Same-sex marriage remains illegal and there is no ban on conversion therapy.

According to Amnesty International,<sup>31</sup>

"There was no progress during the year in criminal complaints relating to attacks against LGBTI people during a 2019 Pride march in the city of Hernandarias. The municipality of Hernandarias had banned the march for being "contrary to public morality." There was also no progress in the constitutional challenge presented by Amnesty International in October 2019 against this and another resolution declaring the city "pro-life and pro-family," both decisions of the municipality of Hernandarias."

Members of the trans community are particular targets for violence and impunity for attacks is prevalent. According to SOMOSGAY, at least 60 cases of murders of trans women remain unsolved.<sup>32</sup>

## Freedom of expression, advocacy of humanist values

The Constitution guarantees freedom of expression and of the press, but these rights are inconsistently upheld in practice. Criminal groups and corrupt authorities often pose threats to journalists, especially in remote border areas, leading to a climate of self-censorship.<sup>33</sup> In February 2020, Brazilian journalist Lourenço "Léo" Veras was shot and killed in the border city of Pedro Juan Caballero. Veras had reported death threats from narcotraffickers.<sup>34</sup>

## Freedom of association

According to Freedom House,<sup>35</sup>

"Paraguay has a strong culture of largely free nongovernmental organizations (NGOs) working in the field of human rights and governance. However, political access tends to be given to organizations made up of senior business figures or religious groups, while human rights groups are increasingly dismissed as reflecting an international liberal agenda."

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# Qatar

Const/Govt	Edu/Child	Society/Comm	Expression

Qatar is an oil-rich nation on the northeastern coast of the Arabian Peninsula. It has been ruled by an absolute monarch since its independence in 1971.<sup>1</sup> The Emir holds all executive and legislative powers. Qatar's population is approximately 2.4 million, only 12% of which are citizens of Qatar. Sunni-Islam is the majority religion amongst citizens, with a small Shia community. Estimates indicate that less than half of the total population is Muslim.

The biggest groups amongst non-citizens are Hindus, Roman Catholics, and Buddhists.<sup>2</sup>

The exploitation of large oil and gas fields since the 1940s helped Qatar become one of the richest countries in the region. The human rights climate remains very concerning. Qatar has had some uneasy relationships with many of its neighbors over regional conflicts of interest.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed  'Apostasy' or conversion from a specific religion is outlawed and punishable by death  It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed
State legislation is partly derived from religious law or by religious authorities	Religious or ideological instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	The dominant influence of religion in public life undermines the right to equality and/or non-discrimination  Systemic religious privilege results in significant social discrimination  Prohibitive interreligious social control (including interreligious marriage bans)  Religious control over family law or legislation on moral matters	'Blasphemy' is outlawed or criticism of religion (including de facto 'blasphemy' laws) is restricted and punishable with a prison sentence

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p>		<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

## Constitution and government

Islam is the state religion of Qatar, and sharia is designated as the main source for legislation. Only Islam, Christianity, and Judaism are officially recognized, and non-Muslim groups are required to register to operate. At least 1,500 members are required for a group to be eligible to register.<sup>3</sup>

Whilst Qatar's Constitution and other laws provide for freedom of association, public assembly, and worship, these freedoms are framed within limits based on sharia law and "morality concerns."

Legal, cultural, and institutional discrimination against women and girls, LGBTI+people, non-Qatari nationals, certain local tribes, and other minorities is prevalent.<sup>4</sup>

The government does not permit the formation of political parties. Restrictions on workers unionizing are in place. Only the General Union of Workers of Qatar is allowed to operate, non-citizens are entirely restricted from unionizing, as are government employees and household workers.<sup>5</sup>

Non-governmental organizations (NGOs) require government approval to function, and their activities are routinely monitored. Independent activists are vulnerable to state harassment.<sup>6</sup> One example is Najeeb al-Nuaimi, a human rights lawyer who has been subject to a travel ban since 2017.<sup>7</sup>

## Judicial system

The Judiciary is not considered independent; many judges are foreign nationals on annual contracts. The Emir ultimately appoints the judges.<sup>8</sup>

Qatar's judicial system is based on both secular and sharia laws, depending on the type of crime committed. Secular law covers issues relating to finance for instance, whilst sharia is generally applied to laws pertaining to family law, inheritance, and several criminal acts,<sup>9</sup>

and mainly applies to the Muslim population.<sup>10</sup> Shia interpretation of sharia can be implemented upon request of the involved parties.<sup>11</sup>

The government often commutes the harsher punishments mandated by sharia.<sup>12</sup> Charges for crimes such as alcohol consumption or extramarital sex, carry sharia punishments, that in some cases call for flogging. The death penalty is permitted, but no executions have been carried out since 2003.<sup>13</sup> Muslims who have been convicted of a crime may be allowed to have their sentence reduced by a few months if they can learn the Quran by heart whilst in prison.<sup>14</sup>

Law enforcement is involved in issues related to morality and religious obedience, such as sexual relationships between consenting partners and the ability to eat and drink during Ramadan.

Article 267 of the 2004 Penal Code states that, anyone who eats or drinks in public during the daytime in Ramadan can be punished with up to three months in prison or be given a fine of 3,000 Qatari Riyals (820 USD).<sup>15</sup> Restaurants outside of hotels are not allowed to open during the daytime in Ramadan.<sup>16</sup>

Article 281 of the Penal Code criminalizes consensual sex outside marriage with sentences of up to seven years in prison. Article 285 can be understood to criminalize same-sex sexual acts.<sup>17</sup>

## Apostasy laws

Leaving Islam is a capital offense punishable by death in Qatar. However, since 1971 no punishment for apostasy has been recorded.<sup>18</sup>

Qatar's Law 11 of 2004 incorporates Sharia law into various offenses, including apostasy. Article 1 states:

"The provisions of Islamic law for the following offenses are applied if the defendant or victim is a Muslim:

1. The hudud offenses related to theft, banditry,

adultery, defamation, alcohol consumption, and apostasy.

2. The offenses of retaliation (qisas) and blood money (diyah)."

## Status of religious groups

Very few religious groups are currently officially registered in Qatar; the only registered groups at present are Sunni-Islam, Shia-Islam, and eight Christian denominations. Unregistered religious and belief groups are restricted from operating, and cannot open bank accounts, solicit funds, worship in private spaces legally, hire staff, apply for property to build places to worship, import religious texts, or publish religious newsletters or flyers.<sup>19</sup>

Non-Islamic houses of worship must be approved by the Ministry of Foreign Affairs (MFA) in coordination with the private office of the Emir. Displaying religious symbols, worshiping in public, and advertising religious services are not allowed for non-Muslims.<sup>20</sup>

The government regulates the import and distribution of religious publications. Any import of religious or belief materials requires approval from the Ministry of Culture and Sports first.<sup>21</sup>

Individuals have reported practising self-censorship on religious topics. Proselytizing is criminalized for non-Muslims, carrying a punishment of up to 10 years in prison. However, the government's response to such proselytization is usually deportation rather than legal action. Possession of written or recorded missionary materials can lead to two years' imprisonment and a fine of 10,000 riyals (2,700 USD).<sup>22</sup>

Recent reports have suggested that some deportations and denial of renewed residency permits for long-term residents have been linked to the religious activities of those residents.<sup>23</sup>

## State Control of Religious Narrative

Qatar has strict control over the religious narrative in the country. The Ministry of Endowments and Islamic Affairs (MEIA) controls mosques, provides spokespersons for media appearances, and heavily invests in online presence. Qatar fosters high-profile political Islamists and funds Islamic projects around the world.

All mosques and Islamic institutions in the country must be registered with the MEIA, who assigns imams to the mosques and provides them with thematic guidelines for Friday prayer. The sermon speech focuses mainly on Islamic rituals and social values, with restrictions on political topics. The government can take legal action against those who deviate from the guidance.<sup>24</sup>

## Education and children's rights

All schools have compulsory Islamic instruction, and non-Islamic religious education is prohibited. In 2019, private schools were mandated to teach Islamic studies and the Arabic language, starting from pre-school. Qatari history was made the third compulsory subject in schools.<sup>25</sup>

According to the Ministry of Education, "Non-Muslim students should be introduced to the Islamic religion, values and ethics through awareness embedded in other subjects (i.e. Qatar History) and school activities."<sup>26</sup>

In a report looking at the school curriculum between 2016 and 2020, the Institute for Monitoring Peace and Cultural Tolerance in School Education (IMPACT-se) observed:

"The Qatari curriculum appears to be in a phase of transformation. While somewhat less radical than previous versions, the process of moderation is in its infancy. Some particularly offensive material has been removed after decades of radical propaganda in Qatari schools, but the curriculum does not meet international standards of peace and tolerance."<sup>27</sup>

The report also pointed out that the curriculum is politicized and emphasizes a conservative, hard-line interpretation of Islam, with elements of the Wahhabist creed of Salafism and the Muslim Brotherhood dominating parts. It added,

"In Islamic religious studies there is very little improvement. Jihad war, martyrdom, and violent jihadi movements are praised [...] Christians are still seen as infidels (kafirun) and are expected to go to hell. Some anti-Christian material has been removed. Jew-hatred continues to be a central problem for this curriculum, while slightly less widespread than previous iterations. Israel is demonized. Textbooks teach [that] Jews control and manipulate world powers and markets."<sup>28</sup>

## The portrayal of women and gender roles in the curriculum

The curriculum often portrays women in traditional settings. For example, the Grade 10 Arabic language textbook depicts a "good" woman in a short story as pleasing to her husband, loving, and having many children, the syllabus uses quotes from Islam's prophet to describe those positive traits in women.

The Grade 8 Islamic Education textbook teaches that men and women are created with different natures and are prohibited from imitating one another in action or dress. The book teaches that the prophet cursed those who imitate the other gender. The book makes claims that imitation of the other gender disrupts



the natural order of things by destabilizing the family structure and thus society. To avoid imitation of other genders the book recommends “preserving god-given natural disposition,” and having a “correct upbringing that nurtures pride in religion.” In terms of the reasons people tend to imitate the opposite sex, the book lists: lack of awareness, absence of religious boundaries, mental issues like inferiority complex that leads to attention-seeking, and blind imitation.<sup>29</sup>

## Family, community, and society

### Family Law and the position of women

The unified court system applies Islamic law in family cases and has jurisdiction over both Muslims and non-Muslims. Non-Muslims have recourse to civil law for some personal status cases but cases of child custody are judged under Islamic law.

Many personal status and family laws specifically discriminate against women. The 2006 family law discriminates against women in marriage, divorce, nationality, inheritance, and freedom of movement. For example, a woman’s testimony is worth half that of a man in certain types of cases. Inheritance laws discriminate against women; a female heir receives one-half the amount of an equivalent male heir. Women require the consent of their male guardians to get married. Only men can marry out of the Muslim faith, in which case, children are required to be Muslim.<sup>30</sup> Marital rape is not a crime, although the law forbids husbands to hurt their wives physically or morally.

According to Article 69, a married woman is not entitled to marital support if she is considered “disobedient,” i.e. if she:

“(1) If she refuses to surrender herself to the husband or to move to the marital home without legitimate reason. (2) If she leaves her marital home without legitimate reason. (3) If she prevents the husband from entering into the marital home without legitimate reason. (4) If she refuses to travel with her husband when moving to another dwelling without legitimate excuse or if she travels without his permission. (5) If she works outside the home without the permission of her husband, unless he is abusing his right in preventing her from working.”<sup>31</sup>

### Violence against women

The Protection and Social Rehabilitation Center shelter reported receiving 277 cases of physical violence against women and children and 155 cases of psychological violence in 2019.<sup>32</sup>

On 6 May 2020, during an interview on the Al Jazeera

network, Dr. Ahmad al-Farjabi, a sharia expert of the Ministry of Islamic Affairs, said that when a man suspects his wife might become “disobedient” and “rebellious,” he should take the measures prescribed by the Quran, which include beating her. Al-Farjabi added that even Western psychologists have said that wife-beating is “inevitable” in the case of women who had been beaten while they were growing up and for women who have no respect for their husbands. He said that these kinds of women must be “subdued by muscles,” and that some kinds of women “may be reformed by beating.” Al-Farjabi also said that women at his lectures said it is preferable to beat one’s wife than to allow her to ruin the home and lose her children.<sup>33</sup>

### Incitement of hatred and violence against minorities and belief groups

On 16 May 2020, during an Al Jazeera interview, Dr. Abdul-Jabbar Saeed, a department chair in the sharia faculty at the state-run Qatar University, cited a hadith in which the Prophet Muhammad said that Judgment Day will not come until the Muslims fight the Jews, who will hide behind rocks and trees, which will in turn call upon Muslims to kill the Jews hiding behind them. Saeed said that victory would only be achieved through sacrifice of all that is precious and through the “blood of the martyrs and over the skulls of the enemies.”<sup>34</sup>

### The role of Islam Web

Islam Web is a website directly employed, funded, and managed by the government. It promotes the Salafi literalist school of Sunni-Islam, a radical interpretation of Islam considered incompatible with the promotion of co-existence. Between its establishment (by the Ministry of Islamic affairs) in 1998 and 2019, the site provided 245 thousand Fatwas (religious decrees by scholars, based on interpretations of religious text) and addressed 191 thousand inquiries on topics related to culture, family, and the youth.<sup>35</sup> The website preaches in six languages: Arabic, English, French, Spanish, German, and soon Bahasa Indonesian. According to official statements, the website receives two million visits every day.<sup>36</sup>

Trimming beards, professionally playing football, living in the West are topics that are frowned upon or prohibited. The website also condemns congratulating Christians on Christmas calling it a “dangerous trend” that is promoted under the pretext of “coexistence of religions,” “diversity of civilizations.”<sup>37</sup>

Multiple fatwas on Islam Web are clear that insulting the prophet must be punished by death, often without giving them a chance to repent.<sup>38</sup> Fatwa NR 8520 on apostasy says that apostates from Islam are to be killed after being offered a chance to return to Islam. The fatwa uses poetically derogatory language to insult the apostates and devalue them as human beings.<sup>39</sup>

Fatwa NR 469283 calls for death to LGBTI+ men based on quotes from the prophet. It states that,<sup>40</sup> “the crime of sodomy is the most heinous, ugliest and dirtiest of crimes, it’s against the natural disposition.”<sup>41</sup>

## Discrimination in citizenship and systemic racism

After a visit to Qatar in 2020, the United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, expressed “serious concerns” about structural racial discrimination against non-nationals in the country, specifically affecting South Asian and sub-Saharan African migrants.<sup>42</sup>

Roughly 71% of the population is comprised of low-income migrant workers. Government figures in December 2019 counted a total of 1.9 million migrant workers in Qatar, of which 1.77 million were men. The majority come from India, Bangladesh, Nepal, Philippines, Egypt and Pakistan.<sup>43</sup> Labour laws in Qatar create a power imbalance and climate of fear which stops migrants from raising complaints about labor violations.<sup>44</sup> In February 2021, the Guardian newspaper revealed that 6500 workers died in Qatar since it won the bid for the 2022 World Cup.<sup>45</sup>

Long-term residents working and living in Qatar do not have a clear path for citizenship. The Qatari authorities are known to revoke or deny citizenship on an arbitrary and punitive basis, in doing so denying those individuals access to fundamental rights such as education, employment, housing, health care, property, and marriage.<sup>46</sup>

In August 2021, a new election law was introduced which divides the population into three groups. Only “original” Qataris with roots in the country stemming from around 1930 are allowed to run for elections. Qatari citizens with a grandfather born in Qatar are allowed to vote only. First or second-generation naturalized citizens cannot vote.<sup>47</sup>

## Freedom of expression, advocacy of humanist values

Provisions of Qatar’s Penal Code are inconsistent with international human rights law and Qatar’s obligations under the International Covenant on Civil and Political Rights (ICCPR) – which it recently ratified.<sup>48</sup>

According to the 2020 Country Reports on Human Rights Practices by the US State Department, the government implements a policy of reviewing, censoring, or banning newspapers, magazines, books, and films for objectionable sexual, religious, and political content. Journalists and publishers practice self-censorship

regarding material the government might consider contrary to Islam.<sup>49</sup>

In June 2020, the authorities interrogated several social media users about tweets that were perceived to be critical of the government. Some signed pledges to not post similar content while others had their Twitter accounts deactivated.<sup>50</sup> In April that year, a lawyer was charged with disrupting the public interest for a video he posted criticizing Central Bank policies.<sup>51</sup>

On 4 May 2021, Malcom Bidali, a Kenyan security guard who blogged about migrant workers’ conditions in Qatar was detained and then charged with “offences related to payments received by a foreign agent for the creation and distribution of disinformation within the state of Qatar.”<sup>52</sup> Migrant-rights.org stated that “he was held in solitary confinement and interrogated without legal counsel for nearly four weeks.”<sup>53</sup> Bidali has been released but can face up to 10 years in prison and a \$4,000 fine if found guilty as charged.

## Media freedom

The ruling family, and its allies, influence much of the media in Qatar and its messaging.<sup>54</sup> The media is perceived to be subject to censorship.

The Al-Jazeera network is one of the biggest media outlets in the Middle East. Al-Jazeera is privately held, but the government has reportedly financially supported its operations since it was established.<sup>55</sup> Former Al-Jazeera employees alleged the government influences its content.<sup>56</sup>

According to Freedom House, “all journalists in Qatar practice a degree of self-censorship and face possible jail sentences for defamation and other press offenses.”<sup>57</sup> For example, in December 2020, a columnist and social media influencer Faisal Muhamad al-Marzoqi was sentenced to three months in prison, a fine, and had his Twitter account confiscated for a tweet criticizing public figures.<sup>58</sup>

Between 2016 until 2020, the independent English-language website Doha News was blocked for allegedly not having an operating permit. The outlet changed ownership in 2017 and again in 2020 before it resumed full operations. The original Doha News staff and leadership left it, arguing that it had been stripped of its independence by the government.<sup>59</sup>

Articles by Doha News had covered topics not picked-up by state-affiliated media. These include “What it’s like to be gay and Qatari”<sup>60</sup> and an article written by a Qatari citizen who was denied permission to marry a non-Qatari by the government.<sup>61</sup> Both pieces were published in the months leading up to the blocking of the site.<sup>62</sup> Around two months before the block, Doha News wrote an article<sup>63</sup> criticizing the cybercrime law effect on journalists



demanding it must be changed. In contrast, an article<sup>64</sup> published by Doha News in 2021 celebrated press freedom in Qatar.

## Expression online and cybercrime laws

In 2014, in what was widely considered a significant setback for freedom of expression in Qatar, a new cybercrimes law criminalizing the spreading of “false news” on the internet was introduced.<sup>65</sup> The new law allows the authorities to ban websites that they consider threatening to the “safety” of the country and punish anyone who posts or shares online content that “undermines” Qatar’s “social values” or “general order”. The meaning of these terms is not defined by the new legislation.<sup>66</sup> It also provides for sentences of up to three years in prison and a fine of 500,000 Qatari Rial (roughly 140,000 USD). It prohibits online activity deemed to be threatening to the safety of the state, general order, local or international peace. The judicial authorities can order internet providers to block content.<sup>67</sup>

In January 2020, Qatar further strengthened its Penal Code with Article 136 bis under “Crimes against Internal State Security” stating:

“[...], whoever broadcasts or publishes or republishes rumors or statements or false or malicious news or sensational propaganda, inside or outside the state, whenever it was intended to harm national interests or incite public opinion or disturb the social or public order of the state [...] shall be punished by imprisonment for a period not exceeding five years and a fine not exceeding (100,000) one hundred thousand riyals, or by one of these two penalties. The penalty is doubled if the crime is committed in wartime.”<sup>68</sup>

Article 134 states that:

“The penalty of imprisonment for a term not exceeding five years shall apply to any person who challenges by any public means the exercising by the Emir of his rights or authorities, or criticizes his person. The same penalty shall apply to any person who commits any of the previous offences on the deputy Emir or the Crown Prince.”<sup>69</sup>

## Expression of humanist values and critical thinking

“Crimes Related to Religions and the Violability of the Dead” is a chapter in the Penal Code containing articles 256-267. These articles provide a set of laws that can be used to severely limit critical thought.<sup>70</sup>

Article 259 criminalizes doubts in Islamic teaching and those who favor critical thinking.<sup>71</sup> It states, “Whoever opposes or doubts any of the basics or tenets of Islam,

or calls upon, or favors or promotes another religion, cult or concept shall be punished with imprisonment for a term not exceeding five years.” Notably the English version omits some specifics like mentioning “methods” which can be a school of thought within Sunni-Islam, instead the English version mentions “cults.” The article has additional content that was dropped in translation. It perhaps is due to the Arabic text utilizing vague language, and concepts that aren’t that easily defined. This article can be used against anyone who is seen to deviate from an orthodoxy that is left undefined. We have been unable to verify the use of this article.

## Blasphemy law

The Penal Code criminalizes blasphemy, including insulting the “Supreme Being.”<sup>72</sup> The defamation or desecration of Islam, Christianity, or Judaism is punishable by up to seven years in prison.

Article 256 of the penal code states:

“Whoever commits the following acts shall be punished with imprisonment for a term not exceeding seven years:

- 1- Insulting Allah through writing, drawing, gesturing or in any other way or through any other means.
- 2- Offending, misinterpreting or violating the Holy Quran.
- 3- Offending the Islamic religion or any of its rites and dictates.
- 4- Cursing any of the divine religions according to the regulations of Islamic law.
- 5- Insulting any of the prophets through writing, drawing, gesturing or in any other way or through any other means.
- 6- Sabotaging, breaking, damaging or violating sites or their contents if they are made to perform religious rites for one of the divine religions according to the regulations of Islamic law.”<sup>73</sup>

Article 263 prohibits the circulation or production of symbols, slogans or drawings that might offend the Islamic religion:

“Whoever produces, sells, exposes for sale or circulation, or possesses products, merchandise, prints or tapes, including drawings, slogans, words, symbols, signals or anything else that may offend the Islamic religion or other divine religions according to the dictates of Islamic law, shall be punished with imprisonment for a term not exceeding one year and a fine not exceeding one thousand Qatari Riyals (QR 1.000). The same penalty shall be imposed on any person who uses disks, computer programs or magnetized tapes to offend Islam or other divine religions according to the dictates of Islamic law.”<sup>74</sup>

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<sup>4, 12</sup> <https://www.state.gov/reports/2020-report-on-international-religious-freedom/qatar/>;  
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<sup>5, 7, 8, 54, 55, 57</sup> <https://freedomhouse.org/country/qatar/freedom-world/2021>

<sup>6</sup> <https://freedomhouse.org/country/qatar/freedom-world/2021>;  
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<sup>9, 10</sup> <https://www.dohanews.co/four-things-to-know-about-flogging-as-a-punishment-in-qatar/>

<sup>14</sup> <https://al-marsd.com/%D8%B6%D9%88%D8%A7%D8%A8%D8%B7-%D8%AC%D8%AF%D9%8A%D8%AF%D8%A9-%D9%84%D9%84%D8%B9%D9%81%D9%88-%D8%B9%D9%86-%D8%AD%D9%81%D8%B8%D8%A9-%D8%A7%D9%84%D9%82%D8%B1%D8%A2%D9%86-%D9%81%D9%8A-%D8%A7%D9%84%D8%B3/>

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<sup>27, 28, 29</sup> [https://www.impact-se.org/wp-content/uploads/Understanding-Qatari-Ambition\\_The-Curriculum-2016%E2%80%9320\\_Updated-Report.pdf](https://www.impact-se.org/wp-content/uploads/Understanding-Qatari-Ambition_The-Curriculum-2016%E2%80%9320_Updated-Report.pdf)

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<sup>33</sup> <https://www.memri.org/reports/wife-beating-guidance-qatari-official-dr-ahmad-al-farjabi-al-jazeera-tv-some-women-must-be>

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<sup>35, 36</sup> <https://al-sharq.com/article/30/01/2021/%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D9%84%D9%87-%D8%A7%D9%84%D8%AC%D8%A7%D8%A8%D8%B1%D9%85%D9%84%D9%8A%D9%88%D9%86%D8%A7-%D9%85%D8%B4%D8%A7%D9%87%D8%AF%D8%A9-%D9%8A%D9%88%D9%85%D9%8A%D8%A7-%D9%84%D9%85%D9%88%D9%82%D8%B9-%D8%A5%D8%B3%D9%84%D8%A7%D9%85-%D9%88%D9%8A%D8%A8>

<sup>37</sup> <https://www.islamweb.org/en/article/156827/>

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<sup>39</sup> <https://www.islamweb.net/ar/fatwa/8520/%D8%AD%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%B9%D9%82%D9%8A%D8%AF%D8%A9-%D9%84%D8%A7-%D8%AA%D8%B9%D9%86%D9%8A-%D8%AD%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%A7%D8%B1%D8%AA%D8%AF%D8%A7%D8%AF>

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# Uruguay

Const/Govt	Edu/Child	Society/Comm	Expression

Uruguay is the second smallest nation on the continent, bordering Brazil and Argentina. Its mostly urban population centres around the capital, Montevideo.<sup>1</sup> With a long tradition of secularism, Uruguay is the most socially secular nation in Latin America.

The precise religious demography of the 3.5 million population is not measured in national censuses. Data from 2006 suggests that 47% of the population were Catholic, and a further 11% belonged to other Christian

denominations. At that time, the country had one of the largest recorded proportions of non-religious people in the region, accounting for 17% of the population.<sup>2</sup> More recent estimates suggest that the proportions of non-religious individuals may have grown to account for some 34% of the population, overtaking the proportion of the population identifying as Catholic.<sup>3</sup> However, recent reports indicate a rise in the influence of evangelical protestants in politics.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
State-funding of religious institutions or salaries, or discriminatory tax exemptions		Use of Conscientious Objection clauses resulting in the denial of lawful services to women and LGBTI+ people	
			Some concerns about political or media freedoms, not specific to the non-religious
	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	

## Constitution and government

The Constitution<sup>4</sup> of Uruguay and numerous laws explicitly prohibit discrimination based on religion. There is a strict separation between religion and state. The Penal Code restricts ill-treatment of ethnic, religious, and other minority groups. The *Institución Nacional de Derechos Humanos* (National Institute of Human Rights) an autonomous branch of Congress designed to defend, promote, and protect the human rights recognized by the Constitution and international law, and the Ministry of Education and Culture's (MEC) Honorary Commission against Racism, Xenophobia, and All Forms of Discrimination exists to enforce government compliance with the laws. Furthermore, Representatives from numerous religious and civil society bodies are actively involved in the Honorary Commission.

Under law, secularism is commemorated on 19 March each year.<sup>5</sup>

## Constraints on religious influence in political life

Religious groups have reported that the State's commitment to secularism has precluded opportunities for dialogue. Religious groups have further argued that the State's interpretation of the term 'secularism' is too narrow – interpreted to mean an absence of religion rather than the peaceful coexistence and equal weight afforded to religion and belief groups, and the separation of religion from State.<sup>6</sup>

Further, a number of evangelical Protestant organizations, including *Misión Vida para las Naciones Church* (Life Mission for the Nations), filed a petition before the Organization of American States' Inter-American Commission on Human Rights (IACHR) for discrimination by the state based on religious grounds, in May 2019.

## Some deviations from ‘Laicidad’

Despite Uruguay’s generally good record on religion-state separation, there are tax exemptions permitted to religious groups for houses of worship. In order to receive such exemptions, a religious group must first register with the Ministry of Education and Culture (MEC) as a non-profit entity and submit draft organising statutes.

In general terms, Uruguay has low influence from religious groups in politics. However, given the tax exemptions that religious groups enjoy, both Catholics and Protestants are establishing an influence, especially among lower income people. In 2014, a coalition of pastors put a lot of money into one branch of the Blanco Party and attained representation, with a deputy in the House of Representatives and a Senator.<sup>7</sup>

Muslims in the country are permitted to acquire an optional identity card that identifies their religious affiliation to employers and permits them to withdraw from work early on Fridays. This might be described as enabling a positive religious freedom, but it is also a privilege not permitted to other belief groups on analogous grounds.

## Education and children’s rights

Uruguay prohibits religious instruction in its public schools.<sup>8</sup> Public schools allow students belonging to minority religious groups to take time off school for religious holidays without being penalized. However, it remains to be seen whether secular or humanist families would be permitted similar treatment (they are not explicitly included in the law as it stands).

According to the US State Department:<sup>9</sup>

“The constitution prohibits religious instruction in public schools. Public schools close on some Christian holidays. In deference to its secular nature, the government does not refer to holidays by their Christian names; for example, Christmas is formally referred to as “Family Day” and Holy Week is widely referred to as “Tourism Week.” Students belonging to non-Christian or minority religious groups may be absent from school on their religious holidays without penalty. Private schools run by religious organizations may decide which religious holidays to observe.”

Religious groups have raised concerns that the State’s commitment to *laicidad* (secularism) impinges on their ability to teach in accordance with their religious beliefs. In particular, they have raised concerns regarding sex education. Platforms are reportedly not given to those with positions contrary to the rights of women, LGBTI+ rights, or abortion.<sup>10</sup>

## Family, community, and society

### Sexual and Reproductive Health Rights

In 2012, Uruguay introduced a law legalizing abortion within the first 12 weeks of pregnancy. Where the pregnancy results from rape, contingent on certain procedural requirements, abortion is permitted up to 14 weeks.

Within that framework, there are a number of factors limiting access to safe abortion. Along with a mandatory waiting period and obligatory counselling prior to accessing an abortion, and a lack of access to health centres in rural areas,<sup>11</sup> there is an expansive conscience clause that allows healthcare providers to refuse abortion-related services on the grounds of religion or belief.

The conscience clause in the law (updated and expanded in 2015) enables doctors – and private institutions – to refuse participation in any of the steps relating to the termination of pregnancy (not only the abortion procedure), hindering access to pre- and post-abortion care.<sup>12</sup> It is reported that this clause is widely used as a means to deny abortions, and has a significantly negative impact on women’s rights to have safe abortions, and preventing patients from receiving accurate, scientific, and unbiased information about their options. The UN The Committee on the Elimination of Discrimination against Women (CEDAW) has noted its concern about the widespread use of Conscientious Objection amongst medical practitioners in Uruguay, “thereby limiting access to safe abortion services, which are guaranteed by law.”<sup>13</sup>

Research conducted by MYSU (Women and Health Uruguay) has shown that in some areas of the country up to 87% of medical service providers refuse to terminate pregnancies, making it virtually impossible to obtain timely access to services.<sup>14</sup> One study concluded that doctors are collectively practicing official disobedience and resisting the law, thereby impeding women’s access to care.<sup>15</sup>

### LGBTI+ rights

Uruguay has often been at the vanguard of LGBTI+ rights in the region and such rights are generally respected in the country. Same-sex sexual relationships have been legal since 1933, while same-sex marriage was legalized in 2013.<sup>16</sup> However, the country has yet to ban conversion therapy.<sup>17</sup>

In 2018, the government passed legislation that permits trans individuals to change their gender identity and guarantees them access to healthcare. Attempts by conservative representatives in parliament to roll-back these rights failed in 2019.<sup>18</sup>

## Freedom of expression, advocacy of humanist values

The right to freedom of assembly and association are guaranteed by law, and the government generally respects this in practice. A broad range of community organizations are active in civic life in the country, including many groups focussed on the rights of women for which campaigning aims to raise particular awareness about issues such violence against women and societal discrimination.

The constitutional guarantees of free expression are generally respected, and violations of press freedom are relatively uncommon.<sup>19</sup> The press in Uruguay is privately owned and there are numerous daily newspapers, many of which have affiliations with political parties.

The government of Uruguay does not restrict academic freedom, nor does it place restrictions on internet usage.<sup>20</sup>

### Passage of the Law of Urgent Consideration

In October 2020, the newly-elected centre-right government passed the Law of Urgent Consideration (*Ley de Consideración Urgente* – LUC), which – among other provisions designed to address public security concerns – grants police greater powers to use force to quell protests, presents greater obstacles to public demonstrations and the work of unions, and criminalizes criticizing the police.<sup>21</sup> The law has also been criticized by the former Special Rapporteur on Freedom of Expression to the Inter-American Commission on Human Rights, Edison Lanza, as creating a vehicle of censorship through the “right to be forgotten.”<sup>22</sup>

The current government’s interpretation of *Laicidad* has been used to punish public servants carrying out protests or campaigning activities. This includes employees of a hospital who set up a table to collect signatures in protest against the LUC,<sup>23</sup> and teachers who engaged in election campaigning on the premises of the school. The teachers were suspended for six months on half pay for “proselytizing.”<sup>24</sup>

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